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1	KRIS LE FAN, ESQ (SBN 278611) LAW OFFICE OF KRIS LE FAN		
2	433 North Camden Drive, Sixth Floor	2012 AUG 10 PM 2	:31
3	Beverly Hills, California 90210 Telephone: (213) 290-1091	CLERK U.S. DISTRICT C CENTRAL DIST. OF C. LOS ANGELES	ALIF.
4	krislefanesquire@gmail.com Attorney for Plaintiff, WOLF RUN HOLLOW, LLC		
5	Attorney for Plaintin, WOLF ROW HOLE W, 22	id I supported to province and province of the state of t	
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7	UNITED STATES DI	STRICT COURT	
8	FOR THE CENTRAL DISTR		
9	LOS ANGELES		
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11	THE TRUIT OF LIC	Case No.	in Ri
12	WOLF RUN HOLLOW, LLC, Plaintiff,		C
13		COMPLAINT FOR PATE	NT
14	v. NATIONAL CAR RENTAL SYSTEM, INC.,	INFRINGEMENT	
15	Defendant.	Jury Trial Demanded	
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	COMPLAINT FOR PAT	TENT INFRINGEMENT	# 4 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff Wolf Run Hollow, LLC ("Plaintiff"), by and through its undersigned counsel, files this Original Complaint against National Car Rental System, Inc. ("Defendant") as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant's infringement of Plaintiff's United States Patent No. 6,115,817 entitled "Methods and Systems for Facilitating Transmission of Secure Messages Across Insecure Networks" (the "817 patent"; a copy of which is attached hereto as Exhibit A). Plaintiff is the exclusive licensee of the '817 patent with respect to the Defendant. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

- 2. Plaintiff is a limited liability company organized and existing under the laws of the State of Delaware. Plaintiff maintains its principal place of business at 170 Kinnelon Road, Suite 13, Kinnelon, New Jersey 07405. Plaintiff is the exclusive licensee of the '817 patent with respect to the Defendants, and possesses the right to sue for infringement and recover past damages.
- 3. Upon information and belief, Defendant is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 600 Corporate Park Drive, St. Louis, Missouri 63105 and numerous locations throughout Los Angeles, California.

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, 283, 284, and 285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).
- 5. The Court has personal jurisdiction over Defendant because: Defendant is present within or has minimum contacts with 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 protection and benefit

from 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 Defendants' business contacts and other activities in the State of California and in the Central District of California.

- 6. More specifically, Defendant, directly and/or through authorized intermediaries, ships, distributes, offers for sale, sells, and/or advertises (including the provision of an interactive web page) 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 in the State of California and in the Central District of California, has contributed to patent infringement 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. Defendant solicits customers in the State of California and in the Central District of California. Defendant has many paying customers who are residents of the State of California and the Central District of California and who each use each of the respective Defendant's products and services in the State of California and in the Central District of California.
- 7. Venue is proper in the Central District of California pursuant to 28 U.S.C. §§ 1391 and 1400(b).

COUNT I – PATENT INFRINGEMENT

- 8. The '817 patent was duly and legally issued by the United States Patent and Trademark Office on September 5, 2000, after full and fair examination for systems and methods for secure messaging on an insecure network. Plaintiff is the exclusive licensee of the '817 patent with respect to the Defendants, and possesses all rights of recovery under the '817 patent with respect to the Defendants, including the right to sue for infringement and recover past damages.
- 9. Upon information and belief, Defendant has infringed and continues to infringe one or more claims of the '817 patent by making, using, providing, offering to sell, and selling (directly or through intermediaries), in this district and elsewhere in the United States, secure

messaging systems and methods that embody the patented invention, including via the website http://www.nationalcar.com. Upon information and belief, Defendant directs or requires users to transmit and/or receive secure messages related to personal information via the secure login, registration and/or use of the website and/or messaging systems and methods on their website. Defendant has also contributed to the infringement of one or more claims of the '817 patent, and/or actively induced others to infringe one or more claims of the '817 patent via their website, in this district and elsewhere in the United States.

- 10. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.
- 11. 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, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.
- 12. Defendant's infringement of Plaintiff's exclusive rights under the '817 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

13. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

A. An adjudication that one or more claims of the '817 patent have been infringed, either literally and/or under the doctrine of equivalents, by Defendant and/or by

- 11		
1		others to whose infringement Defendant has contributed and/or by others whose
2		infringement has been induced by Defendant;
3	В.	An award to Plaintiff of damages adequate to compensate Plaintiff for the
4		Defendant's acts of infringement together with pre-judgment and post-judgment
5		interest;
6 7	C.	That, should Defendant's acts of infringement be found to be willful from the time
8		that Defendant became aware of the infringing nature of its actions, which is the
9		time of filing of Plaintiff's Original Complaint at the latest, that the Court award
10		treble damages for the period of such willful infringement pursuant to 35 U.S.C. §
11		284;
12	D.	A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining the
13	2.	Defendant from further acts of (1) infringement, (2) contributory infringement, and
14		(3) actively inducing infringement with respect to the claims of the '817 patent;
15 16	E.	That this Court declare this to be an exceptional case and award Plaintiff its
17	E.	reasonable attorneys' fees and costs in accordance with 35 U.S.C. §285; and
18	Г	
19	F.	Any further relief that this Court deems just and proper.
20		Respectfully submitted,
21		Law Office of Kris Le Fan
22		A 26
23	Dated: Augus	Kris Le fan, Esq.
24		Attorney for Plaintiff WOLF RUN HOLLOW, LLC
2526		
27		
28		
		COMPLAINT FOR PATENT INFRINGEMENT

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 Dolly Gee and the assigned discovery Magistrate Judge is Michael Wilner.

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

CV12- 6926 DMG (MRWx)

Pursuant to General Order 05-07 of the United States District Court for the Central

District of California, the Ma motions.	agistrate Judge has been designated	to hear discovery related
All discovery related motions	s should be noticed on the calendar	of the Magistrate Judge
	NOTICE TO COUNSEL	
A copy of this notice must be served filed, a copy of this notice must be se	with the summons and complaint on all derived on all plaintiffs).	fendants (if a removal action is
Subsequent documents must be filed	I at the following location:	
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 res	sult in your documents being returned to you.	

UNITED STATES DISTRICT COURT

for the

Central District of California

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	Civil A God 10-6926

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

NATIONAL CAR RENTAL SYSTEM, INC. 600 Corporate Park Dr. St. Louis, Missouri 63105

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kris Le Fan, Esq. 433 N Camden Dr. Sixth Floor Beverly Hills, CA 90210

If you fail to respond, 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.

AUG 1 0 2012 Date:	Signature of Clerk or Deputy Clerk
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CLERK OF COURT

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

WOLF RUN HOLLOW, LLC)))	
 Plaintiff(s) V.	Civil GiVN12-692	- DMG
NATIONAL CAR RENTAL SYSTEM, INC.		(mrwx)
 Defendant(s))	

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

NATIONAL CAR RENTAL SYSTEM, INC. 600 Corporate Park Dr. St. Louis, Missouri 63105

A lawsuit has been filed against you.

Within plays after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Kris Le Fan, Esq. 433 N Camden Dr. Sixth Floor Beverly Hills, CA 90210

If you fail to respond, 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 OF COURT
AUG 1 0 2012 Date:	MARILYN DAVIS
	Signature of Charles of Daniel

4O 440 (R	ev. 06/12) Summons in a Civil A	ction (Page 2)						
Civil A	ction No.							
	(This section s	PROOF OF hould not be filed with the co	SERVICE urt unless required by Fed. R. Civ. P. 4 (l))					
	This summons for (name	e of individual and title, if any)						
was re	ceived by me on (date)	P						
	☐ I personally served	the summons on the individua	l at (place)					
	on (date) ; or							
			r usual place of abode with (name)					
		, a pers	son of suitable age and discretion who reside	s there,				
	on (date)	, and mailed a copy t	o the individual's last known address; or					
	☐ I served the summons on (name of individual)							
	designated by law to accept service of process on behalf of (name of organization)							
	on (date)							
	☐ I returned the summ	nons unexecuted because		; or				
	Other (specify):							
	My fees are \$	for travel and \$	for services, for a total of \$	0.00				
	I declare under penalty	of perjury that this information	on is true.					
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Additi	onal information regarding	ng attempted service, etc:						

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

I (a) PLAINTIFFS (Check box if you are representing yourself □)					NTS				
				NATION	AL CAR REN	TAL SYS	TEM, INC.		
WOLF RUN HOLLOW, LLC									
(b) Attorneys (Firm Name, Ad- yourself, provide same.)	dress and Telephone Number. If y	ou are r	epresenting Att	omeys (I	f Known)				
Law office of Kris Le Fan									
433 North Camden Dr. Six Beverly Hills, CA 90210	th Floor								
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OR OFFICE USE ONLY: Case Number:

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

Page 1 of 2

Case 2:12-cv-06926-GW-MRW Document 1 Filed 08/10/12 Page 11 of 11 Page ID #:24

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

VIII(a). IDENTICAL CASES: Has If yes, list case number(s):	this action been pre	eviously filed in this court an	d dismissed, remanded or closed? ♥ No □ Yes			
VIII(b). RELATED CASES: Have If yes, list case number(s):	any cases been pre-	viously filed in this court tha	t are related to the present case? ♥No □ Yes			
□ C.	Arise from the same Call for determination For other reasons we	or closely related transaction on of the same or substantial ould entail substantial duplic	ns, happenings, or events; or by related or similar questions of law and fact; or ation of labor if heard by different judges; or and one of the factors identified above in a, b or c also is present.			
IX. VENUE: (When completing the	following informati	on, use an additional sheet if	necessary.)			
			f other than California; or Foreign Country, in which EACH named plaintiff resides. this box is checked, go to item (b).			
County in this District:*	s agencies of emplo	yees is a numer plantin. If	California County outside of this District; State, if other than California: or Foreign Country			
			Delaware			
			f other than California; or Foreign Country, in which EACH named defendant resides. f 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			
			Missouri			
(c) List the County in this District; Note: In land condemnation ca			f other than California; or Foreign Country, in which EACH claim arose.			
County in this District:*			California County outside of this District; State, if other than California; or Foreign Country			
Los Angeles						
* Los Angeles, Orange, San Bernar Note: In land condemnation cases, us			an Luis Obispo Counties			
X. SIGNATURE OF ATTORNEY (OR PRO PER):	128	Date 8/9/12			
or other papers as required by lav	v. This form, approv	ed by the Judicial Conference	mation contained herein neither replace nor supplement the filing and service of pleadings to of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed ing the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)			
Key to Statistical codes relating to So	cial Security Cases:					
Nature of Suit Code	Abbreviation	Substantive Statement of	Cause of Action			
861	НІА		ance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended, spitals, skilled nursing facilities, etc., for certification as providers of services under the FF(b))			
862	BL	All claims for "Black Lung (30 U.S.C. 923)	"benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969.			
863	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))					

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Act, as amended. (42 U.S.C. 405(g))

Act, as amended.

All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security

All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security

All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

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