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UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEW JERSEY

Jean-Marc Zimmerman (JZ 7743)
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Attorneys for Plaintiff Eon-Net, L.P.

EON-NET, L.P.

Plaintiff,

v.

BEACH CAMERA, 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
Cayman Islands, with its principal place of business at P.O. Box 116, Road Town, Tortola, British
Virgin Islands.

2. Upon information and belief, Beach Camera, Inc. (hereinafter referred to as
”Defendant” or “Beach Camera”) is a business organized and existing under the laws of the State of
New Jersey, having a place of business at 203 Route 22 East, Green Brook, New Jersey 08812.

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JURISDICTION AND VENUE

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

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

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

CLAIM FOR PATENT INFRINGEMENT

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

7. On January 27, 2004, U.S. Patent No. 6,683,697 (hereinafter referred to as “the ‘697 patent”) was duly and legally issued to Millennium, L.P (“Millennium”) for an invention entitled “Information Processing Methodology.” A copy of the ‘697 patent is attached to this Complaint as Exhibit 1.

8. Eon-Net is the owner of all right, title and interest in and to the ‘697 patent by way of Assignment from Millennium.

COUNT ONE

9. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 8 above.

10. Beach Camera has for a long time past and still is infringing, actively inducing the infringement of and contributorily infringing in this judicial district, the ‘697 patent by, among other things, collecting information over the Internet pursuant to a claim of the ‘697 patent, and deploying for Defendant’s own use an application distributed over the Internet in which information is collected and extracted from a customer of Defendant and processed on Defendant’s server as defined by the claims of

1 the '697 patent without permission from Eon-Net and will continue to do so unless enjoined by this
2 Court.

3 11. Plaintiff, Eon-Net, has been damaged by such infringing activities by the Defendant
4 of the '855 patent and will be irreparably harmed unless such infringing activities are enjoined by
5 this Court.

6 **COUNT TWO**

7 12. Plaintiff, Eon-Net, repeats and incorporates herein the entirety of the allegations
8 contained in paragraphs 1 through 11 above.

9 13. Beach Camera's infringement has been willful and deliberate, justifying the
10 assessment of treble damages pursuant to 35 U.S.C. §284 and attorneys' fees pursuant to 35 U.S.C.
11 §285 against that entity.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, THE Plaintiff, Eon-Net prays for judgment against the Defendant Beach
14 Camera on all the counts and for the following relief:
15

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

- 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. A judgment that the Defendant is a willful infringer and an award of treble damages
5 to the Plaintiff, Eon-Net, pursuant to 35 U.S.C. §284 against the Defendant, Beach
6 Camera;
- 7 G. Award of reasonable attorney's fees to the Plaintiff, Eon-Net, pursuant to 35 U.S.C.
8 §285;
- 9 H. Award of Eon-Net's costs and expenses; and
- 10 I. Such other and further relief as this Court may deem proper, just and equitable.
11

12 **DEMAND FOR JURY TRIAL**

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

15 By: /s/Jean-Marc Zimmerman
16 Jean-Marc Zimmerman (JZ 7743)
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20 Attorneys for Plaintiff Eon-Net, L.P.

21 Dated: August 3, 2004
22 Westfield, NJ
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