**IN THE UNITED STATES DISTRICT COURT**
**FOR THE MIDDLE DISTRICT OF FLORIDA**
**ORLANDO DIVISION**

OMEGA PATENTS, LLC,
a Georgia limited liability company,

Plaintiff,

vs.

**Case No.** 6:13-cv-1950-orl-31DAB

CALAMP CORP.,
a Delaware corporation,

Defendant.
_____/

**INJUNCTIVE RELIEF REQUESTED**

**JURY TRIAL REQUESTED**

## COMPLAINT

Plaintiff Omega Patents, LLC, through its undersigned counsel, for its complaint against Defendant CALAMP CORP., states:

## PARTIES, JURISDICTION AND VENUE

1. Plaintiff Omega Patents, LLC ("Omega") is a Georgia limited liability company.

2. Defendant CalAmp Corp., ("CalAmp") is, upon information and belief, a Delaware corporation, which sells and offers for sale infringing products in the United States, including within this Judicial District.

3. This Court has jurisdiction over the subject matter of this action as to CalAmp pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has *in personam* jurisdiction as to CalAmp because, upon information and belief, CalAmp is subject to both general and specific jurisdiction in this State. More particularly, upon information and belief, CalAmp

regularly conducts business activity in the State of Florida and sells and offers to sell products that infringe one or more claims of Omega's patents in the State of Florida. Additionally, CalAmp expressly consented to jurisdiction and venue in this District and Division pursuant to a negotiated settlement agreement. A copy of the Settlement Agreement is attached hereto as Exhibit A.

5. Venue properly lies within this judicial district and division, pursuant to 28 U.S.C. §§1391(c) and 1400(b), and by express consent of CalAmp.

## STATEMENT OF FACTS

6. Omega is the sole and exclusive owner of the following valid and enforceable United States Patents (collectively, the "Patents-in-Suit"):

| PATENT NO. | TITLE |
|---|---|
| 6,346,876 B1 ("the '876 Patent") | Multi-vehicle compatible control system generating command signals on a data bus and associated methods |
| 6,737,989 B2 ("the '989 Patent") | Vehicle tracker including variable frequency transmission and related methods |
| 6,756,885 B1 ("the '885 Patent") | Multi-vehicle compatible control system for reading from a data bus and associated methods |
| 7,671,727 B2 ("the '727 Patent") | Speed exceeded notification device for vehicle having a data bus and associated methods |
| 8,032,278 B2 ("the '278 Patent") | Vehicle tracking unit with downloadable codes and associated methods |

True and correct copies of the Patents-in-Suit are attached hereto as Exhibit B-F.

7. Kenneth E. Flick, the inventor of the Patents-in-Suit, is recognized as an innovator in the vehicle security systems industry. Mr. Flick has invented many improvements for the vehicle security industry, including innovations covering vehicle tracking.

8. The Patents-in-Suit claim some of Mr. Flick's inventions in the field. Mr. Flick has assigned all of his rights to the inventions claimed in the Patents-in-Suit to Omega.

9. Upon information and belief, CalAmp has sold and offered for sale in the United States and in this Judicial District vehicle tracking products that directly or indirectly infringe upon one or more claims of the Patents-in-Suit.

10. Omega has not granted CalAmp a license to practice the Patents-in-Suit for the accused products.

**COUNT I**

**Action for Infringement of the Patents-in-Suit**

11. Count I is an action by Omega against CalAmp for monetary damages and injunctive relief for CalAmp's infringement of the Patents-in-Suit.

12. Omega herein restates and reincorporates into this Count the allegations of Paragraphs 1 through 11 herein.

13. Upon information and belief, CalAmp has made and/or offered for sale and sold and/or distributed vehicle tracking products, including but not limited to a product identified as the LMU-3000, that infringe directly, by inducement and/or contributorily, one or more claims of the Patents-in-Suit.

14. Omega is entitled to compensatory damages and injunctive relief for CalAmp's infringing activities.

15. Omega put CalAmp on notice of one or more of these patents at least as early as June 2010.

16. Upon information and belief, CalAmp lacks justifiable belief that there is no infringement or that the infringed claims are invalid or has acted with objective and subjective recklessness in its infringing activity. CalAmp's infringement is therefore willful, and Omega is entitled to an award of exemplary damages, attorneys' fees, and costs in bringing this action.

Wherefore, Plaintiff Omega prays this Honorable Court enter such preliminary and final orders and judgments as are necessary to provide Omega with the following requested relief:

A. A preliminary and then permanent injunction enjoining CalAmp from infringing each of the Patents-in-Suit;

B. An award of damages against CalAmp under 35 U.S.C. §284 in an amount adequate to compensate Omega for CalAmp's infringement, but in no event less than a reasonable royalty for the use made by CalAmp of the inventions set forth in the Patents-in-Suit;

C. An award against CalAmp for exemplary damages, attorneys' fees, and costs under 35 U.S.C. § 285; and

D. Such other and further relief as this Court deems just and proper.

## JURY TRIAL REQUEST

Omega requests a trial by jury as to all matters so triable.

Respectfully submitted December 20, 2013.

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