**The District Court of Southern California gives INDECT the green light to pursue its case of anticompetitive behavior and sham lawsuit again Park Assist.**

United States District Judge, the Honorable Roger T. Benitez acknowledges that Park Assist has threatened Indect and its customers over alleged patent infringement.

The court further agrees that a substantial controversy exists between Indect and Park Assist and that Indect has sufficiently demonstrated that the matter warrants further investigation.

The Honorable Roger T. Benitez makes the following key points:

“Indect has adequately alleged a plausible basis for asserting that Park Assist knew Indect’s UPSOLUT system did not infringe its patent but still communicated its allegedly false claims to Indect’s current and potential customers.” *p14, line 4-7*

“Contrary to Park Assist’s argument, Indect’s pleadings adequately allege bad faith by pointing to a specific basis for its contention that Park Assist acted with a guilty mind.” *p13, line 26-27*

“The facts of this case when viewed objectively and in totality, show that Park Assist took the affirmative step of contacting Indect directly, making an implied assertion of infringement of its rights under the ‘956 patent against Indect’s UPSOLUT products, and Indect disagreed by filing suit.” *p10, line 19-25*

“The court is satisfied at this stage that there is declaratory judgment jurisdiction arising from a definite and concrete dispute between Park Assist and Indect, parties having adverse legal interests.”*p10, line 23-25*

“Park Assists own evidence demonstrates that it implicitly accused Indect of infringing Park Assist’s patent, and there is no suggestion that Park Assist ever assured Indect that it did not intend to sue Indect, itself.” *p12, line 8-10*

Park Assist’s Motion to Dismiss is **DENIED** on all counts.

Click here to read the judgement in full.