

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALBERTA TELECOMMUNICATIONS)	
RESEARCH CENTRE d/b/a TRTECH,)	
a Canadian Not For Profit Corporation,)	CIVIL ACTION NO.
)	
Plaintiff,)	
)	JURY TRIAL DEMANDED
v.)	
)	
VERIZON SERVICES CORP.,)	
a Delaware Corporation,)	
)	
Defendant.)	

COMPLAINT

Plaintiff, Alberta Telecommunications Research Centre, doing business as TRTech (“TRTech”), files this Complaint for patent infringement against Defendant Verizon Services Corp., and alleges as follows:

PARTIES

1. TRTech is Canada’s largest non-profit research consortium with its membership including universities, companies, and government agencies. TRTech has offices throughout western Canada, and its principal place of business is 1200 Harley Court 10045, 111 Street, Edmonton, Alberta, Canada T5K 2M5.

2. Among TRTech’s members is the University of Alberta in Edmonton, Canada.

3. Verizon Services Corp. (“Verizon”) is a corporation organized under the laws of the State of Delaware, with a principal place of business at 1310 North Court House Road, Arlington, Virginia 22201. Verizon has a registered agent for service, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

4. On information and belief, Verizon, at all relevant times, has been doing business in this Judicial District.

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

6. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1400(b) and 1391(c).

FACTUAL BACKGROUND

7. TRTech is the owner by assignment of U.S. Patent No. 6,404,734, entitled *Scalable Network Restoration Device* (“the ‘734 patent”). A copy of the ‘734 patent is attached as Exhibit “A”.

8. A named inventor on the ‘734 patent is TRTech’s Chief Scientist in Network Systems Research, Dr. Wayne D. Grover.

9. In addition to his position at TRTech, Dr. Grover is a Professor Emeritus in the Department of Electrical and Computer Engineering at the University of Alberta in Edmonton, Canada.

10. Dr. Grover is a Fellow of the Institute of Electronic and Electrical Engineers (“IEEE”), a title conferred on those engineers who have demonstrated outstanding proficiency and have achieved distinction in their profession. He is also a Fellow of the Engineering Institute of Canada, a title awarded by that organization for similar scientific achievement.

11. Among his numerous awards, in 2001-2002, the Natural Science and Engineering Research Council of Canada named Dr. Grover an E.W.R Steacie Fellow, which recognizes highly promising scientists and engineers who are faculty members of Canadian universities. Dr.

Grover was awarded the IEEE's 1999 W.R.G. Baker Prize Paper award for the most outstanding paper reporting original work in an IEEE publication, and that same year was named Canada's Outstanding Engineer by the IEEE.

12. The '734 patent issued on June 11, 2002 based upon an application filed on October 6, 1998.

13. Upon information and belief, Verizon operates mesh telecommunications networks throughout the United States.

14. The mesh telecommunications networks operated by Verizon infringe the claims of the '734 patent in violation of 35 U.S.C. § 271.

COUNT I – PATENT INFRINGEMENT

15. TRTech hereby incorporates paragraphs 1-14 above as though fully set forth herein.

16. Verizon has directly infringed the claims of the '734 patent by operating mesh telecommunications networks that are covered by such claims, which is in violation of 35 U.S.C. § 271.

17. TRTech has been, and will continue to be, injured by Verizon's infringement.

18. There is no "article" to mark pursuant to 35 U.S.C. § 287(a).

PRAYERS FOR RELIEF

WHEREFORE, TRTech respectfully requests that this Court:

- a) Find that Verizon infringes the TRTech patents;
- b) Order Verizon to pay TRTech damages equal to no less than a reasonable royalty to compensate TRTech for the infringement of the TRTech patents pursuant to 35 U.S.C. § 284;

c) Order Verizon to pay TRTech prejudgment interest to compensate TRTech for its lost use of money to which it was entitled; and

g) Award whatever additional relief the Court finds just and equitable.

JURY DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, TRTech hereby demands a trial by jury on all issues so triable.

/s/ Gregory B. Williams
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