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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10 Automated Transactions LLC,

11 Plaintiff,

12 v.

13 Zippos Sports Bar Advanced ATM,

14 Defendant.
15

No. _____

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

16 Plaintiff Automated Transactions LLC (“Automated Transactions”) alleges as
17 follows:

18 **PARTIES**

19 1. Automated Transactions is a limited liability company organized and
20 existing under the laws of the state of Delaware, having a principal place of business at
21 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

22 2. Upon information and belief, Zippos Sports Bar Advanced ATM (“Zippos”)
23 has a principal place of business located at 3102 N. Scottsdale Road, Scottsdale, Arizona
24 85251.

25 **NATURE OF ACTION**

26 3. This is an action for patent infringement pursuant to 35 U.S.C. §101, et. seq.

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4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338.

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

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2. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with cash.
3. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with bills.
11. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a credit card.
12. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a debit card.
13. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a stored value card.
15. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with an identification card

9. Zippos is using ATMs within this judicial district which incorporate every element of the above claims or substantial equivalents thereof. Therefore, Zippos is directly or indirectly infringing at least the above claims of the '158 patent, either literally or under the doctrine of equivalents, and is liable for infringement of the '158 patent pursuant to 35 U.S.C. §271.

10. Zippos also provides the above ATMs for use by customers and others within this judicial district, and provides those customers and others with detailed explanations, instructions and information as to arrangements, applications and uses of these ATMs that promote and demonstrate how to use these ATMs in an infringing manner. These acts constitute inducement to infringe the above claims of the '158 patent, either literally or under the doctrine of equivalents, whenever a customer uses one of the above ATMs to purchase access to retail ATM services through the use of the user interface and Internet service connections. Zippos is therefore liable for inducing

1 infringement of the '158 patent pursuant to 35 U.S.C. §271.

2 11. Zippos's actions in infringing the '158 patent have been, and continue to be,
3 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
4 making this an exceptional case within the meaning of 35 U.S.C. §285.

5 12. Zippos's infringement of the '158 patent has caused and continues to cause
6 irreparable harm to Automated Transactions in an amount to be proven at trial. The
7 infringement of the '158 patent by Zippos will continue unless enjoined by this Court.

8 **SECOND CLAIM FOR RELIEF**

9 13. On October 6, 2009, U.S. Patent No. 7,597,248 (the "'248 patent'") was duly
10 and legally issued to David M. Barcelou. A true and correct copy of the '248 patent is
11 attached hereto as Exhibit B.

12 14. By license, Automated Transactions is the exclusive licensee of the '248
13 patent with the right to sue for past and future infringement and collect damages therefore
14 in its own name.

15 15. The '248 patent discloses and claims, among other things, integrated
16 banking and transaction machines. Claims 1-3, 5, 11-13 and 15 state as follows:

17 1. An integrated banking and transaction machine for use by a
18 consumer to purchase access to retail ATM services,
19 comprising:

20 an automated teller machine;

21 a user interface to the automated teller machine;

22 means for identifying the user to the automated teller machine,
23 further comprising a smart card/magnetic stripe reader/encoder
24 and a sensor;

25 network services to financial network connections to the
26 automated teller machine that uses encryption services and
security services to provide the user access to the user
interface and retail ATM service; and

access to the automated teller machine user interface

1 whereupon the consumer may selectively dispense cash using
2 the integrated banking and transaction machine providing the
3 retail ATM service;

4 wherein the consumer can purchase access to the retail ATM
5 service through use of the user interface and financial network
6 connections.

7 2. The integrated banking and transaction machine according to
8 claim 1, further comprising means for consummating the
9 purchase with cash.

10 3. The integrated banking and transaction machine according to
11 claim 1, further comprising means for consummating the
12 purchase with bills.

13 5. The integrated banking and transaction machine according to
14 claim 1, further comprising means for consummating the
15 purchase with currency.

16 11. The integrated banking and transaction machine according to
17 claim 1, further comprising means for consummating the
18 purchase with a credit card.

19 12. The integrated banking and transaction machine according to
20 claim 1, further comprising means for consummating the
21 purchase with a debit card.

22 13. The integrated banking and transaction machine according to
23 claim 1, further comprising means for consummating the
24 purchase with a stored value card.

25 15. The integrated banking and transaction machine according to
26 claim 1, further comprising means for consummating the
purchase with an identification card.

16. Zippos is using ATMs within this judicial district which incorporate every
element of the above claims or substantial equivalents thereof. Therefore, Zippos is
directly or indirectly infringing at least the above claims of the '248 patent, either literally
or under the doctrine of equivalents, and is liable for infringement of the '248 patent
pursuant to 35 U.S.C. §271.

1 17. Zippos also provides the above ATMs for use by customers and others
2 within this judicial district, and provides those customers and others with detailed
3 explanations, instructions and information as to arrangements, applications and uses of
4 these ATMs that promote and demonstrate how to use these ATMs in an infringing
5 manner. These acts constitute inducement to infringe the above claims of the '248 patent,
6 either literally or under the doctrine of equivalents, whenever a customer uses one of the
7 above ATMs to purchase access to retail ATM services through the use of the user
8 interface and financial network connections. Zippos is therefore liable for inducing
9 infringement of the '248 patent pursuant to 35 U.S.C. §271.

10 18. Zippos's actions in infringing the '248 patent have been, and continue to be,
11 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
12 making this an exceptional case within the meaning of 35 U.S.C. §285.

13 19. Zippos's infringement of the '248 patent has caused and continues to cause
14 irreparable harm to Automated Transactions in an amount to be proven at trial. The
15 infringement of the '248 patent by Zippos will continue unless enjoined by this Court.

16 **THIRD CLAIM FOR RELIEF**

17 20. On October 13, 2009, U.S. Patent No. 7,600,677 (the "'677 patent'") was
18 duly and legally issued to David M. Barcelou. A true and correct copy of the '677 patent is
19 attached hereto as Exhibit C.

20 21. By license, Automated Transactions is the exclusive licensee of the '677
21 patent with the right to sue for past and future infringement and collect damages therefore
22 in its own name.

23 22. The '677 patent discloses and claims, among other things, integrated
24 banking and transaction machines. Claims 1-3, 5, 11-13 and 15 state as follows:

- 25 1. An integrated banking and transaction machine for use by a
26 consumer to purchase access to retail ATM services,

1 comprising:

2 an automated teller machine;

3 a user interface to the automated teller machine;

4 means for identifying the user to the automated teller machine,
5 further comprising a smart card/magnetic stripe reader/encoder
and a sensor;

6 an Internet interface to the World Wide Web to the automated
7 teller machine that uses encryption services and security
8 services to provide the user access to the user interface and
retail ATM service; and

9 access to the automated teller machine user interface
10 whereupon the consumer may selectively dispense currency
using the integrated banking and transaction machine
providing the retail ATM service;

11 wherein the consumer can purchase access to the retail ATM
12 service through use of the user interface and World Wide Web
connections.

13 2. The integrated banking and transaction machine according to
14 claim 1, further comprising means for consummating the
15 purchase with cash.

16 3. The integrated banking and transaction machine according to
17 claim 1, further comprising means for consummating the
purchase with bills.

18 5. The integrated banking and transaction machine according to
19 claim 1, further comprising means for consummating the
20 purchase with currency.

21 11. The integrated banking and transaction machine according to
22 claim 1, further comprising means for consummating the
purchase with a credit card.

23 12. The integrated banking and transaction machine according to
24 claim 1, further comprising means for consummating the
purchase with a debit card.

25 13. The integrated banking and transaction machine according to
26 claim 1, further comprising means for consummating the

1 purchase with a stored value card.

2 15. The integrated banking and transaction machine according to
3 claim 1, further comprising means for consummating the
4 purchase with an identification card.

5 23. Zippos is using ATMs within this judicial district which incorporate every
6 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
7 directly or indirectly infringing at least the above claims of the '677 patent, either literally
8 or under the doctrine of equivalents, and is liable for infringement of the '677 patent
9 pursuant to 35 U.S.C. §271.

10 24. Zippos also provides the above ATMs for use by customers and others
11 within this judicial district, and provides those customers and others with detailed
12 explanations, instructions and information as to arrangements, applications and uses of
13 these ATMs that promote and demonstrate how to use these ATMs in an infringing
14 manner. These acts constitute inducement to infringe the above claims of the '677 patent,
15 either literally or under the doctrine of equivalents, whenever a customer uses one of the
16 above ATMs to purchase access to retail ATM services through the use of the user
17 interface and World Wide Web connections. Zippos is therefore liable for inducing
18 infringement of the '677 patent pursuant to 35 U.S.C. §271.

19 25. Zippos's actions in infringing the '677 patent have been, and continue to be,
20 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
21 making this an exceptional case within the meaning of 35 U.S.C. §285.

22 26. Zippos's infringement of the '677 patent has caused and continues to cause
23 irreparable harm to Automated Transactions in an amount to be proven at trial. The
24 infringement of the '677 patent by Zippos will continue unless enjoined by this Court.

25 **FOURTH CLAIM FOR RELIEF**

26 27. On April 20, 2010, U.S. Patent No. 7,699,220 (the "'220 patent'") was duly

1 and legally issued to David M. Barcelou. A true and correct copy of the '220 patent is
2 attached hereto as Exhibit D.

3 28. By license, Automated Transactions is the exclusive licensee of the '220
4 patent with the right to sue for past and future infringement and collect damages therefore
5 in its own name.

6 29. The '220 patent discloses and claims, among other things, integrated
7 banking and transaction machines. Claims 1-3, 41-43, 48, 50 and 88 state as follows:

- 8 1. An automated retail terminal for use by a consumer to
9 purchase from a banking or commercial ATM provider, cash
10 access services, comprising:
11 an automated teller machine;
12 an Internet interface to the automated teller machine for
13 providing the user with services for immediately realizing
14 access to dispensable currency;
15 a user interface to the automated teller machine;
16 means for identifying the user to the automated teller machine;
17 network services to the automated teller machine that include
18 encryption services, security services and at least one ATM
19 network connection;
20 and means for selectively dispensing at least one form of
21 dispensable currency using the automated teller machine video
22 command or control touchscreen;
23 where the consumer may purchase cash access services
24 through the use of the user interface and the ATM network
25 connection, in combination with Intranet services, Internet
26 services or the World Wide Web on the Internet.
2. The automated retail terminal according to claim 1, further
comprising means for accepting cash, checks or removable
media deposits.
3. The automated retail terminal according to claim 1, further
comprising means for check cashing by use of coins, cash or
encoding devices.

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41. The automated retail terminal for use by a consumer to purchase from a banking or commercial ATM provider cash access services according to claim 1, where, the consumer may consummate the purchase by means of the use of a credit card.

42. The automated retail terminal for use by a consumer to purchase from a banking or commercial ATM provider cash access services according to claim 1, where, the consumer may consummate the purchase by means of the use of a debit card.

43. The automated retail terminal for use by a consumer to purchase from a banking or commercial ATM provider cash access services according to claim 1, where, the consumer may consummate the purchase by means of the use of a stored value card.

48. The automated retail terminal for use by a consumer to purchase from a banking or commercial ATM provider cash access services according to claim 1, where, the consumer may consummate the purchase by means of the use of an identification card.

50. The automated retail terminal for use by a consumer to purchase from a banking or commercial ATM provider cash access services according to claim 1, where, the consumer may consummate the purchase by means of the use of a check cashing service.

88. Integrated banking and transaction apparatus for use by a consumer, comprising:

an automated teller machine; and

means for providing a retail transaction to the consumer through an Internet interface and an Intranet service to the automated teller machine.

30. Zippos is using ATMs within this judicial district which incorporate every element of the above claims or substantial equivalents thereof. Therefore, Zippos is directly or indirectly infringing at least the above claims of the '220 patent, either literally

1 or under the doctrine of equivalents, and is liable for infringement of the '220 patent
2 pursuant to 35 U.S.C. §271.

3 31. Zippos also provides the above ATMs for use by customers and others
4 within this judicial district, and provides those customers and others with detailed
5 explanations, instructions and information as to arrangements, applications and uses of
6 these ATMs that promote and demonstrate how to use these ATMs in an infringing
7 manner. These acts constitute inducement to infringe the above claims of the '220 patent,
8 either literally or under the doctrine of equivalents, whenever a customer uses one of the
9 above ATMs to purchase access to retail ATM services through the use of the user
10 interface and Internet service connections. Zippos is therefore liable for inducing
11 infringement of the '220 patent pursuant to 35 U.S.C. §271.

12 32. Zippos's actions in infringing the '220 patent have been, and continue to be,
13 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
14 making this an exceptional case within the meaning of 35 U.S.C. §285.

15 33. Zippos's infringement of the '220 patent has caused and continues to cause
16 irreparable harm to Automated Transactions in an amount to be proven at trial. The
17 infringement of the '220 patent by Zippos will continue unless enjoined by this Court.

18 **FIFTH CLAIM FOR RELIEF**

19 34. On August 11, 2009, U.S. Patent No. 7,571,850 (the "'850 patent'") was duly
20 and legally issued to David M. Barcelou. A true and correct copy of the '850 patent is
21 attached hereto as Exhibit E.

22 35. By license, Automated Transactions is the exclusive licensee of the '850
23 patent with the right to sue for past and future infringement and collect damages therefore
24 in its own name.

25 36. The '850 patent discloses and claims, among other things, integrated
26 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

1 1. An integrated banking and transaction machine for use by a
2 consumer to purchase access to retail ATM services,
comprising: an automated teller machine;

3 a user interface to the automated teller machine; means for
4 identifying the user to the automated teller machine, further
comprising a smart card/magnetic stripe reader/encoder and a
5 sensor;

6 an Internet interface to an Intranet connection to the automated
7 teller machine that uses encryption services and security
services to provide the user access to the user interface and
8 retail ATM service;

9 and access to the automated teller machine user interface
whereupon the consumer may selectively dispense encodable
credit using the integrated banking and transaction machine
providing the retail ATM service;

10 wherein the consumer can purchase access to the retail ATM
11 service through use of the user interface, Intranet and Internet
connections.

12 2. The integrated banking and transaction machine according to
13 claim 1, further comprising means for consummating the
purchase with cash.

14 3. The integrated banking and transaction machine according to
15 claim 1, further comprising means for consummating the
purchase with bills.

16 11. The integrated banking and transaction machine according to
17 claim 1, further comprising means for consummating the
purchase with a credit card.

18 12. The integrated banking and transaction machine according to
19 claim 1, further comprising means for consummating the
purchase with a debit card.

20 13. The integrated banking and transaction machine according to
21 claim 1, further comprising means for consummating the
purchase with a stored value card.

22 15. The integrated banking and transaction machine according to
23 claim 1, further comprising means for consummating the
purchase with an identification card.

24 37. Zippos is using ATMs within this judicial district which incorporate every
25 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
26 directly or indirectly infringing at least the above claims of the '850 patent, either literally

1 or under the doctrine of equivalents, and is liable for infringement of the '850 patent
2 pursuant to 35 U.S.C. §271.

3 38. Zippos also provides the above ATMs for use by customers and others
4 within this judicial district, and provides those customers and others with detailed
5 explanations, instructions and information as to arrangements, applications and uses of
6 these ATMs that promote and demonstrate how to use these ATMs in an infringing
7 manner. These acts constitute inducement to infringe the above claims of the '850 patent,
8 either literally or under the doctrine of equivalents, whenever a customer uses one of the
9 above ATMs to purchase access to retail ATM services through the use of the user
10 interface, Intranet and Internet service connections. Zippos is therefore liable for inducing
11 infringement of the '850 patent pursuant to 35 U.S.C. §271.

12 39. Zippos's actions in infringing the '850 patent have been, and continue to be,
13 willful, deliberate and /or in conscious disregard to the rights of Automated Transactions,
14 making this an exceptional case within the meaning of 35 U.S.C. §285.

15 40. Zippos's infringement of the '850 patent has caused and continues to cause
16 irreparable harm to Automated Transactions in an amount to be proven at trial. The
17 infringement of the '850 patent by Zippos will continue unless enjoined by this Court.

18 **SIXTH CLAIM FOR RELIEF**

19 41. On September 22, 2009, U.S. Patent No. 7,591,420 (the "'420 patent'") was
20 duly and legally issued to David M. Barcelou. A true and correct copy of the '420 patent is
21 attached hereto as Exhibit F.

22 42. By license, Automated Transactions is the exclusive licensee of the '420
23 patent with the right to sue for past and future infringement and collect damages therefore
24 in its own name.

25 43. The '420 patent discloses and claims, among other things, integrated
26 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

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1. An integrated banking and transaction machine for use by a consumer to purchase access to retail ATM services, comprising: an automated teller machine;

a user interface to the automated teller machine;

means for identifying the user to the automated teller machine, further comprising a smart card/magnetic stripe reader/encoder and a sensor;

an Internet interface to an Intranet connection to the automated teller machine that uses encryption services and security services to provide the user access to the user interface and retail ATM service;

and access to the automated teller machine user interface whereupon the consumer may selectively dispense encodable currency using the integrated banking and transaction machine providing the retail ATM service;

wherein the consumer can purchase access to the retail ATM service through use of the user interface, Intranet and Internet connections.
2. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with cash.
3. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with bills.
11. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a credit card.
12. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a debit card.
13. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with a stored value card.
15. The integrated banking and transaction machine according to claim 1, further comprising means for consummating the purchase with an identification card.

44. Zippos is using ATMs within this judicial district which incorporate every

1 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
2 directly or indirectly infringing at least the above claims of the '420 patent, either literally
3 or under the doctrine of equivalents, and is liable for infringement of the '420 patent
4 pursuant to 35 U.S.C. §271.

5 45. Zippos also provides the above ATMs for use by customers and others
6 within this judicial district, and provides those customers and others with detailed
7 explanations, instructions and information as to arrangements, applications and uses of
8 these ATMs that promote and demonstrate how to use these ATMs in an infringing
9 manner. These acts constitute inducement to infringe the above claims of the '420 patent,
10 either literally or under the doctrine of equivalents, whenever a customer uses one of the
11 above ATMs to purchase access to retail ATM services through the use of the user
12 interface, Intranet and Internet service connections. Zippos is therefore liable for inducing
13 infringement of the '420 patent pursuant to 35 U.S.C. §271.

14 46. Zippos's actions in infringing the '420 patent have been, and continue to be,
15 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
16 making this an exceptional case within the meaning of 35 U.S.C. §285.

17 47. Zippos's infringement of the '420 patent has caused and continues to cause
18 irreparable harm to Automated Transactions in an amount to be proven at trial. The
19 infringement of the '420 patent by Zippos will continue unless enjoined by this Court.

20 **SEVENTH CLAIM FOR RELIEF**

21 48. On October 6, 2009, U.S. Patent No. 7,597,251 (the "'251 patent'") was duly
22 and legally issued to David M. Barcelou. A true and correct copy of the '251 patent is
23 attached hereto as Exhibit G.

24 49. By license, Automated Transactions is the exclusive licensee of the '251
25 patent with the right to sue for past and future infringement and collect damages therefore
26 in its own name.

1 50. The '251 patent discloses and claims, among other things, integrated
2 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 3 1. An integrated banking and transaction machine for use by a
4 consumer to purchase access to retail ATM services,
5 comprising: an automated teller machine;
6 a user interface to the automated teller machine;
7 means for identifying the user to the automated teller machine,
8 further comprising a smart card/magnetic stripe reader/encoder
9 and a sensor;
10 network services to wireless network connections to the
11 automated teller machine that use encryption services and
12 security services to provide the user access to the user
13 interface and retail ATM service;
14 and access to the automated teller machine user interface
15 whereupon the consumer may selectively dispense cash using
16 the integrated banking and transaction machine providing the
17 retail ATM service;
18 wherein the consumer can purchase access to the retail ATM
19 service through use of the user interface and wireless network
20 connections.
21 2. The integrated banking and transaction machine according to
22 claim 1, further comprising means for consummating the
23 purchase with cash.
24 3. The integrated banking and transaction machine according to
25 claim 1, further comprising means for consummating the
26 purchase with bills.
27 11. The integrated banking and transaction machine according to
28 claim 1, further comprising means for consummating the
29 purchase with a credit card.
30 12. The integrated banking and transaction machine according to
31 claim 1, further comprising means for consummating the
32 purchase with a debit card.
33 13. The integrated banking and transaction machine according to
34 claim 1, further comprising means for consummating the
35 purchase with a stored value card.

1 15 The integrated banking and transaction machine according to
2 claim 1, further comprising means for consummating the
3 purchase with an identification card.

4 51. Zippos is using ATMs within this judicial district which incorporate every
5 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
6 directly or indirectly infringing at least the above claims of the '251 patent, either literally
7 or under the doctrine of equivalents, and is liable for infringement of the '251 patent
8 pursuant to 35 U.S.C. §271.

9 52. Zippos also provides the above ATMs for use by customers and others
10 within this judicial district, and provides those customers and others with detailed
11 explanations, instructions and information as to arrangements, applications and uses of
12 these ATMs that promote and demonstrate how to use these ATMs in an infringing
13 manner. These acts constitute inducement to infringe the above claims of the '251 patent,
14 either literally or under the doctrine of equivalents, whenever a customer uses one of the
15 above ATMs to purchase access to retail ATM services through the use of the user
16 interface and wireless network connections. Zippos is therefore liable for inducing
17 infringement of the '251 patent pursuant to 35 U.S.C. §271.

18 53. Zippos's actions in infringing the '251 patent have been, and continue to be,
19 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
20 making this an exceptional case within the meaning of 35 U.S.C. §285.

21 54. Zippos's infringement of the '251 patent has caused and continues to cause
22 irreparable harm to Automated Transactions in an amount to be proven at trial. The
23 infringement of the '251 patent by Zippos will continue unless enjoined by this Court.

24 **EIGHTH CLAIM FOR RELIEF**

25 55. On November 17, 2009, U.S. Patent No. 7,617,973 (the "'973 patent") was
26 duly and legally issued to David M. Barcelou. A true and correct copy of the '973 patent is
 attached hereto as Exhibit H.

1 56. By license, Automated Transactions is the exclusive licensee of the '973
2 patent with the right to sue for past and future infringement and collect damages therefore
3 in its own name.

4 57. The '973 patent discloses and claims, among other things, integrated
5 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 6 1. An integrated banking and transaction machine for use by a
7 consumer to purchase access to retail ATM services,
8 comprising: an automated teller machine;
9 a user interface to the automated teller machine;
10 means for identifying the user to the automated teller machine,
11 further comprising a smart card/magnetic stripe reader/encoder
12 and a sensor;
13 network services to Intranet services connections to the
14 automated teller machine that use encryption services and
15 security services to provide the user access to the user
16 interface and retail ATM service;
17 and access to the automated teller machine user interface
18 whereupon the consumer may selectively dispense currency
19 using the integrated banking and transaction machine
20 providing the retail ATM service;
21 wherein the consumer can purchase access to the retail ATM
22 service through use of the user interface and Intranet services
23 connections.
24 2. The integrated banking and transaction machine according to
25 claim 1, further comprising means for consummating the
26 purchase with cash.
27 3. The integrated banking and transaction machine according to
28 claim 1, further comprising means for consummating the
29 purchase with bills.
30 11. The integrated banking and transaction machine according to
31 claim 1, further comprising means for consummating the
32 purchase with a credit card.
33 12. The integrated banking and transaction machine according to
34 claim 1, further comprising means for consummating the
35 purchase with a debit card.

1 13. The integrated banking and transaction machine according to
2 claim 1, further comprising means for consummating the
3 purchase with a stored value card.

4 15. The integrated banking and transaction machine according to
5 claim 1, further comprising means for consummating the
6 purchase with an identification card.

7 58. Zippos is using ATMs within this judicial district which incorporate every
8 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
9 directly or indirectly infringing at least the above claims of the '973 patent, either literally
10 or under the doctrine of equivalents, and is liable for infringement of the '973 patent
11 pursuant to 35 U.S.C. §271.

12 59. Zippos also provides the above ATMs for use by customers and others
13 within this judicial district, and provides those customers and others with detailed
14 explanations, instructions and information as to arrangements, applications and uses of
15 these ATMs that promote and demonstrate how to use these ATMs in an infringing
16 manner. These acts constitute inducement to infringe the above claims of the '973 patent,
17 either literally or under the doctrine of equivalents, whenever a customer uses one of the
18 above ATMs to purchase access to retail ATM services through the use of network
19 services. Zippos is therefore liable for inducing infringement of the '973 patent pursuant
20 to 35 U.S.C. §271.

21 60. Zippos's actions in infringing the '973 patent have been, and continue to be,
22 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
23 making this an exceptional case within the meaning of 35 U.S.C. §285.

24 61. Zippos's infringement of the '973 patent has caused and continues to cause
25 irreparable harm to Automated Transactions in an amount to be proven at trial. The
26 infringement of the '973 patent by Zippos will continue unless enjoined by this Court.

1 **NINTH CLAIM FOR RELIEF**

2 62. On November 24, 2009, U.S. Patent No. 7,621,444 (the “444 patent”) was
3 duly and legally issued to David M. Barcelou. A true and correct copy of the ‘444 patent is
4 attached hereto as Exhibit I.

5 63. By license, Automated Transactions is the exclusive licensee of the ‘444
6 patent with the right to sue for past and future infringement and collect damages therefore
7 in its own name.

8 64. The ‘444 patent discloses and claims, among other things, integrated
9 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 10 1. An integrated banking and transaction machine for use by a
11 consumer to purchase access to retail ATM services,
12 comprising: an automated teller machine;
13 a user interface to the automated teller machine;
14 and means for identifying the user to the automated teller
15 machine, further comprising a smart card/magnetic stripe
16 reader/encoder and a sensor;
17 network services to banking network connections to the
18 automated teller machine that use encryption services and
19 security services to provide the user access to the user
20 interface and retail ATM service;
21 and access to the automated teller machine user interface
22 whereupon the consumer may selectively dispense cash using
23 the integrated banking and transaction machine providing the
24 retail ATM service;
25 wherein the consumer can purchase access to the retail ATM
26 service through use of the user interface and banking network
connections.
- 22 2. The integrated banking and transaction machine according to
23 claim 1, further comprising means for consummating the
purchase with cash.
- 24 3. The integrated banking and transaction machine according to
25 claim 1, further comprising means for consummating the
purchase with bills.
- 26 11. The integrated banking and transaction machine according to

1 claim 1, further comprising means for consummating the
2 purchase with a credit card.

3 12. The integrated banking and transaction machine according to
4 claim 1, further comprising means for consummating the
5 purchase with a debit card.

6 13. The integrated banking and transaction machine according to
7 claim 1, further comprising means for consummating the
8 purchase with a stored value card.

9 15. The integrated banking and transaction machine according to
10 claim 1, further comprising means for consummating the
11 purchase with an identification card.

12 65. Zippos is using ATMs within this judicial district which incorporate every
13 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
14 directly or indirectly infringing at least the above claims of the '444 patent, either literally
15 or under the doctrine of equivalents, and is liable for infringement of the '444 patent
16 pursuant to 35 U.S.C. §271.

17 66. Zippos also provides the above ATMs for use by customers and others
18 within this judicial district, and provides those customers and others with detailed
19 explanations, instructions and information as to arrangements, applications and uses of
20 these ATMs that promote and demonstrate how to use these ATMs in an infringing
21 manner. These acts constitute inducement to infringe the above claims of the '444 patent,
22 either literally or under the doctrine of equivalents, whenever a customer uses one of the
23 above ATMs to purchase access to retail ATM services through the use of network
24 services. Zippos is therefore liable for inducing infringement of the '444 patent pursuant
25 to 35 U.S.C. §271.

26 67. Zippos's actions in infringing the '444 patent have been, and continue to be,
willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
making this an exceptional case within the meaning of 35 U.S.C. §285.

68. Zippos's infringement of the '444 patent has caused and continues to cause

1 irreparable harm to Automated Transactions in an amount to be proven at trial. The
2 infringement of the '444 patent by Zippos will continue unless enjoined by this Court.

3 **TENTH CLAIM FOR RELIEF**

4 69. On September 14, 2010, U.S. Patent No. 7,793,830 (the "'830 patent'") was
5 duly and legally issued to David M. Barcelou. A true and correct copy of the '830 patent is
6 attached hereto as Exhibit J.

7 70. By license, Automated Transactions is the exclusive licensee of the '830
8 patent with the right to sue for past and future infringement and collect damages therefore
9 in its own name.

10 71. The '830 patent discloses and claims, among other things, integrated
11 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 12 1. An integrated banking and transaction machine for use by a
13 consumer to purchase access to retail ATM services,
14 comprising: an automated teller machine;
15 a user interface to the automated teller machine;
16 means for identifying the user to the automated teller machine,
17 further comprising a smart card/magnetic stripe reader/encoder
18 and a sensor;
19 an Internet interface to the automated teller machine that uses
20 encryption services and security services to provide the user
21 access to the user interface and retail ATM service;
22 and access to the automated teller machine user interface
23 whereupon the consumer may selectively dispense currency
24 using the integrated banking and transaction machine
25 providing the retail ATM service;
26 wherein the consumer can purchase access to the retail ATM
service through use of the user interface and the Internet
interface.
- 2 The integrated banking and transaction machine according to
claim 1, further comprising means for consummating the
purchase with cash.
- 3 The integrated banking and transaction machine according to
claim 1, further comprising means for consummating the

1 purchase with bills.

2 11. The integrated banking and transaction machine according to
3 claim 1, further comprising means for consummating the
purchase with a credit card.

4 12. The integrated banking and transaction machine according to
5 claim 1, further comprising means for consummating the
purchase with a debit card.

6 13. The integrated banking and transaction machine according to
7 claim 1, further comprising means for consummating the
purchase with a stored value card.

8 15. The integrated banking and transaction machine according to
9 claim 1, further comprising means for consummating the
purchase with an identification card.

10 72. Zippos is using ATMs within this judicial district which incorporate every
11 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
12 directly or indirectly infringing at least the above claims of the '830 patent, either literally
13 or under the doctrine of equivalents, and is liable for infringement of the '830 patent
14 pursuant to 35 U.S.C. §271.

15 73. Zippos also provides the above ATMs for use by customers and others
16 within this judicial district, and provides those customers and others with detailed
17 explanations, instructions and information as to arrangements, applications and uses of
18 these ATMs that promote and demonstrate how to use these ATMs in an infringing
19 manner. These acts constitute inducement to infringe the above claims of the '830 patent,
20 either literally or under the doctrine of equivalents, whenever a customer uses one of the
21 above ATMs to purchase access to retail ATM services through the use of the user
22 interface and Internet service connections. Zippos is therefore liable for inducing
23 infringement of the '830 patent pursuant to 35 U.S.C. §271.

24 74. Zippos's actions in infringing the '830 patent have been, and continue to be,
25 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
26 making this an exceptional case within the meaning of 35 U.S.C. §285.

1 75. Zippos's infringement of the '830 patent has caused and continues to cause
2 irreparable harm to Automated Transactions in an amount to be proven at trial. The
3 infringement of the '830 patent by Zippos will continue unless enjoined by this Court.

4 **ELEVENTH CLAIM FOR RELIEF**

5 76. On September 28, 2010, U.S. Patent No. 7,802,718 (the "'718 patent'") was
6 duly and legally issued to David M. Barcelou. A true and correct copy of the '718 patent is
7 attached hereto as Exhibit K.

8 77. By license, Automated Transactions is the exclusive licensee of the '718
9 patent with the right to sue for past and future infringement and collect damages therefore
10 in its own name.

11 78. The '718 patent discloses and claims, among other things, integrated
12 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 13 1. An integrated banking and transaction machine for use by a
14 consumer to purchase access to retail automated teller machine
15 services, comprising: an automated teller machine;
16 a user interface to the automated teller machine;
17 an identification device for identifying the user to the
18 automated teller machine, further comprising a smart
19 card/magnetic stripe reader/encoder and a sensor;
20 an Internet interface to an Intranet connection to the automated
21 teller machine that uses encryption services and security
22 services to provide the user access to the user interface and
23 retail automated teller machine service;
24 and access to the automated teller machine user interface
25 whereupon the consumer may selectively dispense bills and/or
26 coins using the integrated banking and transaction machine
 providing the retail automated teller machine service;
 wherein the consumer can purchase access to the retail
 automated teller machine service through use of the user
 interface, Intranet and Internet connections.
2. The integrated banking and transaction machine according to
 claim 1, further comprising means for consummating the

1 purchase with cash.

2 3. The integrated banking and transaction machine according to
3 claim 1, further comprising means for consummating the
4 purchase with bills.

5 11. The integrated banking and transaction machine according to
6 claim 1, further comprising means for consummating the
7 purchase with a credit card.

8 12. The integrated banking and transaction machine according to
9 claim 1, further comprising means for consummating the
10 purchase with a debit card.

11 13. The integrated banking and transaction machine according to
12 claim 1, further comprising means for consummating the
13 purchase with a stored value card.

14 15. The integrated banking and transaction machine according to
15 claim 1, further comprising means for consummating the
16 purchase with an identification card.

17 79. Zippos is using ATMs within this judicial district which incorporate every
18 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
19 directly or indirectly infringing at least the above claims of the '718 patent, either literally
20 or under the doctrine of equivalents, and is liable for infringement of the '718 patent
21 pursuant to 35 U.S.C. §271.

22 80. Zippos also provides the above ATMs for use by customers and others
23 within this judicial district, and provides those customers and others with detailed
24 explanations, instructions and information as to arrangements, applications and uses of
25 these ATMs that promote and demonstrate how to use these ATMs in an infringing
26 manner. These acts constitute inducement to infringe the above claims of the '718 patent,
either literally or under the doctrine of equivalents, whenever a customer uses one of the
above ATMs to purchase access to retail ATM services through the use of the user
interface, Intranet and Internet service connections. Zippos is therefore liable for inducing

1 infringement of the '718 patent pursuant to 35 U.S.C. §271.

2 81. Zippos's actions in infringing the '718 patent have been, and continue to be,
3 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
4 making this an exceptional case within the meaning of 35 U.S.C. §285.

5 82. Zippos's infringement of the '718 patent has caused and continues to cause
6 irreparable harm to Automated Transactions in an amount to be proven at trial. The
7 infringement of the '718 patent by Zippos will continue unless enjoined by this Court.

8 **TWELFTH CLAIM FOR RELIEF**

9 83. On November 23, 2010, U.S. Patent No. 7,837,101 (the "'101 patent'") was
10 duly and legally issued to David M. Barcelou. A true and correct copy of the '101 patent is
11 attached hereto as Exhibit L.

12 84. By license, Automated Transactions is the exclusive licensee of the '101
13 patent with the right to sue for past and future infringement and collect damages therefore
14 in its own name.

15 85. The '101 patent discloses and claims, among other things, integrated
16 banking and transaction machines. Claims 1-3, 11-13 and 15 state as follows:

- 17 1. An integrated banking and transaction machine for use by a
18 consumer to purchase access to retail automated teller machine
services, comprising: an automated teller machine;
19 a user interface to the automated teller machine;
20 means for identifying the user to the automated teller machine,
21 further comprising a smart card/magnetic stripe reader/encoder
and a sensor;
22 network services to satellite network connections to the
23 automated teller machine that use encryption services and
security services to provide the user access to the user
24 interface and retail ATM service;
25 and access to the automated teller machine user interface
whereupon the consumer may selectively dispense cash using
26 the integrated banking and transaction machine providing the
retail ATM service;

1 wherein the consumer can purchase access to the retail
2 automated teller machine service through use of the user
3 interface and satellite network connections.

4 2. The integrated banking and transaction machine according to
5 claim 1, further comprising means for consummating the
6 purchase with cash.

7 3. The integrated banking and transaction machine according to
8 claim 1, further comprising means for consummating the
9 purchase with bills.

10 11. The integrated banking and transaction machine according to
11 claim 1, further comprising means for consummating the
12 purchase with a credit card.

13 12. The integrated banking and transaction machine according to
14 claim 1, further comprising means for consummating the
15 purchase with a debit card.

16 13. The integrated banking and transaction machine according to
17 claim 1, further comprising means for consummating the
18 purchase with a stored value card.

19 15. The integrated banking and transaction machine according to
20 claim 1, further comprising means for consummating the
21 purchase with an identification card.

22 86. Zippos is using ATMs within this judicial district which incorporate every
23 element of the above claims or substantial equivalents thereof. Therefore, Zippos is
24 directly or indirectly infringing at least the above claims of the '101 patent, either literally
25 or under the doctrine of equivalents, and is liable for infringement of the '101 patent
26 pursuant to 35 U.S.C. §271.

87. Zippos also provides the above ATMs for use by customers and others
within this judicial district, and provides those customers and others with detailed
explanations, instructions and information as to arrangements, applications and uses of
these ATMs that promote and demonstrate how to use these ATMs in an infringing
manner. These acts constitute inducement to infringe the above claims of the '101 patent,
either literally or under the doctrine of equivalents, whenever a customer uses one of the

1 above ATMs to purchase access to retail ATM services through the use of network
2 services. Zippos is therefore liable for inducing infringement of the '101 patent pursuant
3 to 35 U.S.C. §271.

4 88. Zippos's actions in infringing the '101 patent have been, and continue to be,
5 willful, deliberate and/or in conscious disregard to the rights of Automated Transactions,
6 making this an exceptional case within the meaning of 35 U.S.C. §285.

7 89. Zippos's infringement of the '101 patent has caused and continues to cause
8 irreparable harm to Automated Transactions in an amount to be proven at trial. The
9 infringement of the '101 patent by Zippos will continue unless enjoined by this Court.

10 **PRAYER FOR RELIEF**

11 **WHEREFORE**, Automated Transactions prays for judgment against Zippos as
12 follows:

- 13 1) Declaring Zippos has infringed United States Patent No. 7,575,158;
- 14 2) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
15 employees, and those in privity or in active concert with tem, from further
16 activities that constitute infringement, contributory infringement and/or
17 inducing infringement of United States Patent No. 7,575,158;
- 18 3) Awarding lost profits or a reasonable royalty and other damages arising from
19 Zippos's infringement of United States Patent No. 7,575,158 including
20 treble damages, to Automated Transactions, together with prejudgment and
21 post-judgment interest, in an amount according to proof;
- 22 4) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
23 §285 and awarding treble damages and reasonable attorneys' fees to
24 Automated Transactions;
- 25 5) Declaring Zippos has infringed United States Patent No. 7,597,248;
- 26 6) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and

1 employees, and those in privity or in active concert with them, from further
2 activities that constitute infringement, contributory infringement and/or
3 inducing infringement of United States Patent No. 7,597,248.

- 4 7) Awarding lost profits or a reasonable royalty and other damages arising from
5 Zippos's infringement of United States Patent No. 7,597,248 including
6 treble damages, to Automated Transactions, together with prejudgment and
7 post-judgment interest, in an amount according to proof;
- 8 8) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
9 §285 and awarding treble damages and reasonable attorneys' fees to
10 Automated Transactions;
- 11 9) Declaring Zippos has infringed United States Patent No. 7,600,677;
- 12 10) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
13 employees, and those in privity or in active concert with them, from further
14 activities that constitute infringement, contributory infringement and/or
15 inducing infringement of United States Patent No. 7,600,677.
- 16 11) Awarding lost profits or a reasonable royalty and other damages arising from
17 Zippos's infringement of United States Patent No. 7,600,677 including
18 treble damages, to Automated Transactions, together with prejudgment and
19 post-judgment interest, in an amount according to proof;
- 20 12) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
21 §285 and awarding treble damages and reasonable attorneys' fees to
22 Automated Transactions;
- 23 13) Declaring Zippos has infringed United States Patent No. 7,699,220;
- 24 14) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
25 employees, and those in privity or in active concert with them, from further
26 activities that constitute infringement, contributory infringement and/or

1 inducing infringement of United States Patent No. 7,699,220.

2 15) Awarding lost profits or a reasonable royalty and other damages arising from
3 Zippos's infringement of United States Patent No. 7,699,220 including
4 treble damages, to Automated Transactions, together with prejudgment and
5 post-judgment interest, in an amount according to proof;

6 16) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
7 §285 and awarding treble damages and reasonable attorneys' fees to
8 Automated Transactions.

9 17) Declaring Zippos has infringed United States Patent No. 7,571,850;

10 18) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
11 employees, and those in privity or in active concert with them, from further
12 activities that constitute infringement, contributory infringement and/or
13 inducing infringement of United States Patent No. 7,571,850.

14 19) Awarding lost profits or a reasonable royalty and other damages arising from
15 Zippos's infringement of United States Patent No. 7,571,850 including
16 treble damages, to Automated Transactions, together with prejudgment and
17 post-judgment interest, in an amount according to proof;

18 20) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
19 §285 and awarding treble damages and reasonable attorneys' fees to
20 Automated Transactions.

21 21) Declaring Zippos has infringed United States Patent No. 7,591,420;

22 22) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
23 employees, and those in privity or in active concert with them, from further
24 activities that constitute infringement, contributory infringement and/or
25 inducing infringement of United States Patent No. 7,591,420.

26 23) Awarding lost profits or a reasonable royalty and other damages arising from

1 Zippos's infringement of United States Patent No. 7,591,420 including
2 treble damages, to Automated Transactions, together with prejudgment and
3 post-judgment interest, in an amount according to proof;

4 24) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
5 §285 and awarding treble damages and reasonable attorneys' fees to
6 Automated Transactions.

7 25) Declaring Zippos has infringed United States Patent No. 7,597,251;

8 26) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
9 employees, and those in privity or in active concert with them, from further
10 activities that constitute infringement, contributory infringement and/or
11 inducing infringement of United States Patent No. 7,597,251.

12 27) Awarding lost profits or a reasonable royalty and other damages arising from
13 Zippos's infringement of United States Patent No. 7,597,251 including
14 treble damages, to Automated Transactions, together with prejudgment and
15 post-judgment interest, in an amount according to proof;

16 28) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
17 §285 and awarding treble damages and reasonable attorneys' fees to
18 Automated Transactions.

19 29) Declaring Zippos has infringed United States Patent No. 7,617,973;

20 30) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
21 employees, and those in privity or in active concert with them, from further
22 activities that constitute infringement, contributory infringement and/or
23 inducing infringement of United States Patent No. 7,617,973.

24 31) Awarding lost profits or a reasonable royalty and other damages arising from
25 Zippos's infringement of United States Patent No. 7,617,973 including
26 treble damages, to Automated Transactions, together with prejudgment and

1 post-judgment interest, in an amount according to proof;

2 32) This case be declared an “exceptional case” within the meaning of 35 U.S.C.
3 §285 and awarding treble damages and reasonable attorneys’ fees to
4 Automated Transactions.

5 33) Declaring Zippos has infringed United States Patent No. 7,621,444;

6 34) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
7 employees, and those in privity or in active concert with them, from further
8 activities that constitute infringement, contributory infringement and/or
9 inducing infringement of United States Patent No. 7,621,444.

10 35) Awarding lost profits or a reasonable royalty and other damages arising from
11 Zippos’s infringement of United States Patent No. 7,621,444 including
12 treble damages, to Automated Transactions, together with prejudgment and
13 post-judgment interest, in an amount according to proof;

14 36) This case be declared an “exceptional case” within the meaning of 35 U.S.C.
15 §285 and awarding treble damages and reasonable attorneys’ fees to
16 Automated Transactions.

17 37) Declaring Zippos has infringed United States Patent No. 7,793,830;

18 38) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
19 employees, and those in privity or in active concert with them, from further
20 activities that constitute infringement, contributory infringement and/or
21 inducing infringement of United States Patent No. 7,793,830.

22 39) Awarding lost profits or a reasonable royalty and other damages arising from
23 Zippos’s infringement of United States Patent No. 7,793,830 including
24 treble damages, to Automated Transactions, together with prejudgment and
25 post-judgment interest, in an amount according to proof;

26 40) This case be declared an “exceptional case” within the meaning of 35 U.S.C.

1 §285 and awarding treble damages and reasonable attorneys' fees to
2 Automated Transactions.

3 41) Declaring Zippos has infringed United States Patent No. 7,802,718;

4 42) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
5 employees, and those in privity or in active concert with them, from further
6 activities that constitute infringement, contributory infringement and/or
7 inducing infringement of United States Patent No. 7,802,718.

8 43) Awarding lost profits or a reasonable royalty and other damages arising from
9 Zippos's infringement of United States Patent No. 7,802,718 including
10 treble damages, to Automated Transactions, together with prejudgment and
11 post-judgment interest, in an amount according to proof;

12 44) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
13 §285 and awarding treble damages and reasonable attorneys' fees to
14 Automated Transactions.

15 45) Declaring Zippos has infringed United States Patent No. 7,837,101;

16 46) Permanently enjoining Zippos, its officers, directors, agents, subsidiaries and
17 employees, and those in privity or in active concert with them, from further
18 activities that constitute infringement, contributory infringement and/or
19 inducing infringement of United States Patent No. 7,837,101.

20 47) Awarding lost profits or a reasonable royalty and other damages arising from
21 Zippos's infringement of United States Patent No. 7,837,101 including
22 treble damages, to Automated Transactions, together with prejudgment and
23 post-judgment interest, in an amount according to proof;

24 48) This case be declared an "exceptional case" within the meaning of 35 U.S.C.
25 §285 and awarding treble damages and reasonable attorneys' fees to
26 Automated Transactions.

1 49) Awarding Automated Transactions such other and further relief as the Court
2 deems just and proper.

3 **DEMAND FOR JURY TRIAL**

4 Plaintiff requests a trial by jury of all issues.

5 DATED this 22nd day of April, 2013.

6 FENNEMORE CRAIG, P.C.

7
8 By /s/Ray K. Harris

9 Ray K. Harris
10 Attorneys for Plaintiff
 Automated Transactions LLC

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