

Johnathan E. Mansfield, OSB #055390

Email jmansfield@schwabe.com
Schwabe, Williamson & Wyatt, P.C.
Pacwest Center
1211 SW 5th Ave., Suite 1900
Portland, OR 97204
Telephone 503-222-9981
Fax 503-796-2900

Edward W. Goldstein (*pro hac vice pending*)

Email egoldstein@gfpiplaw.com

Corby R. Vowell (*pro hac vice pending*)

Email cvowell@gfpiplaw.com

Goldstein, Faucett & Prebeg, L.L.P.

1177 West Loop South, Suite 400

Houston, TX 77027

Telephone 713-877-1515

Fax 713-877-1145

Attorneys for Plaintiff Gary Odom

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GARY ODOM, an Oregon resident,

Plaintiff,

v.

ATTACHMATE CORPORATION, a

Washington corporation,

AUSTHINK USA, INC., a Delaware
corporation,

BAE SYSTEMS, INC., a Delaware
corporation,

BBS TECHNOLOGIES, INC., a Texas
corporation,

COMPONENTONE, LLC, a Pennsylvania
corporation,

CV'09-406-AC
Civil Action No. _____

PLAINTIFF'S ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

DIONEX CORPORATION, a Delaware corporation,
DUOSERVE, INC., a California corporation,
EMPORTAL, INC., a California corporation,
ESQUIRE INNOVATIONS, INC., a Nevada corporation,
FINDEX.COM, INC., a Nevada corporation,
FRONTLINE SYSTEMS, INC., a Nevada corporation,
GE FANUC INTELLIGENT PLATFORMS, INC., a Delaware corporation,
LIVINGSTON TECHNOLOGIES, INC., a Utah corporation,
MATCHWARE, INC., a Florida corporation,
METAPRODUCTS CORPORATION, a Florida corporation,
MICROSYSTEMS COMPANY, LLC, an Illinois corporation,
MINDJET CORPORATION, a Delaware corporation,
MVP SYSTEMS SOFTWARE, INC., a Connecticut corporation,
OMNIVEX CORPORATION, an Ontario corporation,
PROMT AMERICAS, a California corporation,
SIEMENS PRODUCT LIFECYCLE MANAGEMENT SOFTWARE, INC., a Delaware corporation,
SIMTECH SOFTWARE, INC., a Texas corporation,
SMARTDRAW.COM, a California corporation,
TECHSMITH CORPORATION, a Michigan corporation,
TLM, INC., a Washington corporation,
TRADERS DEVELOPMENT, LLC, a California corporation,
UNIFY CORPORATION, a Delaware corporation,

Defendants.

I. NATURE OF THE ACTION

Plaintiff Gary Odom ("Odom") brings this action against Attachmate Corporation ("Attachmate"), Austhink USA, Inc. ("Austhink"), BAE Systems, Inc. ("BAE"), BBS Technologies, Inc. ("BBS"), ComponentOne, LLC ("ComponentOne"), Dionex Corporation ("Dionex"), Duoserve, Inc. ("Duoserve"), Emportal, Inc. ("Emportal"), Esquire Innovations, Inc. ("Esquire"), FindEx.com, Inc. ("FindEx.com"), Frontline Systems, Inc. ("Frontline"), GE Fanuc Intelligent Platforms, Inc. ("GE Fanuc"), Livingston Technologies, Inc. ("Livingston"), Matchware, Inc. ("Matchware"), MetaProducts Corporation ("MetaProducts"), Microsystems Company, LLC ("Microsystems"), Mindjet Corporation ("Mindjet"), MVP Systems Software, Inc. ("MVP"), Omnivex Corporation ("Omnivex"), PROMT Americas ("PROMT"), Siemens Product Lifecycle Management Software Inc. ("Siemens PLM"), SimTech Software Inc. ("SimTech"), SmartDraw.com ("SmartDraw"), TechSmith Corporation ("TechSmith"), TLM, Inc. ("TLM"), Traders Development, LLC ("Traders"), and Unify Corporation ("Unify") (collectively "Defendants"), for patent infringement under the laws of the United States, Title 35, United States Code.

II. JURISDICTION AND VENUE

1. This is an action under the laws of the United States, 35 U.S.C. § 101 et seq. This Court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331, 1337 and 1338(a).

2. Venue is proper in this judicial District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because Defendants have done business in this District, have committed acts of infringement in this District, and continue to commit acts of infringement in this District, entitling Odom to relief.

III. PARTIES

3. Odom alleges all facts herein on information and belief, except those facts concerning the activities of Odom.

4. Odom is an individual, residing at 1223 NW 12th Avenue, #1545, Portland,

Oregon 97209.

5. Odom is the sole inventor and owner of the patent at issue in this action, U.S. Patent No. 7,363,592 B1.

6. Attachmate is a Washington Corporation with its principal place of business at 1500 Dexter Avenue N, Seattle, WA 98109-3032. Attachmate may be served through its registered agent, CT Corporation System, 388 State Street, Suite 420, Salem, OR 97301-3581.

7. Austhink is a Delaware Corporation with its principal place of business at 5576 Glenbrook Drive, Oakland, CA 94618-1720. Austhink may be served through its registered agent, Matteo G. Daste, 199 Fremont Street, Floor 21, San Francisco, CA 94105-6640.

8. BAE is a Delaware Corporation with its principal place of business at 1601 Research Boulevard Rockville, MD 20850-3126. BAE may be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

9. BBS is a Texas Corporation with its principal place of business at 802 Lovett Boulevard, Houston, TX 77006-3906. BBS may be served through its registered agent, CT Corporation System, 350 N Saint Paul Street, Dallas, TX 75201-4240.

10. ComponentOne is a Pennsylvania Corporation with its principal place of business at 4516 Henry Street, Suite 500, Pittsburgh, PA 15213-3730. ComponentOne may be served through its registered agent, Gustavo Eydelsteyn, 98 Walnut Avenue, Atherton, CA 94027.

11. Dionex is a Delaware Corporation with its principal place of business at 1228 Titan Way, Sunnyvale, CA 94085-4015. Dionex may be served through its registered agent, Corporation Service Company, 10 E South Temple, Salt Lake City, UT 84133-1101.

12. Duoserve is a California Corporation with its principal place of business at 281 Kilworth Drive, Corona, CA 92882-6302. Duoserve may be served through its registered agent, Samer Abdullah, 281 Kilworth Drive, Corona, CA 92882-6302.

13. Emportal is a California Corporation with its principal place of business at

1646 N California Boulevard, Suite 200, Walnut Creek, CA 94596-4158. Emportal may be served through its registered agent, Kevin Grauman, 1646 N California Boulevard, Suite 200, Walnut Creek, CA 94596-4158.

14. Esquire is a Nevada Corporation with its principal place of business at 27574 Commerce Center Drive, Suite 130, Temecula, CA 92590-2535. Esquire may be served through its registered agent, CSC Services of Nevada, Inc., 502 E John Street, Carson City, NV 89706.

15. FindEx.com is a Nevada Corporation with its principal place of business at 620 N 129th Street, Omaha, NE 68154-6107. FindEx.com may be served through its registered agent, The Corporation Trust Company of Nevada, 500 Reno, Reno, NV 89511.

16. Frontline is a Nevada Corporation with its principal place of business at PO BOX 4288, Incline Village, NV 89450-4288. Frontline may be served through its registered agent, David A. Garcia, Kietzke Lane, 2nd Floor, Reno, NV 89511.

17. GE Fanuc is a Delaware Corporation with its principal place of business at 29 N & Route 606, Charlottesville, VA 22911. GE Fanuc may be served through its registered agent, CT Corporation System, 388 State Street Suite 420, Salem, OR 97301-3581.

18. Livingston is a Utah Corporation with its principal place of business at 3392 Harvest CV, Lehi, UT 84043-9560. Livingston may be served through its registered agent, Bryan Keith Livingston, 3392 Harvest CV, Lehi, UT 84043-9560.

19. Matchware is a Florida Corporation with its principal place of business at 311 S Brevard Avenue, Tampa, FL 33606-2213. Matchware may be served through its registered agent, Ulrik Merrild, 311 S Brevard Avenue, Tampa, FL 33606-2213.

20. MetaProducts is a Florida Corporation with its principal place of business at 702 Berrocales De Avila, Tampa, FL 33613-1098. MetaProducts may be served through its registered agent, Robert Atwell Jr., 702 Berrocales De Avila, Tampa, FL 33613-1098.

21. Microsystems is an Illinois Corporation with its principal place of business at

3025 Highland Park Way, Suite 450, Downers Grove, IL 60515. Microsystems may be served through its registered agent, John Rigas, 3025 Highland Park Way, Suite 450, Downers Grove, IL 60515.

22. Mindjet is a Delaware Corporation with its principal place of business at 1160 Battery Street, Floor 4, San Francisco, CA 94111-1216. Mindjet may be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

23. MVP is a Connecticut Corporation with its principal place of business at 11 Wollmann Farms Road, Burlington, CT 06013-1625. MVP may be served through its registered agent, Scott B McCausland, 11 Wollmann Farms Road, Burlington, CT 06013-1625.

24. Omnivex is an Ontario Corporation with its principal place of business at 3300 Highway 7, Suite 501, Concord, Ontario L4K 4M3 Canada. Omnivex may be served through its registered agent, Illinois Corporation Service Company, 801 Stevenson Drive, Springfield, IL 62703-4261.

25. PROMT is a California Corporation with its principal place of business at 330 Townsend Street, Suite 204, San Francisco, CA 94107-1662. PROMT may be served through its registered agent, National Registered Agents, Inc., 2875 Michelle, Suite 100, Irvine, CA 92606-1024.

26. Siemens PLM is a Delaware Corporation with its principal place of business at 5800 Granite Parkway, Suite 600, Plano, TX 75024-6612. Siemens PLM may be served through its registered agent, C T Corporation System, 350 N Saint Paul Street, Dallas, TX 75201-4240.

27. SimTech is a Texas Corporation with its principal place of business at 1565 W Main Street, Suite 208-310, Lewisville, TX 75067-3394. SimTech may be served through its registered agent, Patrick Koh, 1565 W Main Street, Suite 208-310, Lewisville, TX 75067-3394.

28. SmartDraw is a California Corporation with its principal place of business at

9909 Mira Mesa Boulevard, Suite 300, San Diego, CA 92131-1064. SmartDraw may be served through its registered agent, Andrew Resnick, 10845 Gabacho Drive, San Diego, CA 92124-1408.

29. TechSmith is a Michigan Corporation with its principal place of business at 2405 Woodlake Drive, Okemos, MI 48864-5910. TechSmith may be served through its registered agent, William Hamilton, 2405 Woodlake Drive, Okemos, MI 48864-5910.

30. TLM is a Washington Corporation with its principal place of business at 3670 Woodland Park Avenue N, Seattle, WA 98103. TLM may be served through its registered agent, Robert McNeel, 3670 Woodland Park Avenue N, Seattle, WA 98103.

31. Traders is a California Corporation with its principal place of business at 17337 Ventura Boulevard, Suite 228, Encino, CA 91316-4048. Traders may be served through its registered agent, Mark Rabinovich, 17337 Ventura Boulevard, Suite 228, Encino, CA 91316-4048.

32. Unify is a Delaware Corporation with its principal place of business at 1420 Rocky Ridge Drive, Suite 380, Roseville, CA 95661. Unify may be served through its registered agent, Steven D Bonham, 1420 Rocky Ridge Drive, Suite 380, Roseville, CA 95661.

IV. CAUSE OF ACTION

INFRINGEMENT OF U.S. PATENT NO. 7,363,592 B1

33. On April 22, 2008, United States Patent No. 7,363,592 B1 (“the ‘592 patent”) was duly and legally issued for an invention entitled “Tool Group Manipulations.” Odom is the sole inventor and owner of the ‘592 patent, and holds all rights and interest in the ‘592 patent. A true and correct copy of the ‘592 patent is attached hereto as Exhibit A.

34. Attachmate has infringed and continues to infringe at least claims 8, 10 and 14 of the ‘592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Reflection which includes the Ribbon user interface. Attachmate is liable for

its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

35. Austhink has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including bCisive which includes the Ribbon user interface. Austhink is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

36. BAE has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including SOCET GXP v3.0 which includes the Ribbon user interface. BAE is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

37. BBS has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including PowerShare Plus which includes the Ribbon user interface. BBS is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

38. ComponentOne has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Doc-To-Help 2009 which includes the Ribbon user interface. ComponentOne is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

39. Dionex has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Chromeleon7 which includes the Ribbon user interface. Dionex is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

40. Duoserve has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including ScheduFlow 2008 which includes the Ribbon user interface. Duoserve is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

41. Emportal has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Emportal HCM which includes the Ribbon user interface. Emportal is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

42. Esquire has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including iCreate and iHyperstyles which include the Ribbon user interface. Esquire is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

43. FindEx.com has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including QuickVerse which includes the Ribbon user interface. FindEx.com is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

44. Frontline has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Risk Solver which includes the Ribbon user interface. Frontline is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

45. GE Fanuc has infringed and continues to infringe at least claims 8, 10 and 14 of

