

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

**MOBILE SCANNING TECHNOLOGIES,
LLC,**

Plaintiff,

v.

MOTOROLA SOLUTIONS, INC.;
INFORMATICS HOLDINGS, INC.; and
SYSTEM ID WAREHOUSE,

Defendants.

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Civil Action No. 2:12cv270

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Mobile Scanning Technologies LLC, by its undersigned attorney, for its complaint against Defendants Motorola Solutions, Inc., Informatics Holdings, Inc., and System ID Warehouse (collectively, “the Motorola Defendants”), hereby alleges the following:

INTRODUCTION

1. This is an action arising under the patent laws of the United States, Title 35 of the United States Code, for the Motorola Defendants’ infringement of U.S. Patent No. 6,065,880 (“patent-in-suit”).

2. Plaintiff Mobile Scanning Technologies LLC (“Mobile Scanning”) is a Delaware limited liability company with its principal place of business at 31555 West Fourteen Mile Road, Suite 215, Farmington, Michigan 48334.

3. Upon information and belief, Defendant Motorola Solutions, Inc. (“Motorola Solutions”) is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business at 1303 East Algonquin Road, Schaumburg, Illinois 60196.

4. Upon information and belief, Defendant Informatics Holdings, Inc.

(“Informatics”) is a Texas corporation organized and existing under the laws of the state of Texas, with its principal place of business at 1400 10th Street Plano, Texas 75074.

5. Upon information and belief, Defendant System ID Warehouse (“System ID”) is owned by Informatics and is a company organized and existing under the laws of the state of Texas, with its principal place of business at 1400 10th Street Plano, Texas 75074.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. This Court has personal jurisdiction over the Motorola Defendants because they have committed acts of infringement in violation of 35 U.S.C. § 271 and have placed infringing products into the stream of commerce, through an established distribution channel, with the knowledge and/or understanding that such products are used in this District. These acts cause injury to Mobile Scanning within the District. On information and belief, the Motorola Defendants derive substantial revenue from the infringing products used within the District, and/or expect or should reasonably expect their actions to have consequences within the District, and derive substantial revenue from interstate and international commerce.

8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b) in that the Motorola Defendants have done business in this District, have committed acts of infringement in this District, and continue to commit acts of infringement in this District, entitling Mobile Scanning to relief.

9. The Motorola Defendants are properly joined in this action because System ID sells the infringing Motorola products.

THE PATENT-IN-SUIT

10. Plaintiff Mobile Scanning is the owner of all right, title, and interest in U.S. Patent No. 6,065,880 (the “’880 patent”) entitled “Laser Enhanced Personal Data Assistant.” The ’880 patent was duly and properly issued by the United States Patent and Trademark Office on May 23, 2000 and assigned to 3Com Corporation. Mobile Scanning later lawfully acquired the ’880 patent and is the assignee of the ’880 patent. The PTO reexamined the ’880 patent and issued *Ex Parte* Reexamination Certificate No. 6,065,880 C1 on October 4, 2011. A copy of the ’880 patent is attached hereto as Exhibit A. A copy of the *Ex Parte* Reexamination Certificate 6,065,880 C1 is attached hereto as Exhibit B.

11. The ’880 patent protects an invention that, among other things, provides Personal Data Assistants (“PDAs”) with laser scanners.

COUNT I: PATENT INFRINGEMENT

12. Upon information and belief, Defendant Motorola Solutions, through its use of products having PDAs with laser scanners, has infringed and continues to infringe, either literally or under the doctrine of equivalents, the ’880 patent in violation of 35 U.S.C. §271 by: (a) making, using, offering for sale or selling within the United States, products or processes that practice inventions claimed in that patent; (b) inducing others to make, use, offer for sale or sell within the United States, products or processes that practice inventions claimed in that patent; or (c) contributing to the making, using, offering for sale or selling within the United States, products or processes that practice inventions claimed in that patent.

13. Upon information and belief, Defendant Motorola Solution’s use of products having PDAs with laser scanners, includes but is not limited to, the following product lines: Motorola MC55 Enterprise Digital Assistant product line; Motorola MC75 Enterprise Digital

Assistant product line; Motorola MC3000 Mobile Computer product line; Motorola MC70 Enterprise Digital Assistant product line; Motorola MC9500-K Mobile Computer product line; Motorola MC9090 Mobile Computer product line; and Motorola MT2000 Series Mobile Computer/Scanner product line.

14. Upon information and belief, Defendant System ID, through its resale of Motorola Solutions' PDAs with laser scanners, has infringed and continues to infringe, either literally or under the doctrine of equivalents, the '880 patent in violation of 35 U.S.C. §271 by: (a) making, using, offering for sale or selling within the United States, products or processes that practice inventions claimed in that patent; (b) inducing others to make, use, offer for sale or sell within the United States, products or processes that practice inventions claimed in that patent; or (c) contributing to the making, using, offering for sale or selling within the United States, products or processes that practice inventions claimed in that patent.

15. Plaintiff Mobile Scanning has been damaged by the Motorola Defendants' infringement and will continue to be damaged by such infringement.

16. Plaintiff Mobile Scanning has suffered and continues to suffer irreparable harm and will continue to do so unless the Motorola Defendants are enjoined therefrom by this Court.

JURY DEMAND

17. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff Mobile Scanning respectfully requests a trial by jury on all issues.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Mobile Scanning requests entry of judgment in its favor and against Defendants as follows:

A. Declaring that Defendants Motorola Solutions, Inc. and System ID Warehouse

have infringed U.S. Patent No. 6,065,880.

- B. Awarding the damages arising out of Defendants Motorola Solutions, Inc. and System ID Warehouse's infringement of U.S. Patent No. 6,065,880 to Mobile Scanning, together with prejudgment and post-judgment interest, in an amount according to proof;
- C. Permanently enjoining Defendants Motorola Solutions, Inc. and System ID Warehouse and their respective officers, agents, employees, and those acting in privity with them, from further infringement, including contributory infringement and/or inducing infringement, of U.S. Patent No. 6,065,880.
- D. Awarding attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and
- E. Awarding such other costs and further relief as the Court may deem just and proper.

DATED: May 4, 2012

Respectfully submitted,

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