

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK

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GLORY LICENSING LLC

Plaintiff,

v.

GAP, INC.,

Defendant.

Case No. 09-Civ-7613

COMPLAINT FOR PATENT  
INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff, Glory Licensing LLC, a limited liability company (hereinafter referred to as "Glory"), demands a jury trial and complains against the defendant as follows:

**THE PARTIES**

1. Glory is a limited liability company organized and existing under the laws of the Island of Nevis, with its principal place of business at P.O. Box 733, Springates South, Government Road, Charlestown, Nevis.

2. Upon information and belief, Gap, Inc. (hereinafter referred to as "Defendant" or "Gap") is a business organized and existing under the laws of the State of Delaware, having a place of business in this district.

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

1 4. Upon information and belief, Defendant is doing business and committing  
2 infringements in this judicial district and is subject to personal jurisdiction in this judicial district.

3 5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

4 **CLAIM FOR PATENT INFRINGEMENT**

5 6. Plaintiff, Glory, repeats and incorporates herein the entirety of the allegations  
6 contained in paragraphs 1 through 5 above.

7 7. On August 4, 2009, U.S. Patent No. 7,570,383 (hereinafter referred to as “the ‘383  
8 patent”) was duly and legally issued to Glory. A copy of the ‘383 patent is attached to this  
9 Complaint as Exhibit 1.  
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11 8. Glory is the owner of all right, title and interest in and to the ‘383 patent.

12 **COUNT ONE**

13 9. Plaintiff, Glory, repeats and incorporates herein the entirety of the allegations  
14 contained in paragraphs 1 through 8 above.

15 10. Gap has for a long time past and still is infringing, actively inducing the  
16 infringement of and/or contributorily infringing in this judicial district, the ‘383 patent by, among  
17 other things, processing information on the website at [www.gap.com](http://www.gap.com) (“the Website”) pursuant to a  
18 claim of the ‘383 patent, without permission from Glory, in which information not derived from a  
19 scanned hard copy document and entered by a Gap customer into a computerized form document  
20 displayed on the browser of the customer’s computer is extracted according to content instructions  
21 and transmitted to an application program operating on Defendant’s web server according to  
22 customizable transmission format instructions in a manner defined by the claims of the ‘383 patent.  
23 For example, a Gap customer seeking to purchase product can enter their first name, last name and  
24 street address into HTML form elements displayed on the web page found at [https://secure-  
25 www.gap.com/checkout/order.do](https://secure-www.gap.com/checkout/order.do) of the Website to purchase and arrange to have the product  
26 selected for purchase shipped to the customer. The foregoing information entered into the  
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1 computerized form document is extracted by the browser and transmitted to an application program  
2 running on Gap web server for processing the customer's order in a format and using a protocol  
3 required by the application program.

4 11. Plaintiff, Glory, has been damaged by such infringing activities by the Defendant of  
5 the '383 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
6 Court.

7  
8 **PRAYER FOR RELIEF**

9 WHEREFORE, THE Plaintiff, Glory prays for judgment against the Defendant Gap on all  
10 the counts and for the following relief:

- 11 A. Declaration that the Plaintiff is the owner of the '383 patent, and that the Plaintiff has  
12 the right to sue and to recover for infringement thereof;
- 13 B. Declaration that the '383 patent is valid and enforceable;
- 14 C. Declaration that the Defendant has infringed, actively induced infringement of,  
15 and/or contributorily infringed the '383 patent;
- 16 D. A preliminary and permanent injunction against the Defendant, each of its officers,  
17 agents, servants, employees, and attorneys, all parent and subsidiary corporations,  
18 their assigns and successors in interest, and those persons acting in active concert or  
19 participation with them, enjoining them from continuing acts of infringement, active  
20 inducement of infringement, and contributory infringement of Glory's '383 patent;
- 21 E. An accounting for damages under 35 U.S.C. §284 for infringement of Glory's '383  
22 patent by the Defendant and the award of damages so ascertained to the Plaintiff,  
23 Glory, together with interest as provided by law;
- 24 F. Award of Glory's costs and expenses; and
- 25 G. Such other and further relief as this Court may deem proper, just and equitable.
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**DEMAND FOR JURY TRIAL**

The Plaintiff, Glory, demands a trial by jury of all issues properly triable by jury in this action.

By: \_\_\_\_\_  
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Dated: August 5, 2009  
Westfield, NJ