

FILED

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

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19 UNITED STATES DISTRICT COURT
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA
21 LOS ANGELES DIVISION

22 JOAO BOCK TRANSACTION SYSTEMS OF
23 CALIFORNIA, LLC,

Case No.

CV 10 7035 - SVW
JEM

24 Plaintiff,

**COMPLAINT FOR PATENT
INFRINGEMENT**

25 v.

Jury Trial Demanded

26 CATHAY BANK, CITIZENS BUSINESS
27 BANK, PACIFIC WESTERN BANK, CITY
28 NATIONAL BANK, BANK OF THE WEST,
SILICON VALLEY BANK, EAST WEST
BANK, PACIFIC CAPITAL BANK, N.A.,
SANTA BARBARA BANK & TRUST, FIRST
NATIONAL BANK OF CENTRAL
CALIFORNIA, SOUTH VALLEY NATIONAL
BANK, SAN BENITO BANK, FIRST BANK OF
SAN LUIS OBISPO, and WESTAMERICA
BANK,

BY FAX

Defendants.

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PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Joao Bock Transaction Systems of California, LLC (“Plaintiff”), by and through its undersigned counsel, files this Original Complaint for patent infringement against Cathay Bank, Citizens Business Bank, Pacific Western Bank, City National Bank, Bank of the West, Silicon Valley Bank, East West Bank, Pacific Capital Bank, N.A., Santa Barbara Bank & Trust, First National Bank of Central California, South Valley National Bank, San Benito Bank, First Bank of San Luis Obispo, and WestAmerica Bank (collectively “Defendants”) as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop each Defendant’s infringement of Plaintiff’s United States Patent No. 6,047,270 entitled “Apparatus and Method for Providing Account Security” (the “’270 patent”; a copy of which is attached hereto as Exhibit A). Plaintiff is the legal owner of all of the rights under the ’270 patent to bring this infringement action against the Defendants. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

2. Plaintiff is a Limited Liability Company organized under the laws of the State of California and is located at Oxnard Executive Center, 1000 Town Center Drive, Suite 300, Oxnard, California 93036. Plaintiff is the exclusive licensee of the ’270 patent, which license includes the right to exclude the Defendants from making, using, selling, offering to sell or importing in this district and elsewhere into the United States the patented invention(s) of the ’270 patent and the exclusive right to sublicense the ’270 patent, collect damages and sue for infringement and recover past damages from the Defendants.

3. Upon information and belief, Defendant Cathay Bank (“Cathay”) is a banking subsidiary of Cathay General Bancorp, and is a corporation organized and existing under the laws of the State of California with its principal place of business located at 777 North Broadway, Los Angeles, California 90012.

1 4. Upon information and belief, Defendant Citizens Business Bank (“Citizens”) is a
2 corporation organized and existing under the laws of the State of California with its principal
3 place of business located at 701 North Haven Avenue, Suite 350, Ontario, California 91764.
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5 5. Upon information and belief, Defendant Pacific Western Bank (“Pacific Western”)
6 is a banking subsidiary of PacWest Bancorp, and is a corporation organized and existing under
7 the laws of the State of California with its principal place of business located at 401 West A
8 Street, San Diego, California 92101.

9 6. Upon information and belief, Defendant City National Bank (“City National”), is a
10 banking subsidiary of City National Corporation, a corporation organized and existing under the
11 laws of the State of Delaware, with its principal place of business located at 5 City National
12 Plaza, 555 South Flower Street, Los Angeles, California 90071. Upon information and belief,
13 City National’s principal place of business is 400 North Roxbury Drive, Beverly Hills, California
14 90210.

15 7. Upon information and belief, Defendant Bank of the West (“Bank of the West”), is
16 a banking subsidiary of BancWest Corporation, and is a corporation organized and existing under
17 the laws of the State of California with its principal place of business located at 180 Montgomery
18 Street, 25th Floor, San Francisco, California 94104.

19 8. Upon information and belief, Defendant Silicon Valley Bank (“Silicon Valley”) is
20 a member of the SVB Financial Group, and is a corporation organized and existing under the laws
21 of the State of California with its principal place of business located at 3003 Tasman Drive, Santa
22 Clara, California 95054.

23 9. Upon information and belief, Defendant East West Bank (“East West Bank”) is a
24 banking subsidiary of East West Bancorp, Inc., and is a corporation organized under the laws of
25 the State of California with its principal place of business located at 135 North Los Robles
26 Avenue, 7th Floor, Pasadena, California 91101.

27 10. Upon information and belief, Defendant Pacific Capital Bank, N.A. (“Pacific
28 Capital”) is a banking subsidiary of Pacific Capital Bancorp which is a corporation organized and

1 existing under the laws of the State of California with its principal place of business located at 20
2 East Carrillo Street, Santa Barbara, California 93101. Pacific Capital operates under the brand
3 names of Santa Barbara Bank & Trust, First National Bank of Central California, South Valley
4 National Bank, San Benito Bank, and First Bank of San Luis Obispo.

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6 11. Upon information and belief, Defendant Santa Barbara Bank & Trust (“SBBT”) is
7 a banking division of Pacific Capital Bank, N.A. organized and existing under the laws of the
8 State of California, with its principal place of business located at 5770 Oberlin Drive, San Diego,
9 California 92121.

10 12. Upon information and belief, Defendant First National Bank of Central California
11 (“First National”) is a banking division of Pacific Capital Bank, N.A. organized and existing
12 under the laws of the State of California with its principal place of business located at 20 East
13 Carrillo Street, Santa Barbara, California 93101.

14 13. Upon information and belief, Defendant South Valley National Bank (“South
15 Valley”) is a banking division of Pacific Capital Bank, N.A. organized and existing under the
16 laws of the State of California with its principal place of business located at 20 East Carrillo
17 Street, Santa Barbara, California 93101.

18 14. Upon information and belief, Defendant San Benito Bank (“San Benito”) is a
19 banking division of Pacific Capital Bank, N.A. organized and existing under the laws of the State
20 of California with its principal place of business located at 20 East Carrillo Street, Santa Barbara,
21 California 93101. .

22 15. Upon information and belief, Defendant First Bank of San Luis Obispo (“San Luis
23 Obispo”) is a banking division of Pacific Capital Bank, N.A. organized and existing under the
24 laws of the State of California with its principal place of business located at 20 East Carrillo
25 Street, Santa Barbara, California 93101. .

26 16. Upon information and belief, Defendant WestAmerica Bank (“WestAmerica”) is a
27 banking subsidiary of WestAmerica Bancorporation, and is a corporation organized and existing
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1 under the laws of the State of California with its principal place of business located at 1108 Fifth
2 Avenue, San Rafael, California 94901.

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4 **JURISDICTION AND VENUE**

5 17. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et*
6 *seq.*, including 35 U.S.C. §§ 271, 281-285. This Court has subject matter jurisdiction over this
7 case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

8 18. Upon information and belief, Defendants have transacted business and committed
9 acts of infringement within the State of California, and more importantly, within this District, and
10 are subject to the personal jurisdiction of this Court. The Court has personal jurisdiction over
11 each Defendant because, upon information and belief: each Defendant has minimum contacts
12 within the State of California and the Central District of California; each Defendant has
13 purposefully availed itself of the privileges of conducting business in the State of California and
14 in the Central District of California; each Defendant has sought the protection and benefits of the
15 laws of the State of California; each Defendant regularly conducts business within the State of
16 California and within the Central District of California; and Plaintiff's causes of action arise
17 directly from Defendants' business contacts and other activities in the State of California and in
18 the Central District of California.

19 19. Upon information and belief, Defendants have made, used, offered for sale,
20 imported, sold, or advertised, and continue to make, use, offer to sell, import, sell, or advertise
21 (including providing an interactive web page) in this district and elsewhere in the United States its
22 products and services that infringe one or more claims of the '270 patent. More specifically, each
23 Defendant, directly and/or through intermediaries, makes, uses, sells, ships, distributes, offers for
24 sale, or advertises its products and services in the United States, the State of California, and the
25 Central District of California. Upon information and belief, each Defendant has committed patent
26 infringement directly and/or indirectly in the State of California and in the Central District of
27 California and/or has induced others to commit patent infringement in the State of California and
28 in the Central District of California. Upon information and belief, each Defendant solicits

1 customers in the State of California and in the Central District of California. Upon information
2 and belief, each Defendant has many paying customers who are residents of the State of
3 California and in the Central District of California, and who each use respective Defendant's
4 products and services in the State of California and in the Central District of California.

5 20. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b).

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7 **COUNT I – PATENT INFRINGEMENT**

8 21. On April 4, 2000, the United States Patent and Trademark Office duly and legally
9 issued the '270 patent to the inventors Raymond Anthony Joao ("Mr. Joao") and Robert Richard
10 Bock ("Mr. Bock"). Mr. Joao and Mr. Bock assigned all rights, title and interest in and to the
11 '270 patent to Joao Bock Transaction Systems, LLC. Joao Bock Transaction Systems, LLC
12 granted an exclusive license to Joao Bock Transaction Systems of California, LLC in the '270
13 patent, giving Joao Bock Transaction Systems of California, LLC the right to exclude the
14 Defendants from making, using, selling, offering to sell or importing in this district and elsewhere
15 in the United States the patented invention(s) of the '270 patent, and the exclusive right to
16 sublicense the '270 patent, collect damages and initiate lawsuits against the Defendants. The
17 '270 patent is in full force and effect. Plaintiff is the exclusive licensee of the '270 patent and
18 possesses all rights of recovery under the '270 patent for this litigation.

19 22. Upon information and belief, the Defendants have infringed and continue to
20 infringe one or more claims of the '270 patent by making, using, importing, providing, offering to
21 sell, advertising and/or selling (directly or through intermediaries), in this District and elsewhere
22 in the United States, infringing products and services. Upon information and belief, the
23 Defendants have also contributed to the infringement of one or more claims of the '270 patent,
24 and/or actively induced others to infringe one or more claims of the '270 patent, in this District
25 and elsewhere in the United States. Specifically, upon information and belief, each Defendant
26 uses a computer system on a computer network that receives instructions from business
27 customers, wherein the instructions limit or restrict authorized users' use of a business banking
28 account or business credit card account. These limitations are stored in the memory of each

1 Defendant's computer system, and accessed by a processor when the processor processes a
2 transaction or attempted transaction on the account by an authorized user. The processor of each
3 Defendant's computer system generates a signal for approving or disapproving the transaction.
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5 23. Upon information and belief, Defendant Cathay infringes and/or induces
6 infringement of one or more claims of the '270 patent with its activities conducted with respect to
7 its individual, commercial and small business accounts services and credit card accounts services.
8 By way of example, the "eCashManagement" services offered to Cathay customers include
9 services to establish individuals as authorized users on the account with limits and controls on an
10 individual's use of the account(s). Cathay uses a computer system with a server to receive this
11 information (limits and controls), a memory to store the information, and a processor to process
12 the information with incoming transactions.

13 24. Upon information and belief, Defendant Citizens infringes and/or induces
14 infringement of one or more claims of the '270 patent with its activities conducted with respect to
15 its individual, commercial and small business accounts services. By way of example, the
16 "Citizens Electronic Processing Solutions" services offered to Citizens customers include services
17 to establish individuals as authorized users on the account with limits and controls on an
18 individual's use of the account(s). Citizens uses a computer system with a server to receive this
19 information (limits and controls), a memory to store the information, and a processor to process
20 the information with incoming transactions.

21 25. Upon information and belief, Defendant Pacific Western infringes and/or induces
22 infringement of one or more claims of the '270 patent with its activities conducted with respect to
23 its individual, commercial and small business accounts services. By way of example, the
24 "VIPbanker™ Online Business Banking" services offered to Pacific Western customers include
25 services to establish individuals as authorized users on the account with limits and controls on an
26 individual's use of the account(s). Pacific Western uses a computer system with a server to
27 receive this information (limits and controls), a memory to store the information, and a processor
28 to process the information with incoming transactions.

1 26. Upon information and belief, Defendant City National infringes and/or induces
2 infringement of one or more claims of the '270 patent with its activities conducted with respect to
3 its individual, commercial and small business accounts services. By way of example, the "Online
4 Cash Management" services offered to City National customers include services to establish
5 individuals as authorized users on the account with limits and controls on an individual's use of
6 the account(s). City National uses a computer system with a server to receive this information
7 (limits and controls), a memory to store the information, and a processor to process the
8 information with incoming transactions.

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10 27. Upon information and belief, Defendant Bank of the West infringes and/or
11 induces infringement of one or more claims of the '270 patent with its activities conducted with
12 respect to its individual, commercial and small business accounts services and credit card
13 accounts services. By way of example, the "WebDirect Platform" services offered to Bank of the
14 West customers include services to establish individuals as authorized users on the account with
15 limits and controls on an individual's use of the account(s). Bank of the West uses a computer
16 system with a server to receive this information (limits and controls), a memory to store the
17 information, and a processor to process the information with incoming transactions.

18 28. Upon information and belief, Defendant Silicon Valley infringes and/or induces
19 infringement of one or more claims of the '270 patent with its activities conducted with respect to
20 its individual, commercial and small business accounts services. By way of example, the
21 "SVBeConnect" services offered to Silicon Valley customers include services to establish
22 individuals as authorized users on the account with limits and controls on an individual's use of
23 the account(s). Silicon Valley uses a computer system with a server to receive this information
24 (limits and controls), a memory to store the information, and a processor to process the
25 information with incoming transactions.

26 29. Upon information and belief, Defendant East West Bank infringes and/or induces
27 infringement of one or more claims of the '270 patent with its activities conducted with respect to
28 its individual, commercial and small business accounts services. By way of example, the

1 “BusinessBridge Online Banking” services offered to East West Bank customers include services
2 to establish individuals as authorized users on the account with limits and controls on an
3 individual’s use of the account(s). East West uses a computer system with a server to receive this
4 information (limits and controls), a memory to store the information, and a processor to process
5 the information with incoming transactions.

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7 30. Upon information and belief, Defendant Pacific Capital infringes and/or induces
8 infringement of one or more claims of the ’270 patent with its activities conducted with respect to
9 the consumer, commercial and small business accounts services offered under its local brand
10 names, SBBT, First National, South Valley, San Benito, and San Luis Obispo. By way of
11 example, the “AllTime Treasury” services offered to SBBT, First National, South Valley, San
12 Benito, and San Luis Obispo customers through each banking entity’s website include services to
13 establish individuals as authorized users on the account with limits and controls an individual’s
14 use of the account(s). Pacific Capital uses a computer system with a server to receive this
15 information (limits and controls), a memory to store the information, and a processor to process
16 the information with incoming transactions.

17 31. Upon information and belief, Defendant SBBT infringes and/or induces
18 infringement of one or more claims of the ’270 patent with its activities conducted with respect to
19 its individual, commercial and small business accounts services. By way of example, the
20 “AllTime Treasury” services offered to SBBT customers include services to establish individuals
21 as authorized users on the account with limits and controls on an individual’s use of the
22 account(s). SBBT uses a computer system with a server to receive this information (limits and
23 controls), a memory to store the information, and a processor to process the information with
24 incoming transactions.

25 32. Upon information and belief, Defendant First National infringes and/or induces
26 infringement of one or more claims of the ’270 patent with its activities conducted with respect to
27 its individual, commercial and small business accounts services. By way of example, the
28 “AllTime Treasury” services offered to First National customers include services to establish

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individuals as authorized users on the account with limits and controls on an individual’s use of the account(s). First National uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with incoming transactions.

33. Upon information and belief, Defendant South Valley infringes and/or induces infringement of one or more claims of the ’270 patent with its activities conducted with respect to its individual, commercial and small business accounts services. By way of example, the “AllTime Treasury” services offered to South Valley customers include services to establish individuals as authorized users on the account with limits and controls on an individual’s use of the account(s). South Valley uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with incoming transactions.

34. Upon information and belief, Defendant San Benito infringes and/or induces infringement of one or more claims of the ’270 patent with its activities conducted with respect to its individual, commercial and small business accounts services. By way of example, the “AllTime Treasury” services offered to San Benito customers include services to establish individuals as authorized users on the account with limits and controls on an individual’s use of the account(s). San Benito uses a computer system with a server to receive this information (limits and controls), a memory to store the information, and a processor to process the information with incoming transactions.

35. Upon information and belief, Defendant San Luis Obispo infringes and/or induces infringement of one or more claims of the ’270 patent with its activities conducted with respect to its individual, commercial and small business accounts services. By way of example, the “AllTime Treasury” services offered to San Luis Obispo customers include services to establish individuals as authorized users on the account with limits and controls on an individual’s use of the account(s). San Luis Obispo uses a computer system with a server to receive this information

1 (limits and controls), a memory to store the information, and a processor to process the
2 information with incoming transactions.

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4 36. Upon information and belief, Defendant WestAmerica infringes and/or induces
5 infringement of one or more claims of the '270 patent with its activities conducted with respect to
6 its individual, commercial and small business accounts services. By way of example, the "Onsite
7 Banker Plus" services offered to WestAmerica customers include services to establish individuals
8 as authorized users on the account with limits and controls on an individual's use of the
9 account(s). WestAmerica uses a computer system with a server to receive this information (limits
10 and controls), a memory to store the information, and a processor to process the information with
11 incoming transactions.

12 37. Each Defendant's aforesaid activities have been without authority and/or license
13 from Plaintiff.

14 38. Plaintiff is entitled to recover from each of the Defendants the damages sustained
15 by Plaintiff as a result of the Defendants' wrongful acts in an amount subject to proof at trial.

16 39. Upon information and belief, the infringement of one or more claims of the '270
17 patent by each of the Defendants is willful and deliberate. Upon information and belief, the
18 direct, contributory and/or induced infringement of one or more claims of the '270 patent by each
19 of the Defendants is willful and deliberate. As a result, Plaintiff is entitled to increased damages
20 under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under
21 35 U.S.C. § 285 with respect to these defendants.

22 40. Each defendant's infringement of Plaintiff's exclusive rights under the '270 patent
23 will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy
24 at law, unless enjoined by this Court.

25 **JURY DEMAND**

26 41. Plaintiff demands a trial by jury on all issues.
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PRAYER FOR RELIEF

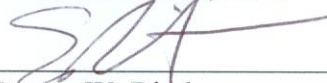
Plaintiff Joao Bock Transaction Systems of California, LLC, respectfully requests the following relief:

- A. An adjudication that each of the Defendants have infringed and continue to infringe claims of the '270 patent;
- B. An award to Plaintiff of damages adequate to compensate Plaintiff for the Defendants' acts of infringement together with prejudgment interest pursuant to 35 U.S.C. § 284;
- C. An award of Plaintiff's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law with respect to the Defendants;
- D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining the Defendants from further acts of (1) infringement, and (2) actively inducing infringement with respect to the claims of the '270 patent; and
- E. Any further relief that this Court deems just and proper.

Dated: September 21, 2010

Respectfully submitted,

WHITE FIELD, INC.



Steven W. Ritcheson

WARD & OLIVO

John W. Olivo, Jr. (*Pro Hac Vice Application Pending*)

Attorneys for Plaintiff Joao Bock Transaction Systems of California, LLC