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J N Aug. 25, 2006
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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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

GLEN R. KEALY, MARK E. WHITE,)

Plaintiffs,)

v.)

BO-NASH (NORTH AMERICA), INC.,)

Defendants.)

JURY TRIAL DEMANDED

06CV4631
JUDGE ST. EVE
MAG. JUDGE VALDEZ

COMPLAINT

Plaintiffs Glen R. Kealy and Mark E. White complain of Defendant Bo-Nash (North America), Inc. ("Bo-Nash") as follows:

THE PARTIES

1. Plaintiffs Glen R. Kealy and Mark E. White are individuals and residents of Australia.
2. Defendant Bo-Nash is a Washington corporation with its principal place of business in Auburn, Washington.

JURISDICTION AND VENUE

3. This Complaint is for patent infringement under the patent laws of the United States, Title 35 of the United States Code. This Court has original jurisdiction over the subject matter of this Complaint under 28 U.S.C. § 1338(a).

4. Venue in this district is proper under 28 U.S.C. §§ 1391(b) and (c), 1400(b).

COUNT 1—PATENT INFRINGEMENT

5. Plaintiffs own full right, title and interest in, and have the sole and exclusive right to enforce and standing to sue and recover damages for, infringement of U.S. Patent No. 5,664,349 (“the ‘349 patent”), entitled “Removable Sole Plate Cover for Fabric Pressing Irons.”

6. The ‘349 patent was issued by the United States Patent and Trademark Office on September 9, 1997. The ‘349 patent remains valid and enforceable.

7. Bo-Nash received actual and constructive notice of the ‘359 patent.

8. Bo-Nash has directly infringed, contributorily infringed, and/or actively induced the infringement of the ‘349 patent, claim 1.

9. Bo-Nash has committed these acts of infringement throughout the United States, including in this judicial district.

10. Bo-Nash’s unlawful acts of infringement of the ‘349 patent will continue unless enjoined this Court.

11. Bo-Nash’s infringement of the asserted claims of the ‘349 has been willful, intentional, and deliberate because such infringement was done with the full actual knowledge of, access to, and disregard for the ‘349 patent.

12. Plaintiffs have been injured by the infringing acts of Bo-Nash and are entitled to recover damages adequate to compensate them for the infringement that has occurred.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Glen R. Kealy and Mark E. White pray that this Court enter judgment in their favor and against Defendant Bo-Nash (North America), Inc., as follows:

A. An injunction prohibiting Bo-Nash, and all those acting in concert or participation with Bo-Nash, from further acts of infringement of the '349 patent:

B. An award to Plaintiffs of such damages as they can prove at trial against Bo-Nash sufficient to fully and adequately compensate them for all the acts of infringement that have occurred, said damages to be no less than a reasonable royalty;

C. A declaration that this is an exception case because of Bo-Nash's wilful infringement of the '349 patent and an award to Plaintiffs of treble damages pursuant to 35 U.S.C. § 284;

D. An award of prejudgment interest on all damages;

E. An award to Plaintiffs of their costs and reasonable attorneys' fees; and

F. Such other relief as the Court may deem just and proper.

Respectfully submitted,

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One of Their Attorneys

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