

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Jean-Marc Zimmerman (JZ 7743)  
Zimmerman, Levi & Korsinsky, LLP  
226 St. Paul Street  
Westfield, NJ 07090  
Tel: (908) 654-8000  
Fax: (908) 654-7207

Attorneys for Plaintiff Eon-Net, L.P.

EON-NET, L.P.

Plaintiff,

v.

US AIRWAYS, INC.,

Defendant.

Case No.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiff, Eon-Net, L.P., a limited partnership (hereinafter referred to as “Eon-Net”),  
demands a jury trial and complains against the defendant as follows:

**THE PARTIES**

1. Eon-Net is a limited partnership organized and existing under the laws of the British  
Virgin Islands, with its principal place of business at P.O. Box 116, Road Town, Tortola, British  
Virgin Islands.

2. Upon information and belief, US Airways, Inc. (hereinafter referred to as  
”Defendant” or “US Airways”) is a business organized and existing under the laws of the State of  
Arizona, having a place of business at Newark Liberty International Airport, Terminal A, Newark,  
New Jersey 07114. US Airways operates approximately 3,700 flights per day and serves more than  
230 communities in the U.S., Canada, Europe, the Caribbean and Latin America.

1 **JURISDICTION AND VENUE**

2 3. This action arises under the patent laws of the United States of America, Title 35 of  
3 the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and  
4 1338(a).

5 4. Upon information and belief, Defendant is doing business and committing  
6 infringements in this judicial district and is subject to personal jurisdiction in this judicial district.

7 5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

8 **CLAIM FOR PATENT INFRINGEMENT**

9 6. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations  
10 contained in paragraphs 1 through 5 above.

11 7. On January 27, 2004, U.S. Patent No. 6,683,697 (hereinafter referred to as “the ‘697  
12 patent”) was duly and legally issued to Millennium, L.P. (“Millennium”) for an invention entitled  
13 “Information Processing Methodology.” On October 14, 2004, Millennium assigned the ‘697 patent  
14 to Eon-Net. A Certificate of Correction to the ‘697 patent issued on July 26, 2005. A copy of the  
15 ‘697 patent and the Certificate of Correction are attached to this Complaint as Exhibit 1.  
16

17 8. Eon-Net is the owner of all right, title and interest in and to the ‘697 patent.

18 9. On July 11, 2006, U.S. Patent No. 7,075,673 (hereinafter referred to as “the ‘673  
19 patent”) was duly and legally issued to Eon-Net for an invention entitled “Information Processing  
20 Methodology.” A copy of the ‘673 patent is attached to this Complaint as Exhibit 2.  
21

22 10. Eon-Net is the owner of all right, title and interest in and to the ‘673 patent.

23 11. On February 27, 2007, U.S. Patent No. 7,184,162 (hereinafter referred to as “the  
24 ‘162 patent”) was duly and legally issued to Eon-Net for an invention entitled “Information  
25 Processing Methodology.” A copy of the ‘162 patent is attached to this Complaint as Exhibit 3.

26 12. Eon-Net is the owner of all right, title and interest in and to the ‘162 patent.  
27  
28

**COUNT ONE**

1  
2 13. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations  
3 contained in paragraphs 1 through 12 above.

4 14. NWA has for a long time past and still is infringing, actively inducing the  
5 infringement of and/or contributorily infringing in this judicial district, the ‘697 patent by, among  
6 other things, operating a website at [www.usairways.com](http://www.usairways.com) (“the US Airways Website”) pursuant to a  
7 claim of the ‘697 patent, without permission from Eon-Net, in which information entered by a US  
8 Airways customer into a web page displayed on the browser of the customer’s computer is extracted  
9 according to content instructions and transmitted to an application program operating on  
10 Defendant’s web server according to customizable transmission format instructions in a manner  
11 defined by the claims of the ‘697 patent. For example, a US Airways customer seeking to book a  
12 flight can enter information including the city, date and time of the departing flight, and the city,  
13 date and time of the return flight into HTML form elements displayed on the web page found at  
14 <http://www.usairways.com/awa/?redir=http://www.google.com/search> of the US Airways Website. The  
15 foregoing information entered into the HTML document is extracted by the browser and transmitted  
16 to an application program running on the US Airways web server for processing the customer’s  
17 order in a POST format and using an https protocol required by the application program.

18  
19  
20 15. Plaintiff, Eon-Net, has been damaged by such infringing activities by the Defendant  
21 of the ‘697 patent and will be irreparably harmed unless such infringing activities are enjoined by  
22 this Court.

**COUNT TWO**

23  
24 16. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations  
25 contained in paragraphs 1 through 15 above.

26 17. US Airways has for a long time past and still is infringing, actively inducing the  
27 infringement of and/or contributorily infringing in this judicial district, the ‘673 patent by, among  
28

1 other things, operating the US Airways Website pursuant to a claim of the '673 patent, without  
2 permission from Eon-Net, in which information entered by a customer of Defendant into an  
3 electronic document template displayed on the browser of the customer's computer is extracted  
4 according to content instructions and transmitted to an application program operating on  
5 Defendant's web server according to customizable transmission format instructions in a manner  
6 defined by the claims of the '673 patent. For example, a US Airways customer seeking to book a  
7 flight can enter information including the city, date and time of the departing flight, and the city,  
8 date and time of the return flight into HTML form elements displayed on the web page found at  
9 <http://www.usairways.com/awa/?redir=http://www.google.com/search> of the US Airways Website. The  
10 foregoing information entered into the HTML document is extracted by the browser and transmitted  
11 to an application program running on the US Airways web server for processing the customer's  
12 order in a POST format and using an https protocol required by the application program.

14 18. Plaintiff, Eon-Net, has been damaged by such infringing activities by the Defendant  
15 of the '673 patent and will be irreparably harmed unless such infringing activities are enjoined by  
16 this Court.

17  
18 **COUNT THREE**

19 19. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations  
20 contained in paragraphs 1 through 18 above.

21 20. US Airways has for a long time past and still is infringing, actively inducing the  
22 infringement of and/or contributorily infringing in this judicial district, the '162 patent by, among  
23 other things, operating the US Airways Website pursuant to a claim of the '162 patent, without  
24 permission from Eon-Net, in which information entered by a customer of Defendant into an  
25 electronic document template displayed on the browser of the customer's computer is extracted  
26 according to content instructions and transmitted to an application program operating on  
27 Defendant's web server according to customizable transmission format instructions in a manner  
28

1 defined by the claims of the '162 patent. For example, a US Airways customer seeking to book a  
2 flight can enter information including the city, date and time of the departing flight, and the city,  
3 date and time of the return flight into HTML form elements displayed on the web page found at  
4 <http://www.usairways.com/awa/?redir=http://www.google.com/search> of the US Airways Website. The  
5 foregoing information entered into the HTML document is extracted by the browser and transmitted  
6 to an application program running on the US Airways web server for processing the customer's  
7 order in a POST format and using an https protocol required by the application program.  
8

9 21. Plaintiff, Eon-Net, has been damaged by such infringing activities by the Defendant  
10 of the '162 patent and will be irreparably harmed unless such infringing activities are enjoined by  
11 this Court.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, THE Plaintiff, Eon-Net prays for judgment against the Defendant US  
14 Airways on all the counts and for the following relief:

- 15 A. Declaration that the Plaintiff is the owner of the '697 patent, and that the Plaintiff has  
16 the right to sue and to recover for infringement thereof;
- 17 B. Declaration that the '697 patent is valid and enforceable;
- 18 C. Declaration that the Defendant has infringed, actively induced infringement of,  
19 and/or contributorily infringed the '697 patent;
- 20 D. A preliminary and permanent injunction against the Defendant, each of its officers,  
21 agents, servants, employees, and attorneys, all parent and subsidiary corporations,  
22 their assigns and successors in interest, and those persons acting in active concert or  
23 participation with them, enjoining them from continuing acts of infringement, active  
24 inducement of infringement, and contributory infringement of Eon-Net's '697  
25 patent;
- 26  
27  
28

- 1 E. An accounting for damages under 35 U.S.C. §284 for infringement of Eon-Net's  
2 '697 patent by the Defendant and the award of damages so ascertained to the  
3 Plaintiff, Eon-Net, together with interest as provided by law;
- 4 F. Declaration that the Plaintiff is the owner of the '673 patent, and that the Plaintiff has  
5 the right to sue and to recover for infringement thereof;
- 6 G. Declaration that the '673 patent is valid and enforceable;
- 7 H. Declaration that the Defendant has infringed, actively induced infringement of,  
8 and/or contributorily infringed the '673 patent;
- 9 I. A preliminary and permanent injunction against the Defendant, each of its officers,  
10 agents, servants, employees, and attorneys, all parent and subsidiary corporations,  
11 their assigns and successors in interest, and those persons acting in active concert or  
12 participation with them, enjoining them from continuing acts of infringement, active  
13 inducement of infringement, and contributory infringement of Eon-Net's '673  
14 patent;
- 15 J. An accounting for damages under 35 U.S.C. §284 for infringement of Eon-Net's  
16 '673 patent by the Defendant and the award of damages so ascertained to the  
17 Plaintiff, Eon-Net, together with interest as provided by law;
- 18 K. Declaration that the Plaintiff is the owner of the '162 patent, and that the Plaintiff has  
19 the right to sue and to recover for infringement thereof;
- 20 L. Declaration that the '162 patent is valid and enforceable;
- 21 M. Declaration that the Defendant has infringed, actively induced infringement of,  
22 and/or contributorily infringed the '162 patent;
- 23 N. A preliminary and permanent injunction against the Defendant, each of its officers,  
24 agents, servants, employees, and attorneys, all parent and subsidiary corporations,  
25 their assigns and successors in interest, and those persons acting in active concert or  
26 participation with them, enjoining them from continuing acts of infringement, active  
27  
28

1 inducement of infringement, and contributory infringement of Eon-Net's '162  
2 patent;

3 O. An accounting for damages under 35 U.S.C. §284 for infringement of Eon-Net's  
4 '162 patent by the Defendant and the award of damages so ascertained to the  
5 Plaintiff, Eon-Net, together with interest as provided by law;

6 P. Award of Eon-Net's costs and expenses; and

7 Q. Such other and further relief as this Court may deem proper, just and equitable.

8 **DEMAND FOR JURY TRIAL**

9 The Plaintiff, Eon-Net, demands a trial by jury of all issues properly triable by jury in this  
10 action.

11 By: /s/Jean-Marc Zimmerman  
12 Jean-Marc Zimmerman (JZ 7743)  
13 Zimmerman, Levi & Korsinsky, LLP  
14 226 St. Paul Street  
15 Westfield, NJ 07090  
16 Tel: (908) 654-8000  
17 Fax: (908) 654-7207  
18 Attorneys for Plaintiff Eon-Net, L.P.

16 Dated: August 1, 2008  
17 Westfield, NJ