

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION**

FASTFETCH CORPORATION

Plaintiff,

v.

PICLOGIX, INC.

Defendant.

6:16-cv-00974-MGL

**COMPLAINT
(Jury Trial Demanded)**

Plaintiff Fastfetch Corporation (“FastFetch”), a South Carolina corporation, states its Complaint for patent infringement against Defendant PicLogix, Inc. (“PicLogix” or “Defendant”) as follows:

PARTIES

1. Fastfetch is a corporation formed under the laws of the State of South Carolina, having a principal place of business at 1548 Fort Hill Drive, Seneca, South Carolina 29678.

2. Upon information and belief, PicLogix is a corporation formed under the laws of the state of California, having a principal place of business of 1320 South 51st Street, Richmond, CA, 94804.

JURISDICTION AND VENUE

3. This is an action for patent infringement pursuant to 35 U.S.C. § 1 et seq.

4. The Court has subject matter jurisdiction for the pleaded claims pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over PicLogix consistent with the principles of the U.S. Constitution and due to the fact that PicLogix, regularly and continuously targets customer and engages in marketing and sales activities and seeks to transact business and enter into contracts to supply goods and services in the State of South Carolina in general and in this District and

Division in particular. Upon information and belief, Defendant has committed specific acts of infringements complained of herein in the State of South Carolina and in this District.

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

FACTUAL BACKGROUND

7. Fastfetch is the owner, by assignment, of all right, title, and interest in and to United States Patent No. 6,775,588 (“the ‘588 patent”), entitled “Distributed intelligence, wireless, light-directed pick/put system”. See Exhibit A.

8. The ‘588 patent was duly and lawfully issued by the United States Patent and Trademark Office on August 10, 2004.

9. The ‘588 patent claims, among other things, a system by which a portable computer on a cart translates warehouse locations to light addresses of locations on storage bays in a storage facility and communicates instructions by means of a bi-directional, dual transmitter/receiver element on the cart to a pick-controller unit positioned on each bay.

10. Fastfetch is a company that develops and commercializes hardware and software components specializing in warehouse management systems.

11. Upon information and belief, PicLogix makes, uses, offers for sale and sells order fulfillment, restock and inventory monitoring systems.

12. Christopher Brennan is the president and controls PicLogix, including its product design, development, manufacturing and/or distribution.

13. Joseph Santucci is the CEO and directs and controls PicLogix, including its product design, development, manufacturing and/or distribution.

14. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that include a wireless controller with shelf lights for a pick/put system.

15. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that include a cart with bins.

16. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes a transmitter in wireless communications with a site controller that communicates with a controller in communications with a shelf .

17. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes a pick light on the carts and/or shelves.

18. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes a cart controller and power source that can be attached to a movable cart.

19. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes bins on a cart with number lights on each bin and buttons associated with the bin.

20. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes pick lights that can be placed under each SKU on a warehouse shelf actuated to indicate the SKU.

21. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes a cart enabling batch orders to be picked and directed the proper location in the SkyCart.

22. Upon information and belief, PicLogix makes, uses, offers for sale and/or sells hardware and/or software or some combination that includes pick lights to illuminates the pick locations and display picking directions and quantities including SkyLights.

COUNT I – PATENT INFRINGEMENT

23. Fastfetch repeats and re-alleges each and every allegation of paragraphs 1 through 21 as though fully set forth herein.

24. Upon information and belief, PicLogix has directly infringed and continues to infringe the ‘588 patent in violation of 35 U.S.C. § 271, literally and/or under the doctrine of equivalents, by, without limitation, making, selling, offering for sale, and using PicLogix’s hardware and software, alone or in combination, of at least Claim 1 of the ‘588 patent.

25. Upon information and belief, PicLogix customers have directly infringed and continue to infringe the ‘588 patent in violation of 35 U.S.C. § 271, literally and/or under the doctrine of equivalents, without limitation, by using PicLogix’s hardware and software, alone or in combination, of at least Claim 1 of the ‘588 patent.

26. Upon information and belief, PicLogix has acted with knowledge of the ‘588 patent or willful blindness to the existence of the ‘588 patent in making, using, offering to sell, and selling its hardware and software to customers, including retailers in this judicial District and Division with a specific intent to induce infringement of the ‘588 patent.

27. PicLogix has committed the acts of infringement complained of herein without the consent or authorization of Fastfetch and in derogation of 35 U.S.C. § 271.

28. Fastfetch has been and will continue to be damaged by PicLogix's infringement of the '588 patent.

29. Fastfetch is entitled to damages from Defendant, pursuant to 35 U.S.C. § 284 and injunctive relief pursuant to 35 U.S.C. § 283, for Defendant's infringement of the '588 patent.

30. Defendant's infringement has been and continues to be willful, intentional, and with knowledge of the existence of the '588 Patent and Fastfetch's general patent rights. Fastfetch is thus entitled to enhanced damages pursuant to 35 U.S.C. § 284, and attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285.

31. Plaintiff demands a trial by jury on all factual and/or disputed issues.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the entry of a judgment:

- A. Holding that PicLogix has infringed one or more claims of the '588 patent;
- B. In favor of Fastfetch, and against PicLogix, that PicLogix's infringement of one or more claims of the '588 patent has been and continues to be willful;
- C. Awarding Fastfetch all available damages pursuant to 35 U.S.C. § 284 for Defendant's willful infringement of the '588 patent;
- D. Awarding Fastfetch enhanced damages pursuant to 35 U.S.C. § 284, and attorneys' fees and other expenses of litigation pursuant to 35 U.S.C. § 285;
- E. Awarding Fastfetch interest and costs to the extent permitted by law;
- F. Permanently enjoining PicLogix from further infringement of the '588 patent; and
- G. Awarding such other and further relief as this Court may deem just and proper.

Respectfully Submitted,

The 28th day of March, 2016.

MCNAIR LAW FIRM, P.A.

/s/ Bernie W. Ellis

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