

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CMP PRODUCTS LIMITED,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO.: 4:17-cv-2194
	)	
v.	)	
	)	JURY TRIAL DEMANDED
COOPER CROUSE-HINDS, LLC and	)	
COOPER INDUSTRIES, LLC,	)	
	)	
Defendants.	)	
	)	

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**ORIGINAL COMPLAINT**

Plaintiff, CMP Products Limited (“CMP Products or Plaintiff”), for its Complaint for Patent Infringement against Cooper Crouse-Hinds, LLC and Cooper Industries, LLC (collectively “Crouse-Hinds” or “Defendants”), states as follows:

**SUMMARY OF THE PATENT INFRINGEMENT CLAIMS**

1. This is a patent infringement lawsuit pertaining to inventions for connecting electric cables to junction boxes in hazardous areas, such as oil rigs, oil refineries and the like. Cable glands are a type of coupling used to connect electric cables to enclosures. It is imperative to seal the cables entering a junction box in hazardous environments. The cable gland must be encapsulated to prevent explosive gases from traveling through wire cables passing through the cable gland.

2. Prior to the current invention, the cable gland was typically packed with an epoxy putty that was mixed, molded into position and then allowed to set -- the putty acted as a barrier against an explosion. The problem with using epoxy putty is that it required a long cure period

in which the cables could not be disturbed. Additionally, air voids developed during application of the epoxy material proved to be highly detrimental in the event of an explosion.

3. The inventions of the patents in suit have greatly advanced the manner to seal cable-gland connections. The inventions provide for: (1) a clean, fast mixing process; (2) high consistency liquid-pouring; (3) an explosion-proof seal; (4) a flexible barrier member or dam; (5) faster curing time and (6) improved reliability. The improved safety benefits of the present inventions are revolutionary. Moreover, the reduction in application time and cure time of the inventions add extensive value by reducing installation times.

4. The inventions of the patents in suit utilize an easy to apply liquid that is dispensed into the cable gland to operate as an effective barrier to explosions and prevent flames from propagating through the gland. The inventions of the patents utilize a curable liquid resin that forms a seal layer. The present inventions also include a flexible barrier member (CMP refers to this element as a “resin dam” and Crouse-Hinds refers to this element as a “liquid dam” or “dam”) formed within the cable gland that is adapted to stretch to engage wires of a cable to prevent the liquid resin from travelling along the wires outside the cable gland.

5. The patents provide the benefits of the present inventions:

As a result of the provision of at least one elongate dispenser device, dispensing of the curable liquid can be more carefully controlled, as a result of which less viscous and faster curing liquid material can be used than in the prior art. This therefore provides the advantage of enabling more rapid formation of a filled cable gland incorporating the material, while also allowing the liquid material to be introduced into the cable gland in such a way that the air is expelled from the cable gland to avoid air voids, which could lead to failure of the cable gland in the event of an explosion. In addition, with the present invention, the curable material can be dispensed into the assembled gland, i.e. the cable gland can be filled with the conductors of the cable in a connected state, as a result of which the electrical integrity of the joint can be ensured, whereas the putty like compound of the known arrangement must be molded around the conductors of the cable with the gland disassembled, as a result of which the cable cores can not be electrically connected. The provision of at least one barrier member for restricting the extent of penetration of said curable liquid material along the cable cores provides the

advantage of enabling highly flowable curable liquid material to be used, while also enabling filling of the cable gland.

(Exhibit 2, '133 Patent, Col. 2, Ins 31-55).

6. Defendants together are manufacturing, selling, and offering for sale cable gland products that infringe upon the patents in suit. The Crouse-Hinds products consist of barrier cable gland products used in hazardous locations.

7. In various advertisements, Crouse-Hinds proclaims that the “unique design features, coupled with our fast curing CHICO LiquidSeal Compound, make the Terminator II TMCX Cable Gland the easiest and safest solution available.”

8. The Crouse-Hinds advertisements further tout the features and benefits of its cable-gland products:

- Designed to minimize the opportunity for incorrect assembly;
- CHICO® LiquidSeal, an innovative liquid compound with fast gel and cure times, reduces waiting times; and
- Complete with integral dam [flexible barrier member] to facilitate liquid pour.

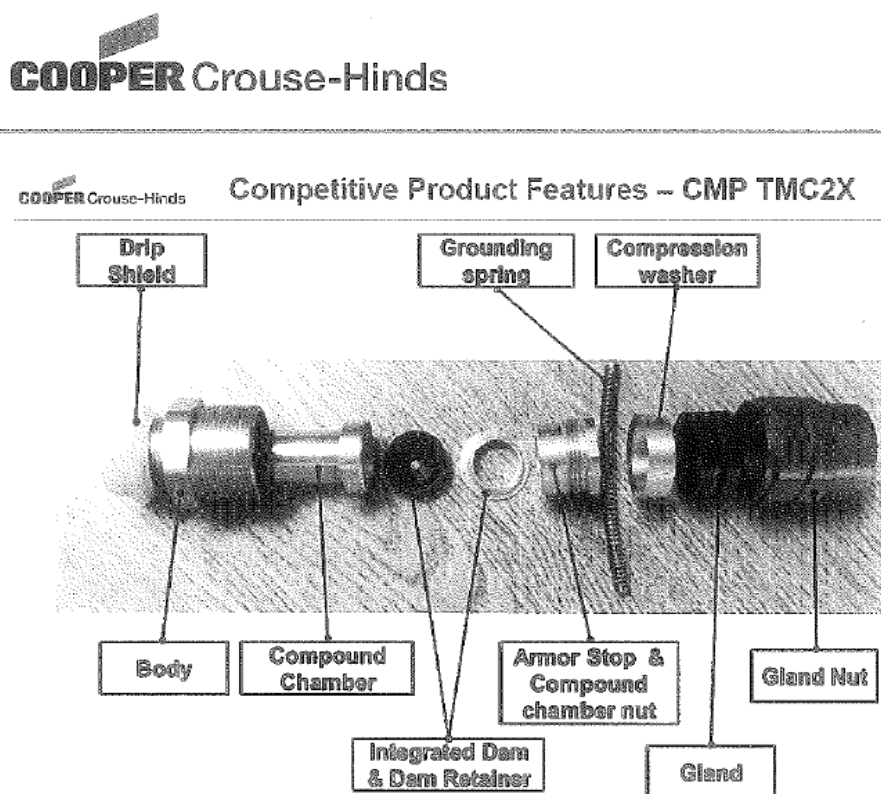
9. The Crouse-Hinds cable gland product advertisements also describe the benefits of its LiquidSeal Products:

- Mixing time: 2 minutes;
- Gel time: 15-30 minutes; and
- Integral dam means no packing or taping to prevent liquid leakage.

10. CMP Products' claim for patent infringement against Crouse-Hinds is for infringing in an unlawful and unauthorized manner U.S. Patent No. 8,872,027 (“the ‘027 Patent”) (attached as Exhibit 1) and U.S. Patent No. 9,484,133 (“the ‘133 Patent”) (attached as Exhibit 2).

11. Crouse-Hinds adopted the key features of the '133 Patent and '027 Patent into its LiquidSeal Cable Gland Products.

12. Crouse-Hinds had knowledge of CMP Products' cable gland at least as early as mid-2011 according to a Crouse-Hinds presentation analyzing the CMP cable gland:



13. Crouse-Hinds disassembled and analyzed the CMP cable gland products during the design and development of its Terminator II TMCX product. In a new product presentation for its TMCx II product, Crouse-Hinds used a picture of the CMP two-part liquid seal dispenser in association with the Crouse-Hinds cable gland with barrier member.

14. Crouse-Hinds copied key features of CMP Products' CMP TMC2X cable gland including, but not limited to, (1) the use of two component, curable liquid dispenser and (2) the integrated dam (resin dam or liquid dam) in its Terminator II TMCX cable gland. Crouse-Hinds

completed this teardown and competitive analysis of CMP's cable gland product before Crouse-Hinds even began selling its cable gland product.

### **THE PARTIES**

15. CMP Products Limited ("CMP Products") is a corporation under the laws of the United Kingdom with its principle place of business at 36 Nelson Way, Nelson Park East, Cramlington, Northumberland, NE231WH.

16. CMP Products owns and has standing to sue for patent infringement of United States Patent Nos. 8,872,027 and 9,484,133.

17. CMP Products owns all rights, title and interest in U.S. Patent Application No. 15/283, 997 ("the '997 Application").

18. CMP Products Texas, Inc. ("CMP Texas") is a Texas corporation having its principal place of business located at 5222 N. Sam Houston Parkway E, Houston, Texas 77032.

19. CMP Texas entered into an Agency Agreement with CMP Products on May 2, 2010. The Agency Agreement provides that CMP Texas is an agent of CMP Products within the United States having exclusive rights to represent CMP Products with respect to cable glands, accessories, adaptors, reducers and stopping plugs. The Agency Agreement pertains to products covered by the '027 and '133 Patents.

20. CMP Texas imports, offers for sale and sells CMP Products' cable gland products covered by the '027 and '133 Patents throughout the United States -- including within this judicial district.

21. Defendant Cooper Crouse-Hinds, LLC is a Delaware limited liability company having its principal place of business at 1201 Wolf Street, Syracuse, New York.

22. Defendant Cooper Industries, LLC is a Delaware limited liability company having its principal place of business at 600 Travis Street, Suite 5400, Houston, Texas 77002.

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