

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

vs.

CHRYSLER GROUP LLC, NISSAN NORTH
AMERICA, INC., and GPSI, LLC

Defendants.

Case No.: 1:11-cv-6078

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, “ArrivalStar” or “Plaintiffs”), by and through their undersigned attorneys, for their complaint against defendants Chrysler Group LLC (“Chrysler”), Nissan North America, Inc. (“Nissan”), and GPSi, LLC (“GPSi”)(Chrysler, Nissan and GPSi are referred to herein as “Defendants”) hereby allege as follows:

NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg and having offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,714,859 (“the ‘859 patent”), entitled “System and method for an advance notification system for monitoring and reporting proximity of a vehicle,” issued March 30, 2004. A copy of the ‘859 patent is annexed hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,741,927 (“the ‘927 patent”), entitled “User-definable communications methods and systems,” issued May 25, 2004. A copy of the ‘927 patent is annexed hereto as Exhibit B.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,804,606 (“the ‘606 patent”), entitled “Notification systems and methods with user-definable notifications based upon vehicle proximities,” issued October 12, 2004. A copy of the ‘606 patent is annexed hereto as Exhibit C.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,904,359 (“the ‘359 patent”), entitled “Notification systems and methods with user-definable notifications based upon occurrence of events,” issued June 7, 2005. A copy of the ‘359 patent is annexed hereto as Exhibit D. The ‘359 patent was the subject of an *Inter Partes* reexamination at the United States Patent and Trademark Office. A Reexamination Certificate was issued on May 25, 2010 and is annexed hereto as Exhibit E.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,952,645 (“the ‘645 patent”), entitled “System and method for activation of an advance notification system for monitoring and reporting status of vehicle travel,” issued October 4, 2005. A copy of the ‘645 patent is annexed hereto as Exhibit F.

9. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,191,058 (“the ‘058 patent”), entitled “Notification systems and methods enabling user entry of notification trigger information based upon monitored mobile vehicle location,” issued March 13, 2007. A copy of the ‘058 patent is annexed hereto as Exhibit G.

10. Defendant Chrysler is a Delaware Limited Liability Company with a place of business at 1000 Chrysler Drive, Auburn Hills, Michigan 48326. Chrysler transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the ‘859, ‘927, ‘606, ‘359, ‘645, and ‘058 patents.

11. Defendant Nissan is a Delaware Corporation with a place of business at One Nissan Way, Franklin, Tennessee. Nissan transacts business and has, at a minimum, offered to provide and/or provided in this judicial district and throughout the State of Illinois services that infringe claims of the ‘859, ‘927, ‘606, ‘359, ‘645, and ‘058 patents.

12. Defendant GPSi is a Michigan Limited Liability Company with a place of business at 25307 Dequindre Road Madison Heights, Michigan 48071. GPSi transacts business and has, at a minimum, offered to provide and/or provided in this judicial district

and throughout the State of Illinois services that infringe claims of the '859, '927, '606, '359, '645, and '058 patents.

13. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

DEFENDANT CHRYSLER'S ACTS OF PATENT INFRINGEMENT

14. Defendant Chrysler has infringed claims of the '859, '927, '606, '359, '645, and '058 patents through, among other activities, the use of Chrysler's Mopar Electronic Vehicle Tracking System.

15. Defendant Chrysler's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '859, '927, '606, '359, '645, and '058 patents.

DEFENDANT NISSAN'S ACTS OF PATENT INFRINGEMENT

16. Defendant Nissan has infringed claims of the '859, '927, '606, '359, '645, and '058 patents through, among other activities, the use of Nissan's VTRS vehicle tracking system.

17. Defendant Nissan's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '859, '927, '606, '359, '645, and '058 patents.

DEFENDANT GPSI'S ACTS OF PATENT INFRINGEMENT

18. Defendant GPSi has infringed claims of the '859, '927, '606, '359, '645, and '058 patents through, among other activities, the use of GPSi's Guidepoint vehicle tracking system.

19. GPSi developed the VTRS vehicle tracking system for Nissan and the Mopar Electronic Vehicle Tracking System for Chrysler.

20. Defendant GPSi's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '859, '927, '606, '359, '645, and '058 patents.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendants, and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate ArrivalStar for the infringement that has occurred, together with prejudgment interest from the date that Defendant's infringement of the ArrivalStar patents began;
- B. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the ArrivalStar patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: August 31, 2011

Respectfully submitted,

/s/ Anthony E. Dowell

Anthony E. Dowell
aedowell@dowellbaker.com
Geoffrey D. Smith
GSmith@dowellbaker.com
DOWELL BAKER, P.C.
201 Main St., Suite 710
Lafayette, IN 47901
(765) 429-4004
(765) 429-4114 (fax)

**ATTORNEYS FOR PLAINTIFFS
ARRIVALSTAR S.A. and
MELVINO TECHNOLOGIES
LIMITED**