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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CUOZZO SPEED TECHNOLOGIES
LLC,

Plaintiff,

v.

GARMIN INTERNATIONAL INC.;
GARMIN USA, INC.; and CHRYSLER
GROUP LLC,

Defendants.

CIV. NO. 12-cv-3623 (CCC)(JAD)

CIVIL ACTION

**FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

Plaintiff Cuozzo Speed Technologies LLC, for its First Amended Complaint against Defendants Garmin International Inc. and Garmin USA, Inc. (collectively, “Garmin”), and Chrysler Group LLC states and alleges:

PARTIES

1. Plaintiff Cuozzo Speed Technologies LLC (“CST”) is a limited liability company organized under New Jersey law with a principal place of business at 14 Ver Valen St., Closter, New Jersey 07624.

2. Defendant Garmin International Inc. (“Garmin International”) is a corporation organized under Kansas law with a principal place of business at 1200 E. 151st Street, Olathe, Kansas 66062. Garmin International may be served with process through its registered agent, David Ayres, 1200 East 151st Street, Olathe, Kansas 66062.

3. Defendant Garmin USA, Inc. (“Garmin USA”) is a corporation organized under Kansas law with a principal place of business at 1200 E. 151st Street, Olathe, Kansas 66062. Garmin USA may be served with process through its registered agent, National Registered Agents, Inc. of NJ, 100 Canal Pointe Blvd., Suite 212, Princeton, New Jersey 08540.

4. Defendant Chrysler Group LLC (“Chrysler”) is a limited liability company organized under the laws of Delaware with a principal place of business at 1000 Chrysler Drive, Auburn Hills, Michigan 48326. Chrysler may be served with process through its registered agent, The Corporation Trust Company, 820 Bear Tavern Road, West Trenton, New Jersey 08628.

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, 35 U.S.C. § 1, *et seq.*, including § 271. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this District under 28 U.S.C. § 1391 (b)-(c) and § 1400 (b) because (1) Defendants regularly conduct business in this District and are subject to personal jurisdiction here; (2) a substantial part of the events giving rise to CST's claims occurred in this District; (3) Defendants have committed and continue to commit acts of infringement in this District; and (4) Defendants have harmed and continue to cause harm to CST in this District.

GENERAL ALLEGATIONS

7. On August 17, 2004, the United States Patent and Trademark Office issued United States Patent No. 6,778,074 (the '074 Patent) after a full and fair examination. The '074 Patent is titled "Speed Limit Indicator and Method for Displaying Speed and the Relevant Speed Limit" and issued to the sole inventor, Giuseppe A. Cuzzo. A true and correct copy of the '074 Patent is attached as Exhibit A.

8. The '074 Patent is presumed valid and enforceable under 35 U.S.C. § 282.

9. Since the '074 Patent issued, mobile device manufacturers, software developers, and GPS navigation system manufacturers, including Defendants Garmin USA and Garmin International, and automakers, including Chrysler brands Dodge, Jeep, and FIAT, have recognized the value of Mr. Cuzzo's invention

and developed and sold products and services meeting each and every claim element or practicing each and every step of the claims of the '074 Patent.

10. Garmin International and Garmin USA manufacture, sell, offer to sell, import, and distribute GPS-based navigation systems that provide speed limit warnings to alert drivers that they are exceeding the speed limit.

11. Chrysler imports, manufactures, sells, offers to sell, and distributes vehicles, including the FIAT 500 with the FIAT Blue&Me navigation system, or Garmin nüvi 3790T or nüvi 3760T GPS-based navigation systems, which warn a driver if he or she is driving over a speed limit.

12. Chrysler manufactures, sells, and distributes vehicles, including the Jeep Grand Cherokee, Dodge Journey, and Dodge Challenger with the Garmin uConnect system, which alert a driver when he or she exceeds a speed limit.

13. The uConnect GPS-based navigation system is a product of collaboration between Garmin and Chrysler.

14. CST owns all right, title, and interest to the '074 Patent, including the exclusive right to enforce the '074 Patent, the exclusive right to license the '074 Patent, and the exclusive right to seek and collect all past and future monetary or injunctive relief for infringement of the '074 Patent.

INFRINGEMENT OF U.S. PATENT NO. 6,778,074

15. CST incorporates each of the preceding paragraphs as if fully set forth herein.

16. Garmin has been and is infringing literally and/or under the doctrine of equivalents, directly, contributorily, or by inducement, the '074 Patent.

17. Garmin directly infringes, and will continue to infringe, the '074 patent in violation of 35 U.S.C. § 271 by making, using, selling, offering for sale, and/or importing, without authority, products embodying one or more claims of the '074 Patent.

18. Infringing Garmin products that embody at least claims 1, 2, 6, 9, 10, 11, 12, 13, 18, 19, and 20 of the '074 Patent include, without limitation, the Garmin dezl 560; nuvi 30; nuvi 40; nuvi 50 nuvi 1200 series (excluding the nuvi 1200); nuvi 1300 series (excluding the nuvi 1300) nuvi 1400 series; nuvi 1690; nuvi 2200 series; nuvi 2300 series; nuvi 2400 series; nuvi 2405 series; nuvi 2505 series; nuvi 3400 series; nuvi 3500 series; nuvi 3700 series; LIVE 1695; and LIVE 2300 series.

19. Chrysler has been and is infringing literally and/or under the doctrine of equivalents, directly, contributorily, or by inducement, the '074 Patent.

20. Chrysler directly infringes, and will continue to infringe, the '074 patent in violation of 35 U.S.C. § 271 by making, using, selling, offering for sale,

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