

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

FEIT ELECTRIC COMPANY, INC.,

Plaintiff,

v.

SAVANT TECHNOLOGIES LLC d/b/a
GE LIGHTING,

Defendant.

Case No. 1:24-cv-00473

**SUPPLEMENTAL INITIAL INFRINGEMENT CONTENTIONS
PURSUANT TO L.P.R. 3.1 AND 3.10(a)**

Plaintiff Feit Electric Co., Inc. (“Plaintiff” or “Feit Electric”) hereby supplements its Initial Infringement Contentions against Defendant Savant Technologies LLC d/b/a GE Lighting (“Defendant” or “Savant”) with regard to U.S. Patent No. 8,604,678 (“the ’678 Patent”). To date, Feit Electric has obtained limited discovery from Defendant, and certain information is not yet available to Feit Electric that may be specifically relevant to its infringement claims. Thus, Feit Electric reserves the right to further supplement or alter its disclosures herein based on additional information obtained through further investigation, discovery, claim construction, expert analysis, or any position taken by Defendant.

I. L.P.R. 3.1(a): Each claim of each patent in suit that is allegedly infringed by each opposing party, including for each claim the applicable statutory subsections of 35 U.S.C. § 271 asserted.

Feit Electric currently asserts that Defendant infringes at least claims 1, 2, 3, 11, 12, 16, 19, 20, 21, 25, and 29 of the ’678 Patent under 35 U.S.C. § 271(a) by making, using, offering for sale, selling and/or importing the Accused Instrumentalities. In accordance with L.P.R. 3.10(a),

Feit Electric reserves all rights to further amend, supplement, and modify its list of asserted claims as it obtains additional information over the course of discovery.

II. L.P.R. 3.1(b): Separately for each asserted claim, each Accused Instrumentality that each party claiming infringement contends infringes, including the name or model number if known.

Feit Electric contends that Defendant infringes claims 1, 2, 3, 11, 12, 16, 19, 20, 21, 25, and 29 of the '678 Patent by making, using, offering for sale, selling and/or importing at least the following Accused Instrumentalities:

#	Brand	Model No.	Description
1	GE	LED6DBC/DL9GCQWF-3T	60W 5.5W 500 Lumen Daylight Dimmable EQ BC Candelabra Base Pearl Filament Light Bulb
2	GE	LED5DST19M/SW9GCQWF-2T	60W 5.5W 500 Lumen Soft White Dimmable EQ ST19 Pearl Filament Light Bulb
3	GE	LED5DST19M/DL9GCQWF-2T	60W 5.5W 500 Lumen Daylight Dimmable ST19 Pearl Filament Light Bulb
4	GE	LED6DBC/SW9GCQWF-3T	60W 5.5W 500 Lumen Soft White Dimmable EQ BC Candelabra Base Pearl Filament Light Bulb

In addition to the specified model numbers, the Accused Instrumentalities include any products made, used, offered for sale, sold and/or imported by Defendant that include a LED filament that contains a top layer composed of white light scattering material. In accordance with L.P.R. 3.10(a), Feit Electric further reserves all rights to amend, supplement, and modify its list of Accused Instrumentalities as it obtains additional information over the course of discovery.

III. L.P.R. 3.1(c): A chart identifying specifically where each limitation of each asserted claim is found within each Accused Instrumentality, including for each limitation that such party contends is governed by 35 U.S.C. § 112(6), the identity of the corresponding structure and function and where such structure and function is found in the Accused Instrumentality.

Feit Electric attaches Exhibits 1 through 4 and incorporates by reference these charts herein. Feit Electric contends that none of the limitations of the claims asserted herein are governed by 35 U.S.C. § 112(6).

IV. L.P.R. 3.1(d): For each claim which is alleged to have been indirectly infringed, an identification of any direct infringement and a description of the acts of the alleged indirect infringer(s) that contribute to or that are inducing direct infringement, including a description of the role of each relevant party if direct infringement is based on the joint acts of multiple parties.

Feit Electric does not currently allege indirect infringement but reserves all rights to amend, supplement, and modify these Supplemental Initial Infringement Contentions to include allegations of indirect infringement as it obtains additional information over the course of discovery.

V. L.P.R. 3.1(e): Whether each limitation of each asserted claim is alleged to be literally present or present under the doctrine of equivalents in the Accused Instrumentality.

Feit Electric asserts that Defendant literally infringes claims 1, 2, 3, 11, 12, 16, 19, 20, 21, 25, and 29 of the '678 Patent. This supplemental infringement analysis is necessarily preliminary, as it is provided with limited discovery from Defendant with respect to the Accused Instrumentalities and in advance of claim construction. Feit Electric reserves all rights to further amend, supplement, and modify its infringement analysis to include allegations of infringement under the doctrine of equivalents.

VI. L.P.R. 3.1(f): For any patent that claims priority to an earlier application, the priority date to which each asserted claim allegedly is entitled.

The claims of the '678 patent asserted herein are entitled to a priority date of at least December 27, 2010.

VII. L.P.R. 3.1(g): If a party claiming patent infringement alleges willful infringement, the basis for such allegation.

Feit Electric is asserting that Defendant's infringement has been willful at least since Defendant received a notice letter from Feit Electric dated December 12, 2023. Feit Electric's notice letter notified Defendant that the '678 Patent belonged to Feit Electric and warned of the high likelihood that their products infringed the '678 Patent. Despite that knowledge, Defendant infringed and continues to infringe the '678 Patent.

VIII. L.P.R. 3.2(a): All documents concerning any disclosure, sale or transfer, or offer to sell or transfer of the claimed invention prior to the bar date under 35 U.S.C. § 102(b) and/or the date of invention for the patent in suit.

Feit Electric is not aware of any documentation in its possession, custody, or control concerning any disclosure, sale or transfer, or offer to sell or transfer of the claimed invention prior to the bar date under 35 U.S.C. § 102(b) and/or the date of invention for the patent in suit.

IX. L.P.R. 3.2(b): All documents evidencing the conception and first reduction to practice of each claimed invention, which were created on or before the date of application for the patent in suit or the priority date identified pursuant to L.P.R. 3.1(f), whichever is earlier.

Feit Electric has previously produced documents that may evidence the conception and first reduction to practice of each claimed invention. *See* BL-SV-004636 – BL-SV-004642; BL-SV-011358 – BL-SV-011386; BL-SV-011387 – BL-SV-011391. Feit Electric is not currently aware of other documentation in its possession, custody, or control concerning the conception and first reduction to practice of each claimed invention.

X. L.P.R. 3.2(c): A copy of the file history for each patent in suit (or so much thereof as is in the possession of the patentee) and any patent(s) or application(s) to which each patent in suit claims priority.

Feit Electric has previously produced a copy of the file history of the '678 Patent. *See* FEITSV000000054 - FEITSV00002569.

XI. L.P.R. 3.2(d): All documents evidencing ownership of the patent rights by the party asserting patent infringement.

Feit Electric has previously produced documents evidencing its ownership of the '678 Patent. *See* FEITSV00000001 - FEITSV00000053; FEITSV00002614 – FEITSV00002626.

Dated: October 8, 2024

Respectfully submitted,

BENESCH FRIEDLANDER COPLAN &
ARONOFF LLP

/s/ Michael S. Weinstein

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Attorneys for Feit Electric Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on October 8, 2024, a true and correct copy of the foregoing document was served upon all counsel of record via email.

/s/ Michael S. Weinstein

Michael S. Weinstein

An Attorney for Feit Electric Company, Inc.