

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT BOSCH LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. _____
)	
ALBEREE PRODUCTS, INC. d/b/a SAVER)	JURY TRIAL DEMANDED
AUTOMOTIVE PRODUCTS, INC. and)	
API KOREA CO., LTD.,)	
)	
Defendants.)	

COMPLAINT

Plaintiff Robert Bosch LLC (“Plaintiff”), through its attorneys, for its first complaint against defendants Alberee Products, Inc. d/b/a Saver Automotive Products, Inc. (“Saver”) and API Korea Co., Ltd. (“API”) (collectively, “Defendants”), avers as follows:

1. This action arises under the patent laws of the United States, Title 35 of the United States Code (for example, §§ 271, 281, 283, 284 and 285) as hereinafter more fully appears. This Court has jurisdiction over the subject matter of the action pursuant to 28 U.S.C. §§ 1331 and 1338.

DEFENDANTS

2. On information and belief, Saver is a corporation organized under the laws of the state of Maryland with a place of business at 510 E. Preston Street, Baltimore, Maryland.

3. On information and belief, API is a corporation organized under the laws of Korea with a place of business at 45B-4L, #435-3, Nonhyeon-Dong NamDong-Gu Incheon, Korea, 405-848.

4. On information and belief, Saver and API are related companies.

COUNT ONE – INFRINGEMENT OF U.S. PATENT NO. 6,523,218

5. On February 25, 2003, United States Patent No. 6,523,218 (“the ’218 patent,” attached as Exhibit A) was duly and legally issued for an invention in a windshield wiper blade. Plaintiff is the owner of the ’218 patent.

6. Saver has infringed and is still infringing the ’218 patent directly and indirectly by making, using, selling, and offering for sale in the United States windshield wiper blades such as the Goodyear Assurance, the Saver Arc Flex Ultra, and the Touring Ultra (the “Accused Products”), and will continue to do so unless enjoined by this Court.

7. Saver has had knowledge that the Accused Products infringe the ’218 patent since at least January 26, 2011 from a letter sent from Bosch counsel to Saver counsel (Exhibit M).

8. On information and belief, API manufactures and imports into the United States material components of the Accused Products with the knowledge and intent that Saver use such components to make the Accused Products.

9. The components manufactured and imported by API are material components of the invention of the ’218 patent.

10. The components manufactured and imported by API are not staple articles or commodities of commerce and have no non-infringing uses.

11. API has had knowledge that the Accused Products infringe the ’218 patent since at least October 11, 2011 from a letter sent from Bosch counsel to API counsel (Exhibit N).

12. On information and belief, API, as a related company of Saver, purposefully caused, encouraged and urged Saver to make, use, sell, and offer for sale the Accused Products in the United States with the intent that such activities would infringe the ’218 patent, and intended for Saver to carry out such activities.

13. API therefore both induces Saver's infringement of the '218 patent and contributes to the same, and will continue to do so unless enjoined by this Court.

14. Plaintiff has no adequate remedy at law against Defendants' infringement and, unless Defendants are enjoined from their infringement of the '218 patent, Plaintiff will suffer irreparable harm.

15. Defendants have knowledge of the '218 patent and such infringement is and continues to be willful and deliberate.

16. As a result of Defendants' acts of infringement, Plaintiff has suffered and will continue to suffer damages in an amount to be proven at trial.

COUNT TWO – INFRINGEMENT OF U.S. PATENT NO. 6,530,111

17. On March 11, 2003, United States Patent No. 6,530,111 ("the '111 patent," attached as Exhibit B) was duly and legally issued for an invention in a windshield wiper apparatus. Plaintiff is the owner of the '111 patent.

18. Saver has infringed and is still infringing the '111 patent indirectly by making, using, selling, and offering for sale in the United States the Accused Products, and will continue to do so unless enjoined by this Court.

19. Saver has had knowledge of the '111 patent since at least January 26, 2011 (Exhibit M).

20. On information and belief, API manufactures and imports into the United States material components of the Accused Products with the knowledge and intent that Saver use such components to make the Accused Products.

21. The components manufactured and imported by API are material components of the invention of the '111 patent.

22. The components manufactured and imported by API are not staple articles or commodities of commerce and have no non-infringing uses.

23. API has had knowledge of the '111 patent since at least October 11, 2011 (Exhibit N).

24. Defendants have knowledge of the '111 patent and that combining the Accused Products with "top lock" (or "pinch tab") wiper arms is a direct infringement of the '111 patent.

25. On information and belief, Saver contributes to and induces infringement of the '111 patent by advertising the infringing use in its promotional materials, and by including installation instructions with the Accused Products that show the ultimate purchasers of the Accused Products how to install the same on a "top lock" wiper arm. Such infringement is and continues to be willful and deliberate.

26. On information and belief, Saver made and continues to make such advertisements and provide instructions with the knowledge that use of the Accused Products with a "top lock" wiper arm infringes the '111 patent and the intent to cause such infringement.

27. On information and belief, API, as a related company of Saver, purposefully caused, encouraged and urged Saver to make, use, sell, and offer for sale the Accused Products in the United States with the intent that the ultimate use of the Accused Products would infringe the '111 patent, and intended for Saver to carry out such activities and for purchasers of the Accused Products to combine the same with a top lock wiper arm.

28. The Accused Products form a material part of the claimed invention of the '111 patent.

29. The Accused Products include adapters that are intended to be used with a "top lock" wiper arm and are configured to do so.

30. The Accused Products with the associated “top lock” connector are not staple articles or commodities of commerce and have no non-infringing uses.

31. Defendants therefore both induce the Accused Products’ ultimate purchasers’ infringement of the ’111 patent and contribute to the same, and will continue to do so unless enjoined by this Court.

32. Plaintiff has no adequate remedy at law against Defendants’ infringement and, unless Defendants are enjoined from their infringement of the ’111 patent, Plaintiff will suffer irreparable harm.

33. Defendants have knowledge of the ’111 patent and such infringement is and continues to be willful and deliberate.

34. As a result of Defendants’ acts of infringement, Plaintiff has suffered and will continue to suffer damages in an amount to be proven at trial.

COUNT THREE – INFRINGEMENT OF U.S. PATENT NO. 6,553,607

35. On April 29, 2003, United States Patent No. 6,553,607 (“the ’607 patent,” attached as Exhibit C) was duly and legally issued for an invention in a windshield wiper blade. Plaintiff is the owner of the ’607 patent.

36. Saver has infringed and is still infringing the ’607 patent indirectly by making, using, selling, and offering for sale in the United States the Accused Products, and will continue to do so unless enjoined by this Court.

37. Saver has had knowledge that the Accused Products infringe the ’607 patent since at least January 26, 2011 (Exhibit M).

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