CIVIL COVER SHEET

The JS -- 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

	. for the purpose of initiating the civil dockets	sneet. (SEE:	INSTRUCTIONS ON THE R	REVERSE OF THE FORM	VI.)	
Place an X in the appropriate box:)ivision [Milwaukee Divisi	on	
I. (a) PLAINTIFFS			DEFENDANTS			
Gateway Plastics, Inc.			Weatherchem Corporation			
f/k/a Glendale Plastics, Inc.			5 -0 -0980			
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES)			COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED			
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Richard S. Florsheim (1015905) Walter E. Zimmerman (1011803) Adam M. Gustafson (1047203) Foley & Lardner LLP 777 East Wisconsin Avenue Milwaukee, WI 53202 414-271-2400			ATTORNEYS (IF KNOWN)			
II. BASIS OF JURISD	DICTION (PLACE AN "X" IN ONE BOX ONLY)		ZENSHIP OF PRINCIPA		"X" IN ONE BOX FOR PLAINTIFF ANDEFENDANT)	ND ONE
□ 1 U.S. Government Plaintiff □ 2 U.S. Government Defendant	3 Federal Question (U.S. Government Not a Party) 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Th Citizen of An Citizen or Su Foreign Co	PTF DB is State 1 1 1 in other State 2 in ubject of a 3 in 3	1 Incorporated <i>or</i> Prin of Business in This Incorporated <i>and</i> Pr of Business in Ano	PTF ncipal Place	DEF 4 5 6
IV. NATURE OF SUIT	(PLACE AN "X" IN ONE BOX ONLY)	ounty				
CONTRACT	<u> </u>		FORFEITI IRE/PENIALTY	BANKRUPTCY	OTHER STATUTE	-
CONTRACT 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans-Excl. Veterans 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 29 All Other Real Property	TORTS	njury – ractice njury – ractice njury – pinjury – pinjur	FORFEITURE/PENALTY 610	BANKRUPTCY □ 422 Appeal 28 USC 158 □ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS □ 820 Copyrights □ 840 Trademark SOCIAL SECURITY □ 861 HIA (1395ff) □ 862 Black Lung (923) □ 863 DIWC/DIWW (405(g)) □ 864 SSID Title XVI □ 865 RSI (405(g)) FEDERAL TAX SUITS □ 870 Taxes (U.S. Plaintiff or Defendant) □ 871 IRS - Third Party 26 USC 7809	OTHER STATUTE 400 State Reapportionment Reapportionment Reapportionment Reapportionment Reapportionment Reapportionment Reapportionment Reapportionment Reapportion Reacketer Influenced and Corrupt Organizations Responsible Service Reapportionment Reapportionmen	d e
V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY) 1 Original Proceeding State Court Appellate Court CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.) Design patent infringement under 35 U.S.C. §§ 171 and 271 (U.S. Pat. No. D509,426, issued September 13, 2005) VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION DEMAND \$TBD AND CHECK YES only if demanded in complaint:						
COMPLAINT: VIII. RELATED CASE(S)	UNDER F.R.C.P. 23	INJUNCTION athershom Corp.	INJUNCTION JURY DEMAND: YES X NO			
III. RELATED CASE(S) (See instructions): Gateway Plastics, Inc. v. Weatherchem Corp. IF ANY JUDGE Hon. Rudolph T. Randa, Chief Judge DOCKET NUMBER 02-C-870						
DATE September 13, 2005 SIGNATURE OF ATTORNEY OF RECORD						
Marie "1. pour						

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS - 44

Authority for Civil Cover Sheet

- The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:
- I. (a) Plaintiffs Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved).
- (c) Attorneys. Enter firm name, address, telephone number, and attorney or record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

- III. Residence (citizenship) of Principal Parties. This section of the JS -- 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section V below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS – 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature: Date and sign the civil cover sheet 09/13/05 Page 2 of 2 Document 1