

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

HENKEL CORPORATION,
a Delaware corporation,

v.

SIKA CORPORATION,
a New Jersey corporation,

Civil Action No. **00-73905**

Hon. **ANNA DIGGS TAYLOR**
MAGISTRATE JUDGE SCHEER

Howard B. Iwrey (P39635)
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Attorneys for Plaintiff

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Of Counsel for Plaintiff

U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
DETROIT

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COMPLAINT

Plaintiff, Henkel Corporation (hereinafter "Henkel"), by and through its attorneys Honigman Miller Schwartz and Cohn, for its complaint against defendant, Sika Corporation (hereinafter "Sika") alleges as follows:

PARTIES

1. Plaintiff Henkel is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 2200 Renaissance Blvd., The Triad, Suite 200, Gulph Mills, Pennsylvania 19406.

2. Defendant Sika is a corporation organized and existing under the laws of the State of New Jersey, with its place of business at Lyndhurst, New Jersey.

JURISDICTION AND VENUE

3. The jurisdiction of this Court arises under 28 U.S.C. §1338(a).

4. Venue is proper in this district pursuant to 28 U.S.C. §1400(b), for the reason, *inter alia*, that Sika has a regular and established place of business and conducts business in this judicial district.

GENERAL ALLEGATIONS

5. On May 9, 2000, United States Letters Patent No. 6,058,673 (attached hereto as Exhibit "A"), entitled INTERNAL REINFORCEMENT FOR HOLLOW STRUCTURAL ELEMENTS (hereinafter the "'673 patent") was duly and legally issued. Henkel is the owner of the entire right, title and interest in and to the '673 patent and has full right to sue and recover for all infringements thereof.

6. Sika has, and will in the future, infringe the '673 patent, including direct infringement, contributory infringement and active inducement of infringement within the meaning of 35 U.S.C. §§ 271(a) through (c).

7. Sika was informed that Henkel would receive the '673 patent and received a copy of some of the now-issued claims. Nevertheless, Sika has committed, and will in the future continue, its acts of infringement in disregard of Henkel's rights in the '673 patent. Upon information and belief, Sika's infringement has been and will be willful, deliberate and intentional, and will continue, to Henkel's irreparable harm.

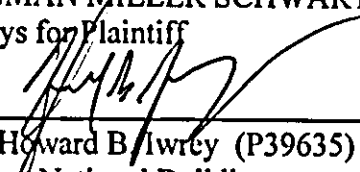
WHEREFORE, Plaintiff, Henkel Corporation, demands judgment as follows:

A. That Sika has infringed U.S. Patent No. 6,058,673.

- B. That Henkel be awarded damages, including lost and reduced profits, adequate to compensate it for Sika's infringement, and that the damages be trebled because of the willful nature of Sika's infringement, together with interest, pursuant to 35 U.S.C. §284; and
- C. That Henkel be awarded its attorney fees and costs in this action, together with such other relief as this Court deems appropriate.

HONIGMAN MILLER SCHWARTZ AND COHN
Attorneys for Plaintiff

By: _____


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Dated: September 5, 2000

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

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