

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

IP CLEANING S.p.A and)	
FAIP NORTH AMERICA, INC.)	
)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.:3:08-cv-00147
)	
ANNOVI REVERBERI, S.p.A,)	
)	
Defendant.)	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, IP Cleaning S.p.A. and FAIP North America, Inc., by their attorneys, complain against Defendant, Annovi Reverberi S.p.A., as follows:

PARTIES

1. Plaintiff IP Cleaning S.p.A. (“IPC”) is a corporation organized under the laws of Italy, with its principal place of business located at Viale Treviso 63, Summaga di Portogruaro (VE) 30020, Italy.

2. Plaintiff FAIP North America, Inc. (“FAIP”) is a corporation organized under the laws of the State of Illinois, with a principal place of business at 1825 Greenleaf, Elk Grove, Illinois.

3. Upon information and belief, Defendant Annovi Reverberi S.p.A. (“AR”) is a corporation organized under the laws of Italy, with its principal place of business located at Via M.L. King, 3, 41100 Modena, Italy.

JURISDICTION AND VENUE

4. This action arises under the laws of the United States prohibiting infringement of United States patents, 35 U.S.C. § 271.

5. This Court has jurisdiction over this Complaint based on 28 U.S.C. §§ 1331 and 1338(a), as federal questions are presented.

6. This Court has personal jurisdiction over Defendant by reason of the business that Defendant has transacted and continues to transact in this judicial district. In particular, Defendant has imported and distributed and, upon information and belief, continues to import and distribute infringing devices to this district.

7. Additionally or alternatively, this Court has personal jurisdiction over Defendant under Fed. R. Civ. P. 4(k)(2) to the extent Defendant may not be subject to the jurisdiction of any state's courts of general jurisdiction.

8. Venue is proper in this district pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1400 as Defendants committed acts of infringement as complained of herein within this judicial district.

BACKGROUND

IPC's and FAIP's Business and Intellectual Property

9. In addition to selling assembled pressure washer units for distribution in the retail market, IPC and FAIP sell and distribute component parts to manufacturing customers who use those components for their own retail goods. One such component part sold and distributed by IPC and FAIP are electric and internal combustion powered pumps that can be incorporated into, among other things, pressure washer assemblies.

10. IPC and FAIP are the co-owners and exclusive assignees of record for United States Letters Patent No. 5,494,414 (“the ‘414 patent”), which was duly and legally issued on February 27, 1996, for an invention entitled “Vertical Shaft Pressure Washer Coupling Assembly”. A copy of the ‘414 patent is attached as Exhibit A.

11. IPC acquired an exclusive ownership interest in the ‘414 patent from Mi-T-M Corporation through an assignment executed on June 20, 1997, and recorded its assignment with the United States Patent and Trademark Office on July 2, 1997 at Reel 8595, Frame 0048.

12. FAIP acquired a partial ownership of the ‘414 patent from IPC through an assignment executed on November 20, 2001, and recorded its assignment with the United States Patent and Trademark Office on April 5, 2007 at Reel 019116, Frame 0289.

13. On or about October 23, 2007, IPC transmitted a letter to Defendant AR regarding the ‘414 patent. This letter provided Defendant AR with actual notice of infringement of the ‘414 patent.

Defendants’ Business and its Infringing Actions

14. Upon information and belief, Defendant sells pressure washers and pumps to retail establishments, distributors and manufacturers in North America. Defendant competes directly with IPC and FAIP in the sales of pumps to pressure washer manufacturers and assemblers, and in the sale of assembled pressure washers.

15. Upon information and belief, Defendant AR manufactures pressure washers and pumps in at least Italy and China, and ships at least some of those products directly to North American customers from their points of manufacture abroad. AR manufactures at least some of these pump models, on information and belief, exclusively for particular customers, such as the RMW2.2G24 pump manufactured for Briggs & Stratton. Upon information and belief, AR sells

and ships RMW2.2G24 pumps directly to Briggs & Stratton in Jefferson, Wisconsin, located in this judicial district. At least the RMW2.2G24 pump embodies the invention claimed in the '414 patent.

16. Upon information and belief, Defendant AR manufactures additional pump models in the "RMW line" with specifications substantially similar to the RMW2.2G24 pump, and sells and ships such pumps into the United States. The RMW line includes at least the following models: RMW2.2G20D, RMW2.2G24D, RMW2.2G24-EZ, RMW2G20, RMW2G23, RMW2G25, RMW2.5G20, RMW2.5G23, RMW2.5G25, RMW2G23D, RMW2.5G26D, and possibly other variations. The pumps in the RMW line embody the invention claimed in '414 patent.

COUNT
Patent Infringement of United States Patent 5,494,414

17. IPC and FAIP repeat and reallege as if fully set forth herein the allegations of paragraph 1 through 16, inclusive.

18. IPC and FAIP have the right to recover for infringement of the '414 Patent and to enjoin future infringement thereof.

19. Defendant infringes claim 1 of the '414 Patent through, among other activities, the importation, sale and offering for sale, within this judicial district and elsewhere, of pressure washers and/or pressure washer pumps in the RMW line that embody the inventions claimed in the '414 Patent, without authority from IPC or FAIP.

20. As a result of Defendants' infringement of the '414 Patent, IPC and FAIP have been damaged and will continue to be damaged in an amount to be determined at trial. IPC and FAIP have suffered and will continue to suffer immediate and irreparable injury unless this

Court enjoins the infringing activities of Defendant.

JURY DEMAND

21. Pursuant to Fed. R. Civ. P. 38(b), IPC and FAIP demand a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, IPC and FAIP pray as follows:

A. That the Court enter Judgment for IPC and FAIP and against Defendant on IPC's and FAIP's claims of patent infringement.

B. That Defendant be required to make an accounting to IPC and FAIP and be directed to pay over to IPC and FAIP all gains, profits and advantages realized by Defendant from the sale of goods infringing IPC's and FAIP's patent from the date AR received notice of the '414 patent or first used such goods, whichever is later, until the present pursuant to 35 U.S.C. §284.

C. That Defendant, its officers, directors, agents, and employees and all those in active concert or participation with them who receive notice of the judgment by personal service or otherwise, be permanently enjoined from making, using, importing, selling, and offering to sell any product claimed in the patent asserted in this action by IPC and FAIP.

D. That Defendant be directed to pay an assessment of interest, including prejudgment interest, on all damages awarded under this Complaint.

E. That IPC and FAIP have such other and further relief that the Court may deem just and proper.

Respectfully submitted,

Date: June 30, 2008

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