

On information and belief, Garmin USA, Inc. is authorized to do business in Texas and has appointed National Registered Agents, Inc., 1999 Bryan Street, Suite 900, Dallas, Texas 75201 as its agent for service of process.

4. On information and belief, Defendant Garmin Ltd. is a Swiss corporation with its principal place of business located at Muhlenalstrasse 2, 8200 Schaffhausen, Switzerland. On information and belief, Garmin Ltd. can be served with process at its principal place of business at Muhlenalstrasse 2, 8200 Schaffhausen, Switzerland.

5. On information and belief, Garmin International, Inc. is a wholly-owned subsidiary of Garmin Ltd.

6. On information and belief, Garmin USA, Inc. is a wholly-owned subsidiary of Garmin Ltd.

7. On information and belief, Garmin Ltd. is a publicly held corporation.

JURISDICTION AND VENUE

8. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 271.

9. This court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Garmin. On information and belief, Garmin, either directly or through intermediaries, regularly sells products and services into this judicial district and manufactures products intended to be sold and in fact sold into and within this judicial district. Additionally, on information and belief, this Court has personal jurisdiction over Garmin because Garmin has committed and/or participated in the commission of acts within this judicial district giving rise to this action.

11. Venue is proper as to all defendants in this judicial district under 28 U.S.C. §§ 1391(b) and 1400 (b).

SUMMARY

12. Dr. David Breed is one of the leading inventors in the field of automotive technology in the world today.

13. Dr. Breed is an inventor on more than 300 United States patents relating to automotive technologies, including airbags, navigation systems, vehicle diagnostics, crash sensors, vehicle communications, systems monitoring, theft protection, and collision avoidance.

14. Dr. Breed has a Ph.D. in Mechanical Engineering from Columbia University as well as Bachelors' and Masters' degrees from the Massachusetts Institute of Technology.

15. Dr. Breed has received the National Highway Traffic Safety Administration's Award for Safety Engineering and the prestigious H.H. Bliss award for his contributions to the development of the airbag.

16. Dr. Breed is a member of the Tau Beta Pi and Pi Tau Sigma engineering honors societies and has published numerous peer-reviewed articles.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 8,630,795

17. AVS incorporates the foregoing paragraphs as if fully set forth here.

18. On January 14, 2014, the USPTO duly and legally issued United States Patent No. 8,630,795 B2 ("the '795 Patent"), entitled "Vehicle Speed Control Method and Arrangement." AVS owns the '795 Patent and holds the right to sue and recover damages for infringement thereof.

19. On information and belief, Garmin has been and now is directly infringing the ‘795 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, and/or importing portable automotive navigation systems including but not limited to the Garmin Nuvi Essential Series Navigation Systems, the Garmin Nuvi Advanced Series Navigation Systems, the Garmin Nuvi Prestige Series Navigation Systems, and the Garmin Dezl Series Systems (collectively, the “Accused Garmin Portable Systems”); all to the injury of AVS. Garmin is thus liable for infringement of the ‘795 Patent pursuant to 35 U.S.C. § 271.

20. On information and belief, the Accused Garmin Portable Systems include, but are not limited to, the following product models: Nuvi 52LM, Nuvi 54, Nuvi 44, Nuvi 54LM, Nuvi 44LM, Nuvi 42, Nuvi 52, Nuvi 42LM, Nuvi 56LMT, Nuvi 66LMT, Nuvi 55LMT, Nuvi 65LMT, Nuvi 65LM, Nuvi 66LM, Nuvi 56, Nuvi 55, Nuvi 55LM, Nuvi 56LM, Nuvi 2597LMT, Nuvi 2797LMT, Nuvi 2598LMTHD, Nuvi 2558LMTHD, Nuvi 2557LMT, Nuvi 2757LM, Nuvi 2577LT, Nuvi 2597LM, Nuvi 2457LMT, Nuvi 2497LMT, Nuvi 3597LMTHD, Dezl 560 LT, Dezl 560 LMT, and Dezl 760 LMT.

21. On information and belief, the ‘795 Patent is also infringed by the consumers who use Garmin navigation software applications for use with various handheld devices, including but not limited to the Garmin StreetPilot Onboard for iPhone and iPad and the Garmin StreetPilot for Windows Phone.

22. As a result of its infringement of the ‘795 Patent, Garmin has damaged AVS. Garmin is liable to AVS in an amount to be determined at trial that adequately compensates AVS for the infringement, which by law can be no less than a reasonable royalty.

23. As a result of Garmin's infringement of the '795 Patent, AVS has suffered and will continue to suffer loss and injury unless Garmin is enjoined by this Court.

24. At least as early as their receipt of this Complaint, Garmin has had knowledge of the '795 Patent and written notice of the infringement.

25. AVS intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding against Garmin relative to pre-suit infringement and/or post-suit infringement of the '795 Patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff AVS pray for the following relief:

26. A judgment in favor of AVS that Garmin has infringed the '795 patent;

27. A permanent injunction, enjoining Garmin along with its officers, directors, agents, servants, employees, affiliates, divisions, branches, subsidiaries, and parents from infringing the '795 patent;

28. A judgment and order requiring Garmin to pay AVS damages for its infringement of the '795 patent, together with interest (both pre- and post-judgment), costs and disbursements as fixed by this Court under 35 U.S.C. § 284;

29. Such other and further relief in law or in equity to which AVS may be justly entitled.

DEMAND FOR JURY TRIAL

30. Plaintiff demands a trial by jury of any and all issues triable of right before a jury.

Dated: March 7, 2014

Respectfully submitted,

/s/ Demetrios Anaipakos _____

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