IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Accon Marine, LLC, and
R&D Shed, LLC,

Plaintiffs,

v.

Manart – Hirsch Co., Inc., and
Manart – Hirsch of Florida, Inc.,

Defendants.

Injunctive Relief Sought
and Demand for Jury Trial

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Accon Marine, LLC and R&D Shed, LLC bring this action for patent infringement against Defendants Manart – Hirsch Co., Inc. and Manart – Hirsch of Florida, Inc., and allege:

THE PARTIES

1. Plaintiff Accon Marine, LLC is a limited liability company organized under the laws of the State of Florida and has its principal place of business located at 13665 Automobile Blvd., Clearwater, FL 33762.

2. Plaintiff R&D Shed, LLC is a limited liability company organized under the laws of the State of Florida and has its principal place of business located at 13665 Automobile Blvd., Clearwater, FL 33762.

3. Defendant Manart – Hirsch Co., Inc. is a corporation organized under the laws of the

State of New York and has its principal place of business located at 314 Hendrickson Ave., Lynbrook, NY 11563.

4. Defendant Manart – Hirsch of Florida, Inc. is a corporation organized under the laws of the State of Florida and has its principal place of business located at 1435 SW 6th Court, Pompano Beach, FL 33069.

JURISDICTION AND VENUE

5. This action for patent infringement arises under 35 U.S.C. § 101 *et seq*.

6. Subject matter jurisdiction is proper under 28 U.S.C. § 1338(a).

7. Venue is proper under 28 U.S.C. §§ 1391(b) and 1400(b).

CLAIMS FOR RELIEF

Patent Infringement of U.S. Patent No. 6,594,860

8. On July 22, 2003, United States Patent No. 6,594,860 (the "'860 patent") for a *Universal Hinge* was duly and legally issued by the United States Patent Office. The '860 patent is attached as Exhibit A.

9. Plaintiff R&D Shed, LLC is the owner by assignment of the '860 patent.

10. Plaintiff Accon Marine, LLC is the exclusive licensee of the '860 patent.

11. Defendants infringe the '860 patent by importing, making, using, selling, and/or offering to sell a universal hinge that embodies the patented invention.

12. A photograph of Defendants' universal hinge alleged to infringe the '860 patent is attached as Exhibit B.

13. Defendants offer for sale their universal hinge in their catalog and on their website located at www.manart-hirsch.com. A screen shot of Defendants' website is attached as Exhibit C.

14. On information and belief, Defendants use and sell their accused universal hinge throughout the state of Florida.

15. Defendants are liable for infringement of the '860 patent under 35 U.S.C. § 271(a) for the importation, manufacture, use, and sale of their accused universal hinge.

16. Defendants' acts of patent infringement have resulted in financial damage to Plaintiffs.

17. The Defendants have infringed and are still infringing the '806 patent by importing, making, using, and selling the accused universal hinge.

18. As a consequence of the ongoing infringement, Plaintiffs are being irreparably damaged.

19. Plaintiffs have complied with the statutory requirement of placing notice of the '806 patent on all Universal Hinges manufactured and sold. *See* Exhibit D.

20. Defendants have written notice of the '806 patent and their alleged infringement.

WHEREFORE, Plaintiffs demand:

A. Judgment that Defendants have infringed the '860 patent;

B. An accounting for damages;

C. Damages adequate to compensate for the infringement of the '860 patent;

D. A preliminary and final injunction;

E. An award of reasonable attorney fees;

F. Costs of the action;

G. Interest; and

H. A trial by jury.

Respectfully submitted,

s/ *Justin P. Miller*

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