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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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13 **Mortgage Application Technologies,**
LLC, a Maryland company,

14 Plaintiff,

15 v.

16 **MeridianLink, Inc.,** a California
17 corporation,

18 Defendant.
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Case No. **'19CV0219 GPC BLM**

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

21 For its Complaint, Mortgage Application Technologies, LLC (“Plaintiff” or
22 “MAT”) hereby alleges as follows:

23 **JURISDICTION AND VENUE**

24 1. This is an action including for infringement under the patent laws of the
25 United States, 35 U.S.C. § 101, *et. seq.* This Court has subject matter jurisdiction
26 under 28 U.S.C. §§ 1331 and 1338(a).
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2. This Court has personal jurisdiction over Defendant because it is headquartered and/or has its primary place of business in California, and it regularly conducts business through places of business in California including in this District, where it has committed the infringing acts alleged herein.

3. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391(b)-(c) and 1400.

PARTIES

4. Plaintiff MAT is a Maryland company having its principal place of business in Lutherville, Maryland.

5. Upon information and belief, Defendant MeridianLink is a California corporation having a principal place of business at 1600 Sunflower Avenue, Costa Mesa, California 92626.

CLAIM FOR RELIEF

(Infringement of U.S. Patent No. 8,548,902)

6. Plaintiff incorporates by this reference all of the allegations stated in the above paragraphs.

7. Plaintiff is the owner by assignment of U.S. Patent No. 8,548,902 (“the ‘902 patent”) entitled “System for Online Lending Services via an Application Service Provider Network,” which duly and lawfully issued on October 1, 2013 to named inventor Larry Porter. A true and correct copy of the ‘902 patent is attached hereto as Exhibit A.

8. The '902 patent covers the systems claimed, and protects the exclusive right to utilize those systems. These systems were not routine or conventional at the time of the inventions.

9. The claims of the ‘902 patent are directed to, for example, a “system for providing an online loan origination service,” and Claim 1, for example, recites elements including, *inter alia*: (a) “an application server having an Internet interface and configured to receive a loan application having loan application data, wherein

1 the loan application data is in an Extensible Markup Language (XML) format,
 2 configured to automatically extract the selected loan application data;” (b) “hosting
 3 an automatic decision engine, wherein the automatic decision engine is configured
 4 to automatically process the loan application data and compare the loan application
 5 data to lender underwriting criteria to determine one or more compatible lenders;”
 6 (c) “a database server coupled to the application server, comprising a database pre-
 7 loaded with a PDF generated application form, and configured to receive the
 8 extracted loan application data, further configured to automatically populate a
 9 binary Portable Document Format (PDF) form file with the extracted loan
 10 application data, and further configured to automatically store the binary PDF form
 11 file loan application populated with the extracted XML loan application data for
 12 cross-platform access and viewing;” and (d) “a queue manager server coupled to the
 13 application server and the database server, wherein the queue manager server is
 14 configured to receive the loan application from the application server and wherein
 15 the database server is further configured to poll the queue manager server at
 16 specified periodic intervals and to receive the transfer of the loan application data
 17 from the queue manager server in response to a poll.”

18 10. On information and belief, Defendant has made, used, offered for sale,
 19 sold and/or imported into the United States systems and/or methods covered by the
 20 claims of the ‘902 patent. For example, as shown in the infringement analysis at
 21 Exhibit B, Defendant employs the system covered by Claim 1 of the ‘902 patent.

22 11. On information and belief, Defendant has caused, encouraged and
 23 aided others, including customers, to directly infringe the ‘902 patent having full
 24 knowledge of the ‘902 patent and the specific intent that its acts and the acts of its
 25 customers and/or others to directly and/or indirectly infringe the ‘902 patent.

26 12. By the acts of making, using, offering to sell, selling and/or importing
 27 the accused infringing systems and/or methods, Defendant has directly infringed the
 28 ‘902 patent under 35 U.S.C. § 271(a).

1 13. By the acts of actively inducing others to infringe the '902 patent,
2 Defendant has infringed the '902 patent under 35 U.S.C. § 271(b). On information
3 and belief, having knowledge of the '902 patent, Defendant specifically intended for
4 its customers to infringe the '902 patent by using and/or re-selling the accused
5 infringing systems and/or methods.

6 14. The acts of infringement asserted herein have been and continue to be
7 deliberate and willful, at least since Defendant first learned about the '902 patent.

8 15. Defendant has derived and received gains, profits and advantages from
9 the aforesaid acts of infringement, and Plaintiff has lost profits and has otherwise
10 been damaged and is entitled to monetary relief in an amount to be determined at
11 trial.

12 16. The infringement of the '902 patent has caused and continues to cause
13 irreparable harm to Plaintiff, for which there is no adequate remedy at law, and the
14 infringement will continue unless and until it is enjoined by this Court.

15 **PRAYER FOR RELIEF**

16 Therefore, Plaintiff prays for the following relief:

17 A. A determination that Defendant has infringed the '902 patent under 35
18 U.S.C. § 271, either literally and/or under the doctrine of equivalents;

19 B. An accounting for damages adequate to compensate for the patent
20 infringement under 35 U.S.C. § 284, including Plaintiff's actual damages including
21 lost profits, treble damages, pre-judgment and post-judgment interest, and costs;

22 C. A determination of willful patent infringement, and that this is an
23 exceptional case, and an award of attorney fees and expenses to Plaintiff under 35
24 U.S.C. § 285; and
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1 D. Such other and further relief as this Court deems just and proper.

2 Respectfully submitted,

3 Dated: January 30, 2019

SML AVVOCATI P.C.

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5 By: /s/ Stephen M. Lobbin
Attorneys for Plaintiff

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9 **JURY TRIAL DEMAND**

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11 Pursuant to Fed. R. Civ. P. 38(b)(1) and (c), and L.R. 38-1, Plaintiff hereby
12 demands a jury trial on all the issues in this action so triable of right by a jury.

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14 Respectfully submitted,

15 Dated: January 30, 2019

SML AVVOCATI P.C.

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17 By: /s/ Stephen M. Lobbin
Attorneys for Plaintiff

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