

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

YOZONS, INC.,

Plaintiff,

v.

Case No. 15-cv-309

DOCUSIGN INC.,

Defendant.

JURY TRIAL DEMANDED

COMPLAINT

YOZONS, INC. ("Yozons") by and through its undersigned attorneys Hansen Reynolds Dickinson Crueger LLC, hereby files this complaint for patent infringement against DOCUSIGN INC. ("DocuSign") and alleges as follows:

THE PARTIES

1. Yozons is a corporation organized under the laws of the State of Washington having its principal place of business located at 218 Main Street, Suite 632, Kirkland, Washington 98033-6108. Yozons provides customers with electronic signature and e-contracting services.

2. Upon information and belief, DocuSign is a corporation organized under the laws of the State of Delaware having its principal place of business at 221 Main St., Suite 1000, San Francisco, CA 94105. DocuSign is a competitor of Yozons that provides customers, including customers in Wisconsin, with electronic signature and e-contracting services.

JURISDICTION AND VENUE

3. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. §§ 271, *et seq.*

4. This Court has jurisdiction over the subject matter of this patent infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over DocuSign for at least the reasons that DocuSign has done, and continues to do, substantial business in this district, including with State government entities, and has committed acts of patent infringement within the State of Wisconsin.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(a), 1391(b), 1391(c) and 1400(b) for at least the reasons that DocuSign has committed acts within this judicial district giving rise to this action and does business in this district, including sales, offers for sale, and providing service and/or support to its customers in this district.

COUNT I

Patent Infringement of United States Patent No. 7,360,079

7. Paragraphs 1 through 6 are incorporated by reference as if fully set forth herein.

8. United States Patent No. 7,360,079 (the “’079 Patent”) is titled “System and method for processing digital documents utilizing secure communications over a network.” The ’079 Patent issued on April 15, 2008, and a true and correct copy of the ’079 Patent is attached as Exhibit A.

9. Yozons is the lawful assignee of the entire right, title and interest in and to the '079 Patent and possesses all rights of recovery under the patent including the right to recover damages for past infringement.

10. Upon information and belief, DocuSign has been and is now making, using, selling, and offering for sale within the United States a system or method for electronic signature and e-contracting that infringes at least claim 5 of the '079 Patent, literally and/or under the doctrine of equivalents.

11. Upon information and belief, DocuSign has knowingly induced infringement, and has had specific intent to induce infringement of the '079 Patent by, *inter alia*, marketing, selling, supporting sales, and/or distributing an infringing system or method for electronic signature and e-contracting. DocuSign's customers, directly infringe the '079 Patent by, *inter alia*, using a system or method for electronic signature and e-contracting, such system or method recited in at least one claim of the '079 Patent.

12. Upon information and belief, DocuSign has and will continue to commit contributory infringement of the '079 Patent by selling their infringing system or method for electronic signature and e-contracting. Upon information and belief, DocuSign had knowledge and continues to have knowledge that such system or method is especially made or adapted for use in such a manner that would/will infringe the '079 Patent. DocuSign's customers directly infringe the '079 Patent by, *inter alia*, using a system or method for electronic signature and e-contracting, such system or method recited in at least one claim of the '079 Patent.

13. Yozons has no adequate remedy at law against DocuSign's acts of infringement and will suffer irreparable harm unless DocuSign is permanently enjoined from its infringement of the '079 Patent.

14. Upon information and belief, DocuSign's infringement has been willful, deliberate, and with knowledge of Yozons's rights in the '079 Patent. Indeed, DocuSign has been aware of the '079 patent since 2008 and, prior to that, was aware of the pending patent application that led to the '079 patent.

15. DocsuSign, by way of its infringing activity, has caused and continues to cause Yozons to suffer damages in an amount to be determined at trial.

PRAYER FOR RELIEF

Wherefore, Yozons prays for judgment against DocuSign, granting Yozons the following relief:

A. That this Court adjudge and decree that DocuSign has infringed and continues to infringe one or more claims of the '079 Patent;

B. That this Court grant injunctions enjoining the aforesaid acts of infringement by DocuSign, its officers, agents, servants, employees, subsidiaries and attorneys, and those acting in concert with it, including related individuals and entities, customers, representatives, OEMs, dealers, and distributors;

C. That this Court enter an award to Yozons of such damages as it shall prove at trial against DocuSign that are adequate to compensate Yozons for said infringement as permitted under the Patent Act;

D. That this Court award Yozons any profits that Yozons lost due to DocuSign's infringement of the '079 Patent.

E. That this Court order an award to Yozons of up to three times the amount of compensatory damages because of DocuSign's willful infringement of the '079 Patent and any enhanced damages as provided by 35 U.S.C. § 284;

F. That this Court render a finding that this case is "exceptional" and award Yozons its costs and reasonable attorneys' fees, as provided by 35 U.S.C. § 285.

G. That this Court award Yozons pre-judgment and post-judgment interests on damages; and

H. That this Court grant to Yozons such other, further, and different relief as may be just and proper.

JURY TRIAL DEMAND

Yozons respectfully demands a trial by jury of any and all issues triable of right before a jury pursuant to Fed. R. Civ. P. 38.

Dated May 21, 2015

Hansen Reynolds Dickinson Crueger LLC

By: s/Charles J. Crueger
Charles J. Crueger
ccrueger@hrdclaw.com
Erin K. Dickinson
edickinson@hrdclaw.com
Jeremy Adelson
jadelson@hrdclaw.com
316 N. Milwaukee St., Suite 200
Milwaukee, WI 53202
Direct dial: (414) 455-7676

ATTORNEYS FOR PLAINTIFF
Yozons, Inc.