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MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CUMMINS-ALLISON CORP.,	)	
an Indiana Corporation,	)	
	)	
Plaintiff,	)	Civil Action No. 02 C 7008
	)	
v.	)	Honorable Ronald Guzman
	)	
	)	Mag. Judge Sidney I. Schenkier
GLORY LTD., a Japanese Corporation;	)	
GLORY SHOJI CO., LTD., a Japanese	)	<b>Jury Trial Demanded</b>
Corporation; and GLORY (U.S.A.) INC.,	)	
a California Corporation,	)	
	)	
Defendants	)	

**FIRST AMENDED COMPLAINT**

Cummins-Allison Corp. ("Cummins") for its First Amended Complaint against defendants Glory Ltd., Glory Shoji Co., Ltd. and Glory (U.S.A.) Inc. (collectively referred to hereinafter as "Glory") alleges as follows:

1. This is a patent infringement action to stop Glory's unauthorized and infringing sale, offers to sell, use and importation of products incorporating Cummins' patented U.S. currency denominating and counting inventions. Cummins is a leader in the design and manufacture of devices and methods for discriminating among currency bills of different denominations. Cummins seeks injunctive relief to stop Glory from continuing to infringe Cummins' valuable patent rights, as well as monetary damages.

2. Plaintiff, Cummins-Allison Corp. ("Cummins"), is a corporation existing and organized under the laws of Indiana and has its principal place of business at 891 Feehanville Drive, Mt. Prospect, Illinois 60056.

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3. Defendant, Glory Ltd. is a corporation existing and organized under the laws of Japan and has its principal place of business 1-3-1, Shimoteno 1-chome, Himeji, Hyogo 670-8567, Japan, and has answered and appeared herein.

4. Defendant, Glory Shoji Co., Ltd. is a corporation existing and organized under the laws of Japan and has its principal place of business at 8-17, Nishitenma, 4-chome, Kita-ku, Osaka, 530-8671, Japan, and has answered and appeared herein.

5. Defendant, Glory (U.S.A.) Inc., is a corporation existing and organized under the laws of the State of California and has its principal place of business at 10-A York Avenue, West Caldwell, New Jersey 07006, and a sales office at 2506 Wisconsin Avenue, Downers Grove, Illinois 60515, and has answered and appeared herein.

6. This action for patent infringement arises under the Patent Laws of the United States, in particular 35 U.S.C. §§ 271, 281, 283, 284 and 285. This court has jurisdiction over the subject matter of this action under 28 U.S.C. 1338(a).

7. This Court has personal jurisdiction over Glory, and venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400.

8. This case involves technology used to rapidly and automatically denominate stacks of U.S. currency bills. Cummins' patented technology is used by many banks and stores to process the currency they handle. Cummins has invested millions of dollars in developing the technology covered by its patents.

9. Cummins owns a number of patents relating to currency denominating. One of these patents is United States Patent No. 6,459,806 entitled "Method and Apparatus for Currency Discrimination and Counting" (hereinafter "the '806 patent"), which was duly and legally issued

on October 1, 2002. Cummins is the owner of all rights to the '806 patent, and of all rights to sue and recover for infringement thereof. A copy of the '806 patent is attached at Exhibit A.

10. Pleading further, Cummins owns another patent relating to currency denominating; United States Patent No. 5,295,196 entitled "Method and Apparatus for Currency Discrimination and Counting" (hereinafter "the '196 patent"), which was duly and legally issued on March 15, 1994. Cummins is the owner of all rights to the '196 patent, and of all rights to sue and recover for infringement thereof. A copy of the '196 patent is attached as Exhibit B.

11. Glory manufactures and sells U.S. currency denominating devices designated the Glory GFR-S60, the GFR-S80, the GFR-110 and the GFR-120 currency discriminators.

12. Through its actions including offering to sell, selling, using and importing the Glory GFR-S60, the GFR-S80, the GFR-110 and the GFR-120 currency discriminators, Glory has infringed the '806 patent, actively induced others to infringe the '806 patent, and contributed to the infringement by others of the '806 patent in the United States, including within the jurisdiction of this Court.

13. Through its actions including offering to sell, selling, using and importing the GFR-S60 and the GFR-S80, Glory has infringed the '196 patent, actively induced others to infringe the '196 patent, and contributed to the infringement by others of the '196 patent in the United States, including within the jurisdiction of this Court.

14. On information and belief, Glory's infringement of the '806 and the '196 patents has been willful and deliberate.

15. Cummins is likely to be irreparably harmed by Glory's infringement of both the '806 and '196 patents. Cummins has no adequate remedy at law.

WHEREFORE, CUMMINS prays for judgment that:

- A. United States Patent No.'s 6,459,806 and 5,295,196 have been infringed by Glory;
- B. Glory, its officers, agents, servants and employees, and those persons in active concert and participation with any of them, be preliminarily and permanently enjoined from the infringement of United States Patent No.'s 6,459,806 and 5,295,196;
- C. Cummins be awarded damages sufficient to compensate it for Glory's infringement, that such damages be increased to three times the amount found or assessed pursuant to 35 U.S.C. § 284, and that such damages be awarded to Cummins with prejudgment interest;
- D. Cummins be awarded its attorney fees, costs and expenses in this action; and
- E. Cummins be awarded such other and further relief as the Court may deem just.

CUMMINS DEMANDS A TRIAL BY JURY.

Respectfully submitted,

CUMMINS-ALLISON CORP.

Dated: June 13, 2003

By: 

One of Its Attorneys

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See Case  
File For  
Exhibits