

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

ROTHSCHILD LOCATION
TECHNOLOGIES, LLC,

Plaintiff,

v.

CNH INDUSTRIAL AMERICA LLC,

Defendant.

C.A. No.:

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Rothschild Location Technologies, LLC (“Rothschild” or “Plaintiff”) files this Complaint for patent infringement against CNH Industrial America LLC (“CNHIA” or “Defendant”) alleging as follows:

PARTIES

1. Plaintiff Rothschild is limited liability company organized under the laws of 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 CNHIA is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business located at 700 State St., Racine, WI 53404. On information and belief, CNHIA may be served via its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

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, Defendant has transacted business in this district, and has committed acts of patent infringement in this district.

5. The Court has personal jurisdiction over CNHIA, as it is incorporated in this state. CNHIA has also 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.

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

9. CNHIA 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 CNHIA's PLM Connect.

10. CNHIA's PLM Connect falls within the scope of at least claim 1 of the '503 Patent, as evidenced by CNHIA's product descriptions. For example, CNHIA's New Holland PLM Connect provides a method of entering location information. *See* http://agriculture.newholland.com/us/en/PLM/data/connect/Pages/PLM_overview.aspx. PLM Connect receives a request from a first positional device for an address 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, PLM Connect allows the user to "monitor their equipment through a centralized web portal in their farm office, or on-the-go through a tablet or smart phone device." http://agriculture.newholland.com/us/en/PLM/Documents/PLM_Connect_NH36145309.pdf.

11. As a result of CNHIA'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 CNHIA's infringing activities are enjoined by this Court..

12. Unless a permanent injunction is issued enjoining CNHIA 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.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that CNHIA has infringed the '503 Patent;

2. A permanent injunction enjoining CNHIA 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 Patent, or such other equitable relief the Court determines is warranted;

3. A judgment and order requiring CNHIA pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '503 Patent 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.

December 23, 2014

BAYARD, P.A.

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