IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROHM AND HAAS COMPANY, and ROHM AND HAAS CHEMICALS LLC, Plaintiffs, v. ORGANIK KIMYA SAN. VE TIC. A.Ş, ORGANIK KIMYA NETHERLANDS B.V., and ORGANIK KIMYA US, INC., Defendants.	)	C.A. No. _____ **DEMAND FOR JURY TRIAL**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Rohm and Haas Company and Rohm and Haas Chemicals LLC (collectively, "Rohm and Haas" or "Plaintiffs"), for their Complaint against Defendants Organik Kimya San. ve Tic. A.Ş ("Organik Kimya Turkey"), Organik Kimya Netherlands B.V. ("Organik Kimya Netherlands"), and Organik Kimya US, Inc. ("Organik Kimya US") (collectively, "Organik Kimya" or "Defendants"), hereby allege as follows:

INTRODUCTION

1. Rohm and Haas brings this action against Organik Kimya for patent infringement. Rohm and Haas seeks remedies for Organik Kimya's infringement of U.S. Patent Nos. 6,020,435 ("the '435 patent"); 6,252,004 ("the '004 patent"); 7,435,783 ("the '783 patent") and 7,803,878 ("the '878 patent") (collectively the "Asserted Patents").

THE PARTIES

2. Plaintiff Rohm and Haas Company is a corporation organized and existing under the laws of the State of Delaware and having its principal place of business at 100 Independence Mall West, Philadelphia, Pennsylvania.

3. Plaintiff Rohm and Haas Chemicals LLC is a Delaware limited liability company also having its principal place of business at 100 Independence Mall West, Philadelphia, Pennsylvania.

4. Defendant Organik Kimya San. ve Tic. A.Ş is a privately-held Turkish chemical company having its principal place of business at Mimarsinan Mah. Cendere Yolu No: 146, Kemerburgaz 34075 Eyüpand, Istanbul, Turkey.

5. Defendant Organic Kimya Netherlands B.V. is a Netherlands private limited liability company having its principal place of business at Chemieweg 7, 3197 KC, Rotterdam – Botlekproduce, Netherlands.

6. Defendant Organik Kimya US, Inc. is a Delaware company having a principal place of business at 200 Wheeler Road, Burlington, Massachusetts.

JURISDICTION AND VENUE

7. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 et seq., and the Declaratory Judgment Act, 28 U.S.C. §§2201 and 2202.

8. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States.

9. This Court has personal jurisdiction over Organik Kimya. Organik Kimya US is a Delaware corporation and has a registered agent for the purposes of, *inter alia*, accepting service of process in the State of Delaware. Organik Kimya Turkey and Organik Kimya Netherlands are foreign entities with sufficient minimum contacts from placing infringing products within the stream of commerce of the United States to be within the personal jurisdiction of this Court. Organik Kimya Turkey and Organik Kimya Netherlands have

additional contacts to this District because they sell and/or consign infringing products to Organik Kimya US, which resides in this District, with the knowledge that they will be sold, transferred, and/or used in this District. Thus, exercise of jurisdiction over Organik Kimya will not offend traditional notions of fair play and substantial justice. Such an exercise is consistent with the Delaware long-arm statute, 10 Del. C. § 3104.

10. Organik Kimya does business in this District, including providing products that are used, offered for sale, sold, and/or that have been purchased in this District. Organik Kimya US resides in this District. Venue is proper under 28 U.S.C. §§ 1391(b), (c), (d) and 1400(b).

GENERAL ALLEGATIONS

11. Rohm and Haas owns by assignment the entire right, title, and interest in and to all of the Asserted Patents, including the right to bring this suit.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,020,435

12. Paragraphs 1 through 11 are incorporated by reference as if fully stated herein.

13. The '435 patent, entitled "Process for Preparing Polymer Core Shell Type Emulsions and Polymers Formed Therefrom," was duly and legally issued on February 1, 2000 by the United States Patent and Trademark Office. A copy of the '435 patent is attached hereto as Exhibit A.

14. Rohm and Haas Company is the owner, and Rohm and Haas Chemicals LLC is the exclusive licensee, of all rights, title, and interest in the '435 Patent, including the right to bring this suit for injunctive relief and damages.

15. Organik Kimya has infringed and is infringing one or more claims, including at least claim 1, of the '435 patent in this district and elsewhere by making, using, selling, offering for sale, and/or importing, without authority, products, such as OPAC 204x and ORGAWHITE 2000, that infringe one or more claims of the '435 patent.

16. Rohm and Haas has been and continues to be damaged by Defendants' infringement of the '435 Patent, in an amount to be determined at trial.

17. Rohm and Haas has suffered irreparable injury for which there is no adequate remedy at law and will continue to suffer such irreparable injury unless Organik Kimya's infringement of the '435 patent is enjoined by this Court.

COUNT II – INFRINGEMENT OF U.S. PATENT NO. 6,252,004

18. Paragraphs 1 through 17 are incorporated by reference as if fully stated herein.

19. The '004 patent, entitled "Process for Preparing Multi-Stage Polymer Emulsions and Multi-Stage Polymers Formed Therefrom," was duly and legally issued on June 26, 2001 by the United States Patent and Trademark Office. A copy of the '004 patent is attached hereto as Exhibit B.

20. Rohm and Haas Company is the owner, and Rohm and Haas Chemicals LLC is the exclusive licensee, of all rights, title, and interest in the '004 Patent, including the right to bring this suit for injunctive relief and damages.

21. Organik Kimya has infringed and is infringing one or more claims, including at least claim 1, of the '004 patent in this district and elsewhere by making, using, selling, offering for sale, and importing, without authority, products such as OPAC 204x and ORGAWHITE 2000 that infringe one or more claims of the '004 patent.

22. Rohm and Haas has been and continues to be damaged by Defendants' infringement of the '004 Patent, in an amount to be determined at trial.

23. Rohm and Haas has suffered irreparable injury for which there is no adequate remedy at law and will continue to suffer such irreparable injury unless Organik Kimya's infringement of the '004 patent is enjoined by this Court.

COUNT III – INFRINGEMENT OF U.S. PATENT NO. 7,435,783

24. Paragraphs 1 through 23 are incorporated by reference as if fully stated herein.

25. The '783 patent, entitled "Swollen Multi-Stage Emulsion Polymers with Low Dry Bulk Densities," was duly and legally issued on October 14, 2008 by the United States Patent and Trademark Office. A copy of the '783 patent is attached hereto as Exhibit C.

26. Rohm and Haas Company is the owner, and Rohm and Haas Chemicals LLC is the exclusive licensee, of all rights, title, and interest in the '004 Patent, including the right to bring this suit for injunctive relief and damages.

27. Organik Kimya has infringed and is infringing one or more claims, including at least claim 1, of the '783 patent in this district and elsewhere by making, using, selling, offering for sale, and importing, without authority, products such as OPAC 204x and ORGAWHITE 2000 that infringe one or more claims of the '783 patent.

28. Rohm and Haas has been and continues to be damaged by Defendants' infringement of the '783 patent, in an amount to be determined at trial.

29. Rohm and Haas has suffered irreparable injury for which there is no adequate remedy at law and will continue to suffer such irreparable injury unless Organik Kimya's infringement of the '783 patent is enjoined by this Court.

COUNT IV – INFRINGEMENT OF U.S. PATENT NO. 7,803,878

30. Paragraphs 1 through 29 are incorporated by reference as if fully stated herein.

31. The '878 patent, entitled "Process for Preparing Polymer Emulsions and Polymers Formed Therefrom," was duly and legally issued on September 28, 2010 by the United States Patent and Trademark Office. A copy of the '878 patent is attached hereto as Exhibit D.

32. Rohm and Haas Company is the owner, and Rohm and Haas Chemicals LLC is the exclusive licensee, of all rights, title, and interest in the '878 Patent, including the right to bring this suit for injunctive relief and damages.

33. Organik Kimya has infringed and is infringing one or more claims, including at least claim 1, of the '878 patent in this district and elsewhere by making, using, selling, offering for sale, and importing, without authority, products such as OPAC 204x and ORGAWHITE 2000 that infringe one or more claims of the '878 patent.

34. Rohm and Haas has been and continues to be damaged by Defendants' infringement of the '878 patent, in an amount to be determined at trial.

35. Rohm and Haas has suffered irreparable injury for which there is no adequate remedy at law and will continue to suffer such irreparable injury unless Organik Kimya's infringement of the '878 patent is enjoined by this Court.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Rohm and Haas hereby demands trial by jury on all issues triable by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment and seek relief against Defendants as follows:

(a) That Defendants have infringed and continue to infringe the Asserted Patents;

(b) For all damages sustained as a result of Defendants' infringement of the Asserted Patents, as herein alleged;

(c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;

(d) For a permanent injunction enjoining Defendants, their officers, agents, servants, employees, and all other persons acting in concert or participation with Defendants from further infringement of the Asserted Patents;

(e) For an award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;

(f) For all costs of suit; and

(g) For other such other and further relief as the Court may deem just and proper.

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