

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

LIGHTSTREAM, INC.,

Plaintiff,

v.

ATOMIC PRODUCTS, LLC. d/b/a
VISIGLO, and DOUGLAS GRABE
AND ALLAN CURTIS,

Defendants

Cause No. 13-cv-0050

**FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff Lightstream, Inc. complains of Defendants as follows:

NATURE OF LAWSUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. Plaintiff LIGHTSTREAM, INC. is a Washington State corporation engaged in the development, sale, and licensing of mountable electroluminescent welt technology. Plaintiff is the assignee of record of duly

1 issued U.S. Patents 7,753,542 (“the ‘542 Patent”) and D457,299 (“The ‘299
2 Patent”) (collectively the “Lightstream Patents”) attached as **Exhibit A**.

3 3. On information and belief, Defendant Atomic Products, LLC.
4 (d/b/a VISIGLO), is a Connecticut limited liability company having a principal
5 place of business at 480 Barnum Avenue, Suite 6, Bridgeport, CT 06608 and an
6 Internet web presence at www.visiglo.com.

7 4. On information and belief, Defendant Douglas Grabe (“Grabe”) is a
8 principal owner of Atomic Products, LLC (d/b/a VISIGLO) with a business
9 address of 480 Barnum Avenue, Bridgeport, Connecticut, 06608 and residential
10 address of 160 Stonewall Lane, Fairfield, Connecticut, 06824.

11 5. On information and belief, Defendant Allan Curtis (“Curtis”) is a
12 principal owner of Atomic Products, LLC (d/b/a VISIGLO) with a business
13 address of 480 Barnum Avenue, Bridgeport, Connecticut, 06608 and a
14 residential address of 3 Tarone Drive, Westport, Connecticut, 06880.

15 6. Defendants Grabe and Curtis direct and control the operations and
16 activities of Atomic Products, LLC (d/b/a VISIGLO) and are responsible for the
17 activities of Atomic Products, LLC (d/b/a VISIGLO) complained of herein.

18 **JURISDICTION AND VENUE**

19 7. This is an action for patent infringement arising under the patent
20 laws of the United States of America, Title 35 U.S.C. Accordingly, this Court
21 has jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§
22 1331 and 1338(a).

23 8. Personal Jurisdiction over the defendants is proper in this Court.
24 Venue in this judicial district is proper under 28 U.S.C. §§ 1391(b), (c) and/or
25 1400(b) in that a substantial part of the events giving rise to the patent
26 infringement claims herein have taken place and may still be taking place in this
27 judicial district.
28

DEFENDANTS' ACTS OF PATENT INFRINGEMENT

9. Lightstream restates and incorporates by reference paragraphs 1 through 8 above as if fully re-stated herein.

10. Defendants Grabe, Curtis and Atomic Products, LLC (d/b/a VISIGLO) have been and are infringing the Lightstream Patents by making, using, offering for sale, selling and/or importing dog collars that include mountable electroluminescent welts constructed in accordance with the Lightstream Patents.

11. As shown in attached **Exhibit B**, Defendants make, use, import, sell, and/or offers to sell dog collars constructed with an electroluminescent welt embedded within the dog collar.

12. Attached as **Exhibit C** is an illustrative claim chart generally illustrating how Defendants' accused products infringe the Lightstream Patents.

12. Defendants' infringement, contributory infringement and/or inducement to infringe have been willful and have deliberately injured and will continue to injure Lightstream unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further manufacture, use, importation, sale and/or offer for sale of products that fall within the scope of the Lightstream Patents.

PRAYER FOR RELIEF

WHEREFORE, Lightstream asks this Court to enter judgment against Defendants and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

1 A. An award of damages adequate to compensate Lightstream for the
2 infringement that has occurred, together with prejudgment interest from the date
3 infringement of the Lightstream Patents began;

4 B. Increased damages as permitted under 35 U.S.C. § 284;

5 C. A finding that this case is exceptional and an award to Lightstream
6 of their attorneys' fees and costs as may be appropriate and as provided by 35
7 U.S.C. § 285;

8 D. A permanent injunction prohibiting further infringement,
9 inducement and contributory infringement of the Lightstream Patents;

10 E. Prejudgment interest calculated from the time of the first
11 occurrence of any infringing activity through and until entry of judgment; and

12 F. Such other and further relief as this Court or a jury may deem
13 proper and just.

14 **JURY DEMAND**

15 Lightstream demands a trial by jury on all issues presented in this
16 Complaint.

17 Dated: May 21, 2013.

Respectfully submitted,

18 /Philip P. Mann

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