

FILED

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2012 FEB 10 PM 4:27
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF
LOS ANGELES

8 Attorneys for Plaintiffs ArrivalStar S.A.
9 and Melvino Technologies Limited

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 WESTERN DIVISION

CV 12 1225 -GHK
(AGK)

13)
14 ARRIVALSTAR S.A. and MELVINO)
15 TECHNOLOGIES LIMITED,)

Case No.:
**COMPLAINT FOR PATENT
INFRINGEMENT**
DEMAND FOR JURY TRIAL

16 Plaintiffs,

17)
18 v.)

19 MEITEK INC., a California)
20 corporation; and JNETWORK, LLC, a)
21 California limited liability company,)

22 Defendants.)
23)

24
25 Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively,
26 "ArrivalStar" or "Plaintiffs"), by and through their undersigned attorneys, for their
27 complaint against defendants Meitek Inc. ("Meitek") and JNetwork, LLC
28 ("JNetwork") (collectively, "Defendants"), allege as follows:

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NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg with offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, with offices at Road Town, Tortola, British Virgin Islands.

4. ArrivalStar is informed and believes and on that basis alleges that Defendant Meitek is a California corporation located at 9550 Flair Dr, Suite 216, El Monte, California 91731. Meitek transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of California services that infringe claims of the '859, '606, '359, '645, and '058 Patents as alleged below.

5. ArrivalStar is informed and believes and on that basis alleges that Defendant JNetwork is a California limited liability company located at 2173 Salk Avenue, Suite 250, Carlsbad, California 92008. JNetwork transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of California services that infringe claims of the '859, '606, '359, '645, and '058 Patents as alleged below.

JURISDICTION AND VENUE

6. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

7. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

THE PATENTS

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,714,859 ("the '859 Patent"), entitled

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1 “System and method for an advance notification system for monitoring and
2 reporting proximity of a vehicle,” issued March 30, 2004.

3 9. ArrivalStar owns all right, title and interest in, and has standing to sue
4 for infringement of United States Patent No. 6,804,606 (“the ‘606 Patent”), entitled
5 “Notification systems and methods with user-definable notifications based upon
6 vehicle proximities,” issued October 12, 2004.

7 10. ArrivalStar owns all right, title and interest in, and has standing to sue
8 for infringement of United States Patent No. 6,904,359 (“the ‘359 Patent”), entitled
9 “Notification systems and methods with user-definable notifications based upon
10 occurrence of events,” issued June 7, 2005. The ‘359 Patent was the subject of an
11 Inter Partes reexamination at the United States Patent and Trademark Office.

12 11. ArrivalStar owns all right, title and interest in, and has standing to sue
13 for infringement of United States Patent No. 6,952,645 (“the ‘645 Patent”), entitled
14 “System and method for activation of an advance notification system for
15 monitoring and reporting status of vehicle travel,” issued October 4, 2005.

16 12. ArrivalStar owns all right, title and interest in, and has standing to sue
17 for infringement of United States Patent No. 7,191,058 (“the ‘058 Patent”), entitled
18 “Notification systems and methods enabling user entry of notification trigger
19 information based upon monitored mobile vehicle location,” issued March 13,
20 2007.

21 13. The ‘859, ‘606, ‘359, ‘645, and ‘058 patents are referred to collectively
22 as the “ArrivalStar Patents.”

23 **DEFENDANT MEITEK’S ACTS OF PATENT INFRINGEMENT**

24 14. Meitek has infringed claims of the ArrivalStar Patents through the use
25 and sale of Meitek’s MS02 and MVT600 systems.

26 15. On February 7, 2012, Meitek hosted a United States version of its
27 MS02 tracking system on a computer server located in Las Vegas, Nevada that was
28

1 accessible through a uniform resource locator address of
2 <http://www1.trackingmate.com>.

3 16. Meitek's infringement has damaged and will continue to damage
4 ArrivalStar unless and until this Court enters an injunction prohibiting further
5 infringement and, specifically, enjoining further use of methods and systems that
6 come within the scope of the ArrivalStar Patents.

7 **DEFENDANT JNETWORK'S ACTS OF PATENT INFRINGEMENT**

8 17. JNetwork has infringed claims of the ArrivalStar Patents through the
9 use and sale of JNetwork's Falcon Vision Web Portal and GoldenEagle Tracker
10 MVT 600 systems.

11 18. JNetwork resells Meitek's MS02 system as a Falcon Vision Web Portal
12 and Meitek's MVT600 as a GoldenEagle Tracker MVT 600.

13 19. JNetwork's infringement has damaged and will continue to damage
14 ArrivalStar unless and until this Court enters an injunction prohibiting further
15 infringement and, specifically, enjoining further use of methods and systems that
16 come within the scope of the ArrivalStar Patents.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiffs ask this Court to enter judgment against the
19 Defendants, and each of them, and each of their subsidiaries, affiliates, agents,
20 servants, employees and all persons in active concert or participation with them,
21 and to grant the following relief:

22 A. An award of damages adequate to compensate ArrivalStar for the
23 infringement that has occurred, together with prejudgment interest from the date
24 that Defendant's infringement of the ArrivalStar Patents began;

25 B. Increased damages as permitted under 35 U.S.C. § 284;

26 C. A finding that this case is exceptional and an award to ArrivalStar of
27 its attorneys' fees and costs as provided by 35 U.S.C. § 285;

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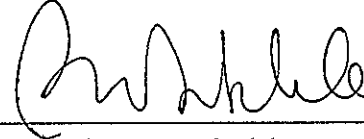
1 D. A permanent injunction prohibiting further infringement,
2 inducement of infringement, and contributory infringement of the ArrivalStar
3 Patents; and

4 E. Such other and further relief as this Court may deem proper and just.

5 Respectfully submitted,

6 DATED: February 9, 2012

GRACE+GRACE LLP

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9 Pamela D. Deitchle
10 Attorneys for Plaintiffs ArrivalStar S.A.
and Melvino Technologies Limited

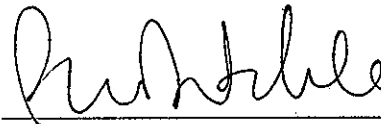
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12 **JURY DEMAND**

13 ArrivalStar demands a trial by jury on all issues so triable.

14
15 Respectfully submitted,

16 DATED: February 9, 2012

GRACE+GRACE LLP

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18
19 Pamela D. Deitchle
20 Attorneys for Plaintiffs ArrivalStar S.A.
and Melvino Technologies Limited

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge George King and the assigned discovery Magistrate Judge is Alicia G. Rosenberg

The case number on all documents filed with the Court should read as follows:

CV12 - 1225 GHK (AGR~~x~~)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

PLAINTIFF(S)

v

MEITEK, INC., a California corporation; and
INETWORK, LLC, a California limited liability
company,

DEFENDANT(S)

CASE NUMBER

CV 12 1225-GHK (AGK)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Grace+Grace LLP, whose address is 444 S. Flower St., Suite 1650, Los Angeles, CA 90071. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U S District Court

Dated: FEB 10 2012

By: *Marilyn Dan*
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].