UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.:

ARRIVAL STAR, SA, and MELVINO TECHNOLOGIES LIMITED,

Plaintiffs,

v.

GRIEG GROUP d/b/a GRIEG STAR SHIPPING (USA), INC.

Defendant.

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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively "Plaintiffs"), through their undersigned counsel, hereby sue the above-named defendants for patent infringement, and in support, allege as follows:

**NATURE OF THE LAWSUIT**

1. This is an action for patent infringement of United States Patent Numbers: 6,714,859; 6,952,645; 7,030,781; 7,400,970; 6,904,359 and 6,486,801; arising under the patent laws of the United States, Title 35 of the United States Code.

**JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331; 28 U.S.C. § 1338; and 35 U.S.C. § 271.

3. This Court has personal jurisdiction over each Defendant pursuant to, *inter alia*, Florida's long-arm statute, § 48.193, in that each Defendant: (a) operates, conducts, engages in, and/or carries on a business or business adventure(s) in Florida and/or has an office or agency in

Florida; (b) has committed one or more tortious acts within Florida; (c) was and/or is engaged in substantial and not isolated activity within Florida; and/or (d) has purposely availed itself of Florida's laws, services and/or other benefits and therefore should reasonably anticipate being hailed into one or more of the courts within the State of Florida.

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1400.

**THE PLAINTIFFS**

5. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg, having offices located at 67 Rue Michel, Welter L-2730, Luxembourg. ArrivalStar is the authorized licensee of the patents alleged as being infringed in this lawsuit, with the right to sub-license the patents at issue.

6. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Islands of Tortola, having offices located at P.O. Box 3174, Palm Chambers, 197 Main Street, Road Town, Tortola, British Virgin Islands. Melvino owns all rights, title and interests in the patents alleged as being infringed in this lawsuit.

**THE PLAINTIFFS' PATENTS**

7. Plaintiffs own all right, title and interest in, and/or have standing to sue for infringement of United States Patent Number 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 attached hereto as Exhibit 1.

8. Plaintiffs own all right, title and interest in, and/or have standing to sue for infringement of United States Patent Number 7,030,781 ("the '781 patent"), entitled

"Notification System and Method that Informs a Party of Vehicle Delay", issued April 18, 2006. A copy of the '781 patent is attached hereto as Exhibit 2.

9. Plaintiffs own all right, title and interest in, and/or have standing to sue for infringement of United States Patent Number 7,400,970 ("the '970 patent"), entitled "System and Method for an Advance Notification System for Monitoring and Reporting Proximity of a Vehicle", issued July 15, 2008. A copy of the '970 patent is attached hereto as Exhibit 3.

10. Plaintiffs own all right, title and interest in, and/or have standing to sue for infringement of United States Patent Number 6,904,359 ("the '359 patent"), entitled "Notification System and Methods with User-Defineable Notifications Based Upon Occurrence of Events", issued June 7, 2005. A copy of the '359 patent is attached hereto as Exhibit 4.

**THE DEFENDANT**

11. Defendant Grieg Group d/b/a Grieg Star Shipping (USA), Inc. ("Grieg") is a Georgia Corporation with a principal place of business located at 600 Galleria Parkway SE, Suite 925, Atlanta, GA 30339. Grieg transacts business and has, at a minimum, offered to provide and/or has provided to customers within this Judicial District and throughout the State of Florida services that infringe claims of the '645, '781, '970, '359 patents. Finally, Grieg has agents located and working within this Judicial District utilizing technology which infringes Plaintiffs' patents.

**COUNT I – GRIEG**
**DIRECT PATENT INFRINGEMENT**

12. Plaintiffs hereby incorporate Paragraphs 1 through 11 set forth above as if fully set forth herein.

13. Pursuant to 35 U.S.C. § 271, Grieg has infringed claims of the '645, '781, '970, '359 patents through, among other activities, the commercial sale, offer and/or use of its "Grieg

IT Services" and other programs/products/services/systems which utilize tracking and messaging technologies that are protected within the '645, '781, '970, '359 patents.

14. Grieg's direct infringement has injured and will continue to injure Plaintiffs unless and until a monetary judgment is entered in favor of Plaintiffs and/or the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '645, '781, '970, '359 patents.

**REQUEST FOR RELIEF**

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

A. An award of damages against Grieg adequate to compensate Plaintiffs for the infringement that has occurred with respect to Grieg, together with prejudgment interest from the date that Grieg's infringement of the patents at issue began;

B. Increased damages as permitted pursuant to 35 U.S.C. § 284;

C. A finding that this case is exceptional and award to Plaintiffs their attorneys' fees and costs as provided by 35 U.S.C. § 285;

D. A permanent injunction against Grieg prohibiting further infringement of the patents at issue; and,

E. All other relief as the Court or a jury may deem proper and just in this instance.

**COUNT II – GRIEG**
**INDIRECT PATENT INFRINGEMENT**

15. Plaintiffs hereby incorporate Paragraphs 1 through 11 set forth above as if fully set forth herein.

16. Pursuant to 35 U.S.C. § 271, Grieg has infringed claims of the '645, '781, '970, '359 patents through, among other activities, the commercial sale, offer and/or use of its "Grieg IT Services" and programs/products/services/systems which utilize tracking and messaging technologies that are protected within the '645, '781, '970, '359 patents.

17. Grieg's contributory infringement and/or inducement to infringe has injured and will continue to injure Plaintiffs unless and until a monetary judgment is entered in favor of Plaintiffs and/or the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '645, '781, '970, '359 patents.

## REQUEST FOR RELIEF

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

A. An award of damages against Grieg adequate to compensate Plaintiffs for the infringement that has occurred with respect to Grieg, together with prejudgment interest from the date that Grieg's infringement of the patents at issue began;

B. Increased damages as permitted pursuant to 35 U.S.C. § 284;

C. A finding that this case is exceptional and award to Plaintiffs their attorneys' fees and costs as provided by 35 U.S.C. § 285;

D. A permanent injunction against Grieg prohibiting further infringement of the patents at issue; and,

E. All other relief as the Court or a jury may deem proper and just in this instance.

**JURY DEMAND**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury on all issues so triable.

Dated: July 19, 2013.

Respectfully submitted,

/s/ Jason P. Dollard
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**Counsel for Plaintiffs**