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2007 APR 19 PM 2:19  
U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

5 Attorney for Plaintiff  
6 Frank M. Weyer

7

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

10 **Cv 07 2602 CDP (Ey)**

11 FRANK M. WEYER, } Civil Action No.

12 Plaintiff, }

13 v. }

14 HARLEY DAVIDSON MOTOR }  
15 CO., a Wisconsin Corporation; and }  
16 DOES 1-10, inclusive. }

17 Defendants. }

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

18

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

21 **JURISDICTION AND VENUE**

22 1. This is an action for patent infringement under 35 U.S.C. §§ 271 et. seq.  
23 and 28 U.S.C. §§ 1331 and 1338(a).

24 2. The acts of patent infringement alleged herein occurred within this  
25 judicial district. Therefore, venue is proper pursuant to 28 U.S.C. §§ 1331(b), (c), and  
26 1400(b).

## PARTIES

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

4. Defendant HARLEY DAVIDSON MOTOR CO. ("Harley-Davidson") is a Wisconsin Corporation doing business in the County of Los Angeles, State of California.

5. The identities of Defendants, DOES 1-10, are currently unknown to Plaintiff. Plaintiff will amend the Complaint to assert their true names and capacities when ascertained.

6. Defendants, and each of them, are, and at all times herein were, the alter-ego, principal, agent, employee, employer, joint venturer, and/or otherwise affiliated with or of one another so as to be liable in such capacity for the acts alleged herein.

**FIRST CAUSE OF ACTION**  
**PATENT INFRINGEMENT**

7. Plaintiff incorporates by reference paragraphs 1 – 6 as though fully set forth herein.

8. 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").

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

10. The '728 Patent is directed to a novel dashboard instrument illumination system that allows the user to select the color of a dashboard instrument's illumination.

11. Defendants, and each of them, have infringed, and continue to infringe, the '728 Patent directly, contributorily, and by active inducement pursuant to 35 U.S.C. §271 by making, using, offering for sale, and selling dashboard instruments

1 that comprise the patented invention, including, but not limited to, Harley-Davidson's  
2 Model Nos. 74676-07 and 74677-07 "Combination Speedometer/Tachometer - Color-  
3 Matched Lighting," that are covered by the claims of the '728 Patent, without the  
4 consent of the Plaintiff.

5  
6 12. Defendants have actual notice of Plaintiff's patent rights but Defendants  
7 continue to act in a conscious and willful disregard of those rights.

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

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## DEMAND FOR RELIEF

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

- a. Enter judgment for Plaintiff against Defendants on this Complaint;
- b. Enter a preliminary and permanent injunction to enjoin Defendants, and all those in privity with Defendants, from further infringement of the '728 Patent during the remaining term of the patent;
- c. Award compensatory damages to Plaintiff and to increase said damages three times in accordance with 35 U.S.C. § 284;
- d. Award Plaintiff reasonable attorneys' fees in accordance with 35 U.S.C. § 285;
- e. Award Plaintiff interest and costs; and
- f. Award Plaintiff such other and further relief as is just and proper.

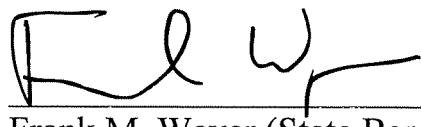
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2 DEMAND FOR JURY TRIAL  
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5 Plaintiff hereby demands a trial by jury of all issues so triable.  
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9 Respectfully submitted,  
10 TECHCOASTLAW®  
11

12 Dated: April 19, 2007  
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14 By:  
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