

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SYRON ENGINEERING & MANUFACTURING, L.L.C.,
a Michigan Limited Liability Company,

Plaintiff,

v.

DE-STA-CO INDUSTRIES,
a division of Dover Resources, Inc.,
a Delaware Corporation,

Defendant.

Case No.: 06-14843

Judge: Gerald E. Rosen

JURY TRIAL DEMANDED

Todd L. Moore (P 45472)
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FIRST AMENDED COMPLAINT

Plaintiff, for its cause of action against the Defendant, states as follows:

GENERAL ALLEGATIONS

1. This action arises out of the patent laws of the United States of America, 35 U.S.C § 101, et. seq. Jurisdiction for this Court is based upon 28 U.S.C. § 1338(a). Venue in this case is based upon 28 U.S.C. § 1391 and/or 1400(b);

2. Plaintiff, Syron Engineering & Manufacturing, L.L.C. (hereinafter “Syron”), is a Michigan Limited Liability Company having its principal place of business at 1325 Woodland Drive, Saline, Michigan 48176-1285;
3. Defendant, De-Sta-Co Industries (hereinafter “De-Sta-Co”), a division of Dover Resources, Inc., upon information and belief, is a Delaware Corporation having its principal place of business at 31791 Sherman Drive, Madison Heights, Michigan 48071.

COUNT I

PATENT INFRINGEMENT

4. Plaintiff is the owner, by assignment, of United States Patent No. 6,213,521 (hereinafter “the ‘521 Patent”), which was duly issued by the United States Patent and Trademark Office on April 10, 2001, and which is entitled “QUICK RELEASE AND BAYONET CONNECTOR FOR A SUCTION CUP” (Exhibit A, attached). Plaintiff is, and has been, at all relevant times to this Complaint, the owner of said patent and entitled to all rights of recovery for all infringements of said patent;
5. Defendant, De-Sta-Co, has infringed the ‘521 Patent by manufacturing, using, selling, and offering for sale within this district a quick release and bayonet connector for a suction cup that infringes at least one claim of claim numbers 2-8 and 24-29 of the ‘521 Patent under 35 U.S.C. § 271(a), § 271(b), and/or § 271(c); and

6. As a result of the actions of Defendant infringing the '521 Patent, Plaintiff has been damaged, and unless further infringement is enjoined, will continue to be damaged.

WHEREFORE, Plaintiff prays for judgment against Defendant, including, but not limited to, the following relief:

- A. Defendant be adjudged and decreed to have infringed United States Patent No. 6,213,521 and that said infringement has been willful;
- B. Preliminary and permanent injunctions be issued restraining and adjoining Defendant, including its agents, officers, servants, attorneys, and employees, and those acting in concert with Defendant from all further infringement of said patents;
- C. Defendant be ordered to account for and pay to Plaintiff treble damages, based on 35 U.S.C. § 284, by reason of Defendant's infringing acts with respect to said patents;
- D. Plaintiff be awarded adequate interest payments (including pre-judgment interest payments) in conjunction with the damages that it has suffered in this case, and in connection with the infringements that have been performed or carried out by Defendant;
- E. This be decreed an exceptional case within the meaning of 35 U.S.C. § 285 and that reasonable attorney fees be awarded to Plaintiff;
- F. Costs be awarded to Plaintiff; and
- G. Plaintiff be granted such other and further relief as may be proper under

the circumstances.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues triable by jury.

Respectfully Submitted,
Syron Engineering & Manufacturing, L.L.C.

Dated: February 21, 2006

s/Todd L. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2007, I caused the foregoing **FIRST AMENDED COMPLAINT** to be electronically filed with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Todd L. Moore: tlmyb@aol.com, moore@ybpc.com

I hereby certify that I have mailed the foregoing paper by United States Postal Service to the following non-ECF participants:

De-Sta-Co Industries
31791 Sherman Drive
Madison Heights, MI 48071

s/Todd L. Moore
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