Anthony J. Dain (Bar No. 98947) anthony.dain@procopio.com J. Christopher Jaczko (Bar No. 149317) chris.jaczko@procopio.com Dave Deonarine (Bar No. 243733) dave.deonarine@procopio.com PROCOPIO, CORY, HARGREAVES AND SAVITCH LLP 12544 High Bluff Drive, Suite 300 San Diego, CA 92130 Telephone: 858.720.6300 Facsimile: 619.235.0398 Attorneys for Plaintiff KANEKA CORPORATION UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA KENEKIA CORPORATION, a Japanese Case No. 2:11-CV-03397-JGB-RZ Corporation, REDACTED Plaintiff, 15 PLAINTIFF KANEKA ٧. **CORPORATION'S SECOND** 16 AMENDED COMPLAINT SKC KOLON PI, INC., a Korean 17 Corporation and SKC, INC., a Georgia 18 Corporation, **DEMAND FOR JURY TRIAL** 19 Defendants. 20 21 Plaintiff Kaneka Corporation ("Kaneka") for its Complaint against SKC 22 Kolon PI, Inc. ("SKPI") and SKC, Inc. ("SKC America") (collectively 23 "Defendants") states as follows: 24 **PARTIES** 25 Kaneka is a Japanese corporation with its principal place of business at 1. 26 3-2-4, Nakanoshima, Kita-ku, Osaka 530-8288, Japan. 27 SKPI is a Korean corporation with its principal place of business at 9th 2.. 28 Fl. Daego Building, 1591-10, Gwangyang-dong, Dongan-gu, Anyang-si, PLAINTIFF'S SECOND AMENDED COMPLAINT CASE No. 2:11-CV-03397-JGB-RZ

Second Amended.Complaint

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- 3. Upon information and belief, SKC America is a corporation organized under the laws of the state of Georgia with its principal place of business at 1000 SKC Dr., Covington, GA 30014.
- 4. Upon information and belief, SKPI is the affiliate of SKC America. Upon information and belief, SKC Co., Ltd. ("SKC Korea") is the parent corporation of SKC America. SKC Korea is also one of the two members of the joint venture that is SKPI.

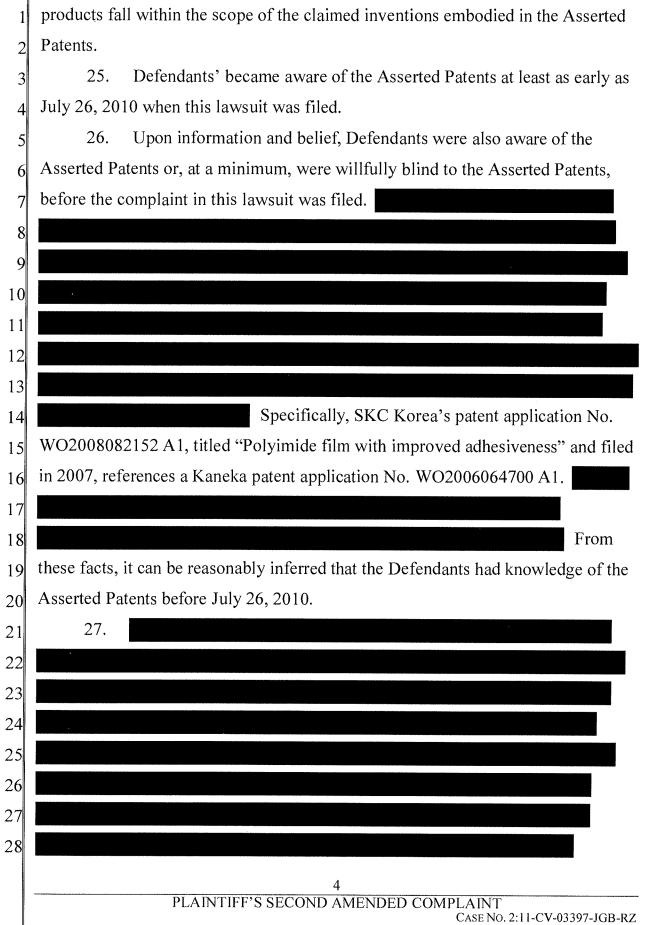
JURISDICTION AND VENUE

- 5. This Complaint states claims arising under the patent laws of the United States, 35 U.S.C. § 271, for infringement of Kaneka's patents.
- 6. Original and exclusive subject matter jurisdiction of this action is conferred upon this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).
- 7. Defendants are each subject to personal jurisdiction in this Court. Upon information and belief, Defendants routinely advertise, market, export, and sell significant portions of their products through and in the State of California, including this Judicial District.
- 8. Venue is proper in this Court under 28 U.S.C. §§ 1391(b)-(d) and 1400(b). Upon information and belief, each of the Defendants sell and offer for sale its products to retailers, distributors, and residents throughout the State of California and in this Judicial District.

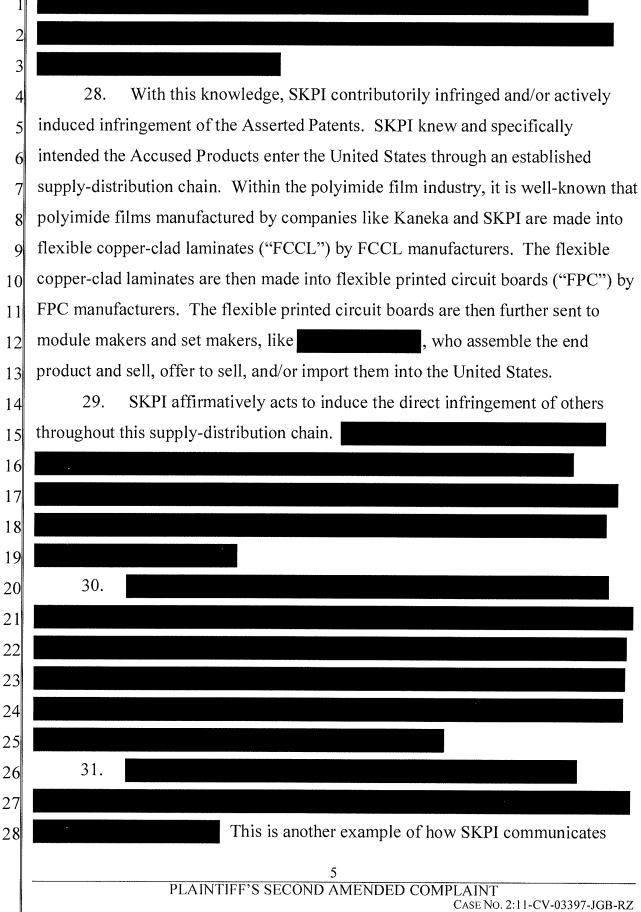
DEFENDANTS' INFRINGING ACTS

- 9. Kaneka is the current assignee of United States Patent Nos. 7,018,704 ("the '704 Patent"), 7,691,961 ("the '961 Patent"), 5,075,064 ("the '064 Patent"), 6,264,866 ("the '866 Patent"), and 6,746,639 ("the '639 Patent") (collectively, the "Asserted Patents").
- 10. Kaneka has been assigned the rights to the Asserted Patents.Accordingly, Kaneka holds all rights, title and interest in the Asserted Patents and

has done so throughout the period of the defendant's infringing acts. 11. The '704 Patent is valid and enforceable. 2 12. The '961 Patent is valid and enforceable. 3 The '064 Patent is valid and enforceable. 13. 4 14. The '866 Patent is valid and enforceable. 5 15. The '639 Patent is valid and enforceable. 6 16. The Asserted Patents include claims covering polyimide films and methods/processes for producing polyimide films. 17. Defendants make, use, sell, offer for sale and/or import polyimide 9 films in the United States. 10 18. For example, prior to February 2010, certain companies within the 11 U.S. who are customers of Kaneka Texas Corporation ("KTC") purchased 12 polyimide films directly from SKC America in the United States. These products 13 were subsequently provided to Kaneka through KTC. 14 KTC is a wholly owned subsidiary of Kaneka. KTC manufactures 15 19. polyimide films at its plant located at 6161 Underwood Road, Pasadena, TX, 16 77507. KTC's marketing offices are located at 2 Northpoint Dr., Suite 200, 17 Houston, TX 77060. 18 20. In addition to the samples provided to KTC from its customers, 19 Kaneka has obtained other samples of Defendants' polyimide films that are made, 20 used, sold, offered for sale and/or imported in the United States. 21 21. Kaneka has performed laboratory tests on Defendants' polyimide films 22 23 that are made, used, sold, offered for sale and/or imported in the United States. 22. Laboratory tests on Defendants' polyimide films have been performed 24 at Kaneka's facilities in Japan. 25 23. These tested polyimide products, include, but are not limited to, 26 product types identified by Defendants as IN, IF, LV and LN polyimide films. 27 24. Kaneka's testing of Defendants' products confirms that Defendants' 28



Second Amended.Complaint



Second Amended.Complaint

that practice one or more claims of the '639 Patent. Those products

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Case 2:11-cv-03397-JGB-RZ Document 481 Filed 10/31/14 Page 12 of 13 Page ID #:14127

U.S.C. § 285; Award interest on Kaneka's damages; and 7. Such other and further relief as this Court deems equitable and just. 8. DATED: June 21, 2013 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 6 /s/Anthony J. Dain
Anthony J. Dain
J. Christopher Jaczko
Dave Deonarine By:__ Attorneys for Plaintiff KANEKA CORPORATION 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 12 PLAINTIFF'S SECOND AMENDED COMPLAINT CASE No. 2:11-CV-03397-JGB-RZ

DEMAND FOR JURY TRIAL Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Kaneka demands a trial by jury on all issues so triable. DATED: June 21, 2013 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 6 /s/ Anthony J. Dain Anthony J. Dain J. Christopher Jaczko Dave Deonarine Attorneys for Plaintiff 10 KANEKA CORPORATION 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 13 PLAINTIFF'S SECOND AMENDED COMPLAINT