

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

JOAO CONTROL & MONITORING  
SYSTEMS OF TEXAS, LLC,

Plaintiff,

v.

PLAYBOY ENTERPRISES INC.,  
PENTHOUSE MEDIA GROUP, INC.  
N/K/A FRIENDFINDER NETWORKS,  
INC., LFP INTERNET GROUP, LLC,  
STREAMRAY INC., WOO MEDIA,  
INC., VIVID ENTERTAINMENT, LLC,  
CLUB JENNA, INC., ANABOLIC VIDEO  
PRODUCTIONS, INC., GAME LINK,  
LLC, EVIL ANGEL PRODUCTIONS,  
INC., NEW DESTINY INTERNET  
GROUP, LLC, AND SHANE  
ENTERPRISES, LLC,

Defendants.

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Civil Action No. 6:09-cv-00499-LED

**JURY TRIAL DEMANDED**

**SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Joao Control & Monitoring Systems of Texas, LLC (“Plaintiff”), by and through its undersigned counsel, files this Second Amended Complaint for patent infringement against Playboy Enterprises, Inc., Penthouse Media Group, Inc. n/k/a Friendfinder Networks Inc., LFP Internet Group, LLC, Streamray Inc., Woo Media, Inc., Vivid Entertainment, LLC, Club Jenna, Inc., Anabolic Video Productions, Inc., Game Link, LLC, Evil Angel Productions, Inc., New Destiny Internet Group, LLC, and Shane Enterprises, LLC (collectively “Defendants”) as follows:

**NATURE OF THE ACTION**

1. This is a patent infringement action to stop each Defendant's infringement of Plaintiff's United States Patent No. 7,277,010 entitled "Monitoring Apparatus and Method" (the "'010 patent"; a copy of which is attached hereto as Exhibit A). Plaintiff is the exclusive licensee under the '010 patent with respect to the Defendants. Plaintiff seeks injunctive relief and monetary damages.

**PARTIES**

2. Plaintiff Joao Control & Monitoring Systems of Texas, LLC ("Plaintiff") is a limited liability company organized under the laws of the State of Texas and is located at 104 East Houston Street, Suite 171, Marshall, Texas 75670. Plaintiff is the exclusive licensee under the '010 patent with respect to the Defendants, including the exclusive right to sue Defendants for infringement and recover past damages.

3. Upon information and belief, Defendant Playboy Enterprises, Inc. ("Playboy"), is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 680 North Lake Shore Drive, Chicago, Illinois 60611.

4. Upon information and belief, Defendant Penthouse Media Group, Inc. n/k/a Friendfinder Networks, Inc. ("Friendfinder"), is a corporation organized and existing under the laws of the State of Nevada, with its principal place of business located at 6800 Broken Sound Parkway, Boca Raton, Florida 33487.

5. Upon information and belief, Defendant LFP Internet Group, LLC ("LFP"), is a limited liability company organized and existing under the laws of the State of California, with

its principal place of business located at 8484 Wilshire Boulevard, Suite 900, Beverly Hills, California 90211.

6. Upon information and belief, Defendant Streamray Inc. (“Streamray”), is a corporation organized and existing under the laws of the State of Nevada, with its principal place of business located at 5258 South Eastern Avenue, Suite 100, Las Vegas, Nevada 89119.

7. Upon information and belief, Defendant Woo Media, Inc. (“Woo Media”), is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 3832 Hemmingway, Irvine, California 92606.

8. Upon information and belief, Defendant Vivid Entertainment, LLC (Vivid”), is a limited liability company organized and existing under the laws of the State of California, with its principal place of business located at 3599 Cahuenga Boulevard West, 4th Floor, Los Angeles, California 90068.

9. Upon information and belief, Defendant Club Jenna, Inc. (“Club Jenna”), is a corporation organized and existing under the laws of the State of California, with its principal place of business located at 680 North Lake Shore Drive, 15 Floor, Chicago, Illinois 60611.

10. Upon information and belief, Defendant Anabolic Video Productions, Inc., (“Anabolic”), is a corporation organized and existing under the laws of the State of California, with its principal place of business located at 9223 Owensmouth Avenue, Chatworth, California 91311.

11. Upon information and belief, Defendant Game Link, LLC (“Game Link”), is a limited liability company organized and existing under the laws of the State of California, with its principal place of business located at 537 Stevenson Street, San Francisco, California.

12. Upon information and belief, Defendant Evil Angel Productions, Inc. (“Evil Angel”), is a corporation organized and existing under the laws of the State of California, with its principal place of business located at 14141 Covello Street, Suite 8C, Van Nuys, California 91405.

13. Upon information and belief, Defendant New Destiny Internet Group, LLC (“New Destiny”), is a limited liability company organized and existing under the laws of the State of California, with its principal place of business located at 27111 Aliso Creek Road, Suite 130, Aliso Viejo, California 92656.

14. Upon information and belief, Defendant Shane Enterprises, LLC (“Shane Enterprises”), is a limited liability company organized and existing under the laws of the State of California, with its principal place of business located at 13659 Victory Boulevard, Van Nuys, California 91401.

### **JURISDICTION AND VENUE**

15. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

16. The Court has personal jurisdiction over each Defendant because: each Defendant has minimum contacts within the State of Texas and the Eastern District of Texas; each Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas; each Defendant has sought protection and benefit from the laws of the State of Texas; each Defendant regularly conducts business within the State of Texas and within the Eastern District of Texas; and Plaintiff’s causes of action arise directly

from Defendants' business contacts and other activities in the State of Texas and in the Eastern District of Texas.

17. More specifically, each Defendant, directly and/or through intermediaries, ships, distributes, offers for sale, sells, and/or advertises (including the provision of an interactive web page) its products and services in the United States, the State of Texas, and the Eastern District of Texas. Upon information and belief, each Defendant has committed patent infringement in the State of Texas and in the Eastern District of Texas, and/or has induced others to commit patent infringement in the State of Texas and in the Eastern District of Texas. Each Defendant solicits customers in the State of Texas and in the Eastern District of Texas. Each Defendant has many paying customers who are residents of the State of Texas and the Eastern District of Texas and who each use respective Defendant's products and services in the State of Texas and in the Eastern District of Texas.

18. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391 and 1400(b).

### **COUNT I – PATENT INFRINGEMENT**

19. United States Patent No. 7,277,010 entitled "Monitoring Apparatus and Method" was duly and legally issued by the United States Patent and Trademark Office on October 2, 2007 after full and fair examination. Plaintiff is the exclusive licensee under the '010 patent with respect to the Defendants, including the exclusive right to sue Defendants for infringement and recover past damages.

20. The asserted claims of the '010 patent generally claim apparatuses and methods for controlling the transmission of video information. In general, the asserted patent claims

relate to (1) receiving video information with a processing device, (2) receiving a signal from a communication device with the processing device, (3) processing the received signal, (4) determining whether transmission of the video information to the communication device is authorized, and (5) transmitting the video information to the communication device over the Internet or the World Wide Web if it is determined that the communication device is authorized.

21. By way of example, Playboy's system monitors and controls the transmission of video content by determining whether the transmission of the video content to a user is authorized prior to any such video transmission. Playboy's system is "...the most advanced and most established free live video chat service on the Internet. [It] combine[s] state of the art technology with beautiful female and male performers from around the world in order to provide [its] users with the most diverse, realistic and intimate interactive live video chat online."

22. Playboy system's determination may occur, for example, when the system receives a member's log in credentials to access Playboy's online video chat. Playboy allows all of its actively logged in members to participate in "the Free Video (320 x 240 pixels) Chat area [where] all users are able to view and chat with the live performers of their choice as long as the performers are not currently engaged in a Private Show."

23. Playboy system's determination may also occur when the system receives a signal that a member has requested to view certain video content (e.g., engage in a particular online video chat). Playboy provides "Private Shows [that] are either a one-user (1on1) show or a multi-user show. If [a member's] performer of choice is engaged in a Private Show... [the member] must wait until [the Performer's] Private Show is finished or [the member] may Voyeur in on another user's Private Show via a Voyeur Show mode.... When [the member's] performer of choice is available in the Free Video Chat area again, [the member] may then initiate [his/her]

24. If the Playboy system determines that the user at a communication device is authorized, the system transmits the video content to the user at the communication device via the Internet or World Wide Web. According to Playboy, “[o]nce your transaction is approved, you may enter a Private or Voyeur Show by entering your Username and Password in the Private or Voyeur Show login page inside of Spice Live.”

25. Upon information and belief, Playboy has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the ‘010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the websites <http://www.playboylive.com> and <http://www.spicelive.com>. Upon information and belief, Playboy acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the ‘010 patent, including without limitation, by directing and controlling the models’ or other users’ participation in its online video chat via its websites.

26. Upon information and belief, Playboy has induced and is actively inducing the infringement of the ‘010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260

of the '010 patent, including its online video chat via the websites <http://www.playboylive.com> and <http://www.spicelive.com>.

27. Upon information and belief, Friendfinder has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the websites <http://www.danni.com>, <http://penthouse.com>, and <http://www.adultfriendfinder.com>. Upon information and belief, Friendfinder acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' other users' participation in its online video chat via its websites.

28. Upon information and belief, Friendfinder has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the websites <http://www.danni.com>, <http://penthouse.com>, and <http://www.adultfriendfinder.com>.

29. Upon information and belief, LFP has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or



through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.hustlerlive.com>. Upon information and belief, LFP acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

30. Upon information and belief, LFP has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.hustlerlive.com>.

31. Upon information and belief, Streamray has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.cams.com>. Upon information and belief, Streamray acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by

directing and controlling the models' or other users' participation in its online video chat via its website.

32. Upon information and belief, Streamray has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.cams.com>.

33. Upon information and belief, Woo Media has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.woome.com>. Upon information and belief, Woo Media acts as the mastermind to direct or control members or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the members' or other users' participation in its online video chat via its website.

34. Upon information and belief, Woo Media has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting its members or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States,

without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.woome.com>.

35. Upon information and belief, Vivid has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.vividlive.com>. Upon information and belief, Vivid acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

36. Upon information and belief, Vivid has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.vividlive.com>.

37. Upon information and belief, Club Jenna has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234,

262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.clubjennalive.com>. Upon information and belief, Club Jenna acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

38. Upon information and belief, Club Jenna has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.clubjennalive.com>.

39. Upon information and belief, Anabolic has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.anaboliclive.com>. Upon information and belief, Anabolic acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including

without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

40. Upon information and belief, Anabolic has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.anaboliclive.com>.

41. Upon information and belief, Game Link has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.gamelinklive.com>. Upon information and belief, Game Link acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

42. Upon information and belief, Game Link has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without

license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.gamelinklive.com>.

43. Upon information and belief, Evil Angel has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.evilangellive.com>. Upon information and belief, Evil Angel acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

44. Upon information and belief, Evil Angel has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.evilangellive.com>.

45. Upon information and belief, New Destiny has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly

or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.homegrowncams.com>. Upon information and belief, New Destiny acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

46. Upon information and belief, New Destiny has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.homegrowncams.com>.

47. Upon information and belief, Shane's World has infringed and continues to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the '010 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, video monitoring and communications apparatuses and services, including its online video chat via the website <http://www.shanesworldlive.com>. Upon information and belief, Shane's World acts as the mastermind to direct or control models or other users to infringe at least claims 193, 194, 195, 198, 199, 201, 203, 204, 210, 217, 219, 227, 228, 231, 233, 234, 262, and 264 of the

'010 patent, including without limitation, by directing and controlling the models' or other users' participation in its online video chat via its website.

48. Upon information and belief, Shane's World has induced and is actively inducing the infringement of the '010 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting models or others users to directly make, use, offer for sale, sell, and/or import within this judicial district and elsewhere in the United States, without license or authority, the video monitoring and communications apparatuses and services falling within the scope of at least claims 237, 238, 240, 241, 242, 244, 245, 249, 252, 253, 256, and 260 of the '010 patent, including its online video chat via the website <http://www.shanesworldlive.com>.

49. Each Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

50. Plaintiff is entitled to recover from the Defendants the damages sustained by Plaintiff as a result of the Defendants' wrongful acts in an amount subject to proof at trial, 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.

51. Defendants' infringement of Plaintiff's exclusive rights under the '010 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

**JURY DEMAND**

52. Plaintiff demands a trial by jury on all issues.



**PRAYER FOR RELIEF**

Plaintiff Joao Control & Monitoring of Texas, LLC, respectfully requests the following relief:

- A. An adjudication that each of the Defendants have infringed and continue to infringe claims of the '010 patent;
- B. An award to Plaintiff of damages adequate to compensate Plaintiff for the Defendants' acts of infringement together with prejudgment interest;
- C. An award of Plaintiff's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law with respect to the Defendants;
- D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining the Defendants from further acts of infringement and actively inducing infringement with respect to the claims of the '010 patent; and
- E. Any further relief that this Court deems just and proper.

Dated: April 13, 2010

Respectfully submitted,

/s/ Andrew Spangler  
Andrew W. Spangler  
Texas State Bar No. 24041960  
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**ATTORNEY FOR PLAINTIFF,**  
Joao Control & Monitoring Systems of  
Texas, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

Dated: April 13, 2010

/s/ Andrew Spangler  
Andrew W. Spangler