

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

MANROLAND AG)	
)	
Plaintiff,)	
)	
v.)	1:09-cv-05728
)	
MGI Digital Graphic Technology)	
)	
and)	
MGI USA Inc.)	
)	JURY TRIAL DEMANDED
Defendants.)	

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement under Title 35, United States Code, Sections 271 and 281 *et seq.*, alleging, in complaint against Defendant, as follows:

Parties

1. Plaintiff MANROLAND AG (“MANROLAND”) is a company organized under the laws of Germany, having its principle place of business at Muehlheimer Strasse 341, Offenbach (Am Main), Germany 63075.

2. On information and belief, Defendant MGI Digital Graphic Technology (“MGI”) is a company organized under the laws of France, having its principal place of business at 161 Avenue de Verdun, 94204 Ivry sur Seine, France.

3. On information and belief, Defendant MGI USA Inc. (“MGI USA”) is a subsidiary of MGI, organized under the laws of Florida, having its principle place of business at 3143 Skyway Circle, Melbourne, FL 32934.

Jurisdiction And Venue

4. This Court has proper, original and exclusive jurisdiction over the subject matter of this action under 35 U.S.C. §§ 271 and 281, *et seq.* and 28 U.S.C. § 1338(a). Venue is proper in this Court under the provisions of 28 U.S.C. §§ 1391(b) and (d).

5. This Court has jurisdiction over MGI and MGI USA (collectively “Defendants”) because Defendants have committed, and continue to commit, patent infringement in this district via the use of and offer for sale of an infringing device.

The Patent In Suit

6. On November 18, 2008, United States Patent 7,451,698 entitled “Device For Producing a Coating On Printed Products From a Printing Press” (hereinafter “the ‘798 patent”) was duly and legally issued by the U.S. Patent and Trademark Office to Josef Schneider, Rainer Stamme, and Michael Schonert. A copy of the ‘798 patent is attached hereto as Exhibit 1 and made part of the Complaint.

7. MANROLAND is the owner of the ‘798 patent. On information and belief, MGI is and has been aware of the ‘798 patent.

MGI’s Patent Infringement

8. MGI has directly infringed, induced infringement of, and/or contributorily infringed the ‘798 patent through its activities including, at least, manufacturing, using, offering for sale and/or selling the JetVarnish, a spot-coater inkjet machine covered by the ‘798 patent

9. By reason of the acts of infringement complained of herein, MANROLAND has suffered and will continue to suffer damages.

10. Unless enjoined, MGI will continue to infringe the ‘798 patent to the immediate and irreparable injury of MANROLAND.

11. Upon information and belief, while MGI has had knowledge of the ‘798 patent, it has nonetheless continued its unlawful conduct without taking reasonable precautions to avoid such infringement and, therefore, such infringement has been willful and deliberate. MANROLAND is entitled to recover damages for its injury and MGI’s willful infringement.

MGI USA's Patent Infringement

12. MGI USA has directly infringed, induced infringement of, and/or contributorily infringed the '798 patent through its activities including, at least, manufacturing, using, offering for sale and/or selling the JetVarnish, a spot-coater inkjet machine covered by the '798 patent

13. By reason of the acts of infringement complained of herein, MANROLAND has suffered and will continue to suffer damages.

14. Unless enjoined, MGI USA will continue to infringe the '798 patent to the immediate and irreparable injury of MANROLAND.

15. Upon information and belief, while MGI USA has had knowledge of the '798 patent, it has nonetheless continued its unlawful conduct without taking reasonable precautions to avoid such infringement and, therefore, such infringement has been willful and deliberate. MANROLAND is entitled to recover damages for its injury and MGI USA's willful infringement.

Prayer For Relief

WHEREFORE, Plaintiff prays:

A. That a permanent injunction be issued against further infringement of the '798 patent by MGI, MGI USA, and their officers, employees, servants, agents and all others in active concert or participation with MGI or MGI USA;

B. That MANROLAND be awarded damages for MGI's and MGI USA's infringement of the '798 patent;

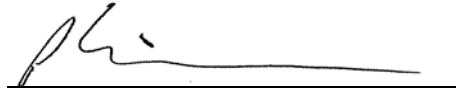
C. That interest and the costs of this action be assessed against MGI and MGI USA as provided in 35 U.S.C. § 284;

D. That MANROLAND be awarded its reasonable attorney fees; and

E. That MANROLAND be afforded such other and further relief as the Court may deem just and proper.

PLAINTIFF DEMANDS TRIAL BY JURY

September 15, 2009
Date

A handwritten signature in black ink, appearing to read 'D. Schlemmer', is written over a horizontal line.

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