

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MONEYCAT, LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. _____
)	
PAYPAL, INC.,)	
)	
Defendant.)	JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff MoneyCat, Ltd. (“MoneyCat”), for its complaint against Defendant PayPal, Inc. (“PayPal” or “Defendant”) alleges as follows:

JURISDICTION AND VENUE

1. This is an action for infringement of United States Patent No. 7,590,602 B1 (“the ‘602 Patent”) arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.* These claims arise under federal law, and this Court has jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201(a), and 2202, and the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

2. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claim asserted herein occurred in this District. Venue also is proper under 28 U.S.C. § 1391(b)(1) and 1400(b) because Defendant is subject to personal jurisdiction in this District and Defendant is incorporated in the State of Delaware. Defendant therefore “resides” in this District as that term is defined in 28 U.S.C. § 1391(c).

THE PARTIES

3. Plaintiff MoneyCat is incorporated under the laws of the State of Israel and maintains its principal place of business in Omer, Israel.

4. On information and belief, Defendant PayPal is a corporation organized and existing under the laws of the State of Delaware and maintains a principal place of business at eBay Park North, 2211 North First Street, San Jose, California 95131.

5. Generally speaking, PayPal operates an electronic payments platform that allows both business and individual users to send, receive and otherwise use funds over a network.

6. On information and belief, Defendant PayPal is a wholly-owned subsidiary of eBay Inc., a corporation organized and existing under the laws of the State of Delaware. PayPal purposefully avails itself of the privilege of doing business in this judicial district, and maintains such continuous and systematic contacts with this District to authorize this Court's exercise of personal jurisdiction over PayPal in this matter.

GENERAL ALLEGATIONS

7. On September 15, 2009, United States Patent No. 7,590,602 B1, entitled "Electronic Currency, Electronic Wallet Therefor and Electronic Payment Systems Employing Them," (the "'602 patent") was duly and lawfully issued by the United States Patent & Trademark Office to Dr. Kfir Luzzatto as the sole inventor. A true and correct copy of the '602 patent is attached hereto as Exhibit A.

8. The '602 patent relates generally to electronic currency, methods for effecting electronic currency transactions, and systems for effecting electronic payments over a network.

9. Plaintiff MoneyCat is the owner by assignment of all right, title and interest in and to the '602 patent.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 7,590,602 B1

10. Plaintiff MoneyCat incorporates by reference the allegations in paragraphs 1 through 9 above, as if fully set forth herein.

11. Defendant PayPal has infringed and is infringing, contributing to infringement, and/or inducing others to infringe the '602 patent, literally and/or under the doctrine of

equivalents, by making, using, offering for sale, selling, or importing PayPal's electronic payment systems, products, services, and platform.

12. Defendant PayPal's acts of infringement have occurred within this judicial district and elsewhere throughout the United States, in violation of 35 U.S.C. § 271.

13. Plaintiff MoneyCat has been damaged by Defendant PayPal's acts of infringement.

14. Although MoneyCat is not currently seeking injunctive relief in this action, MoneyCat reserves the right to seek such relief should future circumstances so warrant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff MoneyCat prays for the following relief against Defendant PayPal:

A. A judgment that Defendant PayPal has infringed and is infringing the '602 patent, directly and/or indirectly, literally and/or or under the doctrine of equivalents, in violation of 35 U.S.C. § 271;

B. A judgment that the '602 patent is not invalid and is enforceable;

C. An award of all damages sustained as a result of Defendant PayPal's infringement of the '602 patent (including a royalty for post-judgment infringement), together with pre-judgment and post-judgment interest at the maximum rate allowed by law;

D. An accounting for acts of infringement not presented at trial and an award by the Court of additional damages for all such acts of infringement, including damages for all infringing acts occurring after the jury's verdict;

E. An award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;

F. An award of all costs of suit; and

G. Such other and further relief as the Court may deem just and proper.

DEMAND FOR A JURY TRIAL

Plaintiff Moneycat demands a trial by jury, pursuant to Fed. R. Civ. P. 38(b), on all claims and as to all issues raised by this Complaint that are triable to a jury.

ASHBY & GEDDES, P.A.

/s/ John G. Day

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Dated: August 30, 2010