

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ARRIVALSTAR S.A. AND MELVINO  
TECHNOLOGIES LIMITED,

Plaintiffs,

v.

CENTRAL PUGET SOUND REGIONAL  
TRANSIT AUTHORITY,

Defendant.

Civil Action No. 12-cv-977

PLAINTIFFS' DISCLOSURE OF  
ASSERTED CLAIMS AND  
INFRINGEMENT CONTENTIONS

**I. Disclosure of Asserted Claims and Infringement Contentions**

Pursuant to the Local Patent Rules for the Western District of Washington, Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited ("ArrivalStar") provide the following Initial Infringement Contentions for Central Puget Sound Regional Transit Authority ("Sound Transit"). These contentions are preliminary, and based solely on public information obtained by ArrivalStar. ArrivalStar reserves the right to supplement these contentions as appropriate based upon further discovery and the schedule of this case.

(a) Identification of each claim of each patent in suit that is allegedly infringed by Defendant, Sound Transit including for each claim the applicable statutory subsection of 35 U.S.C. § 271;

**In the claim charts below, ArrivalStar has identified claims of the patents in suit that are infringed by Sound Transit. For each claim in the chart below the applicable statutory subsection of 35 U.S.C. § 271 is subsection (a).**

(b) Separately for each asserted claim, identification of each accused apparatus, product, device, process, method, act, or other instrumentality ("Accused Device") of the opposing party of which the party claiming infringement is aware. This identification shall be as specific as possible. Each Accused Device must be identified by name or model number, if

known. Each method or process shall be identified by name, if known, or by any product, device, or apparatus which, when used, allegedly results in the practice of the claimed method or process;

**In the claim charts below for U.S. Patent No. 7,030,781, for each claim asserted by ArrivalStar against Sound Transit the Accused Device is Sound Transit's delay alert notification system.**

(c) A chart identifying specifically where each element of each asserted claim is found within each Accused Device, including for each element that such party contends is governed by 35 U.S.C. § 112(6), the identity of the structure(s), act(s), or material(s) in the Accused Device that performs the claimed function;

**The claim chart below identifies specifically where each element of each asserted claim is found within each Accused Device. To simplify issues, and to conserve the time and resources of the parties and the court, Plaintiffs have not asserted any means plus function claims at this time.**

(d) For each claim that is alleged to have been indirectly infringed, an identification of any direct infringement and a description of the acts of the alleged indirect infringer that contribute to or are inducing that direct infringement. Insofar as alleged direct infringement is based on joint acts of multiple parties, the role of each such party in the direct infringement must be described;

**ArrivalStar has not alleged indirect infringement in the claim charts below.**

(e) Whether each limitation of each asserted claim is alleged to be literally present or present under the doctrine of equivalents in the Accused Device; and

**In the claim charts below, ArrivalStar asserts that the claims are literally infringed by the Accused Device. ArrivalStar has therefore not made any claims under the doctrine of equivalents at this time.**

(f) For any patent that claims priority to an earlier application, the priority date to which each asserted claim allegedly is entitled;

**The priority date for each asserted claim in the claims charts below is May 18, 1993.**

RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of August, 2012.

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**CERTIFICATE OF FILING AND SERVICE**

I hereby certify that on August 17, 2012, I transmitted the foregoing document via electronic mail and U.S. Mail to the following attorney:

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DATED this 17<sup>th</sup> day of August, 2012 at Lafayette, Indiana.

/s/ Anthony E. Dowell  
Anthony E. Dowell

**U.S. Pat. No. 7,030,781**

**Claim 1**

**Sound Transit's Delay Alert Notification System**

A method, comprising the steps of:

monitoring travel data associated with the vehicle

Sound Transit's system monitors travel data associated with the vehicles in service along their many different routes.

Currently, real-time information is sourced individually from each operating agency and is not shared among them. The agencies have installed various systems that provide real-time data on current vehicle locations and arrival predictions, including GE SCADA systems on Central Link and Tacoma Link, GE ISYS on Sounder, various platform annunciation systems (VMS), DILAX passenger counters, SIRI and GTFS real-time feeds, and INIT, Strategic Mapping and ACS/Orbital CAD/AVL systems. The CAD/AVL systems for buses are at different stages of development and deployment at each of the operating agencies.

comparing planned timing of the vehicle along a route to updated vehicle status information

Sound Transit's vehicles have a planned timing along their routes of travel.

The screenshot shows the Sounder Train website interface. At the top, there are navigation tabs for Weekday, Weekend, Holidays, Map, and Stations. Below the tabs, there is a header for "Everett-Seattle | Sounder Train" with a train icon. A dropdown menu allows users to "View a different route" and "Choose a route". The main content area displays the schedule for the route, effective from February 20, 2011, to June 10, 2012. The schedule table lists train numbers and their arrival and departure times at four stations: Everett Station, Mukilteo Station, Edmonds Station, and Seattle.

Train No	Everett Station	Mukilteo Station	Edmonds Station	Seattle
1701	5:45 am	5:56	6:11	6:44
1703	6:15	6:26	6:41	7:14
1705	6:45	6:56	7:11	7:44
1707	7:15	7:26	7:41	8:14
Amtrak 513*	10:02	:	10:27	11:05
Amtrak 517*	8:59 pm	:	9:24	10:10

\*Amtrak Rail Plus - Special fares apply

	<p>Sound Transit's system compares the planned scheduled of a train to the train's actual travel and notifies users when vehicles along the route have delays.</p> <div data-bbox="636 280 1759 548" style="border: 1px solid black; padding: 10px;"> <p><b>Sound Transit to me</b></p> <p><b>Images are not displayed.</b>  <a href="#">Display images below - Always display images from soundtransit@govdelivery.com</a></p> <p>Northbound Sounder Delay Train 1706</p> <p>Due to a disabled headlight, Tuesday, July 06, 2010, Sounder Train #1706 will be delayed 20 minutes.</p> <p>We apologize for the inconvenience.</p> </div>
<p>contacting a user communications device before the vehicle reaches a vehicle stop along route; and</p>	<p>Sound Transit's system sends out notifications via email messages in advance of vehicles arriving at their stops.</p> <p><i>At 6:05 PM pacific time (9:05 PM eastern) Sound Transit transmitted an alert indicating the 1516 train from Tacoma would be 20 minutes late in arriving at Seattle.</i></p> <div data-bbox="745 760 1648 1091" style="border: 1px solid black; padding: 10px;"> <p> by Google</p> <hr/> <p><b>Sounder delays</b></p> <hr/> <p><b>Sound Transit</b> &lt;soundtransit@public.govdelivery.com&gt; <span style="float: right;">Mon, Feb 13, 2012 at 9:05 PM</span>  Reply-To: Sound Transit &lt;soundtransit@public.govdelivery.com&gt;  To: db2010as@gmail.com</p> <p>Train 1516 (5:00 p.m. Tacoma departure) will arrive in Seattle approximately 20 minutes late due to slow orders. This delay will also cause Train 1517 (6:15 p.m. Seattle departure) to depart approximately 10 minutes late.</p> <p><small>You can view or update your subscriptions, password or e-mail address at any time on your <a href="#">Subscriber Preferences Page</a>. All you will need are your e-mail address and your password (if you selected one).</small></p> <p><small>This e-mail service is provided to you at no charge by <a href="#">Sound Transit</a>. If you have any questions about this service, contact <a href="mailto:support@govdelivery.com">support@govdelivery.com</a> for assistance.</small></p> </div> <p><i>The 1516 train was scheduled to arrive into Seattle at 5:58 PM Pacific, and did not arrive until approximately 6:18 PM Pacific, 13 minutes after the alert notification was transmitted via email.</i></p>

Train No	Tacoma	Puyallup Station	Sumner Station	Auburn Station	Kent Station	Tukwila Station	Seattle
1500	4:55 a.m.	5:07	5:12	5:20	5:27	5:34	5:54
1502	5:35	5:47	5:52	6:01	6:09	6:16	6:34
1504	6:00	6:12	6:17	6:26	6:34	6:41	6:59
1506	6:25	6:37	6:42	6:51	6:59	7:06	7:24
1508	6:50	7:02	7:07	7:16	7:24	7:31	7:49
1510	7:20	7:32	7:37	7:45	7:52	7:59	8:19
1512	8:00	8:12	8:17	8:25	8:32	8:39	8:59
1514	4:25 p.m.	4:37	4:42	4:50	4:57	5:04	5:23
1516	5:00	5:12	5:17	5:25	5:32	5:39	5:58

informing the user of the vehicle delay with respect to the vehicle stop and of updated impending arrival of the vehicle at the vehicle stop, based upon the updated vehicle status information and planned timing.

In addition to notifying users of a delayed vehicle, the Sound Transit system is configured to provide users with updated arrival timing information, such as 20 minutes after the planned arrival time.

