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Attorneys for Plaintiff SmartMetric Inc.,

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SMARTMETRIC INC., a Nevada corporation,

Plaintiff,

vs.

MASTERCARD INTERNATIONAL INCORPORATED a Delaware corporation, and VISA, INC., a Delaware corporation

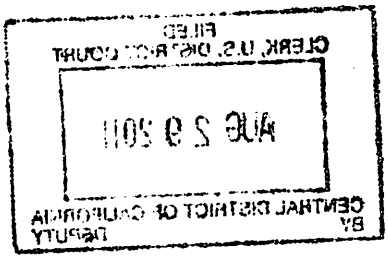
Defendants.

CASE NO. CV11-7126 GW (MANx)

COMPLAINT FOR INFRINGEMENT OF U. S. PATENT 6,792,464

JURY TRIAL DEMANDED

1. Plaintiff SmartMetric Inc. ("SmartMetric"), a Nevada Corporation, for its complaint, and demanding trial by jury under Rule 38, Fed. R. Civ. P., and Local Rule 38-1, alleges that Defendants MasterCard International Incorporated ("MC") and VISA, Inc. ("VISA"), are infringing U.S. Patent 6,792,464 (the " '464 patent"), in this judicial district, by selling, offering to sell and using contact and contact/contactless credit card systems that use datacards that, when inserted into a data card reader, help to establish connection to a network (the "Systems"), that infringe at least claims 1 and 14 of the '464 patent.


FILED
CLERK, U.S. DISTRICT COURT
AUG 29 2011
CENTRAL DISTRICT OF CALIFORNIA
BY
DEPUTY

CV11-7126

2. Claim 1 of the '464 patent reads as follows: "A computer system for allowing a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed, the computer system comprising: a data card which contains the information specific to the user and/or the network service provider to be accessed; a data card reader adapted to access at least part of the information contained on the data card when the data card is in communication therewith; a data processor in communication with the data card reader and adapted to be connected to a network; and an application program resident on the data processor, said application program being configured to automatically retrieve at least part of the information contained on the data card when the data card is in communication with said data card reader and to use said information to gain access to one of the plurality of network service providers via the network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers or the plurality of network service providers along with corresponding location information for each access number in the list, wherein said application program is immediately triggered upon insertion of said data card into said data card reader." The accused system is such a computer system. This system permits users with contact and contact/contactless cards, which contain information specific to the users and/or the network service provider to be accessed, to access such networks by inserting the

cards into a reader. These systems include data processors in communication with the data card readers, and application programs resident on the processors, as called for in claim 1. These programs automatically retrieve at least part of the information contained on the data cards when the cards are in communication with the reader, and use this information to gain access to one of the plurality of network service providers via the network, using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers or the plurality of network service providers along with corresponding location information for each access number in the list, such that the programs are immediately triggered upon insertion of such cards into such readers.

3. Claim 14 of the '464 patent reads as follows: A method for allowing a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed, comprising the steps of: configuring an application program resident on a data processor to automatically retrieve at least part of the information specific to the user and/or the network service provider to be accessed contained on a data card when said data card is in communication with a data card reader and to use said information to gain access to one of the plurality of network service providers via a network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of

access numbers for the plurality of network service providers along with corresponding location information for each access number in the list; and immediately triggering said application program upon insertion of said data card into said data card reader." On information and belief, the accused methods allow a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed. These methods configure an application program, resident on a data processor, to automatically retrieve at least part of the information specific to the user and/or the network service provider to be accessed contained on a contact or contact/contactless data card when such a card is in communication with a data card reader. The program uses such information to gain access to one of the plurality of network service providers via a network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers for the plurality of network service providers along with corresponding location information for each access number in the list. These methods immediately trigger the application program, upon insertion of the data card into the data card reader. That is, these methods permit users with contact and contact/contactless data cards, which contain information specific to the users and/or the network service provider to be accessed, to access such networks by inserting a contact or contact/contactless card into a data card reader that is part of such a system.

4. MC's and VISA's accused systems therefore provide for automatic access to a network by inserting such data cards into data card readers and relaying information to/from the electric connectors of the data card and the data card reader, and may also access a network by insertion of such a card into an RFID field formed by a contactless card reader.

5. This is a civil action for patent infringement and arises under, among other things, the United States Patent Laws, 35 U. S. C. section 101 et seq. Jurisdiction is therefore based upon 28 U. S. C. sections 1331 and 1338(a), providing for federal question jurisdiction of patent infringement actions and exclusive jurisdiction of patent infringement actions in the U. S. district courts.

6. Plaintiff SmartMetric is informed and believes, and thereon alleges, that venue in this court is proper under 28 U. S. C. section 1391(b)-(c) and section 1400(b) because the acts of patent infringement alleged herein took place, at least in part, within this judicial district.

7. Plaintiff SmartMetric is a corporation organized and existing under the laws of the State of Nevada and has a place of business at Bay Harbour, FL.

8. Defendant MC is, on information and belief, a corporation of the State of Delaware, and has a place of business in El Segundo, California.

9. Defendant VISA is, on information and belief, a corporation of the State of

Delaware, and has a place of business in Los Angeles, California.

10. On September 14, 2004, the U. S. Patent and Trademark Office duly and lawfully issued the '464 patent under the title SYSTEM FOR AUTOMATIC CONNECTION TO A NETWORK. A true and correct copy of the '464 patent is attached hereto as Exhibit 1. By assignment, SmartMetric is the owner of the '464 patent.

11. On information and belief, Defendant MC has infringed the '464 patent by selling, and offering for sale, systems claimed in the '464 patent in this judicial district and elsewhere in the United States. On information and belief, this infringement will continue unless enjoined by this Court.

12. On information and belief, Defendant VISA has infringed the '464 patent by selling, and offering for sale, systems claimed in the '464 patent in this judicial district and elsewhere in the United States. On information and belief, this infringement will continue unless enjoined by this Court.

13. On information and belief, Defendant MC's infringement of the '464 patent has damaged SmartMetric in an unknown amount. These damages continue to grow as MC's infringement continues. Under Section 284 of Title 35 of the United States Code, SmartMetric seeks damages adequate to compensate for this infringement in

an amount no less than a reasonable royalty, together with interest and costs affixed by the Court.

14. Defendant VISA's infringement of the '464 patent has damaged SmartMetric in an unknown amount. These damages continue to grow as VISA's infringement continues. Under Section 284 of Title 35 of the United States Code, SmartMetric seeks damages adequate to compensate for this infringement in an amount no less than a reasonable royalty, together with interest and costs affixed by the Court.

15. Defendants' continuing infringement of the '464 patent has caused and continues to cause irreparable harm to SmartMetric, including impairing the value of the '464 patent in an amount yet to be determined. Pursuant to Section 283 of Title 35 of the United States Code, SmartMetric seeks a preliminary and a permanent injunction against further infringement of the '464 patent.

PRAYER FOR RELIEF

WHEREFORE, SmartMetric prays for the following relief from this court against each of the Defendants:

For an order, pursuant to 35 U. S. C. section 271, declaring that each Defendant's System has infringed one or more claims of the '464 patent;

A preliminary and a permanent injunction against each Defendant, prohibiting each of them from further infringement of the '464 patent.

An award of the actual damages SmartMetric has suffered by reason of the infringement charged in this Complaint, in an amount not less than a reasonable royalty on each Defendant's infringement of the '464 patent.

An award to Plaintiff SmartMetric of their costs herein.

Such further relief as the Court may deem just and proper.

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Dated: August 29, 2011

WAGNER, ANDERSON & BRIGHT PC

Patrick F. Bright

by: _____

Patrick F. Bright

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, and Local Rule 38-1, Plaintiff SmartMetric does hereby demand trial by jury of each and every issue or claim as to which it is entitled to trial by jury under Rule 38(a) of the Federal Rules of Civil Procedure.

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Dated: August 29, 2010

WAGNER, ANDERSON & BRIGHT LLP

Patrick F. Bright

by: _____

Patrick F. Bright

EXHIBIT 1

US006792464B2

(12) **United States Patent**
Hendrick

(10) **Patent No.: US 6,792,464 B2**
(45) **Date of Patent: Sep. 14, 2004**

(54) **SYSTEM FOR AUTOMATIC CONNECTION TO A NETWORK**

(76) Inventor: Colin Hendrick, 289 Kingston Ave., Brooklyn, NY (US) 11213

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 625 days.

(21) Appl. No.: 09/784,851

(22) Filed: Feb. 15, 2001

(65) Prior Publication Data

US 2001/0025878 A1 Oct. 4, 2001

Related U.S. Application Data

(63) Continuation of application No. PCT/US00/04250, filed on Feb. 18, 2000.

(30) Foreign Application Priority Data

Feb. 18, 1999 (AU) 17394/99

(51) Int. Cl.[7] G06F 13/00
(52) U.S. Cl. 709/227; 709/217
(58) Field of Search 709/200, 201, 709/203, 217, 218, 219, 220, 221, 222, 223, 224, 227

(56) References Cited

U.S. PATENT DOCUMENTS

5,880,769 A * 3/1999 Nemirofsky et al. 725/139
5,995,105 A * 11/1999 Reber et al. 345/835
6,334,109 B1 * 12/2001 Kanevsky et al. 705/14
6,359,699 B1 * 3/2002 Yoneta et al. 358/1.16
6,385,729 B1 * 5/2002 DiGiorgio et al. 713/201
6,609,658 B1 * 8/2003 Sehr 235/384

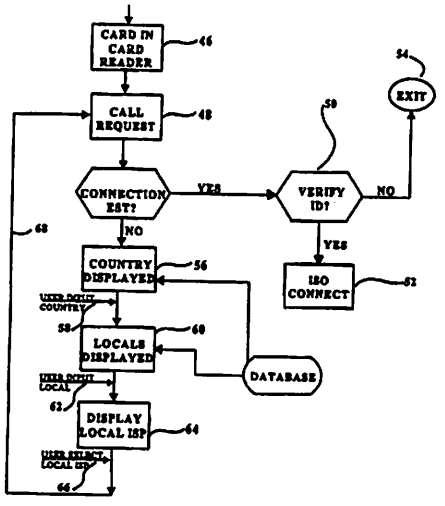
* cited by examiner

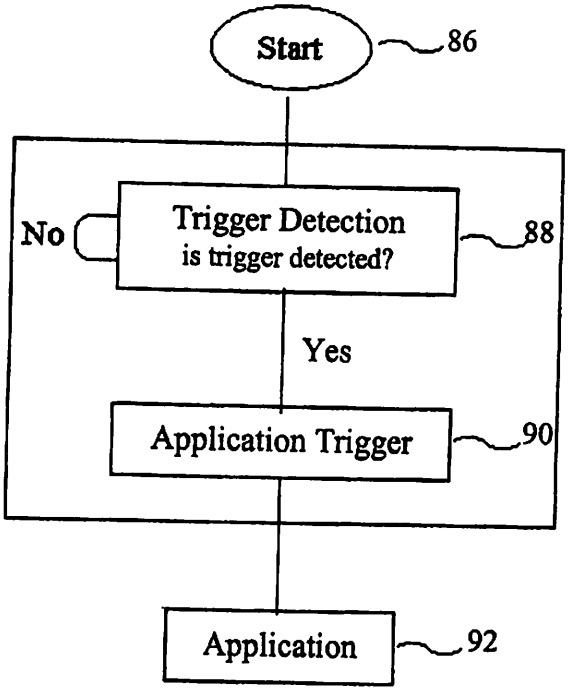
Primary Examiner—Moustafa M. Meky
(74) *Attorney, Agent, or Firm*—Cooper & Dunham LLP

(57) **ABSTRACT**

A computer system (10) that allows a user to automatically access one of a plurality of Internet Service Providers which require information specific to the user and/or the ISP (12) to be accessed. A smart card (14) contains the information specific to the user and/or the ISP (12) to be accessed, and a smart card reader (18) reads the information contained on the smart card (14) when inserted into the recess 16 of the smart card reader (18). A computer (24) is provided having a Central Processing Unit CPU (22) that is in communication with the smart card reader (18) and which is also adapted to be connected to the ISP (12) via telephone line (30). An application program (26) resides on the CPU (22) and is configured to automatically retrieve the information contained on the smart card (14) when it is inserted into the smart card reader (18) and to use that information to gain access to one of the plurality of ISPs via the network by using one of a default access number indicating a designated ISP (12) and a local access number from a database (28) containing a list of access numbers for the plurality of ISPs along with corresponding location information for each access number in the list. The computer system (10) may further comprise an online advertising server (82) for serving advertisement information to the user based on profile information of the information specific to the user contained on the smart card (14).

25 Claims, 7 Drawing Sheets




Start
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No
Trigger Detection
is trigger detected?
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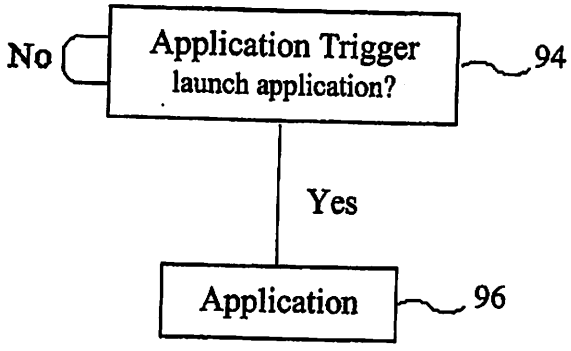
Yes
Application Trigger
90
Application
92

Fig. 1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Yes
Application
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Fig. 2

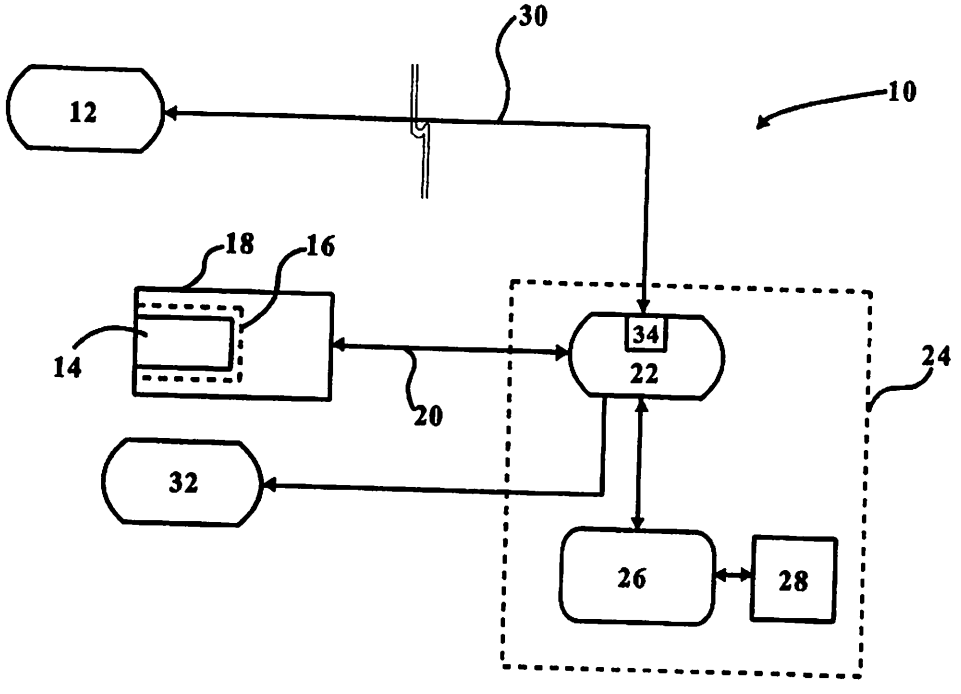

Fig. 3

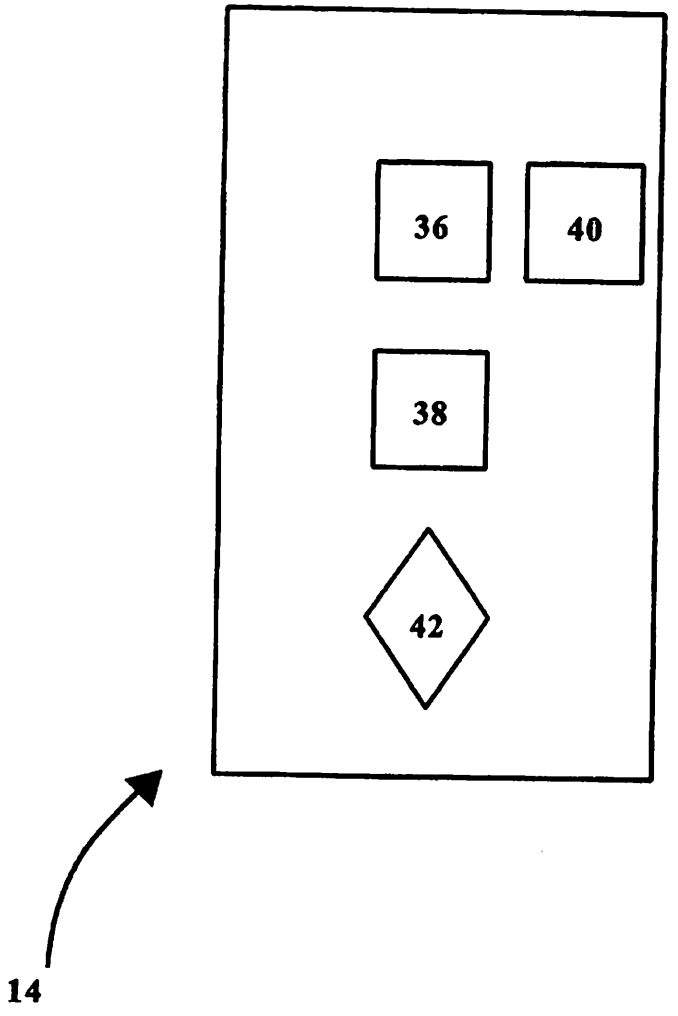

Fig. 4

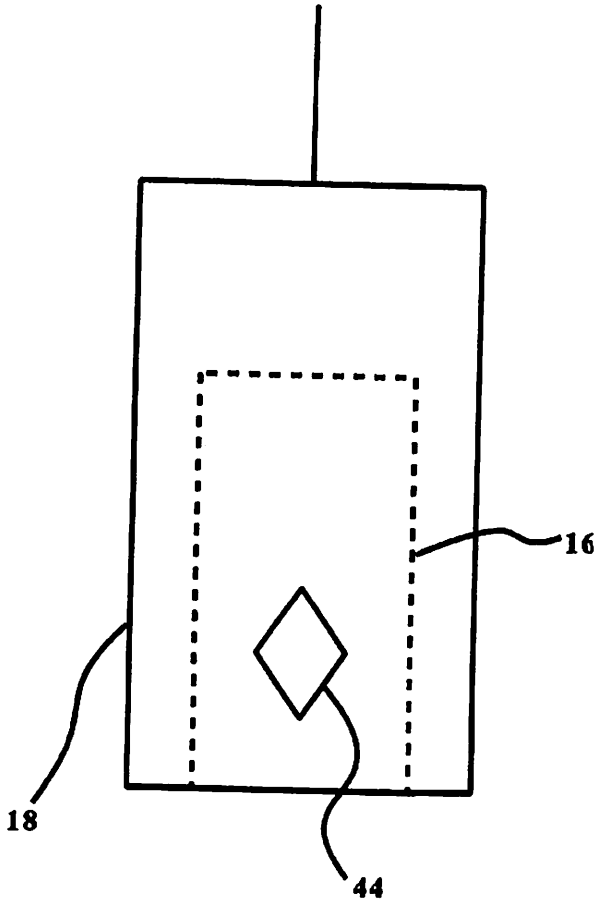

Fig. 5

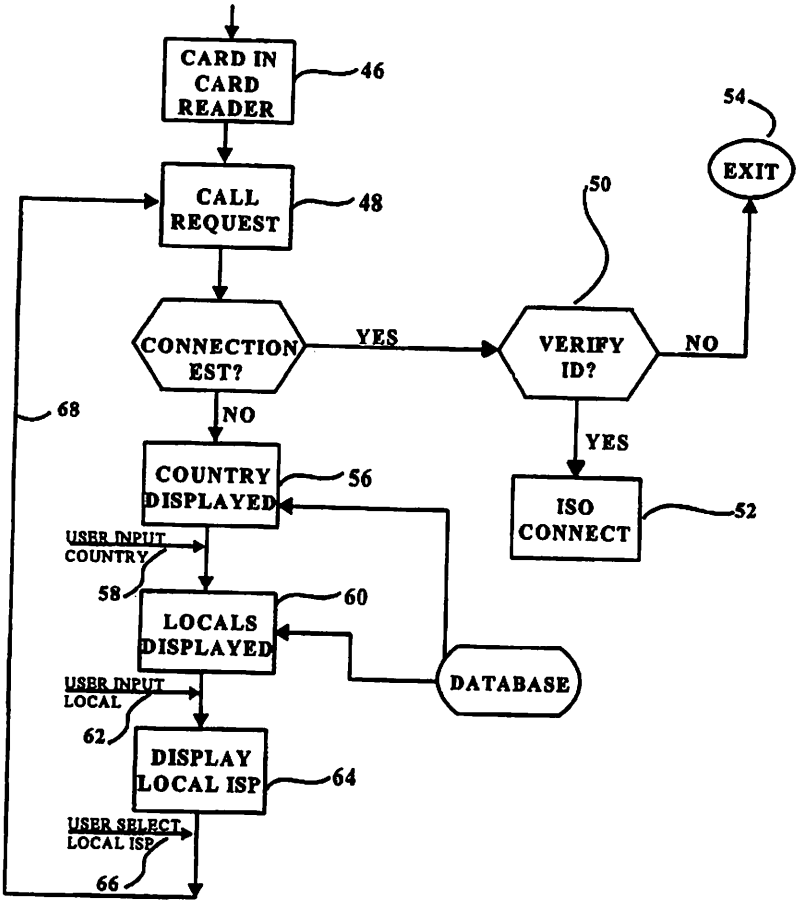
CARD IN CARD READER
46
CALL REQUEST
48
CONNECTION EST?
YES
VERIFY ID?
50
NO
EXIT
54
NO
YES
68
COUNTRY DISPLAYED
56
ISO CONNECT
52
USER INPUT COUNTRY
58
LOCALS DISPLAYED
60
DATABASE
USER INPUT LOCAL
62
DISPLAY LOCAL ISP
64
USER SELECT LOCAL ISP
66

Fig. 6

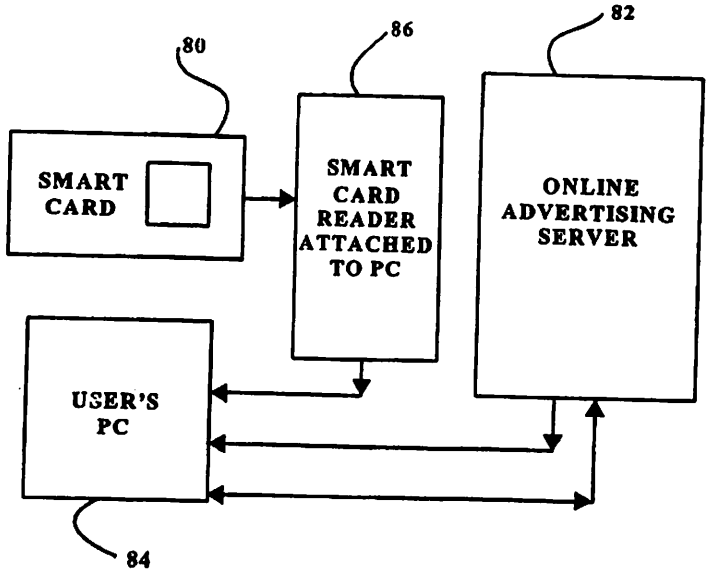
80
86
82
SMART CARD
SMART CARD READER ATTACHED TO PC
ONLINE ADVERTISING SERVER
USER'S PC
84

Fig. 7

SYSTEM FOR AUTOMATIC CONNECTION TO A NETWORK

This application is a continuation of PCT International Application No. PCT/US00/04250, filed Feb. 18, 2000, designating the United States of America, which claims priority of Australian Application No. AU 17394/99 (PP9281), filed Feb. 18, 1999, the contents of which are hereby incorporated by reference into the present application.

TECHNICAL FIELD

The present invention relates to a computer system that allows a user to automatically connect to a network service provider, and more particularly, to a system and method which allows a user to automatically connect to a network service provider by using a data card (i.e., a "smart card"). A smart card is a card that is approximately the size of a credit card and stores electronic data on a microchip for use in a variety of applications. The present invention also relates to an online advertisement system that accesses user profile information stored on a smart card to provide advertisements specifically tailored to the user's profile.

BACKGROUND ART

With the increasing use of information technology to access and exchange information over a network, in addition to the emergence of commercial transactions which have been taking place over open networks such as the internet, it has become necessary to store information (particularly about a user) in a secure manner. One method of securing information is by a smart card. A smart card is approximately the size of a conventional credit card; however, instead of having a magnetic strip which stores data on the card, smart cards usually have a microchip embedded within their structure. The microchip stores information in the form of electronic data which may be of use to the smart card user.

Essentially, smart cards can be categorized into two distinct types, namely "contact smart cards" and "contactless smart cards." Smart card readers are devices that read information contained in a smart card microchip. They are typically connected to a computer so that information in the smart card chip can be relayed to the computer.

"Contact" smart cards are typically inserted into a smart card reader. These cards have a microchip on one side of the card which makes contact with an electrical connector contained within the smart card reader. Data is exchanged between the chip on the smart card and the electrical connector of the smart card reader.

"Contactless" smart cards do not have an exposed chip on one side of the card, but have an antenna embedded within the card itself. The antenna transmits information to a coupler unit or "smart card reader" which is also fitted with an antenna. The antenna allows information to be exchanged without physical contact having to be made between the smart card chip and the smart card reader.

Typically when a smart card is inserted into a reader mechanism, the embedded chip transmits a message to the host machine on which the reader is attached. This message typically acknowledges card insertion into the reader mechanism.

Existing applications that utilize the smart card are launched by a human user after the smart card is inserted or before the smart card is inserted. In the general case of application launch before card insertion a prompt within a

typical application requires users to insert and then acknowledge card insertion through a prompt. In the general case of application launch after card insertion a similar acknowledgment is also required.

Internet Service Providers (ISPs) or Internet Access Providers (IAPS) are companies that provide individuals and companies with access to the internet and to other related services, such as website building and hosting. A user of an internet service typically accesses the ISP from his or her computer via a telephone line so as to gain access to the internet. The ISP usually requires the user to enter particular information in relation to the user, such as a login name and password which is then checked against the ISP's database to verify that the user is registered with the ISP. Traditionally ISPs have been located within their own regional areas and therefore the user typically dials a local number to access the ISP.

Problems can occur when the user uses his or her computer to log on to the ISP (e.g., such as on a business trip using a laptop computer) and the number recorded in the computer for the ISP may be different (i.e., different area and/or country code). It is then necessary for the user to enter in the area code (or country number if he or she is overseas) for the ISP and pay for a long distance call. Alternatively, the same ISP may have a local number within the particular locale in which the user is located at a particular time. However, the user typically has to physically search for the local ISP number in the particular locale in which he or she is located. Furthermore, delays in the time it takes for a user to access the internet can result whenever the user is in a different geographic location or happens to use a different computer.

Moreover, there is a need for a simple way to provide advertisements to a user which are specifically directed to that user's tastes and characteristics.

DISCLOSURE OF INVENTION

The present invention is directed to overcoming the problems in the prior art regarding the inconvenience of the user having to physically search for the local ISP number in the particular locale in which he or she is located, or the increased cost in paying for a long distance call if this search is not performed, or the delays in time it takes for a user to access the internet when the user is in a different geographic location or happens to use a different computer.

The present invention is also directed to an online advertisement system that accesses user profile information stored on a smart card to provide advertisements specifically tailored to the user's profile.

According to one embodiment of the present invention, there is disclosed a computer system for allowing a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed, the computer system comprising:

a data card which contains the information specific to either the user and/or the network service provider to be accessed;

a data card reader adapted to access at least part of the information contained on the data card when the data card is in communication therewith;

a data processor in communication with the data card reader and adapted to be connected to a network;

an application program resident on the data processor, the application program being configured to automatically retrieve at least part of the information contained on the

data card when the data card is in communication with said data card reader and to use the information to gain access to one of the plurality of network service providers via the network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers for the plurality of network service providers along with corresponding location information for each access number in the list,

wherein the application program is immediately triggered upon insertion of the data card into the data card reader.

The data card typically comprises a microprocessor for processing the information stored within the data card, a memory component which enables the information to be stored within the data card and a communications interface for transferring the information from the data card to the data card reader.

The communications interface may include an antenna embedded inside the data card so as to communicate the information between the data card and the data card reader. In such an embodiment, the data card reader also has an antenna embedded inside so as to receive/relay information from/to the data card.

Alternatively, the communications interface may include a contact connector and the data card reader may include electrical connectors so that information can be received/relayed from/to the data card when the contact and the electrical connectors are in physical contact. The communications interface of the data card may make contact with a communications interface located on the data card reader. In some embodiments of the invention, the data card is a smart card and the data card reader is a smart card reader. The data card may also contain a battery for storage of power received from the data card reader when it is connected thereto.

Preferably, the data card is inserted into a recess provided within the data card reader. Typically, when the data card is inside the data card reader, the electrical connectors on the data card reader detect that a data card is inserted in the data card reader and an activation code is generated by the microprocessor and is sent to the data processor. The activation code is then sent to the application program.

When the activation code is received by the data processor, the application program instructs the CPU to generate a code to establish a link with the network service provider by instructing a modem to dial a default number to access the network service provider via the network. Hence, by inserting the smart card into the smart card reader, a connection is automatically established with the network service provider. The default number may be the number of a network service provider local to the user. If the dial-up sequence is via a network such as a telephone line, the phone number of the network service provider may be part of the specific information contained on the data card.

If the user is located in another city or indeed in another country, there will be a different country and area code required and the number dialed by the application program will not connect to the network service provider. In such a situation, the application program will also include a logic code which determines that a connection has not been made and shall generate a message to the user requesting that they input the country and/or the city in which they are currently located.

Optionally, the application program may contain a database detailing a list of the countries, the associated locale by area codes within those countries and may also include a list of network service providers within each country and local area location. In some embodiments of the invention, the message generated by the application program may generate from the database, the list of countries on a graphical display. Typically the user will then select the country he or she is located in at a particular time. Once the country is selected, the application may then generate from the database, a list of locales by area code associated with the selected country. The user then selects the locale in which he or she is located. The application program then notes the locale and retrieves from the database, the country code and/or the area code of the location.

Alternatively, the database may be stored on a memory means such as a compact disc read only memory (CD ROM) accessible by the data processor. Or, the database may be stored in a remote server accessible by the data processor.

In one embodiment, once the application program knows the locale of a user, the number of the nearest network service provider located in the locale is dialed by the data processor via the modem. In other embodiments, the user may have a designated network service provider and the application program then dials the number of the designated network service provider and the appropriate country and area code. Optionally, the application program may provide the user with a choice as to whether they wish to use their designated network service provider or a network service provider in their present locale. Furthermore, the application program may provide the user with a choice of network service providers from which to choose in a particular location.

Typically, the network service provider is an Internet Service Provider (ISP) or an Internet Access Provider (IAP) which provides internet services to the user. Alternatively, the network service provider might be a proxy server of an intranet.

The network which the user uses to access the ISP does not have to be a telephone line but can be any sort of telecommunications network such as a telecommunications cable or telephony.

In some examples of the invention, the specific information contained on the data card includes the user's login identification and password which is required to access the ISP. The specific information may, however, contain other pieces of information, such as verification codes or encrypted data relating to the user's finances or network preferences. This information can be used, for example, in the embodiment of the invention described in detail below wherein an online advertisement system accesses user profile information stored on a smart card to provide advertisements specifically tailored to the user's profile. This information may be inputted by the user upon initial use of the data card by having the user fill out a series of information fields. The personal information may then be encrypted and stored on the data card.

In some embodiments of the invention, the data processor is preferably a personal computer which includes or is connected to a modem which can access the internet. In other embodiments of the invention, the data processor may be housed within the data card reader, which may also include a graphical interface for the user to view information contained on the network.

According to another aspect of the present invention, there is disclosed a method for allowing a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed, comprising the steps of:

configuring an application program resident on a data processor to automatically retrieve at least part of the infor-

mation specific to the user and/or the network service provider to be accessed contained on a data card when the data card is in communication with a data card reader and to use the information to gain access to one of the plurality of network service providers via a network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers for the plurality of network service providers along with corresponding location information for each access number in the list; and

immediately triggering the application program upon insertion of the data card into the data card reader.

In another embodiment of the present invention, an online advertisement system provides advertisements to a user that are specifically tailored to the user's profile. The online advertisement system comprises:

a data card for storing information specific to the user, including user profile information;

a data card reader for accessing the information contained on the data card when the data card is in communication therewith;

a data processor in communication with the data card reader; and

an online advertising server connected to the data processor for serving the advertisements to the user, wherein the advertisements are specifically tailored to the user based on the user profile information.

In another embodiment of the present invention, a data card is provided for allowing a user to automatically access one of a plurality of network service providers, comprising:

a memory for storing information specific to the user and/or the plurality of network service providers and for storing an application program which is immediately triggered and which automatically uses the information to access one of the network service providers via a network when the data card is in communication with a data card reader that is communicating with a data processor.

In another embopdiment of the present invention, a method is provided for automatically transferring information to a network, comprising the steps of storing the information on a data card, connecting to the network, and automatically uploading the information stored on the data card to the network upon connection thereto.

BRIEF DESCRIPTION OF DRAWINGS

FIG. 1 shows the logic for the smart card application trigger process;

FIG. 2 shows a trigger process wherein the application trigger polls a variable;

FIG. 3 shows an embodiment of the computer system in accordance with the present invention;

FIG. 4 shows an embodiment of the data card which is used in the data card reader of FIG. 3;

FIG. 5 shows in more detail the data card reader of FIG. 3;

FIG. 6 shows a number of stages which the system uses to connect a user automatically to the internet, in accordance with the present invention; and

FIG. 7 shows a system including a remote server for serving specific advertisements to the user.

BEST MODE FOR CARRYING OUT THE INVENTION

It is to be understood that the invention disclosed and defined herein extends to all alternative combinations of two or more of the individual features mentioned or evident from the text or drawings. All of these different combinations constitute various alternative aspects of the invention.

The foregoing describes embodiments of the invention, and modifications obvious to those skilled in the art can be made thereto without departing from the scope of the present invention.

FIG. 1 shows the logic for the smart card application trigger process. This diagram describes how a host application is launched upon insertion of the smart card. There are many different possible host applications. For example, the application trigger process could be used to access data sources through a network, launch local and remote applications for a particular user, boot a computing device, restrict access to computing platforms, allow entry into building facilities, or start a combustion or non-fossil engine.

As shown in FIG. 1, upon system and/or detection software power-up, boot, or reset as denoted by Start 86, the system moves to the trigger detection step 88 to wait for insertion of the smart card. Upon insertion of the card, data representing card insertion is sent to the trigger detector to be detected by the trigger detection step 88. Once the trigger is detected (i.e., the smart card is inserted), the application trigger 90 causes the host application to be launched.

FIG. 2 shows an alternative method for launching a host application upon insertion of the smart card. In FIG. 2, the trigger detection process is a continually running process that detects card insertion through smart card access attempts. The application trigger 94 polls an O/S boolean variable that is set to either true or false upon trigger detection. Upon detecting the appropriate true/false value of the variable denoting insertion of the smart card, the application trigger 94 launches the application 96.

The launched application can be stored on the smart card itself, and the trigger detector and application trigger can be integrated into the same module. For example, upon trigger detection an application may be launched on the card by the application trigger logic to perform authentication processes on the smart card. Authentication is the verification of user identity through a personal identification number (PIN) stored on the host machine. For example, the application launched by the application trigger process may ask for a PIN from the user. To avoid this step, the user could store his or her PIN on the host machine. The trigger detector would then read data from a file with the stored PIN before starting the application trigger to verify the PIN. Alternatively, the PIN reading application could be launched as normal without prompting the user for a PIN but instead reading the PIN number from a file.

This process is distinguishable from the process used by magnetic strip reading automated teller machines (ATMs) since there is no embedded-chip present in such devices. ATMs are mechanical devices that perform a reading operation when a mechanical latch or switch movement is detected upon card insertion.

Next, the part of the system relating to automatic connection to a network according to the present invention will be described. Referring to FIG. 3, there is shown a computer system 10 which allows a user to automatically access a network service provider in the form of ISP 12. The ISP 12 requires the user's login identification and a password before the ISP 12 will provide access to the internet. This information is contained on a data card in the form of smart card 14 shown in FIG. 3 as being located within recess 16 that is within a data card reader in the form of smart card reader 18.

Upon first use of the smart card 14, the user may be required to input his or her personal information into the system using, for example, a series of information fields. This information is then encrypted and transferred onto the smart card 14.

The smart card reader 18 is adapted to read the login and password information for the ISP 12 that is contained on smart card 14. The smart card reader 18 is connected via cable 20 to a data processor in the form of central processing unit (CPU) 22 located within computer 24 (shown in this example of the invention by broken lines).

An application program 26 is resident in the memory of the computer 24, and contains code that allows the information contained on the smart card 14 to be processed by the CPU 22. The application program 26 is able to access information contained in a database 28, which stores information relating to the ISP 12 as well as a number of other ISPs which are located in different locales. The database 28 may be stored on a CD ROM or on a remote server, for example. The application program 26 may be configured to either dial a default access number previously stored on the smart card 14, or to read the area code from the smart card 14 and then dial a number from the database closely corresponding thereto. If there is no connection, a prompt asks the user to input the number to be dialed.

The computer 24 is also connected to a user graphical display in the form of monitor 32, which can display to the user information contained on the smart card 14 and information which is downloaded from the ISP 12. The computer 24 also contains a modem 34 which establishes a link with ISP 12 via a network in the form of telephone line 30.

Referring now to FIG. 4, there is shown a cross-sectional view of the smart card 14. The smart card comprises a microprocessor 36 which can process information contained on the smart card 14, a memory component in the form of memory chip 38 which stores the information within the data card, a power source in the form of battery 40 which provides power to the microchip so that it can process information, and a communications interface in the form of contact connector 42. The contact connector 42 is exposed to the surface of one side of the smart card 14.

Referring now to FIG. 5, there is shown the smart card reader 18 with the recess 16 shown by broken lines. On one side of the smart card reader 18 there is provided an electrical connector 44 which is adapted to make contact with the contact connector 42 whenever the smart card 14 is inserted into recess 16.

Referring to FIG. 6, there is shown the steps for one typical method of the computer system according to the present invention, which will now be described in detail with reference also to FIGS. 3, 4, and 5. When a user wishes to connect to the ISP 12 in order to access internet services such as the World Wide Web or internet mail service, the user inserts smart card 14 into recess 16 of the smart card reader 18. The electrical connector 44 detects that the smart card 14 is within the smart card reader 18 when the contact connector 42 makes physical contact with electrical connector 44. In this example of the invention, an activation code is generated by the microprocessor 36, which is then sent to the CPU 22 via cable 20. The CPU then relays this initiation code to the application program 26. The first stage of this process can be seen as step 46 of FIG. 6.

Initially, the database is stored with the default telephone number of ISP 12 as a default so that the application program 26 automatically instructs the modem 34 to dial the telephone number of the ISP 12. The application program 26 then initiates a request code, requesting information relating to the login of the user for the ISP 12 from the smart card 14. The information from smart card 14 is then transferred from the memory chip 38 to the micro processor 36 out from the card via control connector 42 to electrical connector 44 and on to the CPU 22.

A routine call code is then generated to establish a link with ISP 12 as a call request as in step 48 of FIG. 6. The call request then activates modem 34 to place a call to ISP 12. If the telephone number of ISP 12 is correct, a connection is established with ISP 12 and the login information from smart card 14 can then be transmitted to the ISP 12.

The ISP 12 verifies that the login name and password are registered with the ISP in order to determine whether the call request is from an authorized user of the ISP 12. This can be seen at step 50 wherein the ISP 12 connection is made and the user is connected to the ISP 12 at step 52, or alternatively, if the identification is not verified as a registered user's login and password, the call request is terminated and the program exits (as can be seen at step 54).

In some circumstances, however, the user may be in another country and may not wish to use the ISP 12 but instead wishes to use another ISP which is not set as the default ISP in database 28. In such an instance, the local telephone number for ISP 12 would not work, as there is a different country code and area code, or, alternatively, a different ISP telephone number.

In the situation where the user is in another country and wishes to use an ISP in the locale of the particular location in which he or she is in, the default connection to ISP 12 will not be established and the user will be at step 56 of FIG. 6. That is, the application program 26 will determine that the connection has not been established with ISP 12 and will generate a list of countries from the database to the user on monitor 32.

The user then selects from the monitor 32 by using a mouse (not shown), the country in which they are in (e.g., the USA), as can be seen at step 58 of FIG. 6. The application program 26 then receives the selected country from the user and accesses the database 28 to retrieve all of the locales which are in the particular country. The locales are displayed to the user in the monitor 32 (as at step 60 of FIG. 6). The user then selects the locale in which he or she is in at the particular time (i.e. such as Washington, D.C.).

The ISPs located within that particular locale are then displayed and the user selects a particular ISP from this list (as can be seen at stage 66 of FIG. 6). Another call request is then initiated as outlined above (this time for the new ISP) as can be seen by the loop 68 of FIG. 6. It is assumed that in such a situation, each ISP in a particular locale would have the same verification details of the smart card 14.

In another example of the invention, the smart card may not be used to select a new ISP, but may call the local ISP 12 (e.g., in Sydney, Australia when the user is in Washington, D.C.) by going through steps 46, 48, and then 56. Instead of the user accessing an ISP in the particular locale he or she is currently located in (as described above), the user could select a "direct connect" option which would request the user enter his or her current country location (e.g., USA) and locale (i.e., Washington, D.C.). The application will then determine the international dial-up connection number, the country number, and the area code of the country in which the ISP 12 is located (in this example, Sydney, Australia).

The information contained within the memory chip 38 may contain not only the user's login identification to the

ISP 12, but may contain additional types of data, such as data to carry out a business transaction or data to automatically fill in particular information required on a form.

One example of such information which could automatically be updated on a form is information required by a bank for a personal loan. The smart card 14 could store data relating to the user's income, home address, whether the user's residence is owned or rented, the credit rating of the user and a summary of the spending habits relating to the user. The user would connect to the ISP 12 and connect to a web page of a bank. As the user connects to the bank's ISP 12, the user's information is automatically sent or uploaded to the bank via its ISP 12. The user would not have to fill out any forms via a keyboard, but could input upon interaction with the bank's web page how much he or she wished to loan from the bank. Alternatively, the bank could automatically calculate from the user's information which has been automatically uploaded to the bank the maximum amount of money that it is willing to loan the user. Such information could be displayed to the user from the bank's web page.

A particular advantage of the smart card 14 is that as the user's credit rating or spending habits change, the amount the bank is willing to lend him or her will also change. Therefore, the user could quickly determine how much credit is available to him or her at any particular time, without having to fill out forms (either hardcopy forms or via a web page).

It should be further appreciated that the smart card 14 described herein does not have to be a contact smart card, but may in fact be a contactless smart card wherein the user accesses the ISP 12 whenever the smart card 14 (which in this example would have an antenna embedded within it) is passed near the smart card reader 18.

In yet another example of the invention, the smart card reader and computer 24 may not be separate devices, but may in fact be combined into one piece of hardware so that the user can automatically access the ISP 12. Alternatively, it may be that the CPU 22, modem 34, and application program 26 are located within the smart card itself.

It should also be appreciated that the specific information contained on the data card may also relate to information other than the user's login and password for the ISP 12. The smart card may contain data specifying the network preferences of the user, such as the user's personal web page "book marks" and the specific Uniform Resource Locator (URL) of a particular web site or personalized web page which is accessed whenever the user initially connects to the ISP 12. For example, the issuer of the smart card 14 may be a bank and the ISP 12 could be owned and managed by the bank. The user would be automatically connected to the bank's home page whenever smart card 14 is inserted into smart card reader 18.

In another embodiment of the invention as shown in FIG. 7, the user is provided with online advertisement information that is specifically directed to the user's profile. The user's profile is determined from the personal identification information stored on the smart card 80. The identification information may include the user's name, address, sex, social security number, credit card number, age, and income. Against this individual user information is allocated a profile code sequence that identifies for each information field a profile identifier. For example, corresponding to the user's income will be a code for identifying a range of income that the user falls within. And, corresponding to the user's zip code will be an identifying code for identifying the region the user comes from.

A remote online advertising server 82 for serving up banner advertisements to the user's personal computer 84 will read the profile codes from the smart card 80 using the smart card reader 86 and will then serve to the user's computer advertisements that are targeted according to the user's profile. In this way, the user is provided with advertisement information that is specifically directed to the user's profile.

The above invention has been described with specific embodiments, but a person skilled in the art could introduce many variations on these embodiments without departing from the spirit of the disclosure or from the scope of the appended claims. The embodiments are presented for the purpose of illustration only and should not be read as limiting the invention or its application. Therefore, the claims should be interpreted commensurate with the spirit and scope of the invention.

What is claimed is:

1. A computer system for all wing a user to automatically access one of a plurality of net rk service providers which require information specific to the user and/or the network service provider to be accessed the computer system comprising:

a data card which contains the information specific to the user and/or the network service provider to be accessed;

a data card reader adapted to access at least part of the information contained on the data card when the data card is in communication therewith;

a data processor in communication with the data card reader and adapted to be connected to a network; and

an application program resident on the data processor, said application program being configured to automatically retrieve at least part of the information contained on the data card when the data card is in communication with said data card reader and to use said information to gain access to one of the plurality of network service providers via the network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers or the plurality of network service providers along with corresponding location information for each access number in the list,

wherein said application program is immediately triggered upon insertion of said data card into said data card reader.

2. The computer system as set forth in claim 1, wherein said application program prompts the user to input at least one of a current area code and a current location for use in determining said local access number from said list.

3. The computer system as set forth in claim 1, wherein the user initially inputs said default access number for storage on said data card.

4. The computer system as set forth in claim 1, wherein upon initial use of said data card, the user is prompted to initiate said data card by inputting personal identification information into said data processor for encryption and storage on said data card.

5. The computer system as set forth in claim 1, wherein said data card comprises:

a microprocessor for processing the information contained on the data card;

a memory component for enabling the information to be stored within the data card; and

a communications interface for transferring he information from the data card to the data card reader.

6. The computer system as set forth in claim 5, wherein said communications interface comprises a first antenna embedded inside said data card, and said data card reader comprises a second antenna embedded therein, for communicating the information between said data card and said data card reader.

7. The computer system as set forth in claim 5, wherein said communications interface comprises a contact connector, and said data card reader comprises a plurality of electrical connectors for relaying information to/from said data card when the contact connector and the plurality of electrical connectors are in physical contact.

8. The computer system as set forth in claim 1, wherein said information specific to the user and/or the network service provider includes user identification information, area information, and telephone number information.

9. The computer system as set forth in claim 1, wherein said database is stored on a memory means accessible by the data processor.

10. The computer system as set forth in claim 9, wherein said memory means is a compact disc read only memory.

11. The computer system as set forth in claim 1, wherein said database is stored in a remote server accessible by said data processor.

12. The computer system as set forth in claim 1, further comprising:

a remote server for serving advertisement information to the user based on profile information of the information specific to the user contained on the data card.

13. The computer system as set forth in claim 1, wherein said data processor is housed within said data card reader.

14. A method for allowing a user to automatically access one of a plurality of network service providers which require information specific to the user and/or the network service provider to be accessed, comprising the steps of:

configuring an application program resident on a data processor to automatically retrieve at least part of the information specific to the user and/or the network service provider to be accessed contained on a data card when said data card is in communication with a data card reader and to use said information to gain access to one of the plurality of network service providers via a network by using one of a default access number indicating a designated network service provider and a local access number from a database containing a list of access numbers for the plurality of network service providers along with corresponding location information for each access number in the list; and

immediately triggering said application program upon insertion of said data card into said data card reader.

15. The method as set forth in claim 14, further comprising the step of prompting the user to input at least one of a current area code and a current location for use in determining said local access number from said list.

16. The method as set forth in claim 14, further comprising the step of prompting the user to input said default access number for storage on said data card.

17. The method as set forth in claim 14, further comprising the step of prompting the user, upon initial use of said data card, to initiate said data card by inputting personal identification information into said data processor for encryption and storage on said data card.

18. The method as set forth in claim 14, further comprising the steps of:

processing the information contained on the data card;

storing the information in a memory within the data card; and

transferring the information from the data card to the data card reader.

19. The method as set forth in claim 18, further comprising the steps of:

communicating the information between said data card and said data card reader through a first antenna embedded inside said data card and a second antenna embedded inside said data card reader.

20. The method as set forth in claim 18, further comprising the steps of:

relaying the information to/from said data card when a contact connector of a communications interface of said data card and a plurality of electrical connectors of said data card reader are in physical contact.

21. The method as set forth in claim 14, wherein said information specific to the user and/or the network service provider includes user identification information, location information, and telephone number information.

22. The method as set forth in claim 14, further comprising the step of storing said database on a memory means accessible by the data processor.

23. The method as set forth in claim 22, further comprising the steps of providing said memory means as a compact disc read only memory.

24. The method as set forth in claim 14, further comprising the step of storing said database on a remote server accessible by said data processor.

25. The method as set forth in claim 14, further comprising the step of:

serving advertisement information to the use based on profile information of the information specific to the user contained on the data card.

* * * * *

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge George H. Wu and the assigned discovery Magistrate Judge is Margaret A. Nagle.

The case number on all documents filed with the Court should read as follows:

CV11- 7126 GW (MANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

[X] Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

[ ] Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

[ ] Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Name & Address: Patrick F. Bright (SBN 68709)
WAGNER, ANDERSON & BRIGHT, PC
3541 Ocean View Blvd.
Glendale, CA 92108
(818) 249-9300
(818) 249-9335 (fax)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SMARTMETRIC INC., a Nevada corporation, PLAINTIFF(S) v. MASTERCARD INTERNATIONAL INCORPORATED, a Delaware corporation, and VISA, INC., a Delaware corporation, DEFENDANT(S).	CASE NUMBER CV11-7126 GW (MANx) **SUMMONS**

TO: DEFENDANT(S): MASTERCARD INTERNATIONAL INCORPORATED, a Delaware corporation, and VISA, INC., Delaware corporation.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☑ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Patrick F. Bright, whose address is Wagner, Anderson & Bright, PC, 3541 Ocean View Blvd., Glendale, CA 91208. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 8.29.11

By: _____
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
SMARTMETRIC INC., a Nevada corporation

DEFENDANTS
MASTERCARD INTERNATIONAL INCORPORATED, a Delaware corporation
VISA, INC., a Delaware corporation

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
Patrick F. Bright (SBN 68709), WAGNER, ANDERSON & BRIGHT, PC, 3541 Ocean View Blvd., Glendale, CA 91208, (818) 249-9300, (818) 249-9335 (fax)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1 U.S. Government Plaintiff ☑ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business in this State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. ORIGIN (Place an X in one box only.)

☑ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☑ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☑ No ☑ **MONEY DEMANDED IN COMPLAINT:** $ TBD

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Patent Infringement under 35 U.S.C. Sections 271, 283, and 284

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES
☐ 400 State Reapportionment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce/ICC Rates/etc.
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 480 Consumer Credit
☐ 490 Cable/Sat TV
☐ 810 Selective Service
☐ 850 Securities/Commodities/ Exchange
☐ 875 Customer Challenge 12 USC 3410
☐ 890 Other Statutory Actions
☐ 891 Agricultural Act
☐ 892 Economic Stabilization Act
☐ 893 Environmental Matters
☐ 894 Energy Allocation Act
☐ 895 Freedom of Info. Act
☐ 900 Appeal of Fee Determination Under Equal Access to Justice
☐ 950 Constitutionality of State Statutes

CONTRACT
☐ 110 Insurance
☐ 120 Marine
☐ 130 Miller Act
☐ 140 Negotiable Instrument
☐ 150 Recovery of Overpayment & Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loan (Excl. Veterans)
☐ 153 Recovery of Overpayment of Veteran's Benefits
☐ 160 Stockholders' Suits
☐ 190 Other Contract
☐ 195 Contract Product Liability
☐ 196 Franchise

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Ejectment
☐ 240 Torts to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

TORTS
PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Fed. Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury
☐ 362 Personal Injury-Med Malpractice
☐ 365 Personal Injury-Product Liability
☐ 368 Asbestos Personal Injury Product Liability

IMMIGRATION
☐ 462 Naturalization Application
☐ 463 Habeas Corpus-Alien Detainee
☐ 465 Other Immigration Actions

TORTS
PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

BANKRUPTCY
☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157

CIVIL RIGHTS
☐ 441 Voting
☐ 442 Employment
☐ 443 Housing/Accommodations
☐ 444 Welfare
☐ 445 American with Disabilities - Employment
☐ 446 American with Disabilities - Other
☐ 440 Other Civil Rights

PRISONER PETITIONS
☐ 510 Motions to Vacate Sentence Habeas Corpus
☐ 530 General
☐ 535 Death Penalty
☐ 540 Mandamus/ Other
☐ 550 Civil Rights
☐ 555 Prison Condition

FORFEITURE / PENALTY
☐ 610 Agriculture
☐ 620 Other Food & Drug
☐ 625 Drug Related Seizure of Property 21 USC 881
☐ 630 Liquor Laws
☐ 640 R.R. & Truck
☐ 650 Airline Regs
☐ 660 Occupational Safety /Health
☐ 690 Other

LABOR
☐ 710 Fair Labor Standards Act
☐ 720 Labor/Mgmt. Relations
☐ 730 Labor/Mgmt. Reporting & Disclosure Act
☐ 740 Railway Labor Act
☐ 790 Other Labor Litigation
☐ 791 Empl. Ret. Inc. Security Act

PROPERTY RIGHTS
☐ 820 Copyrights
☑ 830 Patent
☐ 840 Trademark

SOCIAL SECURITY
☐ 861 HIA (1395ff)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW (405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))

FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: CV11-7126

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

CV11-7126

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☑ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☐ No ☑ Yes
If yes, list case number(s): Case Nos. 2:10-cv-09371-JHN-FMOx and 2:10-cv-01864-JHN-FMOx

Civil cases are deemed related if a previously filed case and the present case:
(Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☑ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Nevada Florida

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Delaware

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

*** Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties**
Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date August 24, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))