

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION**

ARRIVALSTAR S.A. and MELVINO )  
TECHNOLOGIES LIMITED, )

Plaintiffs, )

vs. )

SKM MEDIA GROUP, INC., STEVEN )  
MORENO, d/b/a SKM MESSAGING, )

HOWARD MINSKY, d/b/a SKM )

MESSAGING, NATIONS EXPRESS, )

INC., LOG-NET, INC., OVATION )

TRAVEL GROUP, INC. and OVATION )

TRAVEL GROUP, INC., d/b/a THE )

LAWYERS' TRAVEL SERVICE, )

Defendants. )

**CASE NO.** \_\_\_\_\_

**DEMAND FOR JURY TRIAL**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, ArrivalStar S.A. and Melvino Technologies Limited (collectively "ArrivalStar" or "Plaintiffs"), by and through their undersigned counsel, for their Complaint against Defendants SKM Media Group, Inc., Steven Moreno, d/b/a SKM Messaging, Howard Minsky, d/b/a SKM Messaging, Nations Express, Inc., Log-Net, Inc., Ovation Travel Group, Inc. and Ovation Travel Group, Inc., d/b/a The Lawyers' Travel Service, hereby allege as follows:

**NATURE OF LAWSUIT**

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of this Complaint under 28 U.S.C. § 1338(a).

**THE PARTIES**

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg, having offices located at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Islands of Tortola, having offices located at P.O. Box 3174, Palm Chambers, 197 Main Street, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 5,657,010 (“the ‘010 patent”), entitled “Advance Notification System and Method Utilizing Vehicle Progress Report Generator”, issued August 12, 1997. A copy of the ‘010 patent is attached hereto as Exhibit 1.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,714,859 (“the ‘859 patent”), entitled “System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle”, issued March 30, 2004. A copy of the ‘859 patent is attached hereto as Exhibit 2.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,748,320 (“the ‘320 patent”), entitled “Advance Notification Systems and Methods Utilizing a Computer Network”, issued June 8, 2004. A copy of the ‘320 patent is attached hereto as Exhibit 3.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 6,952,645 (“the ‘645 patent”), entitled “System and Method for Activation of an Advance Notification System for Monitoring and Reporting Status of Vehicle Travel”, issued October 4, 2005. A copy of the ‘645 patent is attached hereto as Exhibit 4.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 7,030,781 (“the ‘781 patent”), entitled “Notification System and Method that Informs a Party of Vehicle Delay”, issued April 18, 2006. A copy of the ‘781 patent is attached hereto as Exhibit 5.

9. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent Number 7,400,970 (“the ‘970 patent”), entitled “System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle”, issued July 15, 2008. A copy of the ‘970 patent is attached hereto as Exhibit 6.

10. Defendant SKM Media Group, Inc. is a Florida Corporation with a principal place of business located at 6001 Broken Sound Parkway, Suite 510, Boca Raton, Florida 33487. SKM Media Group, Inc. transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the ‘010, ‘859, ‘320, ‘645, ‘781 and ‘970 patents.

11. Upon information and belief, Defendant Steven Moreno does business as SKM Messaging and has a principal place of business located at 6001 Broken Sound Parkway, Suite 510, Boca Raton, Florida 33487. Steven Moreno, doing business as SKM Messaging, transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the ‘010, ‘859, ‘320, ‘645, ‘781 and ‘970 patents.

12. Upon information and belief, Defendant Howard Minsky does business as SKM Messaging and has a principal place of business located at 6001 Broken Sound Parkway, Suite 510, Boca Raton, Florida 33487. Howard Minsky, doing business as SKM Messaging, transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District

and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

13. Defendant Nations Express, Inc. is a North Carolina Corporation with a principal place of business located at 1815 Coffey Point Drive, Suite 103, Charlotte, North Carolina 28217. Nations Express, Inc. transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

14. Defendant Log-Net, Inc. is a Delaware Corporation with a principal place of business located at 230 Half Mile Road, Red Bank, New Jersey 07701. Log-Net, Inc. transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

15. Defendant Ovation Travel Group, Inc. is a New York Corporation with a principal place of business located at 71 Fifth Avenue, New York, New York 10003. Ovation Travel Group, Inc. transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

16. Upon information and belief, Defendant Ovation Travel Group, Inc. does business as The Lawyers' Travel Service and has a principal place of business located at 71 Fifth Avenue, New York, New York 10003. Ovation Travel Group, Inc. doing business as The Lawyers' Travel Service transacts business and has, at a minimum, offered to provide and/or has provided in this Judicial District and throughout the State of Florida services that infringe claims of the '010, '859, '320, '645, '781 and '970 patents.

17. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

**DEFENDANT SKM MEDIA, INC.'S ACTS OF PATENT INFRINGEMENT**

18. Defendant SKM Media, Inc. has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its Automated Notifications for Travel – Notifications and Reminders Solutions. SKM Media, Inc. has also infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

19. Defendant SKM Media, Inc.'s infringement, contributory infringement and inducement to infringe has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT STEVEN MORENO'S ACTS OF PATENT INFRINGEMENT  
WHILE DOING BUSINESS AS SKM MESSAGING**

20. Defendant Steven Moreno, doing business as SKM Messaging, has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its Automated Notifications for Travel – Notifications and Reminders Solutions. Steven Moreno, doing business as SKM Messaging, has infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

21. Defendant Steven Moreno's infringement, contributory infringement and inducement to infringe while doing business as SKM Messaging has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement

and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT HOWARD MINSKY'S ACTS OF PATENT INFRINGEMENT  
WHILE DOING BUSINESS AS SKM MESSAGING**

22. Defendant Howard Minsky, doing business as SKM Messaging, has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its Automated Notifications for Travel – Notifications and Reminders Solutions. Howard Minsky, doing business as SKM Messaging, has infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

23. Defendant Howard Minsky's infringement, contributory infringement and inducement to infringe while doing business as SKM Messaging has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT NATIONS EXPRESS, INC.'S ACTS OF PATENT INFRINGEMENT**

24. Defendant Nations Express, Inc. has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its tracking, monitoring and notification systems; its supply chain and logistics real-time alerting and notifications; and/or its Global Positioning System. Nations Express, Inc. has also infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

25. Defendant Nations Express, Inc.'s infringement, contributory infringement and inducement to infringe has injured and will continue to injure ArrivalStar unless and until the

Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT LOG-NET, INC.'S ACTS OF PATENT INFRINGEMENT**

26. Defendant Log-Net, Inc. has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its tracking and reporting solution(s) and/or the use of its tracking and exception reporting system(s). Log-Net, Inc. has also infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

27. Defendant Log-Net, Inc.'s infringement, contributory infringement and inducement to infringe has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT OVATION TRAVEL GROUP, INC.'S  
ACTS OF PATENT INFRINGEMENT**

28. Defendant Ovation Travel Group, Inc. has infringed claims of the '010, '859, '320, '645, '781 and '970 patents through, among other activities, the use of its Trip Alerts services with notifications on flight changes, delays, cancellations and more; instant travel updates; Supply Works; Automated Pre-Trip Reminder; and/or the use of its other tracking systems. Ovation Travel Group, Inc. has also infringed the '010, '859, '320, '645, '781 and '970 patents by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

29. Defendant Ovation Travel Group, Inc.'s infringement, contributory infringement and inducement to infringe has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**DEFENDANT OVATION TRAVEL GROUP, INC.'S ACTS OF PATENT  
INFRINGEMENT WHILE DOING BUSINESS AS LAWYERS' TRAVEL SERVICE**

30. Defendant Ovation Travel Group, Inc. has infringed claims of the '010, '859, '320, '645, '781 and '970 patents while doing business as The Lawyers' Travel Service through, among other activities, the use of its Trip Alerts services with notifications on flight changes, delays, cancellations and more; instant travel updates; Supply Works; Automated Pre-Trip Reminder; and/or the use of its other tracking systems. Ovation Travel Group, Inc. has also infringed the '010, '859, '320, '645, '781 and '970 patents while doing business as The Lawyers' Travel Services by knowingly and actively inducing others to infringe and by contributing to the infringement by others of, such patents.

31. Defendant Ovation Travel Group, Inc.'s infringement, contributory infringement and inducement to infringe while doing business as The Lawyers' Travel Services has injured and will continue to injure ArrivalStar unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '010, '859, '320, '645, '781 and '970 patents.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully ask this Court to enter judgment against the Defendants and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate Plaintiffs for the infringement that has occurred, together with prejudgment interest from the date that each respective Defendant's infringement of the patents at issue began;

B. Increased damages as permitted under 35 U.S.C. § 284;

C. A finding that this case is exceptional and award to Plaintiffs their attorneys' fees and costs as provided by 35 U.S.C. § 285;

D. A permanent injunction prohibiting further infringement, inducement and/or contributory infringement of the patents at issue; and,

E. Such other and further relief as the Court or a jury may deem proper and just.

**JURY DEMAND**

Plaintiffs hereby demand a trial by jury on all issues presented in this Complaint.

Dated: July 16, 2010.

Respectfully submitted,

/s William R. McMahon  
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