

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IDEATIVE PRODUCT VENTURES, INC., §

Plaintiff, §

VS. §

CTA DIGITAL, INC., §

Defendant. §

§
§
§
§
§
§
§
§
§
§

Civil Action No.

JURY DEMANDED

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff, Ideative Product Ventures, Inc. ("Ideative"), files this complaint against Defendant, CTA Digital, Inc. ("CTA").

I. INTRODUCTION

1. Ideative asserts CTA has infringed one or more claims of a United States Patent and therefore, seeks monetary damages and permanent injunctive relief.

II. THE PARTIES

2. Ideative is a corporation that is organized and exists pursuant to the laws of Texas. Ideative's principal place of business is in Carrollton, Denton County, Texas.

3. CTA is a corporation that is organized and exists pursuant to the laws of New York. CTA's principal place of business is in Monsey, New York.

III. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the United States Patent Act, 35 U.S.C. §1, *et seq.* This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338.

5. This Court has general personal jurisdiction over CTA because it has maintained systematic and continuous business contacts with the State of Texas. Additionally, this Court has specific personal jurisdiction over CTA because it has committed acts of patent infringement in the State of Texas by offering for sale and selling products that infringe one or more claims of a United States Patent owned by Ideative.

6. CTA engages in business in Texas; however, it does not maintain a resident agent to receive service of process in the State of Texas. Thus, pursuant to V.T.C.A., Tex. Civ. Prac. & Rem. Code §17.044, CTA may be served with process by delivering a true and correct copy of this complaint, together with an original summons, to the Secretary of State for the State of Texas, 1019 Brazos Street, Austin, Texas 78701. Upon receipt of the summons and the copy of the complaint, the Secretary of State will forward process to CTA's agent, Leo Markowitz, 49 S. 2nd Street, Brooklyn, New York 11249.

7. This Court is a proper venue for this case pursuant to 28 U.S.C. §1391 because CTA has committed acts of infringement in this District and Division.

IV. FACTS

8. On February 24, 2009, United States Patent Number 7,494,343 B2 (the "'343 Patent") entitled "Multiple Degrees Of Freedom Connectors And Adapters" was duly issued to Ideative, as assignee of the inventor, Schriefer. A true and correct copy of the '343 Patent is attached to this complaint as Exhibit A.

10. CTA offers for sale and sells in Texas and throughout the world one or more devices, including its 6 ft. Flat 1.3 HDMI Cable with 180 Degree Swivel Plug and its Flat High Speed 12 Feet HDMI Cable with Gold Plated Swivel Connectors (the “Accused Products”), that infringe one or more claims of the ‘343 Patent.

V. CAUSE OF ACTION

COUNT I

(Infringement of U.S. Patent No. 7,494,343 B2)

11. Ideative incorporates the allegations of paragraphs 1 through 10 as if fully reproduced herein.

12. The ‘343 Patent is valid and enforceable.

13. Ideative owns all right, title and interest in and to the ‘343 Patent.

14. CTA, through its importation, manufacture, offers for sale, sales, and use of the Accused Products in the United States, has infringed and continues to infringe one or more claims of the ‘343 Patent.

15. As a direct result of CTA’s infringement, Ideative has incurred and will continue to incur damages, irreparable harm, and impairment of its patent rights.

16. Ideative is entitled to recover from CTA the damages sustained by Ideative as a result of CTA’s wrongful acts in an amount to be proven at trial.

VI. PRAYER

For the foregoing reasons, Plaintiff, Ideative, requests that Defendant be cited to answer herein and that, upon hearing hereof, the Court award the following relief:

- a. Entering judgment in favor of Ideative;
- b. Awarding damages in an amount to be determined at trial;
- c. Enjoining the Defendant from any further infringement of Ideative's Patents;
- d. Awarding Ideative its costs incurred in connection with the prosecution of its claims; and
- e. Awarding Ideative any and all other relief to which it may be entitled.

Dated: January 13, 2014

Respectfully Submitted,

By: s/James E. Davis

JAMES E. DAVIS

State Bar No. 05504200

KLEMCHUK KUBASTA, L.L.P.

8150 N. Central Expressway, 10th Floor
Dallas, Texas 75206

(214) 367-6000 - Telephone

(214) 367-6001 – Facsimile

jim.davis@kk-llp.com

docketing_kkllp@me.com

ATTORNEYS FOR PLAINTIFF