IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BLACKBIRD TECH LLC d/b/a BLACKBIRD TECHNOLOGIES, Plaintiff, v. JET.COM, INC., Defendant.	C.A. No. _____ JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Blackbird Tech LLC d/b/a Blackbird Technologies ("Blackbird Technologies") hereby alleges for its Complaint for Patent Infringement against the above-named Defendant, on personal knowledge as to its own activities and on information and belief as to all other matters, as follows:

THE PARTIES

1. Plaintiff Blackbird Technologies is a limited liability company organized under the laws of Delaware, with its principal place of business located at One Boston Place, Suite 2600, Boston, MA 02108.

2. On information and belief, Defendant Jet.com, Inc. ("Defendant" or "Jet") is a corporation organized under the laws of Delaware, with its principal place of business located at 221 River St., Hoboken, NJ 07030.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code §§ 100, *et seq*.

4. Subject-matter jurisdiction over Blackbird Technologies' claims is conferred upon this Court by 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1338(a) (patent jurisdiction).

5. This Court has personal jurisdiction over Defendant because Defendant is subject to general and specific jurisdiction in the State of Delaware. Defendant has been incorporated in Delaware at all relevant times. Defendant has established minimum contacts with this forum. Defendant regularly conducts business in Delaware, including by offering to sell and/or selling products, such as rearview system products including infringing rearview system products, in Delaware. Defendant's actions constitute patent infringement in this District in violation of 35 U.S.C. § 271, and Defendant has placed infringing products into the stream of commerce, with the knowledge and understanding that such products are imported, made, used, sold and/or offered for sale in this District. The acts by Defendant have caused injury to Blackbird Technologies within this District.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c) and § 1400(b) and because Defendant transacts business within this District and has sold and/or offered for sale in this District products that infringe U.S. Patent No. 7,106,183.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,106,183

7. Blackbird Technologies reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

8. On September 12, 2006, U.S. Patent No. 7,106,183 (the "'183 Patent") entitled, "Rearview Camera and Sensor System for Vehicles," a true and correct copy of which is attached hereto as Exhibit 1, was duly and legally issued by the U.S. Patent and Trademark

Office ("USPTO"). Blackbird Technologies is the owner by assignment of all right, title, and interest to the '183 Patent, including all right to recover for any and all infringement thereof.

9. The '183 Patent is valid and enforceable.

10. Defendant has directly infringed literally and/or under the doctrine of equivalents one or more of the claims of the '183 Patent, including at least claim 13, by importing, selling and/or offering to sell, in this judicial district and/or elsewhere in the United States, at least the TadiBrothers TB-B1 (Ex. 2) rearview system. For example, Defendant describes the TadiBrothers TB-B1 rearview system as a "Color Monitor with Parking Backup Sensor and License Camera Bar," in which "[d]uring parking, the system employs those sensors to detect nearby objects that might not be in your field of view, using audible signals and illuminated displays to help you pull in. When the car approaches too close to an object in the detection zone, an alarm sounds, increasing the intensity in proportion to distance from the object, simultaneously displaying the direction and distance." (*See* Ex. 2). Defendant's infringing activities violate 35 U.S.C. § 271(a).

11. Upon information and belief, the owner(s) of the '183 Patent have complied with 35 U.S.C. § 287(a) at all relevant times.

12. Blackbird Technologies is informed and believes, and on that basis alleges, that Defendant has gained profits by virtue of its infringement of the '183 Patent.

13. Blackbird Technologies has sustained damages as a direct and proximate result of Defendant's infringement of the '183 Patent.

14. As a consequence of Defendant's infringement of the '183 Patent, Blackbird Technologies is entitled to the recovery of past damages in the form of, at a minimum, a reasonable royalty.

15. Upon information and belief, Defendant will continue to infringe the '183 Patent unless enjoined by this Court.

16. As a consequence of continued infringement of the '183 Patent by Defendant complained of herein, Blackbird Technologies has been irreparably damaged to an extent not yet determined and will continue to be irreparably damaged by such acts unless Defendant is enjoined by this Court from committing further acts of infringement. Blackbird Technologies has no adequate remedy at law. In the event this Court determines that it will not award injunctive relief, this Court should require Defendant to pay damages for past infringement of the '183 Patent and royalties for its infringement of the '183 Patent on a going-forward basis.

PRAYER FOR RELIEF

WHEREFORE, Blackbird Technologies respectfully requests that this Court enter judgment against Defendant, as follows:

A. Adjudging that the '183 Patent is valid and enforceable;

B. Adjudging that Defendant has infringed one or more claims of the '183 Patent, including at least claim 13, literally and/or under the doctrine of equivalents, in violation of 35 U.S.C. § 271;

C. An award of damages to be paid by Defendant adequate to compensate Blackbird Technologies for its past infringement and any continuing or future infringement up until the date such judgment is entered, and in no event less than a reasonable royalty, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary to adequately compensate Blackbird Technologies for Defendant's infringement, an accounting of all infringing sales including, but not limited to, those sales not presented at trial;

D. Granting Blackbird Technologies permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining Defendant, its officers, agents, servants, employees, affiliates, and those persons in active consort with them from future acts of patent infringement of the '183 Patent;

E. In the event that this Court determines that it will not enter injunctive relief, ordering Defendant to continue to pay royalties to Blackbird Technologies for infringement of the '183 Patent on a going-forward basis;

F. This case be judged exceptional under 35 U.S.C. § 285, and costs and attorney's fees be awarded to Blackbird Technologies;

G. Awarding Blackbird Technologies pre-judgment and post-judgment interest at the maximum rate permitted by law on its damages; and

H. Blackbird Technologies be granted such further relief as this Court deems just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Blackbird Technologies demands a trial by jury on all claims and issues so triable.

Dated: May 5, 2016

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