

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TELES AG INFORMATIONSTECHNOLOGIEN,	)	
	)	
Plaintiff,	)	C.A. No.
	)	
v.	)	<b>DEMAND FOR JURY TRIAL</b>
	)	
CISCO SYSTEMS, INC.,	)	
	)	
Defendant.	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Teles AG Informationstechnologien (“Teles”), by its undersigned counsel, hereby sues the defendant Cisco Systems, Inc. (“Cisco”), and alleges the following:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code.

**THE PARTIES**

2. Plaintiff Teles is a corporation organized and existing under the laws of Germany, having its principal place of business at Ernst-Reuter-Platz 8, D-10587 Berlin, Germany. Teles’ designated representative under 35 U.S.C. § 293, who can be served with process or with notice of proceedings affecting U.S. Patent No. 7,483,431 or rights thereunder, is located in Wilmington, Delaware.

3. Upon information and belief, defendant Cisco is a corporation organized and existing under the laws of the State of California, with a principal place of business at 170 West Tasman Drive, San Jose, California 95134.

## JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter of this action under the provisions of Title 28, United States Code, Sections 1331 (federal question) and 1338(a) (action arising under an Act of Congress relating to patents). This action is brought under the patent laws of the United States, Title 35, United States Code.

5. Personal jurisdiction over Cisco exists at least by reason of Cisco's continued and ongoing placement of products or services into the stream of commerce for ultimate sale and distribution within this judicial district, and by virtue of its doing business in, and causing events, out of which these claims arose, to occur in Delaware. Moreover, upon information and belief, Cisco has registered to do business in the State of Delaware and has appointed a registered agent in the State of Delaware for purposes of accepting service of process.

6. Venue for this action properly lies within this judicial district under the provisions of Title 28, United States Code, Sections 1391(b) and (c), and 1400(b), because, among other things, Cisco resides in this judicial district.

## INFRINGEMENT OF U.S. PATENT NO. 7,483,431

7. Teles is the owner of U.S. Patent No. 7,483,431 ("the '431 patent") entitled "Method For Transmitting Data In A Telecommunications Network And Switch For Implementing Said Method," attached hereto as **Exhibit 1**. The United States Patent and Trademark Office issued the '431 patent on January 27, 2009.

8. All rights in the '431 patent are assigned to Teles (designated Teles AG Informations-Technologien on the face of the '431 patent). Teles is the sole owner of the '431 patent.

9. Teles has the sole right to sue and recover for infringement of the '431 patent.

10. Cisco manufactures and sells products and services (or components thereof) to facilitate transmission of data, such as Voice over Internet Protocol (“VoIP”) data, over mobile packet switching networks or line switching networks.

11. Cisco infringes the '431 patent under 35 U.S.C. § 271 by making, using, selling, offering to sell, and/or supplying those products or services (or components thereof) for practicing the patented invention, or other activity related to such products, without authority from Teles.

12. Cisco’s infringement is within this judicial district and elsewhere.

13. As a result of Cisco’s infringement, Teles has suffered and will continue to suffer damages.

14. Cisco will continue to infringe the '431 patent unless enjoined by this Court.

15. Cisco has or may willfully and deliberately infringe the '431 patent, which may render this an “exceptional” case within the meaning of 35 U.S.C. § 285.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Teles respectfully requests the following relief:

- (a) that this Court adjudge and declare that Cisco has infringed the '431 patent;
- (b) that this Court permanently enjoin Cisco, and its officers, directors, employees, agents, licensees, servants, successors and assigns, and any and all persons acting in privity or in concert with them, from infringing, inducing infringement, contributing to infringement or otherwise infringing the '431 patent;
- (c) that this Court award to Teles damages adequate to compensate it for Cisco’s acts of infringement of the '431 patent complained of herein, together with interest thereon;
- (d) that this Court award enhanced damages, such as trebling damages, against Cisco

for any willful infringement of the '431 patent;

(e) that this Court order Cisco to pay Teles its reasonable attorneys' fees incurred in this action as appropriate, including any fees to which Teles may be entitled under 35 U.S.C. § 285;

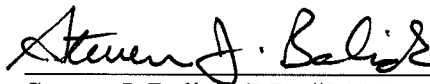
(f) that this Court order Cisco to pay Teles any and all costs of this action; and

(g) that this Court grant to Teles such other and further relief as it may deem just and equitable.

### DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Teles respectfully requests a jury trial on all issues so triable.

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