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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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TURRET LABS USA, INC.,

Plaintiff,

Case No.: 19-6793

-against-

COMPLAINT

CARGOSPRINT, LLC and
JOSHUA WOLF, individually,

Defendants.
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Turret Labs USA, Inc. (hereinafter referred to as “Plaintiff” or “Turret Labs”), by its attorneys, Rigano LLC, as and for its complaint (the “Complaint”) against CargoSprint, LLC and Joshua Wolf alleges as follows:

THE PARTIES

1. The Plaintiff is a Delaware corporation whose principal place of business is in Wake County, North Carolina, but that has its primary sales office at John F. Kennedy International Airport, in Queens, New York.

2. Defendant CARGOSPRINT, LLC (hereinafter referred to “CargoSprint”) is a Georgia limited liability company with a principal place of business in Fayette County, Georgia.

3. CargoSprint also has offices in Guadalajara, Mexico and Rajasthan, India.

4. CargoSprint uses its SprintPass software (which forms the basis for this lawsuit) out of several of the largest airports in the United States, specifically JFK Airport in Queens, New York. See <https://www.dwolla.com/updates/cargosprint-releases-sprintpass/>.

5. CargoSprint was originally formed as PayAirCargo, LLC in 2012, but changed its name to CargoSprint, LLC in 2017.

6. Defendant JOSHUA WOLF (hereinafter referred to as “Wolf” and together with CargoSprint, the “Defendants”) is an individual that is the founder, CEO, and sole owner of CargoSprint. Wolf’s domicile is Guadalajara, Mexico.

JURISDICTION AND VENUE

7. Defendants are engaged in interstate commerce, including the transfer of remittance data and currency between accounts located in different states.

8. This Court has subject matter jurisdiction pursuant to at least 18 U.S.C. § 1836 and 18 U.S.C. § 1030(g) as this case arises under various laws of the United States and from issues involving misappropriation of Plaintiff’s trade secrets that are related to a product or service used in interstate commerce.

9. Diversity jurisdiction exists over any state law claims pursuant to 28 U.S.C. § 1332, as Plaintiff does not share citizenship with either Defendant and the amount in controversy exceeds \$75,000.00 exclusive of interests and costs.

10. The Court has supplemental jurisdiction over the state law claims alleged herein pursuant to 28 U.S.C. § 1367 because the state claims are related and intertwined with the claims that form the basis of this lawsuit that are within the Court’s original jurisdiction that form part of the same case or controversy.

11. The Court has personal jurisdiction over CargoSprint because CargoSprint has the sufficient minimum contacts with this forum to confer jurisdiction on it, specifically that CargoSprint actively engages in daily and constant business out of JFK airport located in Queens, New York. Additionally, the bulk of the damage to Plaintiff occurred in Queens, New

York, particularly out of JFK airport. Further, CargoSprint is subject to the long arm jurisdiction of the state of New York because this cause of action arises from its transacting business within the state as well as committing a tortious act within the state.

12. This Court has personal jurisdiction over Joshua Wolf because Wolf manages, directs and controls the actions taken by CargoSprint, which has the sufficient minimum contacts with this forum to confer jurisdiction on it. Specifically, CargoSprint actively engages in daily and constant business out of JFK airport located in Queens, New York. Additionally, the bulk of the damage to Plaintiff occurred in Queens, New York, particularly out of JFK airport. Further, Wolf/CargoSprint is subject to the long arm jurisdiction of the state of New York because this cause of action arises from its transacting business within the state as well as committing a tortious act within the state.

13. Further, CargoSprint's use of Plaintiff's software for purpose of converting Plaintiff's software partially took place involving goods and services entering into JFK in Queens, New York.

14. Venue is proper in this judicial district pursuant to 28 U.S.C 1391(b)(2) because this is the district in which a substantial part of the events or omissions giving rise to the claim occurred and where Plaintiff suffered a large portion of the damages.

GENERAL ALLEGATIONS

15. In 2003, Plaintiff TURRET LABS USA, INC. was incorporated in Delaware.

16. On or about late 2005, Plaintiff and Lufthansa Cargo Americas entered into a joint venture agreement to build a computer-based system to facilitate the reduction of congestion at cargo warehouses. The purpose of the software was to streamline the scheduling of cargo drop-off and pick-up and would allow ground handling warehouse operators to determine whether

freight forwarders—the entities that arrange for the storage and shipping of merchandise on behalf of shippers—have paid the ground handling warehouse operator for cargo storage and handling fees prior to releasing cargo, among its many other functionalities. The software was developed and was called Dock EnRoll.

17. At its core, Dock EnRoll is an air cargo ground handling control application that allows for payment of fees and scheduling of shipments based on United States Customs release notifications, which was the first of its kind at the time.

18. In or about 2008, Plaintiff entered into an exclusive licensing agreement with Lufthansa Cargo Americas for a period of four (4) years. The licensing agreement was renewed thereafter without the exclusivity provisions.

19. Plaintiff would charge ground handlers and warehouse operators for the use of Dock EnRoll, but it was provided free of charge to freight forwarders.

20. On or about 2012, CargoSprint (still using the name PayAirCargo) contacted Plaintiff to inform them that they had been using Dock EnRoll to pay Lufthansa on behalf of freight forwarders but that it was itself a freight forwarder.

21. Plaintiff discovered shortly thereafter, despite Dock EnRoll's use being limited strictly to freight forwarders, that CargoSprint was not a freight forwarder, but that they too were a payment processing company.

22. CargoSprint would log into Dock EnRoll at JFK and Dallas Airport as PayAirCargo and continued to do so after its name change. Logins into the Dock EnRoll system have also been performed by CargoSprint (or PayAirCargo) at ORD in Chicago, LAX in Los Angeles, ATL in Atlanta, and IAH in Huston. There may be other logins performed by or for CargoSprint, but those are unknown at the time.

23. After years of illicit and continuous access to and usage of the Dock EnRoll system for the purpose of using the software to reverse engineer it, in 2018, CargoSprint unveiled a new software called SprintPass, which has identical features to Dock EnRoll.

24. Upon information and belief, an employee or employees of Lufthansa acting as an agent of CargoSprint, without any knowledge by Lufthansa, provided the technical information and algorithms for Dock EnRoll to CargoSprint, including access to the customs releases, which could not have been obtained unless the person has access to Lufthansa's systems.

25. Upon obtaining the information, CargoSprint used offsite logins in either Mexico and/or India to reverse engineer its own software that is identical to Dock EnRoll, particularly the scheduling system.

26. Thereafter, Joshua Wolf then informed the principals of Plaintiff, that it would be competing directly against Plaintiff, using a counterfeit version of the Plaintiff's software platform.

27. CargoSprint profited from the stolen software by providing the scheduling software free of charge, provided that customers agreed to exclusively use CargoSprint's payment system.

28. In 2019, Joshua Wolf approached officers of Alliance Ground Handling, Total Airport Services (TAS) and Mercury Air Cargo, knowing that they all were involved in business dealings with Plaintiff, and told them that the SprintPass system did everything Dock EnRoll did and was superior to Dock EnRoll and that Lufthansa would soon be terminating its agreement with Plaintiff.

29. CargoSprint continues to use SprintPass, the software it developed by reverse engineering the trade secrets stolen from Plaintiff.

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