UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

THE WIREMOLD COMPANY Plaintiff, v. HUBBELL INCORPORATED and FSR, INC., Defendants.	Civil Action No. _____ February 15, 2013

COMPLAINT

Plaintiff The Wiremold Company, for its Complaint against Defendants Hubbell Incorporated and FSR, Inc., hereby alleges, through its attorneys McCarter & English, LLP, as follows:

PARTIES

1. Plaintiff The Wiremold Company ("Wiremold") is a corporation organized and existing under the laws of the State of Connecticut, with its principal place of business located at 60 Woodlawn Street, West Hartford, CT 06110.

2. Upon information and belief, Defendant Hubbell Incorporated ("Hubbell") is a corporation organized and existing under the laws of the State of Connecticut, with its principal place of business located at 40 Waterview Drive, Shelton, Connecticut 06484.

3. Upon information and belief, Defendant FSR, Inc. ("FSR") is a corporation organized and existing under the laws of the State of New Jersey, with its principal place of business located at 244 Bergen Boulevard, Woodland Park, NJ 07424.

JURISDICTION AND VENUE

4. This case involves patent infringement and arises under the Patent Laws of the United States, Title 35, United States Code. This Court has jurisdiction under at least 28 U.S.C. §§ 1331 (federal question) and 1338 (patent actions).

5. Venue is proper under 28 U.S.C. §§ 1391(b) and (c) and 1400(b). Defendants are subject to the personal jurisdiction of this court with respect to this civil action and therefore reside in the District of Connecticut.

INFRINGED PATENTS

6. U.S. Patent No. 7,183,503 ("the '503 patent"), entitled "Recessed In-Floor Fitting," issued on February 27, 2007, to Timothy S. Bowman and Michael T. Cole. Wiremold is the owner of the '503 patent. A copy of the '503 patent is attached as Exhibit A.

7. U.S. Patent No. 8,063,317 ("the '317 patent"), entitled "Recessed Poke-Through Fitting," issued on November 22, 2011, to Timothy S. Bowman. Wiremold is the owner of the '317 patent. A copy of the '317 patent is attached as Exhibit B.

8. The '503 and '317 patents have not expired and are in full force and effect.

9. Pursuant to 35 U.S.C. § 282, the '503 and '317 patents and each of their claims are presumed valid.

DEFENDANTS' INFRINGEMENT

10. Defendant Hubbell makes, uses, sells, offers for sale and/or imports within or into the United States recessed fire-rated poke-throughs covered by one or more claims of each of the '503 and '317 patents. The applicable products include, but are not limited to, those products that Hubbell refers to as SystemOne Recessed Fire-Rated Poke-Throughs. Two examples of Hubbell SystemOne Recessed Fire-Rated Poke Throughs are the products identified by Hubbell catalog numbers S1R6PTWZALU and S1R8PTZZ1ALU.

11. Defendant FSR sells and/or offers for sale recessed fire-rated poke-throughs covered by one or more claims of the each of the '503 and '317 patents. On information and belief, FSR resells recessed fire-rated poke-throughs sold by Hubbell, designed by Hubbell and/or manufactured by or for Hubbell. The applicable products include, but are not limited to, those products that FSR refers to as SmartFit Fire-Rated Poke-Thrus. On information and belief, these products are substantially the same in structure, function and operation as Hubbell SystemOne Fire-Rated Poke-Throughs. Two examples of FSR SmartFit Fire-Rated Poke-Thrus are the products identified by FSR catalog numbers SF6-CPT-AVD-BLK and SF8-CPT-JNC1-BLK.

FIRST COUNT
(Infringement of the '503 Patent – Both Defendants)

12. Wiremold re-alleges and incorporates by reference paragraphs 1-11 above.

13. In violation of 35 U.S.C. § 271, Defendants have been and still are infringing the '503 patent by making, using, selling, offering to sell and/or importing within or

into the United States the Hubbell recessed fire-rated poke-throughs and the FSR recessed fire-rated poke-thoughs (collectively "the infringing products").

14. On information and belief, infringement of the '503 patent by at least Defendant Hubbell has been and continues to be willful.

15. Wiremold has been and continues to be damaged and irreparably harmed by infringement of the '503 patent by Defendants.

SECOND COUNT
(Infringement of the '317 Patent – Both Defendants)

16. Wiremold re-alleges and incorporates by reference paragraphs 1-15 above.

17. In violation of 35 U.S.C. § 271, Defendants have been and still are infringing the '317 patent by making, using, selling, offering to sell and/or importing within or into the United States the infringing products.

18. On information and belief, infringement of the '317 patent by at least Defendant Hubbell has been and continues to be willful.

19. Wiremold has been and continues to be damaged and irreparably harmed by infringement of the '317 patent by Defendants.

PRAYER FOR RELIEF

Wherefore, Wiremold demands judgment in its favor and against the Defendants as follows:

1. A judgment under 35 U.S.C. § 271 that Defendants infringe the '503 and '317 patents;

2. An order under 35 U.S.C. § 283 preliminarily and permanently

enjoining Defendants and their officers, agents, subsidiaries, successors, employees, representatives, and assigns from infringing the '503 and '317 patents;

3. An award of damages under 35 U.S.C. § 284 adequate to compensate Wiremold for infringement of the '503 and '317 patents by Defendants and an accounting to determine the proper amount of such damages;

4. A three-fold increase in damages as a result of the willful acts of infringement by Defendants;

5. An award under 35 U.S.C. § 284 of costs and prejudgment and post judgment interest on the compensatory damages to be awarded to Wiremold;

6. An award under 35 U.S.C. § 285 of Wiremold's attorney's fees incurred in this action; and

7. Such further relief as this Court deems just and proper.

JURY TRIAL DEMANDED

ATTORNEYS FOR PLAINTIFF
THE WIREMOLD COMPANY

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