

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

|                                 |   |                       |
|---------------------------------|---|-----------------------|
| MEADOWS FINANCIAL SYSTEMS, LLC, | ) |                       |
|                                 | ) |                       |
| Plaintiff,                      | ) |                       |
|                                 | ) |                       |
| v.                              | ) | CASE NO.:             |
|                                 | ) |                       |
| PIZZA HUT, INC.,                | ) |                       |
|                                 | ) |                       |
| Defendant.                      | ) | DEMAND FOR JURY TRIAL |
|                                 | ) |                       |
| _____                           | ) |                       |

**COMPLAINT FOR PATENT INFRINGEMENT**

Meadows Financial Systems, LLC (“Meadows”) hereby alleges for its Complaint against defendant Pizza Hut, Inc. (“Pizza Hut”) on personal knowledge as to its own actions and on information and belief as to the actions of others, as follows:

**THE PARTIES**

1. Plaintiff Meadows is a Texas Corporation with a principal place of business at 104 East Houston Street, Suite 170A, Marshall, Texas 75670.

2. Defendant Pizza Hut is a California Corporation with a principal place of business at 14841 Dallas Parkway, Dallas, Texas 75254. Pizza Hut can be served with process of service by and through its registered agent of record, C T Corporation System, 350 N. St. Paul St., Ste. 2900, Dallas, Texas 75201-4234.

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

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

On information and belief, Pizza Hut has transacted business in this district, and has committed and/or induced acts of patent infringement in this district.

5. On information and belief, Pizza Hut is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 8,064,434**

6. On November 22, 2011, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,064,434 ("the '434 Patent"), entitled "Method for Providing Internet Services to a Telephone User." A true and correct copy of the '434 Patent is attached to the Complaint as Exhibit A.

7. Upon information and belief, Pizza Hut has been and now is directly infringing, both literally and/or under the doctrine or equivalents, the claims of the '434 patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, providing a method for providing the capability to use internet-based applications to a telephone user ("Accused Pizza Hut Products"). By making, using, and/or providing the Accused Pizza Hut Products, for example the Pizza Hut's mobile internet site, that are covered by one or more claims of the '434 patent, Pizza Hut has injured Meadows and is thus liable to Meadows for infringement of the '434 patent pursuant to 35 U.S.C. §271.

8. As a result of Pizza Hut's unlawful infringement of the '434 patent, Meadows has suffered and will continue to suffer damage. Meadows is entitled to recover from Pizza Hut the damages adequate to compensate for such infringement, which have yet to be determined.

9. Pizza Hut's acts of infringement have caused and will continue to cause irreparable harm to Meadows unless and until enjoined by this Court.

**PRAYER FOR RELIEF**

WHEREFORE, Meadows prays for a Judgment from this Honorable Court in favor of Meadows and against Pizza Hut as follows::

1. That the '434 patent is valid and enforceable;
2. That Pizza Hut has directly infringed the '434 patent;
3. An order requiring Pizza Hut to pay Meadows its damages, costs, expenses, and pre-judgment and post-judgment interest for Pizza Hut's infringement of the '434 patent as provided under 35 U.S.C. § 284;
4. An order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Meadows its reasonable attorneys' fees; and
5. Any and all other relief to which Meadows may show itself to be entitled.

**DEMAND FOR JURY TRIAL**

Meadows, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: July 13, 2012

By: /s/Andrew W. Spangler  
Andrew W. Spangler  
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LLC**