

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

ARRIVALSTAR S.A. and MELVINO	)
TECHNOLOGIES LIMITED,	)
	)
Plaintiffs,	)
	)
vs.	)
	)
SEKO WORLDWIDE, LLC, ENSENDA,	)
INC., PROCESS SHIPPER, LLC,	)
PROCESS SHIPPER OF WISCONSIN,	)
LLC, SMART LINC, INC., WHITEHEDGE	)
TECHNOLOGIES, INC., PRECISION	)
SOFTWARE, INC., AND MALVERN	)
SYSTEMS, INC.,	)
	)
Defendant.	)
_____	)

**CASE NO. 1:10-cv-23144-JEM**

**DEMAND FOR JURY TRIAL**

**AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, ArrivalStar S.A. and Melvino Technologies Limited (collectively “ArrivalStar” or “Plaintiffs”), by and through their undersigned counsel, for their Amended Complaint against Defendants SEKO Worldwide, LLC, Ensenda, Inc., Process Shipper, LLC, Process Shipper of Wisconsin, LLC, Smart Linc, Inc., White Hedge Technologies, Inc., Precision Software, Inc. and Malvern Systems, Inc., hereby allege as follows:

**NATURE OF LAWSUIT**

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of this Complaint under 28 U.S.C. § 1338(a).

**THE PARTIES**

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg, having offices located at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Islands of Tortola, having offices located at P.O. Box 3174, Palm Chambers, 197 Main Street, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 5,657,010 (“the ‘010 patent”), entitled “Advance Notification System and Method Utilizing Vehicle Progress Report Generator”, issued August 12, 1997. A copy of the ‘010 patent is attached hereto as Exhibit 1.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,714,859 (“the ‘859 patent”), entitled “System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle”, issued March 30, 2004. A copy of the ‘859 patent is attached hereto as Exhibit 2.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,748,320 (“the ‘320 patent”), entitled “Advance Notification Systems and Methods Utilizing a Computer Network”, issued June 8, 2004. A copy of the ‘320 patent is attached hereto as Exhibit 3.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,952,645 (“the ‘645 patent”), entitled “System and Method for Activation of an Advance Notification System for Monitoring and Reporting Status of Vehicle Travel”, issued October 4, 2005. A copy of the ‘645 patent is attached hereto as Exhibit 4.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 7,030,781 (“the ‘781 patent”), entitled “Notification System and Method that Informs a Party of Vehicle Delay”, issued April 18, 2006. A copy of the ‘781 patent is attached hereto as Exhibit 5.

9. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 7,400,970 (“the ‘970 patent”), entitled “System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle”, issued July 15, 2008. A copy of the ‘970 patent is attached hereto as Exhibit 6.

10. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,486,801 (“the ‘801 patent”), entitled “Base Station Apparatus and Method for Monitoring Travel of a Motor Vehicle”, issued November 26, 2002. A copy of the ‘801 patent is attached hereto as Exhibit 7.

11. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,904,359 (“the ‘359 patent”), entitled “Notification System and Methods with User-Defineable Notifications Based Upon Occurrence of Events”, issued June 7, 2005. A copy of the ‘359 patent is attached hereto as Exhibit 8.

12. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,317,060 (“the ‘060 patent”), entitled “Base Station System and Method for Monitoring Travel of Mobile Vehicles and Communicating Notification Messages”, issued November 13, 2001. A copy of the ‘060 patent is attached hereto as Exhibit 9.

13. Defendant SEKO Worldwide, LLC is a Delaware Limited Liability Company with a principal place of business located at 1100 Arlington Heights Road, Suite 600, Itasca,

Illinois 60143; and with three different offices in Florida including one located at 5065 NW 74 Avenue, Suite 4, Miami, Miami-Dade County, Florida 33166. SEKO transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '801, '859, '060, '320, '645, '781 and '970 patents.

14. Defendant Ensenda, Inc. is a Delaware Corporation with a principal place of business located at 580 California Street, Second Floor, San Francisco, California 94108. Ensenda transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

15. Defendant Process Shipper, LLC is a Wisconsin Limited Liability Company with a principal place of business located at 1110 N. Old World Street, Suite 600, Milwaukee, Wisconsin, 53203. Process Shipper transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

16. Defendant Process Shipper of Wisconsin, LLC is a Wisconsin Limited Liability Company with a principal place of business located at 1110 N. Old World Street, Suite 600, Milwaukee, Wisconsin, 53203. Process Shipper of Wisconsin transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

17. Defendant Smart Linc, Inc. is a Wisconsin Corporation with a principal place of business located at 1110 Old World Third Street, Suite 600, Milwaukee, Wisconsin 53203. Smart Linc transacts business and has, at a minimum, offered to provide and/or has provided in

this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

18. Defendant WhiteHedge Technologies, Inc. is a New Jersey Corporation with a principal place of business located at 101 Berkley Boulevard, Iselin, New Jersey 08830. WhiteHedge Technologies transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

19. Defendant Precision Software, Inc. is an Illinois Corporation with a principal place of business located at 651 West Washington Boulevard, Suite 303, Chicago, Illinois 60661. Precision Software transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

20. Defendant Malvern Systems, Inc. is a Pennsylvania Corporation with a principal place of business located at 263 Great Valley Parkway, Malvern, Pennsylvania 19355. Malvern Systems transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '359, '801, '859, '060, '320, '645, '781 and '970 patents.

21. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

**DEFENDANT SEKO WORLDWIDE'S ACTS OF PATENT INFRINGEMENT**

22. Defendant SEKO Worldwide has infringed claims of the '801, '060 '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "SEKO TMS" and "SEKO Secure".

23. Defendant SEKO'S infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '801, '060, '859, '320, '645, '781 and '970 patents.

**DEFENDANT ENSEDA'S ACTS OF PATENT INFRINGEMENT**

24. Defendant Ensenda has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "Visibility and Scanning System".

25. Defendant Ensenda's infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT PROCESS SHIPPER'S ACTS OF PATENT INFRINGEMENT**

26. Defendant Process Shipper has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "Office View and Desktop Shipper" solutions.

27. Defendant Process Shipper's infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT PROCESS SHIPPER OF WISCONSIN'S ACTS OF PATENT INFRINGEMENT**

28. Defendant Process Shipper of Wisconsin has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "Office View and Desktop Shipper" solutions.

29. Defendant Process Shipper of Wisconsin's infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT SMART LINC'S ACTS OF PATENT INFRINGEMENT**

30. Defendant Smart Linc has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "Smartship" solution.

31. Defendant Smart Linc's infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT WHITEHEDGE TECHNOLOGIES' ACTS OF PATENT INFRINGEMENT**

32. Defendant WhiteHedge Technologies has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "cenTTra" system.

33. Defendant WhiteHedge Technologies' infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT PRECISION SOFTWARE'S ACTS OF PATENT INFRINGEMENT**

34. Defendant Precision Software has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its "Integrated Solutions", "Transportation Management", "Global Visibility" and "PRECISION Package Exception Management (PEM)".

35. Defendant Precision Software's infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT MALVERN SYSTEM'S ACTS OF PATENT INFRINGEMENT**

36. Defendant Malvern Systems has infringed claims of the '359, '801, '859, '060, '320, '645, '781 and '970 patents through, among other activities, the use of its "Malvern Systems President", "Malvern Manifest System and Shipping Center", and "Malvern Shipment Notification".

37. Defendant Malvern Systems' infringement has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359, '801, '859, '060, '320, '645, '781 and '970 patents.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully ask this Court to enter judgment against the Defendants and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate Plaintiffs for the infringement that has occurred, together with prejudgment interest from the date that each respective Defendant's infringement of the patents at issue began;

B. Increased damages as permitted under 35 U.S.C. § 284;

C. A finding that this case is exceptional and award to Plaintiffs their attorneys' fees and costs as provided by 35 U.S.C. § 285;

D. A permanent injunction prohibiting further infringement, inducement and/or contributory infringement of the patents at issue; and,

E. Such other and further relief as the Court or a jury may deem proper and just.

**JURY DEMAND**

Plaintiffs hereby demand a trial by jury on all issues presented in this Complaint.

Dated: September 8, 2010.

Respectfully submitted,

/s William R. McMahon  
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