

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

UNIVERSAL TECHNOLOGIES, INC.,)
)
Plaintiff,)
)
v.)
)
DICK'S SPORTING GOODS, INC. and)
GOLF GALAXY, LLC,)
)
Defendants.)

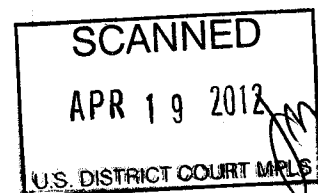
Case No. 12-979 PJS/JSC
JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, UNIVERSAL TECHNOLOGIES, INC. (hereinafter "UNIVERSAL" or "Plaintiff"), for its complaint against DICK'S SPORTING GOODS, INC. (hereinafter "DICK'S") and GOLF GALAXY, LLC (hereinafter "GOLF GALAXY") (collectively referred to as Defendants") states as follows:

Parties

1. Plaintiff UNIVERSAL is a Minnesota Corporation having its principal place of business at 750 Main Street, Hopkins, Minnesota 55343.
2. Upon information and belief, Defendant DICK'S is a Delaware Corporation having its principal place of business at 345 Court Street, Coraopolis, Pennsylvania 15108-3817.
3. Upon information and belief, Defendant GOLF GALAXY is a wholly owned subsidiary of DICK'S, and has a principal place of business at 345 Court Street, Coraopolis, Pennsylvania 15108-3817.



Jurisdiction and Venue

4. This action arises under the patent laws of the United States, 35 U.S.C. §100 et seq.

5. This Court has federal question jurisdiction pursuant to 28 U.S.C. §§1331 and 1338(a). Venue is proper in the United States District Court for the District of Minnesota pursuant to 28 U.S.C. §§1391 and 1400(b).

6. Upon information and belief, Defendants have sold and/or offered for sale products which Plaintiff alleges infringe the patent at issue in this case within the territorial limits of the United States District Court for the District of Minnesota. This Court thus has personal jurisdiction over Defendants, and venue is proper in this District.

Defendants' Infringing Activities

7. Upon information and belief, Defendants make, use, offer to sell, sell or import into the United States towels (hereinafter referred to as the "Accused Products") that infringe UNIVERSAL's patent, an example of which is marketed by Defendants as the MAXFLI® DRY TECH towel.

Count I: Patent Infringement

8. UNIVERSAL incorporates by reference the allegations set forth in paragraphs 1-7 of this Complaint.

9. On September 29, 1998, United States Letters Patent No. 5,813,080 (the '080 patent) was duly and lawfully issued to UNIVERSAL. Generally, the '080 patent relates to and covers a towel structure having a first absorbent layer separated from a second absorbent layer by a film layer which inhibits transfer of moisture between the

first and second absorbent layers. A true and correct copy of the '080 patent is attached hereto as Exhibit A.

10. UNIVERSAL is the current owner of all rights, title, and interest in the '080 patent. UNIVERSAL has the right to assert all causes of action arising under the '080 patent, including the right to sue for infringement thereof, to seek to prevent further infringement, and to collect all damages for past infringement.

11. Defendants have willfully infringed and/or induced infringement of, and are currently willfully infringing and/or inducing infringement of the '080 patent in the United States by making, using, selling and/or offering for sale the Accused Products which infringe one or more claims of the '080 patent literally or under the Doctrine of Equivalents, including claims 1-22.

12. UNIVERSAL has been and will continue to be damaged by Defendants' infringement of the '080 patent and, upon information and belief, such infringement will continue unless Defendants are enjoined from further infringement. The infringement of the '080 patent has caused UNIVERSAL to lose sales of its and/or its licensed products, its business has been damaged, and Defendants have obtained profit UNIVERSAL would have had but for the infringement.

Count II: Unfair Competition

13. Plaintiff restates and re-alleges paragraphs 1-12 of the Complaint herein.

14. This is a count for relief against acts of unfair competition. Jurisdiction is predicated upon 28 U.S.C. §§1332 and 1338(b). Venue is proper under 28 U.S.C. §1391.

15. Defendants, with full knowledge of the existence, scope and validity of UNIVERSAL's '080 patent, and with the specific intent to deprive UNIVERSAL of

profits, have caused to be produced and sold the Accused Products incorporating UNIVERSAL's proprietary features.

16. The aforesaid acts of Defendants and their representatives were committed in bad faith and with the predatory intent of capturing certain positions of UNIVERSAL's market, and of injuring UNIVERSAL's reputation and its business. These acts constitute Unfair Competition against UNIVERSAL.

Prayer For Relief

Wherefore, Plaintiff UNIVERSAL demands judgment in its favor and against Defendants as follows:

A. A permanent injunction for the life of the '080 patent against continued infringement thereof by Defendants, their officers, agents, servants, employees, attorneys, and those controlling, controlled by, or in active participation with them pursuant to 35 U.S.C. §283.

B. An award of damages adequate to compensate UNIVERSAL for the infringement of the '080 patent, and that such damages be trebled due to the willful nature of Defendants' conduct as provided in 35 U.S.C. §284.

C. An award of reasonable attorney's fees as provided in 35 U.S.C. §285.

D. An award of actual and punitive damages for Defendants' acts of Unfair Competition against UNIVERSAL.

E. An award of such other and further legal and equitable relief as the Court deems proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury for all issues triable to a jury pleaded herein.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

Date: April 19, 2012

A handwritten signature in black ink, appearing to read 'M J Burns', written over a horizontal line.

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