

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CUOZZO SPEED TECHNOLOGIES LLC,

Plaintiff,

v.

**HERE NORTH AMERICA, LLC AND
REACH UNLIMITED CORPORATION,**

Defendants.

Civil Action No. 4:14-cv-00394

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Cuozzo Speed Technologies LLC (“Plaintiff”) files this Amended Complaint for patent infringement against Here North America, LLC (“HERE”), and Reach Unlimited Corporation (“Reach”) (collectively, “Defendants”):

PARTIES

1. Plaintiff Cuozzo is a New Jersey limited liability company, having a principal place of business at 208 West State St., Trenton, New Jersey 08608.

2. Defendant HERE is a limited liability company organized and existing under the laws of the State of Delaware, having its principal place of business at 425 W. Randolph Street, Floor 7, Chicago, Illinois 60606. HERE can be served through its registered agent: National Registered Agents, Inc., 160 Greentree Drive, Ste. 101, Dover, DE 19904.

3. Defendant Reach is a subsidiary of HERE and a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 425 W. Randolph Street, Floor 7, Chicago, IL 60606. Reach can be served through its registered agent: National Registered Agents, Inc., 160 Greentree Dr., Ste. 101, Dover, DE 19904.

JURISDICTION AND VENUE

4. 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).

5. Venue is proper in this District under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendants have transacted business in this District, and have committed and/or induced acts of patent infringement in this District.

6. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District; and (3) incorporating in the State of Texas.

GENERAL ALLEGATIONS

7. Plaintiff is the owner by assignment of United States Patent No. 6,778,074 ("the '074 Patent") titled "Speed Limit Indicator and Method for Displaying Speed and the Relevant Speed Limit." The '074 Patent issued on August 17, 2004. A true and correct copy of the '074 Patent is hereto attached as **Exhibit A**.

8. The '074 Patent is presumed valid and enforceable under 35 U.S.C. § 282.

9. Since the '074 Patent issued, mobile device manufacturers, software developers, and GPS navigation system manufacturers, including Defendants, have recognized the value of Plaintiff's invention and developed and sold products and services meeting each and every claim element or practicing each and every step of the claims of the '074 Patent.

10. Defendants manufacture, sell, offer to sell, imports, and distribute GPS-based navigation systems that provide speed limit warnings to alert drivers that they are exceeding the speed limit.

11. Plaintiff owns all right, title, and interest to the '074 Patent, including the exclusive right to enforce the '074 Patent, the exclusive right to license the '074 Patent, and the exclusive right to seek and collect all past and future monetary or injunctive relief for infringement of the '074 Patent.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 6,778,074

12. Upon information and belief, Defendants have been and are now infringing the '074 Patent in the State of Texas, in this Judicial District, and elsewhere in the United States, by, among other things, methods practiced on various of Defendants' products (including, without limitation, the Trapster Application and HERE Drive+), for providing a GPS based speed limit warning to alert drivers that they are exceeding the speed limit, covered by one or more claims of the '074 Patent to the injury of Plaintiff. Defendants are directly infringing, literally infringing, and/or infringing the '074 Patent under the doctrine of equivalents. Defendants are thus liable for infringement of the '074 Patent pursuant to 35 U.S.C. § 271.

13. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, all predecessors in interest to the '074 Patent complied with any such requirements.

14. As a result of Defendants' infringement of the '074 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendants' infringement, but in no event less than a reasonable royalty for the use made of Plaintiff's invention by Defendants, together with interest and costs as fixed by the Court, and

Plaintiff will continue to suffer damages in the future unless Defendants' infringing activities are enjoined by this Court.

15. Unless a permanent injunction is issued enjoining Defendants and their agents, servants, employees, representatives, affiliates, and all others acting in active concert therewith from infringing the '074 Patent, Plaintiff will be greatly and irreparably harmed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendants have infringed the '074 Patent;
2. A permanent injunction enjoining Defendants and their officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '074 Patent, or such other equitable relief the Court determines is warranted;
3. A judgment and order requiring Defendants to pay to Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '074 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and
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.

DATED November 10, 2014.

Respectfully submitted,

By: /s/ Neal G. Massand

Hao Ni

Texas Bar No. 24047205

hni@nilawfirm.com

Timothy T. Wang

Texas Bar No. 24067927

twang@nilawfirm.com

Neal G. Massand

Texas Bar No. 24039038

nmassand@nilawfirm.com

Stevenson Moore V

Texas Bar No. 24076573

smoore@nilawfirm.com

Ni, Wang & Massand, PLLC

8140 Walnut Hill Ln., Ste. 310

Dallas, TX 75231

Tel: (972) 331-4600

Fax: (972) 314-0900

**ATTORNEYS FOR PLAINTIFF
CUOZZO SPEED TECHNOLOGIES
LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of November, 2014, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Sherman Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Neal G. Massand

Neal G. Massand