

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

FILED-ED4
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U.S. DISTRICT COURT

DOCKETED
DEC 12 2001

THE CHAMBERLAIN GROUP, INC.,
a Connecticut corporation,

Plaintiff,

v.

DOORKING, INC.,
a California corporation,

Defendant.

Civil Action No.

01C 9440

JURY TRIAL DEMANDED

JUDGE RONALD GUZMAN

MAGISTRATE JUDGE ASHMAN

COMPLAINT

Plaintiff, The Chamberlain Group, Inc. ("Chamberlain"), complains against Defendant, DoorKing, Inc. ("DoorKing"), as follows:

1. Chamberlain is a corporation incorporated under the laws of the State of Connecticut, with its principal place of business in Elmhurst, Illinois.
2. DoorKing, upon information and belief, is a California corporation. It has a principal place of business in Inglewood, California, and an office at 2300 North Barrington Road, Suite 400, Hoffman Estates, Illinois 60195.
3. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §271 et seq. The Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§1331 and 1338(a).
4. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because DoorKing is subject to personal jurisdiction in this district. DoorKing has an office in and has committed acts of infringement within this District.

H

COUNT I

5. On June 7, 1988, U.S. Patent No. 4,750,118 (“the ‘118 Patent”) entitled “Coding System for Multiple Transmitters and a Single Receiver For a Garage Door Opener” was duly and legally issued to Chamberlain Manufacturing Company, on an application filed by Carl Heitschel, Colin Willmott and Wayne Schindler. On October 29, 1996, the ‘118 Patent was duly and legally reissued as Reissue Patent No. Re. 35,364 (“the ‘364 Patent”).

6. Chamberlain is the owner of all right, title and interest in the ‘364 Patent.

7. DoorKing has been, and is, willfully infringing the ‘364 Patent: by making, using, offering to sell, and/or selling wireless access control systems, including the Micro Plus RF Control systems, incorporating the inventions patented in the ‘364 Patent within the United States and within this District; by inducing others to infringe the ‘364 Patent; and/or by contributing to the infringement by others of the ‘364 Patent. Unless enjoined by the Court, DoorKing will continue to infringe, induce the infringement of, and/or contributorily infringe the ‘364 Patent.

8. The required statutory notice has been placed on products sold under the ‘118 Patent and the ‘364 Patent.

9. Chamberlain notified DoorKing of its infringement of the ‘364 Patent in May 2001.

COUNT II

10. On May 16, 2000, the ‘118 Patent was duly and legal reissued to Chamberlain as Reissue Patent No. 36,703 (“the ‘703 Patent”).

11. Chamberlain is the owner of all right, title and interest in the ‘703 Patent.

12. DoorKing has been and is willfully infringing the '703 Patent: by making, using, offering to sell, and/or selling wireless access control systems, including the Micro Plus RF Control systems, incorporating the inventions patented in the '703 Patent within the United States and within this District; by inducing others to infringe the '703 Patent; and by contributing to the infringement by others of the '703 Patent. Unless enjoined by the Court, DoorKing will continue to infringe, induce the infringement of, and contributorily infringe the '703 Patent.

13. The required statutory notice has been placed on products sold under the 703 Patent.

14. Chamberlain notified DoorKing of its infringement of the '703 Patent in May 2001.

PRAYER FOR RELIEF

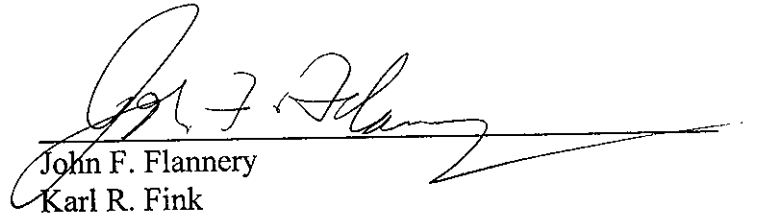
WHEREFORE, Chamberlain prays for:

1. Judgment that the '364 Patent and the '703 Patent are valid, enforceable and infringed by DoorKing.
2. A preliminary and permanent injunction enjoining DoorKing, its officers, agents, servants, employees and those persons acting in active concert or participation with DoorKing from infringing, inducing infringement of, or contributorily infringing the '364 Patent and the '703 Patent.
3. An award of damages arising out of DoorKing's infringement, inducing infringement, or contributory infringement of the '364 Patent and the '703 Patent, together with interest;
4. Judgment that the damages so adjudged be trebled;
5. Judgment that Chamberlain be awarded its attorney's fees, costs and expenses incurred in this action; and
6. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Chamberlain demands trial by jury of all issues triable of right by a jury.

Date: December 11, 2001



John F. Flannery

Karl R. Fink

Rudy I. Kratz

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Attorneys for Plaintiff, The Chamberlain Group, Inc.

266209

Pat # 1.

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): The Chamberlain Group, Inc.

Defendant(s): DoorKing, Inc.

County of Residence: DuPage County

County of Residence:

Plaintiff's Atty: John F. Flannery; Karl R. Fink;
Rudy I. Kratz
Fitch, Even, Tabin & Flannery
120 So. LaSalle Street, #1600,
Chicago, IL 60603-3406
312-577-7000

Defendant's Atty:

01C 9440

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U.S. DISTRICT COURT

II. Basis of Jurisdiction:

3. Federal Question (U.S. not a party)

JUDGE RONALD GUZMAN

MAGISTRATE JUDGE ASHMAN

III. Citizenship of Principle

Parties (Diversity Cases Only)

Plaintiff:- N/A

Defendant:- N/A

IV. Origin :

1. Original Proceeding

V. Nature of Suit:

830 Patent

VI. Cause of Action:

Patent Infringement Under 35 U.S.C. Section 271 et seq.

VII. Requested in Complaint

Class Action: No

Dollar Demand:

Jury Demand: Yes

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

Signature: _____

John F. Flannery

Date: _____

December 11, 2001

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.** Revised: 06/28/00

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

In the Matter of

THE CHAMBERLAIN GROUP, INC. v. DOORKING, INC.

DOCKETED

Case Number:

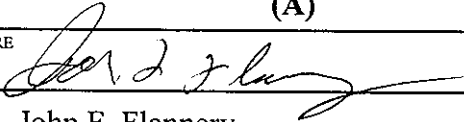

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APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

THE CHAMBERLAIN GROUP, INC.

01C 9440

(A)		(B)	
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MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
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		SIGNATURE	
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MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	
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DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	

JUDGE RONALD GUZMAN
PROBATE JUDGE ASHMAN