

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ARRIVALSTAR S.A. and MELVINO  
TECHNOLOGIES LIMITED,

Plaintiffs,

vs.

CONCORD KANNAPOLIS AREA TRANSIT

Defendant.

**Case No.:**

**DEMAND FOR JURY TRIAL**

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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar" or "Plaintiffs"), by and through their undersigned attorneys, for their complaint against defendant Concord Kannapolis Area Transit ("CKRider" or "Defendant") 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. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,317,060 ("the '060 patent"), entitled "Base station system and method for monitoring travel of mobile vehicles and communicating notification messages" issued November 13, 2001. A copy of the '060 patent is annexed hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of 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. A copy of the '891 patent is annexed hereto as Exhibit B.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,486,801 ("the '801 patent"), entitled "Base station apparatus and method for monitoring travel of a mobile vehicle" issued November 26, 2002. A copy of the '801 patent is annexed hereto as Exhibit C.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 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. A copy of the '859 patent is annexed hereto as Exhibit D.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of 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. A copy of the '606 patent is annexed hereto as Exhibit E.

9. ArrivalStar owns all right, title and interest in, and has 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. A copy of the '359 patent is annexed hereto as Exhibit F. The '359 patent was the subject of an Inter Partes reexamination at the United States Patent and Trademark Office. A Reexamination Certificate was issued on May 25, 2010 and is annexed hereto as Exhibit G.

10. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of 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. A copy of the '107 patent is annexed hereto as Exhibit H.

11. Defendant CKRider is a governmental entity existing under the laws of the State of North Carolina with a place of business at 26 South Union Street, Concord, Cabarrus County, North Carolina 28025. Defendant transacts business and has, at a minimum, offered to provide and/or provided in this judicial district services that infringe one or more claims of the '060, '891, '801, '859, '606, '359, and '107 patents.

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

### **DEFENDANT'S ACTS OF PATENT INFRINGEMENT**

13. Defendant has infringed one or more claims of the '060, '891, '801, '859, '606, '359, and '107 patents through its use of CKRider's Real-Time Bus Tracking system.

14. Defendant'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 '060, '891, '801, '859, '606, '359, and '107 patents.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendant, and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with it, 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;
- B. An award of increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the ArrivalStar patents; and
- E. Such other and further relief as this Court may deem proper and just.

**JURY DEMAND**

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

Respectfully submitted,

/s/ James L. Lester  
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