

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

**LOCHNER TECHNOLOGIES, LLC.,**

**Plaintiff,**

**v.**

**GENERAL DYNAMICS C4 SYSTEMS, INC.;  
GENERAL DYNAMICS ITRONIX  
CORPORATION;**

**Defendants.**

**Civil Action No: 2:10-cv-459**

**JURY TRIAL DEMANDED**

**AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Lochner Technologies, LLC (“Lochner”) makes the following allegations against Defendants General Dynamics C4 Systems, Inc. (“C4 Systems”) and General Dynamics Itronix Corporation (“Itronix”) (collectively “Defendants”).

**PARTIES**

1. Plaintiff Lochner Technologies, LLC (“Lochner”) is a California limited liability company with its principal place of business at 719 West Front Street, Suite 173, Tyler, Texas 75702.

2. On information and belief, C4 Systems is a Delaware corporation with its corporate headquarters and principal place of business at 8201 E. McDowell Road, Scottsdale, AZ 85257.

3. On information and belief Itronix is a Delaware limited liability company with its corporate headquarters and principal place of business at 1000 Sawgrass Corporate Parkway, Suite 300, Sunrise, FL 33323.

**JURISDICTION AND VENUE**

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendants have a regular and established place of business in this district, have transacted business in this district, and/or have committed, contributed to, and/or induced acts of patent infringement in this district.

6. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

**COUNT I**

**INFRINGEMENT OF U.S. PATENT NO. 7,035,598**

7. Lochner incorporates paragraphs 1-6 above as if fully repeated and restated herein.

8. Lochner is the owner by assignment of United States Patent No. 7,035,598 (the "'598 patent") entitled "Modular Computer System." The '598 patent issued on April 25, 2006. A true and correct copy of the '598 patent is attached as Exhibit A.

9. Scott Lochner and Meir Bartur are listed as inventors on the '598 patent.

10. Upon information and belief, Defendants have been and now are directly, literally and/or, upon information and belief, jointly, equivalently and/or indirectly infringing by way of

inducing infringement by others and/or contributing to the infringement by others of the '598 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, marketing and selling products (including, but not limited to, the Tadpole VM2000 Mobile Server/Workstation) in conjunction with virtual desktops and/or thin client (including, but not limited to, the Tadpole M1400 Ultra-Thin Client) that comprise the wireless computer system covered by one or more claims of the '598 patent. Defendants are thus liable for infringement of the '598 patent pursuant to 35 U.S.C. § 271.

11. As a result of Defendants' infringement of the '598 patent, Lochner has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Defendants' infringing activities are enjoined by this Court.

12. Unless a permanent injunction is issued enjoining Defendants and their agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '598 patent, Lochner will be greatly and irreparably harmed.

#### **PRAYER FOR RELIEF**

WHEREFORE, Lochner respectfully requests that this Court enter:

1. A judgment in favor of Lochner that Defendants have infringed, directly and/or indirectly, by way of inducing and/or contributing to the infringement of the '598 patent, and that such infringement was willful;

2. A permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert or privity with any of them from infringing, inducing the infringement of, or contributing to the infringement of the '598 patent;

3. A judgment and order requiring Defendants to pay Lochner its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '598 patent as provided under 35 U.S.C. § 284;

4. An award to Lochner for enhanced damages resulting from the knowing, deliberate, and willful nature of Defendants' prohibited conduct with notice being made at least as early as the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;

5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Lochner its reasonable attorneys' fees; and

6. Any and all other relief to which Lochner may show itself to be entitled.

**DEMAND FOR JURY TRIAL**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: December 27, 2010

Respectfully submitted,

/s/ Daniel C. Whang

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