IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION AT LEXINGTON

FEIT ELECTRIC COMPANY, INC.,
Plaintiff,

v.

LEDVANCE, LLC, Defendant.

Case No.

COMPLAINT

Plaintiff Feit Electric Company, Inc. ("Plaintiff" or "Feit Electric"), for its Complaint against defendant Ledvance, LLC ("Defendant" or Ledvance"), hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. § 1 et seq. ("Patent Act").

THE PARTIES

2. Feit Electric is a privately held company organized and existing under the laws of the State of California with its principal place of business at 4901 Gregg Road, Pico Rivera, CA 90660, Los Angeles County.

3. Feit Electric is engaged in the importation, distribution, and sale of lighting products that are manufactured for Feit Electric.

4. On information and belief, Ledvance is a Delaware Limited Liability Company organized and existing under the laws of the State of Delaware.

5. On information and belief, Ledvance has a principal place of business at 1100 Tyrone Pike, Versailles, KY 40383, Woodford County, which is in the Central Division of the Eastern District of Kentucky.

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JURISDICTION AND VENUE

6. Ledvance imports or causes to be imported, makes, offers to sell, sells, and/or uses products in the United States and in this jurisdiction, including, but not limited to, the products accused of infringement in this Complaint.

7. This Court has subject matter jurisdiction over Feit Electric's claims of patent infringement pursuant to at least 28 U.S.C. §§ 1331 and 1338.

8. This Court has personal jurisdiction over Ledvance because it has committed acts of patent infringement in this judicial district, has systematic and continuous contacts in this judicial district, regularly transacts business within this judicial district, regularly avails itself of the benefits of this judicial district, and has a principal place of business in this judicial district.

9. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400.

THE ASSERTED PATENT

10. On December 10, 2013, United States Patent No. 8,604,678 (Ex. A, "the '678 Patent") entitled "Wavelength Conversion Component With a Diffusing Layer" was duly and lawfully issued by the United States Patent and Trademark Office ("PTO"). A true and correct copy of the '678 patent is attached hereto as Exhibit A.

11. Feit Electric is the owner and assignee of all right, title, and interest in and to the '678 Patent.

12. On or about December 12, 2023, Feit Electric sent Ledvance a letter notifying it that importing, offering for sale, and selling lamps (also known as light bulbs) incorporating white LED filament packages will likely infringe at least one claim of a set of identified patents including but not limited to the '678 patent.

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THE ACCUSED PRODUCTS

13. Ledvance has imported, offered for sale, sold, and/or used at lease the following products incorporating white LED filament packages:

#	Brand	Description	Model
1	SYLVANIA	40W Candelabra 2700K	LED3.5B10CDIM827FILWHRP40184
2	SYLVANIA	40W Candelabra 5000K	LED3.5B10CDIM850FILWHRP40184
3	SYLVANIA	60W Candelabra 2700K	LD610CDIM827FILWHRP40184
4	SYLVANIA	60W Candelabra 5000K	LED6B10CDIM850FILWHRP40184
5	SYLVANIA	60W A19 2700K	LED6.5A19DIM827FILWHRP20184
6	SYLVANIA	60W A19 5000K	LED6.5A19DIM850FILWHRP20184
7	SYLVANIA	100W A19 2700K	LED11.5A19DIM827FILWHRP20184
8	SYLVANIA	100W A19 5000K	LED11.5A19DIM850FILWHRP20184
9	SYLVANIA	60W ST19 2700K	LED5ST19DIM827FILWHRP20184
10	SYLVANIA	60W ST19 5000K	LED5ST19DIM850FILWHRP20184
11	SYLVANIA	60W G25 2700K	LED5G25DIM827FILWHRP20184
12	SYLVANIA	60W G25 5000K	LED5G25DIM850FILWHRP20184

The foregoing products shall be referred herein as the "Accused Products" and each an "Accused Product" or "Accused Product No. 1," "Accused Product No. 2," "Accused Product No. 3," and so forth, based on the number given in the first column in the table above.

14. On or about January 23, 2024 Feit Electric caused to be purchased samples of the Accused Products from Menards at 3210 North Clairemont Avenue, Eau Claire, WI 54703.

15. The packaging for all of the Accused Products bears the following legend:

Imported by
LEDVANCE LLC
1100 Tyrone Pike
Versailles, KY 40383
Made in China

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16. The packaging for Accused Product No. 1 bears the following legend:

17. The packaging for all of the other eleven Accused Products bears a legend similar to that depicted in paragraph 16, with the only difference being the depiction of the lamp and accompanying annotations being changed to represent the applicable lamp type.

18. The Accused Products are lamps (also known as light bulbs) comprising one or more light emitting diodes mounted on one or more substrates covered by at least a light conversion material mounted inside a lamp enclosure (bulb) and connected to receive power from the lamp

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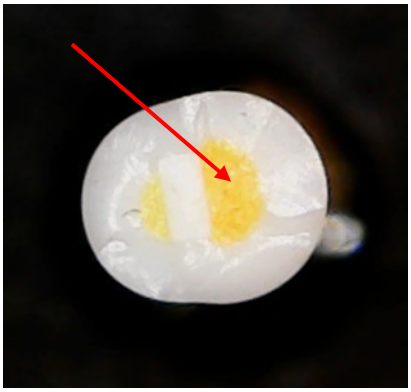
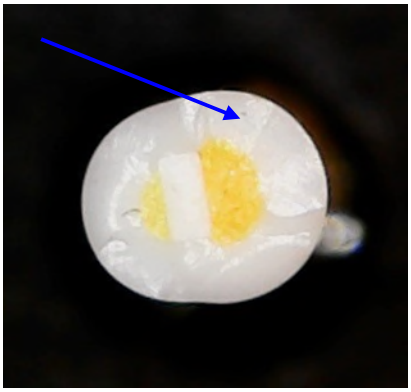
base when inserted in a socket and energized to emit light. Such lamps are known as "LED filament lamps."

INFRINGEMENT OF THE '678 PATENT

19. Accused Product No. 1, bearing Model No. LED3.5B10CDIM827FILWHRP40184, infringes at least claim 1 of the '678 Patent, as described below:

Claim 1 of the '678 Patent	Claim Element Application	Accused Product No. 1 Images
[preamble] A wavelength conversion component for a light emitting device comprising:	The preamble does not serve as a limitation/element as it is not necessary to breathe life and meaning into the claim.	
a wavelength conversion layer comprising particles of at least one photoluminescence material;	The yellow material shown in the image at right and indicated by the red arrow comprises a wavelength conversion layer comprising particles of at least one photoluminescence material. On information and belief, the wavelength conversion layer comprises a phosphor that converts blue light to white light, mixed in a carrier material such as silicone.	
and a light diffusing layer comprising particles of a light scattering material,	The white material shown in the image at right and indicated by the blue arrow comprises a light diffusing layer comprising particles of light scattering material. On information and belief, the light diffusing layer comprises a material such as titanium dioxide mixed in a carrier material such as silicone.	

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Claim 1 of the '678 Patent	Claim Element Application	Accused Product No. 1 Images
wherein the light diffusing layer improves an off-state white appearance of the wavelength conversion component;	The off-state appearance of the LED filament is white rather than the yellow to orange appearance of the phosphor conversion material of typical LED filaments, as shown in the images of the filaments at right. Ledvance claims and admits that the light diffusing layer improves an off-state white appearance of the wavelength conversion component when it claims on the product packaging: "Looks Great Off or On" and "Belle Apparence Éteinte ou Allumée." *See supra*, ¶ 16.	
wherein the wavelength conversion component is configured such that in operation a portion of excitation light comprising blue light having a wavelength of greater than or equal to 440 nm generated by the light emitting device is emitted through the wavelength conversion component to contribute to a final visible emission product.	On information and belief, when the LED filaments of Accused Product number 1 are powered, the LEDs of the LED filaments emit blue light greater than or equal to 440 nm, are converted by the wavelength conversion layer to white light, and then the white light passes through and is scattered by the light diffusing layer to contribute to a final visible emission product as shown in the image at right.	

20. Accused Products Nos. 2-12 have the same or similar structure and operation as Accused Product No. 1 and therefore infringe at least claim 1 of the '678 Patent as described in paragraph number 19 above with respect to Accused Product No. 1.

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21. Ledvance has infringed and continues to infringe one or more claims of the ’678 Patent by offering for sale, selling, using, and/or importing the Accused Products within or into the United States, either literally or under the doctrine of equivalents, in violation of 35 U.S.C. § 271.

22. The infringement by Ledvance has caused and is continuing to cause damage and irreparable injury to Feit Electric. Feit Electric will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court, as a remedy at law alone would be inadequate.

23. Feit Electric is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.

WILLFUL INFRINGEMENT

24. On December 12, 2023, Feit Electric sent a letter (“the Notice Letter”) addressed to: Andrew Martin, Vice President & General Counsel of Ledvance, Suite 203, 181 Ballardvale Street, Wilmington, Massachusetts 01887.

25. Feit Electric sent the Notice Letter by FedEx, and it was delivered on or around 11:54 a.m, December 18, 2023.

26. In its Notice Letter, Feit Electric stated that it “owns a set of patents directed to cover or mask the yellow/orange appearing phosphor and silicone coating on LED packages, including but not limited to filament LED packages and SMD LED packages,” specifically listing the ’678 patent as one of the patents owned by Feit Electric.

27. The Notice Letter also identified Ledvance’s “lamps incorporating white LED filament packages” and warned Ledvance of the high likelihood of patent infringement: “[i]t is highly likely that such white LED filament packages will infringe one or more of the noted patents.”

28. Having received the Notice Letter, Ledvance knew of the ’678 patent. Despite that knowledge, Ledvance has infringed and continues to infringe the ’678 patent.

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29. On information and belief, in light of the Notice Letter's warning of the high likelihood of patent infringement, Ledvance's infringement is deliberate and/or intentional.

30. In light of the Notice Letter's warning of the high likelihood of patent infringement, Ledvance's infringement is egregious.

31. As such, Ledvance has willfully infringed and is continuing to willfully infringe one or more claims of the '678 patent.

PRAYER FOR RELIEF

WHEREFORE, Feit Electric prays that the Court enter judgment and relief as follows:

A. For a judgment that Ledvance has infringed the '678 patent;

B. For a preliminary and permanent injunction enjoining Ledvance and its officers, directors, servants, consultants, managers, employees, agents, attorneys, successors, assigns, affiliates, subsidiaries, and all persons in active concert or participation with any of them, from infringing the '678 patent;

C. For a judgment and award that Ledvance account for and pay to Feit Electric damages adequate to compensate for Ledvance's infringement of the '678 patent, including lost profits but in no event less than a reasonable royalty;

D. For a judgment finding Ledvance's infringement willful and awarding treble damages under 35 U.S.C. § 284;

E. For an order finding that this case is exceptional under 35 U.S.C. § 285 and awarding Feit Electric its costs, expenses, and disbursements incurred in this action, including reasonable attorneys' fees as available by law to be paid by Ledvance;

F. For an award of pre-judgment interest, post-judgment interest, and costs in this action; and

G. For an award of any and all other relief to Feit Electric as this Court deems necessary and proper under these circumstances.

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Respectfully submitted,

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