

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

MAGNA MIRRORS OF AMERICA, INC.

Plaintiff,

vs.

SAMVARDHANA MOTHERSON
REFLECTEC GROUP HOLDINGS
LIMITED, et al.,

Defendants.

CASE NO. 1:17-CV-77

HON. ROBERT J. JONKER

DEMAND FOR JURY TRIAL

SECOND AMENDED COMPLAINT

Pursuant to Rules 7(a) and 15 of the Federal Rules of Civil Procedure, Plaintiff Magna Mirrors of America, Inc. (“Magna Mirrors” or “Plaintiff”) hereby provides its Second Amended Complaint against Defendants Samvardhana Motherson Reflectec Group Holdings Limited, SMR Automotive Mirror Parts and Holdings UK Limited, SMR Mirrors UK Limited, SMR Automotive Mirrors UK Limited, SMR Automotive Systems USA Inc., SMR Automotive Mirror Systems Holding Deutschland GmbH, SMR Automotive Mirrors Stuttgart GmbH, SMR Automotive Vision Systems Mexico S.A. de C.V., and SMR Automotive Servicios Mexico S.A. de C.V., (collectively, “SMR” or “SMR Defendants” or “Defendants”) for patent infringement.

THE PARTIES

1. Plaintiff Magna Mirrors is a corporation organized and existing under the laws of the State of Michigan, having a registered address of 601 Abbot Road, East Lansing, Michigan 48823.

2. Historically, Magna Mirrors has also done business under the registered assumed names of “Donnelly Corporation” and “Magna Donnelly Corporation”. In October 2002, a subsidiary of Magna International Inc. acquired all the outstanding shares of Donnelly Corporation. In 2003, Donnelly Corporation changed its name to Magna Donnelly Corporation. In 2008, Magna Donnelly Corporation changed its name to Magna Mirrors of America, Inc. For purposes of this Second Amended Complaint, Magna Mirrors of America, Inc., Magna Donnelly Corporation and Donnelly Corporation will collectively be referred to as “Magna Mirrors”.
3. Magna Mirrors is a leading designer and manufacturer of exterior and interior mirror systems for the automotive industry, and has a place of business in this jurisdiction at 5085 Kraft Ave. S.E., Kentwood, Michigan 49512.
4. Upon information and belief, Samvardhana Motherson Reflectec Group Holdings Limited (“SMR Reflectec”), also known or previously known as Samvardhana Motherson Visiocorp Solutions Limited, is a foreign corporation with its registered address in Jersey which has transacted business within the State of Michigan. SMR Reflectec is a member of, and is controlled by, the Samvardhana Motherson Group (“SMG”) and conducts business as Samvardhana Motherson Reflectec and has a website at <http://www.smr-automotive.com/>. SMR Reflectec is part of Samvardhana Motherson Automotive Systems Group B.V. (“SMRP BV”) and is focused on developing, producing and distributing rear vision systems for the international automotive industry, with regional engineering, sales and project management centers in North America, Europe, Asia and Australia. Upon information and belief, SMR Reflectec is jointly

controlled by Motherson Sumi Systems Limited and Samvardhana Motherson International Limited.

5. Based on information and belief, SMR Reflectec, on its own and through its subsidiaries and through companies under its control, uses, causes to be used, imports, causes to be imported, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Certain of the subsidiaries and companies under the control of SMR Reflectec include:

SMR Automotive Mirror Parts and Holdings UK Limited (held by SMR Reflectec) (“SMR Holdings UK”),

SMR Mirrors UK Limited (“SMR Mirrors UK”),

SMR Automotive Mirrors UK Limited (held by SMR Holdings UK) (“SMR UK”),

SMR Automotive Systems USA Inc. (“SMR USA”),

SMR Automotive Mirror Systems Holding Deutschland GmbH (held by SMR Holdings UK) (“SMR Holding Deutschland”),

SMR Automotive Mirrors Stuttgart GmbH (held by SMR Holding Deutschland) (“SMR Germany”),

SMR Automotive Vision Systems Mexico S.A. de C.V. (held by SMR Stuttgart) (“SMR Mexico”),

SMR Automotive Servicios Mexico S.A. de C.V. (held by SMR Mexico) (“SMR Servicios Mexico”).

6. Upon information and belief, SMR Automotive Systems USA Inc. (“SMR USA”) is a corporation organized and existing under the laws of the State of Michigan, having a registered address of 1855 Busha Highway, Marysville, Michigan 48040. Based on information and belief, SMR USA operates as an indirect subsidiary of, and is controlled by, SMR Reflectec. Based on information and belief, SMR USA has locations in Marysville, Michigan; Port Huron, Michigan; Troy, Michigan; and Louisville, Kentucky.

Based on information and belief, SMR USA manufactures infringing products and components in the State of Michigan, which it imports and/or causes to be imported into this Judicial District. Based on information and belief, SMR USA imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Cezary (“Char”) Zawadzinski and SMG management representative Andreas Heuser, are officers and/or directors of SMR USA. *See* Exhibit A.

7. Upon information and belief, SMR Automotive Mirrors UK Limited (“SMR UK”) is a foreign corporation with a place of business in Porchester, England. Based on information and belief, SMR UK operates as an indirect subsidiary of, and is controlled by, SMR Reflectec, and is directly held and controlled by SMR Holdings UK as indicated in Paragraph 5. Based on information and belief, SMR UK manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR UK imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Char Zawadzinski and SMG management representative Andreas Heuser are directors of SMR UK. *See* Exhibit B.

8. Upon information and belief, SMR Mirrors UK Limited (“SMR Mirrors UK”) is a foreign corporation with a place of business in England. Based on information and belief, SMR Mirrors UK operates as an indirect subsidiary of, and is controlled by, SMR Reflectec. Based on information and belief, SMR Mirrors UK manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR Mirrors UK imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Char Zawadzinski and SMG management representative Andreas Heuser are directors of SMR Mirrors UK. *See* Exhibit C.
9. Upon information and belief, SMR Automotive Mirror Parts and Holdings UK Limited (“SMR Holdings UK”) is a foreign corporation with a place of business in England. Based on information and belief, SMR Holdings UK operates as a direct subsidiary of, and is controlled and held by SMR Reflectec as indicated in Paragraph 5. Based on information and belief, SMR Holdings UK manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR Holdings UK imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United

States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Char Zawadzinski and SMG management representative Andreas Heuser are directors of SMR Holdings UK. *See* Exhibit D.

10. Upon information and belief, SMR Automotive Mirrors Stuttgart GmbH (“SMR Germany”) is a foreign corporation with a place of business located in or at Stuttgart, Germany. Based on information and belief, SMR Germany operates as an indirect subsidiary of, and is controlled by, SMR Reflectec, and is directly held and controlled by SMR Holding Deutschland as indicated in Paragraph 5. Based on information and belief, SMR Germany manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR Germany imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMG management representative Andreas Heuser is a managing director of SMR Germany. *See* Exhibit E.

11. Upon information and belief, SMR Automotive Mirror Systems Holding Deutschland GmbH (“SMR Holding Deutschland”) is a foreign corporation with a place of business located in or at Stuttgart, Germany. Based on information and belief, SMR Holding Deutschland operates as an indirect subsidiary of, and is controlled by, SMR Reflectec, and is directly held and controlled by SMR Holdings UK as indicated in Paragraph 5. Based on information and belief, SMR Holding Deutschland manufactures infringing products and components, which it imports and/or causes to be imported into the United

States, including within this Judicial District. Based on information and belief, SMR Holding Deutschland imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMG management representative Andreas Heuser is a managing director of SMR Holding Deutschland. *See* Exhibit F.

12. Upon information and belief, SMR Automotive Vision Systems Mexico, S.A. de C.V. (“SMR Mexico”) is a foreign corporation with a place of business located at Circuito Mexico #260 Parque, Ind Tres Naciones, San Luis Potosi, Mexico 78395. Based on information and belief, SMR Mexico operates as an indirect subsidiary of, and is controlled by, SMR Reflectec, and is directly held and controlled by SMR Stuttgart as indicated in Paragraph 5. Based on information and belief, SMR Mexico manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR Mexico imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Char Zawadzinski and SMG management representative Andreas Heuser are directors of SMR Mexico. *See* Exhibit G.

13. Upon information and belief, SMR Automotive Servicios Mexico, S.A. de C.V. (held by SMR Mexico) (“SMR Servicios Mexico”) is a foreign corporation with a place of business located in Mexico. Based on information and belief, SMR Servicios Mexico operates as an indirect subsidiary of, and is controlled by, SMR Reflectec, and is directly held and controlled by SMR Mexico as indicated in Paragraph 5. Based on information and belief, SMR Servicios Mexico manufactures infringing products and components, which it imports and/or causes to be imported into the United States, including within this Judicial District. Based on information and belief, SMR Servicios Mexico imports, causes to be imported, uses, causes to be used, manufactures, causes to be manufactured, sells, causes to sell, offers for sale, causes to be offered for sale, causes supply of, and/or supplies infringing products and components in and into the United States, including within this Judicial District. Based on information and belief, SMR Reflectec senior management representative Char Zawadzinski and SMG management representative Andreas Heuser are directors of SMR Servicios Mexico. *See* Exhibit H.
14. Upon information and belief, SMR Reflectec, SMR USA, SMR UK, SMR Mirrors UK, SMR Holdings UK, SMR Germany, SMR Holding Deutschland, SMR Mexico, SMR Servicios Mexico, and other SMR Reflectec subsidiaries, work collaboratively to develop, manufacture, market and/or sell rear vision systems for the international automotive industry. *See* Exhibit I.
15. By way of further example, Exhibit I states “SMR Group produces a wide range of rear view vision systems primarily for light vehicles. SMR is a leading global supplier of exterior mirrors having its headquarters in Stuttgart, Germany. SMR operated 20 manufacturing facilities and 2 module centres with presence in 14 countries.”

16. The Defendants SMR Reflectec, SMR USA, SMR UK, SMR Mirrors UK, SMR Holdings UK, SMR Germany, SMR Holding Deutschland, SMR Mexico, SMR Servicios Mexico, and other SMR Reflectec subsidiaries shall hereinafter be referred to collectively as “SMR” or “the SMR Defendants” or “Defendants”.
17. The SMR Defendants are further identified and described on SMR’s website, as shown in Exhibit J.
18. The SMR Defendants, upon information and belief, do business within the State of Michigan and within the Western District of Michigan, and are engaged in continuous and systematic business within the Western District of Michigan, including the commission of acts of infringement as hereinafter stated.
19. Upon information and belief, the SMR Defendants collaborate to design, engineer, make, use, cause to be used, sell, offer to sell, validate, distribute, supply, cause to be supplied, cause to be imported, and/or import automotive exterior rearview mirror systems, and assemblies and components thereof, for all types of vehicles in and into the United States, including within this Judicial District, including automotive exterior rearview mirror systems, assemblies and components that infringe Magna Mirrors’ intellectual property rights.

JURISDICTION AND VENUE

20. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-19 above as if fully set forth herein.
21. This action arises under the patent laws of the United States, Title 35, Sections 101 and 271, of the United States Code.

22. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).
23. Upon information and belief, this Court has personal jurisdiction over the Defendants because they regularly and continuously engage in substantial business transactions in the State of Michigan, including the Western District of Michigan, and have used and/or have caused use of infringing products and/or have committed infringing acts in the State of Michigan, including this Judicial District. Further, they have placed infringing products into the stream of commerce knowing and intending that this Judicial District was and is a likely destination of those products. This Court has personal jurisdiction over the Defendants because they have caused injury to Plaintiff in this Judicial District. Further, based upon information and belief, Defendants have substantial contacts with this forum as a result of pervasive business activities conducted within the State of Michigan and within this Judicial District, including but not limited to selling, offering for sale, use, causing use, and/or procurement of infringing automotive exterior rearview mirror systems, and assemblies and components thereof.
24. Upon information and belief, this Court also has personal jurisdiction over SMR USA by virtue of it being incorporated or organized in Michigan and doing business in the State of Michigan.
25. Upon information and belief, SMR USA maintains an office in Michigan at 1855 Busha Highway, Marysville, Michigan 48040.
26. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 and 1400 because, among other things, Defendants are subject to personal jurisdiction in this Judicial District, have committed acts of patent infringement in this Judicial District, and continue

to commit acts of infringement in this Judicial District. Moreover, SMR USA is a resident of this Judicial District by virtue of its being incorporated or organized in Michigan.

PATENTS-IN-SUIT

27. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-26 above as if fully set forth herein.
28. On May 3, 2011, the United States Patent and Trademark Office (“PTO”) duly and legally issued United States Patent No. 7,934,843 (the “’843 patent”), entitled “Exterior Sideview Mirror System.” A true and correct copy of the ‘843 patent is attached as Exhibit K and is made a part of this Second Amended Complaint.
29. On March 6, 2012, the PTO duly and legally issued United States Patent No. 8,128,243 (the “’243 patent”), entitled “Exterior Sideview Mirror System.” A true and correct copy of the ‘243 patent is attached as Exhibit L and is made a part of this Second Amended Complaint.
30. On March 6, 2012, the PTO duly and legally issued United States Patent No. 8,128,244 (the “’244 patent”), entitled “Exterior Sideview Mirror System.” A true and correct copy of the ‘244 patent is attached as Exhibit M and is made a part of this Second Amended Complaint.
31. On April 3, 2012, the PTO duly and legally issued United States Patent No. 8,147,077 (the “’077 patent”), entitled “Exterior Sideview Mirror System.” A true and correct copy of the ‘077 patent is attached as Exhibit N and is made a part of this Second Amended Complaint.

32. On September 18, 2012, the PTO duly and legally issued United States Patent No. 8,267,534 (the “534 patent”), entitled “Exterior Rearview Mirror Assembly.” A true and correct copy of the ‘534 patent is attached as Exhibit O and is made a part of this Second Amended Complaint.
33. On October 8, 2013, the PTO duly and legally issued United States Patent No. 8,550,642 (the “642 patent”), entitled “Exterior Rearview Mirror Assembly.” A true and correct copy of the ‘642 patent is attached as Exhibit P and is made a part of this Second Amended Complaint.
34. On November 26, 2013, the PTO duly and legally issued United States Patent No. 8,591,047 (the “047 patent”), entitled “Exterior Sideview Mirror Assembly.” A true and correct copy of the ‘047 patent is attached as Exhibit Q and is made a part of this Second Amended Complaint.
35. On July 22, 2014, the PTO duly and legally issued United States Patent No. 8,783,882 (the “882 patent”), entitled “Extended Field of View Exterior Mirror Element for Vehicle.” A true and correct copy of the ‘882 patent is attached as Exhibit R and is made a part of this Second Amended Complaint.
36. On December 2, 2014, the PTO duly and legally issued United States Patent No. 8,899,762 (the “762 patent”), entitled “Vehicular Exterior Sideview Mirror System with Extended Field of View.” A true and correct copy of the ‘762 patent is attached as Exhibit S and is made a part of this Second Amended Complaint.
37. On July 4, 2017, the PTO duly and legally issued United States Patent No. 9,694,750 (the “750 patent”), entitled “Extended Field of View Exterior Mirror Element for Vehicle.”

A true and correct copy of the '750 patent is attached as Exhibit T and is made a part of this Second Amended Complaint.

38. The United States Patents identified in Paragraphs 28 through 37 above are collectively referred to herein as the "Patents-in-Suit" or the "WideVue™ Patents."
39. The Patents-in-Suit are related patents claiming priority to the same date and are directed, *inter alia*, to automotive exterior rearview mirror systems incorporating auxiliary curved mirror reflective elements (and assemblies and components thereof).
40. Magna Mirrors was the assignee of all right, title, and interest in the Patents-in-Suit throughout the period of the Defendants' infringement and is currently the assignee of all right, title, and interest in the Patents-in-Suit, including the right to bring and maintain this action with respect to the Patents-in-Suit.

BACKGROUND ALLEGATIONS

41. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-40 above as if fully set forth herein.
42. Magna Mirrors has numerous patents in the United States relating to automotive exterior rearview mirror systems (and assemblies and components thereof) incorporating auxiliary curved mirror reflective elements that increase the rearward field of view of a driver of an equipped vehicle and that minimize and/or reduce the driver's blind spot.
43. Magna Mirrors owns all rights, title and interest in the Patents-in-Suit.
44. Defendants are manufacturers, distributors and marketers of automotive components, including automotive exterior rearview mirror systems, and assemblies and components thereof, for all types of vehicles, including but not limited to the reflective element

assemblies incorporated into automotive exterior rearview mirror systems and shown in Figs. 1-19 in paragraph 47 below.

45. On information and belief, SMR supplies or has supplied, for production and/or service part purposes, infringing automotive exterior rearview mirror systems (and assemblies and components thereof) for vehicles (“Accused Products”). On information and belief, the Accused Products include, but are not limited to, exterior rearview mirror systems (and assemblies and components thereof) that SMR supplies or has supplied for at least: the 2016 model year Ford Fusion vehicles, 2016 model year Ford Transit Connect vehicles and 2014 model year Ford Econoline vehicles; 2016 model year Fiat 500 vehicles; 2016 model year Hyundai Santa Fe vehicles, 2016 model year Hyundai Sonata vehicles and 2016 model year Hyundai Elantra vehicles; 2017 model year Nissan Titan vehicles; and 2012 model year Chevrolet Traverse vehicles; such infringing automotive exterior rearview mirror systems (and assemblies and components thereof) being defined respectively as “SMR Fusion Mirror”, “SMR Ford Transit Connect Mirror”, “SMR Ford Econoline Mirror”, “SMR Fiat 500 Mirror”, “SMR Hyundai Santa Fe Mirror”, “SMR Hyundai Sonata Mirror”, “SMR Hyundai Elantra Mirror”, “SMR Titan Mirror, and “SMR Traverse Mirror”.
46. Based upon information and belief, SMR is making, using, causing to be used, selling, offering to sell, distributing, supplying, causing supply of, causing to be imported, and/or importing Accused Products at least for or to the Ford Motor Company, Fiat Automobiles S.p.A., Hyundai Motor Company, General Motors Co., and Nissan North America, Inc., or one of their respective affiliates.

47. Based upon information and belief, the SMR Defendants design, engineer, make, validate, use, cause to be used, sell, offer to sell, cause to be imported, and/or import in and into the United States automotive exterior rearview mirror systems incorporating auxiliary curved mirror reflective elements, and assemblies and components thereof, including the Accused Products (including but not limited to the mirror reflective elements in Figs. 1-19 below) that embody one or more claims of each of the Patents-in-Suit, and SMR will continue to do so unless enjoined by this Court.



Figure 1 – SMR Hyundai Sonata Reflective Elements



Figure 2 – SMR Hyundai Sonata Reflective Elements



Figure 3 – SMR Hyundai Sonata Backing Plate



Figure 4 – SMR Ford Fusion Reflective Elements



Figure 5 – SMR Ford Fusion Reflective Elements



Figure 6 – SMR Ford Fusion Backing Plate



Figure 7 – SMR Nissan Titan Reflective Elements



Figure 8 - SMR Nissan Titan Reflective Elements



Figure 9 – SMR Nissan Titan Backing Plate



Figure 10 – SMR Nissan Titan Backing Plate



Figure 11 – SMR Traverse Reflective Elements



Figure 12 – SMR Traverse Reflective Elements



Figure 13 – SMR Traverse Backing Plate



Figure 14 - SMR Ford Transit Connect Reflective Elements



Figure 15 – SMR Ford Transit Connective Reflective Elements



Figure 16 - SMR Ford Transit Connective Backing Plate

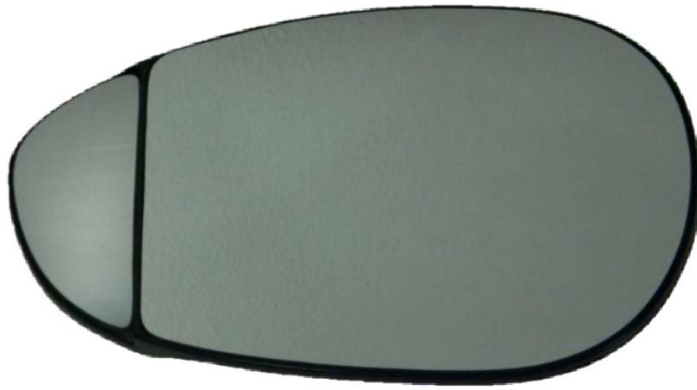


Figure 17 – SMR Fiat 500 Reflective Elements



Figure 18 – SMR Fiat 500 Reflective Elements



Figure 19 – SMR Fiat 500 Backing Plate

48. The SMR defendants are part of a sophisticated family of companies that is aware of the intellectual property rights of others in the relevant automotive industry. Upon information and belief, SMR regularly conducts searches for patents related to its products. Also based upon information and belief, and as reflected on the USPTO website [http://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&u=%2Fmetahtml%2FPTO%2Fsearch-adv.htm&r=0&f=S&l=50&d=PTXT&p=2&S1=\(\(smr.ASNM.+NOT+corporation.ASNM.\)+NOT+inc.ASNM.\)&Page=Next&OS=an/smr+andnot+an/corporation+andnot+an/inc&RS=\(\(AN/smr+ANDNOT+AN/corporation\)+ANDNOT+AN/inc\)](http://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&u=%2Fmetahtml%2FPTO%2Fsearch-adv.htm&r=0&f=S&l=50&d=PTXT&p=2&S1=((smr.ASNM.+NOT+corporation.ASNM.)+NOT+inc.ASNM.)&Page=Next&OS=an/smr+andnot+an/corporation+andnot+an/inc&RS=((AN/smr+ANDNOT+AN/corporation)+ANDNOT+AN/inc),), SMR has secured

its own patents related to mirror assemblies for vehicles and is, therefore, knowledgeable and well aware of the patent landscape among its competitors. Thus, a reasonable inference is that SMR is aware of the Patents-in-Suit. Magna Mirrors asserts that this reasonable inference is true.

49. Magna Mirrors prominently marks its automotive exterior mirror assemblies incorporating auxiliary curved mirror reflective elements with Patents-in-Suit, including

the '843 patent, the '243 patent, '244 patent, the '077 patent, the '534 patent, the '047 patent, the '882 patent, and the '762 patent. Thus, Magna Mirrors hereby asserts that there is a reasonable inference that SMR has had knowledge of one or more of the Patents-in-Suit prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint. Magna Mirrors asserts that this reasonable inference is true.

50. At least as early as February 15, 2012, SMR has had knowledge of Patents-in-Suit and its infringement thereof. Magna Mirrors has had meetings with, and transmitted email communications to SMG management representative Andreas Heuser, and subsequently to SMR's Chief Operating Officer Char Zawadzinski and to SMR's Technical Director Intellectual Property, Global Intellectual Property, identifying certain Patents-in-Suit and detailing SMR's infringement of those Patents-in-Suit. Thus, SMR has had actual knowledge of Patents-in-Suit, and of SMR's infringement thereof, prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint.
51. Therefore, SMR has had knowledge of the Patents-in-Suit, and of SMR's infringement of the Patents-in-Suit, for years.

COUNT 1- DIRECT INFRINGEMENT OF THE '843 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

52. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-51 above as if fully set forth herein.
53. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '843 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused

Products, including, but not limited to the SMR Fusion Mirror, SMR Ford Transit Connect Mirror, SMR Ford Econoline Mirror, SMR Fiat 500 Mirror, SMR Hyundai Santa Fe Mirror, SMR Hyundai Sonata Mirror, and SMR Hyundai Elantra Mirror, SMR Titan Mirror, and SMR Traverse Mirror (collectively the “SMR Mirrors”) without the permission of Magna Mirrors.

54. With knowledge of the ‘843 patent, SMR has infringed and continues to infringe claims of the ‘843 patent under 35 U.S.C. § 271(a).
55. Alternatively, if SMR asserts that it had no knowledge of the ‘843 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor’s patent rights.
56. SMR directly infringes at least claims 1-17, 20-23, 27-29, 31, 32, 34, and 37-39 of the ‘843 patent.
57. Each of the SMR Mirrors infringes independent claim 1 of the ‘843 patent in at least the ways described below:

Independent Claim 1 of the ‘843 Patent	SMR’s Infringing Products
[1a] An exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising:	Each of the SMR Mirrors are for exterior sideview mirror systems for automobiles.
[1b] an exterior sideview mirror assembly adapted for attachment to a side of an automobile;	Each of the SMR Mirrors are for an exterior sideview mirror assembly adapted for attachment to a side of an automobile.
[1c] said exterior sideview mirror assembly including a reflective element having a rearward field of view when attached to the side of the automobile;	Each of the SMR Mirrors include a reflective element that has a rearward field of view when attached to the side of the automobile.

Independent Claim 1 of the '843 Patent	SMR's Infringing Products
[1d] said reflective element attached to an electrically-operated actuator of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile;	The reflective element of each of the SMR Mirrors is attached to an electrically-operated actuator of the exterior sideview mirror assembly and movable by the actuator in order to position the rearward field of view to a driver-desired position when the exterior sideview mirror assembly is attached to the side of the automobile.
[1e] wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature;	Each of the SMR Mirrors comprises a plano-auxiliary reflective element assembly, with the plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature.
[1f] said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly mounted adjacently at said plano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are mounted adjacently in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element.
[1g] said plano reflective element and said auxiliary reflective element supported at a backing plate element, said backing plate element mounting to said actuator such that movement of said backing plate element of said plano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are supported at a backing plate element that mounts to the actuator such that movement of the backing plate element by the actuator simultaneously and similarly moves the plano reflective element and the auxiliary reflective element.

Independent Claim 1 of the '843 Patent	SMR's Infringing Products
[1h] said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached;	The auxiliary reflective element of each of the SMR Mirrors has a wide-angle field of view that encompasses a blind spot in the side lane adjacent the side of the automobile to which the exterior sideview mirror assembly is attached.
[1i] said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors has a first support portion that supports the plano reflective element and a second support portion that supports the auxiliary reflective element.
[1j] wherein said auxiliary reflective element is positioned at an outboard portion of said plano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile;	The auxiliary reflective element of each of the SMR Mirrors is positioned at an outboard portion of the plano-auxiliary reflective element assembly when the exterior sideview mirror assembly is mounted to the side of the automobile.
[1k] wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin;	The backing plate element of each of the SMR Mirrors is a polymeric substrate that is a plastic injection molded part.
[1l] wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors supports the plano reflective element and the auxiliary reflective element.
[1m] wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion;	The first support portion of the backing plate element of each of the SMR Mirrors comprises a flat portion and the plano reflective element is disposed at the flat portion.
[1n] wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion;	The second support portion of the backing plate element of each of the SMR Mirrors comprises a curved portion and the auxiliary reflective element is disposed at the curved portion.

Independent Claim 1 of the '843 Patent	SMR's Infringing Products
[1o] wherein the rearward field of view of said auxiliary reflective element is different from and angled to the rearward field of view of said plano reflective element when both are attached to said backing plate element of said plano-auxiliary reflective element assembly when said plano-auxiliary reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of the automobile;	The rearward field of view of the auxiliary reflective element of each of the SMR Mirrors is different from and angled to the rearward field of view of the plano reflective element when both are attached to the backing plate element of the plano-auxiliary reflective element assembly when the plano-auxiliary reflective element assembly is included in the exterior sideview mirror assembly and when the exterior sideview mirror assembly is attached to the side of the automobile.
[1p] wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element;	The angling of the rearward field of view of the auxiliary reflective element relative to the rearward field of view of the plano reflective element of each of the SMR Mirrors is achieved, at least in part, by an angling of the second support portion of the backing plate element relative to the first support portion of the backing plate element.
[1q] wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached,	When the exterior sideview mirror assembly is attached to the side of the automobile, the field of view of the plano reflective element of each of the SMR Mirrors generally views rearwardly of the automobile and the field of view of the auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile.

Independent Claim 1 of the '843 Patent	SMR's Infringing Products
[1r] said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile; and	The blind spot is generally outside the rearward field of view of the plano reflective element of each of the SMR Mirrors when the plano reflective element is viewed by a driver of the automobile when the exterior sideview mirror assembly is attached to the side of the automobile.
[1s] wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors both comprise a glass substrate having a surface coated with a metallic reflector coating.

58. SMR also infringes at least claims 2-17, 20-23, 27-29, 31, 32, 34, and 37-39 of the '843 patent for reasons similar to the above.
59. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
60. Unless enjoined by this Court, SMR will continue to infringe the '843 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
61. As a result of SMR's infringement of the '843 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 2- INDIRECT INFRINGEMENT OF THE '843 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

62. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-61 above as if fully set forth herein.
63. At least as early as February 2012, SMR had knowledge of the '843 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-17, 20-23, 27-29, 31, 32, 34, and 37-39 of the '843 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '843 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.
64. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '843 patent pursuant to 35 U.S.C. § 271(b).
65. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '843 patent.
66. SMR has contributorily infringed and continues to infringe the '843 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '843 patent, knowing the same to be made or adapted specifically for use in the infringement of the '843 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '843 patent pursuant to 35 U.S.C. § 271(c).

67. It is reasonable to infer based on the above—and because of SMR’s knowledge of its infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
68. Unless enjoined by this Court, SMR will continue to infringe the ’843 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
69. As a result of SMR’s infringement of the ’843 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 3- DIRECT INFRINGEMENT OF THE ‘243 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

70. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-69 above as if fully set forth herein.
71. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the ’243 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
72. With knowledge of the ’243 patent, SMR has infringed and continues to infringe claims of the ’243 patent under 35 U.S.C. § 271(a).

73. Alternatively, if SMR asserts that it had no knowledge of the '243 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
74. SMR directly infringes at least claims 1-6, 10-13, 15-16, 21-22, 24-29, 31, and 32-37 of the '243 patent.
75. Each of the SMR Mirrors infringes independent claim 1 of the '243 patent in at least the ways described below:

Independent Claim 1 of the '243 Patent	SMR's Infringing Products
[1a] An exterior sideview mirror assembly suitable for vehicular use, said exterior sideview mirror assembly comprising:	Each of the SMR Mirrors are for exterior sideview mirror assemblies for vehicles.
[1b] a mirror housing defining a primary opening;	Each of the SMR production mirror assemblies have mirror housings having a primary opening.
[1c] a single mirror backing plate element within said mirror housing and disposed adjacent to said primary opening;	Each of the SMR Mirrors have a single mirror backing plate element within the mirror housing.
[1d] said single mirror backing plate element movable by an electrically-operable actuator;	The single mirror backing plate element of each of the SMR Mirrors is movable by an electrically-operable actuator.
[1e] a main plano mirror element fixedly secured to and supported by said single mirror backing plate element and disposed within said primary opening for providing a view rearward of a vehicle equipped with said exterior sideview mirror assembly through a first primary field of view;	Each of the SMR Mirrors have a main plano mirror element fixedly secured to the backing plate and disposed within the primary opening for providing a rearward view through a first primary field of view.

Independent Claim 1 of the '243 Patent	SMR's Infringing Products
[1f] an auxiliary non-plano curved mirror element fixedly secured to and supported by said single mirror backing plate element and disposed adjacent to said main plano mirror element, said auxiliary non-plano curved mirror element defined by a single radius of curvature differing from said main plano mirror element such that said auxiliary non-plano curved mirror element provides a second auxiliary field of view rearward of the vehicle equipped with said exterior sideview mirror assembly;	Each of the SMR Mirrors have an auxiliary non-plano curved mirror element fixedly secured to the backing plate, with the auxiliary non-plano curved mirror element having a single radius of curvature that is different from the main plano mirror element such that the auxiliary non-plano curved mirror element provides a second auxiliary field of view.
[1g] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;	Each of the SMR Mirrors have the first primary field of view overlapping the second auxiliary field of view.
[1h] wherein said single mirror backing plate element comprises a generally rigid polymeric molding able to support said main plano mirror element and said auxiliary non-plano curved mirror element;	The backing plates of each of the SMR Mirrors are molded plastic and generally rigid to support the mirror elements.
[1i] wherein said single mirror backing plate element comprises a generally flat portion for supporting said main plano mirror element and a curved portion for supporting said auxiliary non-plano curved mirror element;	The backing plates of each of the SMR Mirrors have a generally flat portion for supporting the main plano mirror element and a curved portion for supporting the auxiliary non-plano curved mirror element.

Independent Claim 1 of the '243 Patent	SMR's Infringing Products
[1j] wherein said curved portion of said single mirror backing plate element for supporting said auxiliary non-plano curved mirror element is angled relative to said generally flat portion of said single mirror backing plate element for supporting said main plano mirror element in a manner such that, when a driver of a vehicle equipped with said exterior side view mirror assembly aligns the rearward field of view of said main plano mirror element, the rearward field of view of said main plano mirror element is aligned downwardly relative to a vehicle body side to which said exterior side view mirror assembly is attached;	The curved portions of the backing plates of each of the SMR Mirrors are angled relative to the generally flat portions, and the rearward field of view of the main plano mirror element is aligned at least partially or generally downwardly relative to the vehicle body side when the driver sets his or her rearward field of view.
[1k] wherein said main plano mirror element comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflective layer applied thereto; and	The main plano mirror elements of each of the SMR Mirrors are generally flat glass substrates having a surface coating with a metallic reflector coating
[1l] wherein said curved portion of said single mirror backing plate element defines an auxiliary non-plano curved mirror element backing plate element radius of curvature substantially equal to said single radius curvature.	The curved portions of the backing plates of each of the SMR Mirrors have a radius of curvature that is substantially equal to the single radius of curvature of the auxiliary non-plano curved mirror elements.

76. SMR also infringes at least claims 2-6, 10-13, 15-16, 21-22, 24-29, 31, and 32-37 of the '243 patent for reasons similar to the above.
77. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.

78. Unless enjoined by this Court, SMR will continue to infringe the '243 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
79. As a result of SMR's infringement of the '243 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 4- INDIRECT INFRINGEMENT OF THE '243 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

80. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-79 above as if fully set forth herein.
81. At least as early as February 2012, SMR had knowledge of the '243 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-6, 10-13, 15-16, 21-22, 24-29, 31, and 32-37 of the '243 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '243 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.
82. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '243 patent pursuant to 35 U.S.C. § 271(b).

83. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '243 patent.
84. SMR has contributorily infringed and continues to infringe the '243 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '243 patent, knowing the same to be made or adapted specifically for use in the infringement of the '243 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '243 patent pursuant to 35 U.S.C. § 271(c).
85. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
86. Unless enjoined by this Court, SMR will continue to infringe the '243 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
87. As a result of SMR's infringement of the '243 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 5- DIRECT INFRINGEMENT OF THE '244 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

88. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-87 above as if fully set forth herein.

89. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '244 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
90. With knowledge of the '244 patent, SMR has infringed and continues to infringe claims of the '244 patent under 35 U.S.C. § 271(a).
91. Alternatively, if SMR asserts that it had no knowledge of the '244 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
92. SMR directly infringes at least claims 1-7, 10-14, 16-18, and 21-26 of the '244 patent.
93. Each of the SMR Mirrors infringes independent claim 23 of the '244 patent in at least the ways described below:

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
[23a] An exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising:	Each of the SMR Mirrors are for exterior sideview mirror systems for automobiles.
[23b] an exterior sideview mirror assembly adapted for attachment to a side of an automobile;	Each of the SMR Mirrors are for an exterior sideview mirror assembly adapted for attachment to a side of an automobile.
[23c] said exterior sideview mirror assembly including a reflective element having a rearward field of view when attached to the side of the automobile;	Each of the SMR Mirrors include a reflective element that has a rearward field of view when attached to the side of the automobile.

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
[23d] said reflective element attached to an electrically-operated actuator of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile;	The reflective element of each of the SMR Mirrors is attached to an electrically-operated actuator of the exterior sideview mirror assembly and movable by the actuator in order to position the rearward field of view to a driver-desired position when the exterior sideview mirror assembly is attached to the side of the automobile.
[23e] wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature;	Each of the SMR Mirrors comprise a plano-auxiliary reflective element assembly, with the plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature.
[23f] said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly mounted adjacently at said plano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are mounted adjacently in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element.
[23g] said plano reflective element and said auxiliary reflective element supported at a backing plate element, said backing plate element mounting to said actuator such that movement of said backing plate element of said plano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are supported at a backing plate element that mounts to the actuator such that movement of the backing plate element by the actuator simultaneously and similarly moves the plano reflective element and the auxiliary reflective element.

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
[23h] said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached;	The auxiliary reflective element of each of the SMR Mirrors has a wide-angle field of view that encompasses a blind spot in the side lane adjacent the side of the automobile to which the exterior sideview mirror assembly is attached.
[23i] said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors has a first support portion that supports the plano reflective element and a second support portion that supports the auxiliary reflective element.
[23j] wherein said auxiliary reflective element is positioned at an outboard portion of said plano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile;	The auxiliary reflective element of each of the SMR Mirrors is positioned at an outboard portion of the plano-auxiliary reflective element assembly when the exterior sideview mirror assembly is mounted to the side of the automobile.
[23k] wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin;	The backing plate element of each of the SMR Mirrors comprises a polymeric substrate that is a plastic injection molded part.
[23l] wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors supports the plano reflective element and the auxiliary reflective element.
[23m] wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion;	The first support portion of the backing plate element of each of the SMR Mirrors comprises a flat portion and the plano reflective element is disposed at the flat portion.
[23n] wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion;	The second support portion of the backing plate element of each of the SMR Mirrors comprises a curved portion and the auxiliary reflective element is disposed at the curved portion.

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
<p>[23o] wherein the rearward field of view of said auxiliary reflective element is different from and angled to the rearward field of view of said plano reflective element when both are attached to said backing plate element of said plano-auxiliary reflective element assembly when said plano-auxiliary reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of the automobile;</p>	<p>The rearward field of view of the auxiliary reflective element of each of the SMR Mirrors is different from and angled to the rearward field of view of the plano reflective element when both are attached to the backing plate element of the plano-auxiliary reflective element assembly when the plano-auxiliary reflective element assembly is included in the exterior sideview mirror assembly and when the exterior sideview mirror assembly is attached to the side of the automobile.</p>
<p>[23p] wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element;</p>	<p>The angling of the rearward field of view of the auxiliary reflective element relative to the rearward field of view of the plano reflective element of each of the SMR Mirrors is achieved, at least in part, by an angling of the second support portion of the backing plate element relative to the first support portion of the backing plate element.</p>
<p>[23q] wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached,</p>	<p>When the exterior sideview mirror assembly is attached to the side of the automobile, the field of view of the plano reflective element of each of the SMR Mirrors generally views rearwardly of the automobile and the field of view of the auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile.</p>

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
[23r] said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile;	The blind spot is generally outside the rearward field of view of the plano reflective element of each of the SMR Mirrors when the plano reflective element is viewed by a driver of the automobile when the exterior sideview mirror assembly is attached to the side of the automobile.
[23s] wherein said plano reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto;	The plano reflective element of each of the SMR Mirrors comprises a glass substrate having a surface coated with a metallic reflector coating.
[23t] wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector and wherein said fixed reflectance mirror reflector comprises a curved substrate coated with a metallic reflector coating; and	The auxiliary reflective element of each of the SMR Mirrors comprises a fixed reflectance mirror reflector comprising a curved substrate coated with a metallic reflector coating.
[23u] wherein said plano reflective element and said auxiliary reflective element are adjacently supported at said backing plate element at a joint and	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are adjacently supported at the backing plate element at a joint.
[23v] wherein said joint comprises a space between said plano reflective element and said auxiliary reflective element and	Each of the SMR Mirrors include a space between the plano reflective element and the auxiliary reflective element.

Independent Claim 23 of the '244 Patent	SMR's Infringing Products
[23w] wherein a wall located on said backing plate element at said joint is disposed between said plano reflective element and said auxiliary reflective element.	Each of the SMR Mirrors include a wall on the backing plate element at the joint that is disposed between the plano reflective element and the auxiliary reflective element, including the wall structure below the auxiliary reflective element of the SMR Sonata and Fusion Mirrors and also the portion of the backing plate that is disposed along the perimeter edge of the plano reflective element of the SMR Fusion Mirror.

94. SMR also infringes at least claims 1-7, 10-14, 16-18, and 21-22, and 24-26 of the '244 patent for reasons similar to the above.
95. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
96. Unless enjoined by this Court, SMR will continue to infringe the '244 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
97. As a result of SMR's infringement of the '244 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 6- INDIRECT INFRINGEMENT OF THE '244 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

98. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-97 above as if fully set forth herein.
99. At least as early as February 2012, SMR had knowledge of the '244 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-7, 10-14, 16-18, and 21-26 of the '244 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '244 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.
100. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '244 patent pursuant to 35 U.S.C. § 271(b).
101. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '244 patent.
102. SMR has contributorily infringed and continues to infringe the '244 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '244 patent, knowing the same to be made or adapted specifically for use in the infringement of the '244 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '244 patent pursuant to 35 U.S.C. § 271(c).

103. It is reasonable to infer based on the above—and because of SMR’s knowledge of its infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
104. Unless enjoined by this Court, SMR will continue to infringe the ‘244 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
105. As a result of SMR’s infringement of the ‘244 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 7- DIRECT INFRINGEMENT OF THE ‘077 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

106. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-105 above as if fully set forth herein.
107. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the ‘077 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
108. With knowledge of the ‘077 patent, SMR has infringed and continues to infringe claims of the ‘077 patent under 35 U.S.C. § 271(a).

109. Alternatively, if SMR asserts that it had no knowledge of the '077 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
110. SMR directly infringes at last claims 17 and 20-27 of the '077 patent.
111. Each of the SMR Mirrors infringes independent claim 17 of the '077 patent in at least the ways described below:

Independent Claim 17 of the '077 Patent	SMR's Infringing Products
[17a] An exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising:	Each of the SMR Mirrors are for exterior sideview mirror systems for automobiles.
[17b] an exterior sideview mirror assembly adapted for attachment to a side of an automobile;	Each of the SMR Mirrors are for an exterior sideview mirror assembly adapted for attachment to a side of an automobile.
[17c] said exterior sideview mirror assembly including a reflective element having a rearward field of view when attached to the side of the automobile;	Each of the SMR Mirrors include a reflective element that has a rearward field of view when attached to the side of the automobile.
[17d] said reflective element attached to an electrically-operated actuator of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile;	The reflective element of each of the SMR Mirrors is attached to an electrically-operated actuator of the exterior sideview mirror assembly and movable by the actuator in order to position the rearward field of view to a driver-desired position when the exterior sideview mirror assembly is attached to the side of the automobile.
[17e] wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature;	Each of the SMR Mirrors comprise a plano-auxiliary reflective element assembly, with the plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature.

Independent Claim 17 of the '077 Patent	SMR's Infringing Products
[17f] said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly mounted adjacently at said plano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are mounted adjacently in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element.
[17g] said plano reflective element and said auxiliary reflective element supported at a backing plate element, said backing plate element mounting to said actuator such that movement of said backing plate element of said plano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors are supported at a backing plate element that mounts to the actuator such that movement of the backing plate element by the actuator simultaneously and similarly moves the plano reflective element and the auxiliary reflective element.
[17h] said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached;	The auxiliary reflective element of each of the SMR Mirrors has a wide-angle field of view that encompasses a blind spot in the side lane adjacent the side of the automobile to which the exterior sideview mirror assembly is attached.
[17i] said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors has a first support portion that supports the plano reflective element and a second support portion that supports the auxiliary reflective element.
[17j] wherein said auxiliary reflective element is positioned at an outboard portion of said plano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile;	The auxiliary reflective element of each of the SMR Mirrors is positioned at an outboard portion of the plano-auxiliary reflective element assembly when the exterior sideview mirror assembly is mounted to the side of the automobile.
[17k] wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin;	The backing plate element of each of the SMR Mirrors comprises a polymeric substrate that is a plastic injection molded part.

Independent Claim 17 of the '077 Patent	SMR's Infringing Products
[17l] wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors supports the plano reflective element and the auxiliary reflective element.
[17m] wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion;	The first support portion of the backing plate element of each of the SMR Mirrors comprises a flat portion and the plano reflective element is disposed at the flat portion.
[17n] wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion;	The second support portion of the backing plate element of each of the SMR Mirrors comprises a curved portion and the auxiliary reflective element is disposed at the curved portion.
[17o] wherein the rearward field of view of said auxiliary reflective element is different from and angled to the rearward field of view of said plano reflective element when both are attached to said backing plate element of said plano-auxiliary reflective element assembly when said plano-auxiliary reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of the automobile;	The rearward field of view of the auxiliary reflective element of each of the SMR Mirrors is different from and angled to the rearward field of view of the plano reflective element when both are attached to the backing plate element of the plano-auxiliary reflective element assembly when the plano-auxiliary reflective element assembly is included in the exterior sideview mirror assembly and when the exterior sideview mirror assembly is attached to the side of the automobile.
[17p] wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element;	The angling of the rearward field of view of the auxiliary reflective element relative to the rearward field of view of the plano reflective element of each of the SMR Mirrors is achieved, at least in part, by an angling of the second support portion of the backing plate element relative to the first support portion of the backing plate element.

Independent Claim 17 of the '077 Patent	SMR's Infringing Products
[17q] wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached,	When the exterior sideview mirror assembly is attached to the side of the automobile, the field of view of the plano reflective element of each of the SMR Mirrors generally views rearwardly of the automobile and the field of view of the auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile.
[17r] said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile;	The blind spot is generally outside the rearward field of view of the plano reflective element of each of the SMR Mirrors when the plano reflective element is viewed by a driver of the automobile when the exterior sideview mirror assembly is attached to the side of the automobile.
[17s] wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors both comprise a glass substrate having a surface coated with a metallic reflector coating.
[17t] wherein the rearward field of view of said auxiliary reflective element is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile;	The rearward field of view of the auxiliary reflective element of each of the SMR Mirrors is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the equipped automobile.
[17u] wherein said exterior sideview mirror assembly including said plano-auxiliary reflective element having a rearward field of view when attached to the side of the automobile comprises a driver-side exterior sideview mirror assembly, and	Each of the SMR Mirrors are for driver-side exterior sideview mirror assemblies.

Independent Claim 17 of the '077 Patent	SMR's Infringing Products
[17v] wherein, when attached to the side of the automobile, said driver-side exterior sideview mirror assembly provides to the driver of the equipped automobile a total field of view that generally subtends an angle of at least about 25 degrees with respect to the side of the equipped automobile; and	Each of the SMR Mirrors provide a total field of view that generally subtends an angle of at least about 25 degrees with respect to the side of the equipped automobile.
[17w] wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector.	The auxiliary reflective element of each of the SMR Mirrors comprises a fixed reflectance mirror reflector.

112. SMR also infringes at least claims 20-27 of the '077 patent for reasons similar to the above.
113. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
114. Unless enjoined by this Court, SMR will continue to infringe the '077 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
115. As a result of SMR's infringement of the '077 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 8- INDIRECT INFRINGEMENT OF THE '077 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

116. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-115 above as if fully set forth herein.

117. At least as early as February 2012, SMR had knowledge of the '077 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 17 and 20-27 of the '077 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '077 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.
118. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '077 patent pursuant to 35 U.S.C. § 271(b).
119. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '077 patent.
120. SMR has contributorily infringed and continues to infringe the '077 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '077 patent, knowing the same to be made or adapted specifically for use in the infringement of the '077 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '077 patent pursuant to 35 U.S.C. § 271(c).
121. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.

122. Unless enjoined by this Court, SMR will continue to infringe the '077 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
123. As a result of SMR's infringement of the '077 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 9- DIRECT INFRINGEMENT OF THE '534 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

124. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-123 above as if fully set forth herein.
125. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '534 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to the SMR Mirrors, without the permission of Magna Mirrors.
126. With knowledge of the '534 patent, SMR has infringed and continues to infringe claims of the '534 patent under 35 U.S.C. § 271(a).
127. Alternatively, if SMR asserts that it had no knowledge of the '534 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
128. SMR directly infringes at least claims 1-19 of the '534 patent.

129. Each of the SMR Mirrors infringes independent claim 1 of the '534 patent in at least the ways described below:

Independent Claim 1 of the '534 Patent	SMR's Infringing Products
[1a] An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:	Each of the SMR Mirrors are for exterior rearview mirror assemblies for motor vehicles.
[1b] a bracket fixedly secured to the motor vehicle;	Each of the SMR production mirror assemblies have a bracket for fixedly securing the mirror assemblies to a motor vehicle.
[1c] a mirror casing secured to said bracket, said mirror casing defining a primary opening;	Each of the SMR production mirror assemblies have mirror housings having a primary opening.
[1d] a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;	Each of the SMR Mirrors have a single mirror backing plate element movably secured within the mirror casing and adjacent the primary opening.
[1e] a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view; and	Each of the SMR Mirrors have a primary mirror fixedly secured to the mirror support and disposed within the primary opening for providing a rearward view through a primary field of view.
[1f] a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle,	Each of the SMR Mirrors have a spotting mirror fixedly secured to the mirror support, with the spotting mirror having a single radius of curvature that is different from the primary mirror such that the spotting mirror provides a second field of view.
[1g] such that said first field of view of said primary mirror overlaps said second field of view of said spotting mirror.	Each of the SMR Mirrors have the first field of view of the primary mirror overlapping the second field of view of the spotting mirror.

130. SMR also infringes claims 2-19 of the '534 patent for reasons similar to the above.

131. It is reasonable to infer based on the above—and because of SMR’s knowledge of its infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
132. Unless enjoined by this Court, SMR will continue to infringe the ’534 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
133. As a result of SMR’s infringement of the ’534 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 10- INDIRECT INFRINGEMENT OF THE ‘534 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

134. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-133 above as if fully set forth herein.
135. At least as early as February 2012, SMR had knowledge of the ’534 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-19 of the ’534 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the ’534 patent by SMR’s customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.

136. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '534 patent pursuant to 35 U.S.C. § 271(b).
137. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '534 patent.
138. SMR has contributorily infringed and continues to infringe the '534 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '534 patent, knowing the same to be made or adapted specifically for use in the infringement of the '534 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '534 patent pursuant to 35 U.S.C. § 271(c).
139. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
140. Unless enjoined by this Court, SMR will continue to infringe the '534 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
141. As a result of SMR's infringement of the '534 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 11- DIRECT INFRINGEMENT OF THE '642 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

142. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-141 above as if fully set forth herein.
143. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '642 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
144. With knowledge of the '642 patent, SMR has infringed and continues to infringe claims of the '642 patent under 35 U.S.C. § 271(a).
145. Alternatively, if SMR asserts that it had no knowledge of the '642 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
146. SMR directly infringes at least claims 1-11 of the '642 patent.
147. Each of the SMR Mirrors infringes independent claim 1 of the '642 patent in at least the ways described below:

Independent Claim 1 of the '642 Patent	SMR's Infringing Products
[1a] An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:	Each of the SMR Mirrors are for exterior rearview mirror assemblies for motor vehicles.
[1b] a bracket fixedly secured to the motor vehicle;	Each of the SMR production mirror assemblies have a bracket for fixedly securing the mirror assemblies to a motor vehicle.

Independent Claim 1 of the '642 Patent	SMR's Infringing Products
[1c] a mirror casing secured to said bracket, said mirror casing defining a primary opening;	Each of the SMR production mirror assemblies have mirror housings having a primary opening.
[1d] a primary mirror disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view, said primary mirror defining a primary plane;	Each of the SMR Mirrors have a primary mirror disposed within the primary opening for providing a rearward view through a primary field of view.
[1e] a spotting mirror spaced apart from said primary mirror, said spotting mirror extending through a secondary plane different from said primary plane,	Each of the SMR Mirrors have a spotting mirror spaced apart from the primary mirror, with the spotting mirror extending through a different plane from the primary plane.
[1f] wherein said primary mirror and said spotting mirror are supported on a mirror backing plate, and wherein said primary mirror is supported at a first portion of said mirror backing plate and said spotting mirror is supported at a second portion of said mirror backing plate;	Each of the SMR Mirrors have their primary mirror and spotting mirror supported on respective portions of a mirror backing plate.
[1g] a divider of said mirror backing plate extending between said primary mirror and said spotting mirror to separate said primary and secondary mirrors visually;	The mirror backing plate of each of the SMR Mirrors has a divider extending between the primary mirror and the spotting mirror to separate the primary and secondary mirrors visually.
[1h] wherein said divider extends from said mirror backing plate and demarcates said first portion of said mirror backing plate from said second portion of said mirror backing plate;	The divider of each of the SMR Mirrors extends from the mirror backing plate and demarcates the first portion of the mirror backing plate from the second portion of the mirror backing plate.
[1i] wherein said first portion of said mirror backing plate, said second portion of said mirror backing plate and said divider are commonly injection molded to form said mirror backing plate; and	The first and second portions and the divider of the mirror backing plate of each of the SMR Mirrors are commonly injection molded to form the mirror backing plate.

Independent Claim 1 of the '642 Patent	SMR's Infringing Products
[1j] wherein, when supported at said second portion of said mirror backing plate, said spotting mirror is tilted downwardly with respect to said primary mirror at an angle in a range of about 0.75 degrees to about 5 degrees.	The spotting mirror of each of the SMR Mirrors is tilted downwardly with respect to the primary mirror at an angle in a range of about 0.75 degrees to about 5 degrees.

148. SMR also infringes at least claims 2-11 of the '642 patent for reasons similar to the above.
149. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
150. Unless enjoined by this Court, SMR will continue to infringe the '642 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
151. As a result of SMR's infringement of the '642 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 12- INDIRECT INFRINGEMENT OF THE '642 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

152. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-151 above as if fully set forth herein.
153. At least as early as February 2012, SMR had knowledge of the '642 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims

1-11 of the '642 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '642 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.

154. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '642 patent pursuant to 35 U.S.C. § 271(b).
155. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '642 patent.
156. SMR has contributorily infringed and continues to infringe the '642 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '642 patent, knowing the same to be made or adapted specifically for use in the infringement of the '642 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '642 patent pursuant to 35 U.S.C. § 271(c).
157. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
158. Unless enjoined by this Court, SMR will continue to infringe the '642 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at

law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

159. As a result of SMR's infringement of the '642 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 13- DIRECT INFRINGEMENT OF THE '047 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

160. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-159 above as if fully set forth herein.
161. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '047 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
162. With knowledge of the '047 patent, SMR has infringed and continues to infringe claims of the '047 patent under 35 U.S.C. § 271(a).
163. Alternatively, if SMR asserts that it had no knowledge of the '047 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
164. SMR directly infringes at least claims 1-6, 11, 12-16, 18, 29-35, and 38-40 of the '047 patent.
165. Each of the SMR Mirrors infringes independent claim 1 of the '047 patent in at least the ways described below:

Independent Claim 1 of the '047 Patent	SMR's Infringing Products
[1a] An exterior sideview mirror assembly suitable for use on a vehicle, said exterior sideview mirror assembly comprising:	Each of the SMR Mirrors are for exterior sideview mirror assemblies for vehicles.
[1b] a mirror housing;	Each of the SMR production mirror assemblies have mirror housings.
[1c] a mirror backing plate element;	Each of the SMR Mirrors have a mirror backing plate element.
[1d] wherein said mirror backing plate element is movable within said mirror housing by an electrically-operable actuator;	The mirror backing plate element of each of the SMR Mirrors is movable within the mirror housing by an electrically-operable actuator.
[1e] a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element;	Each of the SMR Mirrors have a main plano mirror element fixedly disposed at a first portion of the backing plate and disposed within the primary opening for providing a rearward view through a first primary field of view.
[1f] said main plano mirror element having a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly;	The main plano mirror elements of each of the SMR Mirrors have a first primary field of view rearward of the vehicle.
[1g] an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element;	Each of the SMR Mirrors have an auxiliary non-plano curved mirror element fixedly disposed at a second portion of the backing plate.
[1h] wherein said main plano mirror element and said auxiliary non-plano curved mirror element are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element;	The main plano mirror element and the auxiliary non-plano curved mirror element of each of the SMR Mirrors are adjacently disposed at the mirror backing plate in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element.
[1i] wherein said mirror backing plate element comprises a polymeric molding;	The mirror backing plate of each of the SMR Mirrors comprises a molded plastic or polymeric element.

Independent Claim 1 of the '047 Patent	SMR's Infringing Products
[1j] said auxiliary non-plano curved mirror element having a second auxiliary field of view rearward of the equipped vehicle;	The auxiliary non-plano curved mirror elements of each of the SMR Mirrors have a second auxiliary field of view rearward of the vehicle.
[1k] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;	Each of the SMR Mirrors have the first primary field of view overlapping the second auxiliary field of view.
[1l] wherein said auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is angled relative to said main plano mirror element that is at said first portion of said mirror backing plate element;	The auxiliary non-plano curved mirror element is angled relative to the main plano mirror elements for each of the SMR Mirrors.
[1m] wherein said mirror backing plate element mounts to said actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element;	The backing plates of each of the SMR Mirrors mount to the actuator such that movement of the backing plate by the actuator also moves the main plano mirror element and the auxiliary non-plano curved mirror element.
[1n] wherein said main plano mirror element comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto; and	The main plano mirror element of each of the SMR Mirrors comprises a generally flat glass substrate having a surface coated with a metallic reflector coating.
[1o] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element by between about 2 degrees and about 20 degrees.	The field of view of the main plano mirror element of each of the SMR Mirrors overlaps the field of view of the auxiliary non-plano curved mirror element. This overlap is between about 2 degrees and about 20 degrees.

166. SMR also infringes at least claims 2-6, 11, 12-16, 18, 29-35, and 38-40 of the '047 patent for reasons similar to the above.

167. It is reasonable to infer based on the above—and because of SMR’s knowledge of its infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
168. Unless enjoined by this Court, SMR will continue to infringe the ’047 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
169. As a result of SMR’s infringement of the ’047 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 14- INDIRECT INFRINGEMENT OF THE ‘047 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

170. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-169 above as if fully set forth herein.
171. At least as early as February 2012, SMR had knowledge of the ’047 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-6, 11, 12-16, 18, 29-35, and 38-40 of the ’047 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the ’047 patent by SMR’s customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.

172. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '047 patent pursuant to 35 U.S.C. § 271(b).
173. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '047 patent.
174. SMR has contributorily infringed and continues to infringe the '047 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '047 patent, knowing the same to be made or adapted specifically for use in the infringement of the '047 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '047 patent pursuant to 35 U.S.C. § 271(c).
175. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
176. Unless enjoined by this Court, SMR will continue to infringe the '047 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
177. As a result of SMR's infringement of the '047 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 15- DIRECT INFRINGEMENT OF THE '882 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

178. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-177 above as if fully set forth herein.
179. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '882 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
180. With knowledge of the '882 patent, SMR has infringed and continues to infringe claims of the '882 patent under 35 U.S.C. § 271(a).
181. Alternatively, if SMR asserts that it had no knowledge of the '882 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
182. SMR directly infringes at least claims 1-4, 6-12, 14-16, 18, and 19 of the '882 patent.
183. Each of the SMR Mirrors infringes independent claim 1 of the '882 patent in at least the ways described below:

Independent Claim 1 of the '882 Patent	SMR's Infringing Products
[1a] An exterior sideview mirror assembly suitable for use on a vehicle, said exterior sideview mirror assembly comprising:	Each of the SMR Mirrors are for exterior sideview mirror assemblies for vehicles.
[1b] a mirror housing;	Each of the SMR production mirror assemblies have mirror housings.
[1c] a mirror backing plate element;	Each of the SMR Mirrors have a mirror backing plate element.

Independent Claim 1 of the '882 Patent	SMR's Infringing Products
[1d] wherein said mirror backing plate element is movable within said mirror housing by an electrically-operable actuator;	The mirror backing plate element of each of the SMR Mirrors is movable by an electrically-operable actuator.
[1e] a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element;	Each of the SMR Mirrors have a main plano mirror element fixedly disposed at a first portion of the backing plate.
[1f] said main plano mirror element having a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly;	The main plano mirror element of each of the SMR Mirrors has a first primary field of view rearward of the vehicle.
[1g] an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element;	Each of the SMR Mirrors have an auxiliary non-plano curved mirror element fixedly disposed at a second portion of the backing plate.
[1h] wherein said main plano mirror element and said auxiliary non-plano curved mirror element are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element;	The main plano mirror element and the auxiliary non-plano curved mirror element of each of the SMR Mirrors are adjacently disposed at the mirror backing plate in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element.
[1i] said auxiliary non-plano curved mirror element having a second auxiliary field of view rearward of the equipped vehicle;	The auxiliary non-plano curved mirror elements of each of the SMR Mirrors have a second auxiliary field of view rearward of the vehicle.
[1j] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;	Each of the SMR Mirrors have the first primary field of view overlapping the second auxiliary field of view.
[1k] wherein said auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is angled relative to said main plano mirror element that is at said first portion of said mirror backing plate element;	The auxiliary non-plano curved mirror element is angled relative to the main plano mirror elements for each of the SMR Mirrors.

Independent Claim 1 of the '882 Patent	SMR's Infringing Products
[1l] wherein said mirror backing plate element mounts to said actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element;	The backing plates of each of the SMR Mirrors mount to the actuators such that movement of the backing plate by the actuator also moves the main plano mirror element and the auxiliary non-plano curved mirror element.
[1m] wherein said mirror backing plate element comprises a polymeric molding;	The mirror backing plate of each of the SMR Mirrors comprises a molded plastic or polymeric element.
[1n] wherein said main plano mirror element comprises a generally flat glass substrate having a surface coated with a metallic reflector coating;	The main plano mirror elements of each of the SMR Mirrors are generally flat glass substrates having a surface coated with a metallic reflector coating.
[1o] wherein the overall rearward field of view of said main plano mirror element combined with said auxiliary non-plano curved mirror element is at least about 25 degrees relative to the side of the equipped vehicle; and	The overall rearward field of view of the main plano mirror element and the auxiliary non-plano curved mirror element for each of the SMR Mirrors is at least about 25 degrees relative to the side of the vehicle.
[1p] wherein the overall rearward field of view of said main plano mirror element combined with said auxiliary non-plano curved mirror element is less than about 50 degrees relative to the side of the equipped vehicle.	The overall rearward field of view of the main plano mirror element and the auxiliary non-plano curved mirror element for each of the SMR Mirrors is less than about 50 degrees relative to the side of the vehicle.

184. SMR also infringes at least claims 2-4, 6-12, 14-16, 18, and 19 of the '882 patent for reasons similar to the above.

185. It is reasonable to infer based on the above—and because of SMR’s knowledge of its infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
186. Unless enjoined by this Court, SMR will continue to infringe the ‘882 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
187. As a result of SMR’s infringement of the ‘882 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 16- INDIRECT INFRINGEMENT OF THE ‘882 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

188. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-187 above as if fully set forth herein.
189. At least as early as February 2012, SMR had knowledge of the ‘882 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1-4, 6-12, 14-16, 18, and 19 of the ‘882 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the ‘882 patent by SMR’s customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.

190. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '882 patent pursuant to 35 U.S.C. § 271(b).
191. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '882 patent.
192. SMR has contributorily infringed and continues to infringe the '882 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '882 patent, knowing the same to be made or adapted specifically for use in the infringement of the '882 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '882 patent pursuant to 35 U.S.C. § 271(c).
193. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
194. Unless enjoined by this Court, SMR will continue to infringe the '882 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
195. As a result of SMR's infringement of the '882 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 17- DIRECT INFRINGEMENT OF THE '762 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

196. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-195 above as if fully set forth herein.
197. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '762 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
198. With knowledge of the '762 patent, SMR has infringed and continues to infringe claims of the '762 patent under 35 U.S.C. § 271(a).
199. Alternatively, if SMR asserts that it had no knowledge of the '762 patent prior to the filing of the original Complaint, as amended by the First Amended Complaint and this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
200. SMR directly infringes at least claims 13-20 of the '762 patent.
201. Each of the SMR Mirrors infringes independent claim 13 of the '762 patent in at least the ways described below:

Independent Claim 13 of the '762 Patent	SMR's Infringing Products
[13a] An exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising:	Each of the SMR Mirrors are for exterior sideview mirror systems suitable for use on an automobile.
[13b] an exterior sideview mirror assembly adapted for attachment to a side of an automobile equipped with said exterior sideview mirror system;	Each of the SMR Mirrors are for exterior sideview mirror assemblies adapted for attachment to a side of an automobile.

Independent Claim 13 of the '762 Patent	SMR's Infringing Products
[13c] said exterior sideview mirror assembly including a reflective element having a rearward field of view when attached to the side of the equipped automobile;	Each of the SMR Mirrors have a reflective element having a rearward field of view when the mirror assembly is attached to the side of the equipped automobile.
[13d] said reflective element attached to an electrically-operated actuator of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile;	Each of the SMR Mirrors are attached to an electrically-operable actuator of the mirror assembly and movable by the actuator to position the rearward field of view to a driver-desired position when the exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile.
[13e] wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having substantially unit magnification and a separate auxiliary reflective element having a curvature;	The reflective element of each of the SMR Mirrors comprises a plano-auxiliary reflective element assembly that comprises a plano reflective element having substantially unit magnification and a separate auxiliary reflective element having a curvature.
[13f] wherein said plano reflective element and said auxiliary reflective element are supported at a backing plate element, said backing plate element mounting to said actuator such that movement of said backing plate element by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element;	The main plano mirror element and the auxiliary reflective element of each of the SMR Mirrors are supported at a backing plate element, which mounts to the actuator such that movement of the backing plate element by the actuator simultaneously and similarly moves the plano reflective element and the auxiliary reflective element.
[13g] said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element;	The backing plate element of each of the SMR Mirrors has a first support portion supporting the plano reflective element and a second support portion supporting the auxiliary reflective element.
[13h] wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin;	The backing plate element of each of the SMR Mirrors comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin.

Independent Claim 13 of the '762 Patent	SMR's Infringing Products
[13i] wherein said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly are supported adjacently at said backing plate element in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element;	The plano reflective element and the auxiliary reflective element of the plano-auxiliary reflective element assembly of each of the SMR Mirrors are supported adjacently at the backing plate element in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element.
[13j] said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the equipped automobile at which said exterior sideview mirror assembly is attached and operated;	The auxiliary reflective element of each of the SMR Mirrors has a wide-angle field of view that encompasses a blind spot in the side lane adjacent the side of the equipped automobile at which the exterior sideview mirror assembly is attached and operated.
[13k] wherein said auxiliary reflective element is positioned at an outboard portion of said plano-auxiliary reflective element assembly when said exterior sideview mirror assembly is attached to the side of the equipped automobile;	The auxiliary reflective element of each of the SMR Mirrors is positioned at an outboard portion of the plano-auxiliary reflective element assembly when the exterior sideview mirror assembly is attached to the side of the equipped automobile.
[13l] wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto;	The plano reflective element and the auxiliary reflective element of each of the SMR Mirrors comprise a glass substrate having a surface coated with a metallic reflector coating.
[13m] wherein, when said exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile, said auxiliary reflective element has a rearward field of view with a principal axis and said plano reflective element has a rearward field of view with a principal axis and wherein the field of view of said auxiliary reflective element overlaps with the field of view of said plano reflective element;	When the exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile, the auxiliary reflective element of each of the SMR Mirrors has a rearward field of view with a principal axis and the plano reflective element has a rearward field of view with a principal axis and wherein the field of view of the auxiliary reflective element overlaps with the field of view of the plano reflective element.
[13n] wherein said exterior sideview mirror assembly comprises a drive-side exterior sideview mirror assembly;	The exterior sideview mirror assembly for each of the SMR Mirrors comprises a drive-side exterior sideview mirror assembly.

Independent Claim 13 of the '762 Patent	SMR's Infringing Products
[13o] wherein said second support portion is angled with respect to said first support portion whereby said principal axis of said rearward field of view of said auxiliary reflective element is angled downwardly and outwardly with respect to said principal axis of said rearward field of view of said plano reflective element when said exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile; and	The second support portion of each of the SMR Mirrors is angled with respect to the first support portion whereby the principal axis of the rearward field of view of the auxiliary reflective element is angled downwardly and outwardly with respect to the principal axis of the rearward field of view of the plano reflective element when the exterior sideview mirror assembly is attached to and operated at the side of the equipped automobile.
[13p] wherein the overall rearward field of view of said plano reflective element combined with said auxiliary reflective element is at least about 25 degrees, and wherein the overall rearward field of view of said plano reflective element combined with said auxiliary reflective element is less than about 50 degrees.	The overall rearward field of view of the plano reflective element combined with the auxiliary reflective element for each of the SMR Mirrors is at least about 25 degrees, and the overall rearward field of view of the plano reflective element combined with the auxiliary reflective element for each of the SMR Mirrors is less than about 50 degrees.

202. SMR also infringes at least claims 14-20 of the '762 patent for reasons similar to the above.
203. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
204. Unless enjoined by this Court, SMR will continue to infringe the '762 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
205. As a result of SMR's infringement of the '762 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to

recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 18- INDIRECT INFRINGEMENT OF THE '762 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

206. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-205 above as if fully set forth herein.
207. At least as early as February 2012, SMR had knowledge of the '762 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 13-20 of the '762 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the '762 patent by SMR's customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.
208. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '762 patent pursuant to 35 U.S.C. § 271(b).
209. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '762 patent.
210. SMR has contributorily infringed and continues to infringe the '762 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '762 patent, knowing the same to be made or adapted specifically for use in the infringement of the '762 patent, and not a staple article

or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '762 patent pursuant to 35 U.S.C. § 271(c).

211. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
212. Unless enjoined by this Court, SMR will continue to infringe the '762 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
213. As a result of SMR's infringement of the '762 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 17- DIRECT INFRINGEMENT OF THE '750 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

214. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-213 above as if fully set forth herein.
215. SMR has infringed, either literally and/or under the doctrine of equivalents, one or more claims of the '750 patent and continues to infringe in this Judicial District, by making, using, selling, offering for sale and/or importing into the United States the Accused Products, including, but not limited to, the SMR Mirrors, without the permission of Magna Mirrors.
216. With knowledge of the '750 patent, SMR has infringed and continues to infringe claims of the '750 patent under 35 U.S.C. § 271(a).

217. Alternatively, if SMR asserts that it had no knowledge of the '750 patent prior to the filing of this Second Amended Complaint, SMR was willfully blind to a competitor's patent rights.
218. SMR directly infringes at least claims 1, 2, 5, 7-15, and 19-24 of the '750 patent.
219. Each of the SMR Mirrors infringes independent claim 1 of the '750 patent in at least the ways described below:

<u>Independent Claim 1 of the '750 Patent</u>	<u>SMR's Infringing Products</u>
[1a] An exterior sideview mirror assembly suitable for vehicular use, said exterior sideview mirror assembly comprising:	Each of the SMR Mirrors are for exterior sideview mirror assemblies for vehicular use.
[1b] a mirror housing;	Each of the SMR Mirrors has a mirror housing.
[1c] a mirror backing plate element;	Each of the SMR Mirrors has a mirror backing plate element.
[1d] wherein said mirror backing plate element is movable within said mirror housing by an electrically-operable actuator;	The mirror backing plate element of each of the SMR Mirrors is movable within said mirror housing by an electrically-operable actuator.
[1e] a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element;	Each of the SMR Mirrors has a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element.
[1f] said main plano mirror element having a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly;	The main plano mirror element of each of the SMR Mirrors has a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly.
[1g] an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element;	Each of the SMR Mirrors has an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element.
[1h] wherein said auxiliary non-plano curved mirror element comprises a convex-curved substrate coated with a metallic reflector coating;	The auxiliary non-plano curved mirror element of each of the SMR Mirrors comprises a convex-curved substrate coated with a metallic reflector coating.
[1i] said auxiliary non-plano curved mirror element having a second auxiliary field of view rearward of the vehicle equipped with said exterior sideview mirror assembly;	The auxiliary non-plano curved mirror element of each of the SMR Mirrors has a second auxiliary field of view rearward of the vehicle equipped with said exterior sideview mirror assembly.
[1j] wherein said second auxiliary field of view rearward of the equipped vehicle views into a blind spot in a side lane adjacent the side of the	For each of the SMR Mirrors, the second auxiliary field of view rearward of the equipped vehicle views into a blind spot in a

equipped vehicle at which said exterior sideview mirror assembly is attached, and wherein the blind spot is outside the rearward field of view of said main plano mirror element when said main plano mirror element is viewed by a driver of the equipped vehicle when said exterior sideview mirror assembly is attached at the side of the equipped vehicle;	side lane adjacent the side of the equipped vehicle at which said exterior sideview mirror assembly is attached, and the blind spot is outside the rearward field of view of said main plano mirror element when said main plano mirror element is viewed by a driver of the equipped vehicle when said exterior sideview mirror assembly is attached at the side of the equipped vehicle.
[1k] wherein said main plano mirror element and said auxiliary non-plano curved mirror element are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element;	The main plano mirror element and the auxiliary non-plano curved mirror element of each of the SMR Mirrors are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element.
[1l] wherein said mirror backing plate element comprises a polymeric molding;	The mirror backing plate element of each of the SMR Mirrors comprises a polymeric molding.
[1m] wherein said second portion of said mirror backing plate element is convex-curved;	The second portion of the mirror backing plate element of each of the SMR Mirrors is convex-curved.
[1n] wherein said reflector-coated convex-curved substrate of said auxiliary non-plano curved mirror element has a spherical curvature, and wherein said second portion of said mirror backing plate element has a curvature at least partially matching said spherical curvature;	For each of the SMR Mirrors, the reflector-coated convex-curved substrate of said auxiliary non-plano curved mirror element has a spherical curvature, and said second portion of said mirror backing plate element has a curvature at least partially matching said spherical curvature.
[1o] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;	For each of the SMR Mirrors, the first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element.
[1p] wherein a principal axis of said second auxiliary field of view of said auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is different from and angled relative to a principal axis of said first primary field of view of said main plano mirror element that is at said first portion of said mirror backing plate element;	For each of the SMR Mirrors, a principal axis of the second auxiliary field of view of the auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is different from and angled relative to a principal axis of said first primary field of view of said main plano mirror element that is at said first portion of said mirror backing plate element.
[1q] wherein the principal axis of said second auxiliary field of view of said auxiliary non-plano curved mirror element is tilted	The principal axis of the second auxiliary field of view of the auxiliary non-plano curved mirror element of each of the SMR Mirrors is

downward with respect to the principal axis of said first primary field of view of said main plano mirror element;	tilted downward with respect to the principal axis of said first primary field of view of said main plano mirror element.
[1r] wherein said mirror backing plate element mounts to said actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element;	The mirror backing plate element of each of the SMR Mirrors mounts to the actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element.
[1s] wherein said main plano mirror element comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto;	The main plano mirror element of each of the SMR Mirrors comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.
[1t] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element by between about 2 degrees and about 20 degrees;	The first primary field of view of the main plano mirror element of each of the SMR Mirrors overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element by between about 2 degrees and about 20 degrees.
[1u] wherein, when used in an exterior sideview mirror assembly of an equipped vehicle, said main plano mirror element has a rearward field of view that subtends an angle of less than about 20 degrees relative to the side of the equipped vehicle;	When each of the SMR Mirrors is used in an exterior sideview mirror assembly of an equipped vehicle, said main plano mirror element has a rearward field of view that subtends an angle of less than about 20 degrees relative to the side of the equipped vehicle.
[1v] wherein said main plano mirror element has a fixed reflectance;	The main plano mirror element of each of the SMR Mirrors has a fixed reflectance.
[1w] wherein said auxiliary non-plano curved mirror element has a fixed reflectance; and	The auxiliary non-plano curved mirror element of each of the SMR Mirrors has a fixed reflectance.
[1x] wherein said exterior sideview mirror assembly comprises a driver-side exterior sideview mirror assembly.	The exterior sideview mirror assembly of each of the SMR Mirrors comprises a driver-side exterior sideview mirror assembly.

220. SMR also infringes at least claims 2, 5, 7-15, and 19-24 of the '750 patent for reasons similar to the above.

221. It is reasonable to infer based on the above—and because of SMR’s knowledge of its other infringement since at least February 2012—that SMR’s conduct has been willful, wanton and deliberate.
222. Unless enjoined by this Court, SMR will continue to infringe the ’750 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
223. As a result of SMR’s infringement of the ’750 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

COUNT 18- INDIRECT INFRINGEMENT OF THE ’750 PATENT
(VIOLATION OF 35 U.S.C. §§ 101 AND 271)

224. Magna Mirrors repeats and re-alleges the allegations contained in Paragraphs 1-223 above as if fully set forth herein.
225. At least as early as July 2017, SMR had knowledge of the ’750 patent and was aware it infringed, either literally and/or under the doctrine of equivalents, at least claims 1, 2, 5, 7-15, and 19-24 of the ’750 patent. SMR has induced and encouraged, and continues to induce and encourage, the direct infringement of the ’750 patent by SMR’s customers, resellers, retailers, and end users by intentionally directing them and encouraging them to make, use, sell, and/or offer to sell within the United States, including this Judicial District, and/or to import into the United States, including this Judicial District, one or more devices that embody the patented invention and that incorporate the Accused Products.

226. On information and belief, SMR provides support services to its customers regarding installation, validation and maintenance of the Accused Products. SMR is therefore liable for indirect infringement of the '750 patent pursuant to 35 U.S.C. § 271(b).
227. SMR's Accused Products are a material part of the systems, assemblies and/or components claimed in the '750 patent.
228. SMR has contributorily infringed and continues to infringe the '750 patent by offering to sell, selling, and/or importing in the United States a component constituting a material part of the invention disclosed in the '750 patent, knowing the same to be made or adapted specifically for use in the infringement of the '750 patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use. SMR is therefore liable for indirect infringement of the '750 patent pursuant to 35 U.S.C. § 271(c).
229. It is reasonable to infer based on the above—and because of SMR's knowledge of its infringement since at least February 2012—that SMR's conduct has been willful, wanton and deliberate.
230. Unless enjoined by this Court, SMR will continue to infringe the '750 patent, and Magna Mirrors will continue to suffer irreparable harm for which there is no adequate remedy at law. Accordingly, Magna Mirrors is entitled to preliminary and permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.
231. As a result of SMR's infringement of the '750 patent, Magna Mirrors has been and continues to be irreparably injured in its business and property rights, and is entitled to recover damages for such injuries pursuant to 35 U.S.C. § 284 in an amount to be determined at trial.

RELIEF REQUESTED

WHEREFORE, Plaintiff Magna Mirrors respectfully requests that this Court enter a judgment and order that:

- A. SMR has infringed one or more of the Patents-in-Suit;
- B. SMR's infringement of the Patents-in-Suit has been willful and deliberate;
- C. SMR and its officers, agents, representatives, employees and all others in concert or participation with them, directly or indirectly, be enjoined preliminarily and permanently from infringing, inducing others to infringe and contributing to the infringement of the Patents-in-Suit, pursuant to 35 U.S.C. § 283;
- D. Plaintiff Magna Mirrors be awarded damages adequate to compensate for SMR's infringement of the Patents-in-Suit together with pre-judgment interest pursuant to 35 U.S.C. § 284;
- E. Plaintiff Magna Mirrors be awarded treble damages, costs and reasonable attorneys' fees and expenses in this action in accordance with 35 U.S.C, §§ 284 and 285; and
- F. Plaintiff Magna Mirrors be awarded such other and further relief as this Court may deem just and proper.

JURY DEMAND

Plaintiff Magna Mirrors hereby requests a trial by jury on all issues so triable, pursuant to Federal Rule of Civil Procedure 38.

Dated: July __, 2017

Respectfully submitted,

By: s/ [Proposed]

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