

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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GLORY LICENSING LLC

Plaintiff,

v.

TOYS“R”US, INC.,

Defendant.

**Case No. 2:09-CV-4252 (FSH)**

**SECOND AMENDED 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, Toys“R”Us, Inc. (hereinafter referred to as “Defendant” or “Toys“R”Us”) is a business organized and existing under the laws of the State of New Jersey, having a place of business at One Geoffrey Way, Wayne, New Jersey 07470.

**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.       On November 17, 2009, U.S. Patent No. 7,619,768 (hereinafter referred to as “the  
12       ‘768 patent”) was duly and legally issued to Glory. A copy of the ‘768 patent is attached to this  
13       Complaint as Exhibit 2.

14          9.       On March 2, 2010, U.S. Patent No. 7,672,007 (hereinafter referred to as “the ‘007  
15       patent”) was duly and legally issued to Glory. A copy of the ‘007 patent is attached to this  
16       Complaint as Exhibit 3.

17          10.       Glory is the owner of all right, title and interest in and to the ‘383, ‘768 and ‘007  
18       patents.  
19

20                               **COUNT ONE**

21          11.       Plaintiff, Glory, repeats and incorporates herein the entirety of the allegations  
22       contained in paragraphs 1 through 10 above.

23          12.       Toys“R”Us has for a long time past and still is infringing in this judicial district the  
24       ‘383 patent by, among other things, processing information on the website at [www.toysrus.com](http://www.toysrus.com)  
25       (“the Website”) pursuant to a claim of the ‘383 patent, without permission from Glory, in which  
26       information not derived from a scanned hard copy document and entered by a Toys“R”Us customer  
27       into a computerized form document displayed on the browser of the customer’s computer is  
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1 extracted according to content instructions and transmitted to an application program operating on  
2 Defendant's web server according to customizable transmission format instructions in a manner  
3 defined by the claims of the '383 patent. For example, a Toys"R"Us customer seeking to purchase  
4 product can enter their first name, last name, street address and e-mail address into HTML form  
5 elements displayed on the web page found at  
6 <https://www.toysrus.com/checkout/index.jsp?process=address> of the Website to purchase and  
7 arrange to have the product selected for purchase shipped to the customer. The foregoing  
8 information entered into the computerized form document is extracted according to content  
9 instructions, and then transmitted to an application program running on the Toys"R"Us web server  
10 for processing the customer's order in a format and using a protocol required by the application  
11 program.  
12

13 13. Plaintiff, Glory, has been damaged by such infringing activities by the Defendant of  
14 the '383 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
15 Court.  
16

## 17 **COUNT TWO**

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

20 15. Toys"R"Us has for a long time past and still is infringing in this judicial district the  
21 '768 patent by, among other things, processing information on the website at [www.toysrus.com](http://www.toysrus.com)  
22 ("the Website") pursuant to a claim of the '768 patent, without permission from Glory, in which  
23 information not derived from a scanned hard copy document and entered by a Toys"R"Us customer  
24 into a computerized form document displayed on the browser of the customer's computer is  
25 extracted according to content instructions and transmitted to an application program operating on  
26 Defendant's web server according to customizable transmission format instructions in a manner  
27 defined by the claims of the '768 patent. For example, a Toys"R"Us customer seeking to purchase  
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1 product can enter their first name, last name, street address and e-mail address into HTML form  
2 elements displayed on the web page found at  
3 <https://www.toysrus.com/checkout/index.jsp?process=address> of the Website to purchase and  
4 arrange to have the product selected for purchase shipped to the customer. The foregoing  
5 information entered into the computerized form document is extracted according to content  
6 instructions, and then transmitted to an application program running on the Toys“R”Us web server  
7 for processing the customer’s order in a format and using a protocol required by the application  
8 program.  
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10 16. Plaintiff, Glory, has been damaged by such infringing activities by the Defendant of  
11 the ‘768 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
12 Court.

### 13 **COUNT THREE**

14 17. Plaintiff, Glory, repeats and incorporates herein the entirety of the allegations  
15 contained in paragraphs 1 through 16 above.

16 18. Toys“R”Us has for a long time past and still is infringing in this judicial district the  
17 ‘007 patent by, among other things, processing information on the website at [www.toysrus.com](http://www.toysrus.com)  
18 (“the Website”) pursuant to a claim of the ‘007 patent, without permission from Glory, in which  
19 information not derived from a scanned hard copy document and entered by a Toys“R”Us customer  
20 into a computerized form document displayed on the browser of the customer’s computer is  
21 extracted according to content instructions and transmitted to an application program operating on  
22 Defendant’s web server according to customizable transmission format instructions in a manner  
23 defined by the claims of the ‘007 patent. For example, a Toys“R”Us customer seeking to purchase  
24 product can enter their first name, last name, street address and e-mail address into HTML form  
25 elements displayed on the web page found at  
26 <https://www.toysrus.com/checkout/index.jsp?process=address> of the Website to purchase and  
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1 arrange to have the product selected for purchase shipped to the customer. The foregoing  
 2 information entered into the computerized form document is extracted according to content  
 3 instructions, and then transmitted to an application program running on the Toys“R”Us web server  
 4 for processing the customer’s order in a format and using a protocol required by the application  
 5 program.

6 19. Plaintiff, Glory, has been damaged by such infringing activities by the Defendant of  
 7 the ‘007 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
 8 Court.  
 9

### 10 **PRAYER FOR RELIEF**

11 WHEREFORE, the Plaintiff, Glory prays for judgment against the Defendant Toys“R”Us on  
 12 all the counts and for the following relief:

- 13 A. Declaration that the Plaintiff is the owner of the ‘383, ‘768 and ‘007 patents, and that  
 14 the Plaintiff has the right to sue and to recover for infringement thereof;
- 15 B. Declaration that the ‘383, ‘768 and ‘007 patents are valid and enforceable;
- 16 C. Declaration that the Defendant has infringed the ‘383, ‘768 and ‘007 patents;
- 17 D. A preliminary and permanent injunction against the Defendant, each of its officers,  
 18 agents, servants, employees, and attorneys, all parent and subsidiary corporations,  
 19 their assigns and successors in interest, and those persons acting in active concert or  
 20 participation with them, enjoining them from continuing acts of infringement of  
 21 Glory’s ‘383, ‘768 and ‘007 patents;
- 22 E. An accounting for damages under 35 U.S.C. §284 for infringement of Glory’s ‘383,  
 23 ‘768 and ‘007 patents by the Defendant and the award of damages so ascertained to  
 24 the Plaintiff, Glory, together with interest as provided by law;
- 25 F. Award of Glory’s costs and expenses; and
- 26 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: /s/Jean-Marc Zimmerman

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Dated: April 20, 2010  
Westfield, NJ