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FOR FILING  
ON  
NOV 20 2000

FILED  
11-22-00  
M. DAVID MALAND, CLERK  
U.S. DISTRICT COURT  
BY [Signature] DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

GEORGE E. FULHORST, d/b/a §  
SAF-T-NET, USA, §  
§  
Plaintiff, §  
§  
v. §  
§  
TOYOTA MOTOR CORPORATION, §  
§  
Defendant. §  
§  
§  
§

Civil Action No. 00-CV-71 TH/HWM

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

**JURY TRIAL DEMANDED**

For its Complaint Plaintiff George E. Fulhorst, d/b/a SAF-T-NET, USA, states as follows:

**THE PARTIES**

1. Plaintiff George E. Fulhorst, d/b/a SAF-T-NET, USA ("Fulhorst") is an individual whose place of residence is 2842 Forbes Avenue, Santa Clara, California.
2. Defendant Toyota Motor Corporation ("Toyota") is a foreign corporation whose corporate headquarters are located at 1 Toyota-cho, Toyota City, Aichi Prefecture 471-8571, Japan.

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, Title 35, United States Code. The jurisdiction of this Court is proper under 35 U.S.C. §§ 271, *et. seq.*, and 28 U.S.C. §§ 1331 and 1338.

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4. Venue is proper in this district under 28 U.S.C. § 1391(d).

**INFRINGEMENT OF UNITED STATES PATENT NO. 4,523,178**

5. On June 11, 1985, United States Patent No. 4,523,178 (“the ‘178 patent”) was duly and legally issued to Fulhorst for wireless alarm systems used in conjunction with vehicles. Since that date, Fulhorst has been and still is the owner of the ‘178 patent.

6. Toyota is infringing the ‘178 patent by importing into the United States and offering to sell, selling, making and using within the United States automobiles incorporating the invention covered by the ‘178 patent, and Toyota is inducing others to infringe the ‘178 patent in the United States, all without authority.

7. Despite having received notice of the ‘178 patent, Toyota has persisted in infringing and inducing infringement of the patent. Toyota’s acts have been and are willful.

**RELIEF**

8. Toyota will continue to infringe the ‘178 patent unless enjoined by this Court.

9. Fulhorst has suffered damages as a result of Toyota’s infringement of the ‘178 patent.

**PRAYER**

Fulhorst respectfully requests the following relief:

A. That the Court enter a permanent injunction against Toyota’s direct and inducing infringement of the ‘178 patent;

B. That the Court award Fulhorst the damages to which he is entitled;

C. That the Court treble the damages for willful infringement;

D. That the Court award interest on the damages;

- E. That the Court award Fulhorst's costs and attorneys' fees incurred in this action;  
and
- F. That the Court award such other relief as it deems just and proper.

Respectfully submitted,

DATED: 11-20-00

By 

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT was served via U.S. first class mail, postage prepaid, on this 20<sup>th</sup> day of November, 2000, addressed as follows:

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