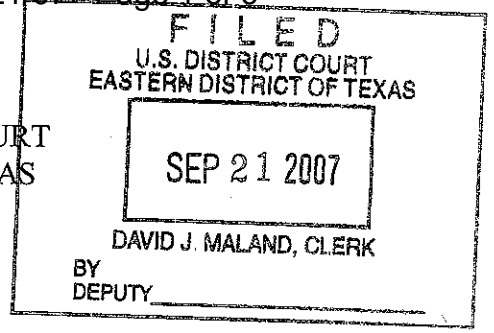


SEP 21 2007  
MARSHALL

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION



ALEXSAM, INC

*Plaintiff,*

vs.

IDT CORPORATION

*Defendant.*

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Case No. 2 - 0 7 C V - 4 2 0

**JURY TRIAL DEMANDED**

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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Alexsam, Inc. ("Alexsam") brings this action against defendant IDT Corporation ("IDT"), and alleges:

**THE PARTIES**

1. Alexsam is a corporation organized and existing under the laws of the State of Texas.
2. On information and belief, IDT is a corporation organized and existing under the laws of the State of Delaware, and has designated its registered agent and office for purposes of service of process in Texas as Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 701 Brazos Street, Suite 1050, Austin, Texas 78701. IDT is doing business in this judicial district, in Texas and elsewhere in the United States

**JURISDICTION AND VENUE**

3. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.
4. Subject-matter jurisdiction over Alexsam's claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

5. On information and belief, IDT has solicited business in the State of Texas, transacted business within the State of Texas and attempted to derive financial benefit from residents of the State of Texas, including benefits directly related to the instant patent infringement cause of action set forth herein.

6. On information and belief, IDT has placed its products and services into the stream of commerce throughout the United States and is actively engaged in transacting business in Texas and in the Eastern District of Texas.

7. IDT, either alone or in conjunction with others, has committed acts of infringement within this judicial district, has induced others to commit acts of infringement within this judicial district, and/or has contributed to infringing activities within this judicial district.

8. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and (c) and 1400(b)

#### **PATENT INFRINGEMENT**

9. On December 14, 1999, U.S. Patent No. 6,000,608 (“the ‘608 patent”), entitled “Multifunction Card System,” a copy of which is attached hereto as Exhibit A, was duly and legally issued to the inventor, Robert E. Dorf. Mr. Dorf has assigned all right, title and interest in the ‘608 patent to Alexsam, including the right to sue for and recover all past, present and future damages for infringement of the ‘608 patent.

10. On February 20, 2001, U.S. Patent No. 6,189,787 (“the ‘787 patent”), entitled “Multifunctional Card System,” a copy of which is attached hereto as Exhibit B, was duly and legally issued to the inventor, Robert E. Dorf. Mr. Dorf has assigned all right, title and interest in the ‘787 patent to Alexsam, including the right to sue for and recover all past, present and future damages for infringement of the ‘787 patent.

11. IDT, either alone or in conjunction with others, has in the past and continues to infringe, contribute to infringement, and/or induce infringement of the '608 patent and the '787 patent by making, using, selling and/or offering to sell, and/or causing others to use, in this judicial district and elsewhere in the United States, products, which in combination with other devices and systems, and in use, are covered by at least one claim of the '608 patent and at least one claim of the '787 patent. IDT is liable for infringement of the '608 patent and the '787 patent pursuant to 35 U.S.C. § 271.

12. The infringement of the '608 patent and the '787 patent by IDT has been with actual notice and knowledge of the '608 patent and the '787 patent and has been willful and deliberate.

13. IDT's acts of infringement have caused damage to Alexsam, and Alexsam is entitled to recover from IDT the damages sustained by Alexsam as a result of IDT's wrongful acts in an amount subject to proof at trial.

14. As a consequence of the infringement complained of herein, Alexsam has been irreparably damaged to an extent not yet determined and will continue to be irreparably damaged by such acts in the future unless IDT is enjoined by this Court from committing further acts of infringement.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Alexsam prays for entry of judgment that:

**A.** IDT has infringed, contributed to infringement of and/or induced infringement of the '608 patent and the '787 patent;

**B.** The infringement, contributory infringement and/or induced infringement of the '608 patent and the '787 patent by IDT has been willful and deliberate;

C. IDT account for and pay to Alexsam all damages caused by IDT's infringement of the '608 patent and '787 patent, and that the Court increase the amount of damages as a result of IDT's infringement to three times the amount found or assessed by the Court because of the willful and deliberate nature of the infringement, all in accordance with 35 U.S.C. § 284;

D. Alexsam be granted permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining IDT, its officers, agents, servants, employees and those persons in active concert or participation with them from further acts of patent infringement;

E. Alexsam be granted pre-judgment and post-judgment interest on the damages caused to it by reason of IDT's patent infringement;

F. The Court declare this an exceptional case and that Alexsam be granted its reasonable attorneys' fees in accordance with 35 U.S.C. § 285;

G. Costs be awarded to Alexsam; and,

H. Alexsam be granted such other and further relief as the Court may deem just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Alexsam demands trial by jury on all claims and issues so triable.

Respectfully submitted,

Dated: September 21, 2007

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