

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MILLENNIUM MARKING COMPANY,	)	
INC., an Illinois Corporation,	)	
	)	
Plaintiff,	)	
	)	
and LEO-HENN HUMAL, an individual,	)	Case No. 1:11-cv-8917
	)	
Nominal Plaintiff,	)	
	)	<b>JURY TRIAL DEMANDED</b>
v.	)	
	)	
STAMP-CONNECTION.COM, an Oregon	)	
Corporation,	)	
	)	
Defendant.	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs Millennium Marking Company (“MMC”) and Leo-Henn Humal hereby file this Complaint for Patent Infringement against Defendant Stamp-Connection.com. MMC seeks damages, injunctive, and other relief for Defendant’s willful infringement of United States Patent No. 5,858,298.

**NATURE OF THE ACTION**

1. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*

**JURISDICTION AND VENUE**

2. The Court has exclusive jurisdiction over the subject matter of this lawsuit pursuant to 28 U.S.C. §§ 1331 and 1338(a).

3. This Court has personal jurisdiction over Defendant because it transacts substantial business in Illinois.

4. Venue is proper in the Northern District of Illinois pursuant to 28 U.S.C. § 1400(b).

### **THE PATENT IN SUIT**

5. On January 12, 1999, United States Patent No. 5,858,298 entitled Method for the Selective Closing of the Pores of the Surface of Thermo-Plastic Porous Material (the “298 Patent”) was duly and lawfully issued to inventor Leo-Henn Humal. On October 31, 2011, MMC became the owner of the ‘298 Patent by assignment. As the owner, MMC has the right to sue and recover for present and future infringement of the ‘298 Patent. A true and correct copy of the ‘298 Patent is attached as **Exhibit A**.

### **THE PARTIES**

6. Plaintiff MMC is an Illinois corporation with its principal place of business in Elk Grove Village, Illinois.

7. Plaintiff Leo-Henn Humal is a citizen of Estonia and, as inventor and assignee of the ‘298 Patent, is named as a nominal plaintiff herein.

8. Defendant is an Oregon corporation with its principal place of business in Gresham, Oregon.

### **COUNT I**

#### **PATENT INFRINGEMENT AGAINST DEFENDANTS**

9. The allegations of paragraphs 1-8 of the Complaint are incorporated herein by this reference.

10. Defendant has infringed and continues to infringe, has induced and continues to induce others to infringe, and has committed and continues to commit acts of contributory

infringement of one or more claims of the ‘298 Patent in this district and elsewhere by using “Flash Products” to perform the patented process that is covered by one or more claims of the ‘298 Patent, including, without limitation, Claim 1.

11. Defendant’s acts of infringement are willful and deliberate.

12. Defendant has caused and will continue to cause MMC substantial damage and irreparable injury by virtue of its past dealings and continuing infringement of the ‘298 Patent. MMC will suffer further damage and irreparable injury unless and until Defendant is enjoined by this Court from continuing such infringement.

13. This case is exceptional pursuant to 35 U.S.C. § 285.

### **PRAYER FOR JUDGMENT**

WHEREFORE, Plaintiff Millennium Marking Company prays for judgment:

- a) Entering a preliminary and permanent injunction enjoining Defendant, its officers, agents, servants, employees, and those persons and entities acting in concert or participation with any of them from performing the patented process that is covered by the ‘298 Patent;
- b) Awarding damages for Defendant’s infringement of the ‘298 Patent;
- c) Increasing damages, up to three times the amount found, due to Defendant’s willful infringement;
- d) Awarding pre- and post-judgment interest on the damages assessed;
- e) Declaring this case exceptional pursuant to 35 U.S.C. § 285 and awarding MMC its reasonable attorneys’ fees and costs of suit; and
- f) Awarding to MMC such further necessary or proper relief as the Court deems just.

**DEMAND FOR JURY TRIAL**

Plaintiffs request a trial by jury.

**Date: December 15, 2011**

Respectfully submitted,

**MILLENNIUM MARKING COMPANY, INC.,  
and LEO-HENN HUMAL**

By: /s/ Peter M. Spingola  
One of Plaintiffs Attorneys

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