

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

INNOVATIO IP VENTURES, LLC,

Plaintiff,

v.

HYATT CORPORATION;  
HYATT HOTELS CORPORATION;  
SELECT HOTELS GROUP, L.L.C.;  
COMMONWEALTH HOTELS, LLC;  
NOBLE I SCHAUMBURG OP CO, LLC  
(d/b/a Hyatt Place Chicago/Schaumburg);  
AP AIM ROSEMONT TENANT LLC (d/b/a  
Hyatt Rosemont);  
AP AIM LISLE TENANT LLC (d/b/a Hyatt  
Lisle);  
AP AIM DEERFIELD TENANT LLC (d/b/a  
Hyatt Deerfield);  
HYATT REGENCY WOODFIELD -  
SCHAUMBURG; and  
HYATT SUMMERFIELD SUITES  
CHICAGO/SCHAUMBURG,

Defendants.

Civil Action No. 11-cv-6145

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

For its Original Complaint for Patent Infringement, Plaintiff Innovatio IP Ventures, LLC (“Innovatio”), by and through its undersigned counsel, alleges against Hyatt Corporation; Hyatt Hotels Corporation; Select Hotels Group, L.L.C.; Commonwealth Hotels, LLC; Noble I Schaumburg Op Co, LLC; AP Aim Rosemont Tenant LLC; AP Aim Lisle Tenant LLC; AP Aim Deerfield Tenant LLC; Hyatt Regency Woodfield – Schaumburg; and Hyatt Summerfield Suites Chicago/Schaumburg (collectively, the "Hyatt Defendants") as follows:

## **THE PARTIES**

1. Plaintiff Innovatio is a limited liability company organized under the laws of the State of Delaware and has a place of business at 22 West Washington Street, Suite 1500, Chicago, Illinois 60602.

2. On information and belief, Defendant Hyatt Corporation is a corporation organized under the laws of the State of Delaware, having a principal place of business at 71 South Wacker Drive, 12<sup>th</sup> Floor, Chicago, Illinois 60606, and operating several hotels, including at least the following hotels: "Park Hyatt Chicago" at 800 North Michigan Avenue, Chicago, Illinois 60611; "Hyatt Regency Chicago" at 151 East Wacker Drive, Chicago, Illinois 60601; "The Hyatt Lodge at McDonald's Campus" at 2815 Jorie Boulevard, Oakbrook, Illinois 60523; "Hyatt Regency McCormick Place" at 2233 South Martin L. King Drive, Chicago, Illinois 60616; and "Hyatt Regency O'Hare" at 9300 West Bryn Mawr Avenue, Rosemont, Illinois 60018.

3. On information and belief, Defendant Hyatt Hotels Corporation is a corporation organized under the laws of the State of Delaware and having principal executive offices at 71 South Wacker Drive, 12<sup>th</sup> Floor, Chicago, Illinois 60606. On information and belief, Defendant Hyatt Corporation is a wholly-owned subsidiary of Defendant Hyatt Hotels Corporation.

4. On information and belief, Defendant Select Hotels Group, L.L.C. is a limited liability company organized under the laws of the State of Delaware, having a principal office at 71 South Wacker Drive, 14<sup>th</sup> Floor, Chicago, Illinois 60606, and operating several hotels, including at least the following hotels: "Hyatt Place Chicago/Hoffman Estates, Illinois" at 2750 Greenspoint Parkway, Hoffman Estates, Illinois 60169; "Hyatt Place Chicago/Itasca" at 1150 North Arlington Heights Road, Itasca, Illinois 60143; and "Hyatt Place

Chicago/Lombard/Oakbrook" at 2340 Fountain Square Drive, Lombard, Illinois 60148. Upon information and belief, Defendant Select Hotels Group, L.L.C. is a subsidiary of Hyatt Hotels Corporation.

5. On information and belief, Defendant Commonwealth Hotels, LLC is a limited liability company organized under the laws of the Commonwealth of Kentucky, having a principal office at 100 East Rivercenter Boulevard, Suite 1050, Covington, Kentucky 41011, and operating at least the following hotels: "Hyatt Place Chicago/Naperville/Warrenville" at 27576 Maecliff Drive, Warrenville, Illinois 60555 and "Hyatt Summerfield Suites Chicago/Naperville/Warrenville" at 27554 Maecliff Drive, Warrenville, Illinois 60555.

6. On information and belief, Defendant Noble I Schaumburg Op Co, LLC is a limited liability company organized under the laws of the State of Delaware, having a principal office at 3424 Peachtree Road NE, Suite 1100, Atlanta, Georgia 30326, and operating a hotel under the name of "Hyatt Place Chicago/Schaumburg" at 1851 McConnor Parkway, Schaumburg, Illinois 60173. Defendant Noble I Schaumburg Op Co, LLC has appointed CT Corporation System at 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604 as its registered agent.

7. On information and belief, Defendant AP Aim Rosemont Tenant LLC is a limited liability company organized under the laws of the State of Delaware, having a principal office at 2 Manhattanville Road, Suite 203, Purchase, New York 10577, and operating a hotel under the name of "Hyatt Rosemont" at 6350 North River Road, Rosemont, Illinois 60018. Defendant AP Aim Rosemont Tenant LLC has appointed Illinois Corporation Service Company at 801 Adlai Stevenson Drive, Springfield, Illinois 62703 as its registered agent.

8. On information and belief, Defendant AP Aim Lisle Tenant LLC is a limited liability company organized under the laws of the State of Delaware, having a principal office at

2 Manhattanville Road, Suite 203, Purchase, New York 10577, and operating a hotel under the name of "Hyatt Lisle" at 1400 Corporetum Drive, Lisle, Illinois 60532. Defendant AP Aim Lisle Tenant LLC has appointed Illinois Corporation Service Company at 801 Adlai Stevenson Drive, Springfield, Illinois 62703 as its registered agent.

9. On information and belief, Defendant AP Aim Deerfield Tenant LLC is a limited liability company organized under the laws of the State of Delaware, having a principal office at 2 Manhattanville Road, Suite 203, Purchase, New York 10577, and operating a hotel under the name of "Hyatt Deerfield" at 1750 Lake Cook Road, Deerfield, Illinois 60015. Defendant AP Aim Deerfield Tenant LLC has appointed Illinois Corporation Service Company at 801 Adlai Stevenson Drive, Springfield, Illinois 62703 as its registered agent.

10. On information and belief, Defendant Hyatt Regency Woodfield – Schaumburg owns and operates a hotel under the name of "Hyatt Regency Woodfield – Schaumburg" at 1800 East Golf Road, Schaumburg, Illinois 60173.

11. On information and belief, Defendant Hyatt Summerfield Suites Chicago/Schaumburg owns and operates a hotel under the name of "Hyatt Summerfield Suites Chicago/Schaumburg" at 1251 American Lane, Schaumburg, IL 60173.

#### **JURISDICTION AND VENUE**

12. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.* This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

13. This Court has personal jurisdiction over the Hyatt Defendants.

14. Venue for this action is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

## **PATENTS-IN-SUIT**

15. On March 30, 2004, the United States Patent and Trademark Office (“the USPTO”) duly and legally issued U.S. Patent No. 6,714,559 (“the ‘559 Patent”) titled “Redundant Radio Frequency Network Having A Roaming Terminal Communication Protocol.” A copy of the ‘559 Patent is attached as Exhibit A.

16. On June 10, 2008, the USPTO duly and legally issued U.S. Patent No. 7,386,002 (“the ‘002 Patent”) titled “Redundant Radio Frequency Network Having A Roaming Terminal Communication Protocol.” A copy of the ‘002 Patent is attached as Exhibit B.

17. On May 19, 2009, the USPTO duly and legally issued U.S. Patent No. 7,535,921 (“the ‘921 Patent”) titled “Redundant Radio Frequency Network Having A Roaming Terminal Communication Protocol.” A copy of the ‘921 Patent is attached as Exhibit C.

18. On June 16, 2009, the USPTO duly and legally issued U.S. Patent No. 7,548,553 (“the ‘553 Patent”) titled “Redundant Radio Frequency Network Having A Roaming Terminal Communication Protocol.” A copy of the ‘553 Patent is attached as Exhibit D.

19. On April 14, 1998, the USPTO duly and legally issued U.S. Patent No. 5,740,366 (“the ‘366 Patent”) titled “Communication Network Having Plurality Of Bridging Nodes Which Transmit A Beacon To Terminal Nodes In Power Saving State That It Has Messages Awaiting Delivery.” A copy of the ‘366 Patent is attached as Exhibit E.

20. On August 17, 1999, the USPTO duly and legally issued U.S. Patent No. 5,940,771 (“the ‘771 Patent”) titled “Network Supporting Roaming, Sleeping Terminals.” A copy of the ‘771 Patent is attached as Exhibit F.

21. On April 16, 2002, the USPTO duly and legally issued U.S. Patent No. 6,374,311 (“the ‘311 Patent”) titled “Communication Network Having A Plurality Of Bridging Nodes

Which Transmit A Beacon To Terminal Nodes In Power Saving State That It Has Messages Awaiting Delivery.” A copy of the ‘311 Patent is attached as Exhibit G.

22. On November 25, 2008, the USPTO duly and legally issued U.S. Patent No. 7,457,646 (“the ‘646 Patent”) titled “Radio Frequency Local Area Network.” A copy of the ‘646 Patent is attached as Exhibit H.

23. On August 13, 1996, the USPTO duly and legally issued U.S. Patent No. 5,546,397 (“the ‘397 Patent”) titled “High Reliability Access Point For Wireless Local Area Network.” A copy of the ‘397 Patent is attached as Exhibit I.

24. On December 1, 1998, the USPTO duly and legally issued U.S. Patent No. 5,844,893 (“the ‘893 Patent”) titled “System For Coupling Host Computer Means With Base Transceiver Units On A Local Area Network.” A copy of the ‘893 Patent is attached as Exhibit J.

25. On December 16, 2003, the USPTO duly and legally issued U.S. Patent No. 6,665,536 (“the ‘536 Patent”) titled “Local Area Network Having Multiple Channel Wireless Access.” A copy of the ‘536 Patent is attached as Exhibit K.

26. On February 24, 2004, the USPTO duly and legally issued U.S. Patent No. 6,697,415 (“the ‘415 Patent”) titled “Spread Spectrum Transceiver Module Utilizing Multiple Mode Transmission.” A copy of the ‘415 Patent is attached as Exhibit L.

27. On March 14, 2006, the USPTO duly and legally issued U.S. Patent No. 7,013,138 (“the ‘138 Patent”) titled “Local Area Network Having Multiple Channel Wireless Access.” A copy of the ‘138 Patent is attached as Exhibit M.

28. On May 4, 2010, the USPTO duly and legally issued U.S. Patent No. 7,710,907 (“the ‘907 Patent”) titled “Local Area Network Having Multiple Channel Wireless Access.” A copy of the ‘907 Patent is attached as Exhibit N.

29. On March 29, 2011, the USPTO duly and legally issued U.S. Patent No. 7,916,747 (“the ‘747 Patent”) titled “Redundant Radio Frequency Network Having A Roaming Terminal Communication Protocol.” A copy of the ‘747 Patent is attached as Exhibit O.

30. On January 18, 2011, the USPTO duly and legally issued U.S. Patent No. 7,873,343 (“the ‘343 Patent”) titled “Communication Network Terminal With Sleep Capability.” A copy of the ‘343 Patent is attached as Exhibit P.

31. On May 19, 2009, the USPTO duly and legally issued U.S. Patent No. 7,536,167 (“the ‘167 Patent”) titled “Network Supporting Roaming, Sleeping Terminals.” A copy of the ‘167 Patent is attached as Exhibit Q.

32. The seventeen patents identified in paragraphs 15-31, inclusive, are hereinafter referred to collectively as the “WLAN Patents.”

33. Innovatio owns all rights, title, and interest in and to, and has standing to sue for infringement of, the WLAN Patents, including the right to sue for and collect past damages.

#### **THE HYATT DEFENDANTS’ KNOWLEDGE OF THE WLAN PATENTS**

34. Defendant Hyatt Hotels Corporation has been aware of and on actual notice of the WLAN Patents since about May 3, 2011, at which time Defendant Hyatt Corporation was notified by letter (addressed to Mr. Thomas Pritzker, Executive Chairman, Hyatt Hotels Corporation) of the existence of and perceived infringement of the WLAN Patents.

35. Upon information and belief, the other Hyatt Defendants have been aware of and on actual notice of the WLAN Patents since about May 3, 2011, at which time it is believed that Defendant Hyatt Hotels Corporation communicated Plaintiff Innovatio's notice of the existence of and perceived infringement of the WLAN Patents to the other Hyatt Defendants.

**COUNT ONE**  
**INFRINGEMENT OF THE '559 PATENT**

36. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 – 35 as if fully set forth herein.

37. The Hyatt Defendants have infringed and continue to infringe one or more claims of the '559 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, wireless local area network products ("WLAN products") to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 6, 7, and 8 of the '559 Patent.

**COUNT TWO**  
**INFRINGEMENT OF THE '002 PATENT**

38. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 – 35 as if fully set forth herein.

39. The Hyatt Defendants have infringed and continue to infringe one or more claims of the '002 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 14-16, 18, and 19 of the '002 Patent.

**COUNT THREE**  
**INFRINGEMENT OF THE '921 PATENT**

40. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

41. The Hyatt Defendants have infringed and continue to infringe one or more claims of the '921 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN



products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 1, 2, 5, 7, and 8 of the '921 Patent.

**COUNT FOUR**  
**INFRINGEMENT OF THE '553 PATENT**

42. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

43. The Hyatt Defendants have infringed and continue to infringe one or more claims of the '553 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 10-12, 17, 19, and 20 of the '553 Patent.

**COUNT FIVE**  
**INFRINGEMENT OF THE '366 PATENT**

44. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

45. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '366 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLANs to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLANs infringe, by way of example and not limitation, at least claims 5-7, 9-17, 19-24, 26-29, and 32 of the '366 Patent.

46. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the

'366 Patent, induced and contributed to the direct infringement by others of one or more claims of the '366 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, guests, employees, and/or the public cause the systems of, by way of example and not limitation, at least claims 5-7, 9-17, 19-24, 26-29, and 32 of the '366 Patent, as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT SIX**  
**INFRINGEMENT OF THE '771 PATENT**

47. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

48. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '771 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLANs to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLANs infringe, by way of example and not limitation, at least claims 1-7 of the '771 Patent.

49. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the '771 Patent, induced and contributed to the direct infringement by others of one or more claims of the '771 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, guests, employees, and/or the public cause the systems of, by way of

example and not limitation, at least claims 1-7 of the '771 Patent, as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT SEVEN**  
**INFRINGEMENT OF THE '311 PATENT**

50. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

51. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '311 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLANs to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLANs infringe, by way of example and not limitation, at least claims 20-24, 26-30, 32-37, 39-41, 43-51, 53-56, 60, and 64 of the '311 Patent.

52. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the '311 Patent, induced and contributed to the direct infringement by others of one or more claims of the '311 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, guests, employees, and/or the public cause the systems of, by way of example and not limitation, at least claims 20-24, 26-30, 32-37, 39-41, 43-51, 53-56, 60, and 64 of the '311 Patent, as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT EIGHT**  
**INFRINGEMENT OF THE '646 PATENT**

53. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

54. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '646 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 14-17, 19-22, 26-35, 39-40, 43-45, 47, 49-51, 53-56, 59-64, 66-69, 71-73, 79, 82-89, 91-94, 98-104, 107, 108, 111, 112, 114-123, 125-128, 130, 135-137, 143, and 144 of the '646 Patent.

**COUNT NINE**  
**INFRINGEMENT OF THE '397 PATENT**

55. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

56. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '397 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1-5 of the '397 Patent.

**COUNT TEN**  
**INFRINGEMENT OF THE '893 PATENT**

57. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

58. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '893 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLANs to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLANs infringe, by way of example and not limitation, at least claims 7-11 of the '893 Patent.

59. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the '893 Patent, induced and contributed to the direct infringement by others of one or more claims of the '893 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, guests, employees, and/or the public cause the systems of, by way of example and not limitation, at least claims 7-11 of the '893 Patent, as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT ELEVEN**  
**INFRINGEMENT OF THE '536 PATENT**

60. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

61. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '536 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1, 5, 8, 10, 11, 13-17, 19, 20, and 49 of the '536 Patent.

62. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the '536 Patent, induced and contributed to the direct infringement by others of one or more claims of the '536 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, guests, employees, and/or the public cause the systems of, by way of example and not limitation, at least claims 20 and 49 of the '536 Patent, as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT TWELVE**  
**INFRINGEMENT OF THE '415 PATENT**

63. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

64. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '415 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests,

employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 11, 12, and 15 of the '415 Patent.

**COUNT THIRTEEN**  
**INFRINGEMENT OF THE '138 PATENT**

65. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

66. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '138 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1, 5, 8, 10, 11, 13-15, 17, 18, 21, 24, 26, 28, and 36 of the '138 Patent.

67. Innovatio further believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have, with specific knowledge of the '138 Patent, induced and contributed to the direct infringement by others of one or more claims of the '138 Patent in violation of 35 U.S.C. §§ 271(b) and (c) by making available to the Hyatt Defendants' customers, guests, employees, and or the public, in this judicial district, WLANs, where such customers, employees, and/or the public cause the systems of, by way of example and not limitation, at least claims 15, 17, 18, 21, 24, 26, 28, and 36 of the '138 Patent as a whole to perform the claimed processing of such systems, and where such customers, guests, employees, and/or the public obtain the benefit of, and directly infringe by, using the claimed systems.

**COUNT FOURTEEN**  
**INFRINGEMENT OF THE '907 PATENT**

68. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

69. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '907 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1, 7, 10, 12, 13, 15-17, 20, 21, 23, 24, 30, 33, 35, 36, 38, 39, 40, 43, 44, and 46-50 of the '907 Patent.

**COUNT FIFTEEN**  
**INFRINGEMENT OF THE '747 PATENT**

70. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

71. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '747 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1-3, 5-8, 11, 13, 16, 17, and 20-25 of the '747 Patent.



**COUNT SIXTEEN**  
**INFRINGEMENT OF THE '343 PATENT**

72. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

73. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '343 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products infringe, by way of example and not limitation, at least claims 1-6, 8-12, 15-20, 22, 23, 25, 28-30, 31-36, 38-42, 45-50, 52, 53, 55, and 58-60 of the '343 Patent.

**COUNT SEVENTEEN**  
**INFRINGEMENT OF THE '167 PATENT**

74. Innovatio repeats and realleges the allegations of the preceding paragraphs 1 - 35 as if fully set forth herein.

75. Innovatio believes that a reasonable opportunity for further investigation or discovery will likely show that the Hyatt Defendants have infringed and continue to infringe one or more claims of the '167 Patent in violation of 35 U.S.C. § 271(a) by using, in this judicial district, WLAN products to provide wireless network access to their customers, guests, employees, and/or the public, and/or in their business operations, where such WLAN products practice the methods of, by way of example and not limitation, at least claims 73-77, 79-83, 85, 89-97, 100, 102-107, 109-113, 115, 119-127, 130, 132-134, and 203 of the '167 Patent.

**PRAYER FOR RELIEF**

WHEREFORE, Innovatio respectfully requests entry of judgment in its favor and the following relief, including:

A. That the Hyatt Defendants be adjudged to have infringed one or more claims of each of the WLAN Patents;

B. That the Hyatt Defendants and all related entities and their officers, agents, employees, representatives, servants, successors, assigns and all persons in active concert or participation with any of them, directly or indirectly, be preliminarily and permanently enjoined from using, or contributing or inducing the use of, any WLAN product, system or network that infringes any WLAN Patent;

C. That the Hyatt Defendants account for damages sustained by Innovatio as a result of the Hyatt Defendants' infringement of the WLAN Patents, including both pre- and post-judgment interest and costs as fixed by this Court under 35 U.S.C. § 284;

D. That this case be deemed exceptional under 35 U.S.C. § 285, thereby entitling Innovatio to an additional award of reasonable attorneys' fees; and

E. That the Court grant Innovatio such other and further relief as the Court may deem just and proper.

**JURY DEMAND**

Innovatio demands a trial by jury on all issues so triable.

Dated: September 2, 2011

Respectfully submitted,

/s/ Matthew G. McAndrews

Matthew G. McAndrews

Raymond P. Niro, Jr.

Brian E. Haan

Gabriel I. Opatken

NIRO, HALLER & NIRO

181 West Madison St., Suite 4600

Chicago, Illinois 60602

Telephone: (312) 236-0733

Facsimile: (312) 236-3137

E-mail: [mmcandrews@nshn.com](mailto:mmcandrews@nshn.com)

E-mail: [rnirojr@nshn.com](mailto:rnirojr@nshn.com)

E-mail: [bhaan@nshn.com](mailto:bhaan@nshn.com)

E-mail: [gopatken@nshn.com](mailto:gopatken@nshn.com)

*Attorneys for Plaintiff,*

INNOVATIO IP VENTURES, LLC