

3. Upon information and belief, Defendant NEWS AMERICA MARKETING INTERACTIVE, LLC (“NAM”), which sometimes does business as SmartSource, SmartSource.com, or SmartSource Interactive Group, is a Delaware corporation with a principal place of business at 1211 6th Ave., New York, NY 10036-8701. NAM may be served with process through its registered agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

4. Upon information and belief, Defendant VALASSIS DIRECT MAIL, INC. (“VALASSIS”), which sometimes does business as RedPlum or RedPlum.com, is a Delaware corporation with a principal place of business at One Targeting Center, Windsor, CT 06095. VALASSIS may be served with process through its registered agent, CT Corporation System, 350 N. St. Paul Street, Dallas, TX 75201.

5. Upon information and belief, VALPAK DIRECT MARKETING SYSTEMS, INC. (“VALPAK”), which sometimes does business as Valpak.com, is a Delaware corporation with a principal place of business at 8605 Largo Lakes Dr., Largo, FL 33773. VALPAK may be served with process through its registered agent, Corporation Service Company, 1201 Hays Street, Tallahassee, FL 32301.

II. JURISDICTION AND VENUE

6. This is an action for infringement of a United States patent. This Court has exclusive jurisdiction of such action under Title 28 U.S.C. § 1338(a).

7. Upon information and belief, Defendants have minimum contacts with the Tyler Division of the Eastern District of Texas such that this venue is fair and reasonable. Defendants have committed such purposeful acts and/or transactions in Texas that it reasonably should know and expect that it could be hailed into this Court as a consequence of such activity. Upon

information and belief, Defendants have transacted and, at the time of the filing of this Complaint, are transacting business within the Tyler Division of the Eastern District of Texas. For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. §§ 1391(b) and (c) and 28 U.S.C. § 1400(b).

III. PATENT INFRINGEMENT

8. On August 11, 1998, United States Patent No. 5,791,991 (“the ‘991 patent”) was duly and legally issued for an “Interactive Consumer Product Promotion Method and Match Game.” A true and correct copy of the ‘991 patent is attached hereto as Exhibit “A” and made a part hereof.

9. By way of assignment, Plaintiff is the owner of all right, title and interest in and to the ‘991 patent, with all rights to enforce the ‘991 patent against infringers and to collect damages for all relevant times, including the right to prosecute this action.

10. Upon information and belief, Defendants manufacture, make, have made, market, sell and/or use products and/or systems and/or methods that infringe one or more claims in the ‘991 patent; and/or induce and/or contribute to the infringement of one or more of the claims in the ‘991 patent by others.

11. More specifically, each Defendant’s infringement is based, at least in part, on its providing of printable coupons to website users.

12. Plaintiff has been damaged as a result of Defendants’ infringing conduct. Defendants are, thus, liable to Plaintiff in an amount that adequately compensates for their infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

13. Upon information and belief, Defendant Coupons, Inc. was on notice of the '991 patent and of its infringing conduct at least as early as May 16, 2003, if not earlier, and has knowingly and willfully infringed the '991 patent since the time it received such notice.

14. Upon information and belief, Defendants will continue their infringement of the '991 patent unless enjoined by the Court. Defendants' infringing conduct causes Plaintiff irreparable harm and will continue to cause such harm without the issuance of an injunction.

IV. JURY DEMAND

Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendants, and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of United States Patent No. 5,791, 991 have been infringed, either literally and/or under the doctrine of equivalents, by Defendants and/or by others to whose infringement Defendants have contributed and/or by others whose infringement has been induced by Defendants;
- b. Judgment that Defendants account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendants' infringing activities and other conduct complained of herein;
- c. That Defendants' infringement be found to be willful from the time Defendants became aware of the infringing nature of their services, which is the time of filing of Plaintiff's Complaint at the latest, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284.
- d. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;
- e. That the Court declare this an exceptional case and award Plaintiff its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285;
- f. That Defendants be permanently enjoined from any further activity or conduct that infringes one or more claims of United States Patent No. 5,791, 991; and

- g. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: June 10, 2009.

Respectfully submitted,

/s/ Jonathan T. Suder
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