

Kristine L. Butler, Esquire  
VOLPE AND KOENIG, P.C.  
One Palmer Square  
Suite 315  
Princeton, NJ 08542  
Phone: (609) 924-7900  
Fax: (609) 924-7902

Michael F. Snyder, Esquire  
Ryan W. O'Donnell, Esquire  
VOLPE AND KOENIG, P.C.  
United Plaza  
30 South 17<sup>th</sup> Street  
Philadelphia, Pennsylvania 19103  
Phone: (215) 568-6400  
Fax: (215) 568-6499

*Attorneys for Plaintiff  
Lottotron, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK DIVISION**

<p>LOTTOTRON, INC., a New Jersey Corporation, Plaintiff,</p> <p>v.</p> <p>ATHILA STATION, <i>et al.</i> Defendants.</p>	<p>Civil Action No. 2:10-cv-04318 (JLL)(CCC)</p> <p>Hon. Jose L. Linares, U.S.D.J. Hon. Claire C. Cecchi, U.S.M.J.</p> <p>ELECTRONICALLY FILED</p>
---	--

**AMENDED COMPLAINT**

Now comes the plaintiff, Lottotron, Inc. (“Lottotron”), and alleges by way of complaint Austant Holdings Ltd. (“Austant Holdings”), BTK Ltd. (“BTK”), Central Pacific Ltd. (“Central Pacific”), Cyber Gaming International Ltd. (“Cyber Gaming”), CyberBetting Ltd. (“CyberBetting”), Ensis Technologies, Inc. (“Ensis”), Gantor

International Ltd. (“Gantor”), GlobetCasino.com (“GlobetCasino”), International Gaming & Entertainment Ltd. (“International Gaming”), iNetbet Internet Gaming Services (“iNetbet”), Isagro Holdings Ltd. (“Isagro”), Legendz Sports, OIGE CG Ltd. (“OIGE”), Operia Corp. Ltd. (“Operia”), PartyGaming Plc (“PartyGaming”), Real Entertainment Ltd. (“Real Entertainment”), Sportscontent Ltd. (“Sportscontent”), Story Games Ltd. (“Story Games”), Sulkin Ltd. (“Sulkin”), Trenan Ltd. (“Trenan”), and Winward Hall Ltd. (“Winward Hall”), collectively the (“Defendants”) as follows:

### **PARTIES**

1. Lottotron is a New Jersey corporation, having a principal place of business located at 207 Lodi Street, Hackensack, New Jersey 07601-3916.

2. Upon information and belief, defendant Astant Holdings is a corporation organized under the laws of Cyprus, having a principal place of business at Themistokli Dervi 48, Centennial Building 3rd Floor, Flat 303, Nicosia, Cyprus 1066.

3. Upon information and belief, defendant BTK is a corporation organized under the laws of the United Kingdom, having a principal place of business at 2a-3a Bedford Place, Southampton SO15 2DB, United Kingdom.

4. Upon information and belief, defendant Central Pacific is a corporation organized under the laws of Gibraltar, having a principal place of business at Gibro House, 4 Giro’s Passage, Gibraltar.

5. Upon information and belief, defendant Cyber Gaming is a corporation organized under the laws of the United Kingdom, having a principal place of

business at 12 Linden Way, Blackhill, DH8 5UH Consett, Durham, United Kingdom.

6. Upon information and belief, defendant CyberBetting is a corporation organized under the laws of the United Kingdom, having a principal place of business at 7 Woodwyn, Leam Lane Estate, Gateshead, England, United Kingdom NE10 8NS.

7. Upon information and belief, defendant Ensis is a corporation organized under the laws of the United Kingdom, having a principal place of business at 1-5 Lillie Road, London SW6 1TX, United Kingdom.

8. Upon information and belief, defendant Gantor is a corporation organized under the laws of Malta, having a principal place of business at 109 Triq Sir William Reid, Gzira, Malta.

9. Upon information and belief, defendant GlobetCasino is a corporation organized under the laws of Gibraltar, having a principal place of business at Suite 18-20 Watergardens, Block 3, Gibraltar.

10. Upon information and belief, defendant International Gaming is a corporation organized under the laws of Antigua, having a principal place of business at 60 Nevis Street, St. John's, Antigua.

11. Upon information and belief, defendant iNetbet is a corporation organized under the laws of the United Kingdom, having a principal place of business at Broomsleigh Farm Office, Kent, England, United Kingdom TN15 OES.

12. Upon information and belief, defendant Isagro is a corporation organized under the laws of Cyprus, having a principal place of business at Afroditis 25, 2nd Floor, Office 204, Nicosia, Cyprus.

13. Upon information and belief, defendant Legendz Sports is a corporation organized under the laws of Panamá, having a principal place of business at Albrook Office Park, Building 20, Calle Ruben Dario, Ancon, Panamá.

14. Upon information and belief, defendant OIGE is a corporation organized under the laws of Malta, having a principal place of business at Vincenti Buildings, Suite 400, 14/19 Strait Street, Valletta VLT 1432, Malta.

15. Upon information and belief, defendant Operia is a corporation organized under the laws of Panamá, having a principal place of business at 50<sup>th</sup> Street - Global Plaza Tower, 19th Floor, Suite H, Panamá City, Panamá.

16. Upon information and belief, defendant PartyGaming is a corporation organized under the laws of Gibraltar, having a principal place of business at 711 Europort, Gibraltar.

17. Upon information and belief, defendant Real Entertainment is a corporation organized under the laws of Antigua, having a principal place of business at World Gaming Unit 5, Jasmine Court, Friars Hill Road, St. John's, Antigua.

18. Upon information and belief, defendant Sportscontent is a corporation organized under the laws of Belize, having a principal place of business at Albert Street 99, Belize City, Belize.

19. Upon information and belief, defendant Story Games is a corporation organized under the laws of Seychelles, having a principal place of business at 306 Victoria House, Victoria, Seychelles.

20. Upon information and belief, defendant Sulkin is a corporation organized under the laws of Cyprus, having a principal place of business at Griva Digeni 115, Trident Centre, Mesa Geitonia, Lemesos, Cyprus.

21. Upon information and belief, defendant Trenan is a corporation organized under the laws of Cyprus, having a principal place of business at Zinionos Kitieos, Egkomi, Lefkosia, Cyprus.

22. Upon information and belief, defendant Winward is a corporation organized under the laws of Ireland, having a principal place of business at AXXIS, National Software Centre Campus, Mahon, Cork, Ireland.

### **JURISDICTION AND VENUE**

23. This Court has subject matter jurisdiction under 28 U.S.C. § 1338(a).

24. Austant Holdings, through its interactive website, VA Bank Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

25. BTK, through its interactive websites, coolcat-casino.com, 123bingo.com, palace of chance.com, Silver Oak Casino and Royal Ace Casino, at

some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

26. Central Pacific, through its interactive website, iVegas.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

27. Cyber Gaming, through its interactive websites, vegasmagic.com, Slot Fever Casino and Vegas Luck Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

28. CyberBetting, through its interactive websites, blast21.com and BetMax Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

29. Ensis, through its interactive websites, Russian Casino and Breeze Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent),

offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

30. Gantor, through its interactive website, Yachting Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

31. GlobetCasino, through its interactive website, globetcasino.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

32. International Gaming, through its interactive website, Intertops Red Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

33. iNetbet, through its interactive website, iNetBet Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

34. Isagro, through its interactive websites, Slot Oasis Casino, Cherry Red Casino and Rushmore Casino, at some point during the time period August 19, 2004

(six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

35. Legendz Sports, through its interactive website, legends.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

36. OIGE, through its interactive website, InterCasino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiplegame, on-line wagering format in this Judicial District and elsewhere.

37. Operia, through its interactive website, Pamper Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

38. PartyGaming, through its interactive websites, casinolasvegas.com, partycasino.com, partybingo.com and clubdicecasino.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

39. Real Entertainment, through its interactive website, Win4real Casino, at some point during the time period August 19, 2004 (six years prior to the



commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

40. Sportscontent, through its interactive website, First Royal Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

41. Story Games, through its interactive website, Casino-Broceliande.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

42. Sulkin, through its interactive website, Grande Vegas Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

43. Trenan through its interactive website, Sloto'Cash Casino, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

44. Winward Hall, through its interactive websites, winwardcasino.com, bingohall.com and richcasino.com, at some point during the time period August 19, 2004 (six years prior to the commencement of this suit) to March 6, 2010 (the expiration of the '865 patent), offered a multiple-game, on-line wagering format in this Judicial District and elsewhere.

45. In light of the activities engaged in by the defendants in this Judicial District and elsewhere, this Court has specific personal jurisdiction over each defendant as concerns the subject matter of this complaint.

46. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1400.

#### **COUNT I – PATENT INFRINGEMENT**

47. Lottotron hereby incorporates by reference the allegations contained in paragraphs 1-46, above.

48. Lottotron is the owner by assignment of U.S. Patent No. 5,921,865, entitled Computerized Lottery Wagering System (“the ‘865 patent”). A copy of the patent-in-suit is attached hereto as Exhibit A.

49. Lottotron is asserting infringement of at least independent claims 5 and 8 of the ‘865 patent.

50. Claim 5 of the ‘865 patent reads:

A computer wagering system for automatically accepting wagers, comprising:

a) communications means for receiving incoming communications for making a wager;

b) message means connected to said communications means for receiving said incoming communications routed from said communications means and for

providing a series of messages requesting subscriber wagering information particular to one of the plurality of wagering formats; and

c) computer means having storage means connected to said message means for receiving and storing said subscriber wagering information.

51. The following chart shows how the defendants’ accused websites, as of March 2010, when the ‘865 patent expired, satisfied each limitation of claim 5:

LIMITATION	CORRESPONDENT
A computer wagering system for automatically accepting wagers, comprising:	Each of the defendants’ websites has a server that hosts the subject website which allows wagerers to place wagers automatically via such website.
communications means for receiving incoming communications for making a wager	Each of the defendants provide for a mechanism for receiving communications from wagerers desiring to place a wager on such websites. The Preferred Embodiments of the ‘865 patent include the teaching that “[t]he system may also be accessed over the Internet where the system adopts an Internet address and subscriber identification encoding to control access.”
message means connected to said communications means for receiving said incoming communications routed from said communications means and for providing a series of messages requesting subscriber wagering information particular to one of the plurality of wagering formats	Each of the defendants’ websites offer a variety of games of chance, which are equivalent to “wagering formats,” as literally defined by this Court, as such games are insubstantially different from the “types of lottery games that are typically available.” The defendants’ accused websites provide a mechanism by which incoming messages are routed according to the type of game a wagerer chooses to play. For example, a wagerer’s communication indicating a desire to play roulette would be directed to the roulette interface, as opposed to the blackjack interface, and the wagerer would be requested to input wagering information specific to roulette (e.g., a wager on “red numbers”) as opposed to wagering information specific to

	blackjack (e.g., a decision to split like cards).
computer means having storage means connected to said message means for receiving and storing said subscriber wagering information.	The defendants' respective servers hosting such websites have a memory for receiving and storing the information from the wagerer in order to process such information.

52. Claim 8 of the '865 patent reads:

Method for automatically accepting a plurality of different wagering formats over a computer system, comprising:

receiving incoming communications from prospective wagerers and routing each of said communications according to which one of said plurality of different wagering formats is requested by a subscriber;

providing a series of messages requesting subscriber wagering information particular to one or more of said plurality of wagering formats;

requesting identification information from said prospective wagerers; and

requesting said prospective wagerers to enter a wager.

53. The following chart shows how the defendants' accused websites, as of March 2010, when the '865 patent expired, satisfied each limitation of claim 8:

LIMITATION	CORRESPONDENT
Method for automatically accepting a plurality of different wagering formats over a computer system, comprising	Each of the defendants' websites has a server that hosts the subject website which allows wagerers to place wagers automatically via such website.
receiving incoming communications from prospective wagerers and routing each of said communications according to which one of said plurality of different wagering formats is requested by a subscriber;	Each of the defendants provide for a mechanism for receiving communications from wagerers desiring to place a wager on such websites. The Preferred Embodiments of the '865 patent include the teaching that "[t]he system may also be accessed over the Internet where the system adopts an Internet address and subscriber identification encoding to control access."

	Each of the defendants’ websites offer a variety of games of chance, which are equivalent to “wagering formats,” as literally defined by this Court, as such games are insubstantially different from the “types of lottery games that are typically available.” The defendants’ accused websites provide a mechanism by which incoming messages are routed according to the type of game a wagerer chooses to play. For example, a wagerer’s communication indicating a desire to play roulette would be directed to the roulette interface, as opposed to the blackjack interface.
providing a series of messages requesting subscriber wagering information particular to one or more of said plurality of wagering formats;	The wagerer would receive messages from defendants’ websites that request the wagerer to input wagering information specific to a game such as roulette (e.g., a wager on “red numbers”) as opposed to wagering information specific to blackjack (e.g., a decision to split like cards).
requesting identification information from said prospective wagerers; and	The defendants’ websites each ask wagerers to complete a profile seeking information designed to identify the wagerer, including name and address.
requesting said prospective wagerers to enter a wager.	The defendants’ websites each ask wagerers to place a wager on the game(s) they select to play.

54. The defendants’ operation of their afore-identified interactive gaming websites directly infringes the claims of the ‘865 patent in violation of 35 U.S.C. § 271(a).

**PRAYERS FOR RELIEF**

WHEREFORE, Lottotron respectfully requests the following relief:

1. That the defendants be found by this Court to infringe the ‘865 patent;

2. That the defendants, their agents, officers, sales representatives, servants, employees, representatives, associates, attorneys, successors and assigns, and any and all persons or entities acting by, through, under, or in concert, privity or in participation with, any or all of them, be permanently enjoined by Order of this Court from doing, abiding, causing, aiding or abetting any of the following:

- (a) directly or indirectly infringing, or inducing or causing any person or entity to infringe the '865 patent; or
- (b) from assisting, aiding or abetting any other person or entity from engaging in or performing any of the above-described acts.

3. That the Court award Lottotron its damages in accordance with 35 U.S.C. § 284;

4. That the Court award Lottotron its costs, including attorneys' fees, and an assessment of interest;

5. That the Court grant such other and further relief as it deems just and proper.

**JURY DEMANDED**

Lottotron hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

Dated: April 27, 2011

By: s/ Kristine L. Butler  
Kristine L. Butler, Esquire  
VOLPE AND KOENIG, P.C.  
One Palmer Square  
Suite 315  
Princeton, NJ 08542  
Phone: (609) 924-7900  
Fax: (609) 924-7902  
[kbutler@vklaw.com](mailto:kbutler@vklaw.com)

Michael F. Snyder, Esquire  
Ryan W. O'Donnell, Esquire  
VOLPE AND KOENIG, P.C.  
United Plaza  
30 South 17<sup>th</sup> Street  
Philadelphia, Pennsylvania 19103  
Phone: (215) 568-6400  
Fax: (215) 568-6499  
[msnyder@vklaw.com](mailto:msnyder@vklaw.com)  
[rodonnell@vklaw.com](mailto:rodonnell@vklaw.com)

*Attorneys for Plaintiff  
Lottotron, Inc.*

OF COUNSEL:

George C. Summerfield, Esquire  
STADHEIM & GREAR, LTD.  
400 North Michigan Avenue, Suite 2200  
Chicago, Illinois 60611  
Telephone: (312) 755-4400  
Facsimile: (312) 755-4408  
Email: [summerfield@stadheimgrear.com](mailto:summerfield@stadheimgrear.com)