

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SIGNIFY NORTH AMERICA CORPORATION;
SIGNIFY HOLDING B.V.,

Plaintiffs,

v.

MENARD, INC.,

Defendant.

Case No: 1:22-cv-01447

Judge J. Philip Calabrese

**PLAINTIFFS' INITIAL INFRINGEMENT CONTENTIONS AND DOCUMENT
PRODUCTION PURSUANT TO LOCAL PATENT RULES 3.1 AND 3.2**

Pursuant to Local Patent Rules (“L.P.R.”) 3.1 and 3.2 before the United States District Court for the Northern District of Ohio, Plaintiffs Signify North America Corporation and Signify Holding B.V. (collectively, “Plaintiffs” or “Signify”), hereby provides their Initial Infringement Contentions (“Contentions”) and documents against Defendant Menard, Inc. (“Menards”).

The Contentions are based on information reasonably available to Signify as of today. Fact discovery has only recently opened, and while Signify has already served discovery requests, Menards has not yet responded to any of those requests or produced information responsive to those requests (including technical information relating to the accused products identified herein). Signify thus expressly reserves the right to modify, amend, retract, and/or supplement these Contentions (including any further articulation of theories of infringement, including under the doctrine of equivalents, and adding, removing, or otherwise modifying the asserted claims and/or accused products) as additional evidence and information becomes

available to Signify, as Signify’s understanding of this information changes, or as otherwise appropriate, in accordance with the Federal Rules of Civil Procedure, the Local Civil Rules before the United States District Court for the Northern District of Ohio (“Civil L.R.”), and the L.P.R. By providing these Contentions, Signify does not represent that it is identifying every possible basis for the Contentions or every possible relevant document. Further, Signify provides these Contentions subject to the understanding that they will in no way limit Signify’s discovery in this action or Signify’s right to supplement or amend in the future (including, without limitation, as pursuant to L.P.R. 3.10).

CONTENTIONS

I. Each Claim Allegedly Infringed (L.P.R. 3.1(a))

A. Menards’ infringement of U.S. Patent No. 7,038,399 (“the ’399 Patent”):

Menards has directly infringed, and continues to directly infringe, claims 7, 8, 17-24, 34, 35, 42, 43, 47, and 58-61 of the ’399 Patent in violation of 35 U.S.C. § 271(a). Menards has induced the infringement, and continues to induce the infringement, of claims 7, 8, 17-24, 34, 35, 42, 43, 47, and 58-61 of the ’399 Patent in violation of 35 U.S.C. § 271(b). Menards has contributorily infringed, and continues to contributorily infringe, claims 34, 35, 42, and 43 of the ’399 Patent in violation of 35 U.S.C. § 271(c).

B. Menards’ infringement of U.S. Patent No. 7,256,554 (“the ’554 Patent”):

Menards has directly infringed, and continues to directly infringe, claims 1, 2, 5, 6, 46, 47, and 49-51 of the ’554 Patent in violation of 35 U.S.C. § 271(a). Menards has induced the infringement, and continues to induce the infringement, of claims 1, 2, 5, 6, 46, 47, and 49-51 of the ’554 Patent in violation of 35 U.S.C. § 271(b). Menards has contributorily infringed, and

continues to contributorily infringe, claims 46, 47, and 49-51 of the '554 Patent in violation of 35 U.S.C. § 271(c).

C. Menards' infringement of U.S. Patent No. 7,737,643 ("the '643 Patent"):

Menards has directly infringed, and continues to directly infringe, claim 25 of the '643 Patent in violation of 35 U.S.C. § 271(a). Menards has induced the infringement, and continues to induce the infringement, of claim 25 of the '643 Patent in violation of 35 U.S.C. § 271(b). Menards has contributorily infringed, and continues to contributorily infringe, claim 25 of the '643 Patent in violation of 35 U.S.C. § 271(c).

D. Menards' infringement of U.S. Patent No. 7,348,604 ("the '604 Patent"):

Menards has directly infringed, and continues to directly infringe, claims 1, 2, 4, 5, 8, 10, and 11 of the '604 Patent in violation of 35 U.S.C. § 271(a). Menards has induced the infringement, and continues to induce the infringement, of claims 1, 2, 4, 5, 8, 10, and 11 of the '604 Patent in violation of 35 U.S.C. § 271(b).

E. Menards' infringement of U.S. Patent No. 7,658,506 ("the '506 Patent"):

Menards has directly infringed, and continues to directly infringe, claims 1, 2-5, 7, 14, and 15 of the '506 Patent in violation of 35 U.S.C. § 271(a). Menards has induced the infringement, and continues to induce the infringement, of claims 1, 2-5, 7, 14, and 15 of the '506 Patent in violation of 35 U.S.C. § 271(b). Menards has contributorily infringed, and continues to contributorily infringe, claim 15 of the '506 Patent in violation of 35 U.S.C. § 271(c).

F. Menards' infringement of U.S. Patent No. 10,299,336 ("the '336 Patent"):

Menards has directly infringed, and continues to directly infringe, claims 1, 3-5, 7, 9, 11-13, 15, 16, and 19 of the '336 Patent in violation of 35 U.S.C. § 271(a). Menards has induced

the infringement, and continues to induce the infringement, of claims 1, 3-5, 7, 9, 11-13, 15, 16, and 19 of the '336 Patent in violation of 35 U.S.C. § 271(b).

II. Each Accused Instrumentality (L.P.R. 3.1(b))

The chart attached hereto as Appendix A¹, which is based on information obtained to date and is subject to further discovery, sets forth each accused apparatus, product, device, process, method, act, or other instrumentality (“Accused Products”) of which Signify is currently aware.

III. Claim Charts (L.P.R. 3.1(c) & (e))

The charts attached hereto as Appendices B-G, which are based on information obtained to date and subject to further discovery, set forth the claim limitations of each asserted claim and where each claim limitation is found in the Accused Products, and identify whether each claim limitation is met literally and/or under the doctrine of equivalents including with respect to any claim limitations that should be governed by 35 U.S.C. § 112(6).

IV. Indirect/Joint Infringement (L.P.R. 3.1(d))

A. Menards’ indirect/joint infringement of the ’399 Patent:

- a. The ’399 Accused Products are Menards-branded LED lighting products² that are identified in Appendix A as infringing one or more claims of the ’399 Patent.
- b. As described in Section VI, Menards has had knowledge of the ’399 Patent since at least February 8, 2021, when Menards received Signify’s letter which identified

¹ For the avoidance of doubt, to the extent any product is not listed in Appendix A but is listed within Appendices B-G, such product is included as an accused product.

² As used herein, “Menards-branded LED lighting products” refers to LED lighting products made, used, offered for sale and/or sold within the United States, and/or imported into the United States, without authority, by or on behalf of Menards on or after the earliest date for which Signify is entitled to recover damages, and under a brand owned and/or controlled by Menards, including but not limited to the Menards LED lighting products offered for sale and sold by Menards under its “Patriot Lighting,” “MasterForce,” and “Smart Electrician” brands. Dkt. 1 (Complaint), ¶¶ 22-25; Dkt. 17 (Answer), ¶¶ 22-25.

the '399 Patent and Menards' infringement thereof *See, e.g.*, Dkt. 1 (Complaint), ¶¶ 55-84, 93; Dkt. 17 (Answer), ¶¶ 57-61, 64-80, 82-84. Menards has had even further knowledge of the bases underlying Signify's claims for Menards' infringement of the '399 Patent since at least August 13, 2021, when Menards received Signify's email presenting detailed factual support for its claims. *Id.* As such, Menards was placed on notice that, in addition to the '399 Accused Products infringing apparatus claims of the '399 Patent, normal operation of the '399 Accused Products practices, for instance, at least the method of A) providing power to at least one LED based on a power-related signal from an alternating current (A.C.) power source that provides signals other than a standard A.C. line voltage, wherein the act A) includes an act of: providing power to the at least one LED based on a power-related signal from an alternating current (A.C.) dimmer circuit, wherein the A.C. dimmer circuit is controlled by a user interface to vary the power-related signal, and wherein the act A) includes an act of: C) variably controlling at least one parameter of light generated by the at least one LED in response to operation of the user interface, wherein the operation of the user interface varies a duty cycle of the power-related signal, and wherein the act C) includes an act of: D) variably controlling the at least one parameter of the light based at least on the variable duty cycle of the power-related signal, as set forth in claim 34 of the '399 Patent.

- c. In violation of 35 U.S.C. § 271(b), Menards has induced manufacturers of the '399 Accused Products to directly infringe at least claims 7, 8, 17-24, 47, and 58-61 of the '399 Patent, either literally or under the doctrine of equivalents, by

manufacturing and/or importing the '399 Accused Products. More specifically, Menards has actively induced infringement, and continues to actively induce infringement, by at least regularly directing and/or controlling manufacturers to manufacture and/or import '399 Accused Products which infringe the '399 Patent, knowing these products will be imported into, offered for sale, sold, and used within the United States, and with specific intent to encourage infringement.

- d. In violation of 35 U.S.C. § 271(b), Menards has induced Menards' customers and other downstream users of the '399 Accused Products to directly infringe at least method claims 34, 35, 42, and 43 of the '399 Patent, either literally or under the doctrine of equivalents, by using the '399 Accused Products in normal operation to practice the aforementioned method claims of the '399 Patent. More specifically, despite having been placed on notice that normal operation of the '399 Accused Products directly infringes at least the aforementioned method claims of the '399 Patent, and acting with the specific intent to actively induce infringement of the '399 Patent, Menards (i) has offered for sale, sold, and/or imported to customers and other downstream users, the '399 Accused Products, and (ii) has provided presentations and training on how to use the '399 Accused Products, and installation manuals, product specifications, customer support, presentations, training, advertising, promotional and/or marketing materials actively encouraging, directing, and teaching others to use the '399 Accused Products in normal operation which directly infringes the aforementioned method claims of the '399 Patent. *See, e.g.*, Dkts. 1-18 through 1-26.
- e. In violation of 35 U.S.C. § 271(c), Menards has contributed to the direct

infringement of at least method claims 34, 35, 42, and 43 of the '399 Patent by Menards' customers and other downstream users of the '399 Accused Products, who directly infringe those claims, either literally or under the doctrine of equivalents, by using the '399 Accused Products in normal operation to practice methods covered by at least the aforementioned method claims of the '399 Patent. More specifically, Menards has offered for sale, sold, and/or imported to others, including customers and other downstream users, the '399 Accused Products, which contain components that practice the aforementioned method claims of the '399 Patent during normal operation. The aforementioned components are used to practice a material part of the claimed methods, are especially made and/or especially adapted for use in infringing at least the aforementioned method claims of the '399 Patent, and are not staple articles of commerce suitable for substantial non-infringing use. Moreover, as described above, Menards has had knowledge of the '399 Patent and that use of the '399 Accused Products directly infringes at least the aforementioned method claims of the '399 Patent.

B. Menards' indirect/joint infringement of the '554 Patent:

- a. The '554 Accused Products are Menards-branded LED lighting products that are identified in Appendix A as infringing one or more claims of the '554 Patent.
- b. As described in Section VI, Menards has had knowledge of the '554 Patent since at least August 13, 2021, when Menards received Signify's email presenting detailed exemplary factual support and analysis as to how certain exemplary products sold, offered for sale, and/or imported by Menards practiced the '554 Patent. *See, e.g.*, Dkt. 1 (Complaint), ¶¶ 55-84, 107; Dkt. 17 (Answer), ¶¶ 57-61, 64-80, 82-84. As such, Menards was placed on notice that, in addition to the '554

Accused Products infringing apparatus claims of the '554 Patent, normal operation of the '554 Accused Products practices, for instance, at least the method of A) generating first radiation having a first spectrum from at least one first LED; and B) controllably varying a first intensity of the first radiation without monitoring or regulating a first voltage or a first current provided to the at least one first LED and without optically monitoring the first radiation, wherein the act B) comprises acts of: storing input energy derived from a power source to at least one energy transfer element; providing output energy from the at least one energy transfer element to the at least one first LED; and controlling at least the input energy stored to the at least one energy transfer element via at least one switch coupled to the at least one energy transfer element, as set forth in claim 46 of the '554 Patent.

- c. In violation of 35 U.S.C. § 271(b), Menards has induced manufacturers of the '554 Accused Products to directly infringe at least claims 1, 2, 5, and 6 of the '554 Patent, either literally or under the doctrine of equivalents, by manufacturing and/or importing the '554 Accused Products. More specifically, Menards has actively induced infringement, and continues to actively induce infringement, by at least regularly directing and/or controlling manufacturers to manufacture and/or import '554 Accused Products which infringe the '554 Patent, knowing these products will be imported into, offered for sale, sold, and used within the United States, and with specific intent to encourage infringement.
- d. In violation of 35 U.S.C. § 271(b), Menards has induced Menards' customers and other downstream users of the '554 Accused Products to directly infringe at least

method claims 46, 47, and 49-51 of the '554 Patent, either literally or under the doctrine of equivalents, by using the '554 Accused Products in normal operation to practice the aforementioned method claims of the '554 Patent. More specifically, despite having been placed on notice that normal operation of the '554 Accused Products directly infringes at least the aforementioned method claims of the '554 Patent, and acting with the specific intent to actively induce infringement of the '554 Patent, Menards (i) has offered for sale, sold, and/or imported, and continues to offer for sale, sell, and/or import, to customers and other downstream users, the '554 Accused Products, and (ii) has provided, and continues to provide, presentations and training on how to use the '554 Accused Products, and installation manuals, product specifications, customer support, presentations, training, advertising, promotional and/or marketing materials actively encouraging, directing, and teaching others to use the '554 Accused Products in normal operation which directly infringes the aforementioned method claims of the '554 Patent. *See, e.g.*, Dkts. 1-23, 1-29.

- e. In violation of 35 U.S.C. § 271(c), Menards has contributed and continues to contribute to the infringement of at least method claims 46, 47, and 49-51 of the '554 Patent by Menards' customers and other downstream users of the '554 Accused Products, who directly infringe those claims, either literally or under the doctrine of equivalents, by using the '554 Accused Products in normal operation to practice the methods covered by at least the aforementioned method claims of the '554 Patent. More specifically, Menards has offered for sale, sold, and/or imported to others, and continues to offer for sale, sell, and/or import to others,

including customers and other downstream users, the '554 Accused Products, which contain components that practice the aforementioned method claims of the '554 Patent during normal operation. The aforementioned components are used to practice a material part of the claimed methods, are especially made and/or especially adapted for use in infringing at least the aforementioned method claims of the '554 Patent, and are not staple articles of commerce suitable for substantial non-infringing use. Moreover, as described above, Menards has had knowledge of the '554 Patent and that use of the '554 Accused Products directly infringes at least the aforementioned method claims of the '554 Patent.

C. Menards' indirect/joint infringement of the '643 Patent:

- a. The '643 Patented Method Practicing Accused Products are Menards-branded LED lighting products that are identified in Appendix A that, during normal operation, infringe one or more claims of the '643 Patent.
- b. Upon information and belief, Menards also directly infringes the '643 Patent under 35 U.S.C. § 271(a) at least because customers and other downstream users of the '643 Patented Method Practicing Accused Products perform the method of at least claim 25 of the '643 Patent, and such performance is legally attributable to Menards. Menards directs and/or controls such customers and other downstream users to operate the '643 Patented Method Practicing Accused Products in such a manner so as to perform the method of claim 25 of the '643 Patent. For instance, Menards conditions such customers and users' receipt and enjoyment of the benefits of dimming functionality in the '643 Patent Method Practicing Products upon such customers and users installing and operating the '643 Patent Method Practicing Products in a manner that performs the method of claim 25 of the '643

Patent, and establishes the manner and/or timing of that performance. *See, e.g.*, Dkt. 1-23 (SKU# 349-1353 installation manual) (“This product is suitable for use in dimming circuits. For 10-100% light control, use with an LED-compatible dimmer (sold separately).”); Dkt. 1-29 (SKU# 349-1362 installation manual) (“This fixture is dimmable with a forward phase electronic dimmer. Dimmers tested to be compatible with this fixture are the Lutron: DVWCL-153PH, MACL-153MH, SCL-153P, TGCL-153PH.”).

- c. As described in Section VI, Menards has had knowledge of the ’643 Patent since at least August 13, 2021, when Menards received Signify’s email presenting detailed bases underlying Signify’s claims of Menards’ infringement of the ’643 Patent. *See, e.g.*, Dkt. 1 (Complaint), ¶¶ 55-84, 123; Dkt. 17 (Answer), ¶¶ 57-61, 64-80, 82-84. As such, Menards was placed on notice that normal operation of the ’643 Patented Method Practicing Accused Products practices the method of A) generating first radiation having a first spectrum that includes perceivably white light from at least one first white LED; and B) controllably varying a first intensity of the first radiation without monitoring or regulating a first voltage or a first current provided to the at least one first white LED, wherein the act B) comprises acts of: storing input energy derived from a power source to at least one energy transfer element; providing output energy from the at least one energy transfer element to the at least one first white LED; and controlling at least the input energy stored to the at least one energy transfer element via at least one switch coupled to the at least one energy transfer element, wherein the at least one energy transfer element and the at least one switch form part of an energy transfer

arrangement that includes the at least one energy transfer element, the at least one switch, and at least one diode, and wherein the energy transfer arrangement is configured as one of a buck converter, a boost converter, a buck-boost converter, a CUK converter, a flyback converter and a forward converter, as set forth in claim 25 of the '643 Patent.

- d. In violation of 35 U.S.C. § 271(b), Menards has induced Menards' customers and other downstream users of the '643 Patented Method Practicing Accused Products to directly infringe at least claim 25 of the '643 Patent, either literally or under the doctrine of equivalents, by using the '643 Patented Method Practicing Accused Products in normal operation to practice claim 25 of the '643 Patent. More specifically, despite having been placed on notice that normal operation of the '643 Patented Method Practicing Accused Products directly infringes at least method claim 25 of the '643 Patent, and acting with the specific intent to actively induce infringement of the '643 Patent, Menards has (i) offered for sale, sold, and/or imported to customers and other downstream users, and continues to offer for sale, sell, and/or import to customers and other downstream users, the '643 Patented Method Practicing Accused Products, and (ii) has provided, and continues to provide, presentations and training on how to use the '643 Patented Method Practicing Accused Products, and installation manuals, product specifications, customer support, presentations, training, advertising, promotional and/or marketing materials actively encouraging, directing, and teaching others to use the '643 Patented Method Practicing Accused Products which directly infringes at least method claim 25 of the '643 Patent. *See, e.g.,* Dkts. 1-23, 1-28,

1-31.

- e. In violation of 35 U.S.C. § 271(c), Menards has contributed and continues to contribute to the infringement of at least method claim 25 of the '643 Patent by Menards' customers and other downstream users of the '643 Patented Method Practicing Accused Products, who directly infringe that claim, either literally or under the doctrine of equivalents, by using the '643 Patented Method Practicing Accused Products in normal operation to practice the methods covered by at least the aforementioned method claim of the '643 Patent. More specifically, Menards has offered for sale, sold, and/or imported to others, and continues to offer for sale, sell, and/or import to others, including customers and other downstream users, the '643 Patented Method Practicing Accused Products, which contain components that practice the aforementioned method claim of the '643 Patent during normal operation. The aforementioned components are used to practice a material part of the claimed methods, are especially made and/or especially adapted for use in infringing at least the aforementioned method claim of the '643 Patent, and are not staple articles of commerce suitable for substantial non-infringing use. Moreover, as described above, Menards has had knowledge of the '643 Patent and that use of the '643 Patented Method Practicing Accused Products directly infringes at least the aforementioned method claim of the '643 Patent.

D. Menards' indirect/joint infringement of the '604 Patent:

- a. The '604 Accused Products are Menards-branded LED lighting products that are identified in Appendix A as infringing one or more claims of the '604 Patent.
- b. Menards has had knowledge of the '604 Patent since at least August 12, 2022

with the filing of the Complaint in this action, which included detailed bases underlying Signify's claim for Menards' infringement of the '604 Patent. Dkts. 1, 1-11. As such, Menards was placed on notice that the '604 Accused Products practice the '604 Patent.

- c. In violation of 35 U.S.C. § 271(b), Menards has induced and continues to induce manufacturers of the '604 Accused Products to directly infringe at least claims 1, 2, 4, 5, 8, 10, and 11 of the '604 Patent, either literally or under the doctrine of equivalents, by manufacturing and/or importing the '604 Accused Products. More specifically, Menards has actively induced infringement, and continues to actively induce infringement, by at least regularly directing and/or controlling manufacturers to manufacture and/or import '604 Accused Products which infringe the '604 Patent, knowing these products will be imported into, offered for sale, sold, and used within the United States, and with specific intent to encourage infringement.

E. Menards' indirect/joint infringement of the '506 Patent:

- a. The '506 Accused Products are Menards-branded LED lighting products that are identified in Appendix A as infringing one or more claims of the '506 Patent.
- b. Menards has had knowledge of the '506 Patent since at least August 12, 2022 with the filing of the Complaint in this action, which included detailed bases as to how underlying Signify's claim for Menards' infringement of the '506 Patent. Dkts. 1, 1-12. As such, Menards was placed on notice that, in addition to the '506 Accused Products infringing apparatus claims of the '506 Patent, normal operation of the '506 Accused Products practices, for instance, at least the method of forming a gap in an architectural surface; disposing a cove member in the gap

defined by the architectural surface, the cove member comprising an interior surface that is recessed from the architectural surface; generating visible light by at least one light LED-based source; and irradiating at least a portion of the interior surface with visible light such that the visible light is perceivable by a viewer via the gap as a light surface that is essentially flush with the architectural surface, as set forth in claim 15 of the '506 Patent.

- c. In violation of 35 U.S.C. § 271(b), Menards has induced manufacturers of the '506 Accused Products to directly infringe at least claims 1, 2-5, 7, and 14 of the '506 Patent, either literally or under the doctrine of equivalents, by manufacturing and/or importing the '506 Accused Products. More specifically, Menards has actively induced infringement, and continues to actively induce infringement, by at least regularly directing and/or controlling manufacturers to manufacture and/or import '506 Accused Products which infringe the '506 Patent, knowing these products will be imported into, offered for sale, sold, and used within the United States, and with specific intent to encourage infringement.
- d. In violation of 35 U.S.C. § 271(b), Menards has induced Menards' customers and other downstream users of the '506 Accused Products to directly infringe at least method claim 15 of the '506 Patent, either literally or under the doctrine of equivalents, by using the '506 Accused Products in normal operation to practice the aforementioned method claim of the '506 Patent. More specifically, despite having been placed on notice that normal operation of the '506 Accused Products directly infringes at least the aforementioned method claim of the '399 Patent, and acting with the specific intent to actively induce infringement of the '506 Patent,

Menards (i) has offered for sale, sold, and/or imported to customers and other downstream users, and continues to offer for sale, sell, and/or import to customers and other downstream users, the '506 Accused Products that include the Accused '506 Patent Functionality, and (ii) has provided, and continues to provide, presentations and training on how to use the '506 Accused Products, and installation manuals, product specifications, customer support, presentations, training, advertising, promotional and/or marketing materials actively encouraging, directing, and teaching others to use '506 Accused Products in normal operation which directly infringes the aforementioned method claim of the '506 Patent. *See, e.g.,* Dkts. 1-23, 1-35.

- e. In violation of 35 U.S.C. § 271(c), Menards has contributed to the infringement of method claim 15 of the '506 Patent by Menards' customers and other downstream users of the '506 Accused Products, who directly infringe those claims, either literally or under the doctrine of equivalents, by using the '506 Accused Products in normal operation to practice the methods covered by at least the aforementioned method claim of the '506 Patent. More specifically, Menards has offered for sale, sold, and/or imported to others, and continues to offer for sale, sell, and/or import to others, including customers and other downstream users, the '506 Accused Products, which contain components that practice the aforementioned method claim of the '506 Patent during normal operation. The aforementioned components are used to practice a material part of the claimed methods, are especially made and/or especially adapted for use in infringing the methods of the '506 Patent, and are not staple articles of commerce suitable for

substantial non-infringing use. Moreover, as described above, Menards has had knowledge of the '506 Patent and that use of the '506 Accused Products directly infringes at least the aforementioned method claim of the '506 Patent.

F. Menards' indirect/joint infringement of the '336 Patent:

- a. The '336 Accused Products are Menards-branded LED lighting products that are identified in Appendix A as infringing one or more claims of the '336 Patent.
- b. Menards has had knowledge of the '336 Patent since at least February 8, 2021, when Menards received Signify's letter which identified the '336 Patent and Menards' infringement thereof *See, e.g.*, Dkt. 1 (Complaint), ¶¶ 55-84, 163; Dkt. 17 (Answer), ¶¶ 57-61, 64-80, 82-84. Menards has had even further knowledge of the bases underlying Signify's claims for Menards' infringement of the '336 Patent since at least August 13, 2021, when Menards received Signify's email presenting detailed factual support for its claims. *Id.* As such, Menards was placed on notice that the '336 Accused Products practice the '336 Patent.
- c. In violation of 35 U.S.C. § 271(b), Menards has induced and continues to induce manufacturers of the '336 Accused Products to directly infringe at least claims 1, 3-5, 7, 9, 11-13, 15, 16, and 19 of the '336 Patent, either literally or under the doctrine of equivalents, by manufacturing and/or importing the '336 Accused Products. More specifically, Menards has actively induced infringement, and continues to actively induce infringement, by at least regularly directing and/or controlling manufacturers to manufacture and/or import '336 Accused Products which infringe the '336 Patent, knowing these products will be imported into, offered for sale, sold, and used within the United States, and with specific intent to encourage infringement.

V. Priority Date (L.P.R. 3.1(f))

A. Priority Date of the '399 Patent:

Signify contends that claims 7, 8, 17-24, 34, 35, 42, 43, and 47 of the '399 Patent are entitled to a priority date at least as early as May 9, 2002, the filing date of U.S. Application No. 60/379,079. In the event that the Court determines the claims 7, 8, 17-24, 34, 35, 42, 43, and 47 of the '399 Patent are not entitled to claim priority to U.S. Application No. 60/379,079, Signify contends that these claims of the '399 Patent are still entitled to a priority date at least as early as June 26, 2002, the filing date of U.S. Application No. 60/391,627.

Signify contends that claims 58-61 of the '399 Patent are entitled to a priority date at least as early as May 9, 2003, the filing date of U.S. Application No. 10/435,687.

B. Priority Date of the '554 Patent:

Signify contends that claims 1, 2, 5, 6, 46, 47, and 49-51 of the '554 Patent are entitled to a priority date at least as early as March 15, 2004, the filing date of U.S. Application No. 60/553,318.

C. Priority Date of the '643 Patent:

Signify contends that claim 25 of the '643 Patent are entitled to a priority date at least as early as March 15, 2004, the filing date of U.S. Application No. 60/553,318.

D. Priority Date of the '604 Patent:

Signify contends that claims 1, 2, 4, 5, 8, 10, and 11 of the '604 Patent are entitled to a priority date at least as early as May 20, 2005, the filing date of U.S. Application No. 60/683,244, and are further entitled to an even earlier effective date at least as early as March 19, 2004 based on earlier conception and subsequent reduction to practice.

E. Priority Date of the '506 Patent:

Signify contends that claims 1, 2-5, 7, 14, and 15 of the '506 Patent are entitled to a priority date at least as early as May 12, 2006, the filing date of U.S. Application No. 60/747,110.

F. Priority Date of the '336 Patent:

Signify contends that claims 1, 3-5, 7, 9, 11-13, 15, 16, and 19 of the '336 Patent are entitled to a priority date at least as early as June 21, 2018, the filing date of U.S. Application No. 16/014,394.

VI. Willful Infringement (L.P.R. 3.1(g))

Signify contends that Menards' infringement of at least the '399 Patent, the '554 Patent, the '643 Patent, and the '336 Patent (collectively, "the Willfully Infringed Patents") has been willful.

Menards was given notice of the Willfully Infringed Patents by Signify prior to the filing of Signify's Complaint in this action.

- a. On February 8, 2021, Signify sent Menards a letter ("February 8 Letter") via U.S. Certified Mail. The February 8 Letter, signed by Mr. Aaron J. Rugh, Esq., informed Menards that Menards Branded Products infringe numerous Signify patents.
- b. The February 8 Letter identified, among other Signify patents, at least the '399 Patent and the '336 Patent, and identified, as a non-limiting example and among other products, the Patriot Lighting® 5-1/2" (4" internal diameter) round recessed downlight LED lighting product (SKU# 349-1348) as practicing the claimed inventions of at least the '399 Patent and the '336 Patent.
- c. The February 8 Letter invited Menards to engage in discussions regarding

Menards' infringing products and potential participation in Signify's technology licensing program.

- d. On February 24, 2021, Menards sent Signify a letter ("February 24 Letter") via U.S. Certified Mail. The February 24 Letter was signed by Elizabeth Weber, Esq., senior corporate counsel for Menards. The February 24 Letter confirmed Menards' receipt of the February 8 Letter, but made no substantive response to the issues raised in Signify's February 8 letter.
- e. On March 11, 2021, Mr. Rugh and Ms. Weber had a telephone conference, during which Mr. Rugh described Signify's technology licensing program and proposed next steps, including Signify's willingness to provide additional details through a technical presentation concerning Menards Branded Products and Signify's patents.
- f. During the March 11, 2021 telephone conference, Ms. Weber declined to discuss a license, and requested that Signify instead speak to Menards' suppliers. Mr. Rugh explained that it was Signify's policy to license private label retailers directly, not suppliers.
- g. On March 12, 2021, Mr. Rugh sent Ms. Weber an email summarizing the discussions that took place during the March 11, 2021 telephone call.
- h. On March 15, 2021, Ms. Weber sent Mr. Rugh an email, confirming Mr. Rugh's summary of the March 11, 2021 telephone discussion. However, Ms. Weber again declined Signify's request to engage in substantive discussions regarding Menards' infringement of Signify's patented technologies and participation in Signify's technology licensing program.

- i. On April 5, 2021, Mr. Rugh sent Ms. Weber an email (“April 5 Email”), again reiterating that Menards Branded Products infringe numerous Signify patents and inviting further discussion of these issues. The April 5 Email also identified additional Signify patents infringed by Menards Branded Products, and further identified additional Menards Branded Products which Signify believed infringe its patents.
- j. For example, the April 5 Email identified, as a non-limiting example and among other products, the Patriot Lighting® 5-1/2" (4" internal diameter) round recessed downlight LED lighting product (SKU# 349-1348) as practicing the claimed inventions of at least the '399 Patent and the '336 Patent.
- k. The April 5 Email also identified, among other products, the Patriot Lighting® 6-7/8" (6" internal diameter) round recessed downlight LED lighting product (SKU# 349-1353) as practicing the claimed inventions of one or more Signify patents.
- l. On April 6, 2021, Ms. Weber sent Mr. Rugh an email which confirmed receipt of the April 5 Email, but again offered no substantive response to the issues raised by Signify.
- m. On May 14, 2021, Ms. Weber sent Mr. Rugh an email, requesting that Signify provide detailed analysis regarding Signify’s theories of infringement, ostensibly so that Menards could “better understand Signify’s allegations” of infringement.
- n. On August 13, 2021, Signify supplied a 423-page document containing claim charts articulating exemplary bases for infringement, including with respect to specific exemplary Signify patents and specific exemplary Menards Branded

Products.

- o. More specifically, Mr. Rugh sent Ms. Weber two emails (“first August 13 Email” and “second August 13 Email,” respectively). The first August 13 Email identified 28 Signify patents (including the ’399 Patent, the ’554 Patent, the ’643 Patent and the ’336 Patent) and 18 different Menards Branded Products marketed, sold, offered for sale, and/or imported by Menards (including those marketed under the Patriot Lighting® brand).
- p. For example, the first August 13 Email identified, among other products, the Patriot Lighting® 5-1/2" (4" internal diameter) round recessed downlight LED lighting product (SKU# 349-1348) as an exemplary Menards product that practiced the claimed inventions of at least the ’399 Patent, the ’554 Patent, the ’643 Patent, and the ’336 Patent.
- q. As another example, the first August 13 Email also identified, among other products, the Patriot Lighting® 6-7/8" (6" internal diameter) round recessed downlight LED lighting product (SKU# 349-1353) as an exemplary Menards product that practiced the claimed inventions of at least the ’399 Patent and the ’554 Patent (among other Signify patents).
- r. The first August 13 Email again invited Menards to discuss the patent issues with Signify “with the goal of reaching an amicable resolution.”
- s. The second August 13 Email attached, pursuant to Menards’ request, a PDF file containing 423 pages of claim charts (“August 13 Claim Charts”). The August 13 Claim Charts presented detailed exemplary factual support and analysis as to how certain exemplary products sold, offered for sale, and/or imported by Menards

practiced one or more of the identified 28 Signify patents.

- t. On August 16, 2021, Ms. Weber sent Mr. Rugh an email which confirmed receipt of the first and second August 13 Emails, but again failed to respond substantively to the issues raised by Signify.
- u. On August 17, 2021, Mr. Rugh sent Ms. Weber an email to set a time to speak about “next steps and a path forward.”
- v. On September 3, 2021, Ms. Weber sent Mr. Rugh an email (“September 3 Email”) which stated that Menards’ position “has not changed” and that in Menards’ view, another call between the parties would not be “productive.”
- w. The September 3 Email did not dispute any substantive allegation, in whole or in part, contained in the August 13 Claim Charts which had previously been requested by Menards.
- x. Despite multiple follow-up inquiries from Mr. Rugh, Menards did not further respond to Signify until January 28, 2022.
- y. On January 28, 2022, Ms. Weber sent Mr. Rugh another email (“January 28 Email”) in which Menards claimed it was “not in a position to substantively evaluate Signify’s allegations,” despite the fact that Menards had requested and been provided over 400 pages in claim charts detailing instances of Menards’ infringement.
- z. Again, in the January 28 Email Menards did not dispute any substantive allegation, in whole or in part, of Signify’s infringement analysis contained in the August 13 Claim Charts. Instead, in the January 28 Email Menards confirmed that it had not “substantively evaluate[d] Signify’s allegations” despite previously

requesting and being supplied with the August 13 Claim Charts.

aa. In the January 28 Email, Menards again declined to engage in any good faith discussion of Signify's infringement allegations, the 423 pages of detailed bases Signify had provided at Menards' insistence, or a potential license.

bb. Menards therefore received actual notice of its infringement of the '399 Patent and the '336 Patent at least by February 8, 2021, and received actual notice of its infringement of the '554 Patent and the '643 Patent at least by August 13, 2021.

Additionally, Menards' actions show that its patent infringement has been and continues to be willful. For example, Menards has continued to engage in and has escalated its infringing activities by offering for sale, selling, and/or importing selling infringing products despite being repeatedly put on notice of its infringement of the Willfully Infringed Patents. *See, e.g.*, Dkt. 1 (Complaint), ¶¶ 28-51; Dkt. 17 (Answer), ¶¶ 28-51.

Menards became aware of and/or willfully blinded itself to the existence of and its infringement of the Willfully Infringed Patents and/or the patent applications that resulted in the Willfully Infringed Patents.

Menards has also made no attempts to design around the asserted patents or otherwise stop its infringing behavior.

Accordingly, Menards' conduct is "willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, flagrant, or—indeed—characteristic of a pirate," *Halo Elecs., Inc. v. Pulse Elecs., Inc.*, 136 S. Ct. 1923, 1932 (2016), and justifies an award of enhanced damages under 35 U.S.C. § 284. Signify's investigation is ongoing, and Signify therefore reserves the right to supplement, amend, or correct these contentions.

DOCUMENT PRODUCTION

Pursuant to L.P.R. 3.2, documents bearing production numbers SIGNIFYMNRD0000001 – SIGNIFYMNRD0009294 accompany these Contentions. Signify's efforts to identify, locate, collect, review, and produce responsive documents are continuing, and Signify expressly reserves the right to supplement this production.

Date: October 31, 2022

Respectfully submitted,

By: /s/ Jason M. Dorsky

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APPENDIX A

U.S. Patent No. 7,038,399

Menards SKU	Product Description	Infringed Claims of the '399 Patent	Claim Chart
349-1202	Patriot 4" Ultra-Thin Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-1292	Patriot 6" Ultra-Thin Downlight (3 PK)	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-1392	Patriot 6.875" Ultra-Thin Round Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-1393	Patriot 6.875" Brushed Nickel Ultra Thin Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-2101	Patriot 4.75" Ultra-Thin Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-2102	Patriot 6.75" Round Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
349-2134	Patriot 4.75" Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-1
351-0008	Patriot Lighting Julius Flush Mount Ceiling Light	7, 8, 17-19, 34, 35, 47, 58-61	B-1, B-2
349-1199	Patriot Lighting 3" Gimbal Recessed Light Kit	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1201	Patriot Lighting 4" Ultra-Thin Square Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1204	Patriot Lighting 6.875" Ultra-Thin Round Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1206	Patriot Lighting 6.75" Ultra-Thin Square Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1207	Patriot Lighting 6.75" Ultra-Thin Square Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1345	Patriot Lighting 4.375" Ultra-Thin Round Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1346	Patriot Lighting 4.375" Ultra-Thin Round Recessed Downlight (4 PK)	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1347	Patriot Lighting 4.75" Ultra-Thin Square Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1353	Patriot Lighting 6.875" Round Edge Lit Downlight (4 PK)	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1354	Patriot Lighting 6.375" Round Edge Lit Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1362	Patriot Lighting 3" Gimbal Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-60	B-2
349-1391	Patriot Lighting 4.75" Recessed Ultra-Thin Square Downlight	7, 8, 17-24, 34, 35, 42, 43, 47, 58-61	B-3, B-6
349-1394	Patriot Lighting 6.75" Ultra-Thin Recessed Square Downlight	7, 8, 17-24, 34, 35, 42, 43, 47, 58-61	B-3
349-2135	Patriot Lighting 6.75" Recessed Downlight	7, 8, 17-24, 34, 35, 42, 43, 47, 58-61	B-3
349-1395	Patriot Lighting 6" Ultra-Thin Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-4
351-1511	Patriot Lighting 32" Seattle II Nickel Integrated LED Vanity Light	7, 8, 17-19, 34, 35, 47, 58-61	B-5
351-8703	Patriot Lighting Tye Pendant Light	7, 8, 17-23, 34, 35, 42, 43, 47, 58-60	B-6
351-8792	Patriot Lighting Leah Satin Nickel Flush Mount	7, 8, 17-23, 34, 35, 42, 43, 47, 58-60	B-6
349-1348	Patriot Lighting 5.5" (4" internal) Round Recessed Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-7
349-1349	Patriot Lighting 4.75" Integrated High-Output Ultra-Thin Downlight	7, 8, 17-19, 34, 35, 47, 58-61	B-7

351-1510	Patriot Lighting 24" Seattle II Nickel Integrated LED Vanity Light	7, 8, 17-19, 34, 35, 47, 58-61	B-8
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U.S. Patent No. 7,256,554

Menards SKU	Product Description	Infringed Claims of the '554 Patent	Claim Chart
349-1199	Patriot Lighting 3" Gimbal Recessed Light Kit	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1201	Patriot Lighting 4" Ultra-Thin Square Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1206	Patriot Lighting 6.75" Ultra-Thin Square Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1207	Patriot Lighting 6.75" Ultra Thin Square Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1292	Patriot Lighting 6" Ultra Thin Downlight (3 PK)	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1347	Patriot Lighting 4.75" Ultra Thin Square Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1353	Patriot Lighting 6.875" Ultra-Thin Round Downlight (4 PK)	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1354	Patriot Lighting 6.375" Ultra-Thin Round Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1362	Patriot Lighting 3" Gimbal Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1392	Patriot 6.875" Ultra-Thin Round Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1393	Patriot 6.875" Brushed Nickel Ultra Thin Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-2101	Patriot 4.75" Ultra-Thin Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-2102	Patriot 6.75" Round Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-2134	Patriot 4.75" Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-1
349-1348	Patriot Lighting 4" Baffle Ultra-Thin Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-2
349-1349	Patriot Lighting 4.75" High-Output Ultra-Thin Downlight	1, 2, 5, 6, 46, 47, 49-51	C-2
349-1391	Patriot Lighting 4.75" Recessed Ultra-Thin Square Downlight	1, 2, 5, 6, 46, 47, 49-51	C-2
349-1394	Patriot Lighting 6.75" Ultra-Thin Recessed Square Downlight	1, 2, 5, 6, 46, 47, 49-51	C-2
349-2135	Patriot Lighting 6.75" Recessed Downlight	1, 2, 5, 6, 46, 47, 49-51	C-2
351-8703	Patriot Lighting Tye Pendant Light	1, 2, 5, 6, 46, 47, 49-51	C-2
351-8792	Patriot Lighting Leah Satin Nickel Flush Mount Ceiling Light	1, 2, 5, 6, 46, 47, 49-51	C-2
348-0122	Patriot Lighting 22364 Lumens Integrated LED High Bay Light	1, 2, 5, 6, 46, 47, 49-51	C-3

U.S. Patent No. 7,737,643

Menards SKU	Product Description	Infringed Claims of the '643 Patent	Claim Chart
349-1199	Patriot Lighting 3" Gimbal Recessed Light Kit	25	D-1
349-1201	Patriot Lighting 4" Ultra-Thin Square Downlight	25	D-1
349-1206	Patriot Lighting 6.75" Ultra-Thin Square Downlight	25	D-1
349-1207	Patriot Lighting 6.75" Ultra Thin Square Recessed Downlight	25	D-1
349-1292	Patriot Lighting 6" Ultra Thin Downlight (3 PK)	25	D-1
349-1347	Patriot Lighting 4.75" Ultra Thin Square Downlight	25	D-1
349-1353	Patriot Lighting 6.875" Ultra-Thin Round Downlight (4 PK)	25	D-1
349-1354	Patriot Lighting 6.375" Ultra-Thin Round Downlight	25	D-1
349-1362	Patriot Lighting 3" Gimbal Downlight	25	D-1
349-1392	Patriot 6.875" Ultra-Thin Round Recessed Downlight	25	D-1
349-1393	Patriot 6.875" Brushed Nickel Ultra Thin Downlight	25	D-1
349-2101	Patriot 4.75" Ultra-Thin Downlight	25	D-1
349-2102	Patriot 6.75" Round Recessed Downlight	25	D-1
349-2134	Patriot 4.75" Recessed Downlight	25	D-1
349-1348	Patriot Lighting 4" Baffle Ultra-Thin Recessed Downlight	25	D-2
349-1349	Patriot Lighting 4.75" High-Output Ultra-Thin Downlight	25	D-2
349-1391	Patriot Lighting 4.75" Recessed Ultra-Thin Square Downlight	25	D-2
349-1394	Patriot Lighting 6.75" Ultra-Thin Recessed Square Downlight	25	D-2
349-2135	Patriot Lighting 6.75" Recessed Downlight	25	D-2
351-8703	Patriot Lighting Tye Pendant Light	25	D-2
351-8792	Patriot Lighting Leah Satin Nickel Flush Mount Ceiling Light	25	D-2
348-0122	Patriot Lighting 22364 Lumens Integrated LED High Bay Light	25	D-3

U.S. Patent No. 7,348,604

Menards SKU	Product Description	Infringed Claims of the '604 Patent	Claim Chart
356-4264	15K Lumen Dusk to Dawn Area Light	1, 8, 10	E-1
356-9422	Patriot Lighting Bronze Dusk-to-Dawn Security Wall Pack	1, 8, 10	E-1
356-9420	Patriot Lighting Bronze Dusk-to-Dawn Security Wall Pack	1, 8, 10	E-1
356-9419	Patriot Lighting Bronze Dusk-to-Dawn Security Wall Pack	1, 8, 10	E-1
356-9423	Patriot Lighting Bronze Outdoor Security Area Light	1, 8, 10	E-1
356-9436	Patriot Lighting Dusk-to-Dawn Security Area Light	1, 8, 10	E-1
356-9450	Patriot Lighting Bronze Dusk-to-Dawn Security Wall Pack	1, 8, 10	E-1
370-3689	Smart Electrician 10K Lumen Work Light	1, 8, 10	E-1
370-5380	Masterforce 10K Lumen Work Light	1, 8, 10	E-1
370-5383	Masterforce 20K Lumen Dual-Head Tripod Work Light	1, 8, 10	E-1
370-5390	Smart Electrician 5K Lumen Portable Work Light	1, 8, 10	E-1
370-5391	Smart Electrician 7K Lumen Portable Work Light	1, 8, 10	E-1
370-5392	Smart Electrician 10K Lumen Portable Work Light	1, 8, 10	E-1
370-5395	Smart Electrician 2K Lumen Rechargeable Work Light	1, 8, 10	E-1
370-5396	Smart Electrician 4K Lumen Rechargeable Work Light	1, 8, 10	E-1
370-5449	Smart Electrician 1200 Lumen Clamp Work Light	1, 8, 10	E-1
370-5450	Smart Electrician 1200 Lumen Portable Work Light	1, 8, 10	E-1
370-5451	Smart Electrician 2400 Lumen Tripod Work Light	1, 8, 10	E-1
370-5453	Smart Electrician 1200 Lumen Tripod Work Light	1, 8, 10	E-1
370-5455	Smart Electrician 7000 Lumen Tripod Work Light	1, 8, 10	E-1
370-5456	Smart Electrician 10K Lumen Tripod Work Light	1, 8, 10	E-1
370-5457	Smart Electrician 20K Lumen Tripod Work Light	1, 8, 10	E-1
370-5489	Smart Electrician 20K Lumen Dual-Head Tripod Work Light	1, 8, 10	E-1
370-5537	Smart Electrician 2500 Lumen Portable Work Light	1, 8, 10	E-1
351-1510	Patriot Lighting 24" Seattle II Nickel Integrated LED Vanity Light	1, 10	E-2
351-1511	Patriot Lighting 32" Seattle II Nickel Integrated LED Vanity Light	1, 10	E-2
347-0090	Patriot Lighting Tripod Grow Light	1, 10	E-2
349-0519	Patriot Lighting White Step Cylinder Track Lighting Head	1, 8	E-3

349-0502	Patriot Lighting Black Step Light 3-Light Track Lighting Set	1, 8	E-3
349-0503	Patriot Lighting White Step Light 3-Light Track Lighting Set	1, 8	E-3
349-0514	Patriot Lighting Black Step Cylinder Trak Lighting Head	1, 8	E-3
349-0517	Patriot Lighting Black Step 1-Light Track Lighting Head	1, 8	E-3
349-0526	Patriot Lighting Step 1-Light White Track Lighting Head	1, 8	E-3
370-1972	Masterforce 2000 Lumen Worklight	1, 8	E-3
370-5493	Smart Electrician Handheld Worklight	1, 8	E-3
370-5496	Smart Electrician 1300 Lumen Cord Reel Work Light	1, 8	E-3
370-5497	Masterforce 2000 Lumen Work Light	1, 8	E-3
370-5498	Masterforce 2000 Lumen Handheld Cord Reel Work Light	1, 8	E-3
346-9030	Smart Electrician LED 2-Head Emergency Exit Light	1, 11	E-4
351-8792	Patriot Lighting Leah Satin Nickel Flush Mount	1, 11	E-4
351-4739	Patriot Lighting Gabbie Flush Mount Ceiling Light (6-PK)	1, 2, 4, 5, 10	E-5
351-4772	Patriot Lighting Drummon Black Flush Mount Ceiling Light (2-PK)	1, 2, 4, 5, 10	E-5
351-8738	Patriot Lighting Devak Matte Black Semi-Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
351-4773	Patriot Lighting Drummon Brushed Nickel Flush Mount (2-PK)	1, 2, 4, 5, 10	E-5
352-5810	Patriot Lighting Payton Satin Nickel Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5811	Patriot Lighting Payton Oil-Rubbed Bronze Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5812	Patriot Lighting Payton Satin Nickel Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5813	Patriot Lighting Payton Oil-Rubbed Bronze Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5814	Patriot Lighting Payton Satin Nickel Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5815	Patriot Lighting Payton Oil-Rubbed Bronze Flush Mount Ceiling Light	1, 2, 4, 5, 10	E-5
352-5838	Patriot Lighting Payton Oil-Rubbed Bronze Flush Mount Ceiling Light (2-PK)	1, 2, 4, 5, 10	E-5
352-5839	Patriot Lighting Payton Satin Nickel Flush Mount Ceiling Light (2-PK)	1, 2, 4, 5, 10	E-5
352-5840	Patriot Lighting Payton Oil-Rubbed Bronze Flush Mount Ceiling Light (2-PK)	1, 2, 4, 5, 10	E-5
352-5841	Patriot Lighting Payton Satin Nickel Flush Mount Ceiling Light (2-PK)	1, 2, 4, 5, 10	E-5

U.S. Patent No. 7,658,506

Menards SKU	Product Description	Infringed Claims of the '506 Patent	Claim Chart
349-1201	Patriot Lighting 4" Ultra-Thin Square Downlight	1-5, 7, 14, 15	F-1
349-1204	Patriot Lighting 6.875" Ultra-Thin Round Recessed Downlight	1-5, 7, 14, 15	F-1
349-1206	Patriot Lighting 6.75" Ultra-Thin Square Downlight	1-5, 7, 14, 15	F-1
349-1207	Patriot Lighting 6.75" Ultra Thin Square Recessed Downlight	1-5, 7, 14, 15	F-1
349-1213	Patriot Lighting 3" Recessed Downlight	1-5, 7, 14, 15	F-1
349-1214	(unknown)	1-5, 7, 14, 15	F-1
349-1216	(unknown)	1-5, 7, 14, 15	F-1
349-1279	Patriot Lighting 7" Round Ultra-Thin Downlight (2 PK)	1-5, 7, 14, 15	F-1
349-1345	Patriot Lighting 4.375" Ultra-Thin Round Downlight	1-5, 7, 14, 15	F-1
349-1346	Patriot Lighting 4.375" Ultra-Thin Round Recessed Downlight (4 PK)	1-5, 7, 14, 15	F-1
349-1347	Patriot Lighting 4.75" Ultra-Thin Square Dimmable Downlight	1-5, 7, 14, 15	F-1
349-1353	Patriot Lighting 6.875" Round Edge Lit Downlight (4 PK)	1-5, 7, 14, 15	F-1
349-1354	Patriot Lighting 6.375" Round Edge Lit Downlight	1-5, 7, 14, 15	F-1
349-1391	Patriot Lighting 4.75" Recessed Ultra-Thin Square Downlight	1-5, 7, 14, 15	F-1
349-1392	Patriot Lighting 6.875" Bronze Ultra-Thin Downlight	1-5, 7, 14, 15	F-1
349-1393	Patriot Lighting 6.875" Brushed Nickel Ultra-Thin Downlight	1-5, 7, 14, 15	F-1
349-1394	Patriot Lighting 6.75" Ultra-Thin Recessed Square Downlight	1-5, 7, 14, 15	F-1
349-1202	Patriot 4" Ultra-Thin Downlight	1-4, 7, 14	F-2
349-1215	Patriot 4" Recessed Downlight	1-4, 7, 14	F-2
349-1280	Patriot 6" Ultra-Thin Downlight (3 PK)	1-4, 7, 14	F-2
349-1281	Patriot 6" Ultra-Thin Downlight (3 PK)	1-4, 7, 14	F-2
349-1292	Patriot 6" Ultra Thin Downlight (3 PK)	1-4, 7, 14	F-2
349-1294	Patriot 6" Ultra-Thin Downlight (3 PK)	1-4, 7, 14	F-2
349-2101	Patriot 4.75" Ultra-Thin Downlight	1-4, 7, 14	F-2
349-2102	Patriot 6.75" Round Recessed CCT-selectable Downlight	1-4, 7, 14	F-2

U.S. Patent No. 10,299,336

Menards SKU	Product Description	Infringed Claims of the '336 Patent	Claim Chart
348-2107	Patriot Lighting 5070 Lumen 47.75" Back-Lit Flat Panel	1, 3, 7, 9, 11-13, 15, 19	G-1
349-1202	Patriot Lighting 4" Ultra-Thin Downlight	1, 3, 7, 9, 11-13, 15, 19	G-1
349-1292	Patriot Lighting 6" Ultra-Thin Downlight (3 PK)	1, 3, 7, 9, 11-13, 15, 19	G-1
349-1294	Patriot Lighting 6" Ultra-Thin Downlight (3 PK)	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1348	Patriot Lighting 5.5" (4" internal diam.) Round Recessed Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1352	Patriot Lighting 6" Deep Baffle Ultra-Thin Recessed Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1391	Patriot Lighting 4.75" Recessed Ultra-Thin Square Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1392	Patriot Lighting 6.875" Ultra-Thin Round Recessed Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1393	Patriot Lighting 6.875" Brushed Nickel Ultra-Thin Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
349-1394	Patriot Lighting 6.75" Ultra-Thin Recessed Square Downlight	1, 3-5, 7, 9, 11-13, 15, 16, 19	G-2
346-0635	Patriot Lighting Contractor Series 9" Direct Wire Undercabinet Light	13, 15	G-3
346-0636	Patriot Lighting Contractor Series 24" Direct Wire Undercabinet Light	13, 15	G-3
346-0637	Patriot Lighting Contractor Series 32" Direct Wire Undercabinet Light	13, 15	G-3
346-0638	Patriot Lighting Contractor Series 12" Direct Wire Undercabinet Light	13, 15	G-3
346-0639	Patriot Lighting Contractor Series 18" Direct Wire Undercabinet Light	13, 15	G-3
346-0640	Patriot Lighting Contractor Series 24" Direct Wire Undercabinet Light	13, 15	G-3
346-0874	Patriot Lighting Contractor Series 9" Direct Wire Undercabinet Light	13, 15	G-3
346-0875	Patriot Lighting Contractor Series 16" Direct Wire Undercabinet Light	13, 15	G-3
346-0877	Patriot Lighting Contractor Series 32" Direct Wire Undercabinet Light	13, 15	G-3
346-0880	Patriot Lighting 9" Plug-in Undercabinet Strip Light	13, 15	G-3
346-0881	Patriot Lighting 12" Plug-in Undercabinet Strip Light	13, 15	G-3
346-0882	Patriot Lighting 16" Plug-in Undercabinet Strip Light	13, 15	G-3
346-7203	Patriot Lighting 12" Direct Wire Undercabinet Strip Light	13, 15	G-3
346-7204	Patriot Lighting 18" Direct Wire Undercabinet Strip Light	13, 15	G-3
346-7205	Patriot Lighting 24" Direct Wire Undercabinet Strip Light	13, 15	G-3
346-7211	Patriot Lighting 18" Black Undercabinet Workbench Light	13, 15	G-3
348-2130	Patriot Lighting 2000 Lumen 2' White Wrap Light	13, 15	G-3
348-2131	Patriot Lighting 4000 Lumen 4' White Wrap Light	13, 15	G-3

348-2182	Patriot Lighting Kriti Bronze Flush Mount Ceiling Light	13, 15	G-3
349-1279	Patriot Lighting 7" round ultra-thin downlight (2 PK)	13, 15	G-3
349-1359	Patriot Lighting 6" Ultra-Thin Downlight	13, 15	G-3
349-1396	Patriot Lighting 6" Ultra-Thin Downlight	13, 15	G-3
349-2100	Patriot Lighting 8" Recessed Downlight	13, 15	G-3
351-0008	Patriot Lighting Julius Flush Mount	13, 15	G-3
351-1510	Patriot Lighting 24" Seattle II Vanity Light	13, 15	G-3
351-1511	Patriot Lighting 32" Seattle II Vanity Light	13, 15	G-3
346-7258	Patriot Lighting 10" Plug-in Undercabinet Light	13, 15, 16	G-4
346-7259	Patriot Lighting 12" Plug-in Undercabinet Light	13, 15, 16	G-4
346-7260	Patriot Lighting 18" Plug-in Undercabinet Light	13, 15, 16	G-4
346-7261	Patriot Lighting 24" Plug-in Undercabinet Light	13, 15, 16	G-4
346-7262	Patriot Lighting 36" Direct Wire Undercabinet Light	13, 15, 16	G-4
349-1274	Patriot Lighting 5"-6" Retrofit Downlight	13, 15, 16	G-4
349-1342	Patriot Lighting 4" Disc Light	13, 15, 16	G-4
349-1343	Patriot Lighting 6" Disc Light	13, 15, 16	G-4
349-1385	Patriot Lighting 4" 60-in-1 Recessed Retrofit Downlight	13, 15, 16	G-4
349-1386	Patriot Lighting 5"/6" 60-in-1 Recessed Retrofit Downlight	13, 15, 16	G-4
349-1387	Patriot Lighting 4" CCT selectable disc light	13, 15, 16	G-4
349-1388	Patriot Lighting 6" CCT selectable disc light	13, 15, 16	G-4
349-1395	Patriot Lighting 6" Ultra-Thin Downlight	1, 3-5, 9, 11-13, 15, 16, 19	G-5
349-2101	Patriot Lighting 4.75" Ultra-Thin Downlight	1, 3-5, 9, 11-13, 15, 16, 19	G-5
349-2102	Patriot Lighting 6.75" Round Recessed Downlight	1, 3-5, 9, 11-13, 15, 16, 19	G-5
349-2134	Patriot Lighting 4.75" Recessed Downlight	1, 3-5, 9, 11-13, 15, 16, 19	G-5
349-2135	Patriot Lighting 6.75" Recessed Downlight	1, 3-5, 9, 11-13, 15, 16, 19	G-5