

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

NOVOZYMES A/S and NOVOZYMES
NORTH AMERICA, INC.,

Plaintiffs,

v.

CENTRAL TRADING ENTERPRISES, INC.
D/B/A CTE GLOBAL INC.

Defendant.

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

COMPLAINT

Plaintiffs Novozymes A/S and Novozymes North America, Inc. (collectively “Novozymes”), for their Complaint against defendant Central Trading Enterprises, Inc. d/b/a CTE Global Inc. (“CTE”), allege the following:

NATURE OF THE ACTION

1. This is a civil action for infringement of United States Patent Nos. 6,255,084 (“the ‘084 patent”) and 7,060,468 (“the ‘468 patent”).

PARTIES

2. Plaintiff Novozymes A/S is a Danish corporation with its principal place of business at Krogshoejvej 36, DK-2880 Bagsvaerd, Denmark. Novozymes A/S is a global biotechnology company that develops and sells a variety of products including industrial enzymes, microorganisms and biopharmaceutical ingredients. Novozymes A/S owns, by valid assignment, all rights, title and interest in the ‘084 patent and the ‘468 patent.

3. Plaintiff Novozymes North America, Inc. is a New York corporation with a regular and established place of business at 77 Perry Chapel Church Road, Franklinton, North Carolina. Novozymes North America, Inc. is an indirect subsidiary of Novozymes A/S. Novozymes North America, Inc. is a licensee of the '084 patent and the '468 patent.

4. Upon information and belief, defendant Central Trading Enterprises, Inc. d/b/a CTE Global Inc. is an Illinois corporation with a regular and established place of business at 40 Skokie Blvd., Suite 460, Northbrook, Illinois 60062.

5. Upon information and belief CTE is in the business of distributing and selling enzyme products to customers in the United States and in foreign countries.

6. Upon information and belief, one of the enzymes sold by CTE is a glucoamylase product designated GLUCOAMYL L 706+.

7. Upon information and belief, one of the enzymes sold by CTE is a glucoamylase product designated GLUCOAMYL LG20.

8. Upon information and belief, GLUCOAMYL L 706+ and GLUCOAMYL LG20 are or contain glucoamylase enzymes used, for example, in the industry of fuel ethanol production.

9. Upon information and belief, the GLUCOAMYL L 706+ and GLUCOAMYL LG20 products are used by CTE's customers in industrial processes that include the production of glucose from starch, such as, for example, the production of fuel ethanol.

10. Upon information and belief, CTE assists its customers in using CTE's GLUCOAMYL L 706+ and GLUCOAMYL LG20 products in industrial processes involving the production of glucose from starch.

JURISDICTION

11. This action arises under the patent laws of the United States, Title 35 of the United States Code. This court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

VENUE

12. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (c) and 1400(b), in that Defendant CTE is an Illinois corporation with a regular and established place of business at 40 Skokie Blvd., Suite 460, Northbrook, Illinois 60062

FIRST CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 6,255,084)

13. Plaintiffs Novozymes A/S and Novozymes North America, Inc. incorporate by reference all of the paragraphs above as if fully set forth herein.

14. On July 3, 2001, United States Patent No. 6,255,084 entitled “Thermostable Glucoamylase” was duly and legally issued to Novozymes A/S. A copy of the ‘084 patent is attached to this Complaint as Exhibit A. Plaintiff Novozymes A/S owns the ‘084 patent. Plaintiff Novozymes North America, Inc. is a licensee of the ‘084 patent.

15. Defendant CTE is currently infringing and will continue to infringe one or more claims of the ‘084 patent by using, offering to sell, and selling within the United States and/or importing into the United States one or more glucoamylase products that embody the patented inventions including, but not limited to, GLUCOAMYL L 706+ and GLUCOAMYL LG20.

16. As a direct and proximate consequence of defendant’s infringement of the ‘084 patent, Novozymes A/S and Novozymes North America, Inc. have suffered and will continue to suffer irreparable injury and damages in an amount not yet determined, for which Novozymes A/S and Novozymes North America, Inc. are entitled to relief. Novozymes A/S and Novozymes North America, Inc. seek damages, as well as preliminary and permanent injunctive relief against further infringement.

SECOND CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT No. 7,060,468)

17. Plaintiffs Novozymes A/S and Novozymes North America, Inc. incorporate by reference all of the paragraphs above as if fully set forth herein.

18. On June 13, 2006, United States Patent No. 7,060,468 titled “Thermostable Glucoamylase” was duly and legally issued to Novozymes A/S. A copy of the ‘468 patent is attached to this Complaint as Exhibit B. Plaintiff Novozymes A/S owns the ‘468 patent. Plaintiff Novozymes North America, Inc. is a licensee of the ‘468 patent.

19. Defendant CTE is currently infringing and will continue to infringe one or more claims of the ‘468 patent by using, offering to sell, and selling within the United States and/or importing into the United States and assisting and actively inducing its customers in using one or more glucoamylase products that embody the patented inventions including, but not limited to, GLUCOAMYL L 706+ and GLUCOAMYL LG20.

20. As a direct and proximate consequence of defendant’s infringement of the ‘468 patent, Novozymes A/S and Novozymes North America, Inc. have suffered and will continue to suffer irreparable injury and damages in an amount not yet determined, for which Novozymes A/S and Novozymes North America, Inc. are entitled to relief. Novozymes A/S and Novozymes North America, Inc. seek damages, as well as preliminary and permanent injunctive relief against further infringement.

PRAYER FOR RELIEF

Wherefore, plaintiffs Novozymes A/S and Novozymes North America, Inc. demand the following relief against defendant CTE:

- a. Entry of a judgment declaring that defendant CTE has infringed one or more claims of the ‘084 patent and the ‘468 patent;
- b. A preliminary injunction against continuing infringement of the ‘084 patent and the ‘468 patent;
- c. A permanent injunction against continuing infringement of the ‘084 patent and the ‘468 patent;
- d. An award of damages to compensate Novozymes A/S and Novozymes North America, Inc. for CTE’s infringement, pursuant to 35 U.S.C. § 284.

- e. An award of costs to Novozymes A/S and Novozymes North America, Inc.;
- f. Entry of a judgment that the actions of defendant have made this an exceptional case and an award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and
- g. Such other and further relief as the Court may deem just and fair.

Dated: June 23, 2011

RESPECTFULLY SUBMITTED,

By: s/ Stacie R. Hartman
Stacie R. Hartman (Ill. Bar No. 6237265)

SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6473
Telephone (312) 258-5500
Facsimile (312) 258-5600

Robert C. Sullivan, Jr. (pro hac admission pending)
David Francescani (pro hac admission pending)
Samuel S. Woodley (pro hac admission pending)
John S. Goetz (pro hac admission pending)

FISH & RICHARDSON P.C.
601 Lexington Avenue – 52nd Floor
New York, NY 10022
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

Attorneys for Plaintiffs
NOVOZYMES A/S AND
NOVOZYMES NORTH AMERICA, INC.