

317. GE Respondents misrepresent the characteristics and qualities of their LED bulbs at least by falsely and misleadingly advertising them as Energy Star compliant in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), and the federal common law of unfair competition. As further detailed in Section XII, GE Respondents are direct competitors of Complainants. GE Respondents' false advertising misleads consumers into purchasing products that do not perform as advertised and misleads utility companies into providing subsidies to GE's non-compliant products. As a result, Complainants have and will continue to suffer substantial injury to Complainants' domestic industry, including, without limitation, due to actual or potential (1) diminishment or tarnishing of the Energy Star brand and certification, and thus, by implication, the quality and reliability of Complainants' Energy Star certified products, (2) lost sales, (3) lost profitability, (4) reduced domestic employment, and (5) lost market share.

H. Acuity Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

318. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Accused Products, including products sold under the Lithonia Lighting brand name (the "Acuity Accused Products") that infringe the '483 Patent.

319. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 11 and 14-16 of the '483 Patent, in violation of 35 U.S.C. § 271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claims 11 and 14-16 of the '483 Patent at the time of importation into the United States.

320. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '483 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

321. A claim chart comparing claims 11 and 14-16 of the '483 Patent to an Acuity Accused Product, the Lithonia Lighting D-Series LED Area Luminaire (DSX2 LED P6 40K T5M 480 SPA PER7 PIRH DNAXD), is attached here as Confidential Exhibit 68C.

322. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Acuity Accused Products that infringe the '483 Patent for the reasons set forth above:

- Lithonia Lighting LED Wall Mount Area Light (OLAW23 53K 120 PE BZ M2)

b. Infringement of the '053 Patent

323. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '053 Patent, including products sold under the Lithonia Lighting brand name.

324. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-2, 4-5, 7, 11-12, 14, 16-17, 19-20, 22, 26-27, and 29 of the '053 Patent, in violation of 35 U.S.C. §271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claims 1-2, 4-5, 7, 11-12, 14, 16-17, 19-20, 22, 26-27, and 29 of the '053 Patent at the time of importation into the United States.

325. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '053 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

326. A claim chart comparing claims 1-2, 4-5, 7, 11-12, 14, 16-17, 19-20, 22, 26-27, and 29 of the '053 Patent to an Acuity Accused Product, the Lithonia Lighting D-Series LED Area Luminaire (DSX2 LED P6 40K T5M 480 SPA PER7 PIRH DNAXD), is attached here as Confidential Exhibit 69C.

327. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Acuity Accused Products that infringe the '053 Patent for the reasons set forth above:

- Lithonia Lighting LED Wall Mount Area Light (OLAW23 53K 120 PE BZ M2)

c. Infringement of the '421 Patent

328. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '421 Patent, including products sold under the Lithonia Lighting brand name.

329. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-2, 6, and 10 of the '421 Patent, in violation of 35 U.S.C. §271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claims 1-2, 6, and 10 of the '421 Patent at the time of importation into the United States.

330. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '421 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge

of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

331. A claim chart comparing claims 1-2, 6, and 10 of the '421 Patent to a representative Accused Product, the Lithonia Lighting Versi Lite™ LED Flush Mount (FMML 7 830 M6), is attached here as Confidential Exhibit 70C. The Lithonia Lighting Versi Lite™ LED Flush Mount (FMML 7 830 M6) is also submitted with this Complaint as Physical Exhibit P31.

332. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Acuity Accused Products that infringe the '421 Patent for the reasons set forth above:

- Lithonia Lighting 12" Square Flush Mount LED Ceiling Light (FMLSDL 12 14840 M4)
- Lithonia Lighting 14" Round Flush Mount LED Ceiling Light (FMLRDL 14 21840 M4)
- Lithonia Lighting 7" LED Closet Light with Motion Sensor (FMMCL 840 PIR M4)
- Lithonia Lighting 6" White Recessed Ultra-Thin Wafer LED Downlight (WF6 LED 30K MW M6)
- Lithonia Lighting Step Baffle Ceiling Light (LTKSTBF BR20 LED 27K DBL M4)
- Lithonia Lighting Mesh Back Flush-Mount LED Track Lighting Kit (LTKMSBK MR16GU10 LED 1R 27K BN M4)

d. Infringement of the '118 Patent

333. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '118 Patent, including products sold under the Lithonia Lighting brand name.

334. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 15 and 17-18 of the '118 Patent, in violation of 35 U.S.C. § 271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products.

The Acuity Accused Products satisfy all claim limitations of claims 15 and 17-18 of the '118 Patent at the time of importation into the United States.

335. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '118 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

336. A claim chart comparing claims 15 and 17-18 of the '118 Patent to an Acuity Accused Product, the Lithonia Lighting D-Series LED Area Luminaire (DSX2 LED P6 40K T5M 480 SPA PER7 PIRH DNAXD), is attached here as Confidential Exhibit 71C.

e. Infringement of the '608 Patent

337. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '608 Patent, including products sold under the Lithonia Lighting brand name.

338. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent, in violation of 35 U.S.C. §271(a). The Acuity Respondents directly infringe at least these claims by

importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent at the time of importation into the United States.

339. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '608 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

340. A claim chart comparing claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent to a representative Acuity Accused Product, the Acuity nLight® AIR System, as defined in the corresponding claim chart, which is attached here as Confidential Exhibit 72C. A product designed and sold to be used in conjunction with the Acuity nLight® AIR System, which are charted in Complainants' claim chart, is also submitted with this Complaint as Physical Exhibit P35.

f. Infringement of the '968 Patent

341. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '968 Patent, including products sold under the Lithonia Lighting brand name.

342. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claim 6 of the '968 Patent, in violation of 35 U.S.C. § 271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claim 6 of the '968 Patent at the time of importation into the United States.

343. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '968 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

344. A claim chart comparing claim 6 of the '968 Patent to a representative Acuity Accused Product, the Lithonia Lighting Wafer LED Recessed Downlight (WF4 LED 27K

MVOLT MW M6), is attached here as Confidential Exhibit 73C. The Lithonia Lighting Wafer LED Recessed Downlight (WF4 LED 27K MVOLT MW M6) is also submitted with this Complaint as Physical Exhibit P32.

g. Infringement of the '844 Patent

345. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '844 Patent, including products sold under the Lithonia Lighting brand name.

346. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 4 and 10 of the '844 Patent, in violation of 35 U.S.C. §271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claims 4 and 10 of the '844 Patent at the time of importation into the United States.

347. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '844 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge

of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

348. A claim chart comparing claims 4 and 10 of the '844 Patent to a representative Acuity Accused Product, the Lithonia Lighting Wafer LED Recessed Downlight (WF4 LED 30K MW M6), is attached here as Confidential Exhibit 74C. The Lithonia Lighting Wafer LED Recessed Downlight (WF4 LED 30K MW M6) is also submitted with this Complaint as Physical Exhibit P33.

h. Infringement of the '518 Patent

349. On information and belief, the Acuity Respondents import, sell for importation, and/or sell after importation into the United States certain Acuity Accused Products that infringe the '518 Patent, including products sold under the Lithonia Lighting brand name.

350. The Acuity Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claim 15 of the '518 Patent, in violation of 35 U.S.C. § 271(a). The Acuity Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Acuity Accused Products. The Acuity Accused Products satisfy all claim limitations of claim 15 of the '518 Patent at the time of importation into the United States.

351. Moreover, on information and belief, one or more of the Acuity Respondents knowingly and intentionally induces infringement of the '518 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Acuity Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Acuity Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Acuity Respondents sells the Acuity Accused Products

or otherwise provides the Acuity Accused Products to distributors knowing that these distributors intend to import and/or sell the Acuity Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Acuity Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Acuity Accused Products.

352. A claim chart comparing claim 15 of the '518 Patent to a representative Acuity Accused Product, the Lithonia Lighting E Series 9.8W (65W Equivalent) LED 4" Recessed Downlight (Warm White) (4BEMW LED 27K 90CRI M6), is attached here as Confidential Exhibit 75C. The Lithonia Lighting E Series 9.8W (65W Equivalent) LED 4" Recessed Downlight (Warm White) (4BEMW LED 27K 90CRI M6) is also submitted with this Complaint as Physical Exhibit P34.

I. Eaton Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

353. On information and belief, the Eaton Respondents import, sell for importation, and/or sell after importation into the United States certain Accused Products (the "Eaton Accused Products") that infringe the '483 Patent.

354. The Eaton Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 11 and 16 of the '483 Patent, in violation of 35 U.S.C. §271(a). The Eaton Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Eaton Accused Products. The Eaton Accused Products satisfy all claim limitations of claims 11 and 16 of the '483 Patent at the time of importation into the United States.

355. Moreover, on information and belief, one or more of the Eaton Respondents knowingly and intentionally induces infringement of the '483 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Eaton Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Eaton Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Eaton Respondents sells the Eaton Accused Products or otherwise provides the Eaton Accused Products to distributors knowing that these distributors intend to import and/or sell the Eaton Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Eaton Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Eaton Accused Products.

356. A claim chart comparing claims 11 and 16 of the '483 Patent to an Eaton Accused Product, the Cooper Lighting HALO® L805LRG Stasis LED (L805LRGSP840P) Luminaire, is attached here as Confidential Exhibit 76C. The Cooper Lighting HALO® L805LRG Stasis LED (L805LRGSP840P) Luminaire is also submitted with this Complaint as Physical Exhibit P36.

357. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Eaton Accused Products that infringe the '483 Patent for the reasons set forth above:

- Cooper Lighting HALO® L806 HALO® LED (L806NF8030AH)

b. Infringement of the '053 Patent

358. On information and belief, the Eaton Respondents import, sell for importation, and/or sell after importation into the United States certain Eaton Accused Products that infringe the '053 Patent.

359. The Eaton Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 7, 11, 14, 22, 26, and 29 of the '053 Patent, in violation of 35 U.S.C. §271(a). The Eaton Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Eaton Accused Products. The Eaton Accused Products satisfy all claim limitations of claims 7, 11, 14, 22, 26, and 29 of the '053 Patent at the time of importation into the United States.

360. Moreover, on information and belief, one or more of the Eaton Respondents knowingly and intentionally induces infringement of the '053 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Eaton Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Eaton Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Eaton Respondents sells the Eaton Accused Products or otherwise provides the Eaton Accused Products to distributors knowing that these distributors intend to import and/or sell the Eaton Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Eaton Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Eaton Accused Products.

361. A claim chart comparing claims 7, 11, 14, 22, 26, and 29 of the '053 Patent to an Acuity Accused Product, the Cooper Lighting HALO® L805LRG Stasis LED (L805LRGSP840P) Luminaire, is attached here as Confidential Exhibit 77C. The Cooper Lighting HALO® L805LRG Stasis LED (L805LRGSP840P) Luminaire is also submitted with this Complaint as Physical Exhibit P36.

362. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Eaton Accused Products that infringe the '053 Patent for the reasons set forth above:

- Cooper Lighting HALO® L806 HALO® LED (L806NF8030AH)

c. Infringement of the '421 Patent

363. On information and belief, the Eaton Respondents import, sell for importation, and/or sell after importation into the United States certain Eaton Accused Products that infringe the '421 Patent.

364. The Eaton Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-2, 6, and 10 of the '421 Patent, in violation of 35 U.S.C. §271(a). The Eaton Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Eaton Accused Products. The Eaton Accused Products satisfy all claim limitations of claims 1-2, 6, and 10 of the '421 Patent at the time of importation into the United States.

365. Moreover, on information and belief, one or more of the Eaton Respondents knowingly and intentionally induces infringement of the '421 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Eaton Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Eaton Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Eaton Respondents sells the Eaton Accused Products or otherwise provides the Eaton Accused Products to distributors knowing that these distributors intend to import and/or sell the Eaton Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Eaton Respondents have had knowledge of,

or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Eaton Accused Products.

366. A claim chart comparing claims 1-2, 6, and 10 of the '421 Patent to a representative Accused Product, the Eaton HALO® LED Surface Mount Downlight (SLD405930WHR), is attached here as Confidential Exhibit 78C. The Eaton HALO® LED Surface Mount Downlight (SLD405930WHR) is also submitted with this Complaint as Physical Exhibit P37.

367. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Eaton Accused Products that infringe the '421 Patent for the reasons set forth above:

- Eaton HALO® 5"/6" Surface LED Downlight (SLD606930WH)
- Eaton HALO® LED Surface Mount Downlight (SLD405930WHR)
- Eaton All-Pro™ Motion Activated Twin Head LED Floodlight (MSLED600)
- Eaton HALO® 5"/6" All-In-One Bulb & Trim Replacement Recessed LED Downlight (RL560WH6930R)
- Eaton HALO® 5"/6" Retrofit LED (LT560WH6930)
- Eaton HALO® 5"/6" All-In-One Bulb & Trim Replacement Recessed LED Downlight with Selectable Color Temperature (665 Lumen) (RL56069S1EWHR)
- Eaton HALO® 5"/6" All-In-One Bulb & Trim Replacement Recessed LED Downlight with Selectable Color Temperature (940 Lumen) (RL56099S1EWHR)
- Eaton HALO® 4" All-In-One Bulb & Trim Replacement Recessed LED Downlight (589 Lumen) (RL460WH930)

d. Infringement of the '118 Patent

368. On information and belief, the Eaton Respondents import, sell for importation, and/or sell after importation into the United States certain Eaton Accused Products that infringe the '118 Patent.

369. The Eaton Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claim 15 of the '118 Patent, in violation of 35 U.S.C. § 271(a). The Eaton Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Eaton Accused Products. The Eaton Accused

Products satisfy all claim limitations of claim 15 of the '118 Patent at the time of importation into the United States.

370. Moreover, on information and belief, one or more of the Eaton Respondents knowingly and intentionally induces infringement of the '118 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Eaton Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Eaton Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Eaton Respondents sells the Eaton Accused Products or otherwise provides the Eaton Accused Products to distributors knowing that these distributors intend to import and/or sell the Eaton Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Eaton Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Eaton Accused Products.

371. A claim chart comparing claim 15 of the '118 Patent to a representative Cooper Accused Product, the Eaton Streetworks CRTK-R Caretaker LED Roadway Luminaire (CRTK-R-A12-E-120-2-A), is attached here as Confidential Exhibit 79C. The Eaton Streetworks CRTK-R Caretaker LED Roadway Luminaire (CRTK-R-A12-E-120-2-A) is also submitted with this Complaint as Physical Exhibit P38.

e. Infringement of the '608 Patent

372. On information and belief, the Eaton Respondents import, sell for importation, and/or sell after importation into the United States certain Eaton Accused Products that infringe the '608 Patent.

373. The Eaton Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent, in violation of 35 U.S.C. §271(a). The Eaton Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Eaton Accused Products. The Eaton Accused Products satisfy all claim limitations of claims 1-2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent at the time of importation into the United States.

374. Moreover, on information and belief, one or more of the Eaton Respondents knowingly and intentionally induces infringement of the '608 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Eaton Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Eaton Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Eaton Respondents sells the Eaton Accused Products or otherwise provides the Eaton Accused Products to distributors knowing that these distributors intend to import and/or sell the Eaton Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Eaton Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Eaton Accused Products.

375. A claim chart comparing claims 1-2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent to a representative Cooper Accused Product, the Eaton HALO® Home Smart Lighting System, as defined in the corresponding claim chart, which is attached here as Confidential Exhibit 80C. Certain products designed and sold to be used in conjunction with the Eaton HALO® Home Smart Lighting System, which are charted in Complainants' claim chart, are also submitted with this Complaint as Physical Exhibits P39 and P40.

J. Leedarson Respondents

1. Patent Infringement

a. Infringement of the '421 Patent

376. On information and belief, the Leedarson Respondents import, sell for importation, and/or sell after importation into the United States certain Accused Products (“Leedarson Accused Products”) that infringe the '421 Patent, including products sold under the EcoSmart, Commercial Electric, and LEDi2 brand names.

377. The Leedarson Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-2, 6-7, and 10 of the '421 Patent, in violation of 35 U.S.C. § 271(a). The Leedarson Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Leedarson Accused Products. The Leedarson Accused Products satisfy all claim limitations of claims 1-2, 6-7, and 10 of the '421 Patent at the time of importation into the United States.

378. Moreover, on information and belief, one or more of the Leedarson Respondents knowingly and intentionally induces infringement of the '421 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Leedarson Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Leedarson Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Leedarson Respondents sells the Leedarson Accused Products or otherwise provides the Leedarson Accused Products to distributors knowing that these distributors intend to import and/or sell the Leedarson Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Leedarson Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the

infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Leedarson Accused Products.

379. A claim chart comparing claims 1-2, 6-7, and 10 of the '421 Patent to a representative Leedarson Accused Product, the LEDi2 6W (40W Equivalent) Dimmable A19 LED Light Bulb (Warm White) (i2-LA19D06-27K-4P),⁸⁹ is attached here as Confidential Exhibit 81C. The LEDi2 6W (40W Equivalent) Dimmable A19 LED Light Bulb (Warm White) (i2-LA19D06-27K-4P) is also submitted with this Complaint as Physical Exhibit P41.

380. Additionally, on information and belief, including based on teardown analyses and imaging, at least the following additional products constitute Leedarson Accused Products that infringe the '421 Patent for the reasons set forth above:⁹⁰

- Ecosmart 10W (65W Replacement) Dimmable 6" LED Downlight (Soft White) (DL-N34A11FR1-27)
- Ecosmart 9W (65W Replacement) Dimmable 4" LED Downlight (Soft White) (DL-N34A9ER1-27)
- Ecosmart 5.3W (40W Replacement) Dimmable A19 LED Light Bulb (Soft White) (A7A19A40WESD01)
- Ecosmart 15.5W (100W Replacement) Dimmable A19 LED Light Bulb (Soft White) (A7A19A100WESD04)
- Ecosmart 12.5W (75W Replacement) Dimmable A19 LED Light Bulb (Soft White) (C5A19A75WESD04)
- Ecosmart 4.5W (35W Replacement) Dimmable PAR16 Flood LED Light Bulb (Bright White) (5bsM350STE2602)
- Commercial Electric Industrial High Bay LED Light (Daylight) (HL-NHB285-NP08B)
- Commercial Electric 10W (65W Equivalent) Dimmable 5" and 6" Recessed Retrofit LED Downlight (Soft White) (DL-N28A11FR1-27)
- Commercial Electric 11.5W (65W Equivalent) Dimmable 5" and 6" LED Disk Light (Soft White) (DL-N19A11FR1-27)

⁸⁹ Upon information and belief, this product was manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶ 7; *id.* at Stonedale Importation Decl. Ex. 264 (showing model numbers certified by UL for Leedarson Respondents).

⁹⁰ Upon information and belief, the products listed were manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶¶ 3, 13, 41, 48, 90-92, 94-97, 99, 111, 229; *id.* at Stonedale Importation Decl. Exs. 1, 11, 39, 46, 97, 264-266, 268.

- Commercial Electric 10W (65W Equivalent) Dimmable 4” LED Disk Light (Soft White) (DL-N19A9ER1-27)
- LEDi2 19.5W (100W Equivalent) Dimmable BR40 LED Light Bulb (Warm White) (i2-LBR40D19.5-27K)
- LEDi2 9.2W (60W Equivalent) Dimmable A19 LED Light Bulb (Warm White) (i2-LA19D9.2-27K-4P)
- LEDi2 9.6W (60W Equivalent) A19 LED Light Bulb (Warm White) (i2-LA19D9.6-30K-N-4P)
- LEDi2 5.8W (40W Equivalent) A19 LED Light Bulb (Soft White) (i2-LA19D5.8-30K-N-4P)

b. Infringement of the '608 Patent

381. On information and belief, the Leedarson Respondents import, sell for importation, and/or sell after importation into the United States certain Leedarson Accused Products that infringe the '608 Patent, including products sold under the EcoSmart, Commercial Electric, and LEDi2 brand names.

382. The Leedarson Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent, in violation of 35 U.S.C. §271(a). The Leedarson Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Leedarson Accused Products. The Leedarson Accused Products satisfy all claim limitations of claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent at the time of importation into the United States.

383. Moreover, on information and belief, one or more of the Leedarson Respondents knowingly and intentionally induces infringement of the '608 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Leedarson Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Leedarson Respondents is encouraging and facilitating infringement by others. For example, on

information and belief, one or more of the Leedarson Respondents sells the Leedarson Accused Products or otherwise provides the Leedarson Accused Products to distributors knowing that these distributors intend to import and/or sell the Leedarson Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Leedarson Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Leedarson Accused Products.

384. A claim chart comparing claims 1, 2, 6, 12-13, 16, 19-22, 24, 28, and 37 of the '608 Patent to a Leedarson Accused Product, the Leedarson IoT Platform System, as defined in the corresponding claim chart, is attached here as Confidential Exhibit 82C.

c. Infringement of the '968 Patent

385. On information and belief, the Leedarson Respondents import, sell for importation, and/or sell after importation into the United States certain Leedarson Accused Products that infringe the '968 Patent, including products sold under the EcoSmart, Commercial Electric, and LEDi2 brand names.

386. The Leedarson Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 6 and 7 of the '968 Patent, in violation of 35 U.S.C. § 271(a). The Leedarson Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Leedarson Accused Products. The Leedarson Accused Products satisfy all claim limitations of claims 6 and 7 of the '968 Patent at the time of importation into the United States.

387. Moreover, on information and belief, one or more of the Leedarson Respondents knowingly and intentionally induces infringement of the '968 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Leedarson Accused

Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Leedarson Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Leedarson Respondents sells the Leedarson Accused Products or otherwise provides the Leedarson Accused Products to distributors knowing that these distributors intend to import and/or sell the Leedarson Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Leedarson Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Leedarson Accused Products.

388. A claim chart comparing claims 6 and 7 of the '968 Patent to a Leedarson Accused Product, the Commercial Electric 10W (65W Equivalent) Dimmable 4" LED Disk Light (Soft White) (DL-N19A9ER1-27),⁹¹ is attached here as Confidential Exhibit 83C. The Commercial Electric 10W (65W Equivalent) Dimmable 4" LED Disk Light (Soft White) (DL-N19A9ER1-27) is also submitted with this Complaint as Physical Exhibit P42.

d. Infringement of the '844 Patent

389. On information and belief, the Leedarson Respondents import, sell for importation, and/or sell after importation into the United States certain Leedarson Accused Products that infringe the '844 Patent, including certain products sold under the EcoSmart, Commercial Electric, and LEDi2 brand names.

⁹¹ Upon information and belief, this product was manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶ 94; *id.* at Stonedale Importation Decl. Ex. 268 (noting that the product is manufactured by a Leedarson Respondent).

390. The Leedarson Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 4, 10, and 20 of the '844 Patent, in violation of 35 U.S.C. § 271(a). The Leedarson Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Leedarson Accused Products. The Leedarson Accused Products satisfy all claim limitations of claims 4, 10, and 20 of the '844 Patent at the time of importation into the United States.

391. Moreover, on information and belief, one or more of the Leedarson Respondents knowingly and intentionally induces infringement of the '844 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Leedarson Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Leedarson Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Leedarson Respondents sells the Leedarson Accused Products or otherwise provides the Leedarson Accused Products to distributors knowing that these distributors intend to import and/or sell the Leedarson Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Leedarson Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Leedarson Accused Products.

392. A claim chart comparing claims 4, 10, and 20 of the '844 Patent to a Leedarson Accused Product, the Commercial Electric 10W (65W Equivalent) Dimmable 4" LED Disk Light

(Soft White) (DL-N19A9ER1-27),⁹² is attached here as Confidential Exhibit 84C. The Commercial Electric 10W (65W Equivalent) Dimmable 4" LED Disk Light (Soft White) (DL-N19A9ER1-27) is also submitted with this Complaint as Physical Exhibit P42.

e. Infringement of the '518 Patent

393. On information and belief, the Leedarson Respondents import, sell for importation, and/or sell after importation into the United States certain Leedarson Accused Products that infringe the '518 Patent, including certain products sold under the EcoSmart, Commercial Electric, and LEDi2 brand names.

394. The Leedarson Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claim 9 of the '518 Patent, in violation of 35 U.S.C. §271(a). The Leedarson Respondents directly infringe at least these claims by importing, selling for importation, and/or selling after importation into the United States the Leedarson Accused Products. The Leedarson Accused Products satisfy all claim limitations of claim 15 of the '518 Patent at the time of importation into the United States.

395. Moreover, on information and belief, one or more of the Leedarson Respondents knowingly and intentionally induces infringement of the '518 Patent in violation of 35 U.S.C. § 271(b) by actively encouraging others to offer to sell, sell, use, and/or import Leedarson Accused Products into the United States (i.e., by actively encouraging others to directly infringe). On information and belief, with knowledge and intent, or with willful blindness, one or more of the Leedarson Respondents is encouraging and facilitating infringement by others. For example, on information and belief, one or more of the Leedarson Respondents sells the Leedarson Accused

⁹² Upon information and belief, this product was manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶ 94; *id.* at Stonedale Importation Decl. Ex. 268 (noting that the product is manufactured by a Leedarson Respondent).

Products or otherwise provides the Leedarson Accused Products to distributors knowing that these distributors intend to import and/or sell the Leedarson Accused Products in the United States. On information and belief, as of the filing of this Complaint or earlier, the Leedarson Respondents have had knowledge of, or have been willfully blind toward, the Asserted Patents and the infringement of the Asserted Patents by making, using, selling, offering to sell, and/or importing the Leedarson Accused Products.

396. A claim chart comparing claim 15 of the '518 Patent to a Leedarson Accused Product, the EcoSmart 10W (65W Replacement) Dimmable 6" LED Downlight (Soft White) (DL-N34A11FR1-27),⁹³ is attached here as Confidential Exhibit 85C. The EcoSmart 10W (65W Replacement) Dimmable 6" LED Downlight (Soft White) (DL-N34A11FR1-27) is also submitted with this Complaint as Physical Exhibit P43.

2. False and Misleading Advertising

397. Leedarson Respondents advertise their products, including the LEDi2 19.5W (100W Equivalent) Dimmable BR40 LED Light Bulb (Warm White) (i2-LBR40D19.5-27K BR40)⁹⁴ ("i2-LBR40D19.5-27K BR40 Bulb") Leedarson Accused Product, as being Energy Star certified by including the Energy Star® logo on their packaging. *See* Ex. 31 (Maxik Energy Star Decl.) ¶ 18.

398. LSG tested the Leedarson i2-LBR40D19.5-27K LED BR40 Bulb for compliance with Sections 9.1, 9.2, and 9.6 of the ENERGY STAR® Program Requirements Product

⁹³ Upon information and belief, this product was manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶ 91; *id.* at Stonedale Importation Decl. Ex. 265.

⁹⁴ Upon information and belief, this product was manufactured by or for the Leedarson Respondents. Ex. 34 (Stonedale Importation Decl.) ¶ 41; *id.* at Stonedale Importation Decl. Ex. 39.

Specification for Lamps (Light Bulbs) Version 2.1⁹⁵ at its facility in Cocoa Beach, Florida. *Id.* ¶¶ 2, 17. Even though the bulb’s packaging displays the Energy Star® logo, it failed to meet the requirements of Sections 9.1, 9.2, or 9.6 of the ENERGY STAR® Program Requirements. *Id.* ¶¶ 20-22.

399. Nine of the ten tested bulbs emitted less than the 70 lumens per watt required by Section 9.1 of the Specification. *Id.* ¶ 20. These results do not meet the requirement that, of ten tested products, “eight or more units individually shall meet the requirement.” *Id.* In addition, the average luminous efficacy from the ten lamps is 66.582 lumens per watt, which is below the 70-lumen-per-watt average required by the Specification. *Id.* Each of these failures independently prevents the Leedarson i2-LBR40D19.5-27K LED BR40 Bulb from meeting the Energy Star requirements of Section 9.1.

400. All ten of the tested bulbs emitted less than the 1,400 lumens required by Section 9.2 of the Specification for a 100-watt equivalent BR-shaped bulb. *Id.* ¶ 21. These results do not meet the requirement that, of ten tested products, “8 or more units individually shall meet the requirement.” *Id.* In addition, the average light output from the ten lamps is 1328.903 lumens, which is below the 1,400-lumen average required by the Specification. *Id.* Each of these failures independently prevents the Leedarson i2-LBR40D19.5-27K LED BR40 Bulb from meeting the requirements of Section 9.2.

401. In addition, the Leedarson i2-LBR40D19.5-27K LED BR40 Bulbs failed to meet Section 9.6’s requirement that at least nine out of ten bulbs emit light within the ANSI range corresponding to the advertised color temperature of 2700K. *Id.* ¶ 22. All ten of the tested bulbs

⁹⁵ Ex. 31 (Maxik Energy Star Decl.) at Ex. A (“ENERGY STAR® Program Requirements for Lamps (Light Bulbs), Eligibility Criteria, Version 2.1”).

fell outside the ANSI range corresponding to the advertised color temperature. *Id.* Accordingly, the bulbs also fail to meet the correlated color temperature requirements of Section 9.6. *Id.*

402. As these failures show, at least Leedarson Respondents' i2-LBR40D19.5-27K LED BR40 Bulbs mislead consumers because the bulbs will be less efficient and dimmer than advertised and emit a different color of light than advertised. Leedarson Respondents' i2-LBR40D19.5-27K LED BR40 Bulbs will thus not meet the expectations of consumers who have grown to rely on the Energy Star® logo as a signal of reliability and quality.

403. Leedarson Respondents misrepresent the characteristics and qualities of their LED bulbs at least by falsely and misleadingly advertising them as Energy Star compliant in violation of Section 43(a) of the Lanham Act, 15 U.S.C § 1125(a) and the federal common law of unfair competition. As further detailed in Section XII, Leedarson Respondents are direct competitors of Complainants. Leedarson Respondents' false advertising misleads consumers into purchasing products that do not perform as advertised and misleads utility companies into providing subsidies to Leedarson's non-compliant products. As a result, Complainants have and will continue to suffer substantial injury to Complainants' domestic industry, including, without limitation, due to actual or potential (1) diminishment or tarnishing of the Energy Star brand and certification, and thus, by implication, the quality and reliability of Complainants' Energy Star certified products, (2) lost sales, (3) lost profitability, (4) reduced domestic employment, and (5) lost market share.

VIII. Specific Instances of Unlawful Importations or Sales

A. Nichia Respondents

404. The Nichia Accused Products were and are manufactured outside of the United States by, or on behalf of, the Nichia Respondents. For instance, the Nichia Accused Products identified in Section VII(A) above were all manufactured outside of the United States by, or on behalf of, the Nichia Respondents. Ex. 34 (Stonedale Importation Decl.) ¶¶ 112-116, 235-239

(showing country of origin as Japan). Moreover, each of the Nichia Accused Products identified in Section VII(A) above was purchased in the United States. *Id.* ¶¶ 234 (showing product receipts for purchases shipped to U.S address or purchased at U.S. store); *id.* at Stonedale Importation Decl. Ex. 254 (showing Future Lighting Solutions a/k/a Future Electronics as Nichia's U.S. distributor on Nichia's website). Certain Nichia Accused Products were purchased in the United States. *Id.* ¶¶ 112-116, 234-239, 241; *see, e.g., id.* at Stonedale Importation Decl. Ex. 269 (showing certain Nichia Accused Products shipped from Future Electronics in the United States to a U.S. address). This demonstrates that the Nichia Accused Products, including without limitation the specific products identified in this Complaint, were and are imported into the United States, sold for importation into the United States, and/or sold after importation into the United States by the Nichia Respondents.

B. Cree Respondents

405. The Cree Accused Products were and are manufactured outside of the United States by, or on behalf of, the Cree Respondents. For instance, the Cree Accused Products identified in Section VII(B) above were all manufactured outside of the United States by, or on behalf of, the Cree Respondents. Ex. 34 (Stonedale Importation Decl.) ¶¶ 4, 11, 14-23, 117, 118, 130-141, 161-175, 204 (showing country of origin as China). Moreover, each of the Cree Accused Products identified in Section VII(B) above was purchased in the United States. *Id.* ¶ (showing product receipts for purchases shipped to U.S address or purchased at U.S. store). Certain Cree Accused Products were purchased in the United States. *Id.* This demonstrates that the Cree Accused Products, including without limitation the specific products identified in this Complaint, were and are imported into the United States, sold for importation into the United States, and/or sold after importation into the United States by the Cree Respondents.

C. OSRAM Respondents

406. The OSRAM Accused Products were and are manufactured outside of the United States by, or on behalf of, the OSRAM Respondents. For instance, the OSRAM Accused Products identified in Section VII(C) above were all manufactured outside of the United States by, or on behalf of, the OSRAM Respondents. *Id.* ¶¶ 119-123, 125-126, 142-147, 176, 182-183, 185-188, 201 (showing country of origin as Malaysia); *id.* ¶¶ 124, 181, 184, 200 (showing country of origin as China). Moreover, each of the OSRAM Accused Products identified in Section VII(C) above was purchased in the United States. *Id.* ¶¶ 119-126, 142-147, 176, 181-188, 200-201 (showing product receipts for purchases shipped to U.S. address or purchased at U.S. store). Certain OSRAM Accused Products were purchased in the United States. *Id.* This demonstrates that the OSRAM Accused Products, including without limitation the specific products identified in this Complaint, were and are imported into the United States, sold for importation into the United States, and/or sold after importation into the United States by the OSRAM Respondents.

D. Lumileds Respondents

407. The Lumileds Accused Products were and are manufactured outside of the United States by, or on behalf of, the Lumileds Respondents. For instance, the Lumileds Accused Products identified in Section VII(D) above were all manufactured outside of the United States by, or on behalf of, the Lumileds Respondents. *Id.* ¶¶ 127-129, 148-160, 178-180, 189-199, 202 (showing country of origin as Malaysia); *id.* ¶¶ 177, 203 (showing country of origin as China). Moreover, each of the Lumileds Accused Products identified in Section VII(D) above was purchased in the United States. *Id.* ¶¶ 127-129, 148-160, 177-180, 189-199, 202-203 (showing product receipts for purchases shipped to U.S. address or purchased at U.S. store). Certain Lumileds Accused Products were purchased in the United States. *Id.* This demonstrates that the Lumileds Accused Products, including without limitation the specific products identified in this Complaint, were and are