

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GRAPE TECHNOLOGY GROUP, INC.,)	
and KGB USA, INC.)	
)	
Plaintiffs,)	
)	C.A. No. _____
v.)	
)	JURY TRIAL DEMANDED
JINGLE NETWORKS, INC.,)	
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiffs Grape Technology Group, Inc. (“Grape Technology”) and kgb USA, Inc. (“kgb USA”) (collectively “Plaintiffs”), for their Complaint against Defendant Jingle Networks, Inc. (“Jingle” or “Defendant”), allege as follows:

NATURE OF THE ACTION

2. This is an action arising under the patent laws of the United States (35 U.S.C. §271 et seq.) based upon infringement by Jingle of patents owned by Grape Technology and exclusively licensed to kgb USA. Plaintiffs seek damages for Jingle’s infringement and an injunction restraining Jingle from further infringement.

THE PARTIES

3. Plaintiff Grape Technology is a Delaware corporation with its principal place of business at 3864 Courtney Street, Suite 411, Bethlehem, Pennsylvania 18017.

4. Plaintiff kgb USA is a Delaware corporation with its principal place of business at 3864 Courtney Street, Suite 411, Bethlehem, Pennsylvania 18017.

5. Upon information and belief, Jingle (doing business as 1-800-FREE411) is a Delaware corporation with its principal place of business at 36 Crosby Dr., Bedford, Massachusetts 01730.

JURISDICTION AND VENUE

6. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.
7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
8. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b) because Defendant is incorporated in Delaware. In addition, upon information and belief, Defendant has committed acts of infringement by providing its 1800FREE411 service throughout the United States, including in this district.

FIRST CLAIM INFRINGEMENT OF U.S. PATENT NO. 6,775,371

9. The allegations of paragraphs 1-8 are incorporated herein by reference.
10. U.S. Patent No. 6,775,371 (“the ‘371 patent”), is entitled “Technique For Effectively Providing Concierge-Like Service In A Directory Assistance System.” The ‘371 patent was duly and legally issued by the United States Patent and Trademark Office (“PTO”) on August 10, 2004. A true and correct copy of the ‘371 patent is attached hereto as Exhibit A.
11. Grape Technology is the assignee of all right, title and interest in and to the ‘371 patent. Kgb USA is the exclusive licensee of the ‘371 patent, including the right to recover for infringement thereof.
12. On information and belief, Jingle has been and is currently infringing one or more claims of the ‘371 patent, directly and/or indirectly, pursuant to 35 U.S.C. § 271, in connection with certain of its products, services, methods and/or systems, including without limitation Jingle’s 1800FREE411 service.
13. Unless enjoined, Jingle will continue to infringe the ‘371 patent.

14. Jingle's infringement of the '371 patent has caused, and unless enjoined will continue to cause, irreparable harm to Plaintiffs. Plaintiffs have no adequate remedy at law.

15. Pursuant to 35 U.S.C. § 284, Plaintiffs are entitled to damages for Jingle's infringement.

**SECOND CLAIM
INFRINGEMENT OF U.S. PATENT NO. 7,023,969**

16. The allegations of paragraphs 1-15 are incorporated herein by reference.

17. U.S. Patent No. 7,023,969 ("the '969 patent"), is entitled "Communication Assistance System And Method." The '969 patent was duly and legally issued by the PTO on April 4, 2006. A true and correct copy of the '969 patent is attached hereto as Exhibit B.

18. Grape Technology is the assignee of all right, title and interest in and to the '969 patent. kgb USA is the exclusive licensee of the '969 patent, including the right to recover for infringement thereof.

19. On information and belief, Jingle has been and is currently infringing one or more claims of the '969 patent, directly and/or indirectly, pursuant to 35 U.S.C. § 271, in connection with certain of its products, services, methods and/or systems, including without limitation Jingle's 1800FREE411 service.

20. Unless enjoined, Jingle will continue to infringe the '969 patent.

21. Jingle's infringement of the '969 patent has caused, and unless enjoined will continue to cause, irreparable harm to Plaintiffs. Plaintiffs have no adequate remedy at law.

22. Pursuant to 35 U.S.C. § 284, Plaintiffs are entitled to damages for Jingle's infringement.

**THIRD CLAIM
INFRINGEMENT OF U.S. PATENT NO. 6,628,772**

23. The allegations of paragraphs 1-22 are incorporated herein by reference.

24. U.S. Patent No. 6,628,772 (“the ‘772 patent”), is entitled “Method For Providing Enhanced Directory Assistance Upon Command Using Out-Of-Band Signaling.” The ‘772 patent was duly and legally issued by the PTO on September 30, 2003. A true and correct copy of the ‘772 patent is attached hereto as Exhibit C.

25. Grape Technology is the assignee of all right, title and interest in and to the ‘772 patent. kgb USA is the exclusive licensee of the ‘772 patent, including the right to recover for infringement thereof.

26. On information and belief, Jingle has been and is currently infringing one or more claims of the ‘772 patent, directly and/or indirectly, pursuant to 35 U.S.C. § 271, in connection with certain of its products, services, methods and/or systems, including without limitation Jingle’s 1800FREE411 service.

27. Unless enjoined, Jingle will continue to infringe the ‘772 patent.

28. Jingle’s infringement of the ‘772 patent has caused, and unless enjoined will continue to cause, irreparable harm to Plaintiffs. Plaintiffs have no adequate remedy at law.

29. Pursuant to 35 U.S.C. § 284, Plaintiffs are entitled to damages for Jingle’s infringement.

**FOURTH CLAIM
INFRINGEMENT OF U.S. PATENT NO. 6,985,569**

30. The allegations of paragraphs 1-29 are incorporated herein by reference.

31. U.S. Patent No. 6,985,569 (“the ‘569 patent”), is entitled “System and Method for Identifying Parties in Bills for Communications Services.” The ‘569 patent was duly and legally issued by the PTO on September 19, 2006. A true and correct copy of the ‘569 patent is attached hereto as Exhibit D.

32. Grape Technology is the assignee of all right, title and interest in and to the '569 patent. kgb USA is the exclusive licensee of the '569 patent, including the right to recover for infringement thereof.

33. On information and belief, Jingle has been and is currently infringing one or more claims of the '569 patent, directly and/or indirectly, pursuant to 35 U.S.C. § 271, in connection with certain of its products, services, methods and/or systems, including without limitation Jingle's 1800FREE411 service.

34. Unless enjoined, Jingle will continue to infringe the '569 patent.

35. Jingle's infringement of the '569 patent has caused, and unless enjoined will continue to cause, irreparable harm to Plaintiffs. Plaintiffs have no adequate remedy at law.

36. Pursuant to 35 U.S.C. § 284, Plaintiffs are entitled to damages for Jingle's infringement.

PRAYER FOR RELIEF

WHEREFORE, Grape Technology and kgb USA request the following relief:

A. A judgment that Jingle has infringed the '371, '969, '772, and '569 patents;

B. A permanent injunction enjoining Jingle, its officers, agents, servants, employees, attorneys, and those persons in active concert or participation with any of them, from directly or indirectly infringing the '371, '969, '772, and '569 patents;

C. An award of damages to compensate Grape Technology and kgb USA for Jingle's infringement of the '371, '969, '772, and '569 patents, pursuant to 35 U.S.C. § 284; and

D. An assessment of pre-judgment and post-judgment interest and costs against Jingle, together with an award of such interest and costs, in accordance with 35 U.S.C. §284;

E. An award to Grape Technology and kgb USA of their attorneys' fees incurred in connection with this lawsuit pursuant to 35 U.S.C. § 285; and

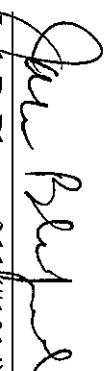
F. Such other and further relief as this Court may deem just and proper.

JURY DEMAND

Plaintiffs Grape Technology and kgb USA request a trial by jury, pursuant to Fed.

R. Civ. P. 38(b), on all issues so triable.

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July 3, 2008