

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

E-CONTACT TECHNOLOGIES LLC,

PLAINTIFF,

v.

LEASEWEB USA, INC.,

DEFENDANT.

CIVIL ACTION NO.: 12-cv-484

JURY TRIAL DEMANDED

PLAINTIFF'S ORIGINAL COMPLAINT

E-Contact Technologies LLC ("E-Contact") files this Complaint for patent infringement against LeaseWeb USA, Inc. alleging as follows:

PARTIES

1. Plaintiff E-Contact Technologies LLC is a Texas company having a principle place of business of 815 Brazos St, Ste. 500, Austin, Texas 78701.

2. On information and belief, Defendant LeaseWeb USA, Inc., ("LeaseWeb") is a Delaware corporation with its principal place of business at 9480 Innovation Dr., suite 1, Manassas, Virginia 20110. LeaseWeb has appointed The Corporation Trust Company, Corporation Trust Center 1209 Orange St., Wilmington, Delaware 19801, as its agent for service of process.

JURISDICTION AND VENUE

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

4. Venue is proper in this district under 28 U.S.C. §§ 1391(b), (c), (d), and 1400(b). On information and belief, Defendant has transacted business in this district, and has committed acts of patent infringement in this district.

5. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to Defendant's substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this district.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 5,347,579

6. Plaintiff is the owner by assignment of United States Patent No. 5,347,579 ("the '579 patent") entitled "Personal Computer Diary." The '579 patent issued on September 13, 1994. A true and correct copy of the '579 patent is attached hereto as Exhibit A.

7. The '579 patent is valid and enforceable.

8. Upon information and belief, LeaseWeb directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale E-Mail and Web-Based Mail products and/or systems provided through its websites, including but not limited to, www.leaseweb.com that directly infringed one or more claims of the '579 patent, literally or under the doctrine of equivalents.

9. As a direct and proximate result of Defendant's acts of patent infringement, Plaintiff has been injured and sustained substantial damages in an amount not presently known.

JURY DEMAND

E-Contact hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendant has infringed, directly or through intermediaries, the '579 patent;
2. A judgment and order requiring Defendant pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interests for Defendant's infringement of the '579 patent as provided under 35 U.S.C. § 284;
3. A judgment in favor and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and
4. Any and all other relief to which Plaintiff may show itself to be entitled.

DATED October 5, 2012.

Respectfully submitted,

By: /s/ Timothy T. Wang

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ATTORNEYS FOR PLAINTIFF

E-CONTACT TECHNOLOGIES LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of October, 2012, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Beaumont Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Timothy T. Wang

Timothy T. Wang