

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED TECHNOLOGIES CORPORATION,	CIVIL NO. 3:10-cv-01523-SRU
	:
Plaintiff,	:
V.	:
	:
ROLLS-ROYCE PLC and	:
ROLLS-ROYCE GROUP PLC	: DECEMBER 23, 2010
	:
Defendants.	:

PLAINTIFF’S STATUS REPORT RE: SERVICE

Pursuant to the Court’s order of December 8, 2010, the Plaintiff, United Technologies Corporation (“UTC”), hereby submits this report to advise the Court of the status of service of process on the Defendants, Rolls-Royce plc and Rolls-Royce Group plc (“Rolls-Royce”), in the above-captioned action.

Upon the initial filing of the Complaint, UTC sent a Request for Waiver of Service, dated October 6, 2010, to Attorney Scott G. Lindvall of Kaye Scholer pursuant to Fed. R. Civ. P. 4(d). Attorney Lindvall is known by UTC to represent Rolls-Royce¹ in a matter pending in the Eastern District of Virginia arising out of a different patent. Attorney Lindvall advised undersigned counsel that he was not authorized to agree to the Request for Waiver of Service.

UTC thereafter amended its complaint as of right under Fed. R. Civ. P. 15. Concurrent with the filing of the amended complaint, UTC also initiated related proceedings before the International Trade Commission and the United Kingdom High Court seeking international protection of the same patent rights at issue in this case. Thus, UTC is maintaining actions in

¹ The initial complaint contained allegations against Rolls-Royce plc only. The amended complaint, discussed *infra*, includes allegations against Rolls-Royce Group plc as well.

three different venues to ensure the appropriate protection of its intellectual property rights.

UTC is now balancing its resources in the prosecution of these actions.

As a result of Rolls-Royce's refusal to waive service, UTC is required to make service on Rolls-Royce, a United Kingdom corporation with headquarters in London, through international service. UTC intends to serve the amended complaint upon Rolls-Royce at their United Kingdom headquarters within the 120-day period set forth in Fed. R. Civ. P. 4(m) on or before January 24, 2011. Service will be made via the Hague Convention as well as in-hand service by a duly-appointed United Kingdom solicitor.

RESPECTFULLY SUBMITTED,

PLAINTIFF,
UNITED TECHNOLOGIES CORP.

By: /s/

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