

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court WD/TX, Austin Division on the following Patents or Trademarks:

DOCKET NO. 1:08-cv-616-LY	DATE FILED 08/14/08	U.S. DISTRICT COURT Western District of Texas, Austin Division
PLAINTIFF Hubbell Incorporated Hubbell Building Automation, Inc.		DEFENDANT The Watt Stopper, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See Attached		
2 5,699,243		
3 5,946,209		
4 6,151,529		
5 5,640,143		

RECEIVED

AUG 18 2008

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY CLERK

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,986,357		
2 6,415,205		
3 6,078,253		
4 5,821,642		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK William G. Putnicki	(BY) DEPUTY CLERK <i>K. Wallace</i>	DATE 8/18/8
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

AUG 14 2008

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

HUBBELL INCORPORATED,
A Connecticut Corporation and
HUBBELL BUILDING AUTOMATION, INC.,
A Texas Corporation,

Plaintiffs

v.
THE WATT STOPPER, INC.,
A California Corporation,

Defendant.

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Civil Action No.

A08CA 616LY

JURY TRIAL DEMANDED

COMPLAINT

Plaintiffs HUBBELL INCORPORATED and HUBBELL BUILDING AUTOMATION, INC., by way of Complaint against Defendant THE WATT STOPPER, INC., allege and state:

I. JURISDICTION AND VENUE

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. Jurisdiction is conferred pursuant to 28 U.S.C. §1338(a).

2. Venue is proper in this judicial district pursuant to 28 U.S.C. §1391(b) and §1400(b), because (a) THE WATT STOPPER, INC. ("WATT STOPPER") does and/or offers to do business in this judicial district, thereby being subject to personal jurisdiction here; (b) a substantial part of the events or omissions giving rise to the claims occurred here; and (c) the alleged infringements are occurring here because WATT STOPPER sells and/or offers to sell infringing products in this judicial district in violation of 35 U.S.C. §271.

II. THE PARTIES

3. Plaintiff HUBBELL INCORPORATED is a corporation organized and existing under the laws of the State of Connecticut, having a place of business at 584 Derby Milford Road,

Orange, Connecticut 06477. Plaintiff HUBBELL BUILDING AUTOMATION, INC. is a corporation organized and existing under the laws of the State of Texas, having a place of business at 706 Brentwood Street, Austin, Texas 78752. Collectively, Plaintiffs are referred to as "HUBBELL."

4. Defendant WATT STOPPER is a corporation organized and existing under the laws of the State of California, having a place of business at 2800 de la Cruz Boulevard, Santa Clara, California 95050.

III. FACTS

5. HUBBELL INCORPORATED is the owner by assignment of all right, title and interest in and to the following patents for (i) inventions related to adaptive sensing (attached as Exhibits 1-7) and (ii) zero crossing (attached as Exhibit 8) for room occupancy sensors (collectively, the "Hubbell Patents"):

Inventor(s)	U.S. Patent Number	Exhibit	Title
Eckel <i>et al.</i>	5,699,243	1	Motion Sensing System With Adaptive Timing For Controlling Lighting Fixtures (same)
	5,946,209	2	
	6,151,529	3	
Myron <i>et al.</i>	5,640,143	4	Occupancy Sensor And Method Of Operating Same (same)
	5,986,357	5	
	6,415,205	6	
	6,078,253	7	
Nishhira <i>et al.</i>	5,821,642	8	Arc Prevention Circuit For A Mechanical Switch

6. HUBBELL BUILDING AUTOMATION, INC. is the exclusive licensee of the rights to make, use, sell and offer for sale products within the scope of the Hubbell Patents, including the right to sue for and recover damages due to any infringement of the Hubbell Patents.

IV. PATENT INFRINGEMENT

7. On information and belief, Defendant WATT STOPPER makes, uses, imports, offers for sale and/or sells room occupancy sensors designated as models WS-200, PW-100 and PW-200 (formerly WA-200 and WA-300), WN-100, WI-200, WI-300, WD Series, UW-100, UW-200, DW-100, DW-200, TS-400, WPIR, CX-100, CI-200, CI-300, CI-355, CI-12, CI-24, CB-100, W Series, WT Series, UT-300, UT-355, DT-200, DT-300, DT-355 and other models in this judicial district and throughout the United States. See Exhibits 9-14.

8. The manufacture, use, importation, offer for sale and/or sale of at least the WATT STOPPER occupancy sensor models WS-200, PW-100 and PW-200 (formerly WA-200 and WA-300), WN-100, WI-200, WI-300, WD Series, UW-100, UW-200, DW-100, DW-200, TS-400, WPIR, CX-100, CI-200, CI-300, CI-355, CI-12, CI-24, CB-100, W Series, WT Series, UT-300, UT-355, DT-200, DT-300, DT-355 by WATT STOPPER in this judicial district and elsewhere in the United States constitutes direct and/or contributory infringement of, and/or active inducement to infringe at least one claim of one or more of the Hubbell Patents in violation of 35 U.S.C. §271.

9. WATT STOPPER's infringement of the Hubbell Patents has been, and is, in violation of HUBBELL's patent rights, and it is believed that WATT STOPPER will continue to infringe HUBBELL's patent rights unless enjoined by this Court.

10. On information and belief, WATT STOPPER's acts of infringement have been and are willful and deliberate, and committed with full knowledge of HUBBELL's rights in the Hubbell Patents.

11. As a result of WATT STOPPER's infringement of the Hubbell Patents, HUBBELL has been damaged by a loss of sales, profits, royalties and/or in other respects, and will continue to be damaged in a substantial amount yet to be determined. HUBBELL has also suffered and will continue to suffer irreparable injury unless the infringing activities of WATT STOPPER are enjoined.

12. By reason of WATT STOPPER's willful and deliberate infringements, this is an "exceptional case" within the meaning of 35 U.S.C. §285 and warrants an award of treble damages pursuant to 35 U.S.C. §284.

WHEREFORE, Plaintiffs pray for the following relief:

- a. Judgment on their cause of action for patent infringement under 35 U.S.C. §271 against
WATT STOPPER.
- b. Judgment that Defendant has infringed at least one claim of each of U.S. Patent Nos.
5,640,143; 5,699,243; 5,821,642; 5,946,209; 5,986,357; 6,078,253; 6,151,529;
and 6,415,205.
- c. Preliminary and permanent injunctive relief enjoining WATT STOPPER, its officers,
directors, agents and employees and all those in active concert or participation with
them who receive actual notice of the injunction order or judgment by personal
service or otherwise, from making, using, importing, offering for sale, and selling in
the United States any product embodying the inventions of U.S. Patent Nos.
5,640,143; 5,699,243; 5,821,642; 5,946,209; 5,986,357; 6,078,253; 6,151,529;

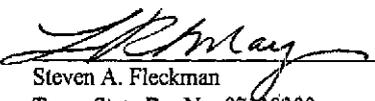
and 6,415,205 and from any further acts of infringement, contributory infringement and inducement of infringement thereof.

- d. An award of compensatory and punitive damages, including, but not limited to lost profits for the sales made by WATT STOPPER, but in no event less than a reasonable royalty, payable to Plaintiffs by reason of the wrongs committed by WATT STOPPER, including an award of increased damages pursuant to 35 U.S.C. §284, for WATT STOPPER's willful and deliberate patent infringements.
 - e. Pre-judgment and post-judgment interest on the amounts awarded, costs of court in this action, and reasonable attorneys' fees pursuant to 35 U.S.C. §285.
 - f. Such other and further relief as this Court deems just and proper.
13. Plaintiffs respectfully request that the trial of this action be had by jury.

Respectfully submitted,

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