

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

**CINSAY, INC.,**

**Plaintiff,**

**vs.**

**NEW ANTICS, LLC,**

**Defendant.**

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**CASE NO.** \_\_\_\_\_

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement by Cinsay, Inc. against New Antics, LLC.

**I. PARTIES**

1. Plaintiff Cinsay, Inc. (“Cinsay”) is a Nevada corporation with its principal place of business in Dallas, Texas.
2. According to the Florida Department of State and New Antics, LLC’s 2013 Florida Limited Liability Company Annual Report, Defendant New Antics, LLC (“Defendant”) is a Florida limited liability company with its principal place of business in Barrington, Illinois. Defendant has appointed Haddock Professional Association, 3300 University Blvd., Suite 218, Winter Park, Florida 32792, as its agent for service of process.

**II. JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this District under 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Defendant has transacted business in this District. Defendant has committed and/or induced acts of patent infringement in this District.

5. This Court has personal jurisdiction over Defendant because the infringing methods, systems and/or software, as described below, have been and continue to be directed to or used by consumers in the State of Texas and the Northern District of Texas. Defendant has committed acts of infringement in violation of 35 U.S.C. § 271 and directly or indirectly placed these infringing methods, systems and/or software into the stream of commerce with the knowledge or understanding that such methods, systems and/or software are used in this State and this District.

6. Upon information and belief, Defendant regularly solicits business in Texas and in this District via the infringing systems and methods.

7. Cinsay has its principal place of business in this District. Defendant's acts cause injury to Cinsay within the District.

### **III. FACTUAL BACKGROUND**

8. On September 10, 2013, the USPTO issued United States Patent No. 8,533,753 ("the '753 Patent") entitled "Interactive Product Placement System and Method Therefor." Cinsay is the current assignee of the '753 Patent. A true and correct copy of the '753 Patent is attached as **Exhibit A**.

9. On October 1, 2013, the USPTO issued United States Patent No. 8,549,555 ("the '555 Patent") entitled "Interactive Product Placement System and Method Therefor." Cinsay is the current assignee of the '555 Patent. A true and correct copy of the '555 Patent is attached as **Exhibit B**.

10. The '753 Patent and the '555 Patent (together, the "Patents-in-Suit") are valid, enforceable, and have not expired.

11. To the extent applicable, Cinsay has at all times complied with 35 U.S.C. § 287.

**IV. COUNT ONE: INFRINGEMENT OF U.S. PATENT NO. 8,533,753**

12. Cinsay repeats and re-alleges each and every allegation contained in paragraphs 1 through 11 above as though fully stated herein.

13. Defendant has been and is now directly infringing, and indirectly infringing by way of inducing infringement of, the '753 Patent in the State of Texas, in this Judicial District, and elsewhere in the United States by, among other things, making, using, offering to sell, selling, and/or importing methods, systems, and/or software covered by one or more claims of the '753 Patent within the United States.

14. Methods, systems, and/or software made, used, offered for sale, or sold by Defendant that infringe the '753 Patent include, but are not limited to, Defendant's products or services associated with interactive videos, interactive text overlays over videos, and/or interactive video players, for example, as used in Defendant's PayRoll videos and/or other products or services. A non-limiting example can be found on Defendant's webpage at <http://newantics.com/payroll/>. The system and related services for the display of these interactive videos is provided by Defendant to users that include Defendant, clients of Defendant, and/or patrons of the clients of Defendant.

15. Defendant is thus liable for infringement of the '753 Patent pursuant to 35 U.S.C. § 271. Defendant has written notice of its infringement by virtue of the filing and service of this Complaint.

16. As a result of the Defendant's infringement of the '753 Patent, Cinsay has suffered monetary damages in an amount not yet determined.

17. Cinsay will be substantially and irreparably harmed by Defendant's infringing activities unless those activities are enjoined by this Court. Cinsay has no adequate remedy at law. As a result of Defendant's infringement, Cinsay is entitled to permanent injunctive relief, restraining and enjoining Defendant and all those in privity with or acting in concert with Defendant from infringing the '753 Patent.

**V. COUNT TWO: INFRINGEMENT OF U.S. PATENT NO. 8,549,555**

18. Cinsay repeats and re-alleges each and every allegation contained in paragraphs 1 through 17 above as though fully stated herein.

19. Defendant has been and is now directly infringing, and indirectly infringing by way of inducing infringement of, the '555 Patent in the State of Texas, in this Judicial District, and elsewhere in the United States by, among other things, making, using, offering to sell, selling, and/or importing methods, systems, and/or software covered by one or more claims of the '555 Patent within the United States.

20. Methods, systems, and/or software made, used, offered for sale, or sold by Defendant that infringe the '555 Patent include, but are not limited to, Defendant's products or services associated with interactive videos, interactive text overlays over videos, and/or interactive video players, for example, as used in Defendant's PayRoll videos and/or other products or services. A non-limiting example can be found on Defendant's webpage at <http://newantics.com/payroll/>. The system and related services for the display of these interactive videos is provided by Defendant to users that include Defendant, clients of Defendant, and/or patrons of the clients of Defendant.

21. Defendant is thus liable for infringement of the '555 Patent pursuant to 35 U.S.C. § 271. Defendant has written notice of its infringement by virtue of the filing and service of this Complaint.

22. As a result of the Defendant's infringement of the '555 Patent, Cinsay has suffered monetary damages in an amount not yet determined.

23. Cinsay will be substantially and irreparably harmed by Defendant's infringing activities unless those activities are enjoined by this Court. Cinsay has no adequate remedy at law. As a result of Defendant's infringement, Cinsay is entitled to permanent injunctive relief, restraining and enjoining Defendant and all those in privity with or acting in concert with Defendant from infringing the '555 Patent.

#### **VI. DEMAND FOR JURY TRIAL**

24. Cinsay hereby demands that all issues be determined by jury.

#### **VII. PRAYER FOR RELIEF**

WHEREFORE, Cinsay prays for relief against Defendant New Antics as follows:

(a) A judgment that Defendant has directly infringed the '753 Patent and/or induced infringement of the '753 Patent;

(b) A judgment that Defendant has directly infringed the '555 Patent and/or induced infringement of the '555 Patent;

(c) An order for preliminary and permanent injunctive relief prohibiting Defendant, its officers, agents, servants, employees, successors, assigns, or all other persons or entities in active concert, participation, or privity with any of the foregoing, from any further acts of infringement of the '753 Patent;

(d) An order for preliminary and permanent injunctive relief prohibiting Defendant, its officers, agents, servants, employees, successors, assigns, or all other persons or entities in active concert, participation, or privity with any of the foregoing, from any further acts of infringement of the '555 Patent;

(e) A judgment and order requiring Defendant to pay Cinsay damages under 35 U.S.C. § 284, together with pre-judgment and post-judgment interest;

(f) A judgment and order requiring Defendant to pay Cinsay the costs of this action;  
and

(g) Such other and further relief as the Court deems just and equitable.

Dated: October 16, 2013.

By: /s/ Jamil N. Alibhai

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CINSAY, INC.**