

infringement and unlawful use and practice of the inventions disclosed and claimed in and by the '586 and '288 patents (including any price erosion, etc.) and/or as appropriate, at a minimum, a reasonable royalty for all of Defendants' sales of its infringing products; all other damages sustained by DEB as a result of the infringement; the trebling of all damages awarded to DEB as a result of Defendants' willful infringement; and, all costs and fees, including reasonable attorneys' fees, incurred by DEB in this action.

PARTIES

2. Plaintiff DEB SBS is a Delaware corporation having its principal place of business at 100 Highway 27 South, Stanley, North Carolina 28164. DEB SBS manufactures, markets, and sells, among other things, soap, soap dispensers, and other sanitary and cleaning products and equipment.

3. Plaintiff DEB IP is a company organized and existing under the laws of England and is an affiliate of DEB SBS, having its principal place of business at 108 Spencer Road, Belper, Derbyshire, England, DE56 1JX.

4. Upon information and belief, Defendant Technical Concepts LLC ("Technical") is a Delaware limited liability corporation having its principal place of business at 1301 Allanson Road, Mundelein, Illinois 60060.

5. Upon information and belief, Defendant Bentfield BV ("Bentfield") is a company organized and existing under the laws of The Netherlands having its principal place of business at Amperestraat 12, 2181 HB Hillegom, The Netherlands.

6. Upon information and belief, Technical owns 100% of the ownership and voting interest in Bentfield.

7. Upon information and belief, Technical controls and/or dominates Bentfield.

JURISDICTION AND VENUE

8. This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b).

10. Upon information and belief, a reasonable opportunity for discovery will show that Technical and/or Bentfield have distributors within this judicial district, conduct substantial business in this judicial district, and/or have committed acts of infringement within this judicial district.

ACCUSED TECHNICAL AND BENTFIELD PRODUCTS

11. Technical and/or Bentfield have offered for sale and/or sold in the United States a product designated "Foam Soap Dispenser and Refill," which infringes at least one claim of the '586 and '288 patents.

DEB'S UNITED STATES PATENT NO. 6,082,586

12. On July 4, 2000, the '586 patent disclosing and claiming an invention entitled "Liquid Dispenser For Dispensing Foam" was duly and legally issued in the name of Stewart Banks.

13. The '586 patent has been assigned to DEB IP since it issued.

14. All substantial rights under the '586 patent were assigned to DEB IP and DEB IP has sufficient proprietary interests and rights in the '586 patent to prosecute this action for infringement, to collect damages, and to obtain injunctive relief for infringement.

15. By virtue of its ownership of the '586 patent, DEB IP has the right to exclude all others from making, using, selling or offering to sell, embodiments of the invention claimed in the '586 patent and to collect all damages for past infringement.

16. Because DEB SBS has the exclusive right as the sole seller to sell within the United States foam dispensers within the scope of the '586 patent, DEB SBS has the right to assert a claim for its damages arising from infringement of the '586 patent.

COUNT ONE – INFRINGEMENT OF U.S. PATENT NO. 6,082,586

17. DEB incorporates and realleges paragraphs 1 through [16] above, as if set forth in full herein.

18. Upon information and belief, Technical and/or Bentfield have manufactured, continue to manufacture, have sold, and/or continue to sell, products including those specifically mentioned herein which contain, embody, and employ the invention(s) described and claimed in the '586 patent, in violation of DEB's rights thereunder.

19. Technical's and/or Bentfield's making, using, selling and offering for sale, products within the United States which contain, embody, and employ the invention described and claimed in the '586 patent, constituted and continues to constitute infringement of at least one claim of the '586 patent, as provided in 35 U.S.C. § 271.

20. The Technical Foam Soap Dispenser and Refill infringes at least claims 1, 2, and 16 of the '586 patent.

21. As a direct and proximate result of the aforesaid infringement, DEB has been and will be greatly damaged and deprived from receiving, if such further infringement is not restrained by this Court, all the gains and profits to which DEB is lawfully entitled and to which it would have derived and received and would now be deriving and receiving but for the aforesaid infringement by Technical and Bentfield.

22. DEB marked its patented product in accordance with 35 U.S.C. § 287 and thus gave notice to the public that its product was patented by the '586 patent, yet Technical and Bentfield infringed nonetheless.

23. Upon information and belief, a reasonable opportunity for discovery will show that Technical's and Bentfield's acts of infringement have been and are being committed with full knowledge of the '586 patent and in willful and wanton disregard thereof, rendering this an exceptional case under 35 U.S.C. § 285.

DEB'S UNITED STATES PATENT NO. 5,445,288

24. On August 29, 1995, the '288 patent disclosing and claiming an invention entitled "Liquid Dispenser For Dispensing Foam" was duly and legally issued in the name of Stewart Banks.

25. The '288 patent was assigned to Sprintvest Corporation NV ("Sprintvest"). Sprintvest later assigned the '288 patent to DEB IP with the right to sue for past infringement.

26. All substantial rights under the '288 patent were assigned to DEB IP and DEB IP has sufficient proprietary interests and rights in the '288 patent to prosecute this action for infringement, to collect damages, and to obtain injunctive relief for infringement.

27. By virtue of its ownership of the '288 patent, DEB IP has the right to exclude all others from making, using, selling or offering to sell, embodiments of the invention claimed in the '288 patent and to collect all damages for past infringement.

28. Because DEB SBS has the exclusive right as the sole seller to sell within the United States foam dispensers within the scope of the '288 patent, DEB SBS has the right to assert a claim for its damages arising from infringement of the '288 patent.

COUNT TWO – INFRINGEMENT OF U.S. PATENT NO. 5,445,288

29. DEB incorporates and realleges paragraphs 1 through 28 as if set forth in full herein.

30. Upon information and belief, Technical and/or Bentfield have manufactured, continue to manufacture, have sold, and/or continue to sell, products including those specifically defined herein which contain, embody, and employ the invention described and claimed in the '288 patent, in violation of DEB's rights thereunder.

31. Technical's and/or Bentfield's making, using, selling and offering for sale, products within the United States which contain, embody, and employ the invention(s) described and claimed in the '288 patent, constituted and continues to constitute infringement of at least one claim of the '288 patent, as provided in 35 U.S.C. § 271.

32. The Technical Foam Soap Dispenser and Refill infringes at least claims 10, 11, 12, 13, 14, 17, and 18 of the '288 patent.

33. As a direct and proximate result of the aforesaid infringement, DEB has been and will be greatly damaged and deprived from receiving, if such further infringement is not restrained by this Court, all the gains and profits to which DEB is lawfully entitled and to which it would have derived and received and would now be deriving and receiving but for the aforesaid infringement by Technical and Bentfield.

34. DEB marked its patented product in accordance with 35 U.S.C. § 287 and thus gave notice to the public that its product was patented by the '288 patent, yet Technical and Bentfield infringed nonetheless.

35. Upon information and belief, a reasonable opportunity for discovery will show that Technical's and Bentfield's acts of infringement have been and are being committed with full

knowledge of the '288 patent and in willful and wanton disregard thereof, rendering this an exceptional case under 35 U.S.C. § 285.

WHEREFORE, DEB prays for the following relief:

1. A finding that U.S. Patent Nos. 5,445,288 and 6,082,586 are valid and are being infringed by Technical and Bentfield;
2. An injunction permanently enjoining Technical and Bentfield and their officers, agents, subsidiaries, servants, and employees from further infringement of the '586 and '288 patents;
3. An accounting and award of damages adequate to compensate DEB for all acts of infringement by Technical and Bentfield, but in no event less than a reasonable royalty for the use made of the infringed patents, together with prejudgment interest; and treble damages for willful infringement;
4. That this case be declared exceptional and that DEB be awarded its attorneys' fees pursuant to 35 U.S.C. § 285;
5. That DEB be awarded its costs and expenses in this action; and
6. That the Court grant DEB such other and further relief as it may deem proper.

JURY DEMAND

DEB hereby demands a trial by jury on all issues so triable.

Respectfully submitted this 15th day of June, 2007.

/s/ Kiran H. Mehta

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