

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

JOAO BOCK TRANSACTION SYSTEMS,
LLC,

Plaintiff,

v.

BARRINGTON BANK & TRUST COMPANY,
N. A., AMERICAN CHARTERED BANK,
BRIDGEVIEW BANK GROUP, CENTRUE
BANK, CITIZENS FIRST NATIONAL BANK,
FIRST AMERICAN BANK, NORTHBROOK
BANK AND TRUST COMPANY, F/K/A FIRST
CHICAGO BANK & TRUST, BMO HARRIS
BANK N.A., HINSDALE BANK & TRUST
COMPANY, INLAND BANK & TRUST, LAKE
FOREST BANK AND TRUST COMPANY,
LIBERTYVILLE BANK & TRUST COMPANY,
NORTH SHORE COMMUNITY BANK &
TRUST COMPANY, THE NATIONAL BANK,
WEST SUBURBAN BANK, ASSOCIATED
BANK, N.A., FIRST NATIONAL BANK AND
TRUST COMPANY, FIFTH THIRD BANK,
AND U.S. BANK NATIONAL ASSOCIATION

Defendants.

Case No. _____

**COMPLAINT FOR PATENT
INFRINGEMENT**

Jury Trial Demanded

PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Joao Bock Transaction Systems, LLC (“Plaintiff”), by and through its undersigned counsel, files this Original Complaint for patent infringement against Barrington Bank & Trust Company, N.A., American Chartered Bank, Bridgeview Bank Group, Centru Bank, Citizens First National Bank, First American Bank, Northbrook Bank and Trust Company, f/k/a First Chicago Bank & Trust, BMO Harris Bank, N.A., Hindsdale Bank & Trust Company, Inland Bank & Trust, Lake Forest Bank and Trust Company, Libertyville Bank & Trust Company, North Shore Community Bank & Trust Company, The National Bank, West Suburban Bank, Associated Bank, N.A., First National Bank and Trust Company, Fifth Third Bank and U.S. Bank National Association (collectively “Defendants”) as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop each Defendants’ infringement of Plaintiff’s United States Patent No. 6,047,270 entitled “Apparatus and Method for Providing Account Security” (the “’270 patent”; a copy of which is attached hereto as Exhibit A). Plaintiff is the legal owner of all of the rights under the ’270 patent to bring this infringement action against the Defendants. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

2. Plaintiff is a Limited Liability Company organized under the laws of the State of Delaware and is located at 122 Bellevue Place, Yonkers, New York 10703. Plaintiff is the legal owner of the ’270 patent, which includes the right to exclude the Defendants from making, using, selling, offering to sell or importing in this district and elsewhere into the United States the patented invention(s) of the ’270 patent and the right to sublicense the ’270 patent, collect damages and sue for infringement and recover past damages from the Defendants.

3. Upon information and belief, Defendant Barrington Bank & Trust Company, N. A. (“Barrington”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 201 South Hough Street, Barrington, Illinois 60010.

4. Upon information and belief, Defendant American Chartered Bank (“ACB”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 1199 East Higgins Road, Schaumburg, Illinois 60173.

5. Upon information and belief, Defendant Bridgeview Bank Group (“Bridgeview”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 7940 South Harlem Avenue, Bridgeview, Illinois 60455.

6. Upon information and belief, Defendant Centru Bank (“Centru”) is a financial institution organized under the laws of the State of Illinois with its principal place of business located at 201 East Main Street, Streator, Illinois 61364.

7. Upon information and belief, Defendant Citizens First National Bank (“Citizens”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 606 South Main Street, Princeton, Illinois 61356.

8. Upon information and belief, Defendant First American Bank (“First American”) is a financial institution organized and existing under the laws of the State of Illinois, with its principal place of business located at 700 Busse Road, Elk Grove Village, Illinois 60007.

9. Upon information and belief, Defendant Northbrook Bank and Trust Company, f/k/a First Chicago Bank & Trust (“Northbrook”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 1100 Waukegan Road, Northbrook, Illinois 60062.

10. Upon information and belief, Defendant BMO Harris Bank N.A. (“Harris”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 111 W. Monroe Street, Chicago, Illinois 60603.

11. Upon information and belief, Defendant Hinsdale Bank & Trust Company (“Hinsdale”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 25 East First Street, Hinsdale, Illinois 60521.

12. Upon information and belief, Defendant Inland Bank & Trust (“Inland”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 2805 Butterfield Road, Oak Brook, Illinois 60523.

13. Upon information and belief, Defendant Lake Forest Bank and Trust Company (“Lake Forest”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 727 North Bank Lane, Lake Forest, Illinois 60045.

14. Upon information and belief, Defendant Libertyville Bank & Trust Company (“Libertyville”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 507 North Milwaukee Avenue, Libertyville, Illinois 60048.

15. Upon information and belief, Defendant North Shore Community Bank & Trust Company (“NSCB”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 1145 Wilmette Avenue, Wilmette, Illinois 60091.

16. Upon information and belief, Defendant The National Bank (“National”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 2040 1st Street A, Moline, Illinois 61265.

17. Upon information and belief, Defendant West Suburban Bank, (“WSB”) is a financial institution organized and existing under the laws of the State of Illinois with its principal place of business located at 701-711 South Westmore Avenue Lombard, Illinois 60148.

18. Upon information and belief, Defendant Associated Bank, N.A. (“Associated”) is a financial institution organized and existing under the laws of the State of Wisconsin with its principal place of business located at 200 North Adams Street, Green Bay, Wisconsin 54301.

19. Upon information and belief, Defendant First National Bank and Trust Company (“First National”) is a financial institution organized and existing under the laws of the State of Wisconsin with its principal place of business located at 345 East Grand Avenue, Beloit, WI 53511.

20. Upon information and belief, Defendant Fifth Third Bank (“FTB”) is a financial institution organized and existing under the laws of the State of Ohio with its principal place of business located at 38 Fountain Square Plaza, Cincinnati, OH, 45263.

21. Upon information and belief, Defendant U.S. Bank National Association (“U.S. Bank”) is a financial institution organized and existing under the laws of the State of Minnesota with its principal place of business located at 800 Nicollet Mall, Minneapolis, Minnesota 55402.

JURISDICTION AND VENUE

22. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281-285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

23. Upon information and belief, Defendants have transacted business and committed acts of infringement within the State of Illinois, and more importantly, within this District, and are subject to the personal jurisdiction of this Court. The Court has personal jurisdiction over each Defendant because, upon information and belief: each Defendant has minimum contacts within the State of Illinois and the Northern District of Illinois; each Defendant has purposefully availed itself of the privileges of conducting business in the State of Illinois and in the Northern District of Illinois; each Defendant has sought the protection and benefits of the laws of the State of Illinois; each Defendant regularly conducts business within the State of Illinois and within the Northern District of Illinois; and Plaintiff's causes of action arise directly from Defendants' business contacts and other activities in the State of Illinois and in the Northern District of Illinois.

24. Upon information and belief, Defendants have made, used, offered for sale, imported, sold, or advertised, and continue to make, use, offer to sell, import, sell, or advertise (including providing an interactive web page) in this district and elsewhere in the United States its products and services that infringe one or more claims of the '270 patent. More specifically, each Defendant, directly and/or through intermediaries, makes, uses, sells, ships, distributes, offers for sale, or advertises its products and services in the United States, the State of Illinois, and the Northern District of Illinois. Upon information and belief, each Defendant has committed patent infringement directly in the State of Illinois and in the Northern District of Illinois. Upon information and belief, each Defendant solicits customers in the State of Illinois and in the Northern District of Illinois. Upon information and belief, each Defendant has many paying customers who are residents of the State of Illinois and in the Northern District of Illinois, and who each use respective Defendant's products and services in the State of Illinois and in the Northern District of Illinois.

25. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b).

COUNT I – PATENT INFRINGEMENT

26. On April 4, 2000, the United States Patent and Trademark Office duly and legally issued the '270 patent to the inventors Raymond Anthony Joao ("Mr. Joao") and Robert Richard Bock ("Mr. Bock"). Mr. Joao and Mr. Bock assigned all rights, title and interest in and to the '270 patent to Joao Bock Transaction Systems, LLC giving Joao Bock Transaction Systems, LLC the right to exclude the Defendants from making, using, selling, offering to sell or importing in this district and elsewhere in the United States the patented invention(s) of the '270 patent, and the right to sublicense the '270 patent, collect damages and initiate lawsuits against the Defendants. The '270 patent is in full force and effect. Plaintiff is the legal owner of the '270 patent and possesses all rights of recovery under the '270 patent for this litigation.

27. Upon information and belief, the Defendants have infringed and continue to infringe one or more claims of the '270 patent by making, using, importing, providing, offering to sell, advertising and/or selling (directly or through intermediaries), in this District and elsewhere in the United States, infringing products and services. Specifically, upon information and belief, each Defendant uses a computer system on a computer network that receives instructions from business customers, wherein the instructions limit or restrict authorized users' use of a business banking account. These limitations are stored in the memory of each Defendant's computer system, and accessed by a processor when the processor processes a transaction or attempted transaction on the account by an authorized user. The processor of each Defendant's computer system generates a signal for approving or disapproving the transaction. The Defendant's computer system also processes transactions, generates and transmits notifications regarding a transaction(s).

28. Upon information and belief, Defendant Barrington infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the iBusiness Internet Banking services offered to

Barrington customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Barrington uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

29. Upon information and belief, Defendant ACB infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the eCorp Online Business Banking Service and Core Transactional Processing Services offered to ACB customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). ACB uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

30. Upon information and belief, Defendant Bridgeview infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account and sub account management services. By way of example, the Business eBanking services offered to Bridgeview customers include services to establish individuals as authorized users on the account and sub accounts with limits and controls on an individual's use of the sub account(s). Bridgeview uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

31. Upon information and belief, Defendant Centrue infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the Online Business Banking and Cash Manager services offered to Centrue customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Centrue uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

32. Upon information and belief, Defendant Citizens infringes one or more claims of the '270 patent with its activities conducted with respect to its Commercial Online Banking service and core transactional processing services. By way of example, the Commercial Online Banking and Cash Management services offered to Citizens customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Citizens uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

33. Upon information and belief, Defendant First American infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the CashTrac business Internet banking services offered to First American customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). First American uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with

respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

34. Upon information and belief, Defendant Northbrook infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the iBusiness Internet Banking service offered to Northbrook customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Northbrook uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

35. Upon information and belief, Defendant Harris infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the DirectLine business internet banking service and core transactional processing services offered to Harris customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Harris uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

36. Upon information and belief, Defendant Hindsdale infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the iBusiness Online Banking and core transactional processing services offered to Hindsdale customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s).

Hindsdale uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

37. Upon information and belief, Defendant Inland infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the Business Online Banking services offered to Inland customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Inland uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

38. Upon information and belief, Defendant Lake Forest infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the iBusiness Online Banking services offered to Lake Forest customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Lake Forest uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

39. Upon information and belief, Defendant Libertyville infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the iBusiness Online Banking services offered to

Libertyville customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Libertyville uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

40. Upon information and belief, Defendant NSCB infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, iBusiness Online Banking services offered to NSCB customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). NSCB uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

41. Upon information and belief, Defendant National infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the Business Online Banking services offered to National customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). National uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

42. Upon information and belief, Defendant WSB infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the Business Internet Banking services offered to WSB customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). WSB uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

43. Upon information and belief, Defendant Associated infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the eManager+ Online Business Banking services offered to Associated customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). Associated uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

44. Upon information and belief, Defendant First National infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the Online Business Banking Cash Management and core transactional processing services offered to First National customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). First National uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking

services include the generation and transmission of notifications to an account holder regarding account activity.

45. Upon information and belief, Defendant FTB infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the business internet banking services offered to FTB customers such as Fifth Third Direct and Fifth Third InfoPool and other Information Management Tools include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). FTB uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

46. Upon information and belief, Defendant U.S. Bank infringes one or more claims of the '270 patent with its activities conducted with respect to its online banking and account management services. By way of example, the business internet banking services such as SinglePoint and SinglePoint Essentials offered to U.S. Bank customers include services to establish individuals as authorized users on the account with limits and controls on an individual's use of the account(s). U.S. Bank uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with respect to incoming transactions. These banking services include the generation and transmission of notifications to an account holder regarding account activity.

47. Each Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

48. Plaintiff is entitled to recover from each of the Defendants the damages sustained by Plaintiff as a result of the Defendants' wrongful acts in an amount subject to proof at trial.

49. Each Defendant's infringement of Plaintiff's rights under the '270 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

JURY DEMAND

50. Plaintiff demands a trial by jury on all issues.

PRAYER FOR RELIEF

Plaintiff Joao Bock Transaction Systems, LLC, respectfully requests the following relief:

- A. An adjudication that each of the Defendants have infringed and continue to infringe claims of the '270 patent;
- B. An award to Plaintiff of damages adequate to compensate Plaintiff for the Defendants' acts of infringement together with prejudgment interest pursuant to 35 U.S.C. § 284;
- C. An award of Plaintiff's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law with respect to the Defendants;
- D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining the Defendants from further acts of infringement with respect to the claims of the '270 patent; and
- E. Any further relief that this Court deems just and proper.

Dated: September 15, 2011

Respectfully submitted,

/s/ Mark R. Miller

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