

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

ONE WORLD TECHNOLOGIES, LTD. and
RYOBI TECHNOLOGIES, INC.,

Plaintiffs,

v.

REXON INDUSTRIAL CORP., LTD.,
POWER TOOL SPECIALISTS, INC.,
PORTER-CABLE CORP.,
DELTA INTERNATIONAL MACHINERY
CORP., and PENTAIR, INC.,

Defendants.

FILED

AUG 11 2004

MICHAEL W. DOBBS
CLERK, U.S. DISTRICT COURT

Civil Action No. 04C-4337

Judge Matthew F. Kennelly
Magistrate Judge Edward A. Bobrick

DOCKETED
AUG 12 2004

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, One World Technologies, Ltd. and Ryobi Technologies, Inc., for their second amended complaint against Defendants, Rexion Industrial Corp., Ltd., Power Tool Specialists, Inc., Porter-Cable Corp., Delta International Machinery Corp., and Pentair, Inc., allege as follows:

1. One World Technologies, Ltd. ("One World") is a Bermuda corporation.
2. Ryobi Technologies, Inc. ("Ryobi") is a Delaware corporation with a principal place of business at 1428 Pearman Dairy Road, Anderson, South Carolina.
3. Upon information and belief, Rexion Industrial Corp., Ltd. ("Rexion") is a Taiwanese corporation with a principal place of business at No. 261 Jen Hwa Road, Tali, Taichung 412, Taiwan, R.O.C.

4. Upon information and belief, Power Tool Specialists, Inc. (“PTS”) is a Massachusetts corporation having a principal place of business at 3 Craftsman Road, East Windsor, Connecticut.

5. Upon information and belief, Porter-Cable Corp. (“Porter-Cable”) is a Delaware corporation having a principal place of business at 4825 US Highway 45 N, Jackson, Tennessee.

6. Upon information and belief, Delta International Machinery Corp. (“Delta”) is a Minnesota corporation having a principal place of business at 4799 S. Eason Blvd., Tupelo, Mississippi.

7. Upon information and belief, Pentair, Inc. (“Pentair”) is a Minnesota corporation having a principal place of business at 5500 Wayzata Blvd., Suite 800, Minneapolis, Minnesota.

8. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1338.

COUNT I – Infringement of the ‘107 Patent

9. One World and and Ryobi incorporate and reallege paragraphs 1-8 as if fully set forth herein.

10. United States Patent No. 6,755,107, entitled “Miter Saw Having a Light Beam Alignment System,” attached as Exhibit A, was duly and legally issued on June 29, 2004 (hereinafter “the ‘107 patent”). One World is, and has been since June 29, 2004, the owner of the ‘107 patent. Ryobi is an exclusive licensee of the ‘107 patent.

11. Upon information and belief, Defendants have infringed and are now directly infringing, inducing infringement by others, and/or contributorily infringing one or more claims of the ‘107 patent within this District and elsewhere within the United States by making, using,

selling, and/or offering to sell products falling within the scope of such claims, all without authority or license from Plaintiffs.

12. As a direct result of said infringement, Defendants have caused Plaintiffs irreparable injury and financial damage, and such injury and damage will continue unless enjoined by this Court.

WHEREFORE, Plaintiffs pray for a judgment:

- (a) decreeing that Defendants have infringed United States Patent No. 6,755,107;
- (b) granting a permanent injunction restraining and enjoining Defendants, their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, from further infringement of the '107 patent during the remaining term thereof;
- (c) awarding Plaintiffs damages adequate to compensate for the infringement of the '107 patent by Defendants, but in no event less than a reasonable royalty for the use made of the invention by Defendants, in an amount to be determined at trial, including interest and costs; and
- (d) granting such other and further relief as the Court may deem just and proper.

COUNT II – Infringement of the '797 Patent

13. One World and and Ryobi incorporate and reallege paragraphs 1-8 as if fully set forth herein.

14. United States Patent No. 6,360,797, entitled "Power Tool and Portable Support Assembly," attached as Exhibit B, was duly and legally issued on March 26, 2002 (hereinafter "the '797 patent"). One World is the owner of the '797 patent. Ryobi is an exclusive licensee of the '797 patent.

15. Upon information and belief, Defendants Rixon and PTS have infringed and are now directly infringing, inducing infringement by others, and/or contributorily infringing one or more claims of the '797 patent within this District and elsewhere within the United States by making, using, selling, and/or offering to sell products falling within the scope of such claims, all without authority or license from Plaintiffs.

16. As a direct result of said infringement, Defendants Rixon and PTS have caused Plaintiffs irreparable injury and financial damage, and such injury and damage will continue unless enjoined by this Court.

WHEREFORE, Plaintiffs pray for a judgment:

(a) decreeing that Defendants Rixon and PTS have infringed United States Patent No. 6,360,797;

(b) granting a permanent injunction restraining and enjoining Defendants Rixon and PTS, their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, from further infringement of the '797 patent during the remaining term thereof.

(c) awarding Plaintiffs damages adequate to compensate for the infringement of the '797 patent by Defendants Rixon and PTS, but in no event less than a reasonable royalty for the use made of the invention by Defendants Rixon and PTS, in an amount to be determined at trial, including interest and costs; and

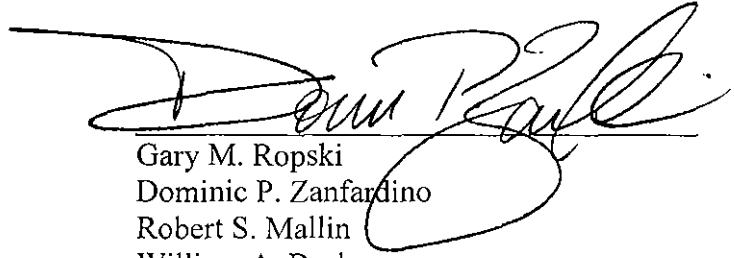
(d) granting such other and further relief as the Court may deem just and proper.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiffs hereby demand a trial by jury on all issues triable of right by jury.

Dated: August 11, 2004

Respectfully submitted,



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ONE WORLD TECHNOLOGIES, LTD.
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Plaintiffs' SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT was served on this the 11th day of August, 2004, to the following attorneys of record:

via hand-delivery:

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REXON INDUSTRIAL CORPORATION, LTD. and
POWER TOOL SPECIALISTS, INC.



***See Case
File for
Exhibits***