

United States District Court  
for the  
Western District of North Carolina

Police Priority, Inc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:18-CV-40
	)	
I-View Now, LLC	)	
	)	
Defendant.	)	

**Complaint for Declaratory Judgment**

1. This is a declaratory judgment action for a declaration that U.S. Patent No. 8,417,090 (“the ‘090 patent”) is invalid and not infringed by any actions of Plaintiff Police Priority, Inc. certain actions taken by Police Priority, Inc.
2. Plaintiff Police Priority, Inc. (“Police Priority”) is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 1330 Sharon Road West, Charlotte, North Carolina 28210.
3. On information and belief, Defendant I-View Now, LLC (“I-View”) is a Nevada limited liability company with its principal place of business at 2920 North Green Valley Parkway, Henderson, Nevada 89014.

4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1332, 1338, 2201, and 2202 as the matter in controversy: (1) is a federal question, (2) exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States, and (3) relates to a patent.
5. Personal jurisdiction is based upon Federal Rule of Civil Procedure 4(e) and the North Carolina Long-Arm Statute, N.C. Gen. Stat. § 1-75.4.
6. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2).
7. Upon information and belief, the '090 patent was issued to I-View, and upon information and belief, I-View, at all relevant times herein, has been and still continues to be the owner of the '090 patent.
8. An actual controversy exists between Police Priority and I-View regarding the invalidity and non-infringement of the '090 patent.
9. Police Priority has manufactured and sold products of the type accused of infringement by I-View, and continues to manufacture and sell such products.
10. I-View has accused Police Priority of infringement of the '090 patent, and has initiated an action for patent-infringement against Police Priority in the District of Nevada.
11. Police Priority has filed a motion to dismiss the action in the District of Nevada for improper venue, as Police Priority has not sold product in Nevada, nor does it have a regular and established place of business in

Nevada, as required by 28 U.S.C. §1400(b). But dismissal of that action will not resolve the controversy between the parties.

12. I-View's actions in bringing suit for patent infringement have created an actual controversy between the parties regarding the invalidity, and non-infringement of the '090 patent.
13. Police Priority has not infringed, and is not now infringing the '090 patent.
14. The '090 patent is invalid because the alleged invention fails to satisfy the conditions for patentability specified in Title 35 United States Code, including §§ 101, 102, 103, or 112.

WHEREFORE, Plaintiff Police Priority, Inc. prays:

- (a) That this Court enter an Order declaring that Police Priority has not infringed any of the claims of the '090 patent;
- (b) That this Court enter an Order declaring that all claims of the '090 patent are invalid, void, and without force and effect;
- (c) That this Court award Plaintiff Police Priority its attorneys' fees, costs, and expenses in this action; and
- (d) That this Court grant such other and further relief as this Court may deem just and proper.

Plaintiff respectfully demands a trial of all issues triable by jury in this case as a matter of right.

Respectfully submitted, this 25th day of January 2018.

s/Albert P. Allan  
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