

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MASONITE CORPORATION,

Plaintiff,

v.

CRAFTMASTER MANUFACTURING, INC.,

Defendant.

Case No.: 1:09-cv-02131

COMPLAINT FOR PATENT  
INFRINGEMENT

JURY TRIAL DEMANDED

**MASONITE CORPORATION'S SUPPLEMENTAL  
FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Masonite Corporation ("Masonite") for its Supplemental First Amended Complaint against CraftMaster Manufacturing, Inc. ("CMI"), hereby avers that:

1. Masonite is a corporation of the State of Delaware and has a place of business at 1955 Powis Road, West Chicago, Illinois 60185, within this district.

2. CMI is, upon information and belief, a corporation of Delaware, having a place of business at 500 W. Monroe St., Suite 2100, Chicago, Illinois 60661, within this district.

3. This is a complaint for patent infringement and this Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

4. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400.

5. On February 28, 2006, U.S. Patent No. D516,225 ("the '225 patent") was duly and lawfully issued to Masonite as assignee for an invention entitled "DOOR FACING". A copy of the '225 patent is appended hereto as Exhibit A.

6. On February 28, 2006, U.S. Patent No. D516,226 ("the '226 patent") was duly and lawfully issued to Masonite as assignee for an invention entitled "DOOR

FACING”. A copy of the ‘226 patent is appended hereto as Exhibit B.

7. On February 15, 2005, U.S. Patent No. D501,931 (“the ‘931 patent”) was duly and lawfully issued to Jeld-Wen, Inc. as assignee for an invention entitled “DOOR PANEL.” A copy of the ‘931 patent is appended hereto as Exhibit C. The ‘931 patent was duly and legally assigned to Masonite on October 19, 2009.

8. Masonite has been and still is the owner of the ‘225 patent and of the ‘226 patent. Masonite is the owner of the ‘931 patent.

9. The ‘225 patent and the ‘226 patent were held on summary judgment to be invalid by this Court, a ruling from which Masonite has and continues to preserve its right to appeal. The ‘931 patent is in full force and effect.

10. Masonite gave CMI written notice of the ‘225 patent and of the ‘226 patent. Masonite gave CMI written notice of its infringement of the ‘931 patent no later than the filing date of its Motion for Leave to File its First Amended Complaint [Dkt. No. 22] on November 25, 2009.

11. A Certificate of Correction for the ‘225 patent was issued by the U.S. Patent & Trademark Office on August 24, 2010. A copy of the ‘225 patent’s Certificate of Correction is appended hereto as Exhibit D.

12. Masonite gave CMI written notice of the issuance of the Certificate of Correction for the ‘225 patent no later than the filing date of Masonite’s Surreply [Dkt No. 89] on September 23, 2010.

13. A Certificate of Correction for the ‘226 patent was issued by the U.S. Patent & Trademark Office on August 24, 2010. A copy of the ‘226 patent’s Certificate of Correction is appended hereto as Exhibit E.

14. Masonite gave CMI written notice of the issuance of the Certificate of Correction for the '226 patent no later than the filing date of Masonite's Surreply [Dkt No. 89] on September 23, 2010.

**COUNT I**  
**(Infringement of the '931 Patent)**

15. Masonite incorporates herein by reference the averments of the preceding paragraphs as though fully set forth herein.

16. CMI has been and still is infringing the '931 patent by making, using, offering to sell, and selling door panels (including the Cashal door facings) within this district embodying the patented invention and will continue to do so unless enjoined by this Court.

17. Upon information and belief, CMI's infringement of the '931 patent has been willful.

**COUNT II**  
**(Infringement of the '225 Patent as Corrected by the Certificate of Correction That Issued on August 24, 2010)**

18. Masonite incorporates herein by reference the averments of the preceding paragraphs 1-14 as though fully set forth herein.

19. CMI has been and still is infringing the '225 patent as corrected by the Certificate of Correction that issued on August 24, 2010 by making, using, offering to sell, and selling door facings (including the Cashal door facings) within this district embodying the patented inventions on and/or after August 24, 2010, and will continue to do so unless enjoined by this Court.

20. Upon information and belief, CMI's infringement of the '225 patent as corrected by the Certificate of Correction of August 24, 2010 has been willful.

**COUNT III**  
**(Infringement of the '226 Patent as Corrected by the Certificate of Correction That Issued on August 3, 2010)**

21. Masonite incorporates herein by reference the averments of the preceding paragraphs 1-14 as though fully set forth herein.

22. CMI has been and still is infringing the '226 patent as corrected by the Certificate of Correction that issued on August 3, 2010 by making, using, offering to sell, and selling door facings (including the Cashal door facings) within this district embodying the patented inventions on and/or after August 3, 2010, and will continue to do so unless enjoined by this Court.

23. Upon information and belief, CMI's infringement of the '226 patent as corrected by the Certificate of Correction of August 3, 2010 has been willful.

**PRAYER FOR RELIEF**

WHEREFORE,

Masonite demands as judgment against CMI:

1. A preliminary injunction enjoining CMI and those in concert and participation with it from infringing the '225 patent (as corrected by the Certificate of Correction), the '226 patent (as corrected by the Certificate of Correction), and the '931 patent (35 U.S.C. § 283);

2. A permanent injunction enjoining CMI and those in concert and participation with it from continuing to infringe the '225 patent (as corrected by the Certificate of Correction), the '226 patent (as corrected by the Certificate of Correction), and the '931 patent (35 U.S.C. § 283);

3. Damages of no less than a reasonable royalty for infringement of the '225

patent (as corrected by the Certificate of Correction), the '226 patent (as corrected by the Certificate of Correction), and the '931 patent (35 U.S.C. § 284);

4. Damages of no less than CMI's total profit for infringement of the '225 patent (as corrected by the Certificate of Correction), the '226 patent (as corrected by the Certificate of Correction), and the '931 patent (35 U.S.C. § 289);

5. A finding that this case is exceptional (35 U.S.C. § 285);

6. Increased and trebled damages on account of willful infringement (35 U.S.C. § 284);

7. Attorney fees (35 U.S.C. § 285);

8. Its costs; and

9. Such other and further relief as the Court deems appropriate.

Masonite demands a trial by jury pursuant to Rule 38, Fed. R. Civ. P.

Dated: July 25, 2011

Respectfully submitted,

/s/ James A. Shimota

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Attorneys for Masonite Corporation

CERTIFICATE OF SERVICE

I, James A. Shimota, hereby certify that on this twenty fifth day of July, 2011, I

served a copy of MASONITE CORPORATION'S SUPPLEMENTAL FIRST

AMENDED COMPLAINT FOR PATENT INFRINGEMENT via ECF notice upon:

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s/ James A. Shimota  
James A. Shimota