

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROTHSCHILD LOCATION  
TECHNOLOGIES, LLC,

Plaintiff,

v.

DISCRETE WIRELESS, INC.,

Defendant.

C.A. No. 14-634-RGA

**JURY TRIAL DEMANDED**

**AMENDED COMPLAINT**

Plaintiff Rothschild Location Technologies, LLC (“Rothschild” or “Plaintiff”) files this Amended Complaint for patent infringement against Discrete Wireless, Inc. (“Discrete”) alleging as follows:

**PARTIES**

1. Plaintiff Rothschild is limited liability company organized under the state of Delaware having a principal place of business of 1108 Kane Concourse, Suite 310, Bay Harbor Islands, FL 33154.

2. On information and belief, Defendant Discrete is a corporation organized and existing under the laws of the State of Georgia, with its principal place of business located at 1200 Lake Hearn Dr., Ste. 500, Atlanta, GA 30319. On information and belief, Discrete may be served via its registered agent, Sean Bowen, 5445 Triangle Parkway, Ste. 400, Norcross, GA 30092.

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Discrete has transacted business in this district, and has committed acts of patent infringement in this district.

5. The Court has personal jurisdiction over Discrete as it has availed itself, under the Delaware Long Arm Statute, of the rights and benefits of this District by conducting business in this jurisdiction, including by promoting products for sale via the internet, which are accessible to and accessed by residents of this District.

**U.S. PATENT NO. 8,606,503**

6. Plaintiff is the owner by assignment of United States Patent No. 8,606,503 (the “’503 Patent”) entitled “Device, System and Method for Remotely Entering, Storing and Sharing Addresses for a Positional Information Device.” The ’503 Patent issued on December 10, 2013. A true and correct copy of the ’503 Patent is attached as Exhibit A.

7. Mr. Leigh M. Rothschild is listed as the inventor on the ’503 Patent.

8. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the ’503 Patent complied with such requirements.

**U.S. PATENT NO. 7,917,285**

9. Plaintiff is the owner by assignment of United States Patent No. 7,917,285 (the “’285 Patent”) entitled “Device, system and method for remotely entering, storing and sharing

addresses for a positional information device.” The ’285 Patent issued on March 29, 2011. A true and correct copy of the ’285 Patent is attached as Exhibit B.

10. Mr. Leigh M. Rothschild is listed as the inventor on the ’285 Patent.

11. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the ’285 Patent complied with such requirements.

**COUNT I**  
**(INFRINGEMENT OF U.S. PATENT NO. 8,606,503)**

12. Discrete has, pursuant to 35 U.S.C. § 271, infringed and continues to infringe, the ’503 Patent in the State of Delaware, in this judicial district, and/or elsewhere in the United States by, among other things, making, using, selling, offering to sell, and/or importing, without license, systems for remotely entering and sharing location information, such as Discrete’s NexTraq Fleet Tracking.

13. Discrete’s NexTraq Fleet Tracking falls within the scope of at least claim 1 of the ’503 Patent, as evidenced by Discrete’s product descriptions. For example, Discrete’s NexTraq Fleet Tracking provides a method of entering location information. *See* [http://www.alltrackusa.com/RTH\\_user\\_guide.pdf](http://www.alltrackusa.com/RTH_user_guide.pdf). The NexTraq Fleet Tracking receives a request from a first positional device for at least one address stored in a second positional device, determining the second positional device, retrieving the at least one address of the second positional device, and transmitting the one address to the first positional devices. For example, NexTraq Fleet Tracking “is a cloud-based solution which provides. . . [a] method to track your vehicles or fleet. . . [w]ith the active history screen [you can display] the activity history of a specific driver[.]” *Id.*

14. As a result of Discrete's infringement of the '503 Patent, Plaintiff has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Discrete's infringing activities are enjoined by this Court..

15. Unless a permanent injunction is issued enjoining Discrete and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '503 Patent, Plaintiff will be irreparably harmed.

**COUNT II**  
**(INFRINGEMENT OF U.S. PATENT NO. 7,917,285)**

16. Discrete has, pursuant to 35 U.S.C. § 271, infringed and continues to infringe, the '285 Patent in the State of Delaware, in this judicial district, and/or elsewhere in the United States by, among other things, making, using, selling, offering to sell, and/or importing, without license, systems for remotely entering and sharing location information, such as Discrete's NexTraq Fleet Tracking.

17. Discrete's NexTraq Fleet Tracking falls within the scope of at least claim 1 of the '285 Patent, as evidenced by Discrete's product descriptions. For example, Discrete's NexTraq Fleet Tracking provides a system for remotely entering location information into a positional information device. *See Id.* The NexTraq Fleet Tracking server is configured to receive a request of at least one location, determine the address of the at least one location and transmit the determined address to the positional information device. For example, NexTraq Fleet Tracking has a mobile application that "gives supervisors direct access to the mapping, monitoring, and reporting capabilities of the fleet management software via their tablets, Android, BlackBerry, and iPhone devices, as well as many other devices with browser capabilities." *Id.*

18. As a result of Discrete's infringement of the '285 Patent, Plaintiff has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Discrete's infringing activities are enjoined by this Court..

19. Unless a permanent injunction is issued enjoining Discrete and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '285 Patent, Plaintiff will be irreparably harmed.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Discrete has infringed the '503 and '285 Patents;

2. A permanent injunction enjoining Discrete and its officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement of the '503 and '285 Patents, or such other equitable relief the Court determines is warranted;

3. A judgment and order requiring Discrete pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Discrete's infringement of the '503 and '285 Patents as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement;

4. Any and all other relief, at law or equity, to which Plaintiff may show itself to be entitled.

### **DEMAND FOR JURY TRIAL**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

October 23, 2014

BAYARD, P.A.

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