

Receipt Number  
539420

ORIGINAL 14

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KOLANPARAMPIL K. KURUVILLA  
AND SANTHAMMA KURUVILLA,

*Plaintiffs,*

vs.

HON  
CIVI

CASE: 5:06-cv-10981  
ASSIGNED TO : O'MEARA, JOHN CORBETT  
REFERRAL JUDGE: MORGAN, VIRGINIA M  
ASSIGN. DATE : 3/6/2006  
DESCRIPTION: CMP KURUVILLA ET  
AL V OTIS ELEVATOR COMPANY  
(LG) AT 3:37 PM

OTIS ELEVATOR COMPANY,  
POMA – OTIS TRANSPORTATION SYSTEMS  
AND WAYNE COUNTY AIRPORT  
AUTHORITY,

*Defendants.*

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*Attorneys for Plaintiffs*

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**COMPLAINT AND JURY DEMAND**

### **THE PARTIES AND JURISDICTION**

1. Plaintiffs, Kolanparampil K. Kuruvilla and Santhamma Kuruvilla are individuals both having a principal residence at 133A Dawn Drive, Lansdale, PA 19446.

2. Defendant, Otis Elevator Company is wholly owned by United Technologies Corporation and has a place of business at 10 Farm Springs Rd., Farmington, CT 06032.

3. Defendant, Poma-Otis Transportation Systems is a joint venture 60% owned by Otis Elevator Company and 40% owned by Pomagalshi S.A. and has a place of business at 5 Farm Springs Rd., Farmington, CT 06032.

4. Defendant, Wayne County Airport Authority, has a place of business at the Smith Terminal – Mezzanine Level at Detroit Metropolitan Airport in Romulus, Michigan.

5. This action arises under the United States Patent Laws, 35 U.S.C. § 1 *et seq.* The Court has jurisdiction under 28 U.S. C. §§ 1331 and 1338(a). The Court also has diversity jurisdiction under 28 U.S.C. § 1332(a) because the parties are citizens of different states and the amount in controversy exceeds \$75,000.00.

### **COUNT I – PATENT INFRINGEMENT**

6. On November 16, 1999, U.S. Patent No. 5,986,561 (“the ‘561 patent”) duly and legally issued for an “Automatic Door Warning System.” A copy of the patent is attached as Exhibit I. Plaintiffs are the owners of the patent as co-inventors.

7. Defendants, Otis Elevator Company and Poma-Otis Transportation Systems have been, and still are willfully infringing the ‘561 patent by making, using, selling, and offering for sale systems that infringe the ‘561 patent, including the

automatic door warning system used as part of the Express Tram located at the McNamara Terminal at Detroit Metropolitan Airport in Romulus, Michigan. Defendants, Otis Elevator Company and Poma-Otis Transportation Systems sold and offered to sell its infringing system in Michigan and in this judicial district.

8. Defendant, Wayne County Airport Authority, has been and still is infringing the '561 patent by using, operating and allowing others to use systems that infringe the '561 patent, including the automatic door warning system used as part of the Express Tram located at the McNamara Terminal at Detroit Metropolitan Airport in Romulus, Michigan. Defendant, Wayne County Airport Authority, uses, operates and allows others to use systems that infringe the '561 patent in Michigan and in this judicial district.

9. Plaintiffs have been, and will continue to be, irreparably harmed by Defendants' conduct unless Defendants' are enjoined by this Court.

10. The allegations and other factual contentions in paragraphs 2 – 9 are likely to have further evidentiary support after a reasonable opportunity for further investigation or discovery.


WHEREFORE, plaintiff asks the Court to:

- a. Enjoin Defendants from infringing the '561 patent;
- b. Award Plaintiffs damages adequate to compensate for the infringement, but in no event less than reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court pursuant to 35 U.S.C. § 284;
- c. Increase the damages three times for Defendants' willful infringement pursuant to 35 U.S.C. § 284;
- d. Award Plaintiffs their reasonable attorney fees in accordance with 35 U.S.C. § 285; and
- e. Award Plaintiff all other relief to which it is entitled.

**JURY DEMAND**

Plaintiffs demand a trial by jury.

Respectfully submitted,  
GALASSO & ASSOCIATES L.P.

By:   
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*Attorneys for Plaintiffs*

Dated: March 3, 2006

**EXHIBIT 1 – U.S. PATENT NO. 5,986,561**



US005986561A

**United States Patent** [19]

[11] **Patent Number:** **5,986,561**

**Kuruvilla et al.**

[45] **Date of Patent:** **Nov. 16, 1999**

[54] **AUTOMATIC DOOR WARNING SYSTEM**

4,821,024	4/1989	Bayha	340/545
4,832,157	5/1989	Kitano	187/1 R
4,855,723	8/1989	Fritz et al.	340/691
4,967,083	10/1990	Kornbrekke et al.	250/341
5,142,152	8/1992	Boiocaner	250/341
5,189,388	2/1993	Mosley et al.	340/309.15
5,341,123	8/1994	Schuman, Sr. et al.	340/546

[76] Inventors: **Kolanparampli K. Kuruvilla;**  
**Santhamma Kuruvilla,** both of 133A  
 Dawn Dr., Lansdale, Pa. 19446

[21] Appl. No.: **09/093,197**

[22] Filed: **Jun. 6, 1998**

**FOREIGN PATENT DOCUMENTS**

2133191	7/1984	United Kingdom	340/679
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**Related U.S. Application Data**

[66] Substitute for application No. 08/541,516, Oct. 10, 1995, abandoned.

[51] **Int. Cl.<sup>8</sup>** ..... **G08B 3/00**

[52] **U.S. Cl.** ..... **340/691.5; 340/326; 340/679;**  
 340/691.4; 340/691.6; 340/692; 340/693.5;  
 340/693.9

[58] **Field of Search** ..... 340/691.5, 691.4,  
 340/691.6, 692, 540, 693.5, 693.9, 693.11,  
 545.1, 679, 326, 331, 332; 49/13; 187/391,  
 393

[56] **References Cited**

**U.S. PATENT DOCUMENTS**

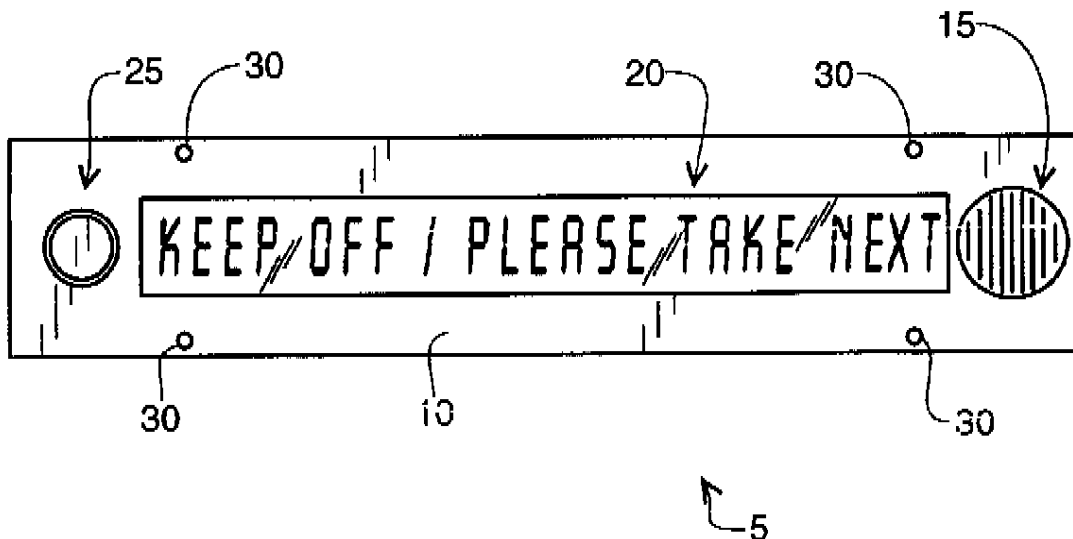
1,709,517	4/1929	Billingsley	340/654 X
1,790,681	2/1931	Smith	340/654 X
4,266,221	5/1981	Hawkins	340/679
4,400,786	8/1983	Mandel et al.	364/513
4,698,937	10/1987	Kornbrekke et al.	49/25

*Primary Examiner* Thomas Mullen  
*Attorney, Agent, or Firm*- David L. Volk

[57] **ABSTRACT**

An apparatus is provided for the automatic advance warning of imminent automatic door closure to passengers of public transportation vehicles. Comprised of a panel mounted above the automatic door, comprising an alarm light, a message display area, and a speaker capable of producing audible alarm warnings as well as audible verbal warning messages, it is capable of warning incoming passengers that automatic door closure is imminent. When a door close signal is received from existing door control circuitry, the apparatus is activated and it produces the audible and visual warning messages. After an appropriate delay period the audible and visual warning devices are deactivated and a door close signal is issued to the existing automatic doors and associated door safety guard circuitry.

**7 Claims, 3 Drawing Sheets**



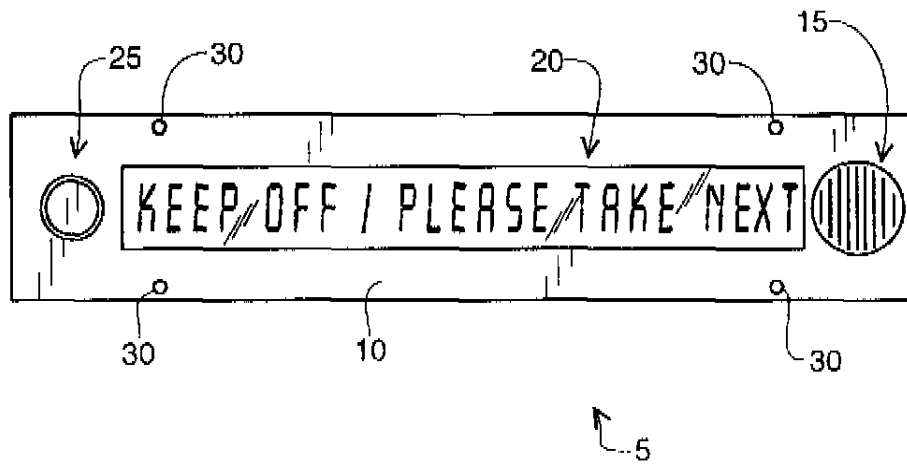


Fig. 1

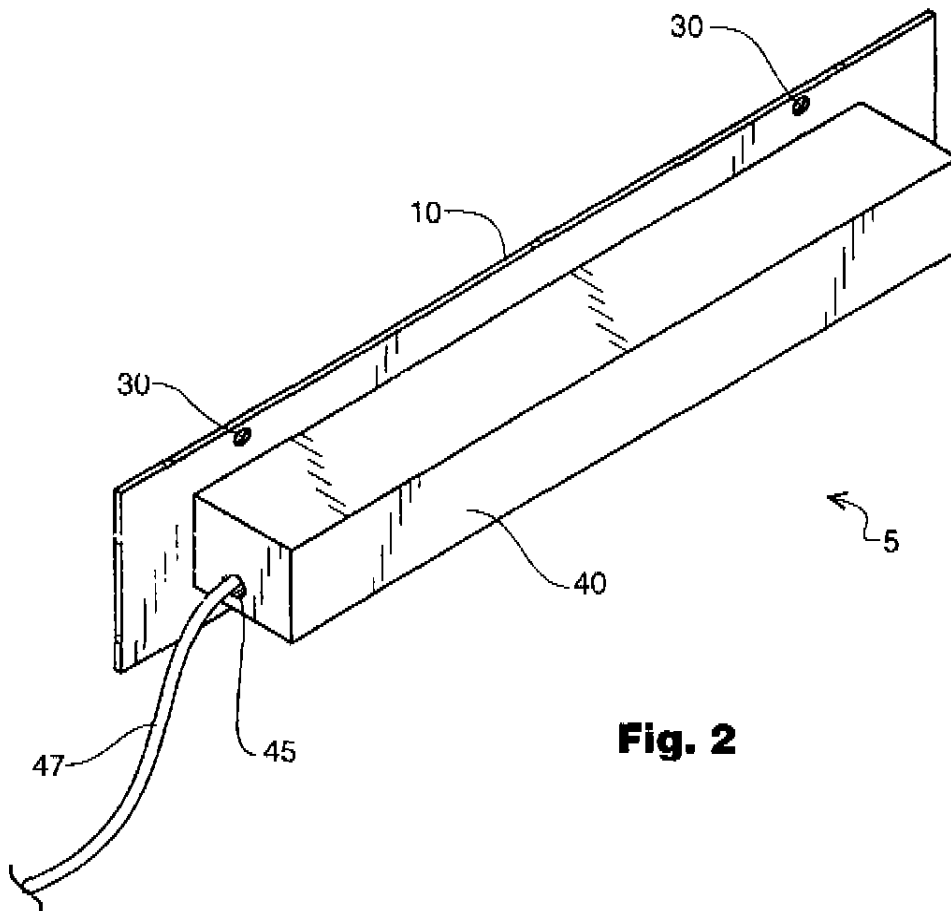


Fig. 2

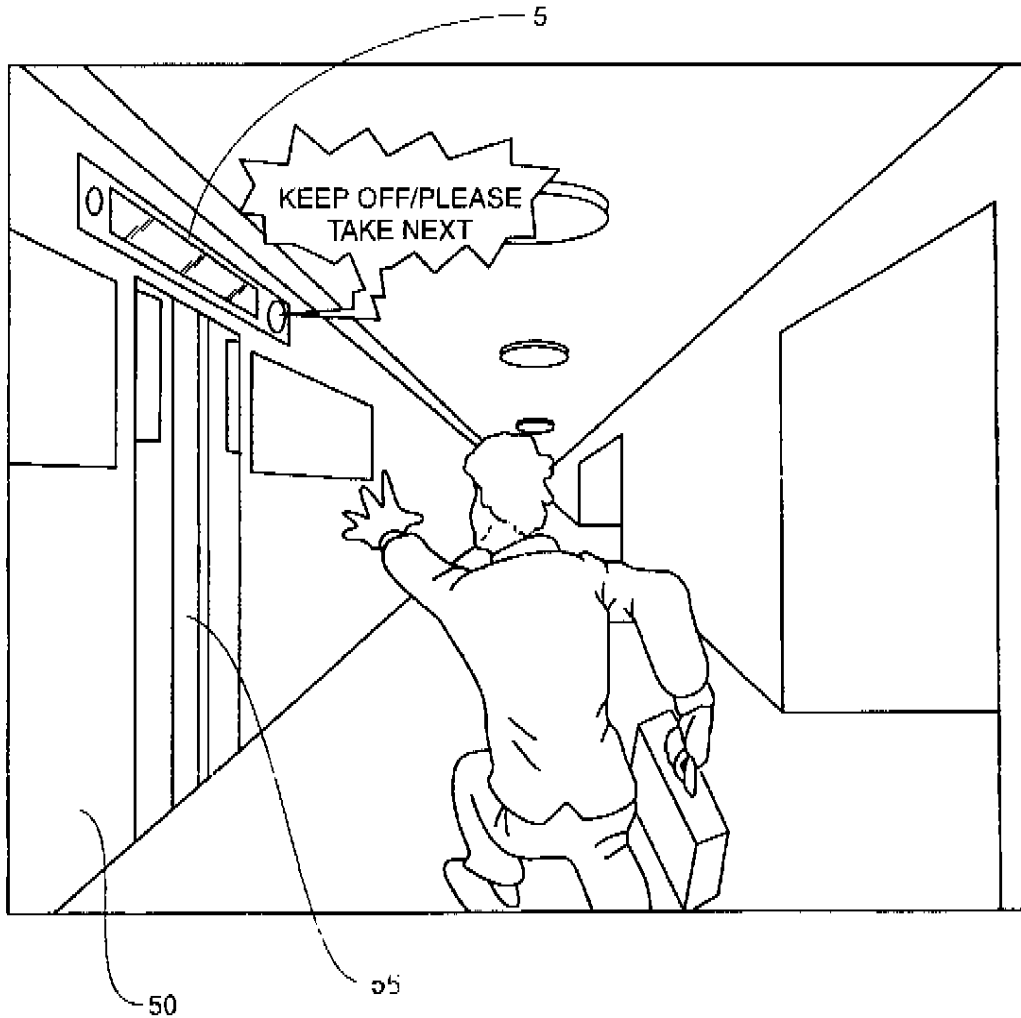


Fig. 3



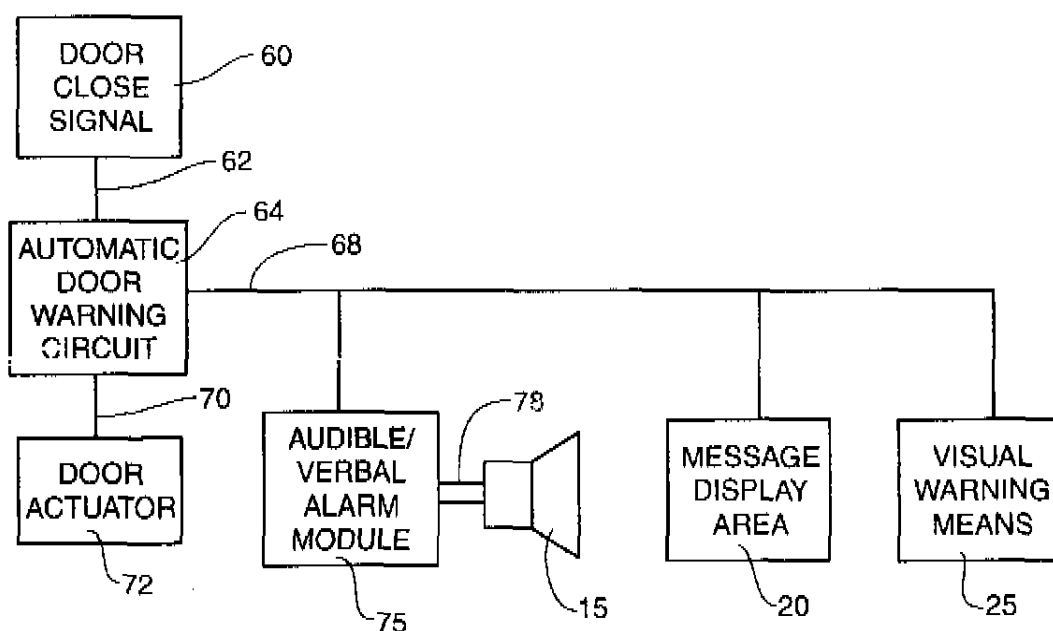


Fig. 4

5,986,561

1

## AUTOMATIC DOOR WARNING SYSTEM REFERENCES TO RELATED APPLICATIONS

This application is a substitute of application Ser. No. 08/541,516, filed Oct. 10, 1995, now abandoned.

### BACKGROUND OF THE INVENTION

#### 1. Field of the Invention

The present invention relates generally to warning systems and, more particularly, to an automatic door warning system.

#### 2. Description of the Related Art

With the increased use of public transportation in our society, there has been a corresponding increase in accidents that occur to public transportation passengers. Perhaps the most traumatic of these accidents occur when a passenger tries to board a vehicle in which the doors are closing or are about to close and thus becomes trapped. This action often results in bodily injury, trauma, physical disability or even death.

Further compounding this problem is the fact that most forms of public transportation including trains, trams, trolleys, buses, subway trains, and elevators do not have an operator in close physical proximity to the door. This fact often results in an increased response time to door trapped victims increasing injuries and causing mental trauma to fellow passengers.

While most people would never knowingly subject themselves to direct physical harm, sometimes carelessness and a preoccupation with boarding a vehicle leads to distraction from the dangers. Often the first indication a passenger has that a vehicle is about to move is when the vehicle doors begin to close. At this point the passenger must either rapidly move out of the way, perhaps also causing injury, or rely on numerous prior art door safety devices, which may or may not be operational, to avoid injury.

Numerous attempts have been made to correct for the foregoing problems. For instance, U.S. Pat. No. 5,142,152 to Boiucaner discloses a sliding door sensor. This invention controls the operation of sliding doors so that the doors remain in an open position until the pedestrian traffic clears the door threshold. This action would not be acceptable in many situations such as subway trains where a strict schedule must be adhered to. Moreover, this invention does not address the problem of pre-warning the passenger that the doors are about to close.

Several other attempts have been made at providing an automatic door warning system. For example, U.S. Pat. No. 4,967,083 and No. 4,698,937 to Kornbrekke et al. disclose an invention which utilizes multiple sensor modules either mounted above or on the door itself. Once again, any devices made according to either of the Kornbrekke disclosures only provide for the detection of movement within the door threshold or door swing area and do not address the problem of pre-warning the passenger that the doors are about to close.

Finally, U.S. Pat. No. 4,821,024 to Bayha discloses a door operator pre-warning system and proposes solutions which involve an advance warning system. However, the preferred embodiment disclosure in the Bayha reference only addresses the advance warning problem as would be found on a residential overhead garage door and associated radio frequency link and does not address the problem as would be found on various forms of public transportation.

Consequently, a need has been felt for providing an apparatus and method which provides clear and distinct

2

advance warning messages that automatic doors on various forms of public transportation are about to close.

### SUMMARY OF THE INVENTION

It is therefore an object of the present invention to provide an improved automatic door warning system.

It is another object of the present invention to provide an automatic door warning system which allows for the visual warning of imminent automatic door closure aboard public transportation vehicles.

It is yet another object of the present invention to provide an automatic door warning system which allows for the audible warning of imminent automatic door closure aboard public transportation vehicles.

It is another object of the present invention to provide an automatic door warning system which allows for retrofitting and ease of installation into existing public transportation vehicles.

It is therefore a feature of the present invention to utilize existing warning light technologies to allow for visual warning of imminent automatic door closure aboard public transportation vehicles.

It is another feature of the present invention to utilize existing message display technologies to allow for visual warning of imminent automatic door closure aboard public transportation vehicles.

It is yet another feature of the present invention to utilize existing audible warning alarm technologies to allow for audible warning of imminent automatic door closure aboard public transportation vehicles.

It is another feature of the present invention to utilize existing electronic voice reproduction technologies to allow for audible warning of imminent automatic door closure aboard public transportation vehicles.

In accordance with a preferred embodiment, an apparatus is provided for the pre-warning of passengers of public transportation vehicles that automatic doors are about to close. Comprised of a panel mounted above the automatic door, comprising an alarm light, a message display area, and a speaker capable of producing audible alarm warnings as well as audible verbal warning messages, it is capable of warning incoming passengers that automatic door closure is imminent. When a door close signal is received from existing door control circuitry, the apparatus is activated and produces the audible and visual warning messages. After an appropriate delay period the audible and visual warning devices are deactivated and a door close signal is issued to the existing automatic doors and associated door safety guard circuitry.

### BRIEF DESCRIPTION OF THE DRAWINGS

The advantages and features of the present invention will become better understood with reference to the following more detailed description and claims taken in conjunction with the accompanying drawings, in which like elements are identified with like symbols, and in which:

FIG. 1 is a front elevational view of an automatic door warning system of the present invention;

FIG. 2 is a rear perspective view of the automatic door warning system;

FIG. 3 is a one-point perspective illustration of the automatic door warning system in use on a public transportation system; and

FIG. 4 is a functional block diagram of the automatic door warning system.

5,986,561

3

## DETAILED DESCRIPTION

Referring now to FIG. 1, an automatic door warning system 5 is shown. A front panel 10, contains a speaker 15, a message display area 20, and a visual warning means 25. The front panel 10 is provided with first circular openings 30 for installation using screws (not shown) or other known fasteners.

Referring to FIG. 2, the automatic door warning system 5 is shown from a rear view. A rear housing 40 is shown in mechanical contact with the front panel 10. A second circular opening 45 is provided in the rear housing 40 for a power and control wiring harness 47, which will be described in greater detail below. The rear housing 40 and the front panel 10 in conjunction with the first circular openings 30 provide for recessed mounting of the automatic door warning system 5 in a manner that is well known to those skilled in the art.

FIG. 3 shows the automatic door warning system 5 installed on a public transportation vehicle 50. The automatic door warning system 5 is installed directly above and in close physical proximity to an automatic door 55 of the public transportation vehicle 50. The rear housing 40 (shown in FIG. 2) and the power and control wiring 47 (shown in FIG. 2) are located in a recessed and concealed manner within the public transportation vehicle 50.

FIG. 4 is a functional block diagram of the automatic door warning system 5. A door close signal 60 is received from existing door control circuitry and an electrical signal 62 enables an automatic door warning circuit 64. An instantaneous output signal 68 and a delay output signal 70 is generated from the automatic door warning circuit 64. The delay output signal 70 energizes a door actuator 72 which is part of the existing automatic door mechanism. The instantaneous output signal 68 energizes an audible verbal alarm module 75, the message display area 20 and the visual warning means 25. The audible verbal alarm module 75 produces audible output in the speaker 15 through an analog waveform 78. The electrical signal 62 and the delay output signal 70 is contained within the power and control wiring harness 47 (shown in FIG. 2).

The message display area 20 is preferably an electronic display panel capable of being programmed with different messages which may include text and/or graphics, but may also consist of one message capable of being backlit at the appropriate time. The visual warning means 25 is preferably a flashing red strobe light, but may consist of many other different visual warning indicators familiar to those skilled in the art. The audible verbal alarm module 75 is preferably an electronic voice storage module capable of being programmed with different messages and/or warning sounds, but may also comprise a mechanical tape playback unit or an audible alarm module only.

In operation, the present invention provides an additional level of accident avoidance to the everyday user of public transportation in a clear and concise manner without any input or training on the part of the user. The operation of the present invention with its preferred embodiment can best be described in conjunction with the functional block diagram of an automatic door warning system as shown in FIG. 4.

Referring to FIG. 4, the door close signal 60 is received from existing door control circuitry, which is either an automatic signal as would be found on passenger elevators or an operator produced signal as would be found on transit buses. The door close signal 60, is utilized by automatic door warning circuit 64 to produce either the instantaneous output signal 68 or the delay output signal 70. The instantaneous

4

output signal 68 is utilized to produce both audible and visual warnings that automatic door closure is imminent. These warnings are produced by the audible/verbal alarm module 75 and its associated speaker 15, the message display area 20 and the visual warning means 25. The audible/verbal alarm module 75 produces audible voice messages to warn of imminent door closure, alarm warning sounds to warn of imminent door closure, or a combination of both. After a suitable period of time on the order of three to five seconds, the audible and visual warnings cease and the delay output signal 70 energizes a door actuator 72 which is part of the existing automatic door mechanism. The automatic door warning system is intended as an additional safety element for public transportation passengers and would supplement any existing door safety systems such as limit switches, electric photocells, infra-red motion detectors and the like which would remain in place and operational.

The foregoing description is included to describe embodiments of the present invention which include the preferred embodiment, and is not meant to limit the scope of the invention. From the foregoing description, many variations will be apparent to those skilled in the art that would be encompassed by the spirit and scope of the invention. Accordingly, the scope of the invention is to be limited only by the following claims and their legal equivalents.

What is claimed is:

1. An automatic door warning system for use in conjunction with those public transportation vehicles having automatic doors, said automatic door warning system comprising:

- a front panel;
- message display means for visually displaying textual messages, said message display means affixed to said front panel;
- audible alarm means for providing an audible alarm;
- visual alarm means for providing a visual warning;
- a rear housing for containing said audible alarm means and said visual alarm means, said rear housing being in mechanical contact with said front panel; and
- attachment means for affixing said automatic door warning system to a surface.

2. The automatic door warning system as described in claim 1, wherein said message display means comprises a message display area mounted to said front panel, said message display area having an electronic, programmable display panel capable of being programmed for a plurality of messages.

3. The automatic door warning system as described in claim 1, wherein said audible alarm means comprises:

- a programmable audible and verbal alarm module for producing an electronic output in an analog waveform simulating verbal commands; and
- a speaker unit for projecting said electronic output.

4. The automatic door warning system as described in claim 1, wherein said visual alarm means comprises a flashing strobe light.

5. A door warning system for use with automatic doors having door control circuitry generating a door close signal and a door actuator, said door warning system comprising:

- door close signal means for receiving an electrical door close signal from existing door control circuitry;
- an automatic door warning circuit both for receiving said door close signal and for generating a delay output signal to actuate said door actuator and an instantaneous output signal;

5,986,561

5

a speaker;  
an audible verbal alarm module activatable by said instantaneous output signal, said audible verbal alarm module for generating sounds and words through said speaker;  
a message display area activated by said instantaneous output signal, said message display area capable of displaying a textual message; and  
visual warning means activated by said instantaneous output signal for providing visual alarm indications.

6

6. The door warning system as described in claim 5, wherein said message display area comprises a programmable display panel capable of being programmed to generate a plurality of messages.

7. The door warning system as described in claim 5, wherein said visual warning means comprises a flashing strobe light.

\* \* \* \* \*

CIVIL COVER SHEET

County in which this action arose Wayne County, Michigan

This cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as modified by the local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of filing the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Kolanparumpil K. Kuruvilla and Santhamma Kuruvilla

ORIGINAL

DEFENDANTS

Otis Elevator Company, Poma-Otis Transportation Systems and Wayne County Airport Authority

(b) County of Residence of First Listed Plaintiff Not Known  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Not Known  
(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Raymond M. Galasso (P51458)  
Galasso & Associates L.P.  
P.O. Box 26503, Austin, Texas 78755-0503, (512) 306-8533

Attor  
CASE: 5:06-cv-10981  
ASSIGNED TO : O'MEARA, JOHN CORBETT  
REFERRAL JUDGE: MORGAN, VIRGINIA M  
ASSIGN. DATE : 3/6/2006  
DESCRIPTION: CMP KURUVILLA ET AL V OTIS ELEVATOR COMPANY (LG) AT 3:37 PM

II. BASIS OF JURISDICTION (Select One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PLAINTIFFS (Indicate Plaintiff) and One Box for Defendant

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Select One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copy Rights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Select One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
35 U.S.C.

VI. CAUSE OF ACTION

Brief description of cause:  
Patent Infringement of U.S. Patent No. 5,986,561

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ \_\_\_\_\_  
CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: March 3, 2006 SIGNATURE OF ATTORNEY OF RECORD

*Raymond M. Galasso* For Galasso & Associates L.P.

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING FEE \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes  
 No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes  
 No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

\_\_\_\_\_

\_\_\_\_\_