

Kaneka Files ITC Complaint Against SKC KOLON PI, Inc. and SKC, Inc.

Kaneka Corporation (Headquarters: Osaka, Japan; President: Mr. Kimikazu Sugawara), a leading corporation in the electronic materials field among others, announced today that it has filed a complaint with the U.S. International Trade Commission (ITC) against SKC KOLON PI, Inc. ("SKPI"), a South Korean polyimide film manufacturer, and its U.S. importer SKC, Inc. ("SKC").

The ITC is a quasi-judicial Federal agency that offers an alternative, fast-tracked, forum for foreign and domestic owners of U.S. intellectual property rights to seek to block infringing products from the U.S. market. Specifically, 19 USC § 1337 authorizes the ITC to address claims of patent infringement by imported goods and unfair competition related to imported products. The ITC operates with unique rules and procedures that typically result in considerably faster determinations and can provide immediate consequences for importers, manufacturers and sellers of infringing products.

The complaint alleges that SKPI and SKC have engaged in unfair trade practices by the importation and sale of polyimide film products that infringe at least four of Kaneka's patents (U.S. Patent Nos. 6,264,866, 6,746,639, 7,018,704 and 7,691,961). The Kaneka patents relate to novel polyimide films and methods for manufacturing such films. Kaneka is requesting that the ITC commence an investigation into SKPI and SKC's use of Kaneka's patents and, among other things, issue an Exclusion Order barring the importation of infringing products, prohibiting further sales of infringing products that have already been imported, and halting the marketing, advertising, demonstration and warehousing of inventory for distribution and use of such imported products in the United States.

Kaneka expects that once the ITC investigation is instituted, a trial will be concluded by March 2012. Kaneka is also currently investigating the unauthorized use of its patented polyimide films and methods in interim semi-manufactured products thereof, electronic parts derived from such interim products and their installed electronic products.

The ITC action follows Kaneka's filing of a patent infringement suit on July 26, 2010 against SKPI and SKC in the U.S. District Court for the Eastern District of Texas for infringement of five Kaneka patents, including the four patents that are at issue in the ITC action. In the District Court action, Kaneka is seeking an injunction and monetary damages.