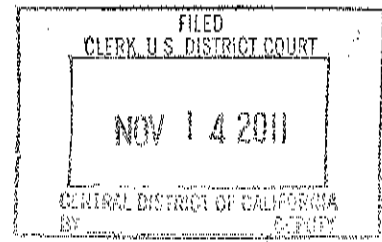


1 John W. Olivo, Jr., Esq. (*Pro Hac Vice Application Pending*)  
2 HENINGER GARRISON DAVIS, LLC  
3 5 Penn Plaza, 23rd Floor  
4 New York, New York 10001  
5 Telephone: 212-896-3876  
6 Facsimile: 646-378-2001  
7 john@hgdllawfirm.com



8 Douglas Bridges, Esq. (*Pro Hac Vice Application Pending*)  
9 HENINGER GARRISON DAVIS, LLC  
10 1 Glenlake Parkway  
11 Atlanta, GA 30328  
12 Telephone: (678) 638-6308  
13 Facsimile: (678) 638-6142  
14 doug@hgdllawfirm.com

15 Steven W. Ritcheson, Esq. (SBN 174062)  
16 WHITE FIELD, INC.  
17 9800 D Topanga Canyon Blvd. #347  
18 Chatsworth, California 91311  
19 Telephone: (818) 882-1030  
20 Facsimile: (818) 337-0383  
21 switcheson@whitefieldinc.com

22 Attorneys for Plaintiff,  
23 JOAO BOCK TRANSACTION SYSTEMS, LLC

24 **UNITED STATES DISTRICT COURT**  
25 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
26 **LOS ANGELES DIVISION**

27 **JOAO BOCK TRANSACTION SYSTEMS,**  
28 **LLC,**

**Plaintiff,**

**v.**

**COMERICA BANK,**

**Defendant.**

CV11-09455 JFW (MPINX)

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**Jury Trial Demanded**

**BY FAX**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Joao Bock Transaction Systems, LLC (“Plaintiff”), by and through its undersigned counsel, files this Original Complaint for patent infringement against Comerica Bank (“Comerica” or “Defendant”) as follows:

**NATURE OF THE ACTION**

1. This is a patent infringement action to stop Defendant’s infringement of the following patents: United States Patent No. 6,047,270 entitled “Apparatus and Method for Providing Account Security” (the “270 patent;” a copy of which is attached hereto as Exhibit A); United States Patent No. 7,096,003 entitled “Transaction Security Apparatus” (the “003 patent;” a copy of which is attached hereto as Exhibit B); United States Patent No. 5,878,337 entitled “Transaction Security Apparatus and Method” (the “337 patent;” a copy of which is attached hereto as Exhibit C); and United States Patent No. 5,903,830 entitled “Transaction Security Apparatus and Method” (the “830 patent;” a copy of which is attached hereto as Exhibit D) (collectively referred to as the “Asserted Patents”). Plaintiff is the legal owner of all of the rights under the Asserted Patents to bring this infringement action against the Defendant. Plaintiff seeks injunctive relief and monetary damages.

**PARTIES**

2. Plaintiff is a Limited Liability Company organized under the laws of the State of Delaware and is located at 122 Bellevue Place, Yonkers, New York 10703. Plaintiff is the owner of the Asserted Patents, which includes the right to exclude the Defendant from making, using, selling, offering to sell or importing in this district and elsewhere into the United States the patented invention(s) of the Asserted Patents and the exclusive right to license and sublicense the Asserted Patents, collect damages and sue for infringement and recover past damages from the Defendant.

3. Upon information and belief, Defendant Comerica Bank (“Comerica”) is a financial institution organized and existing under the laws of the State of California with its principal place of business located at 1717 Main Street, Dallas, Texas 75201.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**JURISDICTION AND VENUE**

4. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281-285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

5. Upon information and belief, Defendant has transacted business and committed acts of infringement within the State of California, and more importantly, within this District, and is subject to the personal jurisdiction of this Court. The Court has personal jurisdiction over Defendant because, upon information and belief: Defendant has minimum contacts within the State of California and the Central District of California; Defendant has purposefully availed itself of the privileges of conducting business in the State of California and in the Central District of California; Defendant has sought the protection and benefits of the laws of the State of California; Defendant regularly conducts business within the State of California and within the Central District of California; and Plaintiff's causes of action arise directly from Defendant's business contacts and other activities in the State of California and in the Central District of California.

6. Upon information and belief, Defendant has made, used, offered for sale, imported, sold, or advertised, and continues to make, use, offer to sell, import, sell, or advertise (including providing an interactive web page) in this district and elsewhere in the United States its products and services that infringe one or more claims of the Asserted Patents. More specifically, Defendant, directly and/or through intermediaries, makes, uses, sells, ships, distributes, offers for sale, or advertises its products and services in the United States, the State of California, and the Central District of California. Upon information and belief, Defendant has committed patent infringement directly and/or indirectly in the State of California and in the Central District of California and/or has induced others to commit patent infringement in the State of California and in the Central District of California. Upon information and belief, Defendant solicits customers in the State of California and in the Central District of California. Upon information and belief, Defendant has many paying customers who are residents of the State of California and in the

1 Central District of California, and who each use respective Defendant's products and services in  
2 the State of California and in the Central District of California.

3 7. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b).  
4

5 **COUNT I –**

6 **INFRINGEMENT OF THE '270 PATENT**

7 8. On April 4, 2000, the United States Patent and Trademark Office duly and legally  
8 issued the '270 patent to the inventors Raymond Anthony Joao ("Mr. Joao") and Robert Richard  
9 Bock ("Mr. Bock"). Mr. Joao and Mr. Bock assigned all rights, title and interest in and to the  
10 '270 patent to Joao Bock Transaction Systems, LLC. Joao Bock Transaction Systems, LLC owns  
11 the right to exclude the Defendant from making, using, selling, offering to sell or importing in this  
12 district and elsewhere in the United States the patented invention(s) of the '270 patent, and the  
13 exclusive right to license and sublicense the '270 patent, collect damages and initiate lawsuits  
14 against the Defendant. The '270 patent is in full force and effect. Plaintiff is the owner of the  
15 '270 patent and possesses all rights of recovery under the '270 patent for this litigation.

16 9. Upon information and belief, the Defendant has infringed and continues to infringe  
17 one or more claims of the '270 patent by making, using, importing, providing, offering to sell,  
18 advertising and/or selling (directly or through intermediaries), in this District and elsewhere in the  
19 United States, infringing products and services. Upon information and belief, the Defendant has  
20 also contributed to the infringement of one or more claims of the '270 patent, and/or actively  
21 induced others to infringe one or more claims of the '270 patent, in this District and elsewhere in  
22 the United States. Specifically, upon information and belief, Defendant uses a computer system  
23 on a computer network that receives instructions from business customers, wherein the  
24 instructions limit or restrict authorized users' use of a business money account or business credit  
25 card account. These limitations are stored in the memory of Defendant's computer system, and  
26 accessed by a processor when the processor processes a transaction or attempted transaction on  
27 the account by an authorized user. The processor of Defendant's computer system generates a  
28

1 signal for approving or disapproving the transaction. Defendant's processor also generates a  
2 signal for notifying the account owner of a transaction on the account.

3  
4 10. Upon information and belief, Defendant Comerica infringes and/or induces  
5 infringement of one or more claims of the '270 patent with its activities conducted with respect to  
6 its individual, commercial and small business accounts services and credit card accounts services.  
7 By way of example, at least the "Comerica Treasury Management Connect<sup>SM</sup>," the Comerica eFX  
8 Online Trading and Comerica's commercial card services offered to Comerica customers include  
9 services to establish individuals as authorized users on the account with limits and controls on an  
10 individual's use of the account(s). Comerica uses a computer system with a server to receive this  
11 information (limits and controls), a memory to store the information, and a processor to process  
12 the information with incoming transactions. The Comerica computer system also sends  
13 notification(s) to the account holder with information regarding a transaction on an account.

14 11. Defendant's aforesaid activities have been without authority and/or license from  
15 Plaintiff.

16 12. Plaintiff is entitled to recover from the Defendant the damages sustained by  
17 Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial.

18 13. Upon information and belief, the infringement of one or more claims of the '270  
19 patent by the Defendant is willful and deliberate. Upon information and belief, the direct,  
20 contributory and/or induced infringement of one or more claims of the '270 patent by the  
21 Defendant is willful and deliberate. As a result, Plaintiff is entitled to increased damages under  
22 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35  
23 U.S.C. § 285 with respect to the Defendant.

24 14. Defendant's infringement of Plaintiff's rights under the '270 patent will continue  
25 to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law,  
26 unless enjoined by this Court.

27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COUNT II –**  
**INFRINGEMENT OF THE '003 PATENT**

15. On August 22, 2006, the United States Patent and Trademark Office duly and legally issued the '003 patent to the inventors Mr. Joao and Mr. Bock. Mr. Joao and Mr. Bock assigned all rights, title and interest in and to the '003 patent to Joao Bock Transaction Systems, LLC. Joao Bock Transaction Systems, LLC possesses the right to exclude the Defendant from making, using, selling, offering to sell or importing in this district and elsewhere in the United States the patented invention(s) of the '003 patent, and the right to license and sublicense the '003 patent, collect damages and initiate lawsuits against the Defendant. The '003 patent is in full force and effect. Plaintiff is the owner of the '003 patent and possesses all rights of recovery under the '003 patent for this litigation.

16. Upon information and belief, the Defendant has infringed and continues to infringe one or more claims of the '003 patent by making, using, importing, providing, offering to sell, advertising and/or selling (directly or through intermediaries), in this District and elsewhere in the United States, infringing products and services. Upon information and belief, the Defendant has also contributed to the infringement of one or more claims of the '003 patent, and/or actively induced others to infringe one or more claims of the '003 patent, in this District and elsewhere in the United States. Specifically, upon information and belief, Defendant uses a computer system on a computer network that receives instructions from business customers, wherein the instructions limit or restrict authorized users' use of a business banking account or business credit card account. These limitations are stored in the memory of Defendant's computer system, and accessed by a processor when the processor processes a transaction or attempted transaction on the account by an authorized user. The processor of Defendant's computer system generates a signal for approving or disapproving the transaction. Defendant's processor also generates a signal for notifying the account owner of a transaction on the account.

17. Upon information and belief, Defendant Comerica infringes and/or induces infringement of one or more claims of the '003 patent with its activities conducted with respect to

1 its individual, commercial and small business accounts services and credit card accounts services.  
2 By way of example, at least the Comerica Online Banking Notifications and Mobile Banking  
3 services offered to Comerica customers include services to establish individuals as authorized  
4 users on the account with limits and controls on an individual's use of the account(s). Comerica  
5 uses a computer system with a server to receive this information (limits and controls), a memory  
6 to store the information, and a processor to process the information with incoming transactions.  
7 The Comerica computer system also sends notification(s) to the account holder with information  
8 regarding a transaction on an account.

9  
10 18. Defendant's aforesaid activities have been without authority and/or license from  
11 Plaintiff.

12 19. Plaintiff is entitled to recover from the Defendant the damages sustained by  
13 Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial.

14 20. Upon information and belief, the infringement of one or more claims of the '003  
15 patent by the Defendant is willful and deliberate. Upon information and belief, the direct,  
16 contributory and/or induced infringement of one or more claims of the '003 patent by the  
17 Defendant is willful and deliberate. As a result, Plaintiff is entitled to increased damages under  
18 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35  
19 U.S.C. § 285 with respect to the Defendant.

20 21. Defendant's infringement of Plaintiff's rights under the '003 patent will continue  
21 to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law,  
22 unless enjoined by this Court.

23 **COUNT III –**

24 **INFRINGEMENT OF THE '337 PATENT**

25 22. On March 2, 1999, the United States Patent and Trademark Office duly and legally  
26 issued the '337 patent to the inventors Mr. Joao and Mr. Bock. Mr. Joao and Mr. Bock assigned  
27 all rights, title and interest in and to the '337 patent to Joao Bock Transaction Systems, LLC.  
28 Joao Bock Transaction Systems, LLC possesses the right to exclude the Defendant from making,

1 using, selling, offering to sell or importing in this district and elsewhere in the United States the  
2 patented invention(s) of the '337 patent, and the right to license and sublicense the '337 patent,  
3 collect damages and initiate lawsuits against the Defendant. The '337 patent is in full force and  
4 effect. Plaintiff is the owner of the '337 patent and possesses all rights of recovery under the '337  
5 patent for this litigation.

6  
7 23. Upon information and belief, the Defendant has infringed and continues to infringe  
8 one or more claims of the '337 patent by making, using, importing, providing, offering to sell,  
9 advertising and/or selling (directly or through intermediaries), in this District and elsewhere in the  
10 United States, infringing products and services. Upon information and belief, the Defendant has  
11 also contributed to the infringement of one or more claims of the '337 patent, and/or actively  
12 induced others to infringe one or more claims of the '337 patent, in this District and elsewhere in  
13 the United States. Specifically, upon information and belief, Defendant uses a computer system  
14 on a computer network that receives instructions from business customers, wherein the  
15 instructions limit or restrict authorized users' use of a business banking account or business credit  
16 card account. These limitations are stored in the memory of Defendant's computer system, and  
17 accessed by a processor when the processor processes a transaction or attempted transaction on  
18 the account by an authorized user. The processor of Defendant's computer system generates a  
19 signal for approving or disapproving the transaction. Defendant's processor also generates a  
20 signal for notifying the account owner of a transaction on the account.

21 24. Upon information and belief, Defendant Comerica infringes and/or induces  
22 infringement of one or more claims of the '337 patent with its activities conducted with respect to  
23 its individual, commercial and small business accounts services and credit card accounts services.  
24 By way of example, at least the Comerica Small Business Online Banking services, the Comerica  
25 Treasury Management Connect<sup>SM</sup> services and the personal online banking and mobile banking  
26 services offered to Comerica customers include services to establish individuals as authorized  
27 users on the account with limits and controls on an individual's use of the account(s). Comerica  
28 uses a computer system with a server to receive this information (limits and controls), a memory



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

to store the information, and a processor to process the information with incoming transactions. The Comerica computer system also sends notification(s) to the account holder with information regarding a transaction on an account.

25. Defendant’s aforesaid activities have been without authority and/or license from Plaintiff.

26. Plaintiff is entitled to recover from the Defendant the damages sustained by Plaintiff as a result of the Defendant’s wrongful acts in an amount subject to proof at trial.

27. Upon information and belief, the infringement of one or more claims of the ’337 patent by the Defendant is willful and deliberate. Upon information and belief, the direct, contributory and/or induced infringement of one or more claims of the ’337 patent by the Defendant is willful and deliberate. As a result, Plaintiff is entitled to increased damages under 35 U.S.C. § 284 and to attorneys’ fees and costs incurred in prosecuting this action under 35 U.S.C. § 285 with respect to the Defendant.

28. Defendant’s infringement of Plaintiff’s rights under the ’337 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT IV –**  
**INFRINGEMENT OF THE ‘830 PATENT**

29. On May 11, 1999, the United States Patent and Trademark Office duly and legally issued the ’830 patent to the inventors Mr. Joao and Mr. Bock. Mr. Joao and Mr. Bock assigned all rights, title and interest in and to the ’830 patent to Joao Bock Transaction Systems, LLC. Joao Bock Transaction Systems, LLC possesses the right to exclude the Defendant from making, using, selling, offering to sell or importing in this district and elsewhere in the United States the patented invention(s) of the ’830 patent, and the right to license and sublicense the ’830 patent, collect damages and initiate lawsuits against the Defendant. The ’830 patent is in full force and effect. Plaintiff is the owner of the ’830 patent and possesses all rights of recovery under the ’830 patent for this litigation.

1           30.     Upon information and belief, the Defendant has infringed and continues to infringe  
2 one or more claims of the '830 patent by making, using, importing, providing, offering to sell,  
3 advertising and/or selling (directly or through intermediaries), in this District and elsewhere in the  
4 United States, infringing products and services. Upon information and belief, the Defendant has  
5 also contributed to the infringement of one or more claims of the '830 patent, and/or actively  
6 induced others to infringe one or more claims of the '830 patent, in this District and elsewhere in  
7 the United States. Specifically, upon information and belief, Defendant uses a computer system  
8 on a computer network that receives instructions from business customers, wherein the  
9 instructions limit or restrict authorized users' use of a business banking account or business credit  
10 card account. These limitations are stored in the memory of Defendant's computer system, and  
11 accessed by a processor when the processor processes a transaction or attempted transaction on  
12 the account by an authorized user. The processor of Defendant's computer system generates a  
13 signal for approving or disapproving the transaction. Defendant's processor also generates a  
14 signal for notifying the account owner of a transaction on the account.

15  
16           31.     Upon information and belief, Defendant Comerica infringes and/or induces  
17 infringement of one or more claims of the '830 patent with its activities conducted with respect to  
18 its individual, commercial and small business accounts services and credit card accounts services.  
19 By way of example, at least the "Comerica Treasury Management Connect<sup>SM</sup>," the Comerica eFX  
20 Online Trading, the Comerica Small Business Online Banking, including the Payables and  
21 Receivables Management capability, and Comerica's commercial card services offered to  
22 Comerica customers includes services to establish individuals as authorized users on the account  
23 with limits and controls on an individual's use of the account(s). Comerica uses a computer  
24 system with a server to receive this information (limits and controls), a memory to store the  
25 information, and a processor to process the information with incoming transactions. The  
26 Comerica computer system also sends notification(s) to the account holder with information  
27 regarding a transaction on an account.

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

32. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

33. Plaintiff is entitled to recover from the Defendant the damages sustained by Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial.

34. Upon information and belief, the infringement of one or more claims of the '830 patent by the Defendant is willful and deliberate. Upon information and belief, the direct, contributory and/or induced infringement of one or more claims of the '830 patent by the Defendant is willful and deliberate. As a result, Plaintiff is entitled to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285 with respect to the Defendant.

35. Defendant's infringement of Plaintiff's rights under the '830 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

**JURY DEMAND**

36. Plaintiff demands a trial by jury on all issues.

**PRAYER FOR RELIEF**

Plaintiff Joao Bock Transaction Systems, LLC, respectfully requests the following relief:

- A. An adjudication that Defendant has infringed and continue to infringe claims of the Asserted Patents;
- B. An award to Plaintiff of damages adequate to compensate Plaintiff for the Defendant's acts of infringement together with prejudgment interest pursuant to 35 U.S.C. § 284;
- C. An award of Plaintiff's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law with respect to the Defendant;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

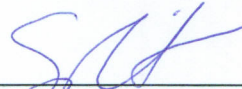
D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining the Defendant from further acts of (1) infringement, and (2) actively inducing infringement with respect to the claims of the Asserted Patents; and

E. Any further relief that this Court deems just and proper.

Dated: November 14, 2011

Respectfully submitted,

**WHITE FIELD, INC.**

  
\_\_\_\_\_  
Steven W. Ritcheson

**Heninger Garrison Davis, LLC**  
John W. Olivo, Jr. (*Pro Hac Vice Application Pending*)  
Douglas Bridges, Esq. (*Pro Hac Vice Application Pending*)

**Attorneys for Plaintiff Joao Bock Transaction Systems, LLC**