

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**LONG RANGE SYSTEMS, LLC**

**Plaintiff,**

v.

**HME WIRELESS, INC.**

**Defendant.**

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**CIVIL ACTION NO.**

**PLAINTIFF LONG RANGE SYSTEMS, LLC’S ORIGINAL COMPLAINT**

Long Range Systems, LLC (“Plaintiff” or “Long Range”) files this Original Complaint for preliminary and permanent injunctive relief and damages for patent infringement against Defendant HME Wireless, Inc. (“HME”). HME has engaged in what amounts to wholesale theft of Long Range’s intellectual property by infringing, contributorily infringing, or inducing others to infringe Long Range’s valid U.S. Patent No. 6,712,278 entitled “On-Premises Restaurant Communication System and Method” (the “278 patent”).

**PARTIES**

1. Plaintiff Long Range, LLC is a limited liability company organized and existing under the laws of the State of Texas. Long Range maintains its principal place of business in this judicial district at 4550 Excel Pkwy., Suite 200, Addison, Texas 75001.

2. Upon information and belief, Defendant HME Wireless, Inc. is a corporation existing under the laws of the State of Georgia. Defendant may be served with process by serving its registered agent, CT Corporation System, at 1201 Peachtree Street NE, Atlanta, Georgia 30361. On information and belief, HME conducts its business throughout the United States and in this judicial district, including by offering for sale and selling.

## **JURISDICTION AND VENUE**

3. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. §§ 1 *et seq.*, including 35 U.S.C. § 271(a), (b), and (c).

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant HME. Among other reasons, upon information and belief, Defendant has done business in this judicial district, has continuous and systematic contacts with this district, has committed and continues to commit acts of patent infringement in this judicial district, and has harmed and continues to harm Long Range in this judicial district by, among other things, selling and offering to sell infringing products in this judicial district.

6. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400 because, among other reasons, Defendant is subject to personal jurisdiction and has committed acts of patent infringement in this judicial district.

## **GENERAL ALLEGATIONS**

7. On March 30, 2004, U.S. Patent No. 6,712,278 B2 (“the ‘278 patent”) was issued by the United States Patent and Trademark Office (“USPTO”) for an “On-Premises Restaurant Communication System and Method.” A copy of the ‘278 patent is attached as Exhibit A.

8. Long Range is the owner by assignment of the ‘278 patent and has the right to bring an action for infringement of the ‘278 patent. The Plaintiff, Long Range Systems L.L.C. is the owner of all right, title and interest by assignment from Long Range2, Inc. (f/k/a Long Range Systems, Inc.)<sup>1</sup> the original assignee of the patent. The assignment from the inventors to Long

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<sup>1</sup> Long Range Systems, Inc. filed a change of name with the Texas Secretary of State on December 14, 2011 thereby changing its name from Long Range Systems, Inc. to Long Range 2, Inc.

Range Systems, Inc. was recorded on May 28, 2002, Reel: 012949, Frame: 0224. The assignment from Long Range 2, Inc. to Long Range Systems, L.L.C. was recorded on August 30, 2012, Reel: 28878, Frame 0658.

**COUNT 1: INFRINGEMENT OF THE '278 PATENT**

9. Plaintiff refers to and incorporates all preceding paragraphs as though fully set forth herein.

10. Defendant HME has infringed and continues to infringe – directly, contributorily, and/or by active inducement – one or more claims of the '278 patent, by making, importing, offering to sell, selling, causing to be supplied, using, and/or causing to be used systems and methods that embody or practice the inventions claimed in the '278 patent. Such systems and methods include HME's TrackSmart™ table location system.

11. For example, Defendant directly infringes the '278 patent by selling and/or offering to sell HME's TrackSmart™ table location system in this judicial district, or alternatively, indirectly infringes the '278 patent by contributing to and/or actively inducing others to operate HME's TrackSmart™ table location system in this judicial district.

12. This infringement of the '278 patent has injured and continues to injure Long Range, and will cause irreparable harm unless such infringement is enjoined.

**PRAYER FOR RELIEF**

Plaintiff Long Range prays for judgment and the following relief:

- A. Judgment that Defendant HME has infringed the '278 patent;
- B. An award of preliminary and permanent injunctions enjoining Defendant, and its agents, servants, officers, directors, employees, and persons or entities acting in concert with

Defendant, from infringing directly or indirectly, inducing others to infringe, and/or contributing to the infringement of the '278 patent;

C. An award to Long Range for the damages necessary to compensate it for Defendant's infringement of the '278 patent pursuant to 35 U.S.C. § 284;

D. An award to Long Range of its attorneys' fees, costs, expert witness fees, and expenses incurred by Long Range in connection with this action pursuant to 35 U.S.C. § 285;

E. Prejudgment and post-judgment interest; and

F. Award Plaintiff any and all other relief as the Court deems just and equitable.

**DEMAND FOR JURY TRIAL**

Long Range hereby demands that all issues be determined by a jury.

September 7, 2012

Respectfully submitted,

*/s/ J. David Cabello*

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J. David Cabello

*Attorney-in-Charge*

Texas State Bar No. 03574500

Russell T. Wong

Texas State Bar No. 21884235

WONG, CABELLO, LUTSCH,

RUTHERFORD & BRUCCULERI, L.L.P.

20333 State Hwy. 249, Ste. 600

Houston, Texas 77070

Telephone: (832) 446-2400

Facsimile: (832) 446-2424

E-Mail: [rwong@counselip.com](mailto:rwong@counselip.com)

E-Mail: [dcabello@counselip.com](mailto:dcabello@counselip.com)

**COUNSEL FOR PLAINTIFF  
LONG RANGE SYSTEMS, LLC**