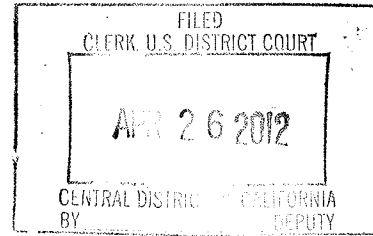


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15 *Attorneys for Plaintiff,*
16 **JOAO CONTROL AND MONITORING SYSTEMS, LLC**

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
19 **SOUTHERN DIVISION**

20 **CV 12-03641 (ASCC)**

21 JOAO CONTROL AND
22 MONITORING SYSTEMS, LLC,

Case No. _____

23 Plaintiff,

**COMPLAINT FOR PATENT
INFRINGEMENT**

24 v.

Jury Trial Demanded

25 SMARTVUE CORPORATION,

26 Defendant.

BY FAX

27 **COMPLAINT FOR PATENT INFRINGEMENT**

1 Plaintiff Joao Control & Monitoring Systems, LLC (“Plaintiff”), by and
2 through its undersigned counsel, files this Complaint against Smartvue Corporation
3 (“Defendant” or “Smartvue”).
4

5 **NATURE OF THE ACTION**

6 1. This is a patent infringement action to stop Defendant’s infringement of
7 Plaintiff’s United States Patent No. 7,277,010 entitled “Monitoring Apparatus and
8 Method” (hereinafter, “the ‘010 patent,” a copy of which is attached hereto as
9 Exhibit A) (also, referred to herein as the “patent-in-suit”). Plaintiff seeks injunctive
10 relief and monetary damages.
11
12

13 **PARTIES**

14 2. Plaintiff is a limited liability company organized under the laws of the
15 State of Delaware. Plaintiff maintains its principal place of business at 122 Bellevue
16 Place, Yonkers, New York 10703. Plaintiff is the legal owner of the ’010 patent,
17 which includes the right to exclude the Defendant from making, using, selling,
18 offering to sell or importing in this district and elsewhere into the United States the
19 patented invention(s) of the ’010 patent, and the right to sublicense the patent-in-
20 suit, collect damages, and sue for infringement and recover past damages from the
21 Defendant.
22
23

24 3. Upon information and belief, Defendant Smartvue is a corporation
25 organized and existing under the laws of the State of Delaware, with its principal
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1 place of business located at 3200 West End Avenue, Suite 500, Nashville, Tennessee
2 37203.

3 4 5 **JURISDICTION AND VENUE**

6 4. This action arises under the Patent Laws of the United States, 35 U.S.C.
7 § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court has
8 subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§
9 1331 and 1338(a).
10

11 5. The Court has personal jurisdiction over Defendant because:
12 Defendant is present within or has minimum contacts with the State of California
13 and the Central District of California; Defendant has purposefully availed itself of
14 the privileges of conducting business in the State of California and in the Central
15 District of California; Defendant has sought protection and benefit from the laws of
16 the State of California; Defendant regularly conducts business within the State of
17 California and within the Central District of California; and Plaintiff's causes of
18 action arise directly from Defendant's business contacts and other activities in the
19 State of California and in the Central District of California.
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23 6. More specifically, Defendant, directly and/or through authorized
24 intermediaries, ships, distributes, offers for sale, sells, and/or advertises (including
25 the provision of an interactive web page) its products and services in the United
26 States, the State of California, and the Central District of California. Upon
27
28

1 information and belief, Defendant has committed patent infringement in the State of
2 California and in the Central District of California. Defendant solicits customers in
3 the State of California and in the Central District of California. Defendant has many
4 paying customers who are residents of the State of California and the Central
5 District of California and who each use Defendant's products and services in the
6 State of California and in the Central District of California.
7

8
9 7. Venue is proper in the Central District of California pursuant to 28
10 U.S.C. §§ 1391 and 1400(b).

11 8. The '010 patent was duly and legally issued by the United States Patent
12 and Trademark Office on October 2, 2007, after full and fair examination for
13 systems and methods for controlling vehicles and/or premises using at least three
14 control devices. Plaintiff is the owner of the '010 patent, and possesses all
15 substantive rights and rights of recovery under the '010 patent with respect to the
16 Defendant, including the right to sue for infringement and recover past damages.
17

18 9. Plaintiff is informed and believes that Smartvue owns, operates,
19 advertises, controls, sells, and otherwise provides hardware and software for
20 "control apparatuses for premises systems" including the Smartvue S9 server and
21 related systems, the Cloudvue service and InsightServer service ("the Smartvue
22 systems") and associated hardware and software. Upon information and belief,
23 Smartvue has infringed and continues to infringe one or more claims of the '010
24 patent by making, using, providing, offering to sell, and selling (directly or through
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PRAYER FOR RELIEF

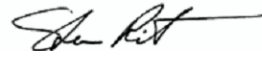
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2 Plaintiff respectfully requests that the Court find in its favor and against
3 Smartvue, and that the Court grant Plaintiff the following relief:
4

- 5 A. An adjudication that one or more claims of the '010 patent have been
6 infringed, either literally and/or under the doctrine of equivalents, by
7 Defendant;
8
- 9 B. An adjudication that Defendant has infringed one or more claims of the
10 '010 patent, either literally and/or under the doctrine of equivalents,
11 and/or has contributed to the infringement of such patent, and/or that
12 such infringement was willful;
13
- 14 C. An award to Plaintiff of damages adequate to compensate Plaintiff for
15 the Defendant's acts of infringement together with pre-judgment and
16 post-judgment interest;
17
- 18 D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining
19 the Defendant from further acts of infringement with respect to the
20 claims of the '010 patent;
21
- 22 E. That this Court declare this to be an exceptional case and award
23 Plaintiff its reasonable attorneys' fees and costs in accordance with 35
24 U.S.C. §285; and
25
- 26 F. Any further relief that this Court deems just and proper.
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Dated: April 26, 2012

Respectfully submitted,



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