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

**MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT**

MEYER INTELLECTUAL PROPERTIES LIMITED; and

MEYER CORPORATION, U.S.,

Plaintiffs,

v.

BODUM, INC.

Defendant.

06CV6329

JUDGE SHADUR

MAG. JUDGE SCHENKIER

Judge: \_\_\_\_\_

Magistrate Judge: \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiffs, Meyer Intellectual Properties Limited. ("Meyer IP") and Meyer Corporation, U.S. ("Meyer U.S."), collectively, "Meyer," for their Complaint against Defendant, BODUM, INC. ("BODUM"), state as follows:

**PARTIES AND JURISDICTION**

1. This action arises under the Patent Laws of the United States, United States Code, Title 35, § 1, *et. seq.* The Court has jurisdiction over the subject matter of this action pursuant to United States Code, Title 28, Sections 1331 and 1338.

2. Meyer IP is a corporation organized under the laws of the British Virgin Islands, and has its principal place of business in Kowloon, Hong Kong, China.

3. Meyer U.S. is a Delaware corporation with its principal place of business at 1 Meyer Plaza, Vallejo, California, and is the exclusive United States licensee of Meyer IP for the patents referenced below.

4. BODUM is a Delaware corporation with its principal place of business at 413-415 W. 14<sup>th</sup> Street, New York, New York.

5. On information and belief, BODUM has for a time past been and still is using, selling, offering for sale, and/or importing one or more milk frother products for frothing liquids within the scope of the patents asserted below, generally throughout the United States and in this Judicial District in particular, in violation of 35 U.S.C. § 271.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 5,780,087**

6. MEYER realleges paragraphs 1-5 above, inclusive, which are incorporated by reference.

7. United States Patent No 5,780,087, entitled "Apparatus and Method for Frothing Liquid" (hereinafter, "the '087 Patent," a copy of which is attached hereto as Exhibit A), was duly and legally issued on July 14, 1998. Meyer IP is the owner of the '087 Patent.

8. On information and belief, BODUM has been and still is using, selling, offering for sale and/or importing one or more milk frother products for frothing liquids that infringe, directly, indirectly, contributorily and/or by inducement, the '087 Patent, and will continue to do so unless enjoined by this Court.

9. Bodum has had actual notice of the '087 Patent at least by the filing of this lawsuit.

**COUNT II: INFRINGEMENT OF U.S. PATENT NO. 5,939,122**

10. MEYER realleges paragraphs 1-9 above, inclusive, which are incorporated by reference.

11. United States Patent No. 5,939,122, entitled "Method for Frothing Liquids" (hereinafter, "the '122 Patent," a copy of which is attached hereto as Exhibit B), was duly and legally issued on August 17, 1999. Meyer IP is the owner of the '122 Patent.

12. On information and belief, BODUM has been and still is using, selling, offering for sale and/or importing one or more milk frother products that infringe, directly, indirectly, contributorily and/or by inducement, the '122 Patent, and will continue to do so unless enjoined by this Court.

13. BODUM has had actual notice of the '122 Patent at least by the filing of this lawsuit.

**REQUEST FOR RELIEF**

WHEREFORE, MEYER respectfully requests that this Court enter a judgment:

- A. Declaring that BODUM infringed, induced and/or contributed to the infringement of U.S. Patent No. 5,780,087 and U.S. Patent No. 5,939,122;
- B. Permanently enjoining BODUM, its subsidiaries, agents, officers, employees, directors, licensees, servants, successors, assigns and all others acting in privity or in concert with them, from infringing, actively inducing infringement or contributing to the infringement of U.S. Patent No. 5,780,087 and U.S. Patent No. 5,939,122;
- C. Awarding Meyer damages adequate to compensate for BODUM's infringing activities, together with interest and costs; and
- D. Awarding MEYER such other and further relief as this Court may deem just and proper.

**JURY DEMAND**

Plaintiffs, MEYER INTELLECTUAL PROPERTIES LIMITED AND MEYER CORPORATION U.S.

demand a trial by jury as to all claims and all issues properly triable thereby.

Dated: November 20, 2006

Respectfully submitted,

MEYER INTELLECTUAL PROPERTIES LIMITED.; and  
MEYER CORPORATION U.S.

By:

  
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