

PARTIES

3. Plaintiff Belden is a Delaware corporation having a principal place of business at 7733 Forsyth Boulevard, Suite 800, St. Louis, Missouri 63105.

4. On information and belief, Defendant Superior Essex Inc. is a corporation organized under the laws of the State of Delaware, having a principal place of business at 150 Interstate North Parkway, Atlanta, Georgia 30339.

5. On information and belief, Defendant Superior Essex Communications LP is an entity organized under the laws of the State of Delaware, having a principal place of business at 150 Interstate North Parkway, Atlanta, Georgia 30339.

JURISDICTION AND VENUE

6. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338(a).

7. This Court has personal jurisdiction over Superior Essex Inc., who is a Delaware corporation.

8. This Court has personal jurisdiction over Superior Essex Communications LP, who is a Delaware limited partnership.

9. Venue is proper in the District of Delaware under 28 U.S.C. §§1391 and 1400(b).

COUNT I
Infringement of U.S. Patent No. 7,663,061

10. Belden is the owner of United States Patent No. 7,663,061 (“the ’061 patent”) entitled “High Performance Data Cable,” and has the right to sue on the ’061 patent. A copy of the ’061 patent is attached as Exhibit A.

11. Defendant Superior Essex Inc. has infringed (literally and/or by equivalents), and is continuing to infringe, the '061 patent by making, using, importing, selling, and/or offering to sell data communications cable products covered by one or more of the '061 patent claims within the United States, and/or by contributing to or inducing such infringement.

12. Defendant Superior Essex Inc.'s infringement of the '061 patent is and has been willful, has caused and will continue to cause Belden to suffer substantial damages, and has caused and will continue to cause Belden to suffer irreparable harm for which there is no adequate remedy at law.

13. Defendant Superior Essex Communications LP has infringed (literally and/or by equivalents), and is continuing to infringe, the '061 patent by making, using, importing, selling, and/or offering to sell data communications cable products covered by one or more of the '061 patent claims within the United States, and/or by contributing to or inducing such infringement.

14. Defendant Superior Essex Communications LP's infringement of the '061 patent is and has been willful, has caused and will continue to cause Belden to suffer substantial damages, and has caused and will continue to cause Belden to suffer irreparable harm for which there is no adequate remedy at law.

COUNT II
Infringement of U.S. Patent No. 7,977,575

15. Belden is the owner of United States Patent No. 7,977,575 ("the '575 patent") entitled "High Performance Data Cable," and has the right to sue on the '575 patent. A copy of the '575 patent is attached as Exhibit B.

16. Defendant Superior Essex Inc. has infringed (literally and/or by equivalents), and is continuing to infringe, the '575 patent by making, using, importing, selling, and/or offering to

sell data communications cable products covered by one or more of the '575 patent claims within the United States, and/or by contributing to or inducing such infringement.

17. Defendant Superior Essex Inc.'s infringement of the '575 patent is and has been willful, has caused and will continue to cause Belden to suffer substantial damages, and has caused and will continue to cause Belden to suffer irreparable harm for which there is no adequate remedy at law.

18. Defendant Superior Essex Communications LP has infringed (literally and/or by equivalents), and is continuing to infringe, the '575 patent by making, using, importing, selling, and/or offering to sell data communications cable products covered by one or more of the '575 patent claims within the United States, and/or by contributing to or inducing such infringement.

19. Defendant Superior Essex Communications LP's infringement of the '575 patent is and has been willful, has caused and will continue to cause Belden to suffer substantial damages, and has caused and will continue to cause Belden to suffer irreparable harm for which there is no adequate remedy at law.

PRAYER FOR RELIEF

WHEREFORE, Belden requests that this Court enter judgment as follows ordering that:

(a) Defendants infringe the '575 and '061 patents by their making, using, offering for sale, selling and/or offering to sell data communications cable products covered by one or more of the '575 and '061 patent claims within the United States, and/or by contributing to or inducing such infringement;

(b) Defendants' infringement of the '575 and '061 patents is willful;

(c) Defendants and their affiliates, subsidiaries, officers, directors, employees, agents, representatives, licensees, successors, assigns, and all those acting for any of them or on their

behalf, or acting in concert with them, be preliminarily and permanently enjoined from further infringement of Belden's patent rights;

(d) Plaintiff be awarded compensatory damages and costs, with prejudgment and post-judgment interest;

(e) Plaintiff be awarded treble damages for willful patent infringement;

(f) This case be declared to be exceptional in favor of Plaintiff under 35 U.S.C. § 285, and that Plaintiff be awarded its costs, attorneys' fees, and other expenses incurred in connection with this action; and

(g) Plaintiff be awarded such other relief as the Court deems just and proper.

JURY DEMAND

Belden demands a trial by jury on all issues so triable.

Respectfully submitted,

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