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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY _____

Attorneys for Plaintiff
The MoneySuite Company

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

SACV11-01848 AG (RNBx)

THE MONEYSUITE COMPANY,

Plaintiff,

v.

THE ALLSTATE CORPORATION and
ALLSTATE INSURANCE COMPANY,

Defendants.

Case No.

COMPLAINT FOR PATENT
INFRINGEMENT

JURY TRIAL DEMANDED

Plaintiff The MoneySuite Company ("MoneySuite") alleges as follows:

1. This case is an action for patent infringement under the Patent Laws of the United States, Title 35 of the United States Code.

PARTIES

2. Plaintiff **MoneySuite** is a Delaware corporation that maintains its principal place of business at 200 W. Broadway, Suite C, Missoula, Montana 59808.

3. Defendant **The Allstate Corporation** ("Allstate") is a Delaware corporation that maintains its principal place of business at 2775 Sanders Road, Northbrook, Illinois 60062. Allstate markets and underwrites insurance products, including but not limited to personal auto insurance, in the state of California, on the internet and through call centers. Allstate's registered

COPY
BY FAX

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1 agent for service of process is Corporation Trust Company, 1209 Orange Street, Wilmington,
2 Delaware 19801.

3 4. Defendant **Allstate Insurance Company** ("AIC") is an Illinois domiciled
4 corporation that maintains its principal place of business at 2775 Sanders Road, Northbrook,
5 Illinois 60062. AIC markets and underwrites insurance products, including but not limited to
6 personal auto insurance, in the state of California, on the internet and through call centers. AIC's
7 registered agent for service of process is CT Corporation System at 818 W. Seventh Street, Los
8 Angeles, California 90017.
9

10 JURISDICTION AND VENUE

11 5. This action for patent infringement arises under the patent laws of the United
12 States, Title 35, Section 271 of the United States Code. The Court's jurisdiction over this action
13 is proper under the above statutes, including:

14 6. Personal jurisdiction exists generally over Defendants pursuant to 28 U.S.C. §
15 1391 as they have sufficient minimum contacts with the forum as a result of business conducted
16 within the State of California and within this district. Personal jurisdiction also exists
17 specifically over Defendants because of Defendants' conduct in making, using, selling, offering
18 to sell, and/or importing, directly infringing products and services within the State of California
19 and within this district.
20

21 7. Venue is proper in this Court under 28 U.S.C. §§1391(b), (c), and (d), as well as
22 28 U.S.C., §1400(b) for the reasons set forth herein.
23

24 PATENT INFRINGEMENT

25 8. MoneySuite is the owner as assignee of all rights, title and interest in and under
26 United States Patent No. 6,684,189 ("the '189 patent"), which duly and legally issued on January
27 27, 2004, with Ronald B. Ryan and Ronald G. Marquart as the named inventors, for an apparatus
28

1 and method using front-end network gateways and search criteria for efficient quoting at a
2 remote location.

3 9. This is an exceptional case within the meaning of 35 U.S.C. §285.

4 **COUNT ONE**

5 10. The Defendants have been and are infringing the '189 patent by making, using,
6 selling, offering for sale, and/or importing in or into the United States, directly, without
7 authority, insurance quotation products and services that fall within the scope of the claims of the
8 '189 patent, including but not necessarily limited to insurance quotation products and services
9 provided at the www.allstate.com website, including, for example, the car insurance quote
10 service on that website. Unless the Defendants are enjoined by this Court, MoneySuite is
11 without an adequate remedy at law.
12

13 **JURY DEMAND**

14 11. Plaintiff requests a jury trial.
15

16 **PRAYER FOR RELIEF**

17 MoneySuite respectfully requests the following relief:

18 A. That the Court declare that the '189 patent is valid and enforceable and that they
19 are infringed by Defendants as described herein;

20 B. That the Court enter a permanent injunction against Defendants' direct
21 infringement of the '189 patent, or in the alternative order Defendants to pay an ongoing royalty
22 on post-judgment infringement, along with an accounting as necessary to determine the extent of
23 said ongoing infringement;
24

25 C. That the Court award damages to MoneySuite to which it is entitled for patent
26 infringement;

27 D. That the Court award interest on the damages to MoneySuite;
28

1 E. That the Court award to MoneySuite its costs and attorneys' fees incurred in this
2 action; and

3 F. Such other and further relief as the Court deems just and proper.

4 **JURY TRIAL DEMANDED**

5 MoneySuite hereby demands a trial by jury of all issues so triable.

6
7 DATED: December 1, 2011

8 RUSS, AUGUST & KABAT
9 MARC A. FENSTER
10 ADAM S. HOFFMAN

11 By: 

12 MARC A. FENSTER

13 Attorneys for Plaintiff
14 The MoneySuite Company
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