

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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AMS, LLC

Plaintiff,

v.

Civil Action No. 12-cv-843

eTAGZ, INC.

Defendant.

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**COMPLAINT**

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Plaintiff AMS, LLC (“AMS”), for its complaint against defendant eTAGZ, Inc. (“eTAGZ”), alleges the following:

**Nature of Action**

1. This is an action for declaratory judgment relating to a claim of patent infringement arising under the Patent Laws of the United States, Title 35 United States Code.

**Parties**

2. AMS is a Wisconsin corporation with its principal place of business at EP 1064 Hemlock Lane, Stratford, Wisconsin 54484. Among other things, AMS is engaged in the business of manufacturing and selling fishing equipment.

3. Upon information and belief, eTAGZ is a Utah corporation with its principal place of business in Provo, Utah.

**Jurisdiction and Venue**

4. This Court has subject matter jurisdiction pursuant to Title 28 United States Code §§1331 and 1338.



reach a resolution. During the last conversation, eTAGZ agent indicated that eTAGZ was ready to file a lawsuit against AMS.

12. As a result the sales activities of AMS with respect to its fishing equipment/DVD package and eTAGZ' accusation of infringement, there is an actual case or controversy between AMS and eTAGZ within the meaning of 28 U.S.C. § 2201 concerning the eTAGZ patents.

## COUNT I: DECLARATORY JUDGMENT OF NON-INFRINGEMENT

13. AMS restates and incorporates by reference the allegations in paragraphs 1 through 12 above.

14. The AMS fishing product/DVD package does not meet the properly interpreted limitations of any claim of the ‘502, ‘686, or ‘332 patents, and therefore does not infringe those patents.

15. Accordingly, AMS seeks declaratory judgment that the AMS product/DVD package does not infringe the ‘502, ‘686, or ‘332 patents.

## COUNT II – DECLARATORY JUDGMENT OF INVALIDITY

16. In the alternative, if interpreted in a manner that encompasses the AMS fishing product/DVD package, the claims of the ‘502, ‘686, and ‘332 patents are invalid and should not have been issued by the United States Patent and Trademark Office.

17. Accordingly, AMS seeks declaratory judgment that the ‘502, ‘686, and ‘332 patents are invalid.

**WHEREFORE**, plaintiff AMS, LLC demands that judgment be entered in its favor and against defendant eTAGZ, Inc. as follows:

- A. Adjudging that AMS has not infringed, and that the AMS fishing product/DVD package does not infringe, the ‘502, ‘686, and ‘332 patents;
- B. Adjudging that the ‘502, ‘686, and ‘332 patents are invalid;

- C. Awarding AMS the reasonable attorneys' fees and costs of this action; and
- D. Granting such other and further relief as the court deems appropriate.

## Jury Demand

Plaintiff AMS, LLC hereby demands a jury trial of all issues of fact not admitted by defendant eTAGZ, Inc.

Dated: November 20, 2012

s/Michael T. Griggs  
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