

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NEXTPPOINT, INC.

Plaintiff,

v.

HEWLETT-PACKARD COMPANY.

Defendant.

Civil Action No.

DEMAND FOR JURY TRIAL

**COMPLAINT FOR PATENT INFRINGEMENT
AGAINST HEWLETT-PACKARD COMPANY**

Plaintiff Nextpoint, Inc. (“Nextpoint”), for its complaint for patent infringement against Defendant Hewlett-Packard Company (“HP”) alleges as follows:

THE PARTIES

1. Plaintiff Nextpoint is a corporation organized and existing under the laws of the State of Illinois with its principal place of business at 4043 N. Ravenswood, Suite 317, Chicago, Illinois 60613.
2. Upon information and belief, HP is a company organized and existing under the laws of the State of Delaware with a principal place of business at 3000 Hanover Street, Palo Alto, CA 94304-1112.

JURISDICTION AND VENUE

3. This action arises under the United States Patent Laws, 35 U.S.C. §§ 1, *et. seq.*
4. Defendant HP, upon information and belief, is doing business within the State of Illinois and within the Northern District of Illinois, is engaged in continuous and systematic business within the Northern District of Illinois, conducts and solicits business within this district and

derives substantial revenue from the sales of their products and/or services within this district and elsewhere in Illinois, and including the commission of acts of infringement as hereinafter stated.

5. This Court has jurisdiction in this action under 28 U.S.C. §§1331 and 1338. Venue is proper in this judicial district pursuant to 28 U.S.C. §§1391 and 1400.

THE PATENTS-IN-SUIT AND BACKGROUND

6. Nextpoint is the owner of all right, title, and interest in U.S. Patent No. 8,447,731 (“the ‘731 Patent”) entitled “Method and System for Information Management.” The ‘731 Patent was duly and properly issued by the United States Patent and Trademark Office on May 21, 2013 and is assigned to Nextpoint. A true and correct copy of the ‘731 Patent is attached hereto as **Exhibit A**.

7. Upon information and belief, HP uses, offers for sale or sells, within the United States, a system and method for collecting and managing trial information using a cloud based computer network.

FIRST CAUSE OF ACTION (INFRINGEMENT OF THE ‘731 PATENT)

8. Nextpoint restates and realleges the allegations set forth in paragraphs 1-11 above and incorporated them by reference.

9. Upon information and belief, HP provides a system and method for collecting and managing trial information using a cloud based computer network.

10. Upon information and belief, HP, through its cloud based eDiscovery products and services, has infringed and continues to infringe, either literally or under the doctrine of equivalents, one or more claims of the ‘731 Patent, in violation of 35 U.S.C. §271(a) by using, offering for sale or selling, within the United States, products or processes that practice the

inventions claimed in the '731 Patent. HP also directly infringes one or more claims of the '731 Patent by directing and/or controlling its employees, executives, users, agents, affiliates, suppliers, vendors, customers and others to perform the methods claimed in the '731 Patent.

11. Nextpoint has been damaged by HP's infringement of the '731 Patent, has been irreparably harmed by that infringement, and will suffer additional damages and irreparable harm unless this Court enjoins HP from further infringement.

PRAYER FOR RELIEF

WHEREFORE, Nextpoint prays for judgment:

- A. that HP has infringed and is infringing the '731 patent;
- B. enjoining HP, its officers, agents, employees, successors, and assigns, and all other persons in active concert or participation with any of them from infringing, and/or inducing infringement of the '731 Patent;
- C. awarding Nextpoint compensatory damages for HP's infringement, together with interest and costs pursuant to 35 U.S.C. §284; and
- D. granting Nextpoint such other and further relief in law or in equity as this Court deems just or proper.

DEMAND FOR JURY TRIAL

Nextpoint demands a trial by jury on all issues so triable.

Dated: September 25, 2015

Respectfully submitted,

/s/ Peter M. Spingola

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