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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10 GameTruck Licensing, LLC,
11 an Arizona limited liability company

12 Plaintiff,

13 vs.

14 Mobile Game Cave, LLC, an Arizona
limited liability company; Ross Weems and
15 Jennifer Weems, husband and wife,

16 Defendants.

Case No.:

COMPLAINT

(Patent Infringement)

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19 GameTruck Licensing, LLC for its complaint against Defendant Mobile
20 Game Cave, LLC complains and alleges as set forth below.

21 **Parties, Jurisdiction and Venue**

22 1. Plaintiff GameTruck Licensing, LLC (“GameTruck”) is an Arizona
23 limited liability company with its principal place of business in Tempe, Maricopa County,
24 Arizona.
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Count 2

(Contributory Infringement/Inducing Infringement)

19. GameTruck realleges the allegations set forth in paragraphs 1-11 above, which are incorporated by this reference.

20. Weems is the sole member of Mobile Game Cave.

21. Upon information and belief, Weems is responsible for directing the activities of Mobile Game Cave.

22. As of approximately October 19, 2011, Weems had actual knowledge of the '368 Patent.

23. Despite such knowledge, Weems directed Mobile Game Cave to engage in activities which infringe upon the '368 Patent.

24. Such actions constitute inducing infringement of the '368 Patent.

25. In the alternative, Weems is a contributory infringer of the '368 Patent.

26. Such actions by Weems have caused harm and damage to GameTruck in an amount to be proven at trial; but in no event less than a reasonable royalty.

27. Weem's actions have caused and, unless restrained, will continue to cause immediate and irreparable injury to GameTruck. GameTruck is entitled to the issuance of a preliminary and permanent injunction to prevent such irreparable injury.

28. This is an exceptional case. GameTruck is entitled to recover its attorneys' fees pursuant to 35 U.S.C. §285.

Wherefore, GameTruck requests relief as follows:

A. GameTruck be awarded damages in the amount to be proven at trial, but in no event less than a reasonable royalty;

B. The Court award GameTruck enhanced damages, up to treble damages pursuant to 35 U.S.C. §285;

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C. The Court issue a preliminary and permanent injunction restraining and enjoining Mobile Game Cave, Weems, and their respective officers, directors, owners, members, managers, employees, agents, representatives and all persons in active concert with them from infringing the '368 Patent, or assisting anyone else to do so.

D. GameTruck be awarded its court costs incurred in this action;

E. The Court determine this is an exceptional case, and award GameTruck its attorneys' fees incurred in this matter;

F. GameTruck be awarded such further relief as the Court deems just and proper.

DATED: December 22, 2011.

DECONCINI MCDONALD YETWIN & LACY, P.C.

By s/ Ira M. Schwartz
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