

4. This Court has personal jurisdiction over Master Coating Technologies because Master Coating Technologies (a) knowingly transacts a large volume of business in Massachusetts, (b) on information and belief, has engaged in, and made meaningful preparations to engage in, infringing conduct in Massachusetts, and (c) has caused, and is causing, injury in Massachusetts by reason of its conduct within and outside of the Commonwealth.

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) and (c) and § 1400(b), because Master Coating Technologies (a) is subject to personal jurisdiction in this district and/or (b) upon information and belief, has committed acts of patent infringement in this District.

The '653 Patent

6. IdeaPaint is engaged in the business of developing, making, and selling high performance specialty coatings and accessories, including dry erase paint, among other products. Dry erase paint may be applied to a myriad of surfaces, like walls, to create a writeable, erasable surface.

7. On November 13, 2012, the United States Patent and Trademark Office lawfully issued United States Patent No. 8,309,653 (the “653 patent”), entitled “Ambient Cure Water-Based Coatings for Writable-Erasable Surfaces.” A true and accurate copy of the '653 patent is attached hereto as Exhibit A.

8. IdeaPaint is the assignee of the '653 patent and has the right to sue for infringement thereof.

Count 1: Patent Infringement by Master Coating Technologies

9. IdeaPaint reasserts and realleges paragraphs 1 through 8 of this Complaint as if fully set forth herein.

10. Master Coating Technologies is in the business of designing, manufacturing, marketing, distributing, and selling a variety of specialty coating products, including dry erase paint. Master Coating Technologies currently manufactures, markets, and sells dry erase paint products, including those known as “ClearErase,” “WriteErase” and “Wink.”

11. Master Coating Technologies has infringed and continues to infringe the '653 patent, either directly, indirectly, literally or under the doctrine of equivalents, by, *inter alia*, making, using, importing, offering to sell, and/or selling products that infringe the '653 patent, including without limitation, the “ClearErase,” “WriteErase” and “Wink” products.

12. Master Coating Technologies has and continues to indirectly infringe the '653 patent by contributing to and/or inducing others to infringe. Master Coating Technologies offers to sell and/or sells dry erase paint products, including without limitation “ClearErase,” to downstream customers with the intention that the customers’ use of the products will constitute infringement of the '653 patent, and the products have no substantial non-infringing uses. As an example, Master Coating Technologies instructs downstream customers concerning the use of its “ClearErase” product (*See Exhibit B; Exhibit C*), a use that infringes the '653 patent. Moreover, Master Coating Technologies knew or should have known that its downstream customers’ use of the products constitutes infringement of the '653 patent.

13. Master Coating Technologies’ infringement of the '653 patent has been, and continues to be, willful, deliberate and objectively reckless. Master Coating Technologies’ willful conduct provides a basis for this Court to award enhanced damages pursuant to 35 U.S.C. § 284 and makes this an exceptional case within the meaning of 35 U.S.C. § 285.

14. Master Coating Technologies’ infringing conduct has caused, is causing, and/or will continue to cause irreparable injury and damage to IdeaPaint, unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, IdeaPaint respectfully requests that this Court enter judgment:

1. That Master Coating Technologies has infringed, and is infringing, one or more claims of the '653 patent;
2. Awarding damages to IdeaPaint caused by Master Coating Technologies' infringement and enter judgment for IdeaPaint in that amount, plus interest and costs;
3. Finding that Master Coating Technologies' infringement has been willful and deliberate and award up to treble damages to IdeaPaint pursuant to 35 U.S.C. § 284;
4. Finding that this case is exceptional, within the meaning of 35 U.S.C. § 285, and ordering Master Coating Technologies to pay IdeaPaint's reasonable attorneys' fees pursuant to 35 U.S.C. § 285;
5. Entering a preliminary and/or permanent injunction enjoining Master Coating Technologies, their officers, directors, agents, servants and employees, and all persons in active concert or participation with them, from infringing the '653 patent; and
6. Granting IdeaPaint such other relief as the Court deems just and proper.

JURY TRIAL DEMANDED

Pursuant to Federal Rule of Civil Procedure 38, IdeaPaint hereby respectfully requests a jury trial on all issues triable of right by a jury.

Respectfully Submitted,

IDEAPAIN, INC.,

By its attorneys,

/s/Michael E. Murawski

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants, if any.

/s/Michael E. Murawski _____