

<b>TO: Mail Stop 8</b> <b>Director of the U.S. Patent &amp; Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court \_\_\_\_\_ on the following     Patents or     Trademarks:

DOCKET NO. <b>CV 12-04498 NC</b>	DATE FILED <b>8/27/12</b>	U.S. DISTRICT COURT <b>450 Golden Gate Avenue, 16<sup>th</sup> Floor San Francisco, CA 94102</b>
PLAINTIFF <b>ASETEK HOLDINGS INC</b>		DEFENDANT <b>COOLIT SYSTEMS INC</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1    SEE COMPLAINT		
2 <b>8,240,362</b>		
3 <b>8,245,764</b>		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK <b>Richard W. Wieking</b>	(BY) DEPUTY CLERK <b>Alfred Amistoso</b>	DATE <b>August 28, 2012</b>
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Attorneys for Plaintiffs ASETEK HOLDINGS, INC.  
and ASETEK A/S

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NC

ASETEK HOLDINGS, INC. and ASETEK A/S,

CV

CASE NO. 12 4498

Plaintiffs,

COMPLAINT FOR PATENT  
INFRINGEMENT

v.

DEMAND FOR JURY TRIAL

COOLIT SYSTEMS INC.,

Defendant.

1 COMES NOW Plaintiffs Asetek A/S (“Asetek”) and Asetek Holdings, Inc., by and through  
2 their attorneys, and for their Complaint against CoolIT Systems Inc. (“CoolIT” or “Defendant”),  
3 state as follows:

4 **Nature of the Action**

5 1. This Complaint seeks judgment that CoolIT has infringed and continues to infringe Asetek’s  
6 U.S. Patent Nos. 8,240,362 (“the ’362 patent”) and 8,245,764 (“the ’764 patent”) (collectively, “the  
7 Patents-in-Suit”). The Patents-in-Suit relate to a cooling system and cooling method for a computer  
8 system. A true and accurate copy of the ’362 patent is attached hereto as Exhibit A. A true and  
9 accurate copy of the ’764 patent is attached hereto as Exhibit B.

10 **The Parties**

11 2. Plaintiff Asetek Holdings, Inc. is organized and exists under the laws of Delaware. Asetek  
12 Holdings, Inc.’s principal place of business is 5285 Hellyer Avenue, Suite 110, San Jose, California  
13 95138.

14 3. Plaintiff Asetek is a corporation organized and existing under the laws of Denmark, and has  
15 its principal place of business at Saltumvej 27, DK-9700 Broenderslev, Denmark. Asetek is the  
16 owner of the Patents-in-Suit, and is a wholly owned subsidiary of Asetek Holdings, Inc.

17 4. Upon information and belief, Defendant CoolIT is a corporation operating and existing under  
18 the laws of Canada with its principal place of business at 3920 29th Street NE, Calgary, Alberta,  
19 Canada T1Y 6B6.

20 **Jurisdiction**

21 5. This Court has subject matter jurisdiction over this complaint pursuant to 28 U.S.C. §§ 1331  
22 and 1338(a), and under the patent laws of the United States, 35 U.S.C. § 1, *et seq.*

23 6. This Court has personal jurisdiction over CoolIT because CoolIT infringes the Patents-in-  
24 Suit in the United States, in California, and in this judicial district. CoolIT maintains a website via  
25 which it promotes and offers to sell its infringing products to customers, including customers in the  
26 United States, in California, and in this judicial district. Among other things, upon information and  
27 belief, CoolIT offers to sell and sells its infringing products to Corsair Components, Inc. and Corsair

1 throughout the United States, including in California and in this judicial district. Corsair's principal  
2 place of business is in Fremont, California, in this judicial district. CoolIT's website identifies  
3 Corsair as a "proud retailer of CoolIT's liquid cooling solutions." CoolIT further identifies Corsair  
4 as a "retail partner" on its website, and further states that "[d]ue to our partnership with Corsair for  
5 the retail market, please visit the Corsair website for any direct retail sales inquiries." Upon  
6 information and belief, CoolIt has entered into one or more contracts with Corsair for this  
7 "partnership" and the promotion, importation, offers for sale, sale, and distribution of CoolIT  
8 products, including products that infringe the Patent-in-Suit, to end users in the United States  
9 (including California and this judicial district). Upon information and belief, CoolIT derives  
10 substantial revenue from its sales of infringing products to Corsair in California and this judicial  
11 district, and CoolIT purposefully avails itself of the privilege of conducting activities in California,  
12 thus invoking the benefits and protections of the laws of California.

### 13 Facts

14 7. Asetek is the world leading provider of CPU and GPU liquid cooling systems for thermal and  
15 acoustic management. Asetek's solutions are used by leading OEMs servicing the gaming,  
16 workstation and performance PC markets. In 2006, the company made a strategic decision to shift  
17 its focus to providing water-based cooling solutions for the OEM market and introduced the first  
18 fully assembled, factory sealed liquid cooling system. In addition to being designed for  
19 manufacturing and providing up to 50,000 hours of maintenance-free operation, Asetek shattered  
20 liquid cooling's price barriers. Asetek is now the vendor of choice for CPU cooling in factory  
21 overclocked gaming systems, serving Dell Alienware, Acer and multiple leading gaming system  
22 providers.

23 8. Asetek is also active in the workstation market, supplying liquid cooling for HP's Z400 and  
24 Z800 workstations and several tier 2 workstation suppliers. "Quiet computing" and reliability are  
25 the principle drivers for superior thermal management within the workstation market. Liquid  
26 cooling delivers both by moving heat to a location where it can be exhausted directly from the  
27 chassis using modest air flow velocities, reducing internal chassis temperatures and lowering system

1 9. Asetek is addressing the server market with its new low profile integrated pump and cold  
2 plate CPU cooler. The low profile pump is sized perfectly to fit in 1U rack servers. The company's  
3 heat exchanger technology for servers is derived from solutions the company has developed for all-  
4 in-one and notebook PCs. Within the server market the key benefits of water-based cooling are  
5 enabling increased thermal density and energy savings.

6 10. CoolIT identifies itself a "leading supplier of reliable and customizable liquid cooling  
7 solutions for computers." CoolIT touts its liquid cooling solutions for computers by stating on its  
8 website ([www.coolitsystems.com](http://www.coolitsystems.com)), among other things, that:

9 If you are integrating liquid cooling into your systems today or are looking to do so soon,  
10 CoolIT offers customizable solutions that fit your specific requirements.

11 . . .

### 12 *The Future of Enterprise Cooling*

13 Liquid cooling has recently become a requirement of high-end desktop processors with the  
14 launch of the Intel® Core™ i7-3900 series. . . .

15 CoolIT Systems . . . offers a compelling alternative with the ECO II series self-contained  
16 liquid coolers. ECO II was designed from the ground up to be the highest performance liquid  
17 solution available with a design featuring thoughtful touches to make integration easier and  
18 faster.

19 11. Upon information and belief, CoolIT is an original equipment manufacturer ("OEM") and  
20 manufactures at least the H60, H80, and H100 liquid cooling products that infringe the Patents-in-  
21 Suit. Upon information and belief, CoolIT offers to sell and sells at least the H60, H80, and H100  
22 products to, at least, Corsair in the United States, and Corsair then offers to sell and sells them to end  
23 users in the United States, in California, and in this judicial district. Upon information and belief,  
24 CoolIT's claimed "partner" Corsair has demonstrated these CoolIT products at trade shows within  
25 the United States, and has sent out product samples to potential customers within the United States.  
26 Upon information and belief, CoolIT is also offering to sell and is selling cooling products that  
27 infringe the Patents-in-Suit to additional resellers in the United States, who then offer to sell and sell  
them to end in the United States.

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