

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

vs.

SOTI INC.

Defendant.

Case No.: 1:11-cv-4899

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, “ArrivalStar” or “Plaintiffs”), by and through their undersigned attorneys, for their complaint against defendant SOTI Inc. (“SOTI”)(SOTI is referred to herein as “Defendant”) 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 the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

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

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, 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 No. 6,741,927 (“the ‘927 patent”), entitled “User-definable communications methods and systems,” issued May 25, 2004. A copy of the ‘927 patent is annexed hereto as Exhibit A.

5. Defendant SOTI is a Canadian Corporation with a place of business at 30-5155 Spectrum Way, Mississauga, Ontario L4W 5A1. SOTI transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the ‘927 patent.

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

DEFENDANT SOTI’S ACTS OF PATENT INFRINGEMENT

7. Defendant SOTI has infringed claims of the ‘927 patent through, among other activities, the use of SOTI’s MobiControl tracking system. SOTI has also infringed the ‘927 patent by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patent.

8. SOTI’s tracking system provides users with status updates regarding devices monitored by the system.

9. SOTI’s MobiControl tracking system locates, tracks, and gathers information on the movement of GPS enabled devices.

10. SOTI’s MobiControl system includes alert rules that notify users when events of interest arise on the system.

11. SOTI’s vehicle tracking system allows users to specify conditions for receiving an alert.

12. Through the MobiControl Manager, users of the SOTI system define alert rules on deployment servers.

13. SOTI's MobiControl v8.5 brochure states that users may "access MobiControl anywhere with the new web-based Management Console, no software instillation required."

14. SOTI's MobiControl system is implemented by a computer system.

15. SOTI's MobiControl system automatically executes defined actions based on user defined alert rules when devices enter or exit pre-specified geofenced areas.

16. SOTI's MobiControl system allows users to create notification profiles that specify the recipients that should be notified when a particular alert event is triggered.

17. SOTI's MobiControl system allows users to specify a notification profile for an alert rule.

18. SOTI's tracking system transmits notifications to users via email.

19. SOTI's MobiControl system is configured to transmit alert messages to multiple email addresses concurrently.

20. SOTI's tracking system is specifically configured to transmit alerts to a user's personal communication device by email.

21. SOTI's MobiControl system is configured to transmit alert messages to email addresses over the internet.

22. SOTI's tracking system is configured to transmit customized alert messages.

23. SOTI's MobiControl v8 Help Guide states that "the Alert section allows you the option to Generate an alert...and add a Customized Alert Message, such as 'Entered geofence'" on page 280.

24. SOTI's MobiControl system is configured to transmit customized alert messages that indicate the travel status of a GPS enabled device.

25. SOTI's MobiControl system allows a user to create a first notification profile having a first recipient with a first email address and a second notification profile having a second recipient with a second email address.

26. SOTI's tracking system transmits event alert messages to users' personal computers via email.

27. Users of the SOTI tracking system specify email addresses and the SOTI system sends notifications to the specified email addresses.

28. SOTI's tracking system allows a user to define a time period and associate a communication method with that the period in an alert rule.

29. SOTI's MobiControl tracking system allows users to specify an activate date and a deactivate date for an alert rule.

30. SOTI's MobiControl system is configured to transmit alert messages to a user during a time that falls after a user specified activate date and before a user specified deactivate date.

31. SOTI's MobiControl system allows users to specify a time period for an alert rule.

32. SOTI's MobiControl system allows users to specify a first time period and first notification profile for a first alert rule and a second time period and a second notification profile for a second alert rule.

33. SOTI's tracking system allows users to create alert rules that include an email notification profile, an activate date, and a deactivate date.

34. SOTI's tracking system transmits alert notifications to users via user-selected methods during user-selected time periods when travel data indicates that user-selected device are within user-selected proximities from user-selected locations.

35. SOTI's MobiControl system allows users to specify a GPS enabled device for an alert rule.

36. SOTI's MobiControl system allows users to specify a geofence area around a location.

37. SOTI's MobiControl system allows users to draw geofence areas on graphical maps.

38. SOTI's MobiControl system allows user to assign a geofence area to an alert rule.

39. SOTI's MobiControl system triggers alerts based on devices entering or exiting geofenced areas.

40. SOTI's MobiControl system is configured to determine that an alert notification should be made when a GPS enabled device enters within a geofence proximity of a location.

41. SOTI's tracking system monitors for geofence events based on GPS enabled devices entering or leaving a geofenced area.

42. SOTI's MobiControl system allows users to assign a first geofence area, a first vehicle, a first GPS enabled device, a first notification profile and a first time period to a first alert rule, and the first geofence area, the first vehicle, the first GPS enabled device, a second notification profile and a second time period to a second alert rule.

43. SOTI's MobiControl v8 Help Guide advises users that "the options available for the Power Policy are Continuous and Periodic. Continuous indicates the GPS radio is always on...It is best to use this option with devices that have an external power source or are vehicle mounted" on page 284.

44. Defendant SOTI's infringement, contributory infringement and inducement to infringe has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '927 patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendant, 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 ArrivalStar for the infringement that has occurred, together with prejudgment interest from the date that Defendant's infringement of the ArrivalStar patents began;
- B. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the ArrivalStar patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: July 20, 2011

Respectfully submitted,

/s/ Anthony E. Dowell
Anthony E. Dowell
aedowell@dowellbaker.com
Geoffrey D. Smith
GSmith@dowellbaker.com
DOWELL BAKER, P.C.
201 Main St., Suite 710
Lafayette, IN 47901
(765) 429-4004
(765) 429-4114 (fax)

**ATTORNEYS FOR PLAINTIFFS
ARRIVALSTAR S.A. and
MELVINO TECHNOLOGIES
LIMITED**