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7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10  
 11 PATENT RIGHTS PROTECTION GROUP, LLC, ) **Case No.: 2:08-cv-00662-JCM-LRL**  
 a Nevada limited liability company, )  
 12 )  
 Plaintiff, ) **AMENDED COMPLAINT**  
 13 )  
 vs. )  
 14 ) (DEMAND FOR JURY TRIAL)  
 VIDEO GAMING TECHNOLOGIES, INC., a )  
 15 Tennessee corporation and SPEC )  
 INTERNATIONAL, INC. a Michigan corporation, )  
 16 )  
 17 Defendants. )

18 Plaintiff Patent Rights Protection Group, LLC., a Nevada limited liability company,  
 19 (“PRPG” or “Plaintiff”) hereby alleges against defendant Video Gaming Technologies, Inc.,  
 20 Tennessee corporation, (“VGT”) and SPEC International, Inc. (“SPEC”) (collectively,  
 21 “Defendants”) as follows:

22 **JURISDICTION AND VENUE**

- 23 1. This Court has subject matter jurisdiction over the First Claim for Relief pursuant  
 24 to 28 U.S.C. § 1331 (federal question), as it arises under the patent laws of the United States.  
 25 2. This Court has personal jurisdiction over the Defendants because Defendants  
 26 have a continuous, systematic, and substantial presence within this Judicial District including by  
 27 attending trade shows within this Judicial District at which Defendants have offered infringing  
 28

1 products for sale and by committing acts of patent infringement in this Judicial District, which  
2 acts form a substantial part of the events or omissions giving rise to Plaintiff's claim.

3 3. Venue is proper in this Judicial District under 28 U.S.C. § 1391 (b) and (c), and  
4 28 U.S.C. § 1400 (a) and (b).

5 **THE PARTIES**

6 4. Plaintiff Patent Rights Protection Group, LLC. ("PRPG" or "Plaintiff") is a  
7 Nevada limited liability company and is the owner of U.S. Patent No. 6,475,087 ("the '087  
8 Patent) entitled Gaming apparatus and U.S. Patent No. 6,860,814 ("the '814 Patent") entitled  
9 Gaming apparatus having door mounted display (collectively "Patents").

10 5. Defendant Video Gaming Technologies, Inc., ("VGT" or "Defendant") is a  
11 Tennessee corporation which manufactures, offers for sale, sells and/or uses gaming machines,  
12 including by using, displaying and offering gaming machines for sale at tradeshows in Nevada.

13 6. Defendant SPEC International, Inc. ("SPEC" or "Defendant") is a Michigan  
14 corporation which manufactures, offers for sale, sells and/or uses slot machine cabinets  
15 including by using, displaying and offering slot machine cabinets for sale at tradeshows in  
16 Nevada.

17  
18 **FIRST CLAIM FOR RELIEF**  
19 (Patent Infringement)  
20 (35 U.S.C. § 271)

21 7. Plaintiff repeats and re-alleges each and every allegation set forth in this  
22 complaint as if set forth here in full.

23 8. Defendants have and continue to directly infringe one or more of the Patents,  
24 contribute to the infringement of one or more of the Patents, and/or induce the infringement one  
25 or more of the Patents by directly or indirectly offering for sale, selling and/or using products  
26 which are covered by one or more of the Patents.

27 9. Defendants' infringement has been and continues to be intentional, knowing,  
28 willful, and deliberate, without license, without justification, and with full knowledge of  
Plaintiff's rights.

1           10. Defendants have derived, received, and will continue to derive and receive from  
2 their infringement: gains, profits, and advantages, in amounts not presently known to Plaintiff.

3           11. As a direct and proximate consequence of Defendants' infringement of one or  
4 more of the Patents, Plaintiff has suffered and will continue to suffer damages in an amount not  
5 yet determined.

6           12. Defendants will continue to directly or indirectly infringe one or more of the  
7 Patents to the great and irreparable injury of Plaintiff, unless enjoined by this Court.

8           13. Pursuant to 35 U.S.C. § 284, Plaintiff is entitled to damages for infringement and  
9 treble damages together with interest and costs as fixed by the court.

10           14. Pursuant to 35 U.S.C. § 285, Plaintiff is entitled to reasonable attorneys fees for  
11 the necessity of bringing this claim.

12           **WHEREFORE**, Plaintiff prays for relief as follows:

13           A. That Defendants be adjudged to have directly infringed one or more of the  
14 Patents.

15           B. That Defendants be adjudged to have willfully and deliberately infringed one or  
16 more of the Patents.

17           C. That Defendants be adjudged to have contributed to the infringement of one or  
18 more of the Patents.

19           D. That Defendants be adjudged to have induced the infringement of one or more of  
20 the Patents.

21           E. That Defendants, their officers, agents, servants, employees, and attorneys, and  
22 those persons in active concert or participation with them who receive actual notice of the order  
23 by personal service or otherwise, be preliminarily and permanently enjoined from directly or  
24 indirectly infringing the Patents.

25           F. That this Court order an accounting with respect profits earned by Defendants'  
26 infringing activity.

27           G. That pursuant to 35 U.S.C. § 284, Defendants account for actual and treble  
28 damages to Plaintiff by virtue of the Defendants' infringement of one or more of the Patents.

1 H. That this Court declare this case exceptional under 35 U.S.C. § 285 and award  
2 reasonable attorney fees, costs and expenses to Plaintiff.

3 I. That this Court order the destruction of all infringing goods.

4 J. That this Court award such other relief to Plaintiff which the Court deems just  
5 and reasonable.

6 **JURY TRIAL DEMANDED**

7 Plaintiff demands a trial by jury on all issues raised by this Complaint which are triable  
8 by jury.

9  
10 DATED this 29<sup>th</sup> day of October, 2008.

11  
12 Respectfully Submitted,

13 **WEIDE & MILLER, LTD.**

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