

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

SUPPLY CHAIN CONNECT, LLC,

Plaintiff,

v.

1. AFTON CHEMICAL CORPORATION
2. AIRGAS, INC.
3. AIR LIQUIDE AMERICA, LP
4. AIR PRODUCTS AND CHEMICALS, INC.
5. ARKEMA INC.
6. BAKER HUGHES INCORPORATED
7. BAKER PETROLITE CORPORATION
8. BASIC CHEMICAL SOLUTIONS, LLC
9. CHAMPION TECHNOLOGIES, INC.
10. THE GOODYEAR TIRE & RUBBER COMPANY
11. LAMONS GASKET COMPANY
12. NALCO COMPANY
13. NATIONAL OILWELL VARCO, LP
14. NOVA CHEMICALS INC.
15. OCCIDENTAL CHEMICAL CORPORATION
16. POROCEL INDUSTRIES, LLC
17. PVS CHEMICAL SOLUTIONS, INC.
18. QUADREM INTERNATIONAL, LTD
19. QUADREM INTERNATIONAL HOLDINGS, LTD.
20. QUADREM NETHERLANDS, B.V.

Defendants.

Case No. 4:11-cv-02191

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement in which Supply Chain Connect, LLC, (“SCC” or “Plaintiff”) makes the following allegations against Afton Chemical Corporation; Airgas, Inc.; Air Liquide America, LP; Air Products and Chemicals, Inc.; Arkema Inc; Baker Hughes Incorporated; Baker Petrolite Corporation; Basic Chemical Solutions, LLC; Champion Technologies, Inc.; The Goodyear Tire & Rubber Company; Lamons Gasket Company; Nalco

Company; National Oilwell Varco, LP; Nova Chemicals Inc.; Occidental Chemical Corporation; Porocel Industries, LLC; PVS Chemical Solutions, Inc.; Quadrem International, Ltd.; Quadrem International Holdings, Ltd.; Quadrem Netherlands, B.V. (collectively, “Defendants”).

### **PARTIES**

1. Plaintiff Supply Chain Connect, LLC is a Texas limited liability company with its principal place of business at 11221 Katy Freeway, Suite 107, Houston, Texas 77043. Supply Chain Connect has an established track record of helping companies optimize their purchasing and sales processes through the use of e-commerce across a broad range of products including chemicals, plastics, wire and cable, and manufactured goods. Supply Chain Connect is committed to innovating and improving transaction processes for buyers, sellers and supply chain partners in multiple industries worldwide.

2. On information and belief, Defendant Afton Chemical Corporation (“Afton Chemical”) is a Delaware corporation with its principal place of business at 500 Spring Street, Richmond, VA 23219. Afton Chemical has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

3. On information and belief, Defendant Airgas, Inc. (“Airgas”) is a Delaware corporation with its principal place of business at 259 North Radnor-Chester Road, Radnor, PA 19087-5283. Airgas has appointed as its registered agent The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801 (302.658.7581).

4. On information and belief, Defendant Air Liquide America, LP (“Air Liquide”) is a Delaware limited partnership with its principal place of business at 2700 Post Oak Boulevard, Suite 1800, Houston, TX 77056. Air Liquide has appointed as its registered agent Capitol Corporate Services, Inc., 800 Brazos, Suite 400, Austin, TX 78701.

5. On information and belief, Defendant Air Products and Chemicals, Inc. (“Air Products”) is a Delaware corporation with its principal place of business at 7201 Hamilton Boulevard, Allentown, PA 18195-9642. Air Products has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

6. On information and belief, Defendant Arkema Inc. (“Arkema”) is a Pennsylvania corporation with its principal place of business at 2000 Market Street, 27<sup>th</sup> Floor, Philadelphia, PA 19103. Arkema has appointed as its registered agent Corporation Service Company dba CSC-Lawyers Incorporating Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701-3218.

7. On information and belief, Defendant Baker Hughes Incorporated (“Baker Hughes”) is a Delaware corporation with its principal place of business at 2929 Allen Parkway, Suite 2100, Houston, TX 77019-2118. Baker Hughes has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

8. On information and belief, Defendant Baker Petrolite Corporation (“Baker Petrolite”) is a Delaware corporation with its principal place of business at 3900 Essex Lane, Suite 1200, Houston, TX 77027-5170. Baker Petrolite has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

9. On information and belief, Defendant Basic Chemical Solutions, LLC (“Basic Chemical Solutions”) is a New Jersey limited liability company with its principal place of business at 525 Seaport Boulevard, Redwood City, CA 94063. Basic Chemical Solutions has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

10. On information and belief, Defendant Champion Technologies, Inc. (“Champion Technologies”) is a Texas corporation with its principal place of business at 3200 SW Freeway, Suite 2700, Houston, TX 77027. Champion Technologies has appointed as its registered agent Dwight E. Vorpahl, 3200 SW Freeway, Suite 2700, Houston, TX 77027.

11. On information and belief, Defendant The Goodyear Tire & Rubber Company (“Goodyear”) is an Ohio corporation with its principal place of business at 1144 East Market Street, Akron, OH 44316-0001. Goodyear has appointed as its registered agent Corporation Service Company dba CSC-Lawyers Incorporating Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701-3218.

12. On information and belief, Defendant Lamons Gasket Company (“Lamons Gasket”) is a Delaware corporation with its principal place of business at 39400 Woodward Avenue, Suite 130, Bloomfield Hills, MI 48304. Lamons Gasket has appointed as its registered agent Corporation Service Company dba CSC-Lawyers Incorporating Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701-3218.

13. On information and belief, Nalco Company (“Nalco”) is a Delaware corporation with its principal place of business at 1601 West Diehl Road, Naperville, IL 60563-0130. Nalco has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

14. On information and belief, Defendant National Oilwell Varco, LP (“National Oilwell Varco”) is a Delaware corporation with its principal place of business at 1000 Richmond Avenue, Houston, TX 77042. National Oilwell Varco has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

15. On information and belief, Defendant Nova Chemicals Inc. (“Nova Chemicals”) is a Delaware corporation with its principal place of business at 1550 Coraopolis Heights Road, Moon Township, PA 15108. Nova Chemicals has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

16. On information and belief, Occidental Chemical Corporation (“OxyChem”) is a New York corporation with its principal place of business at 5005 LBJ Freeway, Dallas, TX 75244. OxyChem has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

17. On information and belief, Defendant Porocel Industries, LLC (“Porocel”) is a Delaware limited liability company with its principal place of business at 1 Landy Lane, Cincinnati, OH 45215. Porocel has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

18. On information and belief, Defendant PVS Chemical Solutions, Inc. (“PVS Chemical Solutions”) is a Michigan corporation with its principal place of business at 10900 Harper Avenue, Detroit, MI 48213. PVS Chemical Solutions has appointed as its registered agent CT Corporation System, 350 N. St. Paul Street, Suite 2900, Dallas, TX 75201-4234.

19. On information and belief, Defendant Quadrem International Holdings, Ltd. (“Quadrem International Holdings”) is a Bermuda limited liability company with its principal place of business at 5800 Granite Parkway Suite 1000 Plano, TX 75024. Quadrem International Holdings has appointed as its registered agent National Registered Agents, Inc., 16055 Space Center, Suite 235, Houston, Texas 77062.

20. On information and belief, Quadrem International, Ltd. (“Quadrem International”) is a Bermuda limited liability company with its principal place of business at

Clarendon House, 2 Church Street Hamilton HM 11 Bermuda.

21. On information and belief, Quadrem Netherlands, B.V. (“Quadrem Netherlands”) is a limited liability corporation of The Netherlands with its principal place of business at Kabelweg 61, 1014 BA, Amsterdam, The Netherlands.

#### **JURISDICTION AND VENUE**

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

23. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendants have transacted business in this district, and have committed and/or induced acts of patent infringement in this district.

#### **COUNT I**

##### **INFRINGEMENT OF U.S. PATENT NO. 7,451,107**

24. Plaintiff is the owner by assignment of United States Patent No. 7,451,107 (“the ‘107 Patent”) entitled “Business-to-Business Electronic Commerce Clearinghouse.” The ‘107 Patent issued on November 11, 2008. A true and correct copy of the ‘107 Patent is attached as Exhibit A.

25. On information and belief, Defendant Afton Chemical has been and now is directly infringing the ‘107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems, including the Quadrem business to business electronic marketplace, covered by one or more claims of the ‘107 Patent to

the injury of SCC. Defendant Afton Chemical is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

26. On information and belief, Defendant Airgas has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Airgas is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

27. On information and belief, Defendant Air Liquide America has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Air Liquide America is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

28. On information and belief, Defendant Air Products and Chemicals has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Air Products and Chemicals is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

29. On information and belief, Defendant Arkema has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Arkema is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

30. On information and belief, Defendant Baker Hughes has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Baker Hughes is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

31. On information and belief, Defendant Baker Petrolite has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Baker Petrolite is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

32. On information and belief, Defendant Basic Chemical Solutions has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and



elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Basic Chemical Solutions is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

33. On information and belief, Defendant Champion Technologies has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Champion Technologies is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

34. On information and belief, Defendant Goodyear Tire & Rubber has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Goodyear Tire & Rubber is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

35. On information and belief, Defendant Lamons Gasket has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem

business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Lamons Gasket is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

36. On information and belief, Defendant Nalco has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Nalco is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

37. On information and belief, Defendant National Oilwell Varco has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant National Oilwell Varco is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

38. On information and belief, Defendant Nova Chemicals has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to

the injury of SCC. Defendant Nova Chemicals is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

39. On information and belief, Defendant OxyChem has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including at least the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant OxyChem is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

40. On information and belief, Defendant Porocel Industries has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant Porocel Industries is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

41. On information and belief, Defendant PVS Chemical Solutions has been and now is directly infringing the '107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, using, for chemical supplier transactions, one or more unauthorized business-to-business electronic clearinghouse systems including the Quadrem business to business electronic marketplace, covered by one or more claims of the '107 Patent to the injury of SCC. Defendant PVS Chemical Solutions is thus liable for infringement of the '107 Patent pursuant to 35 U.S.C. § 271(a).

42. On information and belief, Defendants Quadrem International, Quadrem International Holdings and Quadrem Netherlands (collectively “Quadrem”) has been and now is directly infringing and/or indirectly infringing by way of inducing infringement and/or contributing to the infringement of the ‘107 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, providing, for chemical supplier transactions, one or more business-to-business electronic clearinghouse systems covered by one or more claims of the ‘107 Patent, and inducing, aiding and abetting its trading partners to use the one or more unauthorized business-to-business electronic clearinghouse systems covered by one or more claims of the ‘107 Patent, to the injury of SCC. It is further alleged that Defendant Quadrem’s business-to-business electronic clearinghouse systems are especially made or especially adapted in a way that infringes the ‘107 Patent, and which does not have a substantial non-infringing use. Defendant Quadrem is thus liable for infringement of the ‘107 patent pursuant to 35 U.S.C. § 271(a), (b) and/or (c).

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this court enter:

1. A judgment in favor of Plaintiff that Defendants have infringed, directly, jointly, and/or indirectly, by way of inducing and/or contributing to the infringement of the ‘107 Patent;
2. A permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the ‘107 Patent;

3. A judgment and order requiring Defendants to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '107 Patent as provided under 35 U.S.C. § 284;

4. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and

5. Any and all other relief to which Plaintiff is entitled to under law and any other further relief that this Court or a jury may deem just and proper.

### **DEMAND FOR JURY TRIAL**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

June 10, 2011

**/s/ Todd Y. Brandt**

(lead attorney)

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