

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD**

PRIME WIRE & CABLE, INC.)
)
Petitioner,)
)
v.)
)
CANTIGNY LIGHTING)
CONTROL, LLC.)
)
Patent owner)
)
JASCO PRODUCTS, INC.)
)
Licensee)

**Case: IPR2018-01592
Patent No.: 9,320,122**

EXHIBIT 1013

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

Jasco Products Company, LLC,)	
)	
Plaintiff;)	
)	
v.)	
)	Civil Action No. 5:18-cv-44
Prime Wire & Cable, Inc.,)	
)	<i>Jury Trial Demanded</i>
Defendant.)	
)	

COMPLAINT

Comes now, Plaintiff Jasco Products Company, LLC, and files this complaint against Defendant Prime Wire & Cable, Inc., alleging the following:

Parties, Jurisdiction, and Venue

1. This civil action arises under the Patent Laws of the United States, United States Code, Title 35, Section 1 et seq., and in particular, 35 U.S.C. § 271.
2. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).
3. Plaintiff's claims in the Complaint arise under the Patent Laws of the United States, United States Code, Title 35, Section 1 et seq., and in particular, 35 U.S.C. § 271.

4. This Court also has jurisdiction over the subject matter of this action under the provisions of 28 U.S.C. § 1332(a) in that the matter in controversy exceeds the sum or value of \$75,000.00 exclusive of interest and costs, and is between citizens of different states.
5. Plaintiff Jasco Products Company, LLC (hereinafter “Plaintiff”) is a limited liability company organized and existing under the laws of the State of Oklahoma. Plaintiff’s principal place of business is located at 10 E. Memorial Road Oklahoma City, Oklahoma 73114. Plaintiff also has a place of business located at 10228 Bailey Road, Unit 238, Cornelius, North Carolina 28031. Plaintiff develops and manufactures products in the fields of home automation, lighting, security, and home entertainment, and power and mobility products. Plaintiff’s product offerings include a variety of timers.
6. Upon information and belief, Defendant Prime Wire & Cable, Inc. (hereinafter “Defendant”) is a California corporation doing business in the State of North Carolina.
7. Defendant may be served process by and through its registered agent, William Ferlato, at 179 Gasoline Alley, Suite 103, Mooresville, North Carolina 28117.

8. Upon information and belief, Defendant manufactures and sells electrical cords, surge protectors, power strips, timers, remotes, lighting, and related accessories.
9. Defendant's products include EZ-SET timer model #LTNIDP12 (item #0869902), EZ-SET timer model #LTNODP23 (item #0869903), EZ-SET timer model #LTNIWP (item #0869904), and EZ-SET timer model #LTNIDEZ1 (item #0864292) (referred to collectively herein as the "accused products").
10. This Court has personal jurisdiction over Defendant in this action pursuant to the North Carolina Long-Arm Statute §1-75.4.
11. Defendant is engaged in substantial activity within the State of North Carolina.
12. Defendant maintains a physical place of business within the State of North Carolina, and regularly conducts business within the State of North Carolina.
13. Upon information and belief, Defendant maintains a physical location at 179 Gasoline Alley, Suite 103, Mooresville, North Carolina 28117, at which Defendant regularly conducts business.
14. Defendant has committed acts within the State of North Carolina that relate to and give rise to this action. Such acts include, inter alia, offering to sell

and/or selling products infringing U.S. Patent No. 9,320,122 in the State of North Carolina.

15. Products manufactured by Defendant have been used within the State of North Carolina in the ordinary course of trade.
16. Solicitation or services activities have been carried on within the State of North Carolina by or on behalf of Defendant.
17. Upon information and belief, solicitation or services activities have been carried on by or on behalf of Defendant at Defendant's office at 179 Gasoline Alley, Suite 103, Mooresville, North Carolina 28117.
18. This Court is a proper venue for this action pursuant to 28 U.S.C. §1400.
19. Defendant resides within this judicial district, and/or Defendant has committed acts of infringement and has a regular and established place of business in this judicial district.
20. Defendant has committed acts of infringement within this judicial district by offering to sell and selling products infringing U.S. Patent No. 9,320,122 within this judicial district.
21. Defendant's EZ-SET timer model #LTNIDP12 (item #0869902), EZ-SET timer model #LTNODP23 (item #0869903), EZ-SET timer model #LTNIWP (item #0869904), and EZ-SET timer model #LTNIDEZ1 (item #0864292) infringe U.S. Patent No. 9,320,122.

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