

Kristine L. Butler, Esquire  
Michael F. Snyder, Esquire  
Ryan W. O'Donnell, Esquire  
VOLPE AND KOENIG, P.C.  
United Plaza  
30 South 17<sup>th</sup> 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**

<b>LOTTOTRON, INC.,</b>	)	
<b>a New Jersey Corporation,</b>	)	<b>Civ. Act. No. 09-4655-SRC-MAS</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>JURY TRIAL DEMANDED</b>
<b>CLUB WORLD CASINOS LIMITED,</b>	)	
<b>a British Corporation,</b>	)	<b>ELECTRONICALLY FILED</b>
	)	
<b>Defendant.</b>	)	

**FIRST AMENDED COMPLAINT**

Now comes the plaintiff, Lottotron, Inc. (“Lottotron”), and alleges by way of complaint against Club World Casinos Limited (“CWC”) 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. CWC is a company organized under the laws of Great Britain, having a principal place of business at P.O. Box 416, Salford, England M66XH.

### **JURISDICTION AND VENUE**

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

4. CWC operates the Club World Casinos websites, including ClubUSA Casino.

Through that the interactive website, CWC 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. CWC’s operation of the ClubUSA Casino interactive gaming websites directly infringes the claims of the patent in suit in violation of 35 U.S.C. § 271(a).

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

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

### **PRAYERS FOR RELIEF**

WHEREFORE, Lottotron respectfully requests the following relief:

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

2. That CWC, 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 CWC 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 CWC be directed to pay over to Lottotron all damages suffered by Lottotron as a result of CWC'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: November 3, 2009

By: s/Kristine L. Butler

Kristine L. Butler, Esquire

Michael F. Snyder, Esquire

Ryan W. O'Donnell, Esquire

VOLPE AND KOENIG, P.C.

United Plaza, Suite 1600

30 South 17<sup>th</sup> Street

Philadelphia, Pennsylvania 19103

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*Attorneys for Plaintiff*

*Lottotron, Inc.*