

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**Case No. 12-cv-1302**

**CAMCO MANUFACTURING, INC.,**

**Plaintiff,**

**v.**

**VALTERRA PRODUCTS, INC.,**

**Defendant.**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

Plaintiff Camco Manufacturing, Inc. (“Camco”) for its Complaint for Patent Infringement against Valterra Products, Inc. (“Valterra”) alleges the following:

**THE PARTIES**

1. Camco is a corporation duly organized and existing under the laws of the State of North Carolina with a principal place of business and its headquarters in Greensboro, North Carolina. Camco is a leading manufacturer of a number of products, including a variety of products for use with recreational vehicles.

2. Upon information and belief, Valterra is a corporation duly organized and existing under the laws of the State of California with a principal place of business and its headquarters in Mission Hills, California. Upon information and belief, Valterra supplies products for use with recreational vehicles.

**JURISDICTION AND VENUE**

3. Camco brings this action for patent infringement under the patent laws of

the United States, namely 35 U.S.C. §§ 271, 281, 284 and 285 among others. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338(a).

4. Valterra is subject to personal jurisdiction in the Middle District of North Carolina (the “District”), consistent with the principles of due process and the North Carolina Long Arm Statute. Upon information and belief, Valterra has sold and offered for sale infringing products in this District, has committed and/or induced acts of patent infringement in this District, and/or has placed infringing products into the stream of commerce through established distribution channels with the expectation that such products will be purchased by residents of this District. The actions of Valterra described in this paragraph form a substantial part of the events giving rise to this lawsuit.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§1391(c) and 1400(b).

#### **GENERAL ALLEGATIONS**

6. Camco is the owner of all right, title, and interest in U.S. Patent No. 6,619,596 (the “ ‘596 Patent”), entitled RV Sewer Hose Support. A true and correct copy of the ‘596 Patent is attached as Exhibit A.

7. Valterra is infringing and/or inducing others to infringe by making, using, offering to sell, and/or selling in the United States, and/or importing into the United States, products that practice one or more claims in the ‘596 Patent. Such infringing products include those sold as “Sewer Hose Buddy.” True and correct images of one such “Sewer Hose Buddy” are attached as Exhibit B.

8. Upon information and belief, Valterra has profited through infringement of the '596 Patent. As a result of Valterra's unlawful infringement of the '596 Patent, Camco has suffered and will continue to suffer damages. Camco is entitled to recover these damages from Valterra.

9. Valterra has had actual and constructive knowledge of the '596 Patent since before this Complaint was filed. Upon information and belief, Valterra's packaging for its Sewer Hose Buddy product includes a photograph of a competing Camco product, which contained a patent notice. Valterra also received, prior to the filing of this Complaint, notice of the '596 Patent and Valterra's infringement thereof.

10. Upon information and belief, Valterra's infringement is willful and deliberate, entitling Camco to enhanced damages and reasonable attorney fees and costs. This case is also "exceptional" within the meaning of 35 U.S.C. § 285, further entitling Camco to an award of attorneys fees.

11. Upon information and belief, Valterra intends to continue its unlawful infringing activity, and Camco continues to and will continue to suffer irreparable harm—for which there is no adequate remedy at law—from such unlawful infringing activity unless Valterra is enjoined by this Court.

### **COUNT I**

#### **(INFRINGEMENT OF U.S. PATENT No. 6,619,596)**

12. Camco incorporates paragraphs 1 through 11 herein by reference.

13. The '596 Patent is valid, enforceable and was duly issued in full

compliance with Title 35 of the United States Code.

14. Valterra is directly or indirectly infringing on one of more claims of the '596 Patent in this judicial district and elsewhere in North Carolina.

15. Camco has been damaged as a result of Valterra's willful and deliberate conduct described in this Complaint. Valterra is therefore liable to Camco in an amount that adequately compensates for Valterra's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. §284.

### **JURY DEMAND**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Camco hereby requests a trial by jury of all issues so triable.

### **PRAYER FOR RELIEF**

Camco requests that the Court find in its favor and against Valterra, and that the Court grant Camco the following relief:

- a. Judgment that one or more of the claims of the '596 Patent has been infringed, either literally and/or under the doctrine of equivalents, by Valterra;
- b. Judgment awarding Camco compensatory damages as a result of Valterra's infringing activities complained of herein, with interest and costs;
- c. Judgment declaring that Valterra's infringement of the '596 Patent has been willful and deliberate;
- d. Judgment awarding Camco enhanced damages, up to and including treble

damages, under 35 U.S.C. § 284 as a result of Valterra's willful and deliberate infringement;

- e. Judgment declaring this case exceptional;
- f. Judgment awarding Camco its attorney fees under 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law;
- g. Judgment permanently enjoining Valterra from infringing the '596 Patent, or in the alternative, requiring Valterra to account for and pay to Camco a reasonable, on-going, post judgment royalty because of Valterra's infringing activities;
- h. Judgment granting such other and further relief as the Court may deem just and proper under the circumstances.

Respectfully submitted, this the 5<sup>th</sup> day of December, 2012.

/s/ Jim W. Phillips, Jr.

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