IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AVERY DENNISON CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. _____
	)	
3M COMPANY,	)	**JURY TRIAL DEMANDED**
	)	
Defendant.	)	
	)	

COMPLAINT FOR PATENT INFRINGMENT

Plaintiff Avery Dennison Corporation ("Plaintiff" or "Avery"), by its attorneys, as and for its Complaint against defendant 3M Company ("Defendant" or "3M"), alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the United States Patent Act, 35 U.S.C. § 101 *et seq*., including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) in that this is a civil action arising out of the patent laws of the United States of America.

JURISDICTION AND VENUE

2. This Court has personal jurisdiction over 3M. On information and belief, 3M has committed acts of infringement in this District, maintains a place of business in this District, regularly does and solicits business in Delaware, is incorporated in Delaware, and has availed itself of the benefits and protections of Delaware law.

3. Venue in this district is proper under 28 U.S.C. §§ 1391(c) and 1400(b) because, among other reasons, 3M is subject to personal jurisdiction in this District and has committed acts of infringement in this District.

THE PARTIES

4. Avery is a Delaware corporation with a principal place of business at 150 N. Orange Grove Boulevard, Pasadena, California 91103. Avery is engaged in the production and sales of pressure-sensitive adhesives and materials, office products, and a variety of other products.

5. Avery is informed and believes that 3M is a Delaware corporation with its principal place of business at 3M Center, St. Paul, Minnesota 55133.

CLAIM FOR RELIEF
(Infringement of United States Patent No. 7,709,071)

6. Avery incorporates by reference paragraphs 1 through 5 of this Complaint and realleges them as though fully set forth herein.

7. Avery is the sole owner by assignment of United States Patent No. 7,709,071, entitled "Label Sheet Design for Easy Removal of Labels" (the "'071 patent"), and issued to Galen Wong, Steven C. Weirather, Jerry Hodsdon, Inge Bachner, and Martin Utz by the United States Patent and Trademark Office on May 4, 2010. A true and correct copy of the '071 patent is attached hereto as Exhibit A.

8. Avery is informed and believes, and thereon alleges, that 3M, in violation of 35 U.S.C. § 271, is currently infringing the '071 patent by, among other things, making, using, offering to sell, and selling in this judicial district and elsewhere throughout the United States, without authority or license from Avery, infringing label sheet assemblies, including without limitation label sheet assemblies sold under the 3M Label mark (the "Accused Products").

9. Avery is informed and believes, and thereon alleges, that 3M is currently contributorily infringing the '071 patent in violation of 35 U.S.C. § 271(c), by selling or offering for sale to third parties, in this judicial district and elsewhere throughout the United States, without license or authority from Avery, components that embody a material part of the

inventions described in the '071 patent, are known by 3M to be especially made or especially adapted for use in infringement of the '071 patent, and are not staple articles or commodities suitable for substantial, non-infringing use, including the Accused Products and their respective components. Avery is informed and believes, and thereon alleges, that these third parties are infringing and will infringe the '071 patent, in violation of 35 U.S.C. § 271(a), by using infringing label sheet assembly products, including some or all of the Accused Products and their respective components.

10. Avery is informed and believes, and thereon alleges, that 3M has actively induced and is currently inducing the infringement of the '071 patent in violation of 35 U.S.C. § 271(b), by knowingly and intentionally encouraging or aiding third parties to use infringing label sheet assembly products in this judicial district and elsewhere throughout the United States, without license or authority from Avery, including at least the Accused Products. Avery is informed and believes, and thereon alleges, that these third parties are infringing and will infringe the '071 patent in violation of 35 U.S.C. § 271(a) by using infringing label sheet assembly products, including some or all of the Accused Products.

11. Unless enjoined by this Court, 3M will continue to infringe the '071 patent.

12. As a direct and proximate result of 3M's conduct, Avery has suffered and will continue to suffer irreparable injury, for which it has no adequate remedy at law. Avery has also been damaged and, until an injunction issues, will continue to be damaged in an amount yet to be determined.

PRAYER FOR RELIEF

WHEREFORE, Avery prays that the Court enter a judgment as follows:

A. For a judicial determination and declaration that the '071 patent is infringed by Defendant;

B. For a judicial determination and declaration that the '071 patent is valid and enforceable;

C. For an order preliminarily and permanently enjoining Defendant, and its directors, officers, employees, attorneys, distributors, agents, and all persons in active concert or participation with any of the foregoing, from further acts of infringement of the '071 patent;

D. For damages resulting from Defendant's infringement of the '071 patent;

E. For an assessment of interest on damages;

F. For a declaration that this case is exceptional pursuant to 35 U.S.C. § 285 and an award of attorneys' fees and costs in this action; and

G. For such other and further relief as this Court deems just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff Avery demands jury trial on all issues.

/s/ Francis DiGiovanni
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Dated: May 4, 2010