

KC FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAN 24 2007
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

TIMEBASE PTY LTD.,

Plaintiff,

vs.

THE THOMSON CORPORATION,

Defendant.

) 07CV460
)
) JUDGE LINDBERG
) MAGISTRATE JUDGE COLE

)
) JURY TRIAL DEMANDED
)

COMPLAINT

Plaintiff, TimeBase Pty Ltd., ("TimeBase") complains of defendant, The Thomson Corporation ("Thomson"), as follows:

PARTIES, JURISDICTION AND VENUE

1. This is a claim for patent infringement arising under the patent laws of the United States, including 35 U.S.C. §271. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §1338(a).

2. TimeBase is organized under the laws of Australia, with its principal place of business at Level 1, 362 Kent Street, Sydney, NSW 2000.

3. TimeBase is the owner by assignment and has standing to sue for infringement of United States Patent No. 6,233,592, "System for Electronic Publishing."

4. Thomson is an alien corporation incorporated under the laws of Canada. Thomson sells publishing services and products nationwide and in this judicial district.

5. Thomson has used, sold or offered to sell products and services that infringe the '592 patent within this judicial district, and has advertised the sale of such products in this judicial district.

6. Thomson is subject to personal jurisdiction in this judicial district.

7. Venue is proper in this district under 28 U.S.C. §§1391(d) and 1400(b).

PATENT INFRINGEMENT

8. Thomson has infringed the '592 patent at least by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others' use of products and services that fall within the scope of one or more claims of the '592 patent. Thomson has received notice of its infringement of the '592 patent.

9. Thomson's acts of infringement have injured TimeBase, and TimeBase is entitled to recover damages adequate to compensate it for the infringement that has occurred, but in no event less than a reasonable royalty.

10. The infringement by Thomson has injured and will continue to injure TimeBase unless and until such infringement is enjoined by this Court.

WHEREFORE, TimeBase respectfully requests judgment against Thomson and its subsidiaries and affiliates as follows:

A. An award of damages adequate to compensate TimeBase for the infringement that has occurred, together with prejudgment interest from the date infringement of the patent began and through the lifetime of the patent;

B. Any other damages permitted, including any for willful infringement, under 35 U.S.C. § 284;

C. A finding that this case is exceptional and an award to TimeBase of its attorneys' fees and expenses as provided by 35 U.S.C. § 285;

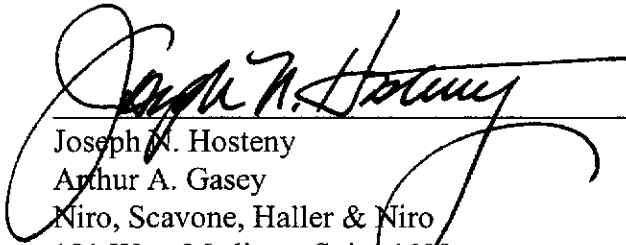
D. An injunction permanently prohibiting Thomson and all persons in active concert or participation with it, from further acts of infringement of the '592 patent; and

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

JURY DEMAND

Plaintiff demands a trial by jury.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph N. Hosteny", is written over a horizontal line. The signature is stylized and cursive.

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