

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IDEATIVE PRODUCT VENTURES, INC., §

Plaintiff, §

VS. §

AMAZON.COM, INC. §

Defendant. §

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Civil Action No. 4:12-cv-273

JURY DEMANDED

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff, Ideative Product Ventures, Inc. (“Ideative”), files this complaint against Defendant, Amazon.com, Inc. (“Amazon”).

I. INTRODUCTION

1. Ideative asserts Amazon has infringed one or more claims of two United States Patents and therefore, seeks monetary damages and permanent injunctive relief.

II. THE PARTIES

2. Ideative is a corporation that is organized and exists pursuant to the laws of the State of Texas. Ideative’s principal place of business is in Carrollton, Denton County, Texas.

3. Amazon is a corporation that is organized and exists pursuant to the laws of the State of Delaware. Amazon’s principal place of business is in Seattle, Washington.

III. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the United States Patent Act, 35 U.S.C. §1, *et seq.* This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338.

5. This Court has general personal jurisdiction over Amazon because Amazon has maintained systematic and continuous business contacts with the State of Texas. Additionally, this Court has specific personal jurisdiction over Amazon because Amazon has committed acts of patent infringement in the State of Texas by offering for sale and selling products, including but not limited to its AmazonBasics High-Speed HDMI Cable with Ethernet and its AmazonBasics HDMI Male to Female Swivel Adapters, that infringe one or more claims of two United States Patents owned by Ideative.

6. Amazon engages in business in Texas but it has not designated or maintained a resident agent to receive service of process in the State of Texas. Thus, pursuant to V.T.C.A., Tex. Civ. Prac. & Rem. Code §17.044, Amazon may be served with process by delivering a true and correct copy of this petition, together with an original citation, to the Secretary of State for the State of Texas, 1019 Brazos Street, Austin, Texas 78701. Upon receipt of the citation and the copy of the petition, the Secretary of State will forward process to Amazon's registered agent for receipt of process, Corporation Service Company, 300 Deschutes Way SW, Suite 304, Tumwater, Washington 98501-7719, via certified mail, return receipt requested.

7. This Court is a proper venue for this case pursuant to 28 U.S.C. §1391 because Amazon has committed acts of infringement in this District and Division.

IV. FACTS

8. On July 24, 2007, United States Patent Number 7,247,028 B2 (the “’028 Patent”) entitled “Multiple Degrees Of Freedom Connectors And Adapters” was duly issued to Ideative, as assignee of the inventor, Tavis D. Schriefer (“Schriefer”). A true and correct copy of the ‘028 Patent is attached to this complaint as Exhibit A.

9. On February 24, 2009, United States Patent Number 7,494,343 B2 (the “’343 Patent”) entitled “Multiple Degrees Of Freedom Connectors And Adapters” was duly issued to Ideative, as assignee of the inventor, Schriefer. A true and correct copy of the ‘343 Patent is attached to this complaint as Exhibit B.

10. Amazon offers for sale and sells in Texas and throughout the world one or more devices, including its Amazon Basics Male to Female Swivel Adapters and its Amazon Basics High-Speed HDMI Cable with Ethernet, that infringe one or more claims of the ‘028 Patent and the ‘343 Patent.

V. CAUSE OF ACTION

COUNT I

(Infringement of U.S. Patent No. 7,247,028 B2)

11. Ideative incorporates the allegations of paragraphs 1 through 10 as if fully reproduced herein.

12. The ‘028 Patent is valid and enforceable.

13. Ideative owns all right, title and interest in and to the ‘028 Patent.

14. Amazon has infringed and continues to infringe one or more claims of the ‘028 Patent.

15. As a direct result of Amazon’s infringement, Ideative has incurred and will continue to incur damages, irreparable harm, and impairment of its patent rights.

16. Ideative is entitled to recover from Amazon the damages sustained by Ideative as a result of Amazon's wrongful acts in an amount to be proven at trial.

COUNT II
(Infringement of U.S. Patent No. 7,494,343 B2)

17. Ideative incorporates the allegations of paragraphs 1 through 10 as if fully reproduced herein.

18. The '343 Patent is valid and enforceable.

19. Ideative owns all right, title and interest in and to the '343 Patent.

20. Amazon has infringed and continues to infringe one or more claims of the '343 Patent.

21. As a direct result of Amazon's infringement, Ideative has incurred and will continue to incur damages, irreparable harm, and impairment of its patent rights.

22. Ideative is entitled to recover from Amazon the damages sustained by Ideative as a result of Amazon's wrongful acts in an amount to be proven at trial.

VI. PRAYER

For the foregoing reasons, Plaintiff, Ideative, requests that Defendant be cited to answer herein and that, upon hearing hereof, the Court award the following relief:

- a. In connection with Counts I and II, entering judgment in favor of Ideative;
- b. In connection with Counts I and II, awarding damages in an amount to be determined at trial;
- c. In connection with Counts I and II, enjoining the Defendant from any further infringement of Ideative's Patents;
- d. In connection with all Counts, awarding Ideative its costs incurred in connection with the prosecution of its claims; and
- e. In connection with all Counts, awarding Ideative any and all other relief to which it may be entitled.

Dated: May 8, 2012

Respectfully Submitted,

By: s/James E. Davis

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