

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

ALLIED ERECTING AND  
DISMANTLING CO., INC.  
2100 Poland Avenue  
Youngstown, Ohio 44502

and

ALLIED GATOR, INC.  
2100 Poland Avenue  
Youngstown, Ohio 44502

and

JOHN R. RAMUN  
8243 North Lima Road  
Poland, Ohio 44514

Plaintiffs,

v.

GENESIS EQUIPMENT &  
MANUFACTURING, INC.  
c/o Kenneth Labounty, Registered Agent  
1000 Genesis Drive  
Superior, WI 54880

and

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

JURY TRIAL DEMANDED

**COMPLAINT**

PALADIN BRANDS, LLC )  
c/o its Registered Agent, )  
The Corporation Trust Company )  
Corporation Trust Center )  
1209 Orange Street )  
Wilmington, DE 19801 )  
 )  
and )  
 )  
GENESIS ATTACHMENTS, LLC )  
c/o its Registered Agent, )  
Corporation Service Company )  
2711 Centerville Road, Suite 400 )  
Wilmington, DE 19808 )  
 )  
Defendants. )

### **COMPLAINT**

Plaintiffs Allied Erecting and Dismantling Co., Inc., Allied Gator, Inc. and John R. Ramun (“Plaintiffs”), through their counsel, hereby allege the following for their Complaint against Genesis Equipment & Manufacturing, Inc., Paladin Brands, LLC and Genesis Attachments, LLC (“Defendants”):

1. This is a civil action for the infringement of United States Patent No. 7,121,489 entitled “Multiple Tool Attachment System” (“the ‘489 patent”). This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a). Venue is proper under 28 U.S.C. §§ 1391 and 1400(b).

2. Plaintiff Allied Erecting and Dismantling Co., Inc. is a corporation organized under the laws of the State of Ohio, with a principal place of business at 2100 Poland Avenue, Youngstown, Ohio 44502.

3. Plaintiff Allied Gator, Inc. is a corporation organized under the laws of the State of Ohio, with a principal place of business at 2100 Poland Avenue, Youngstown, Ohio 44502.

4. Plaintiff John R. Ramun is an individual residing at 8243 North Lima Road, Poland, Ohio 44514.

5. Upon information and belief, Defendant Paladin Brands, LLC is a Limited Liability Company organized and existing under the laws of the State of Delaware, with a principal place of business at 5825 Council Street NE, Cedar Rapids, Iowa 52402.

6. Upon information and belief, Defendant Genesis Equipment & Manufacturing, Inc. is a subsidiary and/or affiliate owned by Paladin Brands, LLC, and is a corporation existing under the laws of the State of Wisconsin, with a principal place of business at 1000 Genesis Drive, Superior, Wisconsin 54880.

7. Upon information and belief, Defendant Genesis Attachments, LLC is a subsidiary and/or affiliate owned by Paladin Brands, LLC and is a Limited Liability Company organized and existing under the laws of the State of Delaware, with a principal place of business at 5825 Council Street NE, Cedar Rapids, Iowa 52402.

8. At all times relevant herein, Defendants regularly transacted business in the State of Ohio and are, therefore, subject to this Court's personal jurisdiction.

9. Plaintiff Ramun is the owner of the '489 patent, which was duly and lawfully issued by the United States Patent and Trademark Office on October 17, 2006. A true and correct copy of the '489 patent is attached hereto as Exhibit A. Plaintiff Allied Gator, Inc. is exclusively licensed to practice the '489 patent. Plaintiff Allied Erecting and Dismantling Co., Inc. tests and uses in its business the products manufactured by Plaintiff Allied Gator, Inc and aids in the manufacture and sale of these products.

10. Upon information and belief, Defendants are manufacturing, selling and offering to sell products that infringe the '489 patent under 35 U.S.C. § 271, including without limitation

the Genesis LXP product. Defendants will continue to so infringe the '489 patent unless enjoined by this Court.

11. Plaintiffs have marked their products in accordance with 35 U.S.C. § 287.

12. Defendants' activities in infringing the '489 patent are willful and wanton, constituting willful infringement of such United States Patent under 35 U.S.C. § 285.

13. Plaintiffs have been irreparably damaged and will continue to be irreparably damaged by reason of Defendants' infringement of the '489 patent unless this Court restrains the infringing acts of Defendants. Plaintiffs are without an adequate remedy at law.

WHEREFORE, Plaintiffs pray:

A. that Defendants, their officers, employees, agents and those persons in active participation in them be permanently enjoined from infringing United States Patent No. 7,121,489;

B. that a decree be entered adjudging that Defendants have infringed United States Patent No. 7,121,489 and that such infringement was willful;

C. that Defendants be ordered to pay damages to Plaintiffs pursuant to 35 U.S.C. § 284, including interest, resulting from Defendants' infringement of United States Patent No. 7,121,489;

D. that Defendants be ordered to pay to Plaintiffs treble damages pursuant to 35 U.S.C. § 284, resulting from Defendants willful infringement of United States Patent No. 7,121,489;

E. that Plaintiffs be awarded their costs of this action and reasonable attorneys' fees pursuant to 35 U.S.C. §§ 284 and 285; and

F. that Plaintiffs be awarded such further relief as this Court may deem just and proper.

Respectfully submitted,

Dated: March 7, 2008

/s/ Robert S. Hartford, Jr.  
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Counsel for Plaintiffs

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demands a trial by jury for all issues triable by a jury.

/s/ Robert S. Hartford, Jr.  
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Jay M. Skolnick, Esq. (#0006767)  
Nadler Nadler & Burdman Co., L.P.A.  
Counsel for Plaintiffs