

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED TECHNOLOGIES CORP.,

CIVIL NO. 3:10-cv-01523-SRU

Plaintiff,

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Jury Trial Demanded

V.

ROLLS-ROYCE PLC and
ROLLS-ROYCE GROUP PLC

NOVEMBER 5, 2010

Defendants.

NOTICE OF FILING OF FIRST AMENDED COMPLAINT

Plaintiff, United Technologies Corporation (“UTC”), hereby provides notice that it is filing a First Amended Complaint as a matter of course pursuant to Fed. R. Civ. P. 15(a)(1). In support, UTC represents that:

1. Rolls-Royce plc did not agree to waive service of the Original Complaint through its U.S. counsel and thus service has not yet been effected on Rolls-Royce, which is headquartered in the United Kingdom.

2. The claims contained in the Original Complaint are being transferred voluntarily and simultaneously with this amendment to a proceeding in the United States District Court for the Eastern District of Virginia, following a ruling in that court that an action pending there and involving claims related to the causes of action in the Original Complaint would not be transferred to the District of Connecticut pursuant to 28 U.S.C. § 1404. The First Amended Complaint reflects the voluntary transfer of those claims from the Original Complaint to the Eastern District of Virginia.

3. The cause of action for patent infringement in the First Amended Complaint involves an ongoing dispute between UTC and Rolls-Royce regarding jet engine fan blade technology, but it involves a separate patent and separate claims of infringement from the patent, tort and unfair trade claims that are pending in the Eastern District of Virginia. Simultaneous with this filing, UTC is also filing in the International Trade Commission the patent infringement claim in the First Amended Complaint.

RESPECTFULLY SUBMITTED,

PLAINTIFF,
UNITED TECHNOLOGIES CORP.

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