

Patent # 6,714,859

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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

**ARRIVALSTAR S.A. and MELVINO  
TECHNOLOGIES LIMITED,**

Plaintiffs,

vs.

**VALLEY METRO RAIL, INC,**

Defendant

**Case No.:**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**(JURY TRIAL REQUESTED)**

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar" or "Plaintiffs"), for their complaint against defendant Valley Metro Rail, Inc. ("Valley Metro Rail") 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).

1 **THE PARTIES**

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

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

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

11 5. Valley Metro Rail is a Civic Arizona Corporation having a place of  
12 business at 101 North 1st Avenue, Suite 1100, Phoenix, Arizona 85003. Valley Metro  
13 Rail transacts business and has, at a minimum, offered to provide and/or provided in this  
14 judicial district and throughout the State of Arizona services that infringe claims of the  
15 ‘859 patent.

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

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18 **DEFENDANT VALLEY METRO RAIL’S ACTS OF**  
19 **PATENT INFRINGEMENT**

20 7. Valley Metro Rail has infringed claims of the ‘859 patent through, among  
21 other activities, the use and sale of Valley Metro Rail’s Nextride systems.

22 8. Valley Metro Rail’s infringement has injured, and will continue to injure  
23 ArrivalStar unless and until this Court enters an injunction prohibiting further  
24 infringement and, specifically, enjoining further use of methods and systems that come  
25 within the scope of the ‘859 patent.  
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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs ask this Court to enter judgment against Valley Metro Rail, its subsidiaries, affiliates, agents, servants, employees, and all persons in active concert or participation with it, 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 Valley Metro’s infringement of the ArrivalStar patent 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 patent; and
- E. Such other relief as this Court or a jury may consider proper and just.

**JURY DEMAND**

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

Respectfully submitted on May 22, 2011,

**Venable, Campillo, Logan & Meaney, P.C.**

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