

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

| | | |
|----------------------------------|---|-------------------------|
| TIMEBASE PTY LTD., |) | |
| |) | CIVIL ACTION NO.: _____ |
| Plaintiff, |) | |
| vs. |) | COMPLAINT |
| |) | |
| THE THOMSON CORPORATION, WEST |) | JURY TRIAL DEMANDED |
| PUBLISHING CORPORATION, AND WEST |) | |
| SERVICES, INC. |) | |
| |) | |
| Defendants. |) | |

Plaintiff, TimeBase Pty Ltd., ("TimeBase") complains of defendants, The Thomson Corporation, West Publishing Corporation, and West Services, Inc.:

PARTIES, JURISDICTION AND VENUE

1. This is a claim for patent infringement arising under the patent laws of the United States, including 35 U.S.C. §271. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §1338(a).

2. TimeBase is organized under the laws of Australia, with its principal place of business at Level 1, 362 Kent Street, Sydney, NSW 2000.

3. TimeBase is the owner by assignment and has standing to sue for infringement of United States Patent No. 7,293,228, "Maltweb Multi-Axis Viewing Interface and Higher Level Scoping."

4. The Thomson Corporation ("Thomson") is an alien corporation incorporated under the laws of Canada. Thomson sells publishing services and products nationwide and in this judicial district.

5. West Publishing Corporation ("West Publishing") is incorporated under the laws of Minnesota with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

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6. West Services, Inc. ("West Services") is incorporated under the laws of Delaware with its headquarters at 610 Opperman Drive, Eagan, Minnesota.

7. Thomson, West Publishing, and West Services have used, sold, or offered to sell products and services that infringe the '228 patent within this judicial district, and have advertised the sale of such products in this judicial district.

8. Thomson, West Publishing and West Services are subject to personal jurisdiction in this judicial district.

9. Venue is proper in this district under 28 U.S.C. §§1391(d) and 1400(b).

PATENT INFRINGEMENT

10. The defendants have infringed the '228 patent at least by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others' use of products and services that fall within the scope of one or more claims of the '228 patent. At present, the products embodying the patented invention are PastStat Locator, RegulationsPlus and Graphical Statutes. The asserted claims are, at present, 1 to 46. Additional products may be identified during the course of discovery. Thomson was notified in early 2006 and again in September 2006 that these products would infringe the application from which the '228 patent issued.

11. The defendants' acts of infringement have injured TimeBase, and TimeBase is entitled to recover damages adequate to compensate it for the infringement that has occurred, but in no event less than a reasonable royalty.

12. The infringement by the defendants has injured and will continue to injure TimeBase unless the infringement is enjoined by this Court.

DEMAND FOR RELIEF

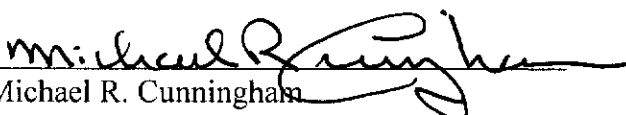
WHEREFORE, TimeBase respectfully demands judgment against the defendants and their subsidiaries and affiliates as follows:

- A. An award of damages adequate to compensate TimeBase for the infringement that has occurred, together with prejudgment interest from the date infringement of the patent began and through the lifetime of the patent;
- B. Any other damages permitted, including any for willful infringement, under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to TimeBase of its attorneys' fees and expenses as provided by 35 U.S.C. § 285;
- D. An injunction permanently prohibiting the defendants and all persons in active concert or participation with it, from further acts of infringement of the '228 patent; and
- E. Such other and further relief as this Court or a jury may deem proper.

JURY DEMAND

TimeBase demands a trial by jury.

Respectfully submitted,


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U.S. DISTRICT COURT
MINNEAPOLIS, MN

Clerk of Court
United States District Court
300 South Fourth Street
Minneapolis, MN 55415

BY MESSENGER

Re: TimeBase Pty Ltd. v. The Thomson Corporation, et al.

Dear Clerk:

Enclosed for filing are the following:

1. Civil Cover Sheet;
2. Complaint; and
3. Rule 7.1 Corporate Disclosure Statement.

Also enclosed is a form of Summons to be issued by the clerk to be returned to us.
A check in the amount of \$350.00 for the filing fee is also enclosed.

Please contact me if you have any questions.

Very truly yours,

Michael R. Cunningham

MRC/kkp

Enclosures

cc: Joseph N. Hosteny (w/enclosures)

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