

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

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

USPACK LOGISTICS CORP.,

Defendant.

Civil Action No. 11-cv-8144

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, ArrivalStar S.A. and Melvino Technologies Limited (collectively, “ArrivalStar”), by and through their undersigned attorneys, for their complaint against Defendant, USPack Logistics Corp. (“USPack”), 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 a principal place of business at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar S.A. and Melvino Technologies Limited (collectively referred to herein as “ArrivalStar” or “Plaintiffs”) own all right, title and interest in, and have standing to sue for infringement of United States Patent No. 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; United States Patent No. 7,030,781 (“the ‘781 patent”), entitled “Notification System and Method that Informs a Party of Vehicle Delay,” issued April 18, 2006; United States Patent No. 7,089,107 (“the ‘107 patent”), entitled “System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle,” issued August 8, 2006; United States Patent No. 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; 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 a Reexamination Certificate for which was issued on May 25, 2010; United States Patent No. 6,804,606 (“the ‘606 patent”), entitled “Notification Systems and Methods with User-Definable Notifications Based Upon Vehicle Proximities,” issued October 12, 2004; United States Patent 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; and United States Patent No. 6,411,891 (“the ‘891 patent”), entitled “Advance Notification System and Method Utilizing User-Definable Notification Time Periods,” issued June 25, 2002 (collectively, “the ArrivalStar Patents”). Copies of the ArrivalStar Patents are attached hereto as Exhibits A-H.

5. Upon information and belief, defendant USPack Logistics Corp. is a New York corporation with a place of business at 350 Fifth Avenue, Suite 2704, New York, New York 10118. USPack transacts business in this judicial District and throughout the State of Illinois.

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

DEFENDANT’S ACTS OF PATENT INFRINGEMENT

7. Among other things, USPack’s proprietary GoTrak™ Tracking Technology, including but not limited to the “real-time package tracking, online scheduling...[,] delivery

status updates (GoTrak™ Delivery Confirmed™), and custom alerts” (*see, e.g.*, www.gouspack.com/services/technology) features and functionality of the GoTrak system, infringes one or more claims of each of the ArrivalStar Patents.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs ask this Court to enter judgment against Defendant USPack, and against its 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 USPack’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.

Respectfully submitted,

Dated: November 15, 2011

/s/ Matthew G. McAndrews
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