

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

**ROTATABLE TECHNOLOGIES LLC,**

**Plaintiff,**

**V.**

**THE VARIABLE ANNUITY LIFE  
INSURANCE COMPANY,**

**Defendant.**

**CASE NO. 2:13-CV-111**

**JURY TRIAL DEMANDED**

**PLAINTIFF'S ORIGINAL COMPLAINT**

This is an action for patent infringement in which Rotatable Technologies LLC (“Rotatable Technologies”) makes the following allegations against The Variable Annuity Life Insurance Company:

**PARTIES**

1. Rotatable Technologies is a limited liability company formed under the laws of the State of Texas with a principle place of business located at 815 Brazos Street, Suite 500, Austin, Texas 78701.

2. The Variable Annuity Life Insurance Company (“Defendant” or “VALIC”) is an insurance company organized and existing under the laws of the State of Texas, with its principal place of business located at 2929 Allen Parkway, Houston, Texas 77019. VALIC may be served with process through its President, Bruce R. Abrams, at 2929 Allen Parkway, Houston, Texas 77019.

**JURISDICTION AND VENUE**

3. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284 - 85, among others. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

4. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, Defendant has transacted business in this district, and has committed and/or induced acts of patent infringement in this district.

5. 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. 6,326,978**

6. On December 4, 2001, United States Patent No. 6,326,978 (the "'978 patent") was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Display Method for Selectively Rotating Windows on a Computer Display". A true and correct copy of the '978 patent is attached hereto as Exhibit A.

7. Rotatable Technologies is the owner of the '978 patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '978 patent against infringers, and to collect damages for all relevant times.

8. Defendant directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least the VALIC Mobile Application for iOS) that infringed one or more claims of the '978 patent.

**JURY DEMAND**

Rotatable Technologies hereby requests a trial by jury on all issues so triable by right.

**PRAYER FOR RELIEF**

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

- a. Judgment that one or more claims of the '978 patent have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- b. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing infringement of, or contributing to infringement of the '978 patent;
- c. Judgment that Defendant account for and pay to Rotatable Technologies all damages and costs incurred by Rotatable Technologies, caused by Defendant's infringing activities and other conduct complained of herein;
- d. That Rotatable Technologies be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;

e. That this Court declare this an exceptional case and award Rotatable Technologies reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

f. That Rotatable Technologies be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: February 9, 2013

Respectfully submitted,

By: /s/ Austin Hansley

**AUSTIN HANSLEY P.L.L.C.**

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**ATTORNEY FOR PLAINTIFF**

**ROTATABLE TECHNOLOGIES LLC**