

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

**FILED**  
APR 10 2002  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| THE CHAMBERLAIN GROUP, INC.,    | ) |                                |
|                                 | ) |                                |
|                                 | ) |                                |
| Plaintiff,                      | ) | Civil Action No. 02 C 1807     |
|                                 | ) |                                |
| v.                              | ) | The Honorable Elaine E. Bucklo |
|                                 | ) |                                |
| DESIGNTECH INTERNATIONAL, INC., | ) | Magistrate Judge Morton Denlow |
|                                 | ) |                                |
|                                 | ) | <b>JURY TRIAL DEMANDED</b>     |
| Defendant.                      | ) |                                |

**DOCKETED**  
APR 11 2002

AMENDED COMPLAINT

Plaintiff, The Chamberlain Group, Inc. ("Chamberlain"), complains against Defendant, DesignTech International, Inc. ("DesignTech"), as follows:

1. Chamberlain is a corporation incorporated under the laws of the State of Connecticut, with its principal place of business in Elmhurst, Illinois.
2. Upon information and belief, DesignTech is a Virginia corporation. It has a principal place of business in Springfield, Virginia.
3. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 271 et seq. The Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§1331 and 1338(a).

COUNT I

4. On June 7, 1988, U.S. Patent No. 4,750,118 ("the '118 Patent") entitled "Coding System for Multiple Transmitters and a Single Receiver for a Garage Door Opener" was duly and legally issued to Chamberlain Manufacturing Company, on an application filed by Carl Heitschel, Colin Willmott and Wayne Schindler. On October 29, 1996, the '118 Patent was duly and legally

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reissued as Reissue Patent No. Re. 35,364 (“the ‘364 Patent”).

5. Chamberlain is the owner of all right, title and interest in the ‘364 Patent.

6. DesignTech has been, and is, willfully infringing the ‘364 Patent: by making, using, offering to sell, and/or selling those inventions patented in the ‘364 Patent; by inducing others to infringe the ‘364 Patent; and/or by contributing to the infringement by others of the ‘364 Patent. Unless enjoined by the Court, DesignTech will continue to infringe, induce the infringement of, and/or contributorily infringe the ‘364 Patent.

7. The required statutory notice has been placed on products manufactured and sold under the ‘118 Patent and the ‘364 Patent.

### **COUNT II**

8. On May 16, 2000, the ‘118 Patent was duly and legally reissued to Chamberlain as Reissue Patent No. 36,703 (“the ‘703 Patent”).

9. Chamberlain is the owner of all right, title and interest in the ‘703 Patent.

10. DesignTech has been and is willfully infringing the ‘703 Patent: by making, using, offering to sell, and/or selling those inventions patented in the ‘703 Patent; by inducing others to infringe the ‘703 Patent; and by contributing to the infringement by others of the ‘703 Patent. Unless enjoined by the Court, DesignTech will continue to infringe, induce the infringement of, and contributorily infringe the ‘703 Patent.

11. The required statutory notice has been placed on products manufactured and sold under the ‘703 Patent.

### **COUNT III**

12. On March 28, 1995, U.S. Patent No. 5,402,105 (“the ‘105 Patent”) entitled “Garage Door Position Indicating System” was duly and legally issued to MAPA Corporation, on an

application filed by Matthew P. Doyle and Patrick J. Bukiri.

13. On or about May 7, 2001, the '105 Patent was assigned to Position Indicating Corporation.

14. On or about May 18, 2001, the '105 Patent was assigned to Chamberlain.

15. Chamberlain is the owner of all right, title and interest in the '105 Patent.

16. DesignTech has been and is willfully infringing the '105 Patent: by making, using, offering to sell, and/or selling those inventions patented in the '105 Patent within the United States and within this District; by inducing others to infringe the '105 Patent; and by contributing to the infringement by others of the '105 Patent. Unless enjoined by the Court, DesignTech will continue to infringe, induce the infringement of, and contributorily infringe the '105 Patent.

**PRAYER FOR RELIEF**

WHEREFORE, Chamberlain prays for:

1. Judgment that the '364, '703 and '105 Patents are valid, enforceable and infringed by DesignTech.

2. A preliminary and permanent injunction enjoining DesignTech, its officers, agents, servants, employees and those persons acting in active concert or participation with DesignTech from infringing, inducing infringement of, or contributorily infringing the '364, '703 and '105 Patents.

3. An award of damages arising out of DesignTech's infringement, inducing infringement or contributory infringement of the '364, '703 and '105 Patents, together with interest;

4. Judgment that the damages so adjudged be trebled;

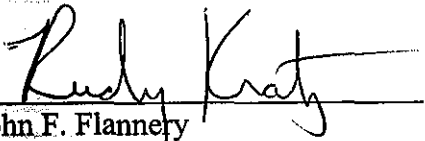
5. Judgment that Chamberlain be awarded its attorney's fees, costs and expenses incurred in this action; and

6. Such other and further relief as the Court may deem just and proper.

**JURY DEMAND**

Chamberlain demands trial by jury of all issues triable of right by a jury.

Date: April 10, 2002

  
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