

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

<p>TRAVEL TAGS, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p>vs.</p> <p>UV COLOR, INC., and INTERACTIVE COMMUNICATIONS INTERNATIONAL, INC.,</p> <p style="text-align: center;">Defendants.</p>	<p>Court File No.: 09-cv-1619 (JRT/AJB)</p> <p><b>AMENDED COMPLAINT FOR PATENT INFRINGEMENT</b> (Jury Trial Demanded)</p>
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Plaintiff, Travel Tags, Inc. (“Travel Tags”), for its complaint against Defendants, UV Color, Inc. (“UV Color”) and Interactive Communications International, Inc. (“InComm”), alleges as follows:

**THE PARTIES**

1. Plaintiff Travel Tags is a corporation organized under the laws of the state of Minnesota having a principal place of business at 5842 Carmen Avenue, Inver Grove Heights, Minnesota, 55076.

2. Upon information and belief, Defendant UV Color is a corporation organized under the laws of the state of Minnesota having a principal place of business at 2430 Prior Ave N, Roseville, Minnesota, 55113.

3. Upon information and belief, Defendant InComm is a corporation organized under the laws of the state of Florida having a principal place of business at 250 Williams St., Suite M-100, Atlanta, GA 30303.

**JURISDICTION AND VENUE**

4. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, and particularly 35 U.S.C. § 271.

5. This court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

6. This court has personal jurisdiction over UV Color by reason of its incorporation under the laws of Minnesota and presence within the State of Minnesota.

7. This court has personal jurisdiction over InComm by reason of its continuous and systematic contacts with Minnesota. On information and belief, InComm and its agents regularly transit and solicit business in Minnesota or derive substantial revenue from sales in Minnesota. InComm has sufficient minimum contacts with Minnesota such that the maintenance of personal jurisdiction does not offend traditional notions of fair play and substantial justice.

8. Venue in the United States District Court for the District of Minnesota is proper pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because Travel Tags, UV Color, and InComm are all corporations that reside within the District and because InComm is subject to personal jurisdiction in the District.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,224,108**

9. Travel Tags incorporates and re-alleges paragraphs 1 through 8.

10. On May 1, 2001 U.S. Patent Number 6,224,108 entitled “Packaged Data Card Assembly” (the “108 patent”) was duly and legally issued by the United States

Patent and Trademark Office. A true and correct copy of the '108 patent is attached as Exhibit A to the Amended Complaint.

11. Travel Tags is the owner by assignment of the entire right, title, and interest in and to the '108 patent with the right to sue for past, present, and future infringement of the '108 patent.

12. UV Color and InComm have been and are making, using, selling, offering for sale, and/or importing, without license or authority from Travel Tags, in this district and elsewhere in the United States, packaged data cards that embody the invention(s) claimed in the '108 patent under 35 U.S.C. § 271.

13. Upon information and belief, UV Color and InComm will continue to directly infringe, contributorily infringe, and/or induce infringement of the '108 patent unless enjoined by the Court.

14. Travel Tags has been damaged by UV Color's and InComm's infringement of the '108 patent, and will continue to be damaged by that infringement unless enjoined by this court.

15. Upon information and belief, UV Color and InComm have actual knowledge of the full contents of the '108 patent, and their prior and continuing infringement of the '108 patent was and is willful and deliberate.

**COUNT II: INFRINGEMENT OF U.S. PATENT NO. 6,328,341**

16. Travel Tags incorporates and re-alleges paragraphs 1 through 15.

17. On December 11, 2001 U.S. Patent Number 6,328,341 entitled “Multiple-Component Data Package” (the “‘341 patent”) was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ‘341 patent is attached as Exhibit B to the Amended Complaint.

18. Travel Tags is the owner by assignment of the entire right, title, and interest in and to the ‘341 patent with the right to sue for past, present, and future infringement of the ‘341 patent.

19. UV Color and InComm have been and are making, using, selling, offering for sale, and/or importing, without license or authority from Travel Tags, in this district and elsewhere in the United States, packaged data cards that embody the invention(s) claimed in the ‘341 patent under 35 U.S.C. § 271.

20. Upon information and belief, UV Color and InComm will continue to directly infringe, contributorily infringe, and/or induce infringement of the ‘341 patent unless enjoined by the Court.

21. Travel Tags has been damaged by UV Color’s and InComm’s infringement of the ‘341 patent, and will continue to be damaged by that infringement unless enjoined by this court.

22. Upon information and belief, UV Color and InComm have actual knowledge of the full contents of the '341 patent, and their prior and continuing infringement of the '341 patent was and is willful and deliberate.

**COUNT III: INFRINGEMENT OF U.S. PATENT NO. 6,439,613**

23. Travel Tags incorporates and re-alleges paragraphs 1 through 22.

24. On August 27, 2002 U.S. Patent Number 6,439,613 entitled "Multiple-Component Data Package" (the "'613 patent") was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '613 patent is attached as Exhibit C to the Amended Complaint.

25. Travel Tags is the owner by assignment of the entire right, title, and interest in and to the '613 patent with the right to sue for past, present, and future infringement of the '341 patent.

26. UV Color and InComm have been and are making, using, selling, offering for sale, and/or importing, without license or authority from Travel Tags, in this district and elsewhere in the United States, packaged data cards that embody the invention(s) claimed in the '613 patent under 35 U.S.C. § 271.

27. Upon information and belief, UV Color and InComm will continue to directly infringe, contributorily infringe, and/or induce infringement of the '613 patent unless enjoined by the Court.

28. Travel Tags has been damaged by UV Color's and InComm's infringement of the '613 patent, and will continue to be damaged by that infringement unless enjoined by this court.

29. Upon information and belief, UV Color and InComm have actual knowledge of the full contents of the '613 patent, and their prior and continuing infringement of the '613 patent was and is willful and deliberate.

**COUNT IV: INFRINGEMENT OF US PATENT NO. 6,715,795**

30. Travel Tags incorporates and re-alleges paragraphs 1 through 29.

31. On April 6, 2004, U.S. Patent No. 6,715,795 entitled "Multiple-Component Data Package" (the "'795 patent") was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '795 Patent is attached as Exhibit D to the Amended Complaint.

32. Travel Tags is the owner by assignment of the entire right, title and interest in and to the '795 patent with the right to sue for past, present and future infringement of the '795 patent.

33. UV Color and InComm have been and are making, using, selling, offering for sale, and/or importing, without license or authority from Travel Tags, in this district and elsewhere in the United States, packaged data cards that embody the invention(s) claimed in the '795 patent under 35 U.S.C. § 271.

34. Upon information and belief, UV Color and InComm will continue to directly infringe, contributorily infringe, and/or induce infringement of the '795 patent unless enjoined by the Court.

35. Travel Tags has been damaged by UV Color's and InComm's infringement of the '795 patent, and will continue to be damaged by that infringement unless enjoined by this court.

36. Upon information and belief, UV Color and InComm have actual knowledge of the full contents of the '795 patent, and their prior and continuing infringement of the '795 patent was and is willful and deliberate.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff, Travel Tags, prays for the following relief:

- A. That UV Color and InComm, their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them be found to have infringed the valid U.S. Patent No. 6,224,108, and be enjoined, preliminarily and permanently, from making, using, selling, offering for sale or importing into the United States products which infringe U.S. Patent No. 6,224,108;
- B. That UV Color and InComm, their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them be found to have infringed the valid U.S. Patent No. 6,328,341, and be enjoined, preliminarily and permanently, from making, using, selling, offering for sale or importing into the United States products which infringe U.S. Patent No. 6,328,341;
- C. That UV Color and InComm, their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them be found to have infringed the valid U.S. Patent No. 6,439,613, and be enjoined, preliminarily and permanently, from making, using, selling, offering for sale or importing into the United States products which infringe U.S. Patent No. 6,439,613;

- D. That UV Color and InComm, their officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them be found to have infringed the valid U.S. Patent No. 6,715,795, and be enjoined, preliminarily and permanently, from making, using, selling, offering for sale or importing into the United States products which infringe U.S. Patent No. 6,715,795;
- E. That Travel Tags be compensated by UV Color and InComm for the damages caused by their infringement of U.S. Patent No. 6,224,108 under 35 U.S.C. § 284, in an amount to be determined by an accounting, but not less than a reasonable royalty, plus interest;
- F. That Travel Tags be compensated by UV Color and InComm for the damages caused by their infringement of U.S. Patent No. 6,328,341 under 35 U.S.C. § 284, in an amount to be determined by an accounting, but not less than a reasonable royalty, plus interest;
- G. That Travel Tags be compensated by UV Color and InComm for the damages caused by their infringement of U.S. Patent No. 6,439,613 under 35 U.S.C. § 284, in an amount to be determined by an accounting, but not less than a reasonable royalty, plus interest;
- H. That Travel Tags be compensated by UV Color and InComm for the damages caused by their infringement of U.S. Patent No. 6,715,795 under 35 U.S.C. § 284, in an amount to be determined by an accounting, but not less than a reasonable royalty, plus interest;
- I. That the award of damages for infringement of U.S. Patent No. 6,224,108 be trebled as provided for by 35 U.S.C. § 284 for willful infringement by UV Color and InComm.
- J. That the award of damages for infringement of U.S. Patent No. 6,328,341 be trebled as provided for by 35 U.S.C. § 284 for willful infringement by UV Color and InComm.
- K. That the award of damages for infringement of U.S. Patent No. 6,439,613 be trebled as provided for by 35 U.S.C. § 284 for willful infringement by UV Color and InComm.
- L. That the award of damages for infringement of U.S. Patent No. 6,715,795 be trebled as provided for by 35 U.S.C. § 284 for willful infringement by UV Color and InComm.



- M. That Travel Tags be awarded its costs and attorneys' fees incurred in prosecuting this exceptional case, as provided for by 35 U.S.C. § 285, plus interest; and
- N. That Travel Tags be awarded such other relief as the Court deems just and proper.

**JURY DEMAND**

Travel Tags demands a jury trial on all issues so triable.

Dated: January 13, 2010

**MASLON EDELMAN BORMAN & BRAND, LLP**

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