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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

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12 TRANSPORT TECHNOLOGIES,
13 LLC, a California limited liability
company,
14 Plaintiff,
15 v.
16 LOS ANGELES COUNTY
17 METROPOLITAN
18 TRANSPORTATION AUTHORITY, a
public entity,
19 Defendant.

Case No.
**COMPLAINT FOR PATENT
INFRINGEMENT**
DEMAND FOR JURY TRIAL

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1 Plaintiff Transport Technologies, LLC (“Transport Technologies”)
2 complains of defendant Los Angeles County Metropolitan Transportation
3 Authority (“Metro”) for infringement of United States patent 6,980,101 (“’101
4 Patent”) as follows:

5 **PARTIES**

6 1. Transport Technologies is a limited liability company organized and
7 existing under the laws of the State of California.

8 2. Metro is the public transportation agency for the County of Los
9 Angeles. Metro is operated by a Board drawn from Los Angeles County
10 supervisors, the Mayor of Los Angeles and persons appointed by him or her, and
11 representatives of other cities within Los Angeles County.

12 **JURISDICTION AND VENUE**

13 3. The Court has jurisdiction over the subject matter of this action under
14 28 U.S.C. §§ 1331 and 1338(a), as this is an action arising under the Patent Act, 35
15 U.S.C. § 1, *et seq.*

16 4. Venue is proper in this District under 28 U.S.C. §§ 1391(b) (1) and (2)
17 and 1400(b).

18 **FACTUAL BACKGROUND**

19 5. The ’101 Patent is entitled “Motor Vehicle Occupancy Signaling
20 system.” The application that resulted in the ’101 Patent was filed on March 14,
21 2005, and the United States Patent and Trademark Office duly issued the ’101
22 Patent on or about December 27, 2005. A true and correct copy of the ’101 Patent
23 is attached hereto as Exhibit A.

24 6. Transport Technologies is the owner of all right, title, and interest in
25 the ’101 Patent, including the right to recover damages and to seek all other
26 remedies for infringement of the ’101 Patent.

27 7. Metro operates high occupancy / toll lanes on the I-110 and I-10
28 freeways known as ExpressLanes. The ExpressLanes are located in stretches of the

1 I-110 and I-10 freeways. Drivers wishing to use the ExpressLanes are required to
2 carry a FasTrak transponder in their cars. The FasTrak transponder includes a
3 switch that may be set to indicate that the car contains 1, 2, or 3 or more passengers.
4 By contract and otherwise, Metro conditions use of the ExpressLanes upon
5 performance by drivers of steps required by Metro, and Metro establishes the
6 manner and timing of the performance required of drivers wishing to use the
7 ExpressLanes.

8 8. Metro has deployed a series of wireless readers at various points on the
9 ExpressLanes. Metro controls and operates communications infrastructure that
10 communicates with FasTrak transponders to receive claims about car occupancy,
11 and network infrastructure that transfers that information to Metro's data processing
12 facilities. Metro uses the identity information it receives to charge drivers for their
13 use of the ExpressLanes.

14 9. Metro was notified of the '101 Patent in August 2012 and was
15 thereafter offered an opportunity to obtain a license to the '101 Patent. Metro
16 reviewed the '101 Patent, and obtained actual knowledge of the subject matter
17 covered by the claims of the '101 Patent, and of Metro's infringement of the '101
18 Patent. Despite Metro's knowledge of the '101 Patent and of its infringement of
19 the '101 Patent, Metro refused to license the '101 Patent or to provide proper
20 compensation for its infringement. Since being advised of the '101 Patent, Metro
21 has knowingly and willfully infringed the '101 Patent.

22 **FIRST CLAIM FOR RELIEF**

23 **Patent Infringement**

24 10. Transport Technologies realleges and incorporates by the allegations
25 of paragraphs 1 through 9, inclusive, as if fully set forth herein.

26 11. Metro, through its operation of the ExpressLanes, has infringed and
27 continues to infringe Claims 1, 3, 6, and 8 of the '101 patent by using the
28 inventions claimed therein.

1 12. Metro's infringement of the '101 Patent is willful and in knowing
2 disregard of the rights of Transport Technologies under the '101 patent.

3 13. As a direct and proximate result of Metro's infringement of the '101
4 Patent, Transport Technologies has been damaged in an amount to be proved at
5 trial, but no less than a reasonable royalty.

6 14. Metro's willful infringement of the '101 Patent demonstrates that it
7 will continue to infringe unless enjoined from doing so by the Court. Transport
8 Technologies will therefore be required to initiate a multiplicity of proceedings
9 during the life of the '101 Patent to obtain proper compensation for Metro's
10 infringement. Metro's ongoing willful infringement of the '101 Patent has caused
11 and will cause irreparable harm to Transport Technologies.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Transport Technologies prays for judgment as follows:

- 14 1. Compensatory damages in an amount according to proof, but no less
15 than a reasonable royalty;
- 16 2. Enhanced damages pursuant to 35 U.S.C. § 284;
- 17 3. A preliminary and a permanent injunction restraining Metro, its
18 officers, agents, employees, and all others in active concert or participation with
19 them from further acts of infringement of the '101 Patent;
- 20 4. Costs of suit and, pursuant to 35 U.S.C. § 285, reasonable attorneys'
21 fees incurred herein;
- 22 5. Prejudgment interest in the amount provided by law;
- 23 6. Post-judgment interest in the amount provided by law; and
- 24 7. Such other relief as the Court deems proper.

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Dated: August 21, 2015

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/s/Robert E. Freitas

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DEMAND FOR JURY TRIAL

Transport Technologies demands a trial by jury on all issues so triable.

Dated: August 21, 2015

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