

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LAIRD TECHNOLOGIES,)	
a unit of THE LAIRD GROUP PLC)	
)	
Plaintiff,)	
)	
v.)	
)	Case No.
GALTRONICS LTD.)	
)	
and)	JURY TRIAL DEMANDED
)	
GALTRONICS USA, INC.)	
)	
Defendants.)	

COMPLAINT FOR DECLARATORY JUDGMENT

Plaintiff Laird Technologies, a unit of The Laird Group PLC (“Laird”), alleges against Galtronics Ltd. and Galtronics USA, Inc. (collectively “Galtronics”) as follows:

I. NATURE OF THE ACTION

1. This civil action arises under the patent laws of the United States (codified at 35 U.S.C. §101, *et seq.*) and the Federal Declaratory Judgments Act pursuant to 28 U.S.C. §§2201 and 2202. An actual, substantial, and continuing justiciable controversy exists between Laird and Galtronics regarding the invalidity and non-infringement of United States Patent No. 6,992,642 (“the ‘642 patent”) and allegations of improper conduct relating to certain drawings provided to Laird by a Customer.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1331, §1338(a), 2201, and 2202.

3. Venue is proper in this district pursuant to 28 U.S.C. §§1391(b), (c), and (d) and 28 U.S.C. §1400.

III. FACTS COMMON TO ALL COUNTS

A. The Parties

4. Plaintiff Laird is a unit of The Laird Group PLC, a UK company, and has a principal place of business in St. Louis County, Missouri.

5. Upon information and belief, Defendant Galtronics Ltd. is an Israeli corporation, having a principal place of business in Tiberias, Israel.

6. Upon information and belief, Defendant Galtronics USA, Inc. is a subsidiary of Galtronics Ltd., and is incorporated as an Arizona corporation, having its principal place of business in Tempe, Arizona.

B. The Patent-in-Suit

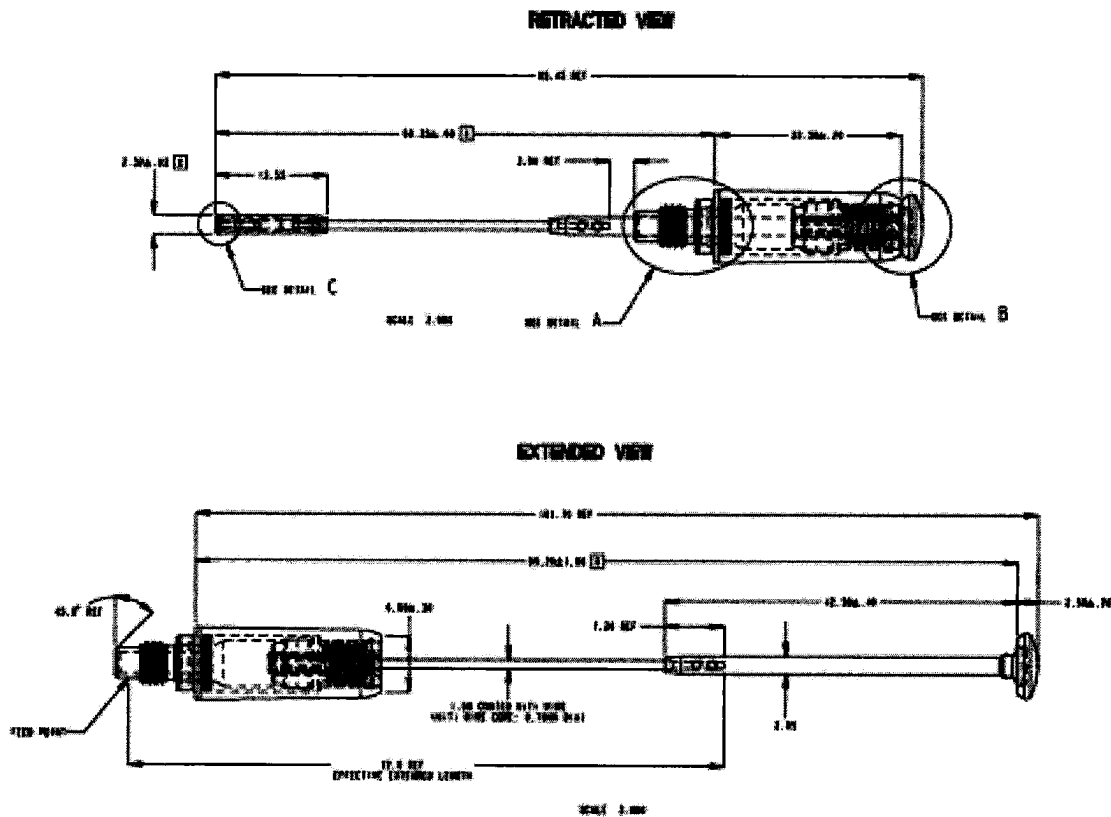
7. Galtronics Ltd is the assignee of U.S. Patent No. 6,992,642 (“the ‘642 patent”), entitled “Telescopic Retractable Antenna with Improved Contact System.” The ‘642 patent was issued by the United States Patent and Trademark Office (“Patent Office”) on January 31, 2006. A copy of the ‘642 patent is attached hereto as Exhibit 1.

C. Accusations of Infringement

8. In 2003, the Customer approached Laird and asked Laird to become a second source supplier for a certain retractable antenna (“Customer Antenna”). To facilitate Laird’s

manufacture of the Customer Antenna, the Customer provided Laird with certain drawings of the Customer antenna, attached hereto as Exhibit 2 (“the Customer Drawings”).

9. Subsequently, Laird began manufacturing, using, offering for sale and selling the Customer Antenna. A drawing of a type of Customer Antenna is shown below:



10. Galtronics claims it is the original supplier of the Customer. On about April 28, 2006, after Laird began providing the Customer Antenna to Customer, Cliff Connors of Galtronics USA, a subsidiary of Galtronics Ltd., contacted Tom Cochran of Laird, alleging that the Customer Antenna sold by Laird infringed one or more claims of the ‘642 patent.

11. Subsequent to that accusation of infringement, Galtronics has alleged that Laird improperly used the Customer Drawings. Although the drawings in question are marked with the Customer’s trademark and contain the legend “Designed by Galtronics and [Customer]”,

Galtronics has contended that the drawings were created by Galtronics and constitute Galtronics' intellectual property and/or trade secret.

12. In early February, 2007, in a telephone conversation with Rick Rothenberger of Laird, Cliff Conners again threatened that Laird infringed both the '642 patent and certain Galtronics' rights in the Customer drawings.

13. Finally, on February 26, 2007, in a meeting in Chicago between certain Laird and Galtronics representatives, Galtronics threatened that if the case did not settle, it would bring suit against Laird for at least patent infringement of the '642 patent and trade secret misappropriation relating to the Customer drawings.

14. Laird denies that it infringes the '642 patent or that it has undertaken any improper conduct with respect to the Customer Drawings.

15. Laird also states that the '642 patent is invalid.

16. Laird requests a judicial determination and declaration of the respective rights and duties of the parties based on the disputes recited in paragraphs 1-15 above. Such a determination and declaration are necessary and appropriate at this time so the parties may ascertain their respective rights and duties regarding the Customer drawings and the non-infringement and invalidity of the '642 patent.

17. Galtronics' actions have created an actual, justicable controversy between the parties regarding the invalidity and non-infringement by Laird of the '642 patent.

18. The present dispute is definite and concrete, touching the legal relations of the parties. The present dispute is also real and substantial and admits of specific relief through a decree of a conclusive character.

IV. FIRST CLAIM FOR RELIEF

(DECLARATION OF NON-INFRINGEMENT OF '642 PATENT)

19. Laird realleges paragraphs 1-17, as if fully set forth herein.
20. Laird has not infringed, are not now infringing, and has not threatened to infringe the '642 patent.
21. Laird has not contributed to the infringement, and is not now contributing to the infringement of the '642 patent.
22. Laird has not induced others to infringe, and is not now inducing others to infringe the '642 patent.

V. SECOND CLAIM FOR RELIEF

(DECLARATION OF INVALIDITY OF '642 PATENT)

23. Laird realleges paragraphs 1-20, as if fully set forth herein.
24. Laird alleges that certain claims of the '642 patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in Title 35 of the United States Code, including but not limited to 35 U.S.C. §§101, 102, 103, 112 and/or 132.

VI. THIRD CLAIM FOR RELIEF

**(DECLARATION REGARDING GALTRONICS'
ALLEGATIONS OF IMPROPER CONDUCT)**

25. Laird realleges paragraphs 1-23, as if fully set forth herein.
26. Galtronics' claims and allegations of illegal and improper conduct with respect to the Customer Drawings are false and without merit.
27. Galtronics cannot claim that Laird has misappropriated any trade secrets embodied in the Customer Drawings at least for the reasons that Laird did not know, nor should

it have known, that the drawings comprised Galtronics' trade secrets. Further, Galtronics has failed to properly maintain the information in the drawings as a trade secret.

28. Galtronics cannot claim that Laird has infringed upon any other right of Galtronics in the Customer Drawings.

PRAYER FOR RELIEF

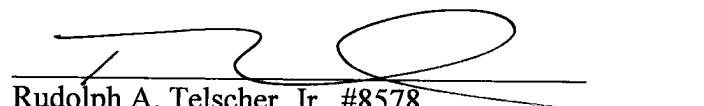
WHEREFORE, Laird respectfully requests the Court to enter a judgment:

- A. Declaring that Laird does not infringe the '642 patent;
- B. Declaring that certain claims of the '642 patent are invalid;
- C. Declaring that Laird has not undertaken any illegal or improper conduct with respect to the Customer Drawings;
- D. Laird be awarded its attorneys' fees and costs of suit, pursuant to 35 U.S.C. § 285, and other applicable law; and
- E. Awarding Laird other and further relief as this Court deems just and proper.

Dated: February 26, 2007

HARNESS, DICKEY & PIERCE, P.L.C.

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