

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ILIFE TECHNOLOGIES, INC.,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 3:12-CV-05155
v.	§	
	§	JURY TRIAL DEMANDED
ONASSET INTELLIGENCE, INC.,	§	
	§	
Defendant.	§	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

This is a patent infringement action by iLife Technologies, Inc. (“iLife”) against OnAsset Intelligence, Inc. (“OnAsset” or “Defendant”).

PARTIES

1. Plaintiff iLife Technologies, Inc. is a Texas corporation with its principal place of business in this Judicial District.
2. Defendant OnAsset Intelligence, Inc. is a Texas corporation with its principal place of business at 3080 Story Road West, Irving, Dallas County, Texas 75038. OnAsset has appointed Adam Crossno, 3080 Story Road West, Irving, Texas 75038, as its registered agent for service of process.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. § 101, *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
4. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b). Defendant resides in this Judicial District. On information and belief, Defendant has transacted business in this District and has committed acts of patent infringement in this District.

5. This Court has personal jurisdiction over Defendant because, among other things, Defendant resides in this District, has committed acts of infringement in violation of 35 U.S.C. § 271 in this District, has placed infringing products into the stream of commerce, through established distribution channels, with the knowledge or understanding that such products are used and sold in this District. These acts cause injury to iLife within the District.

PATENTS IN SUIT

6. iLife is the owner by assignment of all rights, title, and interest in and under the following United States Letters Patents and has standing to sue for the past, present, and future infringement of the following United States Letters Patents:

Patent	Title	Issue Date	Exhibit
U.S. Pat. No. 6,307,481 ("the '481 Patent")	"Systems for Evaluating Movement of a Body and Methods of Operating the Same"	10/23/2001	Ex. 1
U.S. Pat. No. 6,501,386 ("the '386 Patent")	"System Within a Communication Device for Evaluating Movement of a Body and Methods of Operating the Same"	12/31/2002	Ex. 2
U.S. Pat. No. 6,661,347 ("the '347 Patent")	"System Within a Position Locator Device for Evaluating Movement of a Body and Methods of Operating the Same"	12/9/2003	Ex. 3
U.S. Pat. No. 6,703,939 ("the '939 Patent")	"System and Method for Detecting Motions of a Body"	03/09/2004	Ex. 4
U.S. Pat. No. 6,864,796 ("the '796 Patent")	"System and Method Within a Communication Device for Evaluating Movement of a Body and Methods of Operating the Same"	03/08/2005	Ex. 5
U.S. Pat. No. 7,095,331 ("the '331 Patent")	"System and Method for Detecting Motion of a Body"	08/22/2006	Ex. 6
U.S. Pat. No. 7,145,461 ("the '461 Patent")	"System and Method for Analyzing Activity of a Body"	12/05/2006	Ex. 7

7. The '481 Patent, '386 Patent, '347 Patent, '939 Patent, '796 Patent, '331 Patent and '461 Patent are collectively referred to as the "Asserted Patents."

ACCUSED PRODUCTS

8. Defendant makes, imports, offers for sale, sells, leases, or uses systems or methods for detecting, evaluating, or analyzing movement of a body covered by one or more claims of the

Asserted Patents. Infringing systems or methods include, but are not limited to, tracking devices with cellular communication devices and tri-axial accelerometers for monitoring movement of a body relative to an environment, including the “Sentry 400” and “Sentry 400 FlightSafe” (the “Accused Products”), together with related monitoring Services (“Services”). The Services include providing an end user with an Accused Product and remotely monitoring movement of the Accused Product at a monitoring center. The Services include receipt, analysis, and response to signals from the Accused Products.

COUNT ONE
PATENT INFRINGEMENT
The ‘481 Patent

9. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

10. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the ‘481 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

11. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the ‘481 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the ‘481 Patent at the behest of the Defendant.

12. Defendant’s infringement of the Asserted Patents has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

13. On information and belief, Defendant’s infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT TWO
PATENT INFRINGEMENT
The '386 Patent

14. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

15. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '386 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

16. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '386 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '386 Patent at the behest of the Defendant.

17. Defendant's infringement of the '386 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

18. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT THREE
PATENT INFRINGEMENT
The '347 Patent

19. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

20. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '347 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

21. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '347 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '347 Patent at the behest of the Defendant.

22. Defendant's infringement of the '347 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

23. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT FOUR
PATENT INFRINGEMENT
The '939 Patent

24. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

25. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '939 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

26. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '939 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '939 Patent at the behest of the Defendant.

27. Defendant's infringement of the '939 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

28. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT FIVE
PATENT INFRINGEMENT
The '796 Patent

29. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

30. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '796 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

31. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '796 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '796 Patent at the behest of the Defendant.

32. Defendant's infringement of the '796 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

33. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT SIX
PATENT INFRINGEMENT
The '331 Patent

34. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

35. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '331 Patent under 35

U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

36. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '331 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '331 Patent at the behest of the Defendant.

37. Defendant's infringement of the '331 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

38. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

COUNT SEVEN
PATENT INFRINGEMENT
The '461 Patent

39. iLife repeats and re-alleges the allegations in the foregoing paragraphs.

40. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '461 Patent under 35 U.S.C. § 271(a) by making, importing, offering to sell, selling, leasing, or using the Accused Products or Services.

41. Defendant has been and is still directly infringing, and indirectly infringing by inducing or contributing to infringement of, one or more claims of the '461 Patent under 35 U.S.C. § 271(a) by directing and controlling, *inter alia*, the actions of end users of the Accused Products who, acting alone or in concert with others under a contract, individually or jointly infringe one or more method claims of the '461 Patent at the behest of the Defendant.

42. Defendant's infringement of the '461 Patent has caused damage to iLife for which it is entitled to recover compensatory damages in an amount not yet determined.

43. On information and belief, Defendant's infringing conduct will continue unless enjoined by this Court, resulting in continuing harm and irreparable damage to iLife.

DEMAND FOR JURY TRIAL

44. iLife demands that all issues be determined by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff iLife Technologies, Inc. respectfully requests that:

1. The Court enter judgment that Defendant has infringed the Asserted Patents;
2. Defendant be ordered to pay iLife its damages under 35 U.S.C. § 284 for infringement of the Asserted Patents;
3. Defendant be ordered to pay iLife pre-judgment and post-judgment interest to the full extent allowed under the law, as well as its costs;
4. Defendant and its agents, servants, and employees, and all those in privity with Defendant or in active convert and participation with Defendant, be permanently enjoined from further infringement of the Asserted Patents; and
5. The Court grant iLife such other and further relief as the Court deems just and equitable.

Respectfully submitted,

/s/ Michael C. Wilson

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