

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

CANADIAN NATIONAL RAILWAY
COMPANY, CSX CORPORATION, INC.,
BNSF RAILWAY COMPANY, i2
TECHNOLOGIES, INC., CONTINENTAL
AUTOMOTIVE SYSTEMS US, INC., and
TRANSWORKS, INC.,

Defendants.

CASE NO.: 08-C-1086

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar" or "Plaintiffs"), by and through their undersigned attorneys, for their amended complaint against defendants Canadian National Railway Company ("CN"), CSX Corporation, Inc. ("CSX"), BNSF Railway Company ("BNSF"), i2 Technologies, Inc. ("i2"), Continental Automotive Systems US, Inc. ("Continental Automotive") and TransWorks, Inc. ("TransWorks") (CN, CSX, BNSF, i2, Continental Automotive and TransWorks are collectively referred to herein as "Defendants"), 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 the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

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

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. Melvino and ArrivalStar S.A. (collectively referred to hereafter as "ArrivalStar") own all right, title and interest in, and have standing to sue for infringement of United States Patent No. 6,904,359 ("the '359 patent"), entitled "Notification Systems and Methods with User-Definable Notifications Based Upon Occurrence of Events," issued June 7, 2005, and United States Patent No. 6,748,318 ("the '318 patent"), entitled "Advanced Notification Systems and Methods Utilizing A Computer Network," issued June 8, 2004. Copies of the '359 and '318 patents are annexed hereto as Exhibits A and B, respectively.

5. Defendant CN is a Canadian corporation with a place of business at 935 de La Gauchetière Street West, Montreal, Quebec, H3B 2M9. CN transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

6. Defendant CSX is a Virginia corporation with a place of business at 500 Water Street, 15th Floor, Jacksonville, Florida 32202. CSX transacts business and has offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

7. Defendant BNSF is a Delaware corporation with a place of business at 2650 Lou Menk Drive, Fort Worth, Texas 76131-2830. BNSF transacts business and

has offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

8. Defendant i2 is a Nevada corporation with a place of business at 11701 Luna Road, Dallas, Texas 75234-6072. i2 transacts business and has offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

9. Defendant Continental Automotive is a Delaware corporation with a place of business at 2400 Executive Hills Boulevard, Auburn Hills, Michigan 48326-2980. Continental Automotive transacts business and has offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

10. Defendant TransWorks is a Virginia corporation with a place of business at 9910 Dupont Circle Drive East, Fort Wayne, Indiana 46825. TransWorks transacts business and has offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the '359 and '318 patents.

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

DEFENDANT CN'S ACTS OF PATENT INFRINGEMENT

12. Defendant CN has infringed claims of the '359 and '318 patents through, among other activities, the use of the "My Reports" and "My Shipments" components of CN's "eBusiness Solutions" system.

13. Defendant CN's infringement has injured and will continue to injure ArrivalStar and will continue to injure ArrivalStar unless and until this Court enters an

injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

DEFENDANT CSX'S ACTS OF PATENT INFRINGEMENT

14. Defendant CSX has infringed claims of the '359 and '318 patents through, among other activities, the use of its "ShipCSX Parameter Trace," "ShipCSX Event Notification," "ShipCSX Rail Car Tracking" and "ShipCSX Shipment Tracking" components of CSX's "TRACE eBusiness Tools" system.

15. Defendant CSX's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

DEFENDANT BNSF'S ACTS OF PATENT INFRINGEMENT

16. Defendant BNSF has infringed claims of the '359 and '318 patents through, among other activities, the use of its Customer Notification System.

17. Defendant BNSF's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

DEFENDANT i2'S ACTS OF PATENT INFRINGEMENT

18. Defendant i2 has infringed claims of the '359 and '318 patents through, among other activities, the use of its Supply Chain Visibility system.

19. Defendant i2's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further

infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

DEFENDANT CONTINENTAL AUTOMOTIVE'S ACTS OF PATENT INFRINGEMENT

20. Defendant Continental Automotive has infringed claims of the '359 and '318 patents through, among other activities, the use of the "WebWatch" component of Siemens' "TransitMaster" system.

21. Defendant Continental Automotive's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

DEFENDANT TRANSWORKS' ACTS OF PATENT INFRINGEMENT

22. Defendant TransWorks has infringed claims of the '359, and '318 patents through, among other activities, the use of its "Transportation Management Solution" system.

23. Defendant TransWorks' infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '359 and '318 patents.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against 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 ArrivalStar for the infringement that has occurred, together with prejudgment interest from

the date that Defendant's infringement of the ArrivalStar patents began;
and

- B. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: July 8, 2008

By: /s/ Matthew G. McAndrews
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the **AMENDED COMPLAINT FOR PATENT INFRINGEMENT** was served upon all counsel of record via electronic filing or electronic mail on July 8, 2008.

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/s/ Matthew G. McAndrews _____