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JAN 13 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MINUTEMAN INTERNATIONAL, INC.)
)
 Plaintiff,)
)
 v.)
)
 NILFISK-ADVANCE A/S, and)
 NILFISK-ADVANCE, INC.,)
)
 Defendants.)

JUDGE COAR

Civil Action

No. **03C00223**

COMPLAINT FOR PATENT
INFRINGEMENT

MAGISTRATE JUDGE MASON

JURY DEMAND

COMPLAINT

Plaintiff, MINUTEMAN INTERNATIONAL, INC. ("MINUTEMAN"), through its
attorneys, hereby complains of Defendants, NILFISK-ADVANCE A/S ("NILFISK") and
NILFISK-ADVANCE, INC. ("ADVANCE") and alleges as follows:

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U.S. DISTRICT COURT
EASTERN DISTRICT OF ILLINOIS

JURISDICTION AND VENUE

1. This is an action for patent infringement arising under the patent laws of
the United States of America, Title 35 United States Code, Section 271.

2. Jurisdiction is proper in this Court under the provisions of 28 U.S.C. § 1338(a)
and venue is proper in this Court under the provisions of 28 U.S.C. § 1391(c) and (d) and
§ 1400 (b).

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PARTIES

3. MINUTEMAN is a corporation organized and existing under the laws of the State of Illinois, having its principal place of business in Addison, Illinois, 60101.

4. Upon information and belief, Defendant, NILFISK, is a Denmark organization, organized and existing under the laws of Denmark, with a principal place of business in Brøndby, Denmark.

5. Upon information and belief, Defendant, ADVANCE, is a corporation organized and existing under the laws of the State of Minnesota, having its principal place of business in Plymouth, Minnesota, 55447-3408.

6. Plaintiff MINUTEMAN manufactures and sells various types of industrial and commercial cleaning machines, including floor scrubbing machines.

7. Upon information and belief, Defendant, NILFISK is a foreign corporation doing business in the United States and importing industrial and commercial cleaning machines into the United States for selling or offering for sale by Defendant ADVANCE, which machines include floor scrubbing machines.

8. Upon information and belief, Defendant, ADVANCE, is doing business and is committing acts of infringement in this district and division by the selling or offering for sale of floor scrubbing machines.

9. U.S. Patent 4,759,094 entitled SCRUBBING MACHINE (the "Patent in Suit"), was duly and legally issued to Plaintiff, MINUTEMAN, (formerly HAKO MINUTEMAN, INC., now, by change of name, MINUTEMAN INTERNATIONAL, INC.), on July 26, 1988 and is based on an application filed October 19, 1987.

10. Plaintiff, MINUTEMAN, is the assignee of all right, title and interest in the Patent in Suit.

11. Defendant, NILFISK, has been and continues willfully and deliberately to infringe the Patent in Suit by making, using and offering for sale floor scrubbing machines under the mark "AQUAMAX" which fall within the scope of the Patent in Suit, and will continue to do so unless enjoined by this Court.

12. Defendant, ADVANCE, has been and continues willfully and deliberately to infringe the Patent in Suit by importing and offering for sale and by selling floor polishing machines under the mark "AQUAMAX" which fall within the scope of the Patent in Suit, and will continue to do so unless enjoined by this Court.

13. Defendants each have knowledge of the Patent in Suit and that the floor scrubbing machines being made and offered for sale by Defendants is an infringement of the Patent in Suit. Despite that knowledge, Defendants, at present, make, sell and offer for sale infringing floor scrubbing machines, and therefore willfully infringe the Patent in Suit.

14. These acts of infringement are irreparably harming and are causing damage to Plaintiff, MINUTEMAN, and will continue to do so unless and until restrained by this Court.

WHEREFORE, Plaintiff prays for judgment as follows:

A. That Defendants, and each of them, and their subsidiaries, affiliates, officers, agents and employees and all other persons in active concert or participation with them be preliminary and permanently enjoined from any further infringement of the Patent in Suit, in accordance with 35 U.S.C. § 283;

B. That Plaintiff be awarded damages for such infringing activities under 35 U.S.C. § 284;

C. That said infringement be declared to be willful and that the award of damages be trebled under 35 U.S.C. § 284;

D. That Plaintiff be awarded interest and cost to this action including reasonable attorneys' fees pursuant to 35 U.S.C. § 285;

E. That Plaintiff be awarded such other and further relief as may be just and proper; and

F. That all triable issues be tried by jury.

Dated: January 10, 2003

Respectfully submitted,

MINUTEMAN INTERNATIONAL, INC.



One of its Attorneys
John W. Chestnut, Esq.
GREER, BURNS & CRAIN, LTD.
300 South Wacker Drive, Ste. 2500
Chicago, IL 60606
Telephone: 312/360-0080
Fax: 312/360-9315

James J. Hill, Esq.
Paul L. Brown, Esq.
EMRICH & DITHMAR
300 South Wacker Drive, Ste. 3000
Chicago, IL 60606
Telephone: 312/663-9800
Fax: 312/663-9822

Of Counsel:

Frank R. Reynolds, Jr., Esq.
Jeanne Reynolds, Esq.
REYNOLDS & REYNOLDS
111 W. Washington, Ste. 1631
Chicago, IL 60602
Telephone: 312/332-4312
Fax: 312/419-0547

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): Minuteman International, Inc.
111 South Rohlwing Road Addison, Illinois
60101 USA

Defendant(s): Nilfisk-Advance A/S Sognevej 25
2605 Brondby DENMARK Nilfisk-Advance,
Inc. 14600 21st Avenue North Plymouth, MN
55447-3408 USA

County of Residence: DuPage

County of Residence: none (Denmark)

Plaintiff's Atty: Paul L. Brown
Emrich & Dithmar
300 S. Wacker Drive #3000
Chicago, IL 60606
312-663-9800

Defendant's Atty:

JUDGE COAR

03C00223

II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**

MAGISTRATE JUDGE MASON

III. Citizenship of Principal Parties (Diversity Cases Only)

Plaintiff: -4 IL corp or Principal place of Bus. in IL
Defendant: -6 Foreign State

IV. Origin : **1. Original Proceeding**

V. Nature of Suit: **830 Patent**

VI. Cause of Action: **35 U.S.C. Sec. 271 et seq.**

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

VIII. This case IS NOT a refiling of a previously dismissed case.

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U.S. DISTRICT COURT
CLERK

Signature: *Paul L Brown*

Date: *January 10, 2003*

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DOCKETED
JAN 13 2003

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF ILLINOIS**

Eastern Division

JUDGE COAR

In the Matter of

Minuteman International, Inc.
 v.
 Nilfisk-Advance A/S and
 Nilfisk-Advance, Inc.

03C00223
 Case Number:

MAGISTRATE JUDGE MASON

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Plaintiff, Minuteman International, Inc.

| (A) | | (B) | |
|--|--|---|--|
| SIGNATURE <i>John W. Chesnut</i> | SIGNATURE <i>Paul L. Brown</i> | U.S. DISTRICT COURT CHICAGO, ILLINOIS FILED-EDA PH 10 01 JAN 10 03 | |
| NAME John W. Chesnut | NAME Paul L. Brown | | |
| FIRM GREER, BURNS & CRAIN, LTD. | FIRM EMRICH & DITHMAR | | |
| STREET ADDRESS 300 S. Wacker Drive, Suite 2500 | STREET ADDRESS 300 S. Wacker Drive, Suite 3000 | | |
| CITY/STATE/ZIP Chicago, Illinois 60606 | CITY/STATE/ZIP Chicago, Illinois 60606 | | |
| TELEPHONE NUMBER (312) 360-0080 | TELEPHONE NUMBER (312) 663-9800 | | |
| IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 0435171 | IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 00317926 | | |
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| TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | | |
| | DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | | |
| (C) | | (D) | |
| SIGNATURE <i>Frank R. Reynolds, Jr.</i> | SIGNATURE <i>Jeanne Reynolds</i> | | |
| NAME Frank R. Reynolds, Jr. | NAME Jeanne Reynolds | | |
| FIRM REYNOLDS & REYNOLDS | FIRM REYNOLDS & REYNOLDS | | |
| STREET ADDRESS 111 W. Washington, Suite 1631 | STREET ADDRESS 111 W. Washington, Suite 1631 | | |
| CITY/STATE/ZIP Chicago, Illinois 60602 | CITY/STATE/ZIP Chicago, Illinois | | |
| TELEPHONE NUMBER (312) 332-4312 | TELEPHONE NUMBER (312) 332-4312 | | |
| IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 90679 | IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 90679 | | |
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| TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | | |
| DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | | |

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