

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

PARKING WORLD WIDE, LLC

Plaintiff

v.

ORACLE, INC.

Defendant

Civil Action No. 4:21-CV-01499-PLC

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

ORACLE, INC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

SWIECICKI & MUSKETT, LLC
ATTN: Mr. Christopher S. Swiecicki
16100 Chesterfield Pkway W, Suite 368
Chesterfield, MO 63017

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 01/18/2022

/s/ Christopher S. Swiecicki
Signature of Clerk or Deputy Clerk

Civil Action No. 4:21-CV-01499-PLC

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PARKING WORLD WIDE LLC,
A Missouri Limited Liability Company,

Plaintiff,

vs.

CITY OF SAN FRANCISCO,
A California Municipality,

Defendant,

and

SERCO GROUP Plc,
A British Company based in Hampshire

Defendant,

and

ORACLE,
A Delaware Corporation,

Defendant,

and

PARKINGCARMA,
A Delaware Corporation,

Defendant,

and

City of Clayton, Missouri,
A Missouri Municipality,

Defendant,

and

Passport Labs, Inc.,
A North Carolina Corporation,

Defendant.

Case No.

JURY TRIAL DEMANDED

COMPLAINT

1) That Plaintiff is a single member Missouri Limited Liability Company with the member being a citizen of the State of Missouri.

2) That the City of San Francisco is a municipality in the State of California and citizen of the State of California.

3) That Servco Group Plc is a company with its domicile in England and is a citizen of a foreign country.

4) That Oracle is a corporation that is incorporated in the State of Delaware.

5) That Parking Carma is a corporation that is incorporated in the State of Delaware.

6) That the City of Clayton is a Missouri municipality.

7) That Passport Labs, Inc. is a corporation that is incorporated in the State of North Carolina.

8) Venue is proper in this court as the patented method in question was developed in this district and patented while in this district. 35 USC § 1338.

COUNT I
DIRECT PATENT INFRINGEMENT

9) That on or about October 8, 2019, Plaintiff was awarded Patent US 10,438,421 B2 ("Patent").

10) The Patented method is a parking status system that overlays images of a street, a lot, or a garage with representations of parked vehicles the status of any parking space shown in the image and uses same for enforcement of parking laws.

11) The Patented method transforms parking space, payment, and subscriber data into parking space status shown in real time to a user.

12) Claim 1 of the Patent includes, inter alia, assembling a database upon a computer of parking spaced including their geographic locations and updating a database upon a computer of subscribers.

13) Claim 5 of the Patent includes, inter alia, assembling a database upon a computer of parking spaced including their geographic locations and updating a database upon a computer of subscribers.

14) The City of San Francisco through the San Francisco Municipal Transportation Agency ("SFMTA") infringes on Plaintiff's Patent by using demand responsive pricing and SFPark parking control software with a database of metered parking spaces that copies Plaintiff's patented method and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

15) That pursuant to a letter produced by the SFMTA dated November 23, 2020 if SFMTA has infringed on any patent claim and/or intellectual property infringement Serco provided intellectual property a portion of some and/or of such intellectual property and as such contributed to the infringement of patent pursuant to 35 U.S.C. § 271(a).

16) That pursuant to a letter produced by the SFMTA dated November 23, 2020 if SFMTA has infringed on any patent claim and/or intellectual property infringement Oracle provided intellectual property a portion of some and/or of such intellectual property and as such contributed to the infringement of patent pursuant to 35 U.S.C. § 271(a).

17) That pursuant to a letter produced by the SFMTA dated November 23, 2020 if SFMTA has infringed on any patent claim and/or intellectual property infringement ParkingCarma provided intellectual property a portion of some and/or of such intellectual

property and as such contributed to the infringement of patent pursuant to 35 U.S.C. § 271(a).

18) Upon information and belief Serco has and is infringing upon Plaintiff's patent in other jurisdictions in the United States and most likely, in the State of Missouri and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

19) Upon information and belief Oracle has and is infringing upon Plaintiff's patent in other jurisdictions in the United States and most likely, in the State of Missouri and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

20) Upon information and belief ParkingCarma has and is infringing upon Plaintiff's patent in other jurisdictions in the United States and most likely, in the State of Missouri and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

21) The actions of said Defendants have caused and are causing Plaintiff to suffer monetary damages.

22) Further actions by Defendants will cause continued harm to Plaintiff and as such must be ordered to immediately stop infringing on Plaintiff's patent.

WHEREFORE, Plaintiff moves for a judgment in its favor and against Defendants in proportion of damages caused to Plaintiff, an Order demanding that Defendants cease infringing on Plaintiff's patent and enter any other Orders this Court deems necessary and proper.

COUNT II
DIRECT PATENT INFRINGEMENT

23) That on or about October 8, 2019, Plaintiff was awarded Patent US 10,438,421 B2 ("Patent").

24) The Patented method is a parking status system that overlays images of a street, a lot, or a garage with representations of parked vehicles the status of any parking space shown in the image and uses same for enforcement of parking laws.

25) The Patented method transforms parking space, payment, and subscriber data into parking space status shown in real time to a user.

26) Claim 1 of the Patent includes, inter alia, assembling a database upon a computer of parking spaced including their geographic locations and updating a database upon a computer of subscribers.

27) Claim 5 of the Patent includes, inter alia, assembling a database upon a computer of parking spaced including their geographic locations and updating a database upon a computer of subscribers.

28) The City of Clayton, Missouri infringes on Plaintiff's Patent by using demand responsive pricing and SFPark parking control software with a database of metered parking spaces that copies Plaintiff's patented method and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

29) Upon information and belief, Passport Labs, Inc. provided intellectual property and a portion of some and/or of such intellectual property and as such contributed to the infringement of patent pursuant to 35 U.S.C. § 271(a).

30) Upon information and belief Passport Labs, Inc. has and is infringing upon Plaintiff's patent in other jurisdictions in the United States and most likely, in the State of Missouri and as such is an infringement of patent pursuant to 35 U.S.C. § 271(a).

31) The actions of said Defendants have caused and are causing Plaintiff to suffer monetary damages.

32) Further actions by Defendants will cause continued harm to Plaintiff and as such must be ordered to immediately stop infringing on Plaintiff's patent.

WHEREFORE, Plaintiff moves for a judgment in its favor and against Defendants in proportion of damages caused to Plaintiff, an Order demanding that Defendants cease infringing on Plaintiff's patent and enter any other Orders this Court deems necessary and proper.

SWIECICKI & MUSKETT, LLC

By: /s/ Christopher S. Swiecicki
Christopher S. Swiecicki #38402MO
16100 Chesterfield Parkway W, Ste. 368
Chesterfield, MO 63017
636.778.0209 Office
314.341.5796 Cell
636.238.4358 Fax
Chris@SwiecickiLaw.com
Attorney for Plaintiff

Charles C. McCloskey, LLC

By: /s/ Charles C. McCloskey
Charles C. McCloskey #50725MO
13321 N. Outer 40 Rd. Ste. 100
Town & Country, MO 63017
(636) 527-9962 Office
(314) 550-8830
(314) 786-1201
ccmlaw@socket.net
Attorney for Plaintiff



16100 Chesterfield Parkway West, Ste. 368
Chesterfield, MO 63017

ORACLE

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document here

ORIGIN ID:ZSVA (636) 778-0209
CHRISTOPHER SWIECICKI
SWIECICKI & MUSKETT, LLC
16100 CHESTERFIELD PARKWAY W
SUITE 368
CHESTERFIELD, MO 63017
UNITED STATES US

SHIP DATE: 17 JAN 22
ACTWGT: 0.50 LB
CAD: 102658722/NET4400

BILL SENDER

TO REGISTERED AGENT - ORACLE
CSC- LAWYERING SERVICES
221 BOLIVAR ST

JEFFERSON CITY MO 65101

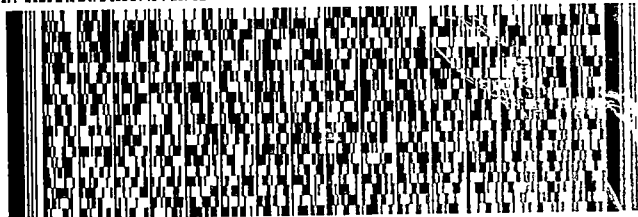
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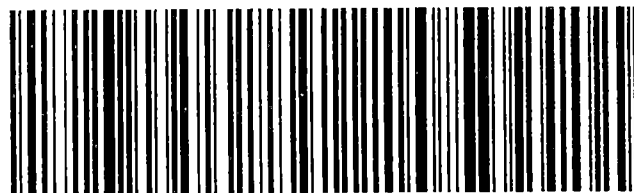
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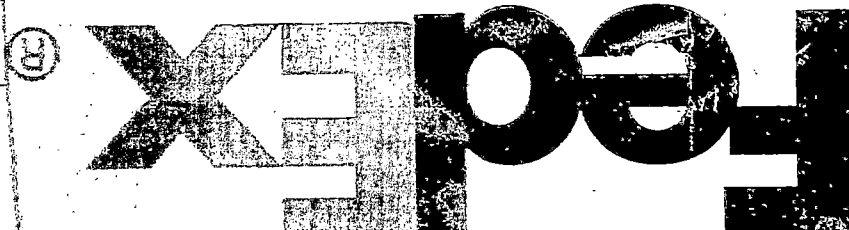


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December 19, 2022

Dear Customer,

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Signed for by:	S.LEWIS	Delivery Location:	
Service type:	FedEx Standard Overnight		
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		Delivery date:	Jan 19, 2022 09:55

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Tracking number:	288782984515	Ship Date:	Jan 18, 2022
		Weight:	
Recipient:		Shipper:	
JEFFERSON CITY, MO, US,		CHESTERFIELD, MO, US,	

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