

Kristine L. Butler, Esquire
Michael F. Snyder, Esquire
Ryan W. O'Donnell, Esquire
VOLPE AND KOENIG, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, Pennsylvania 19103
Phone: (215) 568-6400
Fax: (215) 568-6499

*Attorneys for Plaintiff
Lottotron, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK DIVISION**

LOTTOTRON, INC.,)	
a New Jersey Corporation,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	
)	JURY TRIAL DEMANDED
MORRIS MOHAWK GAMING GROUP,)	
a Canadian Corporation,)	ELECTRONICALLY FILED
)	
Defendant.)	

COMPLAINT

Now comes the plaintiff, Lottotron, Inc. (“Lottotron”), and alleges, by way of complaint, Morris Mohawk Gaming Group (“MMGC”) as follows:

PARTIES

1. Lottotron is a New Jersey corporation, having a principal place of business located at 207 Lodi Street, Hackensack, New Jersey 07601-3916.
2. MMGC is a company organized under the laws of Canada, having a principal place of business at 2006 Old Malone Highway, Kahnawake, Quebec J0l 1B0.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction under 28 U.S.C. § 1338(a).

4. MMGC is the North American Licensee of the Bodog brand, and, through the interactive bodog.com website, offers a multiple-game, on-line wagering format in this Judicial District and elsewhere.

5. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1400.

COUNT I – PATENT INFRINGEMENT

6. Lottotron hereby incorporates by reference the allegations contained in paragraphs 1-5, above.

7. Lottotron is the owner by assignment of U.S. Patent No. 5,921,865, entitled *Computerized Lottery Wagering System* (“the ‘865 patent”). A copy of the patent in suit is attached hereto as Exhibit A.

8. MMGC’s operation of the bodog.com on-line, interactive gaming website directly infringes the claims of the patent in suit in violation of 35 U.S.C. § 271(a).

9. MMGC has also induced and contributed to the infringement of the claims of the ‘865 patent by others.

10. MMGC’s infringement has caused irreparable injury to Lottotron.

PRAYERS FOR RELIEF

WHEREFORE, Lottotron respectfully requests the following relief:

1. That MMGC be found by this Court to infringe the ‘865 patent;

2. That MMGC, its agents, officers, sales representatives, servants, employees, representatives, associates, attorneys, successors and assigns, and any and all persons or entities acting by, through, under, or in concert, privity or in participation with, any or all of them, be

permanently enjoined by Order of this Court from doing, abiding, causing, aiding or abetting any of the following:

(a) directly or indirectly infringing, or inducing or causing any person or entity to infringe the '865 patent; or

(b) contributing to the infringement of the patent in suit; or

(c) from assisting, aiding or abetting any other person or entity from engaging in or performing any of the above-described acts.

3. That the Court issue an order directing MMGC to provide proof that they have ceased infringing the '865 patent;

4. That the Court award Lottotron its damages in accordance with 35 U.S.C. § 284;

5. That the Court award Lottotron its costs, including attorneys' fees, and an assessment of interest;

6. That MMGC be directed to pay over to Lottotron all damages suffered by Lottotron as a result of MMGC's acts herein complained of; and

7. That the Court grant such other and further relief as it deems just and proper.

JURY DEMANDED

Lottotron hereby demands a trial by jury on all issues so triable.

Respectfully submitted.

VOLPE AND KOENIG, P.C.

Date: 7/31/09

By:  _____

Kristine L. Butler, Esquire
Michael F. Snyder, Esquire
Ryan W. O'Donnell, Esquire
VOLPE AND KOENIG, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, Pennsylvania 19103
(215) 568-6400


*Attorneys for Plaintiff
Lottotron, Inc.*

RULE 11.2 CERTIFICATION

Pursuant to Local Civil Rule 11.2, I hereby certify that the patent in suit is the same patent at issue in:

1. *Lottotron, Inc. v. Rational Poker School, Ltd., d/b/a Pokerstars*,
D.N.J. 08-cv-04874; and
2. *Lottotron, Inc. v. GTech Corp.*, D.N.J. 05-cv-4562.

Date: 7/31/09

By: 

Kristine L. Butler, Esquire
Michael F. Snyder, Esquire
Ryan W. O'Donnell, Esquire
VOLPE AND KOENIG, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, Pennsylvania 19103
(215) 568-6400

Attorneys for Plaintiff