

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

EURO-PRO OPERATING, LLC and	:	
GREY TECHNOLOGY, LTD.	:	
Plaintiffs,	:	Civil Action No. 05-12397 (RCL)
v.	:	
	:	JURY TRIAL DEMANDED
LN INTERNATIONAL, INC.	:	
Defendant.	:	

**FIRST AMENDED COMPLAINT**

Plaintiffs EURO-PRO OPERATING, LLC (“Euro-Pro”) and GREY TECHNOLOGY, LTD. (“Grey Technology”), for their First Amended Complaint against Defendant LN INTERNATIONAL, INC. (“LNI”), allege as follows:

***The Parties***

1. Euro-Pro is a limited liability company organized and existing under the laws of the Commonwealth of Massachusetts, with a principal place of business at 1210 Washington Street, West Newton, Massachusetts 02465. Euro-Pro is in the business of producing, marketing, and selling household appliances, including vacuum cleaners and electric floor sweepers.

2. Grey Technology is a corporation organized and existing under the laws of the United Kingdom, with a principal place of business at Britannia Court, 19 Britannia Road, Worcester WR1 3DF, England. Grey Technology is the owner of the patent that is the subject of this litigation and, except for certain countries outside the United States, has licensed this patent on a exclusive, worldwide basis to Euro-Pro.

3. On information and belief, LNI is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with a principal place of business at 2200 Byberry Road, Hatboro, Pennsylvania 19040.

***Jurisdiction and Venue***

4. The claims asserted in this complaint arise under the patent laws of the United States, 35 U.S.C. §§ 100, et seq. Jurisdiction in this Court is proper pursuant to 28 U.S.C. §§ 1331 and 1338.

5. On information and belief, LNI does business and sells products infringing the patent in suit throughout the United States, including within this District. This Court has personal jurisdiction over LNI pursuant to Mass. Gen. Laws Ch. 223A, § 3 (2005).

6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) and (c) and 1400(b) in that LNI is deemed to reside in any judicial district in which it is subject to person jurisdiction at the time the action is commenced—which includes this District.

***Count 1—Infringement of U.S. Patent No. 6,968,587***

7. On November 29, 2005, United States Patent No. 6,968,587 (“the ’587 patent”), entitled “Surface Cleaning Apparatus,” was duly and legally issued to Nicholas Gerald Grey. All of Mr. Grey’s right, title and interest in the ’587 patent has been assigned to Grey Technology, which has been and still is the owner of the patent.

8. Euro-Pro is the exclusive licensee of the ’587 patent with the right to bring an action against all infringers, recover for all past and future infringement and obtain injunctions prohibiting future infringement.

9. LNI is infringing, contributing to the infringement of, or inducing others to infringe the ’587 patent by, among other things, making, using, offering to sell or selling within the United States or importing into the United States the patented invention, offering to sell or selling within the United States or importing into the United

States a component of the patented invention constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in the infringement of the patent and not a staple article or commodity of commerce suitable for substantial noninfringing use, or actively inducing others to make, use, offer to sell or sell the patented invention in the United States. LNI's infringement of the '587 patent includes, but is not limited to, importing, offering to sell and selling the product entitled SCÜNCCI Rechargeable Cordless Sweeper, Model No. 52148.

10. Upon information and belief, LNI is infringing the '587 patent in this and other judicial districts and will continue unless enjoined by this Court.

11. Euro-Pro and Grey Technology have suffered and will continue to suffer damage and irreparable injury as a result of LNI's infringement of the '587 patent.

12. Upon information and belief, LNI's infringement of the '587 patent is and continues to be willful, intentional and deliberate.

WHEREFORE, Euro-Pro and Grey Technology request that judgment be entered in their favor and against LNI, and that Euro-Pro and Grey Technology be granted the following relief:

- a. Judgment that the '587 patent is valid and enforceable;
- b. Judgment that LNI has infringed, contributorily infringed, and/or induced the infringement of the '587 patent;
- c. That LNI, its officers, subsidiaries, parents, agents, servants, employees, attorneys, and all persons in active concert with them, be preliminarily and permanently enjoined from any further infringement of the '587 patent;

d. That Euro-Pro and Grey Technology be awarded damages adequate to compensate for the infringement of the '587 patent, but in no event less than a reasonable royalty for the use of the invention made by LNI, together with interest and costs as fixed by the Court plus the amount of any provisional rights available under 35 U.S.C. § 154(d);

e. Judgment that LNI's infringement is willful, intentional and deliberate;

f. That the amount of Euro-Pro's and Grey Technology's damages be increased three times the amount found or assessed;

g. Judgment that Euro-Pro's and Grey Technology's case is exceptional under 35 U.S.C. § 285 and that Euro-Pro and Grey Technology be awarded reasonable attorney's fees and costs; and

h. That Euro-Pro and Grey Technology be awarded such other and further relief, legal or equitable, as the Court may deem appropriate.

***Jury Demand***

Euro-Pro and Grey Technology demand trial by jury for all issues so triable.

Dated: December 19, 2005

EURO-PRO OPERATING, LLC,

By its attorneys,

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