

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WHIRLPOOL CORPORATION,

Plaintiff,

v.

SPACE FLEX INTERNATIONAL, LLC,

Defendant.

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Civil Action No. 2:18-cv-186-JRG

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

COMES NOW Plaintiff Whirlpool Corporation (“Whirlpool”), and for its First Amended Complaint for Patent Infringement of United States Patent No. 7,000,894; United States Patent No. 8,591,736; United States Patent No. 9,937,451; and United States Patent No. 10,010,820 against Space Flex International, LLC (“Defendant” or “Space Flex”), states as follows:

PARTIES

1. Plaintiff Whirlpool Corporation is a corporation organized and existing under the laws of the state of Delaware with a principal place of business at 2000 North M-63, Benton Harbor, Michigan. Whirlpool Corporation owns United States Patent No. 7,000,894 (“the ’894 patent”), United States Patent No. 8,591,736 (“the ’736 patent”); United States Patent No. 9,937,451 (“the ’451 patent”); and United States Patent No. 10,010,820 (“the ’820 patent”).

2. Defendant is a limited liability company organized under the laws of the state of California with a principal place of business at 9500 7th Street, Suite N, Rancho Cucamonga, CA 91730.

JURISDICTION & VENUE

3. This action arises under the patent laws of the United States, Title 35 United States Code. The jurisdiction of this Court is proper under Title 35 U.S.C. § 271, *et seq.* and 28 U.S.C. §§ 1331, 1332, and 1338.

4. Defendant is a manufacturer and seller of water filters for refrigerators.

5. Defendant has offered for sale and sold throughout the United States Whirlpool-compatible replacement water filters that infringe one or more claims of the '894 patent, such as Aqua Fresh water filters bearing Model No. WF537, which is the Whirlpool "Filter 1" design, and Aqua Fresh water filters bearing Model No. WF710, which is the Whirlpool "Filter 3" design. Defendant has also offered for sale and sold throughout the United States Whirlpool-compatible replacement water filters that infringe one or more claims of the '736 patent, '451 patent, and '820 patent, such as Aqua Fresh water filters bearing Model No. WF645, which is the Whirlpool "Filter 2" design.

6. By agreement of the parties, Defendant has consented to personal jurisdiction and venue in this Court in this case.

COUNT I **INFRINGEMENT OF U.S. PATENT NO. 7,000,894**

7. Whirlpool repeats and re-alleges as if fully set forth herein the facts and allegations of all of the preceding paragraphs.

8. On February 21, 2006, the United States Patent and Trademark Office ("USPTO") duly and legally issued United States Patent No. 7,000,894 ("the '894 patent") entitled "Fluidic Cartridges and End Pieces Thereof." On March 3, 2014, the USPTO issued an *ex parte* reexamination certificate for the '894 patent. Appended as Exhibit A is a true and correct copy of the '894 patent, inclusive of the *ex parte* reexamination certificate.

9. Whirlpool is the owner by assignment of the entire right, title and interest in and to the '894 patent, including the right to sue and recover past, present, and future damages for infringement.

10. Whirlpool manufactures products that practice the '894 patent, including Whirlpool "Filter 1" and "Filter 3" refrigerator water filters, and marks such products with the '894 patent.

11. The validity and enforceability of the '894 patent has been recognized and acknowledged in Consent Judgments in the patent infringement cases captioned *Whirlpool Corporation v. Brauchla TV, Inc. d/b/a Brauchla TV & Appliance*, Civil Action No. 2:15-cv-2068 (E.D. Tex. Jan. 27, 2016) (Document 5); *Whirlpool Corporation v. National Trade Supply, LLC*, Civil Action No. 2:15-cv-1701-JRG (E.D. Tex. Jan. 22, 2016) (Document 5); *Whirlpool Corporation v. Zipras, Inc.*, Civil Action No. 2:15-cv-1636-JRG (E.D. Tex. Jan. 8, 2016) (Document 7); *Whirlpool Corporation v. Air 1 Supply, Inc.*, Civil Action No. 2:15-cv-1640-JRG (E.D. Tex. Oct. 30, 2015) (Document 6), *Whirlpool Corporation v. Global Parts Supply, LLC d/b/a Pandora's OEM Appliance Parts*, Civil Action No. 2:15-cv-1563-JRG (E.D. Tex. Oct. 30, 2015) (Document 7); *Whirlpool Corporation v. JJ Wholesale Group Inc. d/b/a Bob's Filters and Joseph Spira*, Civil Action No. 2:15-cv-1565-JRG (E.D. Tex. Nov. 12, 2015) (Document 11); *Whirlpool Corporation v. Spectacular Products and William Long*, Civil Action No. 2:15-cv-86 consolidated with 2:15-cv-2103 (E.D. Tex. Apr. 6, 2016) (Document 20); *Whirlpool Corporation v. Dilmen, LLC d/b/a Coral Premium Water Filters and Huseyin Dilmen*, Civil Action No. 2:15-cv-1722 consolidated with 2:15-cv-2103 (E.D. Tex. Apr. 6, 2016) (Document 17); *Whirlpool Corporation v. Radiant Marketing, LLC d/b/a Clear Sip Water Filters*, Civil Action No. 2:15-cv-2101 consolidated with 2:15-cv-02103-JRG (E.D. Tex. Apr. 14, 2016) (Document 23); *Whirlpool Corporation v. Purenex, Inc.*, Civil Action No. 2:16-cv-028 consolidated with 2:15-cv-02103-JRG (E.D. Tex. Apr. 22, 2016) (Document 32); *Whirlpool Corporation v. iSpring Water Systems, LLC*

d/b/a 123Filter.com, Civil Action No. 2:16-cv-107 consolidated with 2:15-cv-02103-JRG (E.D. Tex. May 6, 2016) (Document 41-2); *Whirlpool Corporation v. Craft Appliances, Inc. and Brian Craft*, Civil Action No. 2:16-cv-084 consolidated with 2:15-cv-02103-JRG (E.D. Tex. May 17, 2016) (Document 51); *Whirlpool Corporation v. Compatible Parts, LLC*, Civil Action No. 2:16-cv-445 (E.D. Tex. June 22, 2016) (Document 9); *Whirlpool Corporation v. A&M Distribution, LLC, Aymeric Monello and Megan Grant*, Civil Action No. 2:16-cv-106 (E.D. Tex. July 20, 2016) (Document 8); *Whirlpool Corporation v. DG Enterprises, LLC d/b/a Splash Filters*, Civil Action No. 2:16-cv-109 (E.D. Tex. July 15 2016) (Document 8); *Whirlpool Corporation v. PS Newby, LLC d/b/a Sylvia Water Purification*, Civil Action No. 2:16-cv-137 consolidated with 2:16-cv-565 (E.D. Tex. July 26, 2016) (Document 7); *Whirlpool Corporation v. Arclyte Technologies, Inc.*, Civil Action No. 2:16-cv-138 (E.D. Tex. July 14, 2016) (Document 8); *Whirlpool Corporation v. Pricebreak, Inc.*, Civil Action No. 2:16-cv-416 consolidated with 2:16-cv-565 (E.D. Tex. July 26, 2016) (Document 7); *Whirlpool Corporation v. iSave.com, Inc.*, Civil Action No. 2:16-cv-418 (E.D. Tex. Aug. 4, 2016) (Document 7); *Whirlpool Corporation v. Crystal Rose Trading, Inc. d/b/a UltimatePurification USA*, Civil Action No. 2:16-cv-560 (E.D. Tex. Aug. 8, 2016) (Document 7); *Whirlpool Corporation v. Woodside Distributors, Inc.*, Civil Action No. 2:16-cv-565 (E.D. Tex. July 26, 2016) (Document 7); *Whirlpool Corporation v. Blue Grizzly Supply, Inc.*, Civil Action No. 2:16-cv-585 consolidated with 2:16-cv-565 (E.D. Tex. Aug. 8, 2016) (Document 10); *Whirlpool Corporation v. Odogo Enterprises*, Civil Action No. 2:16-cv-685 consolidated with 2:16-cv-565 (E.D. Tex. July 26, 2016) (Document 7); *Whirlpool Corporation v. Enow Wholesale, Inc.*, Civil Action No. 2:16-cv-737 (E.D. Tex. Apr. 12, 2017) (Document 24); *Whirlpool Corporation v. Brixton Holdings, LLC*, Civil Action No. 2:16-cv-822 (E.D. Tex. Nov. 4, 2016) (Document 9); *Whirlpool Corporation v. AWP Group, Inc. d/b/a Water Filters Fast*, Civil Action No. 2:16-cv-988 (E.D. Tex. Jan. 31, 2017) (Document 16); *Whirlpool Corporation v. Pavel Water*

Filtration, Inc. and Henry H. Pavel, Civil Action No. 2:16-cv-146 consolidated with 2:15-cv-02103 (E.D. Tex. Jan. 27, 2017) (Document 143); and *Whirlpool Corporation v. Tianjin Jinghai Yunda Industry and Trade Co., Ltd.*, Civil Action No. 2:16-cv-229 consolidated with 2:15-cv-2103 (E.D. Tex. Feb. 27, 2017) (Document 146).

12. The '894 Patent also recently withstood a challenge to validity in a jury trial and post-trial motions in the TST Water case. *See Whirlpool Corporation v. TST Water, LLC*, No. 2:15-CV-1528-JRG (Documents 148 and 202).

13. In violation of 35 U.S.C. § 271, Defendant directly infringes one or more claims of the '894 patent, including but not limited to at least claim 1 by making, using, selling and/or offering to sell in the United States or importing into the United States its infringing filters, including but not limited to Model Nos. WF537 and WF710, which include an end piece for operatively engaging a head assembly, the head assembly comprising one or more valves, for the treatment and control of fluid passing through the head assembly, said end piece comprising (a) an end piece wall; (b) an inlet fitting having a cam surface, said inlet fitting having a longitudinal axis; (c) an outlet fitting; and (d) a protrusion having a longitudinal axis; wherein said inlet fitting, said outlet fitting, and said protrusion extend from said end piece wall. Accordingly, Defendant literally infringes one or more claims of the '894 patent or does so under the doctrine of equivalents.

14. In addition, Defendant directly infringes at least claim 4 by making, using, selling and/or offering to sell in the United States or importing into the United States its infringing filters, including but not limited to Model Nos. WF537 and WF710, which include a cartridge for operatively engaging a head assembly, the head assembly comprising one or more valves, for the treatment and control of fluid passing through the head assembly, said cartridge comprising (a) an end piece wall; (b) an inlet fitting having a cam surface, said inlet fitting having a longitudinal

axis; (c) an outlet fitting having a cam surface, said outlet fitting having a longitudinal axis; and (d) a protrusion having a longitudinal axis and positioned between said inlet fitting and said outlet fitting; wherein said inlet fitting, said outlet fitting, and said protrusion extend from said end piece wall; and a cartridge housing having a first end, a closed second end, and a longitudinal axis extending there between; wherein said end piece wall is connected to said first end of said cartridge housing, and wherein a portion of said cam surface of said inlet fitting is vectored from at least one of said longitudinal axis of said outlet fitting, and said longitudinal axis of said cartridge housing, and wherein a portion of said cam surface of said outlet fitting is vectored from at least one of said longitudinal axis of said outlet fitting, and said longitudinal axis of said cartridge housing. Accordingly, Defendant literally infringes one or more claims of the '894 patent or does so under the doctrine of equivalents.

15. Defendant will continue to infringe one or more claims of the '894 patent unless enjoined by this Court. As a direct and proximate result of Defendant's direct infringement of the '894 patent, Whirlpool has been and continues to be damaged.

16. Defendant indirectly infringes, through induced and/or contributory infringement, the '894 patent. Defendant had prior knowledge of the '894 patent, such as through Whirlpool's marking of Filter 1 and 3 products and Defendant's procurement of its infringing WF537 and WF710 refrigerator filters.

17. Despite Defendant's notice of the '894 patent, Defendant continues to make, use, sell and/or offer to sell and provide installation, operational support, and instructions for infringing filters, including with the knowledge or willful blindness that its conduct will induce Defendant's customers to infringe the '894 patent, including advertising its infringing filters as replacements for Whirlpool filters. Through such activities, Defendant specifically intends that its customers directly infringe the '894 patent.

18. On information and belief, Defendant is contributorily infringing and will continue to contributorily infringe one or more claims of the '894 patent for the following reasons. Defendant had prior knowledge of the '894 patent, for instance, due to Whirlpool's marking of Filter 1 and 3 products and Defendant's procurement of its infringing products. Defendant provides to its customers, the direct infringers, the replacement filters, such as the WF537 and WF710 filters, that lack substantial non-infringing uses and that lead to infringement when installed into refrigerators' water filter assemblies. These infringing components are a material part of the installation of a filter into a refrigerator's head assembly, which requires a filter to filter water.

19. Defendant's infringement occurred with knowledge of the '894 patent and thus has been and will continue to be willful and deliberate. Whirlpool Filter 1 and 3 products have been marked to give competitors notice of the '894 patent. Defendant sought to copy Whirlpool's patented Filter 1 and 3 designs. Defendant's egregious conduct constitutes willful and deliberate infringement, which entitles Whirlpool to enhanced damages under 35 U.S.C. § 285.

COUNT II
INFRINGEMENT OF U.S. PATENT NO. 8,591,736

20. Whirlpool repeats and re-alleges as if fully set forth herein the facts and allegations of all of the preceding paragraphs.

21. On November 26, 2013, the USPTO duly and legally issued United States Patent No. 8,591,736 ("the '736 patent") entitled "Water Filter Unit." Appended as Exhibit B is a true and correct copy of the '736 patent.

22. Whirlpool is the owner of the entire right, title and interest in and to the '736 patent, including the right to sue and recover past, present, and future damages for infringement.

23. Whirlpool manufactures products that practice the '736 patent, including Whirlpool "Filter 2" refrigerator water filters.

24. The validity and enforceability of the '736 patent has been recognized and acknowledged in Final Judgments in the patent infringement cases captioned *Whirlpool Corporation v. Tianjin Jinghai Yunda Industry and Trade Co., Ltd. a/k/a Yunda Industry & Trade Co. d/b/a Yunda Filter Co., and Wayne Wei and Rose Lu*, Civil Action No. 2:16-cv-229 (E.D. Tex. Feb. 17, 2017) (Document 146); *Whirlpool Corporation v. Dilmen, LLC d/b/a Coral Premium Water Filters, and Huseyin Dilmen*, Civil Action No. 2:15-cv-2056 (E.D. Tex. Apr. 6, 2016) (Document 18); *Whirlpool Corporation v. Ahmet Matt Ozcan d/b/a Discountfilter*, Civil Action No. 2:15-cv-2103 (E.D. Tex. Oct. 25, 2016) (Document 109); *Whirlpool Corporation v. Craft Appliances, Inc. et al.*, Civil Action No. 2:16-cv-084 (E.D. Tex. May 15, 2016) (Document 615).

25. In violation of 35 U.S.C. § 271, Defendant directly infringes one or more claims of the '736 patent, including but not limited to at least claim 1 by making, using, selling and/or offering to sell in the United States or importing into the United States its infringing filters, including but not limited to Model No. WF645, which includes a body portion having a proximal end and a distal end; and an engagement protrusion extending from the proximal end of the body portion, the engagement protrusion having a cross-section with only one axis of symmetry such that a cross-section of the engagement protrusion has a generally egg-shaped configuration, and a laterally extending key member disposed on the body portion. Accordingly, Defendant literally infringes one or more claims of the '736 patent or does so under the doctrine of equivalents.

26. Defendant will continue to infringe one or more claims of the '736 patent unless enjoined by this Court. As a direct and proximate result of Defendant's direct infringement of the '736 patent, Whirlpool has been and continues to be damaged.

27. Defendant indirectly infringes, through induced and/or contributory infringement, the '736 patent. Defendant had prior knowledge of the '736 patent, such as through Whirlpool's marking of Filter 2 products and Defendant's procurement of its infringing WF645 refrigerator filters.

28. Defendant has been provided with actual notice of its infringement of one or more claims of the '736 patent.

29. Despite Defendant's notice of the '736 patent, Defendant continues to make, use, sell and/or offer to sell and provide installation, operational support, and instructions for infringing filters, including with the knowledge or willful blindness that its conduct will induce Defendant's customers to infringe one or more claims of the '736 patent, including advertising its infringing filters as replacements for Whirlpool filters. Through such activities, Defendant specifically intends that its customers directly infringe one or more claims of the '736 patent.

30. On information and belief, Defendant is contributorily infringing and will continue to contributorily infringe one or more claims of the '736 patent for the following reasons. Defendant provides to its customers, the direct infringers, the replacement filters, such as the WF645 filters, that lack substantial non-infringing uses and that lead to infringement when installed into refrigerators' water filter assemblies. These infringing components are a material part of the installation of a filter into a refrigerator's head assembly, which requires a filter to filter water.

31. Defendant's infringement occurred with knowledge of the '736 patent and thus has been and will continue to be willful and deliberate.

32. On information and belief, Defendant sought to copy Whirlpool's patented Filter 2 design. Defendant's egregious conduct constitutes willful and deliberate infringement, which entitles Whirlpool to enhanced damages under 35 U.S.C. § 285.

COUNT III
INFRINGEMENT OF U.S. PATENT NO. 9,937,451

33. Whirlpool repeats and re-alleges as if fully set forth herein the facts and allegations of all of the preceding paragraphs.

34. On April 10, 2018, the USPTO duly and legally issued United States Patent No. 9,937,451 (“the ’451 patent”) entitled “Filter Unit.” Appended as Exhibit C is a true and correct copy of the ’451 patent.

35. Whirlpool is the owner of the entire right, title and interest in and to the ’451 patent, including the right to sue and recover past, present, and future damages for infringement.

36. Whirlpool manufactures products that practice the ’451 patent, including Whirlpool “Filter 2” refrigerator water filters.

37. In violation of 35 U.S.C. § 271, Defendant directly infringes one or more claims of the ’451 patent, including but not limited to at least claim 1 by making, using, selling and/or offering to sell in the United States or importing into the United States its infringing filters, including but not limited to Model No. WF645, which includes an engagement protrusion extending from a proximal body portion wherein the engagement protrusion is configured for selective rotational engagement in a complementary receiver in a filter head assembly, wherein the selective rotational engagement of the engagement protrusion with the complementary receiver places the filter head assembly in selective communication with an interior of the proximal body portion; at least one engagement surface traversing around at least part of the proximal body portion at an angle to a longitudinal axis of the engagement protrusion, at least one engagement surface configured to cooperate with the complementary receiver in the filter head assembly to define the selective rotational engagement; at least one seal member disposed on a sidewall of the engagement protrusion, wherein a cross section of the at least one seal member taken perpendicular

to the longitudinal axis of the engagement protrusion and through a sidewall at least one seal member includes only one axis of symmetry. Accordingly, Defendant literally infringes one or more claims of the '451 patent or does so under the doctrine of equivalents.

38. Defendant will continue to infringe one or more claims of the '451 patent unless enjoined by this Court. As a direct and proximate result of Defendant's direct infringement of the '451 patent, Whirlpool has been and continues to be damaged.

39. Defendant indirectly infringes, through induced and/or contributory infringement, the '451 patent. Defendant had prior knowledge of the '451 patent, such as through Whirlpool's marking of Filter 2 products and Defendant's procurement of its infringing WF645 refrigerator filters.

40. Defendant has been provided with actual notice of its infringement of one or more claims of the '451 patent.

41. Despite Defendant's notice of the '451 patent, Defendant continues to make, use, sell and/or offer to sell and provide installation, operational support, and instructions for infringing filters, including with the knowledge or willful blindness that its conduct will induce Defendant's customers to infringe one or more claims of the '451 patent, including advertising its infringing filters as replacements for Whirlpool filters. Through such activities, Defendant specifically intends that its customers directly infringe one or more claims of the '451 patent.

42. On information and belief, Defendant is contributorily infringing and will continue to contributorily infringe one or more claims of the '451 patent for the following reasons. Defendant provides to its customers, the direct infringers, the replacement filters, such as the WF645 filters, that lack substantial non-infringing uses and that lead to infringement when installed into refrigerators' water filter assemblies. These infringing components are a material

part of the installation of a filter into a refrigerator's head assembly, which requires a filter to filter water.

43. Defendant's infringement occurred with knowledge of the '451 patent and thus has been and will continue to be willful and deliberate.

44. On information and belief, Defendant sought to copy Whirlpool's patented Filter 2 design. Defendant's egregious conduct constitutes willful and deliberate infringement, which entitles Whirlpool to enhanced damages under 35 U.S.C. § 285.

COUNT IV
INFRINGEMENT OF U.S. PATENT NO. 10,010,820

45. Whirlpool repeats and re-alleges as if fully set forth herein the facts and allegations of all of the preceding paragraphs.

46. On July 3, 2018, the USPTO duly and legally issued United States Patent No. 10,010,820 ("the '820 patent) entitled "Filter Unit." Appended as Exhibit D is a true and correct copy of the '820 patent.

47. Whirlpool is the owner of the entire right, title and interest in and to the '820 patent, including the right to sue and recover past, present, and future damages for infringement.

48. Whirlpool manufactures products that practice the '820 patent, including Whirlpool "Filter 2" refrigerator water filters.

49. In violation of 35 U.S.C. § 271, Defendant directly infringes one or more claims of the '820 patent, including but not limited to at least claim 1 by making, using, selling and/or offering to sell in the United States or importing into the United States its infringing filters, including but not limited to Model No. WF645, which includes a filter unit comprising a filtering media; a body portion; an engagement protrusion extending from the body portion and comprising a containment seal, wherein at least one cross section of the engagement protrusion at a location

of the containment seal, taken perpendicular to a central longitudinal axis of the body portion, includes an egg-shaped outer perimeter having a single axis of symmetry, and wherein the containment seal acts as a barrier that prevents filtered water from leaking around the body portion during use; at least one engagement surface traversing around at least part of the body portion, the at least one engagement surface having a linear movement section for linear movement of the body portion, wherein the linear movement section transitions to a rotational movement section for rotational movement of the body portion, wherein the rotational movement section is angled from the linear movement section; and a water inlet path and a water outlet path extending through a portion of the engagement protrusion defined by the at least one cross section. Accordingly, Defendant literally infringes one or more claims of the '820 patent or does so under the doctrine of equivalents.

50. Defendant will continue to infringe one or more claims of the '820 patent unless enjoined by this Court. As a direct and proximate result of Defendant's direct infringement of the '820 patent, Whirlpool has been and continues to be damaged.

51. Defendant indirectly infringes, through induced and/or contributory infringement, the '820 patent. Defendant had prior knowledge of the '820 patent, such as through Whirlpool's marking of Filter 2 products and Defendant's procurement of its infringing WF645 refrigerator filters.

52. Defendant has been provided with actual notice of its infringement of one or more claims of the '820 patent.

53. Despite Defendant's notice of the '820 patent, Defendant continues to make, use, sell and/or offer to sell and provide installation, operational support, and instructions for infringing filters, including with the knowledge or willful blindness that its conduct will induce Defendant's customers to infringe one or more claims of the '820 patent, including advertising its infringing

filters as replacements for Whirlpool filters. Through such activities, Defendant specifically intends that its customers directly infringe one or more claims of the '820 patent.

54. On information and belief, Defendant is contributorily infringing and will continue to contributorily infringe one or more claims of the '820 patent for the following reasons. Defendant provides to its customers, the direct infringers, the replacement filters, such as the WF645 filters, that lack substantial non-infringing uses and that lead to infringement when installed into refrigerators' water filter assemblies. These infringing components are a material part of the installation of a filter into a refrigerator's head assembly, which requires a filter to filter water.

55. Defendant's infringement occurred with knowledge of the '820 patent and thus has been and will continue to be willful and deliberate.

56. On information and belief, Defendant sought to copy Whirlpool's patented Filter 2 design. Defendant's egregious conduct constitutes willful and deliberate infringement, which entitles Whirlpool to enhanced damages under 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Whirlpool prays for a judgment against Defendant as follows:

1. A judgment that Space Flex infringes the '894 patent, '736 patent, '451 patent, and '820 patent;
2. A preliminary and permanent injunction preventing Space Flex and its respective officers, directors, agents, servants, employees, attorneys, licensees, successors, and assigns, and those in active concert or participation with any of them, from engaging in infringing activities with respect to the '894 patent, '736 patent, '451 patent, and '820 patent;
3. A judgment that Space Flex's infringement has been willful;
4. A ruling that this case is exceptional under 35 U.S.C. § 285;

5. A judgment and order requiring Space Flex to pay Whirlpool damages under 35 U.S.C. § 284, including supplemental damages for any continuing post-verdict infringement up until entry of judgment, with an accounting, as needed, as well as treble damages for willful infringement under 35 U.S.C. § 285;

6. A judgment and order requiring Space Flex to pay Whirlpool's attorney's fees and costs of this action (including all disbursements);

7. A judgment and order requiring Space Flex to pay pre-judgment and post-judgment interest on damages awarded; and

8. Such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury on all issues appropriately triable by a jury.

Dated: July 3, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic filing, on July 3, 2018.

/s/ Melissa R. Smith
Melissa R. Smith