

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, WESTERN DIVISION

TECH-NI-FOLD LTD.,
Unit 2, St. John's Business Park
Lutterworth, Leicestershire,
LE17 4HB
United Kingdom,

Case No.

Plaintiff,

v.

F.P. ROSBACK COMPANY
125 Hawthorne Avenue
St. Joseph, MI 49085,

Defendant.

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Tech-ni-Fold Ltd. ("Tech-ni-Fold"), by its undersigned counsel, files this Complaint for Patent Infringement against Defendant F.P. Rosback Company ("Rosback"), alleging as follows:

THE PARTIES

1. Tech-ni-Fold is a United Kingdom company with a principal place of business located at Unit 2, St. John's Business Park, Lutterworth, Leics., LE17 4HB, United Kingdom.

2. Upon information and belief, Rosback is a Michigan corporation with a principal place of business at 125 Hawthorne Avenue, St. Joseph, MI 49085. Rosback maintains an interactive, e-commerce-enabled website located at <http://www.rosbackcompany.com/>.

THE PATENT IN SUIT

3. Tech-ni-Fold is the owner by assignment of United States Patent No. 6,572,519 (the "'519 Patent"). The '519 Patent duly and properly issued on June 3, 2003, and it is entitled "Creasing Device." A copy of the '519 Patent is attached to this Complaint as Exhibit A.

4. Graham Harris is the named inventor on the '519 Patent.

JURISDICTION AND VENUE

5. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. § 1, *et seq.* This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1338(a).

6. This Court has personal jurisdiction over Rosback because it regularly transacts business within the State of Illinois and in this District by, among other things, selling or offering to sell products that infringe the '519 Patent through its website, local dealers/distributors, and otherwise.

7. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(3) and 1400(b).

CAUSE OF ACTION Patent Infringement in Violation of 35 U.S.C. § 271

8. Tech-ni-Fold repeats and realleges the allegations of Paragraphs 1–9 as if fully set forth herein.

9. Rosback makes, uses, offers to sell, or sells certain heads for creasing devices, including, but not limited to, the Rosback TrueScore-Pro Systems (the "Accused Products"). A copy of an Instruction Manual & Parts List for one of the Accused Products is attached to this Complaint as Exhibit B. Brochures for the Accused Products are also attached to this Complaint as Exhibits C and D.

10. Upon information and belief, Rosback has infringed and continues to infringe, literally or under the doctrine of equivalents, one or more claims of the '519 Patent by making, using, offering to sell or selling the Accused Products, and will continue to do so unless enjoined by this Court.

11. Rosback has not received permission or authority from Tech-ni-Fold to make, use, offer to sell, or sell the Accused Products.

12. Upon information and belief, Rosback's infringement has been and continues to be willful.

13. Rosback's infringement has deprived Tech-ni-Fold of royalties, sales and revenue that Tech-ni-Fold would have made but for the infringement, and has in other respects injured and irreparably harmed Tech-ni-Fold and will cause Tech-ni-Fold additional injury unless Rosback is enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Tech-ni-Fold prays for judgment as follows:

A. That a judgment be entered that Rosback has infringed the '519 Patent in violation of 35 U.S.C. § 271;

B. That a judgment be entered that Rosback, its officers, agents, servants, employees, successors and assigns, and all others acting in concert or in participation with any or all of them, whether directly or indirectly, be enjoined preliminarily and permanently from further infringing the '519 Patent;

C. That a judgment be entered that Rosback pay to Tech-ni-Fold all damages sustained by Tech-ni-Fold due to such patent infringement and that such damages be trebled pursuant to 35 U.S.C. § 284;

D. That judgment be entered deeming this an exceptional case within the meaning of 35 U.S.C. § 285 and awarding Tech-ni-Fold its reasonable attorneys' fees;

E. That judgment be entered awarding Tech-ni-Fold its costs and prejudgment interest on all damages pursuant to 35 U.S.C. § 284; and

F. That Tech-ni-Fold be awarded such other and further relief as this Court deems just and equitable.

DEMAND FOR JURY TRIAL

Tech-ni-Fold hereby demands a jury trial as to the above cause of action.

Dated this 21st day of March, 2014.

/s/ David G. Hanson
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