

# **EXHIBIT 10**

TO

## **SECOND AMENDED COMPLAINT**

Metalast Legal Notice: Commencement of Infringement Suit

# BASF Corporation, Chemetall US And Albemarle Corporation, Distributors for Chemeon Surface Technology Sued For Trademark Infringement And Unfair Business Practices By David Semas Founder of Metalast® Chemical Brand



NEWS PROVIDED BY  
WILSON KEADJIAN BROWNDORF, LLP  
Thursday, December 20, 2018

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**IRVINE, California** -- On November 19, 2018 and as amended on December 18, 2018, Plaintiff, David M. Semas and Metalast®, Inc. filed a lawsuit against BASF Corporation, Chemetall US, Albemarle Corporation and eight other named Defendants for Trademark Infringement, False Designation Of Origin, Trademark Dilution, Unfair Business Practices, Unjust Enrichment And Declaratory Relief in the U.S. District Court, Central District of California Civil Action **Case No #8:18-cv-02073-JLS-KES**.

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The owner of the Metalast® trademark, David M. Semas issued a Legal Notice in September 2018 to BASF Corporation, Chemetall US and all other litigants they were not licensed, nor otherwise granted consent to the characterization of any other business firm or chemical as being "formerly Metalast." The notice alerted recipients that any business marketing, distributing, or reselling any product characterized as such does so without license or permission, and risked a potential legal action for infringement.

Chemeon Surface Technology, LLC and owners, Dean and Madyon Meiling, successors in interest to Metalast International, LLC assets, excluding the Metalast® trademark issued a press release on March 21, 2017 and again on May 16, 2018 falsely representing use of the trademark. Chemeon claimed that Federal Judge M. Miranda Du had "In Essence" issued a summary judgment in their favor informing its distributors and customers they can use the accurate historical reference as "formerly Metalast," to refer to Chemeon's former "Metalast" name and products, which was not true. A month prior to Chemeon's last press release, on March 30, 2018, Judge Du of the U.S. District Court, District of Nevada (Case No. 3:15-cv-00294-MMD-VPC, Chemeon Surface Technology, LLC, v. Metalast International, LLC, et al.) ruled in favor of Metalast® International, Inc. and David M. Semas by granting all fourteen (14) of his motions for summary judgment while denying all fifteen (15) Chemeon motions for summary judgment.

Metalast International, LLC was a provider of METALAST® specialty chemical products used for corrosion control, aluminum anodizing and other metal finishing processes. The company was founded by David M. Semas in 1993 when he first put the USPTO registered METALAST® trademark in commerce. Over a period of 20 years Mr. Semas and his team branded the name in this business-to-business industry. After more than a decade of R&D and testing METALAST® chemicals were approved and/or specified by manufacturers worldwide including: BAE Systems, Boeing, General Dynamics, Honeywell, Lockheed Martin, Northrop Grumman, Pratt & Whitney and many others.

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