

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

TELEMATICS CORPORATION,

Plaintiff,

v.

ACTSOFT, INC.,

FLEETMATICS USA, INC.,

FLEETILLA LLC, GEOTAB, INC.,

INTERGIS LLC, NETWORKFLEET, INC.,

ONSTAR, LLC, PROCON, INC.,

SKYPATROL, LLC, and

WIRELESS MATRIX USA, INC.,

Defendants.

Civil Action File No.

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Telematics Corporation (“Telematics”) states its Complaint against Defendants Actsoft, Inc. (“Actsoft”), FleetMatics USA, Inc. (“FleetMatics”), Fleetilla LLC (“Fleetilla”), Geotab, Inc. (“Geotab”), Intergis LLC (“Intergis”), Networkfleet, Inc. (“Networkfleet”), OnStar, LLC (“OnStar”), PROCON, Inc. (“PROCON”), Skypatrol, LLC (“Skypatrol”), and Wireless Matrix USA, Inc. (“Wireless Matrix”) as follows:

**JURISDICTION AND VENUE**

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code.

2. This Court has subject matter jurisdiction over all causes of action set forth herein pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

3. Venue is proper in this judicial district and division pursuant to 28 U.S.C. §§1391(b) and (c) and 1400(b) in that each Defendant has done business in this District, has committed acts of infringement in this District, and continues to commit acts of infringement in this District, entitling Telematics to relief.

### **PARTIES**

4. Telematics is the owner, by assignment, of all right, title, and interest in and to the following United States Patents, including the right to bring suit for patent infringement: United States Patent No. 5,428,546 (“the ‘546 patent”); United States Patent No. 5,594,650 (“the ‘650 patent”); United States Patent No. 5,758,313 (“the ‘313 patent”); United States Patent No. 5,884,216 (“the ‘216 patent”); United States Patent No. 5,922,040 (“the ‘040 patent”); and United States Patent No. 6,088,648 (“the ‘648 patent”). The ‘546 patent, the ‘650 patent, the ‘313 patent, the ‘216 patent, the ‘040 patent, and the ‘648 patent are referred to herein collectively as “the patents-in-suit.”

5. Upon information and belief, Defendant Actsoft is a Florida corporation with its principal place of business in Tampa, Florida. Upon information and belief, the Court has personal jurisdiction over this Defendant

6. Upon information and belief, Defendant FleetMatics is a Delaware corporation with a corporate office in Alpharetta, Georgia. Upon information and belief, the Court has personal jurisdiction over this Defendant.

7. Upon information and belief, Defendant Fleetilla is a Michigan corporation with its principal place of business in Trenton, Michigan. Upon information and belief, the Court has personal jurisdiction over this Defendant.

8. Upon information and belief, Defendant Geotab is a Canadian corporation with its principal place of business in Ontario, Canada. Upon information and belief, the Court has personal jurisdiction over this Defendant.

9. Upon information and belief, Defendant Intergis is a New Jersey corporation with an office location in Alpharetta, Georgia. Upon information and belief, the Court has personal jurisdiction over this Defendant.

10. Upon information and belief, Defendant Networkfleet, formerly known as Networkcar, Inc., is a California corporation with its principal place of business in San Diego, California. Upon information and belief, Defendant Networkfleet is a subsidiary of Hughes Telematics, Inc., a Delaware corporation

having its principal place of business in Atlanta, Georgia. Upon information and belief, the Court has personal jurisdiction over this Defendant.

11. Upon information and belief, Defendant OnStar is a Delaware limited liability company with its principal place of business in Detroit, Michigan. Upon information and belief, the Court has personal jurisdiction over this Defendant.

12. Upon information and belief, Defendant PROCON is a Tennessee corporation with its principal place of business in Knoxville, Tennessee. Upon information and belief, the Court has personal jurisdiction over this Defendant.

13. Upon information and belief, Defendant Skypatrol is a Florida corporation with its principal place of business in Miami, Florida. Upon information and belief, the Court has personal jurisdiction over this Defendant.

14. Upon information and belief, Defendant Wireless Matrix is a Delaware corporation with its principal place of business in Reston, Virginia. Upon information and belief, the Court has personal jurisdiction over this Defendant.

**COUNT ONE:**  
**INFRINGEMENT OF U.S. PATENT NO. 5,428,546**

15. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

16. On June 27, 1995, United States Patent No. 5,428,546 (“the ‘546 patent”) was duly and legally issued for “Method and Apparatus for Tracking Vehicle Location.” Telematics holds all rights and interest in the ‘546 patent. A true and correct copy of the ‘546 patent is attached hereto as Exhibit A.

17. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management products and related software and/or hardware.

18. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

19. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s GPS vehicle tracking solution and related software and/or hardware.

20. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

21. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

22. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

23. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use,

sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

24. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) products and services and related software and/or hardware.

25. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

26. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '546 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

27. The acts of infringement of the ‘546 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

28. The infringement of Telematics’ exclusive rights under the ‘546 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT TWO:**  
**INFRINGEMENT OF U.S. PATENT NO. 5,594,650**

29. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

30. On June 14, 1997, United States Patent No. 5,594,650 (“the ‘650 patent”) was duly and legally issued for “Method and Apparatus for Tracking Vehicle Location.” Telematics holds all rights and interest in the ‘650 patent. A true and correct copy of the ‘650 patent is attached hereto as Exhibit B.

31. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘650 patent. The infringing acts include, but are not limited to, the manufacture, use,



sale, importation, and/or offer for sale of this Defendant's fleet management products and related software and/or hardware.

32. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

33. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS vehicle tracking solution and related software and/or hardware.

34. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

35. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650

patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

36. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

37. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

38. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) products and services and related software and/or hardware.

39. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

40. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '650 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

41. The acts of infringement of the '650 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

42. The infringement of Telematics' exclusive rights under the '650 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT THREE:**  
**INFRINGEMENT OF U.S. PATENT NO. 5,758,313**

43. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

44. On May 26, 1998, United States Patent No. 5,758,313 (“the ‘313 patent”) was duly and legally issued for “Method and Apparatus for Tracking Vehicle Location.” Telematics holds all rights and interest in the ‘313 patent. A true and correct copy of the ‘313 patent is attached hereto as Exhibit C.

45. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management products and related software and/or hardware.

46. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

47. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the

‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s GPS vehicle tracking solution and related software and/or hardware.

48. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management solutions and related software and/or hardware.

49. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s mobile resource management (MRM) solutions and related software and/or hardware.

50. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management solutions and related software and/or hardware.

51. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

52. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) products and services and related software and/or hardware.

53. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

54. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '313 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's

mobile resource management (MRM) solutions and related software and/or hardware.

55. The acts of infringement of the ‘313 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

56. The infringement of Telematics’ exclusive rights under the ‘313 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT FOUR:**  
**INFRINGEMENT OF U.S. PATENT NO. 5,884,216**

57. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

58. On March 16, 1999, United States Patent No. 5,884,216 (“the ‘216 patent”) was duly and legally issued for “Method and Apparatus for Tracking Vehicle Location.” Telematics holds all rights and interest in the ‘216 patent. A true and correct copy of the ‘216 patent is attached hereto as Exhibit D.

59. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘216

patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management products and related software and/or hardware.

60. Upon information and belief, Defendant Actsoft's infringement of the '216 patent has been and continues to be willful.

61. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

62. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS vehicle tracking solution and related software and/or hardware.

63. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use,



sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

64. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

65. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

66. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

67. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the

‘216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s mobile resource management (MRM) products and services and related software and/or hardware.

68. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management solutions and related software and/or hardware.

69. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘216 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s mobile resource management (MRM) solutions and related software and/or hardware.

70. The acts of infringement of the ‘216 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

71. The infringement of Telematics' exclusive rights under the '216 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT FIVE:**  
**INFRINGEMENT OF U.S. PATENT NO. 5,922,040**

72. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

73. On July 13, 1999, United States Patent No. 5,922,040 ("the '040 patent") was duly and legally issued for "Method and Apparatus for Fleet Management." Telematics holds all rights and interest in the '040 patent. A true and correct copy of the '040 patent is attached hereto as Exhibit E.

74. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management products and related software and/or hardware.

75. Upon information and belief, Defendant Actsoft's infringement of the '040 patent has been and continues to be willful.

76. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

77. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS vehicle tracking solution and related software and/or hardware.

78. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

79. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use,

sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

80. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

81. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

82. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) products and services and related software and/or hardware.

83. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the

‘040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management solutions and related software and/or hardware.

84. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘040 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s mobile resource management (MRM) solutions and related software and/or hardware.

85. The acts of infringement of the ‘040 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

86. The infringement of Telematics’ exclusive rights under the ‘040 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

**COUNT SIX:**  
**INFRINGEMENT OF U.S. PATENT NO. 6,088,648**

87. Telematics realleges and incorporates herein the allegations of paragraphs 1 through 14 of this Complaint as if fully set forth herein.

88. On July 11, 2000, United States Patent No. 6,088,648 (“the ‘648 patent”) was duly and legally issued for “Method and Apparatus for Tracking Vehicle Location.” Telematics holds all rights and interest in the ‘648 patent. A true and correct copy of the ‘648 patent is attached hereto as Exhibit F.

89. Upon information and belief, Defendant Actsoft has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s fleet management products and related software and/or hardware.

90. Upon information and belief, Defendant Actsoft’s infringement of the ‘648 patent has been and continues to be willful.

91. Upon information and belief, Defendant FleetMatics has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the ‘648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant’s GPS fleet tracking and vehicle tracking systems and related software and/or hardware.

92. Upon information and belief, Defendant Fleetilla has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's GPS vehicle tracking solution and related software and/or hardware.

93. Upon information and belief, Defendant Geotab has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

94. Upon information and belief, Defendant Intergis has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

95. Upon information and belief, Defendant Networkfleet has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture,



use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

96. Upon information and belief, Defendant OnStar has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's telematics services and related software and/or hardware.

97. Upon information and belief, Defendant PROCON has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) products and services and related software and/or hardware.

98. Upon information and belief, Defendant Skypatrol has infringed directly and/or indirectly and continues to infringe directly and/or indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's fleet management solutions and related software and/or hardware.

99. Upon information and belief, Defendant Wireless Matrix has infringed directly and/or indirectly and continues to infringe directly and/or

indirectly the '648 patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of this Defendant's mobile resource management (MRM) solutions and related software and/or hardware.

100. The acts of infringement of the '648 patent by the Defendants, and each of them, have caused damage to Telematics and Telematics is entitled to recover from the Defendants, and each of them, the damages sustained by Telematics as a result of their wrongful acts in an amount subject to proof at trial.

101. The infringement of Telematics' exclusive rights under the '648 patent by the Defendants, and each of them, will continue to damage Telematics, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Telematics prays that the Court enter judgment in its favor and against Defendants Actsoft, FleetMatics, Fleetilla, Geotab, Intergis, Networkfleet, OnStar, PROCON, Skypatrol, and Wireless Matrix, and each of them, as follows:

A. That the Court enter judgment of infringement against the Defendants, and each of them;

B. That the Defendants, and each of them, be ordered to pay damages adequate to compensate Telematics for their acts of infringement, pursuant to 35 U.S.C. § 284;

C. That Telematics be awarded increased damages under 35 U.S.C. § 284 due to Defendant Actsoft's willful infringement of the '216, '040, and '648 patents;

D. That the Court find that this case is exceptional and award Telematics its reasonable attorneys' fees pursuant to 35 U.S.C. § 285;

E. That the Defendants, and each of them, their officers, agents, employees, and those acting in privity with them, be permanently enjoined from further infringement, contributory infringement, and/or inducing infringement of any of the patents-in-suit, pursuant to 35 U.S.C. § 283;

F. That the Defendants, and each of them, be ordered to pay prejudgment and post-judgment interest;

G. That the Defendants, and each of them, be ordered to pay all costs associated with this action; and

H. That Telematics be granted such other and additional relief as the Court deems just, equitable, and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff Telematics Corporation demands  
a trial by jury of all issues triable of right by a jury.

This 18<sup>th</sup> day of November, 2010.

/s/ Dan R. Gresham

Dan R. Gresham

Georgia Bar No. 310280

N. Andrew Crain

Georgia Bar No. 193081

Cynthia J. Lee

Georgia Bar No. 442999

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