

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

HONEYWELL INTERNATIONAL INC.,)	
)	
Plaintiff,)	
)	Case No. 3:17-cv-00723-wmc
v.)	
)	JURY TRIAL DEMANDED
RESEARCH PRODUCTS)	
CORPORATION,)	
)	
Defendant.)	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Honeywell International Inc. (“Honeywell” or “Plaintiff”), by and through its attorneys, for its complaint against Defendant Research Products Corporation (“RPC,” “Aprilaire,” or “Defendant”), hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action arising under the patent laws of the United States, 35 U.S.C. § 271, *et seq.*, to enjoin infringement and obtain damages resulting from Defendant’s unauthorized manufacture, use, sale, or offers to sell within the United States and/or importation into the United States of products that infringe one or more claims of United States Patent Nos. 7,957,839 (“the ’839 patent”); 7,645,158 (“the ’158 patent”); 9,664,409 (“the ’409 patent”); 9,732,980 (“the ’980 patent”); 9,310,091 (“the ’091 patent”); 7,913,180 (“the ’180 patent”); D563,325 (“the ’325 patent”); and D562,262 (“the ’262 patent”) (collectively, “the patents-in-suit”). Honeywell seeks injunctive relief to prevent Defendant from continuing to infringe the patents-in-suit. In addition, Honeywell seeks a recovery of monetary damages resulting from Defendant’s infringement of the patents-in-suit.

2. This action for patent infringement involves Defendant’s manufacture, use, sale,

or offers to sell within the United States and/or importation into the United States of infringing products related to zoned heating, ventilation, and air conditioning (“HVAC”) systems, including Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404); Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510); and Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116) (collectively, “the Accused Products”). This list reflects publicly available information and Honeywell’s investigation to-date, but additional models that perform substantially the same also infringe for the same reasons.¹

PARTIES

3. Plaintiff Honeywell International Inc. is a corporation organized and existing under the laws of the State of Delaware and has its principal place of business at 115 Tabor Road, Morris Plains, NJ 07950.

4. On information and belief, Defendant Research Products Corporation is a corporation organized and existing under the laws of the State of Wisconsin and has its principal place of business at 1015 E. Washington Avenue, Madison, WI 53703.

¹ Upon information and belief, Aprilaire does not always change the model number for a product when changing its design. For instance, the version of Aprilaire zone damper 6606 commercially available in 2014 would not be an Accused Product, but the version with that same model number that was available in 2017 is an Accused Product. As a further example, upon information and belief, Aprilaire has recently made literature available that shows zoning products with features altered in comparison to the corresponding models of Accused Products available in the 2017 timeframe. Therefore, the set of Accused Products are defined by their inclusion of the accused features identified in this Amended Complaint and the exhibits hereto, rather than strictly by reference to Aprilaire’s model numbers.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Defendant is subject to personal jurisdiction in this district because, on information and belief, Defendant is incorporated in Wisconsin and has its principal place of business in this district. Further, on information and belief, Defendant regularly transacts business in this district by, among other things, making, using, selling, or offering to sell its products to customers located in this district. On information and belief, Defendant has committed acts of infringement of one or more claims of the patents-in-suit in this district.

7. Venue in this district is proper under 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because, on information and belief, Defendant resides in this district, and/or defendant has committed acts of infringement and has a regular and established place of business in this district.

FACTUAL BACKGROUND

8. Honeywell is a leading innovator in HVAC technology. For more than a century, innovation has differentiated Honeywell and its products in the HVAC market, and it still does today.

9. Honeywell and its innovations date back to two young entrepreneurs in the Midwest. In the 1880s, an entrepreneur in Minneapolis named Albert Butz developed and patented a device that he called the “damper flapper”—which turned out to be a predecessor to the modern thermostat. *See* U.S. Patent Nos. 341,092 and 347,866. Meanwhile, in Wabash, Indiana, a young engineer named Mark Honeywell was perfecting a heat generating device as part of his plumbing and heating business. In 1927, the two merged to form the Minneapolis-

Honeywell Regulator Co., with Mark Honeywell as president.

10. Since then, Honeywell has continued to innovate. For instance, in 1953 Honeywell launched what became the iconic T-832 “Round” thermostat, which today is featured in the Smithsonian’s National Museum of American History. The Smithsonian’s website notes that the “decades of innovation, industrial design, and engineering” leading to the modern thermostat date back to Albert Butz’s “damper-flapper.” *See* http://americanhistory.si.edu/collections/search/object/nmah_1392753.

11. More recently, in 2005, Honeywell advanced thermostat capabilities with its VisionPro programmable thermostat, which won acclaim including the Building Technologies Product of the Year award from Frost & Sullivan, a prestigious global research and consulting firm. *See* <http://www.achrnews.com/articles/101478-may-19-2005-honeywell-thermostat-receives-frost-sullivan-award>. The VisionPro, as well as other Honeywell thermostat innovations, established Honeywell as the “Overall Best Brand of Programmable Thermostats,” by 2011. *See* https://forwardthinking.honeywell.com/system/releases/30/original/Frost_Sullivan_Thermostat_Award_Announcement_Final.pdf?1316012446.

12. Within the past two decades, Honeywell turned its attention to another aspect of HVAC systems: zoned HVAC systems. Zoning allows a single HVAC unit, such as a furnace or air conditioner, to individually regulate the temperature in different parts of a house. For example, the upstairs of a house often gets hotter than the basement of a house in the summer. A zoning system can route more of the cooled air from the air conditioner into the upstairs instead of the basement.

13. A zoned system frequently includes a zone panel, zone dampers, and a bypass

damper. A zone panel is typically an electronic control that helps regulate the equipment connected to a zoned HVAC system, including such things as furnaces, air conditioners, heat pumps, and dampers. Zone dampers are incorporated into the HVAC ductwork in a zoned system and regulate the flow of air to different zones of a home. A bypass damper is a type of damper that relieves excess pressure in a zoned HVAC system.

14. While homeowners greatly benefit from the efficiency and comfort provided by zoned HVAC systems, it can be complicated to install, test, configure, and maintain these systems. Sparked by its long history of innovation, Honeywell and its engineers and designers found ways to simplify this process with new designs for zone panels, zone dampers, and bypass dampers. Honeywell's engineers and designers accomplished this through a series of projects, and for their efforts they were awarded multiple United States Patents, including the patents-in-suit. Those patents protect Honeywell's investments in innovation.

15. Honeywell launched its newly-designed zone panels around 2007 and its newly-designed zone dampers and bypass dampers around 2014. Honeywell sells this suite of zoning products under the tradename TrueZONE®, and these products practice many claims of the patents-in-suit. Because of their significance to customers, Honeywell specifically markets many of these patented features and highlights that a key benefit of the TrueZONE® suite of products is ease of installation: “With the innovative TrueZONE Panel and new TrueZONE Dampers, giving your customers the many benefits of zoning has never been simpler.” *See* Exhibit 21 at 1. Honeywell complied with 35 U.S.C. § 287 by placing notices, including notices of patents-in-suit, on products that practice the patents. These products, and the patented technology they embody, revolutionized zoning systems.

16. On information and belief, starting around 2015, Aprilaire launched the Accused

Products. Following Honeywell's innovations, Aprilaire substantially redesigned its previously-offered zoning products by adding many of the patented features from Honeywell's TrueZONE® products. Indeed, recognizing the benefits and desirability of Honeywell's patented technology, Aprilaire touts some of these very features in its marketing. For example, Defendant advertises "fast and easy installation, wiring, and set up" of zone panels. *See* Exhibit 22 at 4. The Accused Products achieve these and other benefits by infringing Honeywell's '839 patent, '158 patent, '409 patent, '980 patent, '091 patent, and '180 patent. The Accused Products also infringe Honeywell's patented TrueZone® Panel designs protected by the '325 patent and the '262 patent.

17. Aprilaire is unfairly competing with Honeywell by improperly using Honeywell's own patented technology, innovations born of Honeywell's investment and ingenuity and that are the exclusive property of Honeywell. Aprilaire's acts of infringement have caused and will continue to cause monetary damage and irreparable harm to Honeywell.

18. Documents produced in this litigation show Aprilaire recognized Honeywell as a market leader and that Aprilaire intentionally emulated and copied Honeywell's TrueZone® products when designing its Accused Products.

19. Documents produced in this litigation show Aprilaire was aware that Honeywell had patents covering its TrueZone® products, including being aware of the patents-in-suit or willful blindness of them. Despite knowing the high risk that its Accused Products would infringe Honeywell's patents, including because they emulated and copied patented features of Honeywell's TrueZone® products, Aprilaire nonetheless continued to make, use, sell, and offer to sell its Accused Products, encourage other persons to directly infringe the patents-in-suit, and contribute to the infringement of the patents-in-suit.

20. Aprilaire continues to encourage and instruct others to use the Aprilaire Zoned Comfort Control™ zone panels in a manner that directly infringes the '839, '158, '180, '091, '325, and '262 patents, including, for example, by publishing or providing materials such as the “Model 6404 & 6403 Zoned Comfort Control™ Safety & Installation Instructions,” attached hereto as Exhibit 10; “Model 6303 & 6302 Zoned Comfort Control™ Safety & Installation Instructions,” attached hereto as Exhibit 23; “Model 6203 & 6202 Zoned Comfort Control™ Safety & Installation Instructions,” attached hereto as Exhibit 24. These materials can be found, at the URLs: <http://www.aprilairepartners.com/docs/default-source/default-document-library/model-6404-6403-zoned-comfort-control-installation-instructions.pdf?sfvrsn=0>, <http://www.aprilairepartners.com/docs/default-source/default-document-library/model-6303-6302-zoned-comfort-control-installation-instructions.pdf?sfvrsn=2>, and <http://www.aprilairepartners.com/docs/default-source/default-document-library/model-6203-6202-zoned-comfort-control-installation-instructions.pdf?sfvrsn=1> (all last accessed April 4, 2018).

21. Aprilaire continues to encourage and instruct its customers to use the Aprilaire Zoned Comfort Control™ round and rectangular zone dampers in a manner that directly infringes the '980 patent, including, for example, by publishing or providing materials such as the “Round Damper Installation Instructions,” attached hereto as Exhibit 16. This material can be found at the URL <http://www.aprilairepartners.com/docs/default-source/default-document-library/round-rectangular-damper-installation-manual.pdf?sfvrsn=1> (last accessed April 4, 2018).

22. Aprilaire continues to encourage and instruct its customers to use the Aprilaire Zoned Comfort Control™ barometric bypass dampers in a manner that directly infringes the '409 patent, including, for example, by publishing or providing materials such as the

“Barometric Damper Regulator Replacement Instructions,” attached hereto as Exhibit 14; “Barometric Damper Installation Instructions,” attached hereto as Exhibit 25. These materials can be found at the URLs <http://www.aprilairepartners.com/docs/default-source/default-document-library/installation-instructions---regulator-for-6100-series-barometric-bypass-dampers---form-b2207009a-10011762.pdf?sfvrsn=1> and <http://www.aprilairepartners.com/docs/default-source/default-document-library/barometric-damper-installation-instructionsfd3ce01a28096f9b890eff0000ef7319.pdf?sfvrsn=1> (last accessed April 4, 2018).

23. In addition, Aprilaire continues to provide customer support for the Accused Products including “Tech Support” (toll-free number 800-334-6011) and warranty service. See e.g. <http://www.aprilairepartners.com/partners-in-comfort/contact-us/> and <https://www.aprilaire.com/contact> (last accessed April 4, 2018).

U.S. PATENT NO. 7,957,839

24. The U.S. Patent and Trademark Office issued the ’839 patent, entitled “HVAC Zone Controller,” on June 7, 2011. A true and correct copy of the ’839 patent is attached as Exhibit 1.

25. Honeywell has owned the ’839 patent throughout the period of Defendant’s infringing acts and still owns the ’839 patent.

U.S. PATENT NO. 7,645,158

26. The U.S. Patent and Trademark Office issued the ’158 patent, entitled “Terminal Block and Test Pad for an HVAC Controller,” on January 12, 2010. A true and correct copy of the ’158 patent is attached as Exhibit 2.

27. Honeywell has owned the ’158 patent throughout the period of Defendant’s

infringing acts and still owns the '158 patent.

U.S. PATENT NO. 9,664,409

28. The U.S. Patent and Trademark Office issued the '409 patent, entitled "HVAC Damper System," on May 30, 2017. A true and correct copy of the '409 patent is attached as Exhibit 3.

29. Honeywell has owned the '409 patent throughout the period of Defendant's infringing acts and still owns the '409 patent.

U.S. PATENT NO. 9,732,980

30. The U.S. Patent and Trademark Office issued the '980 patent, entitled "HVAC Actuator with Range Adjustment," on August 15, 2017. A true and correct copy of the '980 patent is attached as Exhibit 4.

31. Honeywell has owned the '980 patent throughout the period of Defendant's infringing acts and still owns the '980 patent.

U.S. PATENT NO. 9,310,091

32. The U.S. Patent and Trademark Office issued the '091 patent, entitled "HVAC Controller with Checkout Utility," on April 12, 2016. A true and correct copy of the '091 patent is attached as Exhibit 5.

33. Honeywell has owned the '091 patent throughout the period of Defendant's infringing acts and still owns the '091 patent.

U.S. PATENT NO. 7,913,180

34. The U.S. Patent and Trademark Office issued the '180 patent, entitled "HVAC Zone Control Panel with Mode Navigation," on March 22, 2011. A true and correct copy of the '180 patent is attached as Exhibit 6.

35. Honeywell has owned the '180 patent throughout the period of Defendant's infringing acts and still owns the '180 patent.

U.S. PATENT NO. D563,325

36. The U.S. Patent and Trademark Office issued the '325 patent, entitled "HVAC Control Device," on March 4, 2008. A true and correct copy of the '325 patent is attached as Exhibit 7.

37. Honeywell has owned the '325 patent throughout the period of Defendant's infringing acts and still owns the '325 patent.

U.S. PATENT NO. D562,262

38. The U.S. Patent and Trademark Office issued the '262 patent, entitled "HVAC Control Device," on February 19, 2008. A true and correct copy of the '262 patent is attached as Exhibit 8.

39. Honeywell has owned the '262 patent throughout the period of Defendant's infringing acts and still owns the '262 patent.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,957,839

40. Honeywell incorporates the foregoing Paragraphs 1-39 by reference as though fully set forth herein.

41. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404) and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 1-21 of the '839 patent under 35 U.S.C. § 271.

42. Exhibit 9 attached hereto compares Defendant's Aprilaire Zoned Comfort

Control™ zone panel model number 6404 to claim 1 of the '839 patent. On information and belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model numbers 6202, 6203, 6302, 6303, and 6403, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 9.

43. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '839 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

44. Defendant had knowledge of the '839 patent (or was willfully blind to the '839 patent), including before September 21, 2017, and that the induced acts constitute infringement.

45. Defendant has had actual knowledge of the existence of the '839 patent since at least September 21, 2017, when it acknowledged service of the original complaint in this case.

46. In developing its products, including at least Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404), Defendant emulated and copied features of Plaintiff's TrueZONE® panels, including those claimed by the '839 patent.

47. Defendant knew that Honeywell had patents covering its zoning panels and, upon information and belief, either learned of the '839 patent or subjectively believed that there was a high probability that Plaintiff had patents covering features in its TrueZONE® panels protected by the '839 patent but took deliberate actions to avoid learning of that fact.

48. Despite knowing of the existence of the '839 patent or being willfully blind to the '839 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® panels claimed by the '839 patent.

49. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '839

patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404) in a way that infringes the '839 patent. These other persons directly infringe the '839 patent.

50. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 10, that depict and describe use of the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '839 patent.

51. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '839 patent, including claim 1, in violation of 35 U.S.C. § 271(c).

52. Despite knowing of the existence of the '839 patent or being willfully blind to the '839 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '839 patent, thus contributing to the infringement of the '839 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404).

53. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404), constitute a material part of the invention of the '839 patent, are specifically made and/or adapted for infringement of the '839 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, Defendant's products contain components recited in at least claim 16 of the '839 patent and are designed to be used to

perform this claim, and Defendant's products can only be used in a manner that infringes the asserted claims of the '839 claims, and cannot be installed without infringing claim 16.

54. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '839 patent in a similar manner.

55. Honeywell has been damaged by Defendant's infringement of the '839 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

56. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for infringement of the '839 patent.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,645,158

57. Honeywell incorporates the foregoing Paragraphs 1-56 by reference as though fully set forth herein.

58. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404) and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 1-12 and 14-19 of the '158 patent under 35 U.S.C. § 271.

59. Exhibit 11 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ zone panel model number 6404 to claim 1 of the '158 patent. On information and

belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model numbers 6202, 6203, 6302, 6303, and 6403, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 11.

60. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '158 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

61. Defendant had knowledge of the '158 patent (or was willfully blind to the '158 patent), including before September 21, 2017, and that the induced acts constitute infringement.

62. Defendant has had actual knowledge of the existence of the '158 patent since at least September 21, 2017, when it acknowledged service of the original complaint in this case.

63. In developing its products, including at least Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404), Defendant emulated and copied features of Plaintiff's TrueZONE® panels, including those that infringe the '158 patent.

64. Defendant knew that Honeywell had patents covering its zoning panels and, upon information and belief, either learned of the '158 patent or subjectively believed that there was a high probability that Plaintiff had patents covering features in its TrueZONE® panels protected by the '158 patent but took deliberate actions to avoid learning of that fact.

65. Despite knowing of the existence of the '158 patent or being willfully blind to the '158 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® panels claimed by the '158 patent.

66. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '158 patent with knowledge (or willful blindness) of that infringement, such as by making,

advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404) in a way that infringes the '158 patent. These other persons directly infringe the '158 patent.

67. Defendant provides its customers and the public with materials, such as document attached as Exhibit 12, that depict and describe use of the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '158 patent.

68. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '158 patent, including claim 1, in violation of 35 U.S.C. § 271(c).

69. Despite knowing of the existence of the '158 patent or being willfully blind to the '158 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '158 patent, thus contributing to the infringement of the '158 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404).

70. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, 6303, 6403, and 6404), constitute a material part of the invention of the '158 patent, are specifically made and/or adapted for infringement of the '158 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, to the extent that the '158 patent requires an HVAC system, Defendant's products meet all other limitations of the '158 patent, are designed to be used in an infringing system, and the zone panels constitute a material

part of the '158 patent.

71. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '158 patent in a similar manner.

72. Honeywell has been damaged by Defendant's infringement of the '158 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

73. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for infringement of the '158 patent.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 9,664,409

74. Honeywell incorporates the foregoing Paragraphs 1-73 by reference as though fully set forth herein.

75. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116) and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 1-2, 4-6, and 10-16 of the '409 patent under 35 U.S.C. § 271.

76. Exhibit 13 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ barometric bypass damper model number 6110 to claim 1 of the '409 patent. On information and belief, Defendant produces additional bypass dampers, including Aprilaire

Zoned Comfort Control™ barometric bypass damper model numbers 6108, 6112, 6114, and 6116, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 13.

77. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '409 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

78. Defendant had knowledge of the '409 patent, (or was willfully blind to the '409 patent), including before September 21, 2017, and that the induced acts constitute infringement.

79. Defendant learned of the existence of the patent application that issued as the '409 patent on or about April 6, 2015, if not earlier.

80. In developing its products, including Defendant's Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116), Defendant emulated and copied features of Plaintiff's TrueZONE® dampers, including those claimed by the '409 patent.

81. Despite knowing of the patent application that issued as the '409 patent, Defendant took deliberate actions to avoid learning of the issuance of the '409 patent.

82. Defendant has known of the existence of the '409 patent since June 26, 2017, if not earlier.

83. Despite knowing of the existence of the '409 patent or being willfully blind to the existence of the '409 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® dampers claimed by the '409.

84. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '409 patent with knowledge (or willful blindness) of that infringement, such as by making,

advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116) in a way that infringes the '409 patent.

These other persons directly infringe the '409 patent.

85. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 14, that depict and describe use of the Aprilaire Zoned Comfort Control™ barometric bypass damper in a way that infringes the '409 patent.

86. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '409 patent, including claim 1, in violation of 35 U.S.C. § 271(c).

87. Despite knowing of the existence of the '409 patent or being willfully blind to the '409 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '409 patent, thus contributing to the infringement of the '409 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116).

88. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ barometric bypass dampers (model numbers 6108, 6110, 6112, 6114, and 6116), constitute a material part of the invention of the '409 patent, are specifically made and/or adapted for infringement of the '409 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, to the extent that the asserted claims require an air duct, Defendant's barometric bypass dampers meet all other limitations of the '409 patent, are designed to be used in an infringing system, and the actuators

are a material part of the '409 patent.

89. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '409 patent in a similar manner.

90. Honeywell has been damaged by Defendant's infringement of the '409 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

91. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for infringement of the '409 patent.

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 9,732,980

92. Honeywell incorporates the foregoing Paragraphs 1-91 by reference as though fully set forth herein.

93. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); and Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510), and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 14 and 16-18 of the '980 patent under 35 U.S.C. § 271.

94. Exhibit 15 attached hereto compares Aprilaire Zoned Comfort Control™ round zone damper model number 6606 to claim 14 of the '980 patent. On information and belief, Defendant produces additional zone dampers, including Aprilaire Zoned Comfort Control™ round, rectangular, and ventilation dampers, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 15.

95. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '980 patent, including claim 14, in violation of 35 U.S.C. § 271(b).

96. Defendant had knowledge of the '980 patent (or was willfully blind to the '980 patent), including before September 21, 2017, and that the induced acts constitute infringement.

97. Defendant has had actual knowledge of the existence of the '980 patent since at least September 21, 2017, when it acknowledged service of the original complaint in this case.

98. In developing its products, including at least Defendant's Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); and Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510), Defendant emulated and copied features of Plaintiff's TrueZONE® dampers, including those claimed by the '980 patent.

99. Defendant knew that Honeywell had patents covering its zoning products and had applied for patents on its zone dampers and, upon information and belief, either learned of the '980 patent or subjectively believed that there was a high probability that Honeywell had patents covering features in its TrueZONE® dampers protected by the '980 patent but took deliberate

actions to avoid learning of that fact.

100. Despite knowing of the existence of the '980 patent or being willfully blind to the '980 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® dampers claimed by the '980 patent.

101. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '980 patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); and Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510) in a way that infringes the '980 patent. These other persons directly infringe the '980 patent.

102. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 16, that depict and describe use of the Aprilaire Zoned Comfort Control™ zone dampers in a way that infringes the '980 patent.

103. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '980 patent, including claim 14, in violation of 35 U.S.C. § 271(c).

104. Despite knowing of the existence of the '980 patent or being willfully blind to the '980 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '980 patent, thus

contributing to the infringement of the '980 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); and Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510).

105. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ round zone dampers (model numbers 6606, 6607, 6608, 6609, 6610, 6612, 6614, 6616, 6618, and 6620); Aprilaire Zoned Comfort Control™ rectangular zone dampers (model numbers 6721-6798, 6812-6819, 6823-6829, and 6834-6839); and Aprilaire Zoned Comfort Control™ ventilation dampers (model numbers 6506, 6508, and 6510), constitute a material part of the invention of the '980 patent, are specifically made and/or adapted for infringement of the '980 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, to the extent that the '980 patent requires HVAC components, Defendant's zone dampers meet all other limitations of the '980 patent, are designed to be used in an infringing system, and the actuators are a material part of the '980 patent.

106. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '980 patent in a similar manner.

107. Honeywell has been damaged by Defendant's infringement of the '980 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a

result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

108. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for infringement of the '980 patent.

COUNT V: INFRINGEMENT OF U.S. PATENT NO. 9,310,091

109. Honeywell incorporates the foregoing Paragraphs 1-108 by reference as though fully set forth herein.

110. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 1-8, 10, and 12 of the '091 patent under 35 U.S.C. § 271.

111. Exhibit 17 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ zone panel model number 6404 to claim 1 of the '091 patent. On information and belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model number 6403, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 17.

112. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '091 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

113. Defendant had knowledge of the '091 patent (or was willfully blind to the '091 patent), including before September 21, 2017, and that the induced acts constitute infringement.

114. Defendant has had actual knowledge of the existence of the '091 patent since at

least September 21, 2017, when it acknowledged service of the original complaint in this case.

115. In developing its products, including at least Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404), Defendant emulated and copied features of Plaintiff's TrueZONE® panels, including those claimed by the '091 patent.

116. Defendant knew that Honeywell had patents covering its zoning products and, upon information and belief, either learned of the '091 patent or subjectively believed that there was a high probability that Plaintiff had patents covering features in its TrueZONE® panels protected by the '091 patent but took deliberate actions to avoid learning of that fact.

117. Despite knowing of the existence of the '091 patent or being willfully blind to the '091 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® panels claimed by the '091 patent.

118. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '091 patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) in a way that infringes the '091 patent. These other persons directly infringe the '091 patent.

119. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 10, that depict and describe use of the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '091 patent.

120. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '091 patent, including claim 1, in violation of

35 U.S.C. § 271(c).

121. Despite knowing of the existence of the '091 patent or being willfully blind to the '091 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '091 patent, thus contributing to the infringement of the '091 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404).

122. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404), constitute a material part of the invention of the '091 patent, are specifically made and/or adapted for infringement of the '091 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, to the extent that the '091 patent requires HVAC equipment, Defendant's products meet all other limitations of the '091 patent, are designed to be used in an infringing system, and the zone panels constitute a material part of the '091 patent.

123. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '091 patent in a similar manner.

124. Honeywell has been damaged by Defendant's infringement of the '091 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

125. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for

infringement of the '091 patent.

COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 7,913,180

126. Honeywell incorporates the foregoing Paragraphs 1-125 by reference as though fully set forth herein.

127. Defendant has been making, using, selling, or offering to sell within the United States and/or importing into the United States its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) and is infringing, directly and/or indirectly, with willfulness or willful blindness, either literally and/or under the doctrine of equivalents, at least claims 1, 3, and 4 of the '180 patent under 35 U.S.C. § 271.

128. Exhibit 18 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ zone panel model number 6404 to claim 1 of the '180 patent. On information and belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model number 6403, which are similar in all material respects, and therefore infringe for the same reasons set forth in Exhibit 18.

129. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '180 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

130. Defendant had knowledge of the '180 patent (or was willfully blind to the '839 patent), and that the induced acts constitute infringement.

131. Defendant has known of the existence of the '180 patent since June 9, 2011, if not earlier.

132. In developing its products, including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404), Defendant emulated and copied features of Plaintiff's TrueZONE® panels, including those claimed by the '180 patent.

133. Despite knowing of the existence of the '180 patent or being willfully blind to the '180 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied features of the TrueZONE® panels claimed by the '180 patent.

134. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '180 patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) in a way that infringes the '180 patent. These other persons directly infringe the '180 patent.

135. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 10, that depict and describe use of the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '180 patent.

136. In addition to its direct infringement and inducement of others, Defendant has continued to contribute to the infringement of the '180 patent, including claim 1, in violation of 35 U.S.C. § 271(c).

137. Despite knowing of the existence of the '180 patent or being willfully blind to the '180 patent and its infringement thereof, Defendant continued selling or offering for sale in the United States products used by others in systems covered by claims of the '180 patent, thus contributing to the infringement of the '180 patent. Such products sold or offered for sale include Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404).

138. Defendant had knowledge of (or was willfully blind to) the fact that its products, including its Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404),

constitute a material part of the invention of the '180 patent, are specifically made and/or adapted for infringement of the '180 patent, and are not staple articles of commerce suitable for substantial non-infringing use. For example, to the extent that the '180 patent requires HVAC equipment, Defendant's products meet all other limitations of the '180 patent, are designed to be used in an infringing system, and the zone panels constitute a material part of the '180 patent.

139. The full extent of Defendant's infringement is not presently known to Honeywell. On information and belief, Defendant has made and sold, or will make and sell, different products or products under different names or part numbers that infringe the '180 patent in a similar manner.

140. Honeywell has been damaged by Defendant's infringement of the '180 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

141. Due to Defendant's egregious conduct, including willful infringement and copying, the Court should award Honeywell up to treble damages under 35 U.S.C. § 284 for infringement of the '180 patent.

COUNT VII: INFRINGEMENT OF U.S. PATENT NO. D563,325

142. Honeywell incorporates the foregoing Paragraphs 1-141 by reference as though fully set forth herein.

143. Defendant has been and is infringing, directly and/or indirectly, with willfulness or willful blindness, the '325 patent under 35 U.S.C. §§ 271(a)-(b) by making, using, selling, or offering to sell within the United States and/or importing into the United States products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403

and 6404).

144. Defendant infringes the '325 patent because, *inter alia*, in the eye of an ordinary observer, and in view of the prior art, the claimed design of the '325 patent and the design of Defendant's products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) are substantially the same.

145. Exhibit 19 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ zone panel model number 6404 to Figures 1, 2, 3, 4 and 5 of the '325 patent. On information and belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model number 6403, which are similar in all material respects, and infringe based on the same comparison shown in Exhibit 19.

146. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '325 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

147. Defendant had knowledge of the '325 patent (or was willfully blind to the '325 patent), including before September 21, 2017, and that the induced acts constitute infringement.

148. Defendant has had actual knowledge of the existence of the '325 patent since at least September 21, 2017, when it acknowledged service of the original complaint in this case.

149. In designing its products, including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404), Defendant emulated and copied ornamental features of Plaintiff's TrueZONE® panels, including those claimed by the '325 patent.

150. Defendant knew that Honeywell had design patents covering its zoning panels and, upon information and belief, either learned of the '325 patent or subjectively believed that there was a high probability that Plaintiff had patents covering ornamental features in its

TrueZONE® panels protected by the '325 patent but took deliberate actions to avoid learning of that fact.

151. Despite knowing of the existence of the '325 patent or being willfully blind to the '325 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied ornamental features of the TrueZONE® panels claimed by the '325 patent.

152. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, customers, and end users) to directly infringe the '325 patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6403 and 6404) in a way that infringes the '325 patent. These other persons directly infringe the '325 patent.

153. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 12, that depict and describe the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '325 patent.

154. Honeywell has been damaged by Defendant's infringement of the '325 patent, and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

155. Honeywell is entitled to recover from Defendant the extent of its total profits from the sale of infringing products under 35 U.S.C. § 289.

156. Honeywell is entitled to up to treble damages under 35 U.S.C. § 284 for Defendant's infringement of the '325 patent due to Defendant's willfulness and copying.

COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. D562,262

157. Honeywell incorporates the foregoing Paragraphs 1-156 by reference as though fully set forth herein.

158. Defendant has been and is infringing, directly and/or indirectly, with willfulness or willful blindness, the '262 patent under 35 U.S.C. §§ 271(a)-(b) by making, using, selling, or offering to sell within the United States and/or importing into the United States products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, and 6303).

159. Defendant infringes the '262 patent because, *inter alia*, in the eye of an ordinary observer, and in view of the prior art, the claimed design of the '262 patent and the design of Defendant's products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, and 6303) are substantially the same.

160. Exhibit 20 attached hereto compares Defendant's Aprilaire Zoned Comfort Control™ zone panel model number 6303 to Figures 1, 2, 3, and 4 of the '262 patent. On information and belief, Defendant produces additional zone panels, including Aprilaire Zoned Comfort Control™ model numbers 6202, 6203, and 6302, which are similar in all material respects, and infringe based on the same comparison shown in Exhibit 20.

161. In addition to its direct infringement, Defendant has continued to actively induce others to infringe claims of the '262 patent, including claim 1, in violation of 35 U.S.C. § 271(b).

162. Defendant had knowledge of the '262 patent (or was willfully blind to the '262 patent), and that the induced acts constitute infringement.

163. Defendant has had actual knowledge of the existence of the '262 patent since at least April 5, 2018, when Honeywell identified the '262 patent to Defendant's counsel.

164. In designing its products, including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, and 6303), Defendant emulated and copied ornamental features of Plaintiff's TrueZONE® panels, including those claimed by the '262 patent.

165. Defendant knew that Honeywell had design patents covering its zoning panels and, upon information and belief, either learned of the '262 patent or subjectively believed that there was a high probability that Plaintiff had patents covering ornamental features in its TrueZONE® panels protected by the '262 patent but took deliberate actions to avoid learning of that fact.

166. Despite knowing of the existence of the '262 patent or being willfully blind to the '262 patent, Defendant continued to make, use, sell, and offer to sell infringing products emulating copied ornamental features of the TrueZONE® panels claimed by the '262 patent.

167. Defendant has been and is continuing to encourage other persons (*e.g.* distributors, installers, manufacturers, and end users) to directly infringe the '262 patent with knowledge (or willful blindness) of that infringement, such as by making, advertising, marketing, selling, offering to sell, supporting, distributing, installing, and using products including Defendant's Aprilaire Zoned Comfort Control™ zone panels (model numbers 6202, 6203, 6302, and 6303) in a way that infringes the '262 patent. These other persons directly infringe the '262 patent.

168. Defendant provides its customers and the public with materials, such as the document attached as Exhibit 12, that depict and describe the Aprilaire Zoned Comfort Control™ zone panels in a way that infringes the '262 patent.

169. Honeywell has been damaged by Defendant's infringement of the '262 patent,

and Honeywell is entitled to recover from Defendant the amount of damages sustained as a result. Honeywell is suffering and will continue to suffer damages and irreparable harm unless the Court enjoins Defendant from its activities.

170. Honeywell is entitled to recover from Defendant the extent of its total profits from the sale of infringing products under 35 U.S.C. § 289.

171. Honeywell is entitled to up to treble damages under 35 U.S.C. § 284 for Defendant's infringement of the '262 patent due to Defendant's willfulness and copying.

PRAYER FOR RELIEF

WHEREFORE, Honeywell prays for relief and judgment against Defendant as follows:

- A. That Defendant has infringed one or more claims of the '839 patent, the '158 patent, the '409 patent, the '980 patent, the '091 patent, the '180 patent, the '325 patent, and the '262 patent under 35 U.S.C. § 271;
- B. An injunction against Defendant and its officers, directors, employees, agents, consultants, contractors, suppliers, distributors, all parent and subsidiary entities, all assignees and successors in interest, and all others acting in concert or privity with Defendant from further infringement of the '839 patent, the '158 patent, the '409 patent, the '980 patent, the '091 patent, the '180 patent, the '325 patent, and the '262 patent;
- C. An award to Honeywell of damages under 35 U.S.C. §§ 284 and 289 for the infringement of the '839 patent, the '158 patent, the '409 patent, the '980 patent, the '091 patent, the '180 patent, the '325 patent, and the '262 patent by Defendant, together with pre-judgment and post-judgment interest and costs;
- D. An award to Honeywell of treble damages under 35 U.S.C. § 284 for the willful

infringement of the '839 patent, the '158 patent, the '409 patent, the '980 patent, the '091 patent, the '180 patent, the '325 patent, and the '262 patent by Defendant;

- E. An order for Defendant to account to Honeywell for, and disgorge to Honeywell, all profits it has derived as a result of the unlawful acts complained of above;
- F. A finding that, with respect to Defendant, this case is exceptional and awarding to Honeywell its reasonable costs and attorney fees under 35 U.S.C. § 285;
- G. Judgment against Defendant on all counts of this Complaint; and
- H. Such other relief for Honeywell that the Court sees as just.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Honeywell demands trial by jury in this action of all issues so triable.

Respectfully submitted this 17th day of April, 2018.

/s/ Anders P. Fjellstedt

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