

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PARKER-HANNIFIN CORPORATION, and)	
PARKER INTANGIBLES, LLC,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 07-266
)	
SCHLEGEL ELECTRONIC MATERIALS, INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

FIRST AMENDED COMPLAINT

Plaintiffs, PARKER-HANNIFIN CORPORATION and PARKER INTANGIBLES, LLC, as and for their complaint against defendant, SCHLEGEL ELECTRONIC MATERIALS, INC., allege as follows:

PARTIES

1. Plaintiff PARKER-HANNIFIN CORPORATION (hereinafter “PARKER”) is a corporation organized and existing under the laws of the State of Ohio, having its principal place of business at 6035 Parkland Blvd., Cleveland, Ohio.

2. Plaintiff PARKER INTANGIBLES, LLC (hereinafter “PI”) is a Delaware limited liability company, having a place of business at 6035 Parkland Blvd., Cleveland, Ohio, and a wholly-owned subsidiary of PARKER.

3. Defendant, SCHLEGEL ELECTRONIC MATERIALS, INC. (hereinafter “SCHLEGEL”), is, on information and belief, a corporation organized and existing under the laws of the State of New York, with its principal place of business at 1555 Jefferson Road, Rochester, New

York 14692. SCHLEGEL's Delaware registered agent is The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

4. The jurisdiction of this Court arises under 28 U.S.C. §§ 1331 and 1338(a).
5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b).

THE PATENTS

6. On May 14, 2002, United States Letters Patent No. 6,387,523 (hereinafter the "523 patent") (attached hereto as Exhibit "A") was duly and legally issued. The '523 patent is owned by PI. Parker is the exclusive licensee under the '523 patent, and has the right to sue for past, present, and future infringement of the '523 patent, and further the right to seek injunctive relief and monetary damages.

7. On February 18, 2003, United States Letters Patent No. 6,521,348 (hereinafter the "348 patent") (attached hereto as Exhibit "B") was duly and legally issued. The '348 patent is owned by PI. Parker is the exclusive licensee under the '348 patent, and has the right to sue for past, present, and future infringement of the '348 patent, and further the right to seek injunctive relief and monetary damages.

8. On April 6, 2004, United States Letters Patent No. 6,716,536 (hereinafter the "536 patent") (attached hereto as Exhibit "C") was duly and legally issued. The '536 patent is owned by PI. Parker is the exclusive licensee under the '536 patent, and has the right to sue for past, present, and future infringement of the '536 patent, and further the right to seek injunctive relief and monetary damages.

9. On August 17, 2004, United States Letters Patent No. 6,777,095 (hereinafter the “‘095 patent”) (attached hereto as Exhibit “D”) was duly and legally issued. The ‘095 patent is owned by PI. Parker is the exclusive licensee under the ‘095 patent, and has the right to sue for past, present, and future infringement of the ‘095 patent, and further the right to seek injunctive relief and monetary damages.

10. On June 19, 2001, United States Letters Patent No. 6,248,393 (hereinafter “‘393 patent”) (attached hereto as Exhibit “E”) was duly and legally issued. The ‘393 patent is owned by PI. Parker is the exclusive licensee under the ‘393 patent, and has the right to sue for past, present, and future infringement of the ‘393 patent, and further the right to seek injunctive relief and monetary damages.

PATENT INFRINGEMENT

11. SCHLEGEL has been and still is infringing one or more claims of the ‘523, ‘348, ‘536, ‘095, and/or ‘393 patents. SCHLEGEL’s infringing activities have included direct infringement, contributory infringement and/or active inducement of infringement within the meaning of 35 U.S.C. §§ 271(a) through (c).

12. SCHLEGEL has committed acts of infringement in disregard of PARKER’s and PI’s (hereinafter collectively “Plaintiffs”) rights in the ‘523, ‘348, ‘536, ‘095, and/or ‘393 patents. Upon information and belief, SCHLEGEL’s infringement has been willful, deliberate and intentional, and will continue, to Plaintiffs’ irreparable harm, unless enjoined by this Court.

WHEREFORE, Plaintiffs demand judgment as follows:

A. That SCHLEGEL has infringed U.S. Patent Nos. 6,387,523; 6,521,348; 6,716,536; 6,777,095; and/or 6,248,393;

B. That SCHLEGEL be permanently enjoined from further conduct which infringes the '523, '348, '536, '095, or '393 patents;

C. That Plaintiffs be awarded damages adequate to compensate them for SCHLEGEL's infringement, and that the damages be trebled because of the willful nature of SCHLEGEL's infringement, together with interest, pursuant to 35 U.S.C. § 284; and

D. That Plaintiffs be awarded their attorney fees and costs in this action, together with such other relief as this Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs hereby request a trial by jury.

/s/ Francis DiGiovanni
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Dated: September 7, 2007

CERTIFICATE OF SERVICE

I Francis DiGiovanni hereby certify that on September 7, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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