

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

WILLIAM GRECIA,)	
)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18 C 1886
)	
)	
TRUE VALUE COMPANY,)	
)	
)	
Defendant.)	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

William Grecia brings this patent-infringement action against True Value Company (hereinafter, “True Value”).

Parties

1. William Grecia is an individual residing in Downingtown, Pennsylvania.
2. True Value is a Delaware corporation, having its principal place of business in Chicago, Illinois.

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 True Value. True Value conducts continuous and systematic business in this District; and this patent-infringement case

arises directly from True Value's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over True Value would be consistent with the Illinois long-arm statute and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

Background

7. On June 26, 2018, William Grecia purchased sand paper and a hand sander at a True Value store located at 32 Marchwood Road, Exton, Pennsylvania 19341. At the point of sale, Mr. Grecia presented his Discover tokenized device to the clerk to pay for the products. True Value used a Point-of-Sale (PoS) terminal device outlined in the accompanying charts to process the transaction.

8. The PoS device included a "Kernel," which is the Communications Console of the PoS that accompanying evidence proves contains interface routines, security, and control functions, as well as logic to manage a set of commands and responses to retrieve data from Mr. Grecia's tokenized device. The PoS device received Mr. Grecia's tokenized credit card information and authenticated it using the Luhn algorithm.

9. The Kernel in the accused PoS device is related to an API to a verified web service of the 4 U.S. EMV card networks. With the Kernel, located on the PoS device that allowed Mr. Grecia to purchase sand paper and a hand sander, the device established an API communication with a token service provider for the tokenized receipt evidence submitted. Through this communication, with and using the Kernel, the device requested and received a "transaction authorization reference" using the Discover card network token service provider.

10. The device wrote to a PoS terminal system storage both Mr. Grecia's credit card information and the transaction authorization reference. After the transaction was processed, the True Value device printed out a receipt that provides evidence that Mr. Grecia's claims were infringed by writing both Mr. Grecia's credit card information and the transaction authorization reference into the PoS terminal system storage.

11. True Value benefits from each step of Mr. Grecia's asserted patent claims. The PoS device processed Mr. Grecia's transaction by receiving and authenticating the tokenized device information. The PoS device, with its Communications Console (Kernel), received Mr. Grecia's tokenized card information, authenticated the received card information, established a connection to the card networks Token Service Provider services, and requested and received a transaction reference to enable a token based transaction authorization. The PoS terminal system then stored both Mr. Grecia's tokenized credit card information and the authorization reference.

COUNT 1: Infringement of U.S. Patent No. 8,402,555

12. Mr. Grecia owns United States Patent 8,402,555 (the "'555 patent") (attached hereto as Exhibit A).

13. True Value infringes claim 13 of the '555 patent. See chart attached as Exhibit B.

COUNT 2: Infringement of U.S. Patent No. 8,533,860

14. Mr. Grecia owns United States Patent 8,533,860 (the "'860 patent") (attached hereto as Exhibit C).

15. True Value infringes claims 9, 10, 21, 22, and 24 of the '860 patent. See claim chart attached as Exhibit D.

Prayer for Relief

WHEREFORE, William Grecia prays for the following relief against True Value:

- (a) Judgment that True Value has directly infringed claims of the '555 patent and '860 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) For injunctive relief; and
- (e) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

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

Date: August 13, 2018

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