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22 Attorneys for *Plaintiff*
23 AMERANTH, INC.

24 UNITED STATES DISTRICT COURT
25 CENTRAL DISTRICT OF CALIFORNIA

26 AMERANTH, INC., a Delaware
27 corporation,

28 Plaintiff,

vs.

GENESIS GAMING SOLUTIONS, INC., a
Texas corporation, IT CASINO
SOLUTIONS LLC, a California limited
liability company, EL DORADO
ENTERPRISES, INC, dba HUSTLER

Case No. SACV13 - 00720 CJC (JPRx)

COMPLAINT FOR PATENT
INFRINGEMENT

[DEMAND FOR JURY TRIAL]

FILED
2013 MAY -6 PM 1:29
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SAN FRANCISCO, CALIF.

1 CASINO, a California corporation,)
 2 CALIFORNIA COMMERCE CLUB, INC.,)
 3 dba COMMERCE CASINO, a California)
 4 corporation, HAWAIIAN GARDENS)
 5 CASINO, a California corporation & DOES)
 6 1-10, inclusive,)
 7
 8 Defendants.)

9 Plaintiff Ameranth, Inc., for its Complaint against Genesis Gaming Solutions,
 10 Inc., IT Casino Solutions LLC, El Dorado Enterprises, Inc., dba Hustler Casino,
 11 California Commerce Club, Inc., dba Commerce Casino, Hawaiian Gardens Casino,
 12 & DOES 1-10 avers as follows:

13 PARTIES

14 1. Plaintiff Ameranth, Inc. (“Plaintiff” or “Ameranth”) is a Delaware
 15 corporation having a principal place of business at 5820 Oberlin Drive, Suite 202, San
 16 Diego, California 92121. Ameranth manufactures and sells, inter alia, gaming
 17 information technology solutions under the trademarks 21st Century Casino™
 18 (“21CC”), Poker Room Manager (“PRM”) and others, including casino waitlisting,
 19 tournament, marquee, player tracking and dealer coordination products and solutions.

20 2. Defendant Genesis Gaming Solutions, Inc. (“Genesis”) is, on information
 21 and belief, a Texas corporation having a principal place of business at 25003 Pitkin
 22 Road, Spring, Texas 77386. On information and belief, Defendant Genesis makes,
 23 uses, sells and/or offers for sale gaming information technology products, software,
 24 components and/or systems within this Judicial District including products, software,
 25 components and/or systems including casino poker gaming monitoring/management,
 26 waitlisting, player tracking, player management, marquee/public display,
 27 compensation accrual and management and internet solutions.

28 3. Defendant IT Casino Solutions, LLC (“ITCS”) is, on information and
 belief, a California limited liability corporation having a principal place of business at

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1 7310 E. Paseo Tampico, Anaheim Hills, California 92808. On information and belief,
2 Defendant ITCS makes, uses, sells and/or offers for sale gaming information
3 technology products, software, components and/or systems within this Judicial
4 District including products, software, components and/or systems including casino
5 poker gaming monitoring/management, waitlisting, player tracking, player
6 management, marquee/public display, compensation accrual and management and
7 internet solutions.

8 4. Defendant El Dorado Enterprises, Inc., dba Hustler Casino (“Hustler
9 Casino”) is, on information and belief, a California corporation having a principal
10 place of business at 1000 W. Redondo Beach Blvd., Gardena, CA 90247. On
11 information and belief, Defendant Hustler Casino makes or uses gaming information
12 technology products, software, components and/or systems within this Judicial
13 District including products, software, components and/or systems including casino
14 poker gaming monitoring/management, waitlisting, player tracking, player
15 management, marquee/public display, compensation accrual and management and
16 internet solutions.

17 5. Defendant California Commerce Club, Inc., dba Commerce Casino
18 (“Commerce”) is, on information and belief, a California corporation having a
19 principal place of business at 6131 E. Telegraph Road, Commerce, California 90040.
20 On information and belief, Defendant Commerce makes or uses gaming information
21 technology products, software, components and/or systems within this Judicial
22 District including products, software, components and/or systems including casino
23 poker gaming monitoring/management, waitlisting, player tracking, player
24 management, marquee/public display, compensation accrual and management and
25 internet solutions. Commerce purports to be the world’s largest poker room.

26 6. Defendant Hawaiian Gardens Casino (“Hawaiian Gardens”) is, on
27 information and belief, a California corporation having a principal place of business at
28 21520 S. Pioneer Blvd. Ste. 305, Hawaiian Gardens, California 90716. On

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1 information and belief, Defendant Hawaiian Gardens makes or uses gaming
2 information technology products, software, components and/or systems within this
3 Judicial District including products, software, components and/or systems including
4 casino poker gaming monitoring/management, waitlisting, player tracking, player
5 management, marquee/public display, compensation accrual and management and
6 internet solutions.

7 7. The true names and capacities of the Defendants named herein as DOES
8 1 through 10, inclusive, are unknown to Plaintiff at this time. Therefore, Plaintiff sues
9 said Defendants by such fictitious names. Plaintiff will amend this complaint to
10 allege these Defendants' true names and capacities when they have been ascertained.

11 **JURISDICTION AND VENUE**

12 8. This is an action for patent infringement arising under the Patent Laws of
13 the United States, 35 U.S.C. §§ 271, 281-285.

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

16 10. On information and belief, Defendant Genesis has engaged in (a) the
17 offer for sale and sale of gaming technology services, products, methods and/or
18 components in the United States, including this Judicial District, including services,
19 products, software, components and/or systems including casino poker gaming
20 monitoring/management, waitlisting, player tracking, player management,
21 marquee/public display, compensation accrual and management and internet solutions
22 under the "BRAVO" trademark and/or tradename (b) the installation and maintenance
23 of said services, products, methods, software, components and/or systems in gaming
24 and/or casino information technology systems in the United States, including this
25 Judicial District and (c) the use of gaming information technology systems comprising
26 said services, products, methods, software, components and/or systems in the U.S.,
27 including this Judicial District.
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1 11. This Court has personal jurisdiction over Defendant Genesis as Genesis
2 has committed acts of patent infringement in this Judicial District including, *inter alia*,
3 making, using, offering for sale, and/or selling infringing services, products, methods,
4 software, components and/or systems in this Judicial District.

5 12. On information and belief, Defendant Genesis has knowingly and
6 actively infringed, contributed to infringement and/or has induced others to commit
7 such acts of infringement in this Judicial District.

8 13. On information and belief, Defendant ITCS has engaged in (a) the offer
9 for sale and sale of gaming technology services, products and/or components in the
10 United States, including this Judicial District, including services, products, methods,
11 software, components and/or systems including casino poker gaming
12 monitoring/management, waitlisting, marquee/public display, player tracking, player
13 management, compensation accrual and management and internet solutions under the
14 “IT Casino Solutions,” “ITC,” “ITCS” and/or “ISIS M3” trademarks and/or
15 tradenames (b) the installation and maintenance of said services, products, methods,
16 software, components and/or systems in gaming and/or casino information technology
17 systems in the United States, including this Judicial District and (c) the use of gaming
18 information technology systems comprising said services, products, methods,
19 software, components and/or systems in the U.S., including this Judicial District.

20 14. This Court has personal jurisdiction over Defendant ITCS as ITCS has
21 committed acts of patent infringement in this Judicial District including, *inter alia*,
22 making, using, offering for sale, and/or selling infringing services, products, methods,
23 software, components and/or systems in this Judicial District.

24 15. On information and belief, Defendant ITCS has knowingly and actively
25 infringed, contributed to infringement and/or have induced others to commit such acts
26 of infringement in this Judicial District.

27 16. On information and belief, Defendant Hustler Casino has engaged in (a)
28 the installation, maintenance and use of gaming technology services, products,

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1 methods and/or components in the United States, including this Judicial District,
2 including services, products, methods, software, components and/or systems including
3 casino poker gaming monitoring/management, waitlisting, marquee/public display,
4 player tracking, player management, compensation accrual and management and
5 internet solutions either itself or in concert with Defendant ITCS.

6 17. This Court has personal jurisdiction over Defendant Hustler Casino as
7 Hustler Casino has committed acts of patent infringement in this Judicial District
8 including, *inter alia*, making or using infringing services, products, methods,
9 software, components and/or systems in this Judicial District.

10 18. On information and belief, Defendant Hustler Casino has knowingly and
11 actively infringed, contributed to infringement and/or has induced others to commit
12 such acts of infringement in this Judicial District.

13 19. On information and belief, Defendant Commerce has engaged in (a) the
14 installation, maintenance and use of gaming technology services, products, methods
15 and/or components in the United States, including this Judicial District, including
16 services, products, methods, software, components and/or systems including casino
17 poker gaming monitoring/management, waitlisting, player tracking, player
18 management, marquee/public display, compensation accrual and management and
19 internet solutions either itself or in concert with each of Defendants Genesis and
20 ITCS.

21 20. This Court has personal jurisdiction over Defendant Commerce as
22 Commerce has committed acts of patent infringement in this Judicial District
23 including, *inter alia*, making or using infringing services, products, methods,
24 software, components and/or systems in this Judicial District.

25 21. On information and belief, Defendant Commerce has knowingly and
26 actively infringed, contributed to infringement and/or has induced others to commit
27 such acts of infringement in this Judicial District.

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1 installed in many of the largest and most successful poker rooms around the world and
2 in the United States including within this Judicial District (which is home to the three
3 largest poker rooms in the world and includes the greatest concentration of poker-
4 related activities in the world).

5 27. Development of the inventions leading to the patents-in-suit began at
6 least as early as late 2001 at a time when there were no integrated poker waitlisting,
7 marquee/public display, player tracking, player management, tournament,
8 compensation accrual and management, internet or dealer coordination information
9 technology solutions. Ameranth's later-acquired division, QueueOS, conceived and
10 developed its breakthrough innovations to provide systemic integrated solutions
11 directed to uniquely meeting these previously unmet industry needs. After acquiring
12 QueueOS in 2006, Ameranth merged product features from the QueueOS product line
13 into its Poker Room Manager (PRM) family of products. Ameranth has expended
14 considerable effort and resources in inventing, developing and marketing its
15 inventions and protecting its rights therein.

16 28. Ameranth's pioneering inventions have been widely adopted throughout
17 the gaming industry and are thus now essential to the efficient operations of modern
18 casino and/or gaming enterprises of the 21st Century. Ameranth's solutions have
19 been adopted throughout the hospitality/gaming industry, including by Genesis, ITCS,
20 Hustler Casino, Commerce, Hawaiian Gardens and many others who have chosen to
21 infringe rather than take a license to Ameranth's patented technology. In addition, a
22 number of entities in the hospitality/gaming industry have taken licenses to the
23 patented technology.

24 29. The widespread adoption of Ameranth's technology by industry leaders
25 and the wide acclaim received by Ameranth for its many technological innovations are
26 just some of the many confirmations of the breakthrough aspects of Ameranth's
27 inventions. Ameranth has received more than 10 major technology awards and has
28 been widely recognized as an innovator.

RELATED CASE PREVIOUSLY FILED

1
2 30. The Ameranth patent asserted herein, U.S. Patent No. 8,393,969 (the
3 “‘969 patent”), is the third patent to issue in Ameranth’s “Casino Poker and Dealer
4 Management System” and “Products and Processes for Operations Management of
5 Casino, Leisure and Hospitality Industry” patent family. The ‘969 patent was issued
6 over all alleged prior art identified by Genesis and ITCS and with full knowledge and
7 consideration by the reexamination Examiner of three reexaminations and associated
8 prior art filed by Genesis and ITCS as is further detailed in the immediately following
9 paragraph.

10 31. Ameranth is also currently asserting the first two of its patents (U.S.
11 Patent No. 7,431,650 (the “‘650 patent”) and U.S. Patent No. 7,878,909 (the “‘909
12 patent”)) in this family in a separate litigation pending in this Court (*Ameranth v.*
13 *Genesis et al.*, Case No. 8:11-CV-00189-AG (RNBX) against several parties,
14 including Genesis, ITCS, Commerce and Hustler Casino. That litigation is currently
15 stayed pending the outcome of two *ex parte* and one *inter partes* reexaminations.
16 Both Genesis and ITCS filed *ex parte* reexaminations against the ‘909 patent and
17 Genesis filed an *inter partes* reexamination against the ‘650 patent. The two *ex parte*
18 reexaminations were merged by the reexamination Examiner. Both the *ex parte* and
19 *inter partes* reexaminations led to a majority of the claims being confirmed patentable.
20 A Notice of Intent to Issue Reexamination Certificate was entered by the Examiner in
21 the merged ‘909 *ex parte* reexaminations on February 25, 2013. The Reexamination
22 Certificate has now been issued, and thus the *ex parte* reexaminations have been
23 concluded with a confirmation of the seventeen claims of the ‘909 patent determined
24 patentable by the Examiner. Genesis has appealed the favorable ruling as to the
25 twenty-seven confirmed claims of the ‘650 patent.

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FIRST CLAIM FOR RELIEF

Patent Infringement (U.S. Pat. No. 8,393,969)

(35 U.S.C. § 271)

32. Plaintiff reiterates and incorporates the allegations set forth in paragraphs 1-31 above as if fully set forth herein.

33. On March 12, 2013, United States Patent No. 8,393,969 entitled “Products and Processes for Operations Management of Casino, Leisure and Hospitality Industry” (“the ‘969 patent”) (attached hereto as Exhibit A) was duly and legally issued by the United States Patent & Trademark Office (“PTO”). The ‘969 patent meets all patentability requirements of 35 U.S.C. §§101, 102, 103 and 112, including patent eligible subject matter, enablement, definiteness, novelty and nonobviousness, as evidenced by the PTO’s thorough review of the disclosure and claims of the ‘969 patent and allowance of the claims based on said review in light of all applicable law and PTO rules and guidelines respecting patentability under Title 35.

34. Plaintiff Ameranth is the lawful owner by assignment of all right, title and interest in and to the ‘969 patent.

35. On information and belief, Defendant Genesis infringes and continues to infringe one or more valid and enforceable claims of the ‘969 patent in violation of 35 U.S.C. § 271(a) by making, using, offering for sale or license and/or selling or licensing infringing gaming and/or casino information technology systems and/or methods including but not limited to systems and/or methods including monitoring/management of casino poker games, waitlisting, player tracking, player management, marquee/public display, compensation accrual and management and internet functions under the BRAVO trademark and/or tradename in the U.S. without authority or license from Ameranth.

36. On information and belief, Defendant Genesis has actively induced others to infringe the ‘969 patent in violation of 35 U.S.C. § 271(b) by actively,

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1 knowingly, and intentionally encouraging, aiding and abetting gaming and/or casino
2 users (including, *inter alia*, casino owners/operators and casino patrons/customers) to
3 make or use infringing systems, products, methods and/or services including but not
4 limited to systems, products, methods and/or services including
5 monitoring/management of casino poker games, waitlisting, player tracking, player
6 management, marquee/public display, compensation accrual and management and
7 internet functions under the BRAVO trademark and/or tradename in the U.S. without
8 authority or license from Ameranth. Genesis provides instruction and direction
9 regarding the use of the infringing BRAVO systems, products, methods and/or
10 services and publicizes, promotes and encourages the use of the infringing BRAVO
11 systems, products, methods and/or services by others. Casino owners/operators and
12 casino patrons/customers directly infringe claims of the '969 patent by making or
13 using the BRAVO systems, products, methods and/or services in gaming and/or
14 casino information technology systems and/or methods including but not limited to
15 systems and/or methods including monitoring/management of casino poker games,
16 waitlisting, player tracking, player management, marquee/public display,
17 compensation accrual and management and internet functions.

18 37. Genesis has had knowledge of the '969 patent and Ameranth's
19 allegations of Genesis's infringement of said patent since at least March 13, 2013,
20 when a prior complaint (8:13-cv-00426-AG-RNB), since voluntarily dismissed
21 without prejudice, was filed against Genesis alleging infringement of the '969 patent
22 by the same systems, products, methods and/or services presently accused of
23 infringement. Moreover, Genesis has been aware of the application from which the
24 '969 patent issued since it was filed more than two years before the complaint was
25 filed. In fact, Genesis has been directly involved in the application which issued as
26 the '969 patent. Genesis, via its counsel Mr. Jeffrey Tinker of Winstead PC, filed a
27 third party submission in the application on July 5, 2011, six months after Ameranth
28 sued Genesis on Ameranth's two previously-issued patents in the same patent family

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1 (8:11-cv-00189-AG-RNB). Genesis knew about the application which issued as the
2 '969 patent because Ameranth had sued Genesis on two other Ameranth patents
3 shortly after the application was filed, in February 2011. On information and belief,
4 Genesis closely monitored the application leading to issuance of the '969 patent until
5 it issued, due to Genesis's overt interest in all of Ameranth's applications and patents
6 as a result of the pending litigation between the parties. On information and belief,
7 because Genesis was monitoring the application, Genesis knew that the '969 patent
8 would issue, and the precise claims that would issue, several months prior to the issue
9 date. The Patent Office issued a Notice of Allowance on December 10, 2012, which
10 was 3 months prior to the issue date of March 12, 2013. Therefore, on information
11 and belief, Genesis knew of the '969 patent at least several months prior to the issue
12 date of the '969 patent and prior to the filing date of the previously-filed lawsuit
13 (8:13-cv-00426-AG-RNB, voluntarily dismissed without prejudice). The
14 aforementioned facts of record circumstantially establish, at a minimum, a factual
15 basis to attribute knowledge of the '969 patent to Genesis prior to the issue date of the
16 '969 patent. Moreover, on information and belief, Mr. Tinker and/or the Winstead
17 firm, via their overt involvement on behalf of Genesis in the Ameranth application
18 which led to the '969 patent, would have checked the status of the application
19 periodically considering the three reexaminations that were ongoing regarding the
20 Ameranth '650 and '909 patents asserted in the first case. In fact, Genesis was
21 assigned by Genesis to monitor the application as evidenced by Mr. Tinker's
22 submission on behalf of Genesis, and thus Genesis, and Mr. Tinker as agent of
23 Genesis, knew or should have known of the '969 patent prior to the filing of the
24 complaint. On information and belief, Mr. Tinker and/or Winstead PC would have
25 promptly informed Genesis when the notice of allowance was issued and when the
26 patent number was assigned and issue date set. Thus, on information and belief,
27 Genesis knew of the '969 patent well prior to the issue date of the '969 patent. Still
28 further, Genesis and ITCS have coordinated their defenses including the filing of

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1 coordinated reexaminations of the patents asserted in the related case (8:11-cv-189-
2 AG-RNB). ITCS has known since at least as early as January 14, 2013, based on
3 notification given to ITCS by Ameranth, that the issued claims of the '969 patent were
4 allowed by the PTO. It is implausible that ITCS would not have communicated its
5 knowledge of the status, *i.e.*, allowance of the claims, of the '969 patent to Genesis
6 prior to the issue date of the '969 patent. Genesis thus had the level of knowledge
7 required under 35 U.S.C. § 271(b) in multiple different ways.

8 38. On information and belief, Defendant Genesis has contributorily
9 infringed the '969 patent in violation of 35 U.S.C. § 271(c) by offering to sell or
10 license and/or selling or licensing components of systems and/or methods on which
11 claims of the '969 patent read, constituting a material part of the invention, knowing
12 that the components were especially adapted for use in systems and/or methods which
13 infringe claims of the '969 patent to distributors and/or to gaming and/or casino users
14 (including, *inter alia*, casino owners/operators and casino patrons/customers) for use
15 in infringing systems, products, methods and/or services including but not limited to
16 systems, products, methods and/or services including monitoring/management of
17 casino poker games, waitlisting, player tracking, player management, marquee/public
18 display, compensation accrual and management and internet functions under the
19 BRAVO trademark and/or tradename in the U.S. without authority or license from
20 Ameranth. By distributing, selling, licensing and/or offering to sell or license
21 infringing systems, products, methods and or services under the BRAVO trademark
22 and/or tradename, Genesis provides non-staple articles of commerce to others for use
23 in infringing systems, products, methods and/or services. Additionally, Genesis
24 provides instruction and direction regarding the use of the aforesaid systems, products
25 and/or services and publicizes, promotes and encourages the use of the infringing
26 systems. Users of the aforesaid systems, products, methods and/or services directly
27 infringe one or more valid and enforceable claims of the '969 patent for the reasons
28 set forth hereinabove.

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1 39. Furthermore, Defendant Genesis had knowledge of the '969 patent and
2 Ameranth's allegations of infringement of said patent since at least March 13, 2013
3 based on a prior lawsuit, since voluntarily dismissed, as discussed above. Moreover,
4 on information and belief, Genesis had knowledge of the '969 patent well prior to the
5 issue date of the patent as discussed above. Genesis thus had the level of knowledge
6 required under 35 U.S.C. § 271(c) in multiple different ways.

7 40. On information and belief, Defendant ITCS has infringed the '969 patent
8 in violation of 35 U.S.C. § 271(a) by making, using, offering for sale or license and/or
9 selling or licensing infringing gaming and/or casino information technology systems
10 and/or methods including but not limited to systems and/or methods including
11 monitoring/management of casino poker games, waitlisting, player tracking, player
12 management, marquee/public display, compensation accrual and management and
13 internet functions under the IT Casino Solutions, ITC, ITCS and/or ISIS M3
14 trademarks and/or tradenames in the U.S. without authority or license from Ameranth.

15 41. On information and belief, Defendant ITCS has actively induced others
16 to infringe the '969 patent in violation of 35 U.S.C. § 271(b) by actively, knowingly,
17 and intentionally encouraging, aiding and abetting gaming and/or casino users
18 (including, *inter alia*, casino owners/operators and casino patrons/customers) to use
19 infringing systems, products, methods and/or services including but not limited to
20 systems, products, methods and/or services including monitoring/management of
21 casino poker games, waitlisting, player tracking, player management, marquee/public
22 display, compensation accrual and management and internet functions under the IT
23 Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks and/or tradenames in the
24 U.S. without authority or license from Ameranth. ITCS provides instruction and
25 direction regarding the use of the aforesaid infringing systems, products methods
26 and/or services and publicizes, promotes and encourages the use of the infringing
27 systems, products, methods and/or services by others. Casino owners/operators and
28 casino patrons/customers directly infringe claims of the '969 patent by making or

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1 using the aforesaid ITCS systems, products, methods and/or services in gaming and/or
2 casino information technology systems and/or methods including but not limited to
3 systems and/or methods including monitoring/management of casino poker games,
4 waitlisting, player tracking, player management, marquee/public display,
5 compensation accrual and management and internet functions.

6 42. ITCS has had knowledge of the '969 patent and Ameranth's allegations
7 of ITCS's infringement of said patent since at least March 13, 2013, when a prior
8 complaint (8:13-cv-426-AG-RNB), since voluntarily dismissed without prejudice, was
9 filed against ITCS alleging infringement of the '969 patent by the same systems,
10 products, methods and/or services presently accused of infringement. Moreover, on
11 information and belief, ITCS has been aware of the application from which the '969
12 patent issued since it was filed more than two years before the complaint was filed
13 based on the knowledge of Genesis, which has been a co-defendant with ITCS in a
14 related case since February 2011. Genesis and ITCS have coordinated their defenses
15 including the filing of coordinated reexaminations of the patents asserted in the related
16 case (8:11-cv-189-AG-RNB). It is implausible that Genesis would not have
17 communicated its knowledge of the status, *i.e.*, allowance of the claims, of the '969
18 patent to ITCS prior to the issue date of said patent. Still further, ITCS has known
19 since at least as early as January 14, 2013, based on notification given to ITCS by
20 Ameranth, that the issued claims of the '969 patent were allowed by the PTO. ITCS
21 thus had the level of knowledge required under 35 U.S.C. § 271(b) in multiple
22 different ways.

23 43. On information and belief, Defendant ITCS has contributorily infringed
24 the '969 patent in violation of 35 U.S.C. § 271(c) by offering to sell or license and/or
25 selling or licensing components of systems and/or methods on which claims of the
26 '969 patent read, constituting a material part of the invention, knowing that the
27 components were especially adapted for use in systems and/or methods which infringe
28 claims of the '969 patent to distributors and/or to gaming and/or casino users

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1 (including, *inter alia*, casino owners/operators and casino patrons/customers) for use
2 in infringing systems, products, methods and/or services including but not limited to
3 systems, products, methods and/or services including monitoring/management of
4 casino poker games, waitlisting, player tracking, player management, marquee/public
5 display, compensation accrual and management and internet functions under the IT
6 Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks and/or tradenames in the
7 U.S. without authority or license from Ameranth. By distributing, selling, licensing
8 and/or offering to sell or license infringing systems, products, methods and or services
9 under the aforesaid trademarks and/or tradenames, ITCS provides non-staple articles
10 of commerce to others for use in infringing systems, products, methods and/or
11 services. Additionally, ITCS provides instruction and direction regarding the use of
12 the aforesaid systems, products and/or services and publicizes, promotes and
13 encourages the use of the infringing systems. Users of the aforesaid systems,
14 products, methods and/or services directly infringe one or more valid and enforceable
15 claims of the '969 patent for the reasons set forth hereinabove.

16 44. Defendant ITCS had knowledge of the '969 patent and Ameranth's
17 allegations of infringement of said patent since at least March 13, 2013 based on a
18 prior lawsuit, since voluntarily dismissed, as discussed above. Moreover, on
19 information and belief, ITCS had knowledge of the '969 patent well prior to the issue
20 date of the patent as discussed above. ITCS thus had the level of knowledge required
21 under 35 U.S.C. § 271(c) in multiple different ways.

22 45. On information and belief, Defendant Hustler Casino has infringed the
23 '969 patent in violation of 35 U.S.C. § 271(a) by making or using infringing gaming
24 and/or casino information technology systems and/or methods including but not
25 limited to systems and/or methods including monitoring/management of casino poker
26 games, waitlisting, player tracking, player management, marquee/public display,
27 compensation accrual and management and internet functions either itself or in
28 concert with Defendant ITCS in the U.S. without authority or license from Ameranth.

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1 46. On information and belief, Defendant Hustler Casino has actively
2 induced others to infringe the '969 patent in violation of 35 U.S.C. § 271(b) by
3 actively, knowingly and intentionally encouraging, aiding and abetting gaming and/or
4 casino users (including, inter alia, casino patrons/customers) to use infringing systems,
5 products, methods and/or services including but not limited to systems, products,
6 methods and/or services including monitoring/management of casino poker games,
7 waitlisting, player tracking, player management, marquee/public display,
8 compensation accrual and management and internet functions either itself or in
9 concert with Defendant ITCS in the U.S. without authority or license from Ameranth.
10 Hustler Casino provides instruction and direction regarding the use of the aforesaid
11 infringing systems, products, methods and/or services and advertises, publicizes,
12 promotes and encourages the use of the infringing systems, products, methods and/or
13 services by others. Hustler Casino patrons/customers directly infringe claims of the
14 '969 patent by making or using the aforesaid ITCS systems, products, methods and/or
15 services in gaming and/or casino information technology systems and/or methods
16 including but not limited to systems and/or methods including
17 monitoring/management of casino poker games, waitlisting, player tracking, player
18 management, marquee/public display, compensation accrual and management and
19 internet functions.

20 47. Hustler Casino has had knowledge of the '969 patent and Ameranth's
21 allegations of Hustler Casino's infringement of said patent since at least March 13,
22 2013, when a prior complaint (8:13-cv-00426-AG-RNB), since voluntarily dismissed
23 without prejudice, was filed against Hustler Casino alleging infringement of the '969
24 patent by the same systems, products, methods and/or services presently accused of
25 infringement. Moreover, on information and belief, Hustler Casino has been aware of
26 the application from which the '969 patent issued since it was filed more than two
27 years before the complaint was filed based on the knowledge of Genesis, which has
28 been a co-defendant with Hustler Casino in a related case since February 2011.

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1 Genesis and Hustler Casino have coordinated their defenses in the related case (8:11-
2 cv-00189-AG-RNB). It is implausible that Genesis would not have communicated its
3 knowledge of the status, *i.e.*, allowance of the claims, of the '969 patent to Hustler
4 Casino prior to the issue date of said patent. Moreover, Hustler Casino and ITCS
5 have been co-defendants in the related case and have coordinated their defenses.
6 ITCS has known since at least as early as January 14, 2013, based on notification
7 given to ITCS by Ameranth, that the issued claims of the '969 patent were allowed by
8 the PTO. It is implausible that ITCS would not have communicated its knowledge of
9 the status, *i.e.*, allowance of the claims, of the '969 patent to Hustler Casino prior to
10 the issue date of the '969 patent. Hustler Casino thus had the level of knowledge
11 required under 35 U.S.C. § 271(b) in multiple different ways.

12 48. On information and belief, Defendant Hustler Casino has contributorily
13 infringed the '969 patent in violation of 35 U.S.C. § 271(c) by providing components
14 (under at least the ITCS related trademarks and/or tradenames discussed above) of
15 systems and/or methods on which claims of the '969 patent read, constituting a
16 material part of the invention, knowing that the components were especially adapted
17 for use in systems and/or methods which infringe claims of the '969 patent, to gaming
18 and/or casino users (including, *inter alia*, casino patrons/customers) for use in
19 infringing systems/products, methods and/or services including but not limited to
20 systems, products, methods and/or services including monitoring/management of
21 casino poker games, waitlisting, player tracking, player management, marquee/public
22 display, compensation accrual and management and internet functions either itself or
23 in concert with Defendant ITCS without authority or license from Ameranth.

24 49. Defendant Hustler Casino had knowledge of the '969 patent and
25 Ameranth's allegations of infringement of said patent since at least March 13, 2013
26 based on a prior lawsuit, since voluntarily dismissed, as discussed above. Moreover,
27 on information and belief, Hustler Casino had knowledge of the '969 patent well prior
28

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1 to the issue date of the patent as discussed above. Hustler Casino thus had the level of
2 knowledge required under 35 U.S.C. § 271(c) in multiple different ways.

3 50. On information and belief, Defendant Commerce has infringed the '969
4 patent in violation of 35 U.S.C. § 271(a) by making and/or using infringing gaming
5 and/or casino information technology systems and/or methods including but not
6 limited to systems and/or methods including monitoring/management of casino poker
7 games, waitlisting, player tracking, player management, marquee/public display,
8 compensation accrual and management and internet functions either itself or in
9 concert with each of Defendants Genesis and ITCS in the U.S. without authority or
10 license from Ameranth.

11 51. On information and belief, Defendant Commerce has actively induced
12 others to infringe the '969 patent in violation of 35 U.S.C. §271(b) by actively,
13 knowingly and intentionally encouraging, aiding and abetting gaming and/or casino
14 users (including, *inter alia*, casino patrons/customers) to use infringing systems,
15 products, methods and/or services including but not limited to systems, products,
16 methods and/or services including monitoring/management of casino poker games,
17 waitlisting, player tracking, player management, marquee/public display,
18 compensation accrual and management and internet functions either itself or in
19 concert with each of Defendants Genesis and ITCS in the U.S. without authority or
20 license from Ameranth. Commerce provides instruction and direction regarding the
21 use of the aforesaid infringing systems, products, methods and/or services and
22 advertises, publicizes, promotes and encourages the use of the infringing systems,
23 products, methods and/or services by others. Commerce patrons/customers directly
24 infringe claims of the '969 patent by making or using the aforesaid Genesis and/or
25 ITCS systems, products, methods and/or services in gaming and/or casino information
26 technology systems and/or methods including but not limited to systems and/or
27 methods including monitoring/management of casino poker games, waitlisting, player
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1 tracking, player management, marquee/public display, compensation accrual and
2 management and internet functions.

3 52. Commerce has had knowledge of the '969 patent and Ameranth's
4 allegations of Commerce's infringement of said patent since at least March 13, 2013,
5 when a prior complaint (8:13-cv-00426-AG-RNB), since voluntarily dismissed
6 without prejudice, was filed against Commerce alleging infringement of the '969
7 patent by the same systems, products, methods and/or services presently accused of
8 infringement. Moreover, on information and belief, Commerce has been aware of the
9 application from which the '969 patent issued since it was filed more than two years
10 before the complaint was filed based on the knowledge of Genesis, which has been a
11 co-defendant with Commerce in a related case since February 2011, in which Genesis
12 and Commerce have been represented by the same counsel. Genesis and Commerce
13 have coordinated their defenses in the related case (8:11-cv-00189-AG-RNB). It is
14 implausible that Genesis would not have communicated its knowledge of the status,
15 *i.e.*, allowance of the claims, of the '969 patent to Commerce prior to the issue date of
16 said patent. Moreover, Commerce and ITCS have been co-defendants in the related
17 case and have coordinated their defenses. ITCS has known since at least as early as
18 January 14, 2013, based on notification given to ITCS by Ameranth, that the issued
19 claims of the '969 patent were allowed by the PTO. It is implausible that ITCS would
20 not have communicated its knowledge of the status, *i.e.*, allowance of the claims, of
21 the '969 patent to Commerce prior to the issue date of the '969 patent. Commerce
22 thus had the level of knowledge required under 35 U.S.C. § 271(b) in multiple
23 different ways.

24 53. On information and belief, Defendant Commerce has contributorily
25 infringed the '969 patent in violation of 35 U.S.C. §271(c) by providing components
26 (under at least the Genesis and/or ITCS related trademarks and/or tradenames
27 discussed above) of systems and/or methods on which claims of the '969 patent read,
28 constituting a material part of the invention, knowing that the components were

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1 especially adapted for use in systems and/or methods which infringe claims of the
2 '969 patent, to gaming and/or casino users for use in infringing systems, products,
3 methods and/or services including but not limited to systems, products, methods
4 and/or services including monitoring/management of casino poker games, waitlisting,
5 player tracking, player management, marquee/public display, compensation accrual
6 and management and internet functions either itself or in concert with each of
7 Defendants Genesis and ITCS without authority or license from Ameranth.

8 54. Defendant Commerce had knowledge of the '969 patent and Ameranth's
9 allegations of infringement of said patent since at least March 13, 2013 based on a
10 prior lawsuit, since voluntarily dismissed, as discussed above. Moreover, on
11 information and belief, Commerce had knowledge of the '969 patent well prior to the
12 issue date of the patent as discussed above. Commerce thus had the level of
13 knowledge required under 35 U.S.C. § 271(c) in multiple different ways.

14 55. On information and belief, Defendant Hawaiian Gardens has infringed
15 the '969 patent in violation of 35 U.S.C. § 271(a) by making and/or using infringing
16 gaming and/or casino information technology systems and/or methods including but
17 not limited to systems and/or methods including monitoring/management of casino
18 poker games, waitlisting, player tracking, player management, marquee/public
19 display, compensation accrual and management and internet functions either itself or
20 in concert with Defendant ITCS in the U.S. without authority or license from
21 Ameranth.

22 56. On information and belief, Defendant Hawaiian Gardens has actively
23 induced others to infringe the '969 patent in violation of 35 U.S.C. §271(b) by
24 actively, knowingly and intentionally encouraging, aiding and abetting gaming and/or
25 casino users (including, *inter alia*, casino patrons/customers) to use infringing
26 systems, products, methods and/or services including but not limited to systems,
27 products, methods and/or services including monitoring/management of casino poker
28 games, waitlisting, player tracking, player management, marquee/public display,

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1 compensation accrual and management and internet functions either itself or in
2 concert with Defendant ITCS in the U.S. without authority or license from Ameranth.
3 Hawaiian Gardens provides instruction and direction regarding the use of the
4 aforesaid infringing systems, products, methods and/or services and advertises,
5 publicizes, promotes and encourages the use of the infringing systems, products
6 and/or services by others. Hawaiian Gardens patrons/customers directly infringe
7 claims of the '969 patent by making or using the aforesaid ITCS systems, products,
8 methods and/or services in gaming and/or casino information technology systems
9 and/or methods including but not limited to systems and/or methods including
10 monitoring/management of casino poker games, waitlisting, player tracking, player
11 management, marquee/public display, compensation accrual and management and
12 internet functions.

13 57. Hawaiian Gardens has had knowledge of the '969 patent and Ameranth's
14 allegations of Hawaiian Gardens' infringement of said patent since at least March 13,
15 2013, when a prior complaint (8:13-cv-00426-AG-RNB), since voluntarily dismissed
16 without prejudice, was filed against Hawaiian Gardens alleging infringement of the
17 '969 patent by the same systems, products, methods and/or services presently accused
18 of infringement. Moreover, on information and belief, Hawaiian Gardens has been
19 aware of the application from which the '969 patent issued since at least as early as
20 early 2012, based on notification given to Hawaiian Gardens by Ameranth of
21 Ameranth's patent family which includes the application from which the '969 patent
22 issued. Still further, Hawaiian Gardens has known since at least as early as
23 December 18, 2012, based on notification given to Hawaiian Gardens by Ameranth,
24 that the issued claims of the '969 patent were allowed by the PTO. Hawaiian Gardens
25 thus had the level of knowledge required under 35 U.S.C. § 271(b) in multiple
26 different ways.

27 58. On information and belief, Defendant Hawaiian Gardens has
28 contributorily infringed the '969 patent in violation of 35 U.S.C. §271(c) by providing

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1 components (under at least the ITCS related trademarks and/or tradenames discussed
2 above) of systems and/or methods on which claims of the '969 patent read,
3 constituting a material part of the invention, knowing that the components were
4 especially adapted for use in systems and/or methods which infringe claims of the
5 '969 patent, to gaming and/or casino users (including, *inter alia*, casino
6 patrons/customers) for use in infringing systems, products, methods and/or services
7 including but not limited to systems, products, methods and/or services including
8 monitoring/management of casino poker games, waitlisting, player tracking, player
9 management, marquee/public display, compensation accrual and management and
10 internet functions either itself or in concert with Defendant ITCS without authority or
11 license from Ameranth.

12 59. Defendant Hawaiian Gardens had knowledge of the '969 patent and
13 Ameranth's allegations of infringement of said patent since at least March 13, 2013
14 based on a prior lawsuit, since voluntarily dismissed, as discussed above. Moreover,
15 on information and belief, Hawaiian Gardens had knowledge of the '969 patent well
16 prior to the issue date of the patent as discussed above. Hawaiian Gardens thus had
17 the level of knowledge required under 35 U.S.C. § 271(c) in multiple different ways.

18 60. The aforesaid infringing activities of Defendants have been done with
19 knowledge and willful disregard of Ameranth's patent rights, making this an
20 exceptional case within the meaning of 35 U.S.C. § 285. As discussed above,
21 Defendants had knowledge of the '969 patent and Ameranth's allegations of
22 infringement of said patent since at least March 13, 2013 based on a prior lawsuit,
23 since voluntarily dismissed, as discussed above. Moreover, on information and belief,
24 each of Defendants had actual or constructive knowledge of the '969 patent well prior
25 to the issue date of the patent as discussed above.

26 61. The aforesaid infringing activity of Defendants directly and proximately
27 causes damage to plaintiff Ameranth, including loss of profits from sales and licensing
28 revenues they would have made but for the infringements. Unless enjoined, the

1 aforesaid infringing activity will continue and cause irreparable injury to plaintiff for
2 which there is no adequate remedy at law.

3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff respectfully prays for judgment and an order against
5 Defendants:

6 A. Adjudging that the manufacture, use, offer for sale or license and/or sale
7 or license of Genesis’s systems, products, methods, services, software and/or
8 hardware including those under the BRAVO trademark and/or tradename infringes the
9 ‘969 patent;

10 B. Adjudging that the manufacture, use, offer for sale or license and/or sale
11 or license of ITCS’s systems products, methods, services and/or software including
12 those under the IT Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks and/or
13 tradenames infringes the ‘969 patent;

14 C. Adjudging that the making and/or use of Hustler Casino’s gaming and/or
15 casino poker monitoring/management, waitlisting, player tracking, player
16 management, marquee/public display, compensation accrual and management and
17 internet systems, products, methods, services and/or software infringes the ‘969
18 patent;

19 D. Adjudging that the making and/or use of Commerce’s gaming and/or
20 casino poker monitoring/management, waitlisting, player tracking, player
21 management, marquee/public display, compensation accrual and management and
22 internet systems, products, methods, services and/or software infringes the ‘969
23 patent;

24 E. Adjudging that the making and/or use of Hawaiian Garden’s gaming
25 and/or casino poker monitoring/management, waitlisting, player tracking, player
26 management, marquee/public display, compensation accrual and management and
27 internet systems, products, methods, services and/or software infringes the ‘969
28 patent;

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1 F. Adjudging that all Defendants have infringed, actively induced others to
2 infringe and/or contributorily infringed the '969 patent;

3 G. Adjudging that infringement of the '969 patent by each Defendant has
4 been willful;

5 H. Enjoining each Defendant, its officers, directors, employees, attorneys,
6 agents, representatives, parents, subsidiaries, affiliates and all other persons acting in
7 concert, participation or privity with them, and their successors and assigns, from
8 infringing, contributorily infringing and/or inducing others to infringe the '969 patent;

9 I. Awarding Ameranth the damages it has sustained by reason of
10 Defendants' infringement, together with interest and costs pursuant to 35 U.S.C. §
11 284;

12 J. Awarding Ameranth increased damages of three times the amount found
13 or assessed by reason of the willful and deliberate nature of Defendants' acts of
14 infringement pursuant to 35 U.S.C. § 284;

15 K. Adjudging this to be an exceptional case and awarding Ameranth its
16 attorney fees pursuant to 35 U.S.C. §285; and

17 L. Awarding to Ameranth such other and further relief that this Court may
18 deem just and proper.

19
20 Dated: May 6, 2013

Respectfully submitted,

21 LOCKE LORD LLP

22
23 By: 

Brandon D. Witkow

24
25 OSBORNE LAW LLC

John W. Osborne

26
27 WATTS LAW OFFICES

Ethan M. Watts

28 Attorneys for *Plaintiff* AMERANTH, INC.

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DEMAND FOR JURY TRIAL

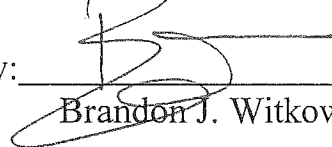
Plaintiff Ameranth, Inc. hereby demands a trial by jury on all issues so triable, pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: May 6, 2013

Respectfully submitted,

LOCKE LORD LLP

By: _____



Brandon J. Witkow

OSBORNE LAW LLC

John W. Osborne

WATTS LAW OFFICES

Ethan M. Watts

Attorneys for *Plaintiff* AMERANTH, INC.

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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 Cormac J. Carney and the assigned discovery Magistrate Judge is Jean P. Rosenbluth.

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

SACV13- 720 CJC (JPRx)

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

=====
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.

Brandon J. Witkow [SBN 210443]
LOCKE LORD LLP
300 South Grand Avenue, 26th Floor
Los Angeles, California 90071
Tel: (213) 485-1550
Fax: (213) 485-1200

Plaintiff AMERANTH, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

AMERANTH, INC., a Delaware corporation,

PLAINTIFF(S)

v.

GENESIS GAMING SOLUTIONS, INC., a Texas
corporation, IT CASINO SOLUTIONS LLC, a
California limited liability company, EL DORADO
ENTERPRISES, INC, dba HUSTLER CASINO, a
California corporation, CALIFORNIA COMMERCE
CLUB, INC., dba COMMERCE CASINO, a California
corporation, HAWAIIAN GARDENS CASINO, a
California corporation & DOES 1-10, inclusive,

DEFENDANT(S).

CASE NUMBER

SACV13 - 00720 CJC (JPRx)

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, Brandon J. Witkow, whose address is Locke Lord LLP, 300 South Grand Avenue, 26th Floor, Los Angeles, California 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.

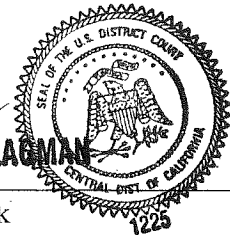
Dated: MAY -6 2013

Clerk, U.S. District Court

By: DODJIE LAGMAN

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)].

I. (a) PLAINTIFFS (Check box if you are representing yourself) AMERANTH, INC., a Delaware corporation,

DEFENDANTS (Check box if you are representing yourself) GENESIS GAMING SOLUTIONS, INC., a Texas corporation, IT CASINO SOLUTIONS LLC, a California limited liability company, EL DORADO ENTERPRISES, INC, dba HUSTLER CASINO, a California corporation, CALIFORNIA COMMERCE CLUB, INC., dba COMMERCE CASINO, a California corporation, HAWAIIAN GARDENS CASINO, a California corporation & DOES 1-10, inclusive,

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Brandon J. Witkow [SBN 210443] LOCKE LORD LLP 300 South Grand Avenue, 26th Floor Los Angeles, California 90071 (213) 485-1550

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

II. BASIS OF JURISDICTION (Place an X in one box only.) 1. U.S. Government Plaintiff 2. U.S. Government Defendant 3. Federal Question (U.S. Government Not a Party) 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant) Citizen of This State 1 Citizen of Another State 2 Citizen or Subject of a Foreign Country 3 PTF DEF 1 1 2 2 3 3 Incorporated or Principal Place of Business in this State 4 Incorporated and Principal Place of Business in Another State 5 Foreign Nation 6 PTF DEF 4 4 5 5 6 6

IV. ORIGIN (Place an X in one box only.) 1. Original Proceeding 2. Removed from State Court 3. Remanded from Appellate Court 4. Reinstated or Reopened 5. Transferred from Another District (Specify) 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check "Yes" only if demanded in complaint.) CLASS ACTION under F.R.Cv.P. 23: Yes No MONEY DEMANDED IN COMPLAINT: \$ Royalty

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 35 U.S.C. Section 271 - Patent Infringement

VII. NATURE OF SUIT (Place an X in one box only.)

Table with 6 columns: OTHER STATUTES, CONTRACT, REAL PROPERTY CONT., IMMIGRATION, PRISONER PETITIONS, PROPERTY RIGHTS. Includes sub-sections like TORTS, PERSONAL INJURY, BANKRUPTCY, CIVIL RIGHTS, LABOR, and FEDERAL TAX SUITS.

FOR OFFICE USE ONLY: Case Number: SACV13 - 00720 CJC (JPRx)

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

If yes, list case number(s): SACV 13-00426 AG (RNBx)

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

If yes, list case number(s): SACV 11-0189 AG (RNBx)

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact; or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

Table with 2 columns: County in this District*, California County outside of this District; State, if other than California; or Foreign Country. Row 1: San Diego

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

Table with 2 columns: County in this District*, California County outside of this District; State, if other than California; or Foreign Country. Row 1: IT Casino Solutions, LLC - Orange County, California Commerce Club, Inc., - L.A. County, Hawaiian Gardens Club - L.A. County, El Dorado Enterprises dba Hustler - L.A. County; Genesis Gaming Solutions, Inc. - Harris County, Texas

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose. NOTE: In land condemnation cases, use the location of the tract of land involved.

Table with 2 columns: County in this District*, California County outside of this District; State, if other than California; or Foreign Country. Row 1: Los Angeles

*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT): [Signature] DATE: May 6, 2013
Brandon J. Witkow

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet). Key to Statistical codes relating to Social Security Cases:

Table with 3 columns: Nature of Suit Code, Abbreviation, Substantive Statement of Cause of Action. Rows include codes 861-865 with descriptions of health insurance, Black Lung, disability, widows, supplemental security, and retirement claims.