

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

VECTAIR SYSTEMS INC.

Plaintiff,

v.

FRESH PRODUCTS, INC.

Defendant.

AND RELATED COUNTERCLAIMS.

Civil Action No.

0:24-cv-01454-JMB-ECW

JURY TRIAL DEMANDED

FRESH PRODUCTS, INC.’S INFRINGEMENT CONTENTIONS

Defendant Fresh Products, Inc. (“Fresh Products”) hereby submits its infringement contentions to Plaintiff Vectair Systems Inc. (“Vectair”) pursuant to this Court’s Pretrial Scheduling Order (ECF 21). Fresh Products reserves the right to supplement its infringement contentions as additional information becomes available through discovery, subject to the Federal Rules of Civil Procedure and the Pretrial Scheduling Order.

A. Asserted Claims

Vectair has infringed at least the following claims directly (35 U.S.C. § 271(a)), by inducement (35 U.S.C. § 271 (b)) and by contributory infringement (35 U.S.C. § 271(c)).

Asserted Patent	Accused Product	Asserted Claims
10,145,098 ('098 patent)	V-SCREEN Dual	1, 2, 3, 4, 6, 7, 8, 9, 10, 14, 16, 19, 20, 22, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 37, 38, 39, 41, 44, 47, 48, 49, 51, 52, 53, 54
	V-SCREEN Halo	1, 2, 3, 4, 6, 7, 8, 9, 10, 14, 16, 19, 20, 22, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 37, 38, 39, 41, 44, 47, 48, 51, 52, 53, 54
	23130-9002 Screen	1, 3, 6, 7, 8, 9, 10, 11, 12, 14, 16, 19, 20, 21, 22, 31, 33, 35, 36, 37, 38, 39, 41, 42, 44, 45, 46, 47, 48, 53, 54
10,501,924 ('924 patent)	V-SCREEN Dual	1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 16, 18, 19, 20, 21, 22, 24, 26, 27, 28, 29, 31, 33
	V-SCREEN Halo	1, 2, 4, 5, 7, 8, 11, 12, 13, 16, 18, 19, 20, 21, 22, 24, 26, 27, 28, 29, 31, 33
	23130-9002 Screen	1, 2, 3, 4, 5, 6, 7, 9, 12, 13, 16, 18, 19, 20, 21, 22, 24, 26, 27, 28, 29, 31, 33
11,396,745 ('745 patent)	V-SCREEN Dual	1, 2, 3, 4, 5, 7, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20
	V-SCREEN Halo	1, 2, 3, 4, 5, 7, 10, 11, 12, 13, 15, 16, 18, 19
	23130-9002 Screen	1, 2, 3, 4, 5, 7, 11, 12, 13, 14
D778,411 (D'411 patent)	V-SCREEN Dual	1

B. Accused Products

Each of Vectair's V-SCREEN Dual urinal screen, V-SCREEN Halo urinal screen, and 23130-9002 urinal screen infringes asserted claims of the '098, '924, and '745 patents. Additionally, Vectair's V-SCREEN Dual urinal screen infringes claim 1 of the D'411 patent.

C. Infringement Claim Charts

Attached hereto are the following appendices, which illustrate where each limitation of the asserted claims can be found in the accused products.

Appendix	Description
A	'098 Patent Infringement Claim Chart: V-SCREEN Dual
B	'098 Patent Infringement Claim Chart: V-SCREEN Halo
C	'098 Patent Infringement Claim Chart: 23130-9002 Screen
D	'924 Patent Infringement Claim Chart: V-SCREEN Dual
E	'924 Patent Infringement Claim Chart: V-SCREEN Halo
F	'924 Patent Infringement Claim Chart: 23130-9002 Screen
G	'745 Patent Infringement Claim Chart: V-SCREEN Dual
H	'745 Patent Infringement Claim Chart: V-SCREEN Halo
I	'745 Patent Infringement Claim Chart: 23130-9002 Screen
J	D'411 Patent Infringement Claim Chart: V-SCREEN Dual

D. Indirect Infringement

Vectair has infringed each claim directly (35 U.S.C. § 271(a)) and indirectly by inducement (35 U.S.C. § 271 (b)) and contributory infringement (35 U.S.C. § 271 (c)). For Vectair's indirect infringement, direct infringement has occurred by use of the infringing urinal screens by Vectair's customers and users.

E. Literal/Equivalent Infringement

Each limitation of the asserted claims is met literally. Further, to the extent Vectair contends any claim limitation is not met, such limitation is met under the doctrine of equivalents, as set forth in more detail in Appendices A–J.

F. Willful Infringement

Vectair's infringement is willful. Fresh Products informed Vectair of its infringement of the asserted patents on November 7, 2023. Vectair has continued its infringement with no reasonable basis to believe it was not infringing.

G. Priority Date of Asserted Claims

The asserted claims are entitled to the filing date of November 5, 2014 (filing date of Provisional Appl. No. 62/075,827 and Design Appl. No. 29/508,397).

Dated: July 30, 2024

s/ Joseph F. Jennings

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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2024, a true and correct copy of the foregoing document was served on the following counsel of record at the addresses and in the manner indicated:

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Dated: July 30, 2024

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