

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF DELAWARE

CONTENT EXTRACTION AND
TRANSMISSION LLC

Plaintiff,

v.

JPMORGAN CHASE & CO., and JPMORGAN
CHASE BANK, NATIONAL ASSOCIATION,

Defendants.

C. A. No. _____

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Content Extraction and Transmission LLC (“CET”) demands a jury trial and complains against defendant JPMorgan Chase & Co., and defendant JPMorgan Chase Bank, National Association (“defendants”), as follows:

THE PARTIES

1. CET is a limited liability company organized and existing under the laws of the State of New Jersey, with its principal place of business in New Jersey.

2. Upon information and belief, defendant JPMorgan Chase & Co. is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business in New York, New York. Upon information and belief, defendant JPMorgan Chase & Co. is doing business in this judicial district.

3. Upon information and belief, defendant JPMorgan Chase Bank, National Association, is a nationally chartered banking association, with its principal place of business in New York, New York. Defendant JPMorgan Chase Bank, National Association, is a subsidiary of defendant JPMorgan Chase & Co. Upon information and belief, defendant JPMorgan Chase, National Association is doing business in this judicial district.

4. Upon information and belief, defendants JPMorgan & Chase Co. and JPMorgan Chase Bank, National Association are successors in interest to other banks which processed deposits made at ATMs during the six-year period immediately preceding the filing of this Complaint.

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

6. Upon information and belief, defendants are doing business and committing acts of infringement in this judicial district and are subject to personal jurisdiction in this judicial district.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

CLAIM FOR PATENT INFRINGEMENT

8. CET repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 7 above.

9. On November 2, 1993, U.S. Patent No. 5,258,855 (hereinafter referred to as “the ‘855 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.” A copy of the ‘855 patent is attached to this Complaint as Exhibit 1.

10. On November 29, 1994, U.S. Patent No. 5,369,508 (hereinafter referred to as “the ‘508 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.” A copy of the ‘508 patent is attached to this Complaint as Exhibit 2.

11. On April 29, 1997, U.S. Patent No. 5,625,465 (hereinafter referred to as “the ‘465 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.” A copy of the ‘465 patent is attached to this Complaint as Exhibit 3.

12. On June 16, 1998, U.S. Patent No. 5,768,416 (hereinafter referred to as “the ‘416 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.” A copy of the ‘416 patent is attached to this Complaint as Exhibit 4.

13. On August 21, 2007, U.S. Patent No. 7,259,887 (hereinafter referred to as “the ‘887 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”

14. On January 6, 2009, U.S. Patent No. 7,474,434 (hereinafter referred to as “the ‘434 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”

15. CET is the owner by way of assignment of all right, title and interest in and to the ‘855, ‘508, ‘465, ‘416, ‘887 and ‘434 patents. The ‘855, ‘508, ‘465 and ‘416 patents will be collectively referred to as the “Patents-in-Suit” hereinafter.

COUNT ONE

16. CET repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 14 above.

17. Defendants infringed, actively induced the infringement of, and contributorily infringed in this judicial district the ‘855 patent by processing check and cash deposits made by customers at automatic teller machines (“ATMs”) using their envelope-free deposit service such as the DepositFriendly service, and by processing check deposits made from scanners and mobile electronic devices using their mobile deposit service such as the QuickDeposit service.

18. Defendants' envelope-free deposit service extracts information from checks and cash deposited at ATMs and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '855 patent, without permission from CET.

19. Defendants' mobile deposit service extracts information from images of checks taken using a scanner or a mobile electronic device and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '855 patent, without permission from CET.

20. CET has been damaged by such activities of the defendants which infringe the '855 patent.

COUNT TWO

21. CET repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 20 above.

22. Defendants infringed, actively induced the infringement of, and contributorily infringed in this judicial district the '508 patent by processing check and cash deposits made by customers at ATMs using their envelope-free deposit service, and by processing check deposits made from scanners and mobile electronic devices using their mobile deposit service.

23. Defendants' envelope-free deposit service extracts information from checks and cash deposited at ATMs and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '508 patent, without permission from CET.

24. Defendants' mobile service extracts information from images of checks taken using a scanner or a mobile electronic device and then transmits the extracted information to an

application program to process the deposit, in a manner defined by the claims of the '508 patent, without permission from CET.

25. CET has been damaged by such activities of the defendants which infringe the '508 patent.

COUNT THREE

26. CET repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 25 above.

27. Defendants infringed, actively induced the infringement of, and contributorily infringed in this judicial district the '465 patent by processing check and cash deposits made by customers at ATMs using their envelope-free deposit service, and by processing check deposits made from scanners and mobile electronic devices using their mobile deposit service.

28. Defendants' envelope-free deposit service extracts information from checks and cash deposited at ATMs and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '465 patent, without permission from CET.

29. Defendants' mobile deposit service extracts information from images of checks taken using a scanner or a mobile electronic device and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '465 patent, without permission from CET.

30. CET has been damaged by such activities of the defendants which infringe the '465 patent and will be irreparably harmed unless such infringing activities are enjoined by this Court.

COUNT FOUR

31. Plaintiff repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 30 above.

32. Defendants infringed, actively induced the infringement of, and contributorily infringed in this judicial district the '416 patent by processing check and cash deposits made by customers at ATMs using their envelope-free deposit service, and by processing check deposits made from scanners or mobile electronic devices using their mobile deposit service.

33. Defendants' envelope-free deposit service extracts information from checks and cash deposited at ATMs and then transmits the extracted information to an application program to process the deposits, in a manner defined by the claims of the '416 patent, without permission from CET.

34. Defendants' mobile deposit service extracts information from images of checks taken using a scanner or a mobile electronic device and then transmits the extracted information to an application program to process the deposit, in a manner defined by the claims of the '416 patent, without permission from CET.

35. CET has been damaged by such activities of the defendants which infringe the '416 patent and will be irreparably harmed unless such infringing activities are enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, plaintiff CET prays for judgment against the defendants on all the counts and for the following relief:

- A. Declaration that CET is the owner of the Patents-in-Suit and has the right to sue and to recover for infringement thereof;
- B. Declaration that the defendants have infringed, actively induced the infringement of, and contributorily infringed the Patents-in-Suit;
- C. A preliminary and permanent injunction against the defendants, each of their officers, agents, servants, employees, and attorneys, all parent and subsidiary corporations, their assigns and successors in interest, and those persons acting in

active concert or participation with them, including distributors and customers, enjoining them from continuing acts of infringement, active inducement of infringement, and contributory infringement of CET's '465 and '416 patents;

- D. An accounting for damages under 35 U.S.C. § 284 for infringement of CET's '855, '508, '465 and '416 patents by the defendants and the award of damages so ascertained to CET together with interest as provided by law;
- E. Award of CET's costs and expenses; and
- F. Such other and further relief as this Court may deem proper, just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff CET demands a trial by jury of all issues properly triable by jury in this action.

ROSENTHAL, MONHAIT & GODDESS, P.A.

OF COUNSEL:

ZIMMERMAN & WEISER LLP
Jean-Marc Zimmerman
Anatoly S. Weiser
226 St. Paul Street
Westfield, New Jersey 07090
(908) 654-8000
jmz@iplcounsel.com
aw@iplcounsel.com

/s/ Jessica Zeldin

Carmella P.
Keener (Del. Bar No. 2810)
Jessica Zeldin (Del. Bar No. 3558)
919 N. Market Street, Suite 1401
Citizens Bank Center
P.O. Box 1070
Wilmington, DE 19801
(302) 656-4433
ckeener@rmgglaw.com
jzeldin@rmgglaw.com

*Attorneys for Plaintiff, Content Extraction and
Transmission LLC*

November 14, 2012