

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Sorna Corporation

Plaintiff,

Civil Case No. 16-cv-1748

v.

PACS-Exchange, LLC

Defendant.

AMENDED COMPLAINT

Comes now the Plaintiff Sorna Corporation, (hereinafter “Sorna” or “Plaintiff”) as and for its Amended Complaint against Defendant PACS-Exchange, LLC (hereinafter “PACS-Exchange” or “Defendant”) states and alleges as follows.

THE PARTIES

1. Plaintiff Sorna is a Minnesota Corporation with its principal place of business in Eagan, Minnesota. Sorna manufactures sells, and licenses medical technology and devices including medical data recording devices that implant medical data onto portable media.

2. Upon information and belief Defendant PACS-Exchange is a Wisconsin limited liability company with its principal place of business at 8236 Virginia Circle, Wind Lake, WI 53185.

JURISDICTION AND VENUE

3. The claims alleged herein arise under the patent laws of the United States, 35 U.S.C. §§ 100, *et seq.*

4. This Court has jurisdiction over the subject matter of this case pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over PACS-Exchange under Minn. Stat. § 543.19, PACS-Exchange has continuous and systematic contacts in Minnesota. On information and belief PACS-Exchange has offered to sell and sold products in Minnesota that infringe the patents in suit. On information and belief, such infringing products are also being used in Minnesota.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b).

FACTUAL BACKGROUND

7. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

8. Sorna is the owner of the entire right, title and interest in and to United States Patent No. 7,965,408 (hereinafter the “’408 patent”), entitled Medical Data Recording System, duly and legally issued on June 21st, 2011. A copy of the ‘408 patent is attached to the Amended Complaint as Exhibit A.

9. Sorna is the owner of the entire right, title and interest in and to United States Patent No. 8,045,214 (hereinafter the “’214 patent”), entitled Medical Data

Recording Apparatus, duly and legally issued on October 25th, 2011. A copy of the ‘214 patent is attached to the Amended Complaint as Exhibit B.

10. Sorna is the owner of the entire right, title and interest in and to United States Patent No. 8,059,304 (hereinafter the “’304 patent”), entitled Medical Data Recording System, duly and legally issued on November 15, 2011. A copy of the ‘304 patent is attached to the Amended Complaint as Exhibit C.

11. Sorna is the owner of the entire right, title and interest in and to United States Patent No. 8,687,226 (hereinafter the “’226 patent”), entitled Medical Data Recording System, duly and legally issued on April 1, 2014. A copy of the ‘226 patent is attached to the Amended Complaint as Exhibit D hereto.

12. The ‘408, ‘214, ‘304 and ‘226 patents are collectively known as the “patents in suit”.

13. PACS-Exchange manufactures, sells, and offers to sell medical data recording software and devices including *inter alia* the PACS Executive and PACS-Executive Plus (hereinafter the “infringing product and methods”).

14. Upon information and belief, the infringing products and methods publish CD/DVD’s containing reports and studies, label the CD/DVD’s with specific patient study information, and include a viewer on the disc.

15. Upon information and belief PACS-Exchange has offered the infringing products and methods for sale to the public in conjunction with a DICOM Disc publishing system.

16. Upon information and belief, the DICOM Disc publishing system includes a Windows PC and an Epson PP50 printer and CD/DVD publisher.

17. Upon information and belief, PACS-Exchange sells and markets the infringing products and methods to third parties, including at least end users engaged in publishing medical records on CD/DVD's.

18. PACS-Exchange and end users both directly infringe the patents in suit by the use of the infringing products and methods.

19. Upon information and belief, PACS-Exchange sells a system that directly infringes the patents in suit.

20. Upon information and belief, PACS-Exchange also sells at least software to third party customers that are used by the third parties to directly infringe the patents in suit.

21. Upon information and belief, PACS-Exchange offers support services to third party customers; such support provides guidance to third parties that directly infringe the patents in suit.

22. Upon information and belief, PACS-Exchange had actual knowledge of Sorna's patent rights in the '408, 214, and '304 Patents since at least as early as August 18, 2014.

23. PACS-Exchange's infringing activities aforesaid and described further below have been in wanton disregard for Sorna's rights in the patents in suit.

24. PACS-Exchange's infringing activities aforesaid, and described further below, have caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

FIRST CLAIM FOR INFRINGEMENT OF THE '408 PATENT

25. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

26. The infringing products and methods practice one or more of the claims of the '408 patent.

27. PACS-Exchange has directly, or under the doctrine of equivalents, infringed the '408 patent by making, using, offering to sell and/or selling the infringing products in this district and elsewhere in the United States, in violation of 35 U.S.C. § 271.

28. Sorna has complied with the statutory requirement of placing a notice of the '408 patent on all medical data recording devices and software.

29. PACS-Exchange's acts of infringement have caused damage to Sorna in an amount to be determined at trial.

30. PACS-Exchange's infringement of the '408 patent is causing irreparable harm to Sorna for which there is no adequate remedy at law. PACS-Exchange's infringement will continue to cause irreparable harm to Sorna, unless enjoined by this Court.

SECOND CLAIM FOR INFRINGEMENT OF THE '214 PATENT

31. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

32. Upon, information and belief PACS-Exchange sells products which directly infringe the issued claims of the '214 patent. .

33. Upon, information and belief, PACS-Exchange has directly, or under the doctrine of equivalents, infringed the '214 patent by making, using, offering to sell and/or selling the infringing products in this district and elsewhere in the United States, in violation of 35 U.S.C. § 271.

34. Sorna has complied with the statutory requirement of placing a notice of the '214 patent on all medical data recording devices and software.

35. PACS-Exchange's acts of infringement have caused damage to Sorna in an amount to be determined at trial.

36. Upon, information and belief, PACS-Exchange's infringement of the '214 patent is causing irreparable harm to Sorna for which there is no adequate remedy at law. PACS-Exchange's infringement will continue to cause irreparable harm to Sorna, unless enjoined by this Court.

THIRD CLAIM FOR INFRINGEMENT OF THE '304 PATENT

37. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

38. The infringing products and methods practice one or more of the claims of the '304 patent.

39. PACS-Exchange has directly, or under the doctrine of equivalents, infringed the '304 patent by making, using, offering to sell and/or selling the infringing products and methods in this district and elsewhere in the United States, in violation of 35 U.S.C. § 271.

40. Sorna has complied with the statutory requirement of placing a notice of the '304 patent on all medical data recording devices and software.

41. PACS-Exchange's acts of infringement have caused damage to Sorna in an amount to be determined at trial.

42. PACS-Exchange's infringement of the '304 patent is causing irreparable harm to Sorna for which there is no adequate remedy at law. PACS-Exchange's infringement will continue to cause irreparable harm to Sorna, unless enjoined by this Court.

FOURTH CLAIM FOR INFRINGEMENT OF THE '226 PATENT

43. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

44. The infringing products and methods practice one or more of the claims of the '226 patent.

45. PACS-Exchange has directly, or under the doctrine of equivalents, infringed the '226 patent by making, using, offering to sell and/or selling the infringing products and methods in this district and elsewhere in the United States, in violation of 35 U.S.C. § 271.

46. Sorna has complied with the statutory requirement of placing a notice of the ‘226 patent on all medical data recording devices and software.

47. PACS-Exchange’s acts of infringement have caused damage to Sorna in an amount to be determined at trial.

48. PACS-Exchange’s infringement of the ‘226 patent is causing irreparable harm to Sorna for which there is no adequate remedy at law. PACS-Exchange’s infringement will continue to cause irreparable harm to Sorna, unless enjoined by this Court.

FIFTH CLAIM FOR WILLFUL INFRINGEMENT OF THE ‘408 PATENT

49. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

50. PACS-Exchange’s past and continuing infringement of the ‘408 patent has been deliberate and willful given PACS-Exchange’s knowledge of Sorna’s patents. The conduct warrants an award of treble damages, pursuant to 35 U.S.C. § 284, and this an exceptional case justifying an award of attorney fees to Sorna, pursuant to 35 U.S.C. § 285.

51. On information and belief, PACS-Exchange’s infringement of the ‘408 patent was and is willful and deliberate, entitling Sorna to enhanced damages under 35 U.S.C. § 284 and attorneys’ fees and costs under 35 U.S.C. § 285.

SIXTH CLAIM FOR WILLFUL INFRINGEMENT OF THE '214 PATENT

52. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

53. Upon, information and belief, PACS-Exchange's past and continuing infringement of the '214 patent has been willful and deliberate given PACS-Exchange's knowledge of Sorna's patents. The conduct warrants an award of treble damages, pursuant to 35 U.S.C. § 284, and this an exceptional case justifying an award of attorney fees to Sorna, pursuant to 35 U.S.C. § 285.

54. On information and belief, PACS-Exchange's infringement of the '214 patent was and is willful and deliberate, entitling Sorna to enhanced damages under 35 U.S.C. § 284 and attorneys' fees and costs under 35 U.S.C. § 285.

SEVENTH CLAIM FOR WILLFUL INFRINGEMENT OF THE '304 PATENT

55. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

56. PACS-Exchange's past and continuing infringement of the '304 patent has been deliberate and willful and deliberate given PACS-Exchange's knowledge of Sorna's patents. The conduct warrants an award of treble damages, pursuant to 35 U.S.C. § 284, and this an exceptional case justifying an award of attorney fees to Sorna, pursuant to 35 U.S.C. § 285.

57. On information and belief, PACS-Exchange's infringement of the '304 patent was and is willful and deliberate, entitling Sorna to enhanced damages under 35 U.S.C. § 284 and attorneys' fees and costs under 35 U.S.C. § 285.

EIGHTH CLAIM FOR WILLFUL INFRINGEMENT OF THE '226 PATENT

58. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

59. PACS-Exchange's past and continuing infringement of the '226 patent has been deliberate and willful given PACS-Exchange's knowledge of Sorna's patents. The conduct warrants an award of treble damages, pursuant to 35 U.S.C. § 284, and this an exceptional case justifying an award of attorney fee to Sorna, pursuant to 35 U.S.C. § 285.

60. On information and belief, PACS-Exchange's infringement of the '226 patent was and is willful and deliberate, entitling Sorna to enhanced damages under 35 U.S.C. § 284 and attorneys' fees and costs under 35 U.S.C. § 285.

NINTH CLAIM FOR CONTRIBUTORY INFRINGEMENT OF THE '408 PATENT

61. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

62. On information and belief, by making, importing, selling, and/or offering for sale the Infringing Products and Methods to third parties, including end users engaged in publishing medical records, knowing the Infringing Products and Methods to be

especially made or adapted for infringement of the '408 Patent, Defendant is liable for contributory infringement.

63. Defendant has made, sold, offered for sale, and/or licensed at least the Infringing Products and Methods to their customers. Defendants thus have encouraged and contributed to their own and/or their customer's infringing uses of the Infringing Products and Methods, in violation of Sorna's exclusive rights in the '408 Patent.

64. Each of Defendant's Infringing Products and Methods include a material part of an invention embodied in the '408 Patent.

65. Defendants' and/or customers' use of Defendant's Infringing Products and Methods, constitutes direct infringement of the '408 Patent, as set forth herein.

66. Defendant has actual knowledge of the '408 Patent and the inventions claimed therein. Further, Defendant knew and has reason to know that their respective Infringing Products and Methods made, imported, sold, offered for sale, and/or licensed to their customers are especially made or adapted for uses that infringe the '408 Patent.

67. The respective Infringing Products and Methods imported, sold, offered for sale, and/or licensed by Defendant are not staple articles or commodities of commerce capable of substantial non-infringing use.

68. Defendant's contributory infringement of the '408 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

69. Defendant's contributory infringement of the '408 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

70. Sorna has been and will continue to be irreparably harmed by Defendant's contributory infringement of the '408 Patent.

71. On information and belief, based on the allegations set forth herein and for further reasons described above with respect to direct infringement of the '408 Patent, Defendant is jointly, severally, or alternatively liable for contributory infringement of the '408 Patent literally or under the doctrine of equivalents.

**TENTH CLAIM FOR CONTRIBUTORY INFRINGEMENT OF THE '214
PATENT**

72. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

73. On information and belief, by making, importing, selling, and/or offering for sale the Infringing Products and Methods to third parties, including end users engaged in publishing medical records, knowing the Infringing Products to be especially made or adapted for infringement of the '214 Patent, Defendant is liable for contributory infringement.

74. Defendant has made, sold, offered for sale, and/or licensed at least the Infringing Products to their customers. Defendant thus has encouraged and contributed to their own and/or their customer's infringing uses of the Infringing Products in violation of Sorna's exclusive rights in the '408 Patent.

75. Each of Defendant's Infringing Products include a material part of an invention embodied in the '214 Patent.

76. Defendants' and/or customers' use of Defendant's Infringing Products, constitutes direct infringement of the '214 Patent, as set forth herein.

77. Defendant has actual knowledge of the '214 Patent and the inventions claimed therein. Further, Defendant knows and has reason to know that their respective Infringing Products, imported, sold, offered for sale, and/or licensed to their customers are especially made or adapted for uses that infringe the '214 Patent.

78. The respective Infringing Products imported, sold, offered for sale, and/or licensed by Defendant are not staple articles or commodities of commerce capable of substantial non-infringing use.

79. Defendant's contributory infringement of the '214 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

80. Defendant's contributory infringement of the '214 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

81. Sorna has been and will continue to be irreparably harmed by Defendants' contributory infringement of the '214 Patent.

82. On information and belief, based on the allegations set forth herein and for further reasons described above with respect to direct infringement of the '214 Patent,

Defendant is jointly, severally, or alternatively liable for contributory infringement of the '214 Patent literally or under the doctrine of equivalents.

**ELEVENTH CLAIM FOR CONTRIBUTORY INFRINGEMENT OF THE '304
PATENT**

83. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

84. On information and belief, by making, importing, selling, and/or offering for sale the Infringing Products and Methods to third parties, including end users engaged in publishing medical records, knowing the Infringing Products and Methods to be especially made or adapted for infringement of the '304 Patent, Defendant is liable for contributory infringement.

85. Defendant has made, sold, offered for sale, and/or licensed at least the Infringing Products and Methods to their customers. Defendant thus has encouraged and contributed to their own and/or their customer's infringing uses of the Infringing Products and Methods, in violation of Sorna's exclusive rights in the '304 Patent.

86. Each of Defendant's Infringing Products and Methods include a material part of an invention embodied in the '304 Patent.

87. Defendants' and/or customers' use of Defendants' Infringing Products and Methods, constitutes direct infringement of the '304 Patent, as set forth herein.

88. Defendants have actual knowledge of the '304 Patent and the inventions claimed therein. Further, Defendant knows and has reason to know that their respective

Infringing Products and Methods made, imported, sold, offered for sale, and/or licensed to their customers are especially made or adapted for uses that infringe the '304 Patent.

89. The respective Infringing Products and Method imported, sold, offered for sale, and/or licensed by Defendants are not staple articles or commodities of commerce capable of substantial non-infringing use.

90. Defendants' contributory infringement of the '304 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

91. Defendant's contributory infringement of the '304 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

92. Sorna has been and will continue to be irreparably harmed by Defendants' contributory infringement of the '304 Patent.

93. On information and belief, based on the allegations set forth herein and for further reasons described above with respect to direct infringement of the '304 Patent, Defendant is jointly, severally, or alternatively liable for contributory infringement of the '304 Patent literally or under the doctrine of equivalents.

**TWELFTH CLAIM FOR CONTRIBUTORY INFRINGEMENT OF THE '226
PATENT**

93. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

94. On information and belief, by making, importing, selling, and/or offering for sale the Infringing Products and Methods to third parties, including end users engaged in publishing medical records, knowing the Infringing Products and Methods to be especially made or adapted for infringement of the '226 Patent, Defendant is liable for contributory infringement.

95. Defendant has made, sold, offered for sale, and/or licensed at least the Infringing Products and Methods to their customers. Defendant thus has encouraged and contributed to their own and/or their customer's infringing uses of the Infringing Products and Methods, in violation of Sorna's exclusive rights in the '226 Patent.

96. Each of Defendant's Infringing Products and Methods include a material part of an invention embodied in the '226 Patent.

97. Defendants' and/or customers' use of Defendant's Infringing Products and Methods, constitutes direct infringement of the '226 Patent, as set forth herein.

98. Defendants have actual knowledge of the '226 Patent and the inventions claimed therein. Further, Defendants know and have reason to know that their respective Infringing Products and Methods made, imported, sold, offered for sale, and/or licensed to their customers are especially made or adapted for uses that infringe the '226 Patent.

99. The respective Infringing Products and Method imported, sold, offered for sale, and/or licensed by Defendant are not staple articles or commodities of commerce capable of substantial non-infringing use.

100. Defendant's contributory infringement of the '226 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

101. Defendant's contributory infringement of the '226 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

102. Sorna has been and will continue to be irreparably harmed by Defendants' contributory infringement of the '226 Patent.

103. On information and belief, based on the allegations set forth herein and for further reasons described above with respect to direct infringement of the '226 Patent, Defendant is jointly, severally, or alternatively liable for contributory infringement of the '226 Patent literally or under the doctrine of equivalents.

**THIRTEENTH CLAIM FOR INDUCEMENT TO INFRINGE THE '408
PATENT**

104. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

105. Defendant has actual knowledge of Sorna's '408 patent.

106. Defendant actively advertises to and approaches third parties engaged in publishing medical records regarding the infringing products and methods. Despite their actual knowledge, Defendant continues to make, sell, offer to sell, import and/or use the Infringing Products and Methods, and thereby induce third parties, to directly infringe one or more claims of the '408 Patent.

107. On information and belief, Defendant actively and knowingly aids and abets direct infringement of the '408 Patent by third parties.

108. On information and belief, Defendant intends to cause the acts which they know constitute direct infringement of the '408 Patent by third parties.

109. On information and belief, Defendant either performs the steps contained in the asserted method claims of the '408 Patent, or so exercises control and direction over the performance of the steps within such claims by third parties, that the performance of every such step is attributable to Defendant.

110. Defendant's active inducement of infringement of the '408 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

111. Defendant's active inducement of infringement of the '408 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

**FOURTEENTH CLAIM FOR INDUCEMENT TO INFRINGE THE '214
PATENT**

112. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

113. Defendant has actual knowledge of Sorna's '214 patent.

114. Defendant actively advertises to and approaches third parties engaged in publishing medical records regarding the infringing products and methods. Despite their actual knowledge, Defendant continues to make, sell, offer to sell, import and/or use the

Infringing Products and Methods, and thereby induce third parties, to directly infringe one or more claims of the '214 Patent.

115. On information and belief, Defendant actively and knowingly aids and abets direct infringement of the '214 Patent by third parties.

116. On information and belief, Defendant intends to cause the acts which they know constitute direct infringement of the '214 Patent by third parties.

117. Defendant's active inducement of infringement of the '214 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

118. Defendant's active inducement of infringement of the '214 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

**FIFTEENTH CLAIM FOR INDUCEMENT TO INFRINGE THE '304
PATENT**

119. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

120. Defendant has actual knowledge of Sorna's '304 patent.

121. Defendant actively advertises to and approaches third parties engaged in publishing medical records regarding the infringing products and methods. Despite their actual knowledge, Defendant continues to make, sell, offer to sell, import and/or use the Infringing Products and Methods, and thereby induce third parties, to directly infringe one or more claims of the '304 Patent.

122. On information and belief, Defendant actively and knowingly aids and abets direct infringement of the '304 Patent by third parties.

123. On information and belief, Defendant intends to cause the acts which they know constitute direct infringement of the '304 Patent by third parties.

124. On information and belief, Defendant either performs the steps contained in the asserted method claims of the '304 Patent, or so exercises control and direction over the performance of the steps within such claims by third parties, that the performance of every such step is attributable to Defendant.

125. Defendant's active inducement of infringement of the '304 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

126. Defendant's active inducement of infringement of the '304 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

**SIXTEENTH CLAIM FOR INDUCEMENT TO INFRINGE THE '226
PATENT**

127. Plaintiff incorporates by this reference all of the previous allegations as though fully set forth herein.

128. Defendant has actual knowledge of Sorna's '226 patent at least as of the filing of the original Complaint in this matter.

129. Defendant actively advertises to and approaches third parties engaged in publishing medical records regarding the infringing products and methods. Despite their

actual knowledge, Defendant continues to make, sell, offer to sell, import and/or use the Infringing Products and Methods, and thereby induce third parties, to directly infringe one or more claims of the '226 Patent.

130. On information and belief, Defendant actively and knowingly aids and abets direct infringement of the '226 Patent by third parties.

131. On information and belief, Defendant intends to cause the acts which they know constitute direct infringement of the '226 Patent by third parties.

132. On information and belief, Defendant either performs the steps contained in the asserted method claims of the '226 Patent, or so exercises control and direction over the performance of the steps within such claims by third parties, that the performance of every such step is attributable to Defendant.

133. Defendant's active inducement of infringement of the '226 Patent has been willful, deliberate and knowing, in reckless disregard for Sorna's right to exclude others from making, importing, selling, offering for sale and/or using the inventions therein.

134. Defendant's active inducement of infringement of the '226 Patent has caused, and will continue to cause, substantial injury and damage to Sorna, in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Sorna prays that the Court enter judgment in its favor and against PACS-Exchange, as follows:

A. To enter judgment that Defendant PACS-Exchange has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '408 patent pursuant to 35 U.S.C. § 271;

B. To enter judgment that Defendant PACS-Exchange has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '214 patent pursuant to 35 U.S.C. § 271;

C. To enter judgment that Defendant PACS-Exchange has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '304 patent pursuant to 35 U.S.C. § 271;

D. To enter judgment that Defendant PACS-Exchange has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '226 patent pursuant to 35 U.S.C. § 271;

E. To enter orders preliminarily and permanently enjoining PACS-Exchange and its respective officers, agents, servants, and employees, and attorneys, and all persons in active concert or participation with any of the foregoing, and all parties contemplated by Rule 65(d) Fed.R.Civ.P. be preliminarily and permanently enjoined from further infringement of the '408, '214, '304, and '226 patents pursuant to 35 U.S.C. § 283;

F. To award Plaintiff its respective damages in an amount sufficient to compensate it for PACS-Exchange's infringement of the '408, '214, '304, and '226 patents, but in no event less than a reasonable royalty, together with pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;

G. To find that Defendant's infringement is willful, deliberate, and intentional, and that such damages should be increased up to three times the amount assessed;

H. To award Plaintiff damages prior to the issuance of the patents in suit pursuant to 35 U.S.C. § 154(d);

I. To find that this case be deemed exceptional and Plaintiff be awarded attorney fees, expenses and costs incurred in this action pursuant to 35 U.S.C. 285; and

J. To award Plaintiff such other and further relief as the Court deems just and equitable under the circumstances.

DEMAND FOR A JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury of any and all issues on which a trial by jury is available under applicable law.

Dated: June 16, 2016

By: /s/ Frank S. Farrell
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