

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

SAMUEL LIT,

Plaintiff,

v.

MERCEDES-BENZ USA, LLC,

Defendant.

Case No. 1:16-cv-_____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Samuel Lit brings this patent-infringement action against Mercedes-Benz USA, LLC.

Parties

1. Lit is an individual residing in Penn Valley, Pennsylvania.
2. Mercedes is a Delaware company with its principal place of business in Montvale, New Jersey.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Mercedes. This is because Mercedes conducts continuous and systematic business in Illinois and this District. For example, Mercedes sells cars to consumers in this District. This patent-infringement claim arises directly from Mercedes's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Mercedes would be consistent with the Illinois long-arm statute, 735 ILCS § 5/2-209, and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2).

Infringement of U.S. Patent No. 8,793,330

7. Lit is the exclusive owner of U.S. Patent 8,793,330 (the “330 patent”), which is attached as Exhibit A.

8. The ‘330 patent is valid and enforceable.

9. Mercedes has and is directly infringing some or all of the 20 claims of the ‘330 patent. For example, and to illustrate one of the claims that Mercedes infringes, Mercedes infringes claim 16 as follows:

- a. Claim 16 is a “system for displaying content” with “a display carousel embedded into a website” with “one or more display windows configured to display said content and to revolve at a predetermined rate of speed” (Ex. A (‘330 patent), col. 10:62-11:2.) Mercedes sells products through the website www.mbusa.com. That site includes a display carousel embedded in the site and contains four display windows configured to display content and revolve at a predetermined rate of speed. For example, as of November 28, 2016, the site contained the following four windows that displayed content at a predetermined rate of speed: (i) “The Winter Event”; (ii) “A masterpiece of intelligence”; (iii) “Hug the road, embrace the sky”; and (iv) “Seating for seven. Comparable to none.”
- b. Claim 16 includes “a display engine configured to deliver said content to said display windows of said display carousel when said website or webpage is displayed on a web browser, wherein said display engine is in communication with said website or webpage and a server of said system.” (Ex. A (‘330

patent), col. 11:3-7.) A display engine communicates with the Mercedes site and a server, thereby powering the Mercedes display carousel described above.

- c. Claim 16 includes “a database comprising storage and retrieval functionality for statistical and financial information about said content displayed on said display carousel, wherein said database is in communication with said server” (Ex. A (‘330 patent), col. 11:8-11.) Mercedes uses a database to track how many customers view and purchase the content displayed on the display carousel.
- d. In claim 16, the displayed content “is instantly passed between said display engine and said display carousel . . . [.]”(Ex. A (‘330 patent), col. 11:12-13), as is done on www.mbusa.com when the display engine powers the display carousel.

Prayer for Relief

WHEREFORE, Lit prays for the following relief against Mercedes:

- (a) Judgment that Mercedes has directly infringed claims of the ‘330 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Lit demands a trial by jury on all matters and issues triable by jury.

Date: December 5, 2016

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