

Federal Court Denies Chemeon Motions For Summary Judgment and Finds In Favor Of Metalast® and the Semas Family



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Metalast, Inc.

Reno, Nevada -- Contrary to false and defamatory statements being circulated by Chemeon Surface Technology in their most recent May 16, 2018 press release and in their one-year old press release dated March 21, 2017 the U.S. District Court has ruled in favor of Metalast International, Inc. and David M. Semas. Chemeon is falsely claiming to have the right to use the phrase "formerly Metalast" as a part of their business and on their products. This is factually incorrect and a gross mischaracterization. As the owner of the "Metalast®" trademark and brand, David Semas has not licensed or otherwise consented to the characterization of any business firm or product as being "formerly Metalast."

On March 30, 2018 a court ruling denied all fifteen (15) of Plaintiff Chemeon Surface Technology, LLC and Dean and Madylon Meiling causes of action for partial summary judgment and granted all fourteen (14) Defendant Metalast® International, Inc., David M. Semas, Wendi Semas and Greg Semas causes of action, leaving the Defendants remaining counter claim for Breach of Contract for trial and a minor Plaintiff claim regarding a secondary trademark to the lawful Metalast® word mark. After nearly three years of litigation, discovery and deposition testimony a Court Order was issued by Judge Miranda Du for the U.S. District Court, District Of Nevada, Reno (Case No. 3:15-cv-00294-MMD-VPC, Chemeon Surface Technology, LLC, v. Metalast International, LLC, et al.).

SEE JUSTIA: *Chemeon Surface Technology v. Metalast International* (see page 28 Conclusion):
<https://docs.justia.com/cases/federal/district-courts/nevada/nvdce/3:2015cv00294/108270/398>

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 he and his team branded the METALAST® 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 leading manufacturers worldwide including **Apple, BAE Systems, Boeing, Ford, Delphi, General Motors, General Dynamics, GE, Honeywell, Lockheed Martin, Sikorsky** and hundreds of others.

Since gaining control of the assets of Metalast International, LLC, excluding the Metalast® trademark, in numerous press releases and on their website, *Chemeon Surface Technology* - - the renamed company taken over by Dean and Madylon Meiling - - has presented gross misrepresentations, false and often defamatory versions of events created to seize control of the well-respected company and established Metalast® brand. Although continuing to be denied by the Plaintiff, written evidence obtained through the discovery process established a conspiracy to remove David Semas as the founder and lawfully elected manager for nearly twenty years.

The vast majority of original Metalast International, LLC members stand in support of former Manager David Semas. A pending Class Action lawsuit for \$90 million was filed in the U.S. District Court in Reno, Nevada against Dean and Madylon Meiling, their attorney, Jan Chubb and CPA Receiver, James Proctor alleging Fraud, Civil Conspiracy, Unjust Enrichment, Professional Negligence, Breach of Fiduciary Duty, Negligent Misrepresentation and Civil Conspiracy. See Courthouse News (<https://www.courthousenews.com/metal-coatings-spur-90m-securities-action/>).

Metalast® is a registered trademark owned by David M. Semas. The principal owners of Chemeon Surface Technology, LLC, Dean and Madylon Meiling entered into a contract promising that, after June 10, 2015, their business entities would "no longer be able to use the name Metalast in any fashion or manner whatsoever."

Metalast®, Inc. is a Nevada corporation that licenses the use of this trademark and brand name from David M. Semas. Since June 10, 2015, this mark has not been licensed to any other person or entity. Any person who procures, aids, or abets the breach of this promise may be subject to a civil cause of action.

The owner of the Metalast® trademark and brand has not licensed or otherwise consented to the characterization of any other business firm as being "*formerly Metalast*" or any product or formulation as "*formerly Metalast*." Any business marketing, distributing, or reselling any product characterized as "*formerly Metalast*"* does so without license or permission, and risks a potential action for infringement.

The owner of the Metalast® trademark and brand disclaims any and all liability for any product defects, wrongful death, personal injury, or property damage in any way attributed, or alleged to be attributed to, any product advertised, represented, distributed, or sold as "*formerly Metalast*."

***NOTE:** Conspicuously absent from Chemeon's use of the phrase "*formerly Metalast*" is the USPTO registered and legally required registration mark "®" (Registration No. 4128211).

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