IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LONE STAR DOCUMENT MANAGEMENT, LLC,	§	
PLAINTIFF,	§	
	§	
v.	§	**Civil Action No. 6:12-cv-164**
	§	**JURY DEMAND**
CATALYST REPOSITORY SYSTEMS, INC.,	§	
DEFENDANT.	§	

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff Lone Star Document Management, LLC, files this, its Original Complaint for infringement of U.S. Patent No. 6,918,082 against Defendant Catalyst Repository Systems, Inc. under 35 U.S.C. § 271, *et seq.*, and in support thereof would respectfully show the Court the following:

PARTIES

1. Plaintiff Lone Star Document Management, Inc. ("Lone Star") is a Delaware limited liability company with its principal office located at 555 Republic Drive, 2nd Floor, Plano, Texas 75074.

2. Defendant Catalyst Repository Systems, Inc. ("Catalyst") is a Delaware corporation with its principal office located at 1860 Blake Street, Suite 700, Denver, Colorado 80202. Catalyst may be served with process through its registered agent, John C. Tredennick, at the same address.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. This Court has exclusive subject matter jurisdiction over this case for patent infringement under 28 U.S.C. § 1338(a).

4. This Court has personal jurisdiction over the Defendant Catalyst. Catalyst conducts business within the State of Texas and within the Eastern District of Texas. Catalyst, directly or through intermediaries (including distributors, retailers, and others) ships, distributes, offers for sale, sells, and advertises its products in the United States, the State of Texas, and the Eastern District of Texas. Catalyst has purposefully and voluntarily placed infringing products in the stream of commerce with the expectation that its products will be purchased by end users in the Eastern District of Texas. For example, Catalyst maintains an interactive internet web site with the domain name, www.catalystsecure.com. Catalyst has committed the tort of patent infringement within the State of Texas and this District.

5. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391(b) and 1400. Venue is also proper in the Eastern District of Texas since similar factual and legal issues are currently pending before the Eastern District of Texas and Plaintiff wishes to prevent overlapping issues being simultaneously adjudicated in different districts. *See In re Vistaprint Ltd.*, 628 F.3d 1342, 1345 (Fed. Cir. 2010); *see also Internet Machines LLC v. Alienware Corp.*, 2011 WL 2292961 (E.D. Tex. June 7, 2011).

U.S. PATENT NO. 6,918,082

6. On or about December 17, 1998, Jeffrey M. Gross and Matthew H. Parker filed patent application number 09/215,593. This application issued as United States Patent No. 6,918,082 ("the '082 Patent"), Ex. A, entitled "Electronic Document Proofing

System," was duly and legally issued by the United States Patent and Trademark Office on July 12, 2005, after full and fair examination. Plaintiff Lone Star is the assignee of all rights, title and interest in and to the '082 Patent and possesses all rights of recovery under the '082 Patent.

7. The '082 Patent relates generally to systems for reviewing documents electronically in non-native formats, including PDF or TIFF, and more specifically to such systems that store and retrieve a plurality of such documents and allow for the viewing of multiple versions simultaneously or the simultaneous viewing of a particular document and notes or annotations made regarding that document. Plaintiff Lone Star is the assignee of all rights, title and interest in and to the '082 Patent and possesses all rights of recovery under the '082 Patent.

8. The '082 Patent contains twenty-one claims, of which four, Claims 1, 10, 17 and 21 are independent claims, and the remaining claims are dependent claims. Among the independent claims of the '082 Patent, Claim 1 discloses:

> A system for proofing electronic documents delivered over a network, comprising:
> a plurality of electronic documents in portable document file format;
> a computer connectable to the network for receiving the plurality of portable format document together with at least one associated proofer identifier;
> a program executing on said computer for assigning a version number to each of the plurality of received portable format documents; and
> a database accessible by said computer for storing the documents and associated version numbers;
> said computer for receiving a request, from a proofer presenting the proofer identifier, to review multiple versions of a portable electronic document;
> said program for retrieving and formatting the requested multiple document versions for simultaneous display to permit visual comparison.

Similarly, Claim 10 discloses:

> A system for proofing electronic documents delivered over a network, comprising:

a database of portable format electronic documents stored together with at least one proofer identifier;

a computer connectable to the network for receiving a plurality of comments, each concerning a particular one of the portable format documents; and

a program executing on said computer for associating and storing the received plurality of comments together with the particular portable format electronic documents;

said computer for receiving a request, from a proofer presenting the proofer identifier, to review a particular portable format electronic document;

said program for receiving and formatting the requested document together with the associated plurality of comments for simultaneous display to permit review.

9. To date, Lone Star has licensed the '082 to a growing number of companies, including, but not limited to, Motive Systems, ITAZ Technologies, Intelledox, Inc., Alfresco Software, Adlib Publishing Systems Inc., Hyland Software, Inc., Paperhost.com, Inc., VIZit Software, Inc., and Appligent DSI, LLC.

CATALYST'S EDISCOVERY SOFTWARE SOLUTION

10. According to its internet web site, Defendant Catalyst started building secure, web-based document repositories in the mid-1990s, as part of a large national law firm. In 2000 the company branched out and has since been a prominent company in the field of electronic discovery or "e-discovery."

11. Catalyst advertises that its hosted software products "help clients save money by reducing document populations and increasing reviewer efficiency." On information and belief, Catalyst CR, Catalyst XE and Catalyst Enterprise Edition operate as web-based, software-as-a-service (SaaS) applications. This is also known as on-demand software, application server provider (ASP), hosted services, and cloud computing.

COUNT ONE: PATENT INFRINGEMENT

12. Lone Star realleges paragraphs 1 through 11 herein.

13. Defendant Catalyst is infringing the ‘082 Patent by making, using, selling, or offering for sale in the United States, including in the Eastern District of Texas, systems, services and/or products, and/or by undertaking processes, embodying the patented inventions and designs without authority. Among the products and/or services that Catalyst sells, offers for sale and/or provides to customers in the Eastern District of Texas are the Catalyst CR, Catalyst XE and Catalyst Enterprise Edition products. Moreover, to the extent that Catalyst’s products do not directly infringe the ‘082 Patent, then Defendant Catalyst is actively, intentionally, and/or knowingly inducing or contributing to infringement of the ‘082 Patent by others, including the customers who use Catalyst’s products.

RELIEF

Plaintiff Lone Star respectfully requests the following relief:

A. that the Court issue a permanent injunction against Defendant Catalyst enjoining Catalyst from making, using, selling, or offering for sale in the United States any products, and from undertaking any processes, embodying the patented inventions or designs claimed in the ‘082 Patent;

B. that the Court award damages to Plaintiff Lone Star to which it is entitled;

C. that the Court award interest on such damages;

D. that the Court award Plaintiff Lone Star its costs and attorneys' fees incurred in this action; and,

E. that the Court award such other and further relief, at law or in equity, as the Court deems just and proper.

A JURY TRIAL IS DEMANDED BY PLAINTIFF LONE STAR DOCUMENT MANAGEMENT, LLC.

Respectfully submitted,

By: */s/ Kenneth P. Kula*

Steven N. Williams
swilliams@mkwpc.com
Texas State Bar No. 21577625
Kenneth P. Kula
kkula@mkwpc.com
Texas State Bar No. 24004749
Kristen Knauf
kknauf@mkwpc.com
Texas State Bar No. 24076486

McDOLE KENNEDY & WILLIAMS, PC
1700 Pacific Avenue, Suite 1280
Dallas, Texas 75201
Telephone: (214) 979-1122
Facsimile: (214) 979-1123

ATTORNEYS FOR PLAINTIFF