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04 OCT 19 AM 10:14
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: _____

5 Attorney for Plaintiff
6 Frank M. Weyer

7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10
11 FRANK M. WEYER,
12 Plaintiff,
13 v.
14 FORD MOTOR COMPANY, a
15 Delaware Corporation
16 Defendant.

Civil Action No. 04-08630

CBM
(SH)

**COMPLAINT FOR PATENT
INFRINGEMENT**
DEMAND FOR JURY TRIAL

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19 COMES NOW, Plaintiff FRANK M. WEYER and on information and belief
20 alleges as follows:

21 **JURISDICTION AND VENUE**

- 22
23 1. This is an action for patent infringement under 35 U.S.C. §§ 271 et. seq.
24 and 28 U.S.C. §§ 1331 and 1338(a).
25 2. The acts of patent infringement alleged herein occurred within this
26 judicial district. Therefore, venue is proper pursuant to 28 U.S.C. §§ 1391(b), (c), and
27 1400(b).
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PARTIES

3. Plaintiff Frank M. Weyer is an individual with a place of business in Beverly Hills, California.

4. Defendant FORD MOTOR COMPANY ("Ford") is a Delaware Corporation doing business in the County of Los Angeles, State of California.

FIRST CAUSE OF ACTION
PATENT INFRINGEMENT

5. Plaintiff incorporates by reference paragraphs 1 – 4 as though fully set forth herein.

6. Plaintiff is the owner of U.S. Patent No. 5,975,728 issued on Nov. 2, 1999 for "Method and Apparatus for Providing User Selectable Multi-Color Automobile Instrument Panel Illumination" ("the '728 patent").

7. The '728 Patent is valid and in full force and effect.

8. The '728 Patent is directed to a novel automobile instrument panel illumination system that allows the user to select the color of an instrument panel's illumination.

9. Defendant Ford has infringed, and continues to infringe, the '728 Patent pursuant to 35 U.S.C. §271(a), (b), and (c) by making, offering for sale, selling and using automobiles comprising instrument panels that comprise the patented invention, including its 2005 model year Mustang with the "MyColor" instrument panel lighting system.

10. Defendant's infringement of Plaintiff's patent rights has irreparably damaged Plaintiff and will continue to cause irreparable harm unless enjoined by the Court.

1 **DEMAND FOR RELIEF**

2 **WHEREFORE**, Plaintiffs asks this Court to:

3 a. Enter judgment for Plaintiff against Defendant on this Complaint;

4 b. Enter a preliminary and permanent injunction to enjoin Defendant, and
5 all those in privity with Defendant, from further infringement of the '728 Patent
6 during the remaining term of the patent;

7 c. Award compensatory damages to Plaintiff and to increase said damages
8 three times in accordance with 35 U.S.C. § 284;

9 d. Award Plaintiff reasonable attorneys' fees in accordance with 35 U.S.C.
10 § 285;

11 e. Award Plaintiff interest and costs; and

12 f. Award Plaintiff such other and further relief as is just and proper.
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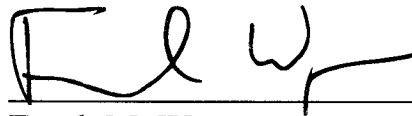
1 DEMAND FOR JURY TRIAL
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3 Plaintiff hereby demands a trial by jury of all issues so triable.
4

5 Respectfully submitted,
6 **TECHCOASTLAW®**

7
8 Dated: October 18, 2004

By:



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