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18 Attorneys for Plaintiff
19 CEATS, INC.

20 **IN THE UNITED STATES DISTRICT COURT**
21 **FOR THE DISTRICT OF NEVADA**

22 CEATS, INC., a Nevada corporation,

23 Plaintiff,

24 v.

25 AMERICAN AIRLINES, INC., a Delaware
26 corporation,

27 Defendant.

Case No. 2:13-cv-01387

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff CEATS, Inc. (“CEATS”) for its Complaint against Defendant American
2 Airlines, Inc. (“American”), alleges as follows:

3 **JURISDICTION AND VENUE**

4 1. This action arises under the patent laws of the United States, Title 35 of the
5 United States Code.

6 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and
7 1338(a).

8 3. Upon information and belief, American conducts business throughout the
9 United States, including in this Judicial District, and has committed the acts complained of in
10 this Judicial District and elsewhere. Venue is proper in this Judicial District pursuant to 28
11 U.S.C. §§ 1391(b)–(d) and 1400(b).

12 4. Upon information and belief, American is subject to this Court’s specific and
13 general personal jurisdiction, due at least to its substantial business in this forum, including
14 committing at least a portion of the infringements alleged herein, regularly doing or soliciting
15 business, engaging in other persistent course of conduct, and deriving substantial revenue
16 from goods and services provided to individuals in this Judicial District.

17 **PARTIES**

18 5. Plaintiff CEATS is a Nevada corporation with its principal place of business at
19 800 E. Charleston Boulevard, Las Vegas, Nevada.

20 6. Upon information and belief, Defendant American is a Delaware corporation
21 with its principal place of business at 4333 Amon Carter Boulevard, Fort Worth, TX 76155.

22 **FIRST CAUSE OF ACTION**

23 **(Infringement of U.S. Patent No. 7,548,867)**

24 7. CEATS incorporates by reference and realleges each of the allegations of
25 Paragraphs 1–6.

26 8. On June 16, 2009, the United States Patent and Trademark Office duly and
27 lawfully issued U.S. Patent No. 7,548,867 (“the ’867 patent”), entitled “System and Method
28 for Maintaining Coherency of Data Entries.” A true and correct copy of the ’867 patent is

1 attached hereto as Exhibit 1.

2 9. CEATS is the owner by assignment of the '867 patent and has the sole and
3 exclusive right to enforce the patent, including the right to recover damages for past
4 infringement.

5 10. Upon information and belief, American has in the past infringed and is
6 currently infringing the '867 patent in violation of 35 U.S.C. § 271(a) by making, using,
7 offering for sale, and/or selling seat selection systems and/or methods covered by one or more
8 claims of the '867 patent, including but not limited to systems and/or methods implemented
9 through one or more websites or applications, including at least www.aa.com.

10 11. Upon information and belief, American's infringement will continue unless
11 enjoined by this Court. Unless American is enjoined from infringing the '867 patent, CEATS
12 will continue to suffer irreparable injury for which it has no adequate remedy at law.

13 12. Upon information and belief, American has derived, received, and will
14 continue to derive and receive gains, profits, and advantages from the aforesaid acts of
15 infringement in an amount that is not presently known to CEATS. Due to American's
16 infringement of the '867 patent, CEATS has been damaged and is entitled to monetary relief
17 in an amount to be determined at trial.

18 **SECOND CAUSE OF ACTION**

19 **(Infringement of U.S. Patent No. 7,640,178)**

20 13. CEATS incorporates by reference and realleges each of the allegations of
21 Paragraphs 1–12.

22 14. On December 29, 2009, the United States Patent and Trademark Office duly
23 and lawfully issued U.S. Patent No. 7,640,178 (“the '178 patent”), entitled “System and
24 Method for Selecting and Reserving Seats Using a Touch Screen Device.” A true and correct
25 copy of the '178 patent is attached hereto as Exhibit 2.

26 15. CEATS is the owner by assignment of the '178 patent and has the sole and
27 exclusive right to enforce the patent, including the right to recover damages for past
28 infringement.

1 through one or more websites or applications, including at least www.aa.com.

2 23. Upon information and belief, American's infringement will continue unless
3 enjoined by this Court. Unless American is enjoined from infringing the '448 patent, CEATS
4 will continue to suffer irreparable injury for which it has no adequate remedy at law.

5 24. Upon information and belief, American has derived, received, and will
6 continue to derive and receive gains, profits, and advantages from the aforesaid acts of
7 infringement in an amount that is not presently known to CEATS. Due to American's
8 infringement of the '448 patent, CEATS has been damaged and is entitled to monetary relief
9 in an amount to be determined at trial.

10 **FOURTH CAUSE OF ACTION**

11 **(Infringement of U.S. Patent No. 8,239,225)**

12 25. CEATS incorporates by reference and realleges each of the allegations of
13 Paragraphs 1–24.

14 26. On August 7, 2012, the United States Patent and Trademark Office duly and
15 lawfully issued U.S. Patent No. 8,239,225 (“the '225 patent”), entitled “System and Method
16 for Selection of Airline Seats and Payment Verification.” A true and correct copy of the '225
17 patent is attached hereto as Exhibit 4.

18 27. CEATS is the owner by assignment of the '225 patent and has the sole and
19 exclusive right to enforce the patent, including the right to recover damages for past
20 infringement.

21 28. Upon information and belief, American has in the past infringed and is
22 currently infringing the '225 patent in violation of 35 U.S.C. § 271(a) by making, using,
23 offering for sale, and/or selling seat selection systems and/or methods covered by one or more
24 claims of the '225 patent, including but not limited to systems and/or methods implemented
25 through one or more websites or applications, including at least www.aa.com.

26 29. Upon information and belief, American's infringement will continue unless
27 enjoined by this Court. Unless American is enjoined from infringing the '225 patent, CEATS
28 will continue to suffer irreparable injury for which it has no adequate remedy at law.

1 **PRAYER FOR RELIEF**

2 Wherefore, CEATS prays for the following relief:

3 A. An Order adjudging American to have infringed the '867, '178, '448, '225,
4 and '937 patents;

5 B. A permanent injunction enjoining American, as well as its officers, agents,
6 servants, employees, and attorneys and those persons in active concert or participation with
7 American, from infringing the '867, '178, '448, '225, and '937 patents;

8 C. An accounting of all gains, profits, and advantages derived by American's
9 infringement of the '867, '178, '448, '225, and '937 patents, and for damages adequate to
10 compensate CEATS for American's infringement of the '867, '178, '448, '225, and '937
11 patents;

12 D. An award of pre-judgment and post-judgment interest and costs of this action
13 against American;

14 E. An award to CEATS of its attorneys' fees incurred in connection with this
15 action; and

16 F. Such other and further relief as the Court may deem just and proper.
17

18 **WEIDE & MILLER, LTD.**

19 Dated: August 5, 2013

20 By: /s/ Ryan Gile
21 R. Scott Weide, Esq.
22 Ryan Gile, Esq.
23 Kendelee L. Works, Esq.
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26 and

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Attorneys for Plaintiff
CEATS, INC.

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff CEATS, Inc., demands a trial by jury of all issues raised by the pleadings which are triable by jury.

Respectfully submitted,

WEIDE & MILLER, LTD.

Dated: August 5, 2013

By: /s/ Ryan Gile

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