

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

EDWARD D. IOLI TRUST AND §
GENERAL TRAFFIC CONTROLS, INC., §

Plaintiffs, §

CIVIL ACTION NO. _____

v. §

JURY TRIAL DEMANDED

AVIGILON CORPORATION, §
BEARCOM, INC., §
CITY OF LEWISVILLE, TEXAS, §
CITY OF RICHARDSON, TEXAS, §
CITY OF TYLER, TEXAS, §
CITYSYNC TECHNOLOGIES, INC., §
COBAN TECHNOLOGIES, INC., §
COLLIN COUNTY, TEXAS, §
DIGITAL RECOGNITION NETWORK, INC., §
ELSAG NORTH AMERICA LLC, §
GENETEC INC., §
IMAGE SENSING SYSTEMS, INC., §
MVCONNECT, LLC, §
NDI TECHNOLOGIES INC., §
PERCEPTICS, LLC, §
PINNACLE MARKETING, INC., §
PIPS TECHNOLOGY INC., §
PLATESCAN, INC., §
TRAFFIPAX INC., AND §
VIGILANT VIDEO, INC., §

Defendants. §

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Edward D. Ioli Trust and General Traffic Controls, Inc., files this complaint for patent infringement against Defendants Avigilon Corporation, BearCom, Inc., the City of Lewisville, Texas, the City of Richardson, Texas, the City of Tyler, Texas, CitySync Technologies, Inc., Coban Technologies, Inc., Collin County, Texas, Digital Recognition Network, Inc., Elsas North America LLC, Genetec Inc., Image

Sensing Systems, Inc., MVCONNECT, LLC, NDI Technologies Inc., Perceptics, LLC, Pinnacle Marketing, PIPS Technology Inc., PlateScan, Inc., Traffipax Inc., and Vigilant Video, Inc. and allege as follows:

THE PARTIES

1. Plaintiff Edward D. Ioli Trust (“EDIT”) is a trust organized under the laws of the State of California.

2. Plaintiff General Traffic Controls, Inc. (“GTC”), is a corporation organized and existing under the laws of the State of Texas and having a principal place of business in Dallas, Texas.

3. Defendant Avigilon Corporation (“Avigilon”) is a corporation organized and existing under the laws of Canada, having a principal place of business at 1038 Hamilton Street, Suite 406, Vancouver, British Columbia, Canada V6H 2R9. Avigilon may be served with process in accordance with the Hague Service Convention at its principal place of business set forth above.

4. BearCom, Inc. (“BearCom”) is a corporation organized and existing under the laws of the State of Texas, having a principal place of business at 4009 Distribution Drive, Suite 200, Garland, Texas 75041. BearCom has designated its registered agent for service of process as John P. Watson, 4009 Distribution Drive, Suite 200, Garland, Texas 75041.

5. The City of Lewisville, Texas, (“Lewisville”) is a municipal corporation with its principal place of business in Denton County, Texas. Per TEX. CIV. PRAC. & REM. CODE § 17.024(b), Lewisville’s agent for purposes of service of process is Mayor Dan Ueckert, located at 151 West Church Street, Lewisville, Texas 75057.

6. The City of Richardson, Texas, (“Richardson”) is a municipal corporation with its principal place of business in Collin and Dallas Counties, Texas. Per TEX. CIV. PRAC. & REM. CODE § 17.024(b), Richardson’s agent for purposes of service of process is Mayor Gary Slagel, located at 411 W. Arapaho Road, Richardson, Texas 75080, with the mailing address P.O. Box 830309, Richardson, Texas 75083.

7. The City of Tyler, Texas, (“Tyler”) is a municipal corporation with its principal place of business in Smith County, Texas. Per TEX. CIV. PRAC. & REM. CODE § 17.024(b), Tyler’s agent for purposes of service of process is Mayor Barbara Bass, located at 212 North Bonner Avenue, Tyler, Texas 75702, with the mailing address P.O. Box 2039, Tyler, Texas 75710.

8. CitySync Technologies, Inc. (“CitySync”) is a corporation organized and existing under the laws of the State of Texas, having a principal place of business at Galleria Tower 1, 2700 Post Oak Blvd., Suite 1400, Houston, Texas 77056. CitySync has designated its registered agent for service of process as Miles D. Harper, III, 5847 San Felipe Street, Suite 1100, Houston, Texas 77057.

9. Coban Technologies, Inc. (“Coban”) is a corporation organized and existing under the laws of the State of Texas, having a principal place of business at 12503 Exchange Drive, Suite 536, Stafford, Texas 77477. Coban has designated its registered agent for service of process as David R. Hinojosa, 12503 Exchange Drive, Suite 536, Stafford, Texas 77477.

10. Collin County, Texas, (“Collin County”) is a county in Texas with its principal place of business in Collin County, Texas. Per TEX. CIV. PRAC. & REM. CODE

§ 17.024(1), Collin County's agent for purposes of service of process is County Judge Keith Self, Collin County Commissioners' Court, Collin County Administration Building, 2300 Bloomdale Road, Suite 4192, McKinney, Texas 75071.

11. Digital Recognition Network, Inc. ("DRN") is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 4100 International Plaza, Suite 2-B10, Fort Worth, Texas 76109. DRN has designated its registered agent for service of process as CT Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, Texas 75201.

12. Elsag North America LLC ("Elsag") is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 412 Clock Tower Commons, Brewster, NY 10509. Elsag has designated its registered agent for service of process as Paracorp Incorporated, 3610-2 N. Josey Lane, Suite 223, Carrollton, Texas 75007.

13. Genetec, Inc. ("Genetec") is a corporation organized and existing under the laws of Canada, having a principal place of business at 2280 Alfred-Nobel Blvd., Suite 400, Saint-Laurent, Quebec, Canada H4S 2A4. Genetec may be served with process in accordance with the Hague Service Convention at its principal place of business set forth above.

14. Image Sensing Systems, Inc. ("ISS") is a corporation organized and existing under the laws of the State of Minnesota, having a principal place of business at 500 Spruce Tree Centre, 1600 University Ave. West, St. Paul, Minnesota 55104. ISS has designated its registered agent for service of process as CT Corporation System, 350 N. St. Paul St., Suite 2900, Dallas, Texas 75201.

15. MVCONNECT, LLC (“MV”) is a limited liability company organized and existing under the laws of the State of Illinois with its principal place of business located in Palatine, Illinois. MV has designated its registered agent for service of process as Scott Jackson, 260 E. Helen Road, Palatine, Illinois 60067.

16. NDI Technologies Inc. (“NDI”) is a corporation organized and existing under the laws of the State of Florida, having a principal place of business at 725 West State Road 434, Suite E, Longwood, Florida 32750. NDI has designated its registered agent for service of process as CorpDirect Agents, 515 E. Park Ave., Tallahassee, Florida 32301.

17. Perceptics LLC (“Perceptics”) is a corporation organized and existing under the laws of the State of Tennessee, having a principal place of business at 9737 Cogdill Road, Suite 200N, Knoxville, Tennessee 37932. Perceptics has designated its registered agent for service of process as John W. Dalton, 9737 Cogdill Road, Suite 200N, Knoxville, Tennessee 37932.

18. Pinnacle Marketing, Inc. (“Pinnacle”) is a corporation organized and existing under the laws of the State of Texas, having a principal place of business at 1825 East Plano Parkway, Suite 100, Plano, Texas 75074. Pinnacle may be served through its president Mark Hooper at 1825 East Plano Parkway, Suite 100, Plano, Texas 75074.

19. PIPS Technology Inc. (“PIPS”) is a corporation organized and existing under the laws of the State of Tennessee, having a principal place of business at 804 Innovation Drive, Knoxville, Tennessee 37932. PIPS has designated its registered agent for service of process as National Registered Agents, Inc., 1900 Church Street, Suite 400, Nashville, Tennessee 37203.

20. PlateScan, Inc. (“PlateScan”) is a corporation organized and existing under the laws of the state of the State of Delaware, having a principal place of business at 20101 SW Birch Street, Suite 250, Newport Beach, California 92660. PlateScan has designated its registered agent for purposes of service of process as Mark Kelly, 20101 SW Birch Street, Suite 250, Newport Beach, California 92660.

21. Traffipax Inc. (“Traffipax”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 514 Progress Drive, Suite E, Linthicum, Maryland 21090. Traffipax has designated its registered agent for purposes of service of process as Corporation Service Company DBA Lawyers Incorporated, 211 E. 7th Street, Suite 620, Austin, Texas 78701. Traffipax is doing business in Texas.

22. Vigilant Video, Inc. (“Vigilant”) is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 2021 Las Positas Court, Suite 155, Livermore, California 94551. Vigilant has designated its registered agent for purposes of service of process as Steve Cintron, 3014 San Juan Boulevard, Belmont, California 94002.

JURISDICTION AND VENUE

23. This is an action for patent infringement arising under the patent laws of the United States of America, Title 35, United States Code.

24. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

25. The municipal city Defendants Lewisville, Richardson, Tyler, and Collin County are municipalities located and residing in the State of Texas and, therefore, are subject to the personal jurisdiction of this Court.

26. BearCom is subject to the personal jurisdiction of this Court because it is a resident of the State of Texas. In addition, BearCom has designated an agent for service of process in the State of Texas.

27. CitySync is subject to the personal jurisdiction of this Court because it is a resident of the State of Texas. In addition, CitySync has designated an agent for service of process in the State of Texas.

28. Coban is subject to the personal jurisdiction of this Court because it is a resident of the State of Texas. In addition, Coban has designated an agent for service of process in the State of Texas.

29. DRN is subject to the personal jurisdiction of this Court because it is a resident of the State of Texas. In addition, DRN has designated an agent for service of process in the State of Texas.

30. Elsag is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In

addition, upon information and belief, Elsag delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, Elsag also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems. Furthermore, Elsag has designated an agent for service of process in the State of Texas.

31. Genetec is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, Genetec delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, Genetec also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems.

32. ISS is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, ISS delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, ISS also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems. Furthermore, ISS has designated an agent for service of process in the State of Texas.

33. MV is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, MV delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, MV also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems.

34. NDI is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, NDI delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas.

35. Perceptics is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, Perceptics delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, Perceptics also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems.

36. Pinnacle is subject to the personal jurisdiction of this Court because it is a resident of the State of Texas. In addition, Pinnacle has designated an agent for service of process in the State of Texas.

37. PIPS is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, PIPS delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, PIPS also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems through BearCom.

38. PlateScan is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, PlateScan delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, PlateScan also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems.

39. Traffipax is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, Traffipax delivers its infringing products into the

stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, Traffipax also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems. Furthermore, Traffipax has designated an agent for service of process in the State of Texas.

40. Vigilant is subject to the personal jurisdiction of this Court because, upon information and belief, it has committed acts of infringement in the State of Texas as alleged below, including the sale of infringing license plate recognition systems. In addition, upon information and belief, Vigilant delivers its infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. Upon information and belief, Vigilant also is engaged in continuous and systematic activities in the State of Texas, including the sale of infringing license plate recognition systems in conjunction through DRN and A1 Security Cameras.

41. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and (d) and 1400(b).

THE PATENTS-IN-SUIT

42. On June 3, 2008, the United States Patent and Trademark Office issued U.S. Patent No. 7,382,277 (“the ‘277 Patent”), entitled “System for Tracking Suspicious Vehicular Activity,” to inventor Edward D. Ioli.

43. On August 18, 2010, the United States Patent and Trademark Office issued U.S. Patent No. 7,791,501 (“the ‘501 Patent”), entitled “Vehicle Identification, Tracking and Parking Enforcement Systems,” to inventor Edward D. Ioli.

44. Mr. Ioli has assigned his entire right, title, and interest in the ‘277 and the ‘501 Patents to EDIT, and EDIT owns all right, title and interest in the ‘277 and ‘501 Patents, including the right to sue for and recover all past, present and future damages for infringement of the ‘277 and ‘501 Patents.

45. In April 2008, EDIT granted to GTC an exclusive license to the ‘277 and ‘501 Patents, including the right to enforce and sublicense.

COUNT 1 – INFRINGEMENT OF THE ‘277 PATENT

46. Avigilon has directly infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including the Avigilon Control Center High Definition (HD) License Plate Recognition system, equipment and accessories, such as the “Avigilon HD LPR Capture Kits,” and related software, equipment and accessories. In addition, upon information and belief, Avigilon, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of the automated license plate recognition systems sold by it and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

47. BearCom has directly infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by using selling, offering for sale, or importing into the United States automated license plate recognition systems, including the PIPS automated license plate recognition systems and related software, equipment and accessories. In addition, upon information and belief, BearCom, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of the automated license plate

recognition systems sold by it and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

48. Lewisville has infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

49. Richardson has infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

50. Tyler has infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

51. CitySync has directly infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States its automated number plate recognition systems, including the “Jet” branded ANPR systems, and related equipment and accessories, such as ANPR engines, application software, specialized recognition hardware and cameras, and related software, equipment and accessories. In addition, upon information and belief, CitySync, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of its automated license plate recognition systems and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

52. Coban has directly infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States its automated license plate recognition systems, including its “Vision,” “EDGE Vision” and TopCam-G2 ALPR systems and related software, equipment and accessories. In addition, upon information and belief, Coban, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of

automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

53. Collin County has infringed the '277 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

54. DRN has directly infringed the '277 Patent by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, such as the "DRN Vehicle Location System," including its "DRNWebRepo" software and DRN Camera Kits, and the Vigilant ALPR system sold by DRN, and related software, equipment and accessories. In addition, upon information and belief, DRN, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

55. Eltag has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its "Mobile Plate Hunter-900" or "MPH-900" system and the FPH-900 system, and related software, equipment and accessories. In addition, upon information and belief, Eltag, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

56. Genetec has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its "AutoVu" system and

“Security Center Unified Security Platform” incorporating the “Auto Vu” system and related software, equipment and accessories such as the AutoVu Patroller in-vehicle software, Auto Vu 4.3 IP LPR solution, AutoVu Back-Office data-mining and reporting software, AutoVu Sharp IP-based LPR device, and the AutoVu Navigator. In addition, upon information and belief, Genetec, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

57. MV has directly infringed the ‘277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its MVTRAV ALPR system, “MVTRAC MVP PowerPak,” “MV Kits,” MV “Intelligent Data Network,” and related software, equipment and accessories. In addition, upon information and belief, MV, with knowledge of the ‘277 Patent, has induced and contributed to the direct infringement of the ‘277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

58. NDI has directly infringed the ‘277 Patent by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its mobile systems affixed to patrol cars, portable covert systems and static or fixed ALPR systems, such as the “VeriPlate” in-car mobile ALPR system, the “LPR Rapid Deployment System,” the Fixed Site ALPR System, and associated software and equipment such as the VeriPlate ALPR software, the “TALON,” and “VISCE” and related camera monitoring systems and accessories. In addition, upon information and

belief, NDI, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

59. Perceptics has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its "LPR" and related camera monitoring systems and accessories. In addition, upon information and belief, Perceptics, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

60. Pinnacle has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by using selling, offering for sale, or importing into the United States the Avigilon automated license plate recognition systems and products described above. In addition, upon information and belief, Pinnacle, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

61. PIPS has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including Intelligent Transportation Systems (ITS) solutions such as the Police ALPR Graphical Interface System (PAGIS) solution, the Mobile LPI system, PIPS' Back Office System Software (BOSS) solution, and associated

software and equipment such as the Superex processors, Spike+ Integrated ALPR Camera and Processor system, Slate mobile ALPR camera systems (such as the P362 Mobile ALPR camera), Spike+ Fixed ALPR Camera systems (such as the Spike + Model 372 ALPR camera), SpikeHD Fixed ALPR Camera systems (such as the SpikeHD P382 ALPR camera) and Spike+ Interface Box and other related equipment and accessories. In addition, upon information and belief, PIPS, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

62. PlateScan has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its "PlateScan ALPR" and related camera monitoring systems and accessories. In addition, upon information and belief, PlateScan, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

63. Traffipax has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its Traffipax/ROBOT photo enforcement systems comprised of, among other things, its "TraffiStar SR950" and "Multaradar SD580" and related camera monitoring systems and accessories and its TPIS (Traffipax Incident Processing System) software. In addition, upon information

and belief, Traffipax, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

64. Vigilant has directly infringed the '277 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its "CarDetector" mobile and fixed camera LPR systems and related equipment and accessories. In addition, upon information and belief, Vigilant, with knowledge of the '277 Patent, has induced and contributed to the direct infringement of the '277 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

COUNT 2 – INFRINGEMENT OF THE '501 PATENT

65. Avigilon has directly infringed the '501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including the Avigilon Control Center High Definition (HD) License Plate Recognition system, equipment and accessories, such as the "Avigilon HD LPR Capture Kits," and related software, equipment and accessories. In addition, upon information and belief, Avigilon, with knowledge of the '501 Patent, has induced and contributed to the direct infringement of the '501 Patent by users of the automated license plate recognition systems sold by it and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

66. BearCom has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using selling, offering for sale, or importing into the United States automated license plate recognition systems, including the PIPS automated license plate recognition systems and related software, equipment and accessories. In addition, upon information and belief, BearCom, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems sold by it and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

67. Lewisville has infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

68. Richardson has infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

69. Tyler has infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

70. CitySync has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States its automated number plate recognition systems, including the “Jet” branded ANPR systems, and related equipment and accessories, such as ANPR engines, application software, specialized recognition hardware and cameras, and related software, equipment and accessories. In addition, upon information and belief, CitySync, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of its automated license plate recognition systems and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

71. Coban has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States its automated license plate recognition systems, including its “Vision,” “EDGE Vision” and TopCam-G2 ALPR systems and related software, equipment and accessories. In addition, upon information and belief, Coban, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

72. Collin County has infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using automated license plate recognition systems.

73. DRN has directly infringed the ‘501 Patent by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, such as the “DRN Vehicle Location System,” including its “DRNWebRepo” software and DRN Camera Kits, and the Vigilant ALPR system sold by DRN, and related software, equipment and accessories. In addition, upon information and belief, DRN, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

74. Eltag has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its “Mobile Plate Hunter-900” or “MPH-900” system and the FPH-900 system, and related software, equipment and accessories. In addition, upon information and belief, Eltag, with knowledge of the ‘501 Patent, has

induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

75. Genetec has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its “AutoVu” system and “Security Center Unified Security Platform” incorporating the “Auto Vu” system and related software, equipment and accessories such as the AutoVu Patroller in-vehicle software, Auto Vu 4.3 IP LPR solution, AutoVu Back-Office data-mining and reporting software, AutoVu Sharp IP-based LPR device, and the AutoVu Navigator. In addition, upon information and belief, Genetec, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

76. MV has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its MVTRAV ALPR system, “MVTRAC MVP PowerPak,” “MV Kits,” MV “Intelligent Data Network,” and related software, equipment and accessories. In addition, upon information and belief, MV, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

77. NDI has directly infringed the ‘501 Patent by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its mobile systems affixed to patrol cars, portable covert systems and static or fixed ALPR systems, such as the “VeriPlate” in-car mobile ALPR system, the “LPR Rapid Deployment System,” the Fixed Site ALPR System, and associated software and equipment such as the VeriPlate ALPR software, the “TALON,” and “VISCE” and related camera monitoring systems and accessories. In addition, upon information and belief, NDI, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

78. Perceptics has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its “LPR” and related camera monitoring systems and accessories. In addition, upon information and belief, Perceptics, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

79. Pinnacle has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by using selling, offering for sale, or importing into the United States the Avigilon automated license plate recognition systems and products described above. In addition, upon information and belief, Pinnacle, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated

license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

80. PIPS has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including Intelligent Transportation Systems (ITS) solutions such as the Police ALPR Graphical Interface System (PAGIS) solution, the Mobile LPI system, PIPS’ Back Office System Software (BOSS) solution, and associated software and equipment such as the Superex processors, Spike+ Integrated ALPR Camera and Processor system, Slate mobile ALPR camera systems (such as the P362 Mobile ALPR camera), Spike+ Fixed ALPR Camera systems (such as the Spike + Model 372 ALPR camera), SpikeHD Fixed ALPR Camera systems (such as the SpikeHD P382 ALPR camera) and Spike+ Interface Box and other related equipment and accessories. In addition, upon information and belief, PIPS, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

81. PlateScan has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its “PlateScan ALPR” and related camera monitoring systems and accessories. In addition, upon information and belief, PlateScan, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition

systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

82. Traffipax has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its Traffipax/ROBOT photo enforcement systems comprised of, among other things, its “TraffiStar SR950” and “Multaradar SD580” and related camera monitoring systems and accessories and its TPIS (Traffipax Incident Processing System) software. In addition, upon information and belief, Traffipax, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

83. Vigilant has directly infringed the ‘501 Patent in violation of 35 U.S.C. § 271 by making, using selling, offering for sale, or importing into the United States automated license plate recognition systems, including its “CarDetector” mobile and fixed camera LPR systems and related equipment and accessories. In addition, upon information and belief, Vigilant, with knowledge of the ‘501 Patent, has induced and contributed to the direct infringement of the ‘501 Patent by users of the automated license plate recognition systems it has sold and is continuing to engage in such indirect infringement in violation of 35 U.S.C. § 271.

84. As a direct and proximate consequence of the acts and practices of the Defendants in infringing, directly and/or indirectly, one or more claims of the ‘277 Patent and one or more claims of the ‘501 Patent, Plaintiffs have suffered, is suffering, and will

continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C. § 284, in an amount to be determined at trial.

85. The limitation of damages provision of 35 U.S.C. § 287(a) is not applicable to Plaintiffs.

DEMAND FOR JURY TRIAL

86. Plaintiffs demand trial by jury on all claims and issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for entry of judgment that:

1. Defendants have infringed the patents-in-suit;
2. Defendants account for and pay to Plaintiffs all damages caused by their respective infringement of the patents-in-suit; and
3. Plaintiffs be granted pre-judgment and post-judgment interest on the damages caused to it by reason of one or more of Defendants' patent infringement;
4. The Court declare this an exceptional case and that Plaintiffs be granted their reasonable attorneys' fees in accordance with 35 U.S.C. § 285;
5. Costs be awarded to Plaintiffs; and
6. Plaintiffs be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: December 30, 2010

Respectfully submitted,

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