

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

I2Z TECHNOLOGY, LLC,	:	Civil Case No.: 3:11-cv-02399-O
	:	
Plaintiff,	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
	:	
HOTELS.COM, LP,	:	
	:	
Defendant.	:	
	:	

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff I2Z TECHNOLOGY, LLC (“I2Z”), for its complaint against Hotels.com, LP (“Hotels.com”) demands a jury trial and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 271 *et seq.*, brought against Hotels.com for violations of those laws.
2. Plaintiff I2Z Technology, LLC is a Texas company with its principal place of business at 3301 W. Marshall Ave., Suite 302, Longview, Texas, 75604.
3. Upon information and belief, Defendant Hotels.com is a Texas company with its principal place of business at 10440 N. Central Expressway, Suite 400, Dallas, Texas, 75231.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, Title 35 of the United States Code, §§ 271, *et seq.*
5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Upon information and belief, Hotels.com has contacts that are sufficiently continuous and systematic to constitute doing business within the State of Texas and within this District and has engaged and continues to engage in sales and other conduct with respect to Hotels.com's products and services within this District.

FACTUAL BACKGROUND

7. IZZ Technology, LLC is a software, internet services, web site development, and web site hosting company.

8. On September 6, 1994, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 5,345,551 ("the '551 patent"), entitled "Method and System for Synchronization of Simultaneous Displays of Related Data Sources."

9. A true and correct copy of the '551 patent is attached as Exhibit A to this Complaint.

10. IZZ is the owner by assignment of all right, title, and interest in and to the '551 patent.

HOTELS.COM

11. Hotels.com, through its website www.hotels.com ("the Hotels.com website"), offers information and search options for hotels.

12. The Hotels.com website displays two separate frames of data present on the screen, including selection criteria as well as detailed hotel listings.

13. Between these two separate frames on the hotels.com website, there is a visible cause and effect.

14. Changes to the selection criteria affect listings.

15. The listings change as a response to the selected criteria.

16. The cause and effect is consistent so that when selections are removed, the original listings are shown.

COUNT 1

INFRINGEMENT OF U.S. PATENT NO. 5,345,551

17. I2Z realleges and incorporates herein by reference the allegations contained in Paragraphs 1 through 16.

18. Hotels.com has been, and continues to be, literally or equivalently infringing the '551 patent at least by making and/or using the infringing website identified in paragraph 11 for the purpose of offering for sale and/or selling products and/or services. Hotels.com has had knowledge of and/or been aware of the '551 patent since at least September 15, 2011, when I2Z filed Plaintiff's Original Complaint initiating this matter. Upon information and belief, Hotels.com's infringement of the '551 patent since September 15, 2011 has been and continues to be willful and deliberate.

19. I2Z has been damaged by Hotel.com's infringement, and will continue to suffer damages in the future.

20. I2Z is entitled to damages in accordance with 35 U.S.C. §§ 271, 281, 284, 285, and 287.

JURY DEMAND

21. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, I2Z hereby respectfully requests a jury trial on all issues and claims so triable.

PRAYER FOR RELIEF

WHEREFORE, I2Z respectfully demands judgment for itself and against Hotels.com as follows:

A. That the Defendant has infringed the '551 patent;

B. That I2Z be awarded damages to be paid by Hotels.com adequate to compensate I2Z for Hotel.com's past infringement of the '551 patent and any continuing or future infringement through the date such judgment is entered, including interests, costs, expenses, and enhanced damages for any willful infringement as justified under 35 U.S.C. § 284, and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Plaintiff's reasonable attorneys' fees;

D. That I2Z be awarded pre-judgment and post-judgment interest; and

E. That I2Z be awarded such other and further relief as this Court deems just and proper.

Respectfully submitted,

Dated: January 12, 2012

/s/ Steven R. Daniels
Steven Daniels, TBN: 24025318
Farney Daniels LLP
800 S. Austin Ave., Suite 200
Georgetown, TX 78626
Telephone: (512) 582-2828
Facsimile: (512) 582-2829
sdaniels@farneydaniels.com

***Attorneys for Plaintiff
I2Z Technology, LLC***

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2012, I electronically filed the above document(s) with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

/s/ Steven R. Daniels _____
Steven R. Daniels