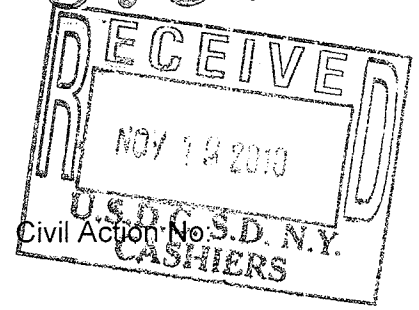


Judge Hellerstein

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

10 CIV 8757



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TEK GLOBAL S.R.L.

Plaintiff,

v.

SEALANT SYSTEMS INTERNATIONAL, INC.,

Defendant.
-----x

Complaint For Patent Infringement

Plaintiff TEK Global S.R.L. (hereinafter "Plaintiff"), complaining of defendant, alleges as follows:

1. Plaintiff is an Italian limited liability company, having an office and place of business at Via Icaro No. 11, Pesaro (PU) Italy.

2. Upon information and belief defendant Sealant Systems International Inc. (hereinafter "SSI") is a corporation organized and existing under the laws of the State of California, having an office and principal place of business at 800 Farroll Road, Grover Beach CA 93433.

3. The present claim is for infringement of a U.S. patent pursuant to the U.S. Patent Law, 35 U.S.C. The court has subject matter jurisdiction over the claim pursuant to 28 U.S.C. 1338(a). The court has jurisdiction over defendant SSI and venue in this

district is proper pursuant to 28 U.S.C. 1391 and 1400 and the New York State long-arm statute, N.Y.C.P.L.R. 302(a).

4. Plaintiff is a manufacturer and distributor of automotive tire repair kits. The kits include an air compressor and a container of sealant that allows the user to repair tire punctures by the controlled injection of the sealant into the tire. A three-way valve system allows the user to direct the compressor air flow either to the sealant and then into the kit's delivery hose or directly into the hose and into the tire.

5. Plaintiff is also the owner of U.S. Pat. No. 7,789,110 for a "Kit For Inflating And Repairing Inflatable Articles ("the '110 Patent"), which covers its tire repair kits and the combination of an air compressor, sealant container and three-way valve. A copy of the '110 Patent is annexed as Exhibit A. The '110 Patent is valid and subsisting.

6. Defendant SSI, upon information and belief, is a manufacturer and distributor of automotive tire repair kits. Upon information and belief SSI sells such kits to automobile manufacturers in the United States, who include such kits in vehicles sold throughout the United States. Upon information and belief SSI also supplies such kits to automobile retailers and other third parties for direct sale to the consuming public. Exemplary of such kits is the Lexus "F Sport" kit, item No. 70019. A copy of the cover for the owner's manual for the F Sport kit is annexed as Exhibit B. Upon information and belief a similar kit is present in Chevrolet Camaro vehicles sold by General Motors.

7. Upon information and belief defendant SSI has been and is infringing the '110 Patent in this judicial district, in the State of New York and elsewhere, by at least importing and/or manufacturing, offering for sale and selling the F Sport tire repair kit,

the Camaro tire repair kit, and other tire repair kits including, *inter alia*, a compressor, a sealant tank, and a valve system as set forth in the '110 Patent, without the permission or authorization of plaintiff. Upon information and belief such infringement has been intentional and with full knowledge of the '110 Patent.

8. Plaintiff has put defendant SSI on notice of its published application that issued as the '110 Patent pursuant to 35 USC 154.

9. Plaintiff has been damaged in an amount not yet ascertained, but believed to be in excess of \$250,000.00. Plaintiff has no adequate remedy at law for the continued infringement.

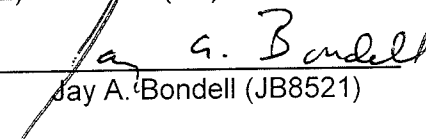
WHEREFORE, Plaintiff prays:

1. That the court find defendant SSI to have infringed the '110 Patent.
2. That the court enjoin defendant SSI and its agents, officers, employees and attorneys, and all persons in active concert or participation with them, from further infringing the '110 Patent.
3. That the court award Plaintiff its damages resulting from the infringement.
4. That the court find that defendant SSI's acts of infringement were intentional and that the present case is therefore an exceptional case under the Patent Statute and that Plaintiff be awarded increased damages and attorneys' fees; and

5. That the court award such further relief to Plaintiff as just and proper in the circumstances.

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