

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

RESTAURANT TECHNOLOGIES, INC., a  
Delaware corporation,

Plaintiff,

v.

JERSEY SHORE CHICKEN, a New Jersey  
corporation,

Defendant.

Civil File No.

**COMPLAINT  
(Demand for Jury Trial)**

Plaintiff Restaurant Technologies, Inc. ("RTI"), for its Complaint against  
defendant Jersey Shore Chicken ("Jersey Shore"), states and alleges as follows:

**PARTIES, JURISDICTION, AND VENUE**

1. RTI is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business at 940 Apollo Road, Suite 110, Eagan, Minnesota.
2. Jersey Shore is a New Jersey business located at 601 Route 72 East in Manahawkin, New Jersey.
3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a), in that this action arises under the patent laws of the United States, 35 U.S.C. § 1 et seq.
4. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and 1400(b). Defendant Jersey Shore may be found in this district, and owns and uses an infringing apparatus in this district.

**BACKGROUND**

5. RTI owns all right, title and interest in United States Patent No. 5,249,511 (the '511 patent), which duly and legally issued on October 5, 1993, and which is valid,

subsisting, and in full force and effect. A true and correct copy of the '511 patent is attached hereto as Exhibit A.

6. Jersey Shore became aware of the '511 patent, at the latest, by means of a letter RTI sent it on August 29, 2005.

7. The '511 patent relates generally to bulk cooking oil distribution and waste removal systems.

8. Jersey Shore's infringing conduct includes but is not limited to the use of its "OilMatic Bulk Cooking Oil Supply & Management System" with oil filtering equipment, which meets all the limitations of one or more claims of the '511 patent.

**CLAIM FOR RELIEF**  
**(PATENT INFRINGEMENT)**

9. The allegations of paragraphs 1 to 8 are realleged and incorporated by reference.

10. Jersey Shore has infringed and is infringing one or more claims of the '511 patent, either literally or under the doctrine of equivalents.

11. Jersey Shore has violated RTI's rights in the '511 patent, in contravention of one or more subsections of the patent statute, 35 U.S.C. §271.

12. Jersey Shore's continuing use of the "OilMatic Bulk Cooking Oil Supply & Management System" with oil filtering equipment is willful and deliberate.

13. RTI has been damaged by Jersey Shore's infringing activities and has been and will continue to be irreparably injured unless such activities are enjoined preliminarily and permanently by this Court.

**RELIEF REQUESTED**

WHEREFORE, RTI prays for judgment:

(a) That Jersey Shore and its owners, officers, agents, servants, employees, and all persons acting in active concert or participation with any of them, be enjoined preliminarily and permanently from infringing the '511 patent;

(b) That an accounting occur to determine the damages caused by Jersey Shore's infringing actions and that RTI be awarded its damages;

(c) That the damages awarded to RTI be trebled pursuant to 35 U.S.C. § 284 as a result of willful and deliberate infringement of the '511 patent;

(d) That RTI be awarded costs and expenses, as well as its reasonable attorney fees incurred in this action, pursuant to 35 U.S.C. § 285;


(e) That RTI be awarded pre- and post-judgment interest as provided by law; and

(f) That RTI be awarded such other and further necessary and proper relief as this Court may deem just.

**JURY TRIAL DEMAND**

Plaintiff demands trial by jury on all issues so triable.

DORSEY & WHITNEY LLP

By: 

Frederick A. Nicoll  
95 Route 17 South  
Suite 203  
Paramus, New Jersey 07652  
(201) 291-8904  
[Nicoll.fred@dorsey.com](mailto:Nicoll.fred@dorsey.com)

and

Peter M. Lancaster #159840  
Kenneth E. Levitt #253674  
Suite 1500, 50 South Sixth Street  
Minneapolis, MN 55402-1498  
Telephone: (612) 340-2600

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**Attorneys for Plaintiff Restaurant  
Technologies, Inc.**