

*1. Wilson
for*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

1:03CV0074

FILTERMD, INC.
6400 Center Street, Suite A-201
Mentor, Ohio 44070

Plaintiff,

vs.

PALL CORPORATION
22200 Northern Boulevard
East Hills, New York 11548

Defendant.

) CASE NO. _____

) JUDGE

JUDGE MATIA

MAG. JUDGE BAUGHMAN

) COMPLAINT

) (Jury Demand Endorsed Hereon)

NATURE OF THE ACTION

1. Plaintiff brings this action against defendant for patent infringement under the patent laws of the United States, Title 35 of the United States Code. Plaintiff seeks: (1) immediate and permanent injunctions against defendant enjoining the continued manufacture, sale, offering for sale and use of its infringing filter technology; and (2) damages for injury suffered by plaintiff as a result of defendant's acts of infringement.

THE PARTIES

2. Plaintiff is an Ohio corporation, having its principal place of business in Mentor, Ohio. Since September, 2002, plaintiff has been the assignee of U.S. Patents Nos. 5,030,349 (hereinafter "the '349 Patent") and No. 5,186,825 (hereinafter "the '825 Patent"), which patents were issued in 1991 and 1993, respectively, to the individual who is currently president of plaintiff.

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3. Defendant Pall Corporation is believed to be a New York corporation, having its principal place of business in that state. Defendant is engaged in the business of manufacturing and selling, among other things, filtration products and systems.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the patent infringement claims under 28 U.S.C. § 1338.

5. This Court has personal jurisdiction over defendant because defendant has engaged in infringing activities within this district, and because it has engaged in activities which have caused tortious injury to plaintiff within this district.

6. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400.

COUNT ONE **(Direct Infringement)**

7. Defendant has infringed the '349 Patent and the '825 Patent by manufacturing, using, promoting, selling and offering to sell certain filter products and filter systems which incorporate the technology claimed in the '349 Patent and the '825 Patent.

COUNT TWO **(Contributory Infringement)**

8. Plaintiff incorporates and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 9 above.

9. Defendant has knowingly and intentionally contributed to infringement by its customers of the '349 Patent and the '825 Patent by selling filter products and filter systems knowing the same to be especially made or especially adapted for use in an infringement of said

patents, and not a staple article or commodity of commerce suitable for substantial non-infringing use.

COUNT THREE
(Inducing Infringement)

10. Plaintiff incorporates and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 11 above.

11. Defendant has knowingly and intentionally induced others to infringe the '349 Patent and the '825 Patent by knowingly aiding and abetting others in the infringement of same.

WHEREFORE, by virtue of the unlawful conduct of defendant as alleged in Counts One through Three above, plaintiff respectfully prays that:

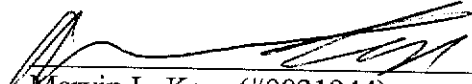
a. The Court render judgment against defendants for their infringing acts and unfair competition;

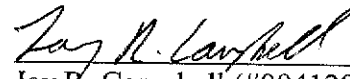
b. The Court issue a preliminary, and thereafter a permanent, injunction enjoining defendant and those employed by, controlled by or associated with defendant from further acts of infringement of the '349 Patent and the '825 Patent;

c. The Court order an accounting and determine and assess against defendant and award to plaintiff damages arising out of the infringement of the '349 Patent and the '825 Patent and that such damages be trebled with interest by reason of the willful and deliberate nature of the infringement;

d. Defendant be required to pay plaintiff both the cost of this action and reasonable attorneys' fees; and

e. Plaintiff be granted such other different and additional relief as this Court deems just and proper.

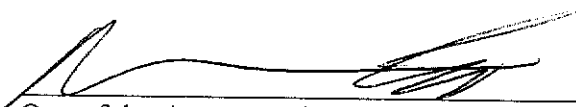

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JURY DEMAND

Plaintiff FILTERMD, INC. hereby requests a trial by jury.


One of the Attorneys for Plaintiff