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Attorneys for Plaintiffs, ArrivalStar S.A.
and Melvino Technologies Limited

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

MISSOULA URBAN
TRANSPORTATION DISTRICT,

Defendant.

Cause No. CV-12-95-M-DLC

COMPLAINT FOR PATENT
INFRINGEMENT AND
DEMAND FOR JURY TRIAL

Plaintiffs, ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar" or "Plaintiffs"), by and through their undersigned attorneys, for their complaint against Defendant, Missoula Urban Transportation District ("Mountain Line") (Mountain Line is referred to herein as "Defendant"), hereby allege as follows:

NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg and having offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,317,060 (“the ‘060 patent”), entitled “Base station system and method for monitoring travel of mobile vehicles and communicating notification messages” issued November 13, 2001. A copy of the ‘060 patent is attached hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,411,891 (“the ‘891 patent”), entitled “Advance notification system and method utilizing user-definable notification time periods” issued June 25, 2002. A copy of the ‘891 patent is attached hereto as

Exhibit B.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,486,801 (“the ‘801 patent”), entitled “Base station apparatus and method for monitoring travel of a mobile vehicle” issued November 26, 2002. A copy of the ‘801 patent is attached hereto as

Exhibit C.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,714,859 (“the ‘859 patent”), entitled “System and method for an advance notification system for monitoring and reporting proximity of a vehicle” issued March 30, 2004. A copy of the ‘859 patent is attached hereto as Exhibit D.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,804,606 (“the ‘606 patent”), entitled “Notification systems and methods with user-definable notifications based upon vehicle proximities” issued October 12, 2004. A copy of the ‘606 patent is attached hereto as Exhibit E.

9. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,904,359 (“the ‘359 patent”), entitled “Notification systems and methods with user-definable notifications based upon occurrence of events,” issued June 7, 2005. A copy of the ‘359 patent is attached

hereto as Exhibit F. The '359 patent was the subject of an Inter Partes reexamination at the United States Patent and Trademark Office. A Reexamination Certificate was issued on May 25, 2010 and is attached hereto as Exhibit G.

10. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,089,107 ("the '107 patent"), entitled "System and method for an advance notification system for monitoring and reporting proximity of a vehicle" issued August 8, 2006. A copy of the '107 patent is attached hereto as Exhibit H.

11. Defendant Mountain Line is a governmental entity existing under the laws of the State of Montana, with a place of business at 1221 Shakespeare Street, Missoula, Montana 59802. Mountain Line transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of Montana services that infringe claims of the '060, '891, '801, '859, '606, '359, and '107 patents.

12. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

Defendant Mountain Line's ACTS OF PATENT INFRINGEMENT

13. Defendant Mountain Line has infringed claims of the '060, '891, '801, '859, '606, '359, and '107 patents through, among other activities, the use of Mountain Line's Bus Tracker system.

14. Defendant Mountain Line's infringement has injured, and will continue to injure, ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '060, '891, '801, '859, '606, '359, and '107 patents

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendant, and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with it, granting the following relief:

- A. An award of damages adequate to compensate ArrivalStar for the infringement that has occurred, together with prejudgment interest from the date that Defendant's infringement of the ArrivalStar patents began;
- B. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the ArrivalStar patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

DATED this 6th day of June, 2012.

Plaintiffs, ArrivalStar S.A. and Melvino
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