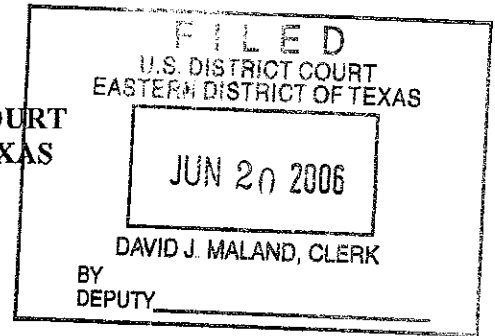


RECEIVED U.S. DISTRICT COURT
U.S. DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION
TX EASTERN MARSHALL



CRANE CO.,

Plaintiff,

v.

DIXIE NARCO, INC.,

Defendant.

Civil Action No. **2-06CV-247**

TJW

ORIGINAL COMPLAINT

Plaintiff, Crane Co., ("Plaintiff" or "Crane") hereby files its Original Complaint against Defendant, Dixie Narco, Inc ("Defendant"), and shows:

INTRODUCTION

1. This is a civil action for patent infringement under 35 U.S.C. § 271.

PARTIES

2. Plaintiff is a Delaware corporation, with its principal business address at 100 First Stamford Place, Stamford, CT 06902.

3. Defendant is a Delaware corporation with its principal business address at 11685 Main Street, Williston, SC 29853. Defendant is authorized to do business in Texas and may be served with process by and through CI Corporation (its registered agent for service of process) at 350 N. St. Paul Street, Dallas, Texas 75201.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter of the claims asserted herein pursuant to 28 U.S.C. §§ 1331 and 1338.

5. This Court has personal jurisdiction over Defendant. Defendant has conducted and does conduct business within the State of Texas. Defendant directly and/or through intermediaries (including distributors, retailers, and others), ships, distributes, offers for sale, sells, and/or advertises its products in the United States, the State of Texas and the Eastern District of Texas. Defendant has purposefully and voluntarily placed one or more of its products into the stream of commerce with the expectation that the products would be purchased by consumers in the State of Texas and the Eastern District of Texas. These products have been and continue to be purchased by consumers in the Eastern District of Texas. By sales and/or offers for sale of the infringing product(s) identified below, Defendant has committed the tort of patent infringement within the State of Texas, and, more particularly, within the Eastern District of Texas.

6. Pursuant to, among other things, 28 U.S.C. § 1391(c) and 28 U.S.C. § 1400(b), venue is appropriate in this district and division because Defendant is subject to the jurisdiction of this court.

CLAIM FOR PATENT INFRINGEMENT

7. Crane is the lawful owner of all right, title and interest in United States Letters Patent Number 6,230,930 ("the '930 Patent"), entitled "Apparatus and Method for Vending Products" and duly and legally issued on May 15, 2001, and to any and all accrued causes of action thereunder. A copy of the '930 Patent is attached to this Complaint as Exhibit "A."

8. Crane is the lawful owner of all right, title and interest in United States Letters Patent Number 6,328,180 ("the '180 Patent"), entitled "Apparatus and Method for Vending Products" (the "'180 Patent") and duly and legally issued on December 11, 2001, and to any and

all accrued causes of action thereunder. A copy of the '180 Patent is attached to this Complaint as Exhibit "B "

9. Defendant has and continues to manufacture, use, offer for sale and sell products that infringe the '930 Patent and/or the '180 Patent, and/or has induced infringement by their respective customers, distributors, dealers, and agents.

10. At all relevant times, Defendant acted with full knowledge and awareness of the '930 Patent and the '180 Patent. Despite such knowledge, Defendant continued to make, use, offer for sale and/or sell infringing products, thereby willfully infringing the '930 Patent and the '180 Patent, and has actively induced infringement by its customers, distributors, dealers, and agents.

11. As a direct and proximate result of Defendant's infringement, Crane and/or its predecessors-in-interest have lost and will lose profits that they otherwise would have received in connection with the manufacture, testing, demonstration, sale, and use of products claimed within the '930 Patent and/or the '180 Patent.

12. Because, among other things, Defendant's infringement of the '930 Patent and the '180 Patent was, and continues to be, willful, Crane is entitled to additional damages in an amount up to three times its actual damages pursuant to 35 U.S.C. §§ 281 and 284, and to recover its attorneys' fees and expenses incurred in connection with the prosecution of this lawsuit pursuant to 35 U.S.C. § 285.

13. Crane has suffered and will continue to suffer irreparable harm if Defendant continues to infringe and to induce the infringement of the '930 Patent and/or the '180 Patent. Additionally, there is no adequate remedy at law for the harm and damage that will occur to the Plaintiff's rights and interest in the '930 Patent and the '180 Patent.

14. Pursuant to 35 U.S.C. § 283, Crane is entitled to permanent injunctive relief, restraining and enjoining Defendant, and all those in privity with or acting in concert with Defendant, from infringing or inducing or contributing to the infringement of the '930 Patent and/or the '180 Patent.

DEMAND FOR JURY TRIAL

The Plaintiff hereby demands trial by jury of all issues and claims alleged herein.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff hereby requests that Defendant be cited to appear and to answer herein and that upon final hearing the Court:

1. Enter a judgment in favor of the Plaintiff against Defendant on all claims as herein alleged;
2. Enter a judgment and/or order enjoining Defendant and its agents, officers, servants, employees, subsidiaries, affiliates, representatives, distributors, and dealers, and all those in privity with or acting in concert with Defendant from infringing or inducing or contributing to the infringement of the '930 Patent and the '180 Patent;
3. Enter a judgment and/or order requiring Defendant to deliver up for destruction or, alternatively, obliterate all property of Defendant within its possession or control, wheresoever situated, any and all devices and all manuals and documentation relating thereto, in whole or in part, that are found to infringe, or which were prepared as a result of any infringement of, any claim of the '930 Patent and the '180 Patent;
4. Enter a judgment and/or order awarding Plaintiff recovery from Defendant of any and all actual damages that they have sustained according to proof, along with any and all additional sums deemed appropriate under the circumstances, including treble, punitive or

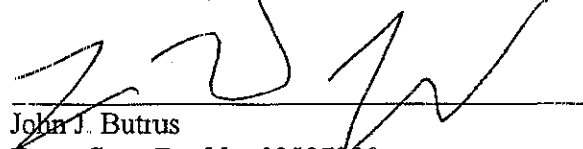
exemplary damages arising from Defendant's acts of willful patent infringement, together with prejudgment interest;

5. Enter a judgment and/or order awarding Plaintiff recovery from Defendant its litigation expenses incurred herein, including any and all cost and reasonable and necessary attorneys' fees; and

6. Enter a judgment and/or order awarding Plaintiff such other and further relief, at law or in equity, as the Court may deem just and proper under the circumstances.

Respectfully submitted,

MUNCK BUTRUS, P.C.



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