

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

EXOTABLET LTD.,

Plaintiff,

v.

NEGRI ELECTRONICS, INC.,

Defendant.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, ExoTablet Ltd., for its Complaint against Defendant, Negri Electronics, Inc., alleges as follows:

INTRODUCTION

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

THE PARTIES

2. Plaintiff, ExoTablet Ltd. (hereinafter “ExoTablet”) is an entity formed in the United Kingdom with a principal place of business at Temple House, 20 Holywell Row, London EC2A 4XH, United Kingdom.

3. On information and belief, Defendant Negri Electronics, Inc. (hereinafter “Defendant”) is a Nevada Corporation with a principal place of business located at 4045 South Buffalo Drive, Suite #A101-614, Las Vegas, Nevada 89147.

4. On information and belief, Defendant has in the past and continues to offer for sale and sell “Padfone” and “Padfone 2” as shown, for example, at [http://negrielectronics.com/catalogsearch/result/?q=padfone#. UO29fagtMyM](http://negrielectronics.com/catalogsearch/result/?q=padfone#.UO29fagtMyM).

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over all causes of action set forth herein pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, Title 35, United States Code, including 35 U.S.C. §271 *et seq.*

6. This Court has personal jurisdiction over Defendant as: (i) Defendant maintains regular and systematic business contacts with the State of Georgia and within this judicial district and division; (ii) Defendant purposely, regularly, and continuously conducts business in the State of Georgia and within this judicial district and division; (iii) Defendant purposefully directs its activities at residents of the State of Georgia; (iv) the cause of action set forth herein arises out of or relates to the Defendant’s activities in the State of Georgia; and (v) the exercise of jurisdiction over Defendant will not offend the traditional notions of fair play and

substantial justice.

7. Venue is proper in this judicial district and division pursuant to 28 U.S.C. §1331, §1338(a), §§1391, and §1400(b).

COUNT ONE: PATENT INFRINGEMENT
(U.S. Patent No. 7,477,919)

8. ExoTablet realleges and incorporates herein the preceding allegations of this Complaint as if fully set forth herein.

9. On January 13, 2009, the United States Patent and Trademark Office duly and legally issued United States Patent No. 7,477,919, entitled “Handheld input/output device providing enhanced user interface for a mobile telephone.” A true and correct copy of U.S. Patent No. 7,477,919 is attached hereto as Exhibit “A.”

10. ExoTablet is the owner, by assignment, of all right, title, and interest in and to U.S. Patent No. 7,477,919 (hereinafter the “‘919 Patent”), including the right to bring suit for past, present, and future patent infringement, and to collect past, present, and future damages.

11. The ‘919 Patent is valid.

12. The ‘919 Patent is enforceable.

13. Defendant has in the past and continues to infringe one or more claims of the ‘919 Patent in violation of 35 U.S.C. §271(a). Defendant’s infringing acts

include Defendant's offer for sale and/or sale of "Padfone" and "Padfone 2" input/output devices that provide an enhanced user interface for a mobile telephone.

14. Representative examples of Defendant's infringing "Padfone" and "Padfone 2" devices include, but are not necessarily limited to, Defendant's offer for sale and/or sale of the "Padfone" and "Padfone 2" input/output devices that provide an enhanced user interface for a mobile telephone shown in Exhibit "B."

15. On information and belief, customers who reside in the State of Georgia, including the Northern District of Georgia, may purchase Defendant's products, including "Padfone" and "Padfone 2" input/output devices that provide an enhanced user interface for a mobile telephone, directly from Defendant.

16. On information and belief, Defendant's infringement of one or more claims of the '919 Patent has been, and continues to be, objectively reckless, willful, and deliberate, entitling ExoTablet to increased damages pursuant to 35 U.S.C. §284 and to attorneys' fees pursuant to 35 U.S.C. §285.

17. ExoTablet has and continues to suffer damages as a direct and proximate result of Defendant's infringement of one or more claims of the '919 Patent and will suffer additional and irreparable damages unless Defendant is permanently enjoined by this Court from continuing its infringement. ExoTablet has no adequate remedy at law.

18. ExoTablet is entitled to: (i) damages adequate to compensate it for Defendant's infringement of the '919 Patent, which amounts to, at a minimum, a reasonable royalty; (ii) ExoTablet's lost profits; (iii) treble damages; (iv) attorneys' fees; (v) costs; and (vi) a preliminary and thereafter permanent injunction.

PRAYER FOR RELIEF

WHEREFORE, ExoTablet seeks the following relief:

- a. That Defendant is enjoined from further infringement of the '919 Patent pursuant to 35 U.S.C. §283;
- b. That Defendant is ordered to pay damages adequate to compensate ExoTablet for Defendant's infringement of the '919 Patent pursuant to 35 U.S.C. §284;
- c. That Defendant is ordered to pay ExoTablet ExoTablet's lost profits due to Defendant's infringement of the '919 Patent pursuant to 35 U.S.C. §284;
- d. That Defendant is ordered to pay ExoTablet treble damages pursuant to 35 U.S.C. §284;
- e. That Defendant is ordered to pay prejudgment interest pursuant to 35 U.S.C. §284;
- f. That Defendant is ordered to pay all costs associated with this action pursuant to 35 U.S.C. §284;

g. That Defendant is ordered to pay ExoTablet's attorneys' fees pursuant to 35 U.S.C. §285; and

h. That ExoTablet is granted such other and additional relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), ExoTablet demands a trial by jury of all issues triable of right by a jury.

Respectfully submitted, this 25th day of January, 2013.

/s/ Stephen R. Risley _____

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