

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

LEON STAMBLER,

Plaintiff,

v.

MASTERCARD INCORPORATED (d/b/a
MASTERCARD WORLDWIDE) and
MASTERCARD INTERNATIONAL
INCORPORATED,

Defendants.

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CIVIL ACTION NO. _____

JURY TRIAL DEMANDED

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff LEON STAMBLER files this Original Complaint against the above-named Defendants, alleging as follows:

I. THE PARTIES

1. Plaintiff LEON STAMBLER (“Stambler”) is an individual residing in Parkland, Florida.

2. Defendant MASTERCARD INCORPORATED (d/b/a MasterCard Worldwide) is a Delaware corporation with its principal place of business in Purchase, New York. This Defendant may be served with process through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3. Defendant MASTERCARD INTERNATIONAL INCORPORATED is a Delaware corporation with its principal place of business in Purchase, New York. This Defendant may be served with process through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

II. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject matter jurisdiction of this action under Title 28 U.S.C. §1331 and §1338(a).

5. The Court has general and specific personal jurisdiction over Defendants, and venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b). On information and belief, (i) Defendants have substantial contacts with the forum as a result of pervasive business activities conducted within the State of Florida and within this District; (ii) Defendants regularly solicit business in Florida and in this District, and derive substantial revenue from products, systems, and/or services provided to individuals or entities residing in Florida and in this District; (iii) Defendants provide secure funds transfer services to and/or engage in the infringing encrypted communications directly with customers in this District; and (iv) Defendants conduct business relating to secure funds transfer services in Florida and in this District.

III. PATENT INFRINGEMENT OF U.S. PATENT NO. 5,793,302

6. On August 11, 1998, United States Patent No. 5,793,302 (“the ‘302 patent”) was duly and legally issued for a “Method for Securing Information Relevant to a Transaction.” A true and correct copy of the ‘302 patent is attached hereto as Exhibit A.

7. Stambler is the inventor and owner of all rights, title, and interest in and to the ‘302 patent, and Stambler possesses all rights of recovery under it.

8. Defendants MASTERCARD INCORPORATED (d/b/a MASTERCARD WORLDWIDE) and MASTERCARD INTERNATIONAL INCORPORATED (“MasterCard”) have infringed claimed methods of the ‘302 patent.

9. Upon information and belief, MasterCard has directly infringed claims of the '302 patent, including (for example) at least (i) claims 51 and 56 of the '302 patent by performing secure funds transaction services in an infringing manner, including accepting and processing funds transfers initiated using MasterCard's clearing and settlement products and/or services; and (ii) claims 7 and 8 of the '302 patent by engaging in encrypted communications (*e.g.*, SSL and/or TLS messages exchanged in connection with MasterCard SecureCode).

10. Stambler has been damaged as a result of MasterCard's infringing conduct. MasterCard is, thus, liable to Stambler in an amount that adequately compensates him for its infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

IV. JURY DEMAND

Stambler hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

V. PRAYER FOR RELIEF

Stambler requests that the Court find in his favor and against Defendants, and that the Court grant Stambler the following relief:

- a. Judgment that one or more claims of United States Patent No. 5,793,302 have been infringed, either literally and/or under the doctrine of equivalents, by Defendants;
- b. Judgment that Defendants account for and pay to Stambler all damages to and costs incurred by Stambler because of Defendants' infringing activities and other conduct complained of herein;
- c. That Stambler be granted pre-judgment and post judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;
- d. That the Court declare this an exceptional case and award Stambler his reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and

- e. That Stambler be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: April 8, 2014.

Respectfully submitted,

/s/ Joshua B. Spector
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*Motion for Admission, Pro Hac Vice
forthcoming*

**ATTORNEYS FOR PLAINTIFF
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