

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



PJC LOGISTICS, LLC,

Plaintiff

v.

Civil Action No.

1:11cv279

AVERITT EXPRESS, INC., BUILDERS
TRANSPORTATION COMPANY, LLC,
CARDINAL LOGISTICS MANAGEMENT, INC.,
COVENANT TRANSPORT GROUP, INC.,
DANNY HERMAN TRUCKING, INC., ESTES
EXPRESS LINES, FEDEX CORPORATION,
FEDERAL EXPRESS CORPORATION,
FORWARD AIR, INC., HIGHWAY
TRANSPORT, INC., JNJ EXPRESS, INC., KLLM
TRANSPORT SERVICES, LLC, KLLM, INC.,
MERCER TRANSPORTATION CO., INC., MGM
TRANSPORT CORP., MILAN EXPRESS CO.,
INC., MILLER TRANSPORTERS, INC., OLD
DOMINION FREIGHT LINE, INC., OZARK
MOTOR LINES, INC., PASCHALL TRUCK
LINES, INC. (PTL), ROYAL TRUCKING
COMPANY, SOUTHEASTERN FREIGHT
LINES, INC., STAR TRANSPORTATION INC.,
TLD LOGISTICS SERVICES, INC., U.S. XPRESS
ENTERPRISES, INC., UNITED VAN LINES, UPS
GROUND FREIGHT, INC., W.L.A., INC.,
WESTERN EXPRESS, INC., and WILSON
TRUCKING CORPORATION,

Defendants.

COMPLAINT

Plaintiff PJC Logistics LLC (“PJC Logistics” or “Plaintiff”), by way of Complaint against defendants Averitt Express, Inc., Builders Transportation Company, LLC, Cardinal Logistics Management, Inc., Covenant Transport Group, Inc., Danny Herman Trucking, Inc., Estes Express Lines, FedEx Corporation, Federal Express Corporation, Forward Air, Inc.,

Highway Transport, Inc., JNJ Express, Inc., KLLM Transport Services, LLC, KLLM, Inc., Mercer Transportation Co., Inc., MGM Transport Corp., Milan Express Co., Inc., Miller Transporters, Inc., Old Dominion Freight Line, inc., Ozark Motor Lines, Inc., Paschall Truck Lines, Inc. (PTL), Royal Trucking Company, Southeastern Freight Lines, Inc., Star Transportation Inc., TLD Logistics Services, Inc., U.S. Xpress Enterprises, Inc., United Van Lines, UPS Ground Freight, Inc., W.L.A., Inc., Western Express, Inc., and Wilson Trucking Corporation, hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 101, *et seq.*

THE PARTIES

2. Plaintiff PJC Logistics is a limited liability corporation organized under the laws of Texas with its principal place of business at 777 Enterprise Drive, Hewitt, Texas 76643.

3. Defendant Averitt Express, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 1415 Neal Street, Cookeville, Tennessee 3850, and a registered agent for service of process at National Registered Agents, 4001 North 9th Street, Suite 227, Arlington, Virginia 22203.

4. Defendant Builders Transportation Company, LLC is a limited liability corporation organized under the laws of Tennessee with its principal place of business at 3710 Tulane Road, Memphis, Tennessee 38116, and it can be served with process at that address.

5. Defendant Cardinal Logistics Management, Inc. is a corporation organized under the laws of North Carolina with its principal place of business at 5333 Davidson Highway,

Concord, North Carolina 28027, and a registered agent for service of process at CT Corporation System, 4701 Cox Road, Suite 301, Glen Allen, Virginia 23060-6802.

6. Defendant Covenant Transport Group, Inc. is a corporation organized under the laws of Nevada with its principal place of business at 639 Isbell Road, Suite 390, Reno, Nevada 89509, and it can be served with process at that address.

7. Defendant Danny Herman Trucking, Inc. is a corporation organized under the laws of California with its principal place of business at 339 Cold Springs Road, Mountain City, Tennessee 37683, and it can be served with process at that address.

8. Defendant Estes Express Lines. is a corporation organized under the laws of Virginia with its principal place of business at 3901 West Broad Street, Richmond, Virginia 23230, and a registered agent for service of process at Robey W. Estes, Jr., 3901 West Broad Street., Richmond, Virginia 23230.

9. Defendant FedEx Corporation is a corporation organized under the laws of Delaware with its principal place of business at 942 South Shady Grove Road, Memphis, Tennessee 38120, and a registered agent for service of process at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia 23060-6802.

10. Defendant Federal Express Corporation is a corporation organized under the laws of Delaware with its principal place of business at 3610 Hacks Cross Road., Memphis, Tennessee 38125, and a registered agent for service of process at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia 23060-6802.

11. Defendant Forward Air, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 430 Airport Road, Greeneville, Tennessee

37744, and a registered agent for service at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia 23060-6802.

12. Defendant Highway Transport, Inc. is a corporation organized under the laws of Florida with its principal place of business at 1958 Monroe Drive, NE, Atlanta, Georgia 30324, and a registered agent for service of process at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia 23060-6802.

13. Defendant JNJ Express, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 600 Windsor Park Lane, Collierville, Tennessee 38017, and it can be served with process at that address.

14. Defendant KLLM., Inc. is a corporation organized under the laws of Mississippi with its principal place of business at 134 Riverview Drive, Richland, Mississippi 39218, and it may be served with process at that address.

15. Defendant KLLM Transport Services, LLC is a limited liability corporation organized under the laws of Mississippi with its principal place of business at 134 Riverview Drive, Jackson, Mississippi 39218, and it may be served with process at that address.

16. Defendant Mercer Transportation Co., Inc. is a corporation organized under the laws of Indiana with its principal place of business at 1128 West Main Street, Louisville, Kentucky 40203, and a registered agent for service of process at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia 23060-6802.

17. Defendant MGM Transport Corp. is a corporation organized under the laws of New Jersey with its principal place of business at P.O. Box 1823, High Point, North Carolina 27261, and a registered agent for service of process at Corporation Service Company, 11 South 12th Street, Richmond, Virginia 23219.

18. Defendant Milan Express Co., Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 1091 Kefauver Drive, Milan, Tennessee 38358, and it may be served with process at that address.

19. Defendant Miller Transporters Inc. is a corporation organized under the laws of Mississippi with its principal place of business at 5500 Hwy. 80 West, Jackson, Mississippi 39209, and it may be served with process at that address.

20. Defendant Old Dominion Freight Line, Inc. is a corporation organized under the laws of Virginia with its principal place of business at 500 Old Dominion Way, Thomasville, North Carolina 27360, and a registered agent for service of process at John R. Congdon, 7511 Whitepine Road, Richmond, Virginia 23237.

21. Defendant Ozark Motor Lines, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 3934 Homewood Road., Memphis, Tennessee 38118, and it may be served with process at that address.

22. Defendant Paschall Truck Lines, Inc. (PTL) is a corporation organized under the laws of Kentucky with its principal place of business at 3443 U.S. Highway 641 South, Murray, Kentucky 42071, and it may be served with process at that address.

23. Defendant Royal Trucking Company is a corporation organized under the laws of Mississippi with its principal place of business at 1323 North Eshman Ave., West Point, Mississippi 39773, and it can be served with process at that address.

24. Defendant Southeastern Freight Lines, Inc. is a corporation organized under the laws of South Carolina with its principal place of business at 420 Davega Road, Lexington, South Carolina 29073, and a registered agent for service of process at Corporation Service Company, 11 South 12th Street, Richmond, Virginia 23219.

25. Defendant Star Transportation Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 1116 Polk Avenue, Nashville, Tennessee 37210, and it can be served with process at that address.

26. Defendant TLD Logistics Services, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 1300 Everett Road, Knoxville, Tennessee 37933 and a registered agent for service of process at CT Corporation System, 4701 Cox Road., Suite 301, Glen Allen, Virginia, 23060-6802.

27. Defendant U.S. Xpress Enterprises, Inc. is a corporation organized under the laws of Nevada with its principal place of business at 4080 Jenkins Road, Chattanooga, Tennessee 37421, and it can be served with process at that address.

28. Defendant United Van Lines, LLC is a limited liability corporation organized under the laws of Missouri with its principal place of business at 1 United Dr., St. Louis, One Premier Drive, Fenton Missouri 63026, and it may be served with process at that address.

29. Defendant UPS Ground Freight, Inc. is a corporation organized under the laws of Virginia with its principal place of business at 55 Glenlake Parkway, NE, Atlanta, Georgia 30328, and a registered agent for service of process at Corporation Service Company, 11 South 12th Street, Richmond, Virginia 23219.

30. Defendant W.L.A., Inc. is a corporation organized under the laws of North Carolina with its principal place of business at 133 White Pines Country Club Road, Mount Airy, North Carolina 27030, and it can be served with process at that address.

31. Defendant Western Express, Inc. is a corporation organized under the laws of Tennessee with its principal place of business at 7135 Centennial Place, Nashville, Tennessee

37209, and a registered agent for service of process at National Registered Agents, 4001 North 9th Street, Suite 227, Arlington, Virginia 22203.

32. Defendant Wilson Trucking Corporation is a corporation organized under the laws of Virginia with its principal place of business at 137 Wilson Blvd., Fishersville, Virginia 22939, and a registered agent for service of process at C.L. Wilson, 137 Wilson Blvd., Fishersville, Virginia 22939-0200.

JURISDICTION AND VENUE

33. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a). Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and 1400(b).

34. Defendant Averitt Express, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Averitt Express, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

35. Defendant Builders Transportation Company, LLC uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Builders Transportation Company, LLC's fleet of trucks, vans or other vehicles operate in the

Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

36. Defendant Cardinal Logistics Management, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Cardinal Logistics Management, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

37. Defendant Covenant Transport Group, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Covenant Transport Group, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

38. Defendant Danny Herman Trucking, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Danny Herman Trucking, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

39. Defendant Estes Express Lines uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Estes Express Lines fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

40. Defendant FedEx Corporation uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in FedEx Corporation's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

41. Defendant Federal Express Corporation uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Federal Express Corporation's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

42. Defendant Forward Air, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Forward Air, Inc.'s fleet of trucks, vans or

other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

43. Defendant Highway Transport, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Highway Transport, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

44. Defendant JNJ Express, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in JNJ Express, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

45. Defendant KLLM Transport Services, LLC uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in KLLM Transport Services, LLC's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

46. Defendant KLLM, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management

and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in KLLM, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

47. Defendant Mercer Transportation Co., Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Mercer Transportation Co., Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

48. Defendant MGM Transport Co., Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in MGM Transport Co., Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

49. Defendant Milan Express Co., Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Milan Express Co., Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

50. Defendant Miller Transporters, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Miller Transporters, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

51. Defendant Old Dominion Freight Line, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Old Dominion Freight Line, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

52. Defendant Ozark Motor Lines, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Ozark Motor Lines, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

53. Defendant Paschall Truck Lines, Inc. (PTL) uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Paschall Truck

Lines, Inc.'s (PTL) fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

54. Defendant Royal Trucking Company uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Royal Trucking Company's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

55. Defendant Southeastern Freight Lines, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Southeastern Freight Lines, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

56. Defendant Star Transportation Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Star Transportation Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

57. Defendant TLD Logistics Services, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in TLD Logistics Services, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

58. Defendant U.S. Xpress Enterprises, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in U.S. Xpress Enterprises, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

59. Defendant United Van Lines, LLC uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in United Van Lines, LLC's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

60. Defendant UPS Ground Freight, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in UPS Freight's fleet of

trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

61. Defendant W.L.A., Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in W.L.A., Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

62. Defendant Western Express, Inc. uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Western Express, Inc.'s fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

63. Defendant Wilson Trucking Corporation uses, and/or directs, induces, or instructs its agents, employees, customers, or contracting entities to use, electronic position-based fleet management and tracking systems in its fleet of trucks, vans or other vehicles that infringe the patent in suit, as is alleged below. Trucks, vans or other vehicles in Wilson Trucking Corporation's fleet of trucks, vans or other vehicles operate in the Commonwealth of Virginia, including in this judicial district, while using the infringing electronic fleet management systems.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 5,223,844

64. PJC Logistics repeats and realleges the allegations of paragraphs 1 through 63 as if fully set forth herein.

65. On June 29, 1993, United States Patent No. 5,223,844 (hereinafter referred to as the “‘844 Patent”), entitled VEHICLE TRACKING AND SECURITY SYSTEM, was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ‘844 Patent is attached as Exhibit A to this Complaint.

66. PJC Logistics is the assignee and owner of the right, title, and interest in and to the ‘844 Patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

67. Without license or authorization, each of the Defendants has been infringing the ‘844 Patent, and contributing to and actively inducing the infringement of said patent by others in the United States, by using in the United States, including within this judicial district, certain electronic fleet management systems that embody the inventions claimed in the ‘844 Patent. Such acts constitute infringement under at least 35 U.S.C. §§ 271(a), (b), and (c).

68. PJC Logistics has been damaged by Defendants’ infringing activities.

JURY DEMAND

69. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, PJC Logistics demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, PJC Logistics, LLC respectfully demands judgment for itself and against Defendants as follows:

- a. That this Court adjudge that Defendants have each infringed the '844 Patent;
- b. That this Court ascertain and award PJC Logistics damages sufficient to compensate it for the above infringement, and that the damages so ascertained be awarded to PJC Logistics with interest;
- c. That this Court find this case to be exceptional and award PJC Logistics its attorneys' fees, costs, and expenses in this action;
- d. That this Court order an accounting of all infringing sales including, but not limited to, those sales not presented at trial, and award PJC Logistics damages for any such sales; and
- e. That this Court award PJC Logistics such other relief as the Court may deem just and proper.

Respectfully submitted,

PJC LOGISTICS, LLC

By: 

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