

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ARCELOR FRANCE and ARCELOR
ATLANTIQUE ET LORRAINE,

Plaintiffs,

v.

MITTAL STEEL USA INC.,

Defendant.

Civil Action No. 06-307

AMENDED COMPLAINT

Plaintiffs Arcelor France and Arcelor Atlantique et Lorraine, by and through the undersigned attorneys, bring their amended complaint against Defendant Mittal Steel USA Inc. (“Mittal”) as follows:

PARTIES

1. Arcelor France is organized under the laws of France and has its principal place of business at 1 à 5, rue Luigi Cherubini, 93200 Saint-Denis France.
2. Arcelor Atlantique et Lorraine is organized under the laws of France and has its principal place of business at 1 à 5, rue Luigi Cherubini, 93200 Saint-Denis France.
3. On information and belief, Mittal is a Delaware corporation with its principal place of business at 1 South Dearborn, Chicago, IL 60603. Mittal is in the business of manufacturing and selling steel products, including aluminum coated boron steel products.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the U.S. Patent Laws, Title 35 U.S.C. § 1 *et seq.*

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1338.
6. Venue is proper in this judicial district under 28 U.S.C. § 1391 and § 1400(b).

PATENT IN SUIT

7. Arcelor France and Arcelor Atlantique et Lorraine own United States Patent No. 6,296,805 B1 (“the ‘805 patent”) entitled “COATED HOT- AND COLD-ROLLED STEEL SHEET COMPRISING A VERY HIGH RESISTANCE AFTER THERMAL TREATMENT” issued on October 2, 2001. In accordance with Local Rule 3.2, a copy of the ‘805 patent is appended hereto as Exhibit A.

ALLEGATION OF INFRINGEMENT

8. On information and belief, Defendant Mittal makes, sells, offers to sell, or uses aluminum coated boron steel products within the United States, which infringe one or more claims of the ‘805 patent.

9. On information and belief, Defendant Mittal is inducing and contributing to infringement by others of the ‘805 patent, by causing others to make, use, sell, or offer to sell aluminum coated boron steel products covered by the ‘805 patent within the United States.

10. On information and belief, Defendant Mittal’s infringement of the ‘805 patent has been and continues to be willful.

11. Plaintiffs have been damaged by such infringement and will continue to be damaged by this infringement unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request:

- (a) a permanent injunction against continued infringement (35 U.S.C. § 283);

- (b) their damages for infringement occurring after the filing of the complaint (35 U.S.C. § 284);
- (c) a finding that this is an exceptional case (35 U.S.C. § 285)
- (d) increased and trebled damages for willful infringement (35 U.S.C. § 284);
- (e) their attorney fees (35 U.S.C. § 285);
- (f) their costs (rule 54(d), Fed. R. Civ. P.); and
- (g) any other relief appropriate under the circumstances.

JURY DEMAND

Plaintiffs demand trial by jury of all issues as to which it has a right to trial by jury.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)
Karen Jacobs Loudon (#2881)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
Attorneys for Plaintiffs

OF COUNSEL:

OBLON, SPIVAK, MCCLELLAND, MAIER &
NEUSTADT, P.C.

Jean-Paul Lavalleye
Richard D. Kelly
Stephen G. Baxter
Steven P. Weihrouch
1940 Duke Street
Alexandria, VA 22314
(703) 413-3000

May 16, 2006

CERTIFICATE OF SERVICE

I, Jack B. Blumenfeld, hereby certify that on May 16, 2006 I electronically filed the foregoing Amended Complaint with the Clerk of the Court using CM/ECF and that I caused a copy to be served upon the following in the manner indicated:

BY HAND

Mittal Steel USA Inc.
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

/s/ Jack B. Blumenfeld
Jack B. Blumenfeld (#1014)
jblumenfeld@mnat.com