

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LAKSHMI ARUNACHALAM,

Plaintiff,

v.

ACCESS FINANCIAL SERVICES, INC.,

Defendant.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Dr. Lakshmi Arunachalam hereby files this complaint for patent infringement against Access Financial Services, Inc. and alleges upon information and belief as follows:

PARTIES

1. Plaintiff, Dr. Lakshmi Arunachalam, resides at 222 Stanford Avenue, Menlo Park, California 94025. Plaintiff has provided innovative software products, services and solutions that enable distributed transaction processing and control over public and private networks, including, without limitation, the Internet and the World-Wide Web through Pi-Net International, Inc. and other companies that she had founded.

2. The patent asserted here was issued to Dr. Arunachalam based on an application having a priority date of 1995. The patent discloses the fundamental technology underlying Web commerce and other online services over the Web by use of Web applications. The examples of the pioneering technology in her patent were directed to online financial services on the Web as in the Defendant's accused systems.

3. Defendant Axxess Financial Services, Inc. (“Axxess”) is a corporation organized under the laws of the State of Ohio with CT Corporation System, 1300 East Ninth Street, Cleveland, OH 44114 as its registered agent. Axxess resides in this judicial district and transacts business throughout the State of Delaware, including this judicial district.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over the Defendant by virtue of its presence and business activities within this judicial district.

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

BACKGROUND

7. On January 1, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,346,894 (“the ’894 Patent”), entitled “Real-Time Web Transactions From Web Applications,” to Plaintiff Dr. Lakshmi Arunachalam. Plaintiff is the owner of all rights, title, and interest in the ’894 Patent, including the right to recover damages for past infringement. A copy of the ’894 Patent is attached to the Complaint as Exhibit A.

8. Defendant provides online services via electronic means accessible through several websites, which include, but are not limited to the sites that can be originated from at least the following websites:

<http://www.checkngo.com/>

<https://www.checkngo.com/pdlApplication.aspx>

<http://www.ukloanstore.co.uk/>

9. These sites can be accessed from stationary personal computers or from mobile devices such as laptop computers, smartphones and tablets. Upon accessing these sites, Defendant's clients or customers can prepare and submit via the Web an application for a loan utilizing a loan Web application.

10. Defendant provides the above and other services by way of a machine-readable storage device within the scope of claim 3 of the '894 Patent, and particularly a storage device which includes instructions executable by a processor, the machine-readable storage device including one or more instructions for:

accepting a first signal comprising a request from a point-of-service (POSvc) Web application for a real-time Web transaction specific to a Web merchant's value-added network service on the Web, which include the applications for loan web applications invoked on the webpages of the websites identified above;

utilizing one or more objects in the Web application and the information entries and the attributes of the one or more objects,

wherein the one or more objects are one or more individual data structures in and specific to the POSvc Web application in said request, wherein the object identity in the Web application is the individual data structure in the POSvc Web application, to connect in real-time to the value-added network service of the Web merchant without executing Common Gateway Interface (CGI) scripts,

executing said connection at the OSI application layer, utilizing application layer routing on the Web; routing the one or more individual data structures in the POSvc Web application together with said information entries and attributes from said Web application over a service

network on the Web running on top of a facilities network selected from a group consisting of the physical TCP/IP-based Internet, the Web and email networks, wherein the routing the one or more individual data structures in the POSvc Web application from said Web application over the service network on the Web performed as OSI application layer routing is object routing on the World Wide Web, distinct from routing at the transport layer of the OSI model or network layer of the OSI model or lower layers of the OSI model;

managing the connection between said real-time Web transaction request and the Web merchant's services from end-to-end in real-time; and

completing a real-time Web transaction from said Web application, wherein the online service is a loan Web application.

COUNT I

(Infringement of the '894 Patent)

11. Plaintiff incorporates and realleges paragraphs 1- 10.

12. Defendant has directly infringed and is continuing to infringe at least claim 3 of the '894 Patent by operating without authority one or more systems which are reflected in the websites cited above. Specifically, Defendant infringed and continues to infringe, because Defendant operated and continues to operate one or more servers or other systems located in and/or accessible from the United States under Defendant's control that, as reflected in the websites, *inter alia*, comprise machine-readable storage device including one or more instructions for performing the steps cited in paragraph 10.

13. Defendant's infringement has injured Plaintiff. Accordingly, Plaintiff is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty, and an injunction to prohibit further infringement of the '894 Patent or future compensation for use of the inventions.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks this Court to enter judgment against Defendant and against Defendant's subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate Plaintiff for the infringement that has occurred, together with prejudgment interest from the date infringement of the '894 Patent began;
- B. An award to Plaintiff of all remedies available under 35 U.S.C. § 284;
- C. An award to Plaintiff of all remedies available under 35 U.S.C. § 285;
- D. A permanent injunction under 35 U.S.C. § 283 prohibiting further infringement of the '894 Patent, and, in the alternative, in the event injunctive relief is not granted as requested by Plaintiff, an award of a compulsory future royalty; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

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

/s/ George Pazuniak
George Pazuniak, Esq. (Del. Bar No. 478)
O'KELLY ERNST & BIELLI, LLC
901 N. Market St.
Suite 1000
Wilmington, DE 19801
Telephone: 302-478-4230
E-mail: GP@del-iplaw.com

Attorney for Plaintiff
Dr. Lakshmi Arunachalam