

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

BORAM PHARM. CO., LTD.,

Plaintiff,

v.

LIFE TECHNOLOGIES CORPORATION,

Defendant.

JURY TRIAL DEMANDED

Civil Action No.

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff BORAM PHARM. CO., LTD. (“BORAM”) brings this action for patent infringement against Defendant, LIFE TECHNOLOGIES CORPORATION (“LIFE”) and alleges as follows:

PARTIES

1. BORAM is a company located at 471 Moknae-dong, Danwon-gu, Ansan-city, South Korea and organized under South Korean law. It is engaged in the research, development, production, and sales of pharmaceutical and biotech related products.

2. On information and belief, LIFE is a corporation organized and existing under the laws of the State of Delaware and has a principal place of business at 5791 Van Allen Way, Carlsbad, California 92208.

JURISDICTION

3. This is an action for patent infringement arising under the Patent Laws of the United States. 35 U.S.C. §1 et seq.

4. This Court has jurisdiction over the subject matter of these claims under 28

U.S.C. §§1331 and 1338(a).

5. Venue is proper in this judicial district under 28 U.S.C. §§1391(b), 1391(c), and 1400(b).

COUNT I

(Infringement of U.S. Patent No. 7,319,001)

6. BORAM realleges and incorporates herein by reference the allegations set forth in paragraphs 1-5 above.

7. United States Patent No. 7,319,001 (“the ‘001 Patent”), entitled “High throughput system for producing recombinant viruses using site-specific recombination,” was duly and legally issued on January 15, 2008. A copy of the ‘001 Patent is attached hereto as Exhibit 1.

8. The ‘001 Patent was issued to NEUROGENEX CO., LTD.

9. On April 16, 2007, NEUROGENEX CO., LTD. was merged into NEWGEX INC.

10. On March 30, 2009, NEWGEX INC. was then merged into BORAM.

11. On information and belief, LIFE manufactures, sells, offers to sell, and/or uses in the United States “BaculoDirect™ Baculovirus Expression System” under its INVITROGEN brand. Life has infringed, and is causing others to infringe, one or more claims of the ‘001 Patent in violation of 35 U.S.C. §271(a), 35 U.S.C. §271(b) and 35 U.S.C. §271(c). A copy of the User Manual of the BaculoDirect™ Baculovirus Expression System is attached hereto as Exhibit 2.

12. On information and belief, LIFE’s infringement of the ‘001 Patent is and has been willful.

13. On information and belief, LIFE will continue to infringe the ‘001 Patent unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, BORAM requests judgment against LIFE and respectfully prays that this Court enter an order:

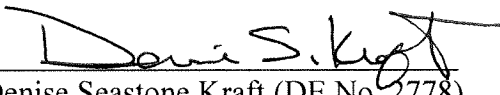
- (a) Finding that LIFE has infringed and is infringing the '001 Patent;
- (b) Finding that LIFE's infringement of the '001 Patent has been willful;
- (c) Enjoining LIFE, its agents, servants, employees and attorneys, and all those in active participation or privity with any of them, from infringing the '001 Patent;
- (d) Awarding compensatory damages to BORAM pursuant to 35 U.S.C. §284;
- (e) Finding that this is an exceptional case, pursuant to 35 U.S.C. §285 and trebling its damage award and awarding BORAM its reasonable attorney's fees, expenses and costs in this action;
- (f) An award of pre-judgment and post-judgment interest; and
- (g) Granting BORAM such other and further relief as it is entitled to as a matter of law or that the Court deems just and proper.

JURY TRIAL DEMANDED

(h) Pursuant to Federal Rule of Civil Procedure 38, BORAM demands a trial by jury on all issues so triable.

Dated: January 14, 2010

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