

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JRL ENTERPRISES, INC.,)	
)	
Plaintiff,)	
)	C.A. No. _____
v.)	
)	JURY TRIAL DEMANDED
PEARSON EDUCATION,)	
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff JRL ENTERPRISES, INC., a Louisiana corporation, by and through its attorneys, states as follows:

PARTIES

1. Plaintiff JRL ENTERPRISES, INC. (“JRL”) is a corporation organized with its principle place of business 1820 St. Charles Avenue, Suite 203, New Orleans, Louisiana 70130.
2. JRL developed and operates the I CAN LEARN® program, a full curriculum software solution that delivers standards-based mathematics instruction for students at all grade levels nationwide. The U.S. Department of Education has awarded the I CAN LEARN® program its highest rating of “Positive Effects.”
3. On information and belief, Defendant PEARSON EDUCATION (“Pearson”) is a Delaware corporation with its principal place of business at One Lake Street, Upper Saddle River, NJ 07458.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the patent laws of the United States of America, 35 U.S.C. § 1, *et seq.*, including § 271. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1338(a).

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, on information and belief, Pearson has transacted business in this District, contracted to supply goods or services in this District directly through its agents, purposely availed itself to the privileges and benefits of the laws of the State of Delaware, and committed acts of patent infringement during the course of its business in this District.

PATENTS IN SUIT

6. On December 7, 1993, United States Patent 5,267,865 (“the ‘865 patent”) entitled “Interactive Computer Aided Natural Learning Method and Apparatus,” was duly and legally issued to JRL by the United States Patent and Trademark Office. JRL is the owner by assignment of the entire right, title, and interest in and to the ‘865 patent. A true and correct copy of the ‘865 patent is attached as Exhibit A to this Complaint.

7. On August 15, 1995, United States Patent 5,441,415 (“the ‘415 patent”) entitled “Interactive Computer Aided Natural Learning Method and Apparatus,” was duly and legally issued to JRL by the United States Patent and Trademark Office. JRL is the owner by assignment of the entire right, title, and interest in and to the ‘415 patent. A true and correct copy of the ‘415 patent is attached as Exhibit B to this Complaint.

8. On August 4, 1998, United States Patent 5,788,508, (“the ‘508 patent”) entitled “Interactive Computer Aided Natural Learning Method and Apparatus,” was duly and legally issued to JRL by the United States Patent and Trademark Office. JRL is the owner by assignment of the entire right, title, and interest in and to the ‘508 patent. A true and correct copy of the ‘508 patent is attached as Exhibit C to this Complaint.

9. On May 16, 2000, United States Patent 6,064,856 (“the ‘856 patent”) entitled “Master Workstation Which Communicates With A Plurality Of Slave Workstations In An Educational System,” was duly and legally issued to JRL by the United States Patent and Trademark Office. JRL is the owner by assignment of the entire right, title, and interest in and to the ‘856 patent. A true and correct copy of the ‘856 patent is attached as Exhibit D to this Complaint.

INFRINGEMENT OF THE PATENTS-IN-SUIT

10. JRL re-alleges and incorporates herein by reference the allegations contained in paragraphs 1-9.

11. Pearson has infringed one or more claims of the ‘865, ‘415, ‘508 and ‘856 patents (“the patents-in-suit”), literally or under the doctrine of equivalents, by making, selling, offering to sell, or importing computer-aided learning services and products for learning by, for example, adjusting a classroom setup, adjusting lessons to be presented on a workstation and displaying student progress with respect to said lessons.

12. Pearson’s infringing activities in the United States and this District included the manufacture, use, importation, sale and/or offer for sale of products, including, but not limited to, MyMath Lab™, and the inducement of others to do the same.

13. As result of Pearson’s infringement of the patents-in-suit, JRL was irreparably harmed and has suffered monetary damages in an amount not yet determined.

14. Pearson’s infringing activities violate 35 U.S.C. § 271.

15. Pearson’s infringement of the patents-in-suit was willful.

PRAYER FOR RELIEF

WHEREFORE, JRL prays for judgment and relief as follows:

1. A judgment that Pearson has infringed (either literally or under the doctrine of equivalents) one or more claims of the patents-in-suit in violation of 35 U.S.C. § 271;
2. An award of damages adequate to compensate JRL for acts of infringement in accordance with 35 U.S.C. § 284;
3. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to JRL its reasonable attorneys' fees against Pearson;
4. A judgment and order requiring Pearson to provide an accounting and to pay supplemental damages to JRL, including without limitation, pre-judgment and post-judgment interest; and
5. Any and all other relief to which this Court deems JRL is entitled in law or in equity.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues so triable.

Date: June 20, 2014

Buchanan Ingersoll & Rooney

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