

parasympathetic branches of the autonomic nervous system (“ANS”) or for contributing to and/or inducing others to infringe the ’888 and ’579 patents.

II. PARTIES

2. The Ansar Group, Inc. is a corporation organized under the laws of Pennsylvania, having its principal place of business at 240 South 8th Street, Philadelphia, PA 19107.

3. Upon information and belief, Medeia, Inc. is a corporation organized under the laws of Ontario, having its principal place of business at 317-20, Vanauley Street, Toronto, ON, Canada, M5T 2H4.

4. Upon information and belief, Medeia, Ltd. is a corporation organized under the laws of the country of Bulgaria, having its principal place of business at 17 Vejen Str., Sofia, Bulgaria, 1421.

5. Upon information and belief, Critical Patient Care, Inc. is a corporation organized under the laws of Texas, having its principal place of business at 4006 Gateway Circle, Kettering, OH, 45440. Critical Patient Care, Inc.’s registered agent for service of process in Texas is National Registered Agents, Inc., 16055 Space Center, Suite 235, Houston, TX 77062.

6. Upon information and belief, Marie Cosgrove is the Chief Executive Officer and Director of Critical Patient Care, Inc., previously resided at 9708 South Padre Island Dr., Suite B101, Corpus Christi, TX 78418, and upon information and belief currently resides at 6434 Marshal Road, Centerville, Ohio 45459.

III. JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

8. This Court has personal jurisdiction over Medeia, Inc. and Medeia, Ltd. because Medeia, Inc. and Medeia, Ltd. have established minimum contacts with the forum such that the exercise of personal jurisdiction over Medeia, Inc. and Medeia, Ltd. will not offend traditional notions of fair play and substantial justice.

9. This Court has personal jurisdiction over Critical Patient Care, Inc. because Critical Patient Care, Inc. has established minimum contacts with the forum such that the exercise of personal jurisdiction over Critical Patient Care, Inc. will not offend traditional notions of fair play and substantial justice.

10. This Court has personal jurisdiction over Marie Cosgrove because Marie Cosgrove has established minimum contacts with the forum such that the exercise of personal jurisdiction over Marie Cosgrove will not offend traditional notions of fair play and substantial justice.

11. In addition, this Court has personal jurisdiction over Defendants because Defendants have knowingly and actively engaged in acts that have infringed and will infringe and/or contribute, induce, aid and/or abet the direct infringement of claims of the Patents-in-Suit in the Southern District of Texas.

12. Venue is proper under 28 U.S.C. §§ 1391 and 1400(b).

IV. FACTUAL BACKGROUND

13. On July 18, 2006, the United States Patent and Trademark Office duly and legally issued the '888 patent, titled, "Method And Apparatus For Monitoring The Autonomic Nervous

System Using Non-Stationary Spectral Analysis Of Heart Rate and Respiratory Activity.” A copy of the ’888 patent is attached as Exhibit A.

14. On May 5, 2009, the United States Patent and Trademark Office duly and legally issued the ’579 patent, titled, “Methods For Real-Time Autonomic Nervous System Monitoring Using Total Heart Rate Variability, And Notched Windowing.” A copy of the ’579 patent is attached as Exhibit B.

15. The Ansar Group, Inc. is the owner of all right, title and interest in the ’579 patent and the ’888 patent.

16. Ansar, along with its licensee, is a medical technology developer that sells a cardio-respiratory monitor called the ANX 3.0. By measuring heart rate variability (“HRV”) and respiratory variability, the ANX 3.0 allows physicians to independently and simultaneously measure both the sympathetic and parasympathetic branches of the ANS. Measuring ANS activity allows physicians to customize a patient's therapy and maintain ANS balance to extend overall survival, improve quality of life, and reduce the need for further medical treatment.

17. What differentiates the ANX 3.0 from traditional cardio-respiratory monitors that measure HRV is technology that performs a time-frequency analysis of respiratory activity and HRV that enables it to simultaneously measure both branches of the ANS. It is this technology to which the Patents-in-Suit are directed.

18. Medeia, Inc. and Medeia, Ltd. develop and manufacture biomedical software and hardware products that compete with Ansar in various geographic markets.

19. Medeia, Inc. and Medeia, Ltd. sell, offer to sell, manufacture and/or import a line of QHRV products, which are cardio-respiratory monitors that use the claimed inventions of the Patents-in-Suit. Medeia, Inc. and Medeia, Ltd. either directly or through intermediaries

(including distributors, retailers and others), use, ship, distribute, offer for sale, sell and/or import these products within the United States and in the Southern District of Texas.

20. Medeia, Inc. and Medeia, Ltd. have purposely and voluntarily placed and used infringing products using the claimed inventions of the Patents-in-Suit into the stream of commerce with the expectation that they will be purchased by consumers in the Southern District of Texas. Medeia, Inc.'s and Medeia, Ltd.'s products have been sold and continue to be sold in the Southern District of Texas.

21. Medeia, Inc. and Medeia, Ltd. committed and continue to commit acts of patent infringement within the United States and in the Southern District of Texas by offering to sell, selling and/or importing at least the QHRV line of products.

22. Critical Patient Care, Inc. is a health care distributorship and competes with Ansar in various geographic markets.

23. Critical Patient Care, Inc. sells, offers to sell, manufactures and/or imports Critical Care Assessment, a cardio-respiratory monitor that uses the claimed inventions of the Patents-in-Suit. Critical Patient Care, Inc., either directly or through intermediaries (including distributors, retailers and others), uses, ships, distributes, offers for sale, sells and/or advertises this product within the United States and in the Southern District of Texas. Critical Patient Care, Inc. has purposely and voluntarily placed products using the accused technology into the stream of commerce with the expectation that they will be purchased by consumers in the Southern District of Texas. Critical Patient Care, Inc.'s products have been sold and continue to be sold in the Southern District of Texas.

24. Critical Patient Care, Inc. committed and continues to commit acts of patent infringement within the United States and in the Southern District of Texas by offering to sell, selling and/or importing at least the Critical Care Assessment product.

25. Upon information and belief, Marie Cosgrove is the Chief Executive Officer and Director of Critical Patient Care, Inc., directing activities including the manufacture, distribution and sales of products incorporating the claimed inventions of the Patents-in-Suit in the United States and in the Southern District of Texas.

26. Cosgrove committed and continues to commit acts of patent infringement within the United States and in the Southern District of Texas by directing activities including the manufacture, distribution and sales of products incorporating the claimed inventions of the Patents-in-Suit.

COUNT 1: INFRINGEMENT OF THE '888 PATENT

27. Ansar restates and realleges the foregoing allegations as if fully stated herein.

28. Defendants, in violation of 35 U.S.C. § 271(a), have infringed and continue to infringe at least claim 1, 2, 4 and/or claim 21 the '888 patent, and Ansar has been damaged thereby.

29. Ansar, under 35 U.S.C. § 284, is entitled to recover damages adequate to compensate for the infringement of Defendants, and the Court may increase the damages up to three times.

30. Ansar has been, and continues to be, damaged and irreparably harmed by the infringement of Defendants, which will continue unless the Court enjoins Defendants.

31. The infringement of the '888 patent by Defendants has been, and continues to be,

deliberate, willful, and knowing.

32. The Court should declare this an exceptional case under 35 § U.S.C. 285, entitling Ansar to recover attorneys' fees.

COUNT II: INFRINGEMENT OF THE '579 PATENT

33. Ansar restates and realleges the foregoing allegations as if fully stated herein.

34. Defendants, in violation of 35 U.S.C. § 271(a), have infringed and continue to infringe at least claim 1 of the '579 patent, and Ansar has been damaged thereby.

35. Ansar, under 35 U.S.C. § 284, is entitled to recover damages adequate to compensate for the infringement of Defendants, and the Court may increase the damages up to three times.

36. Ansar has been, and continues to be, damaged and irreparably harmed by the infringement of Defendants, which will continue unless the Court enjoins Defendants.

37. The infringement of the '579 patent by Defendants has been, and continues to be, deliberate, willful, and knowing.

38. The Court should declare this an exceptional case under 35 § U.S.C. 285, entitling Ansar to recover attorneys' fees.

COUNT III: INDIRECT INFRINGEMENT OF THE '888 PATENT

39. Ansar restates and realleges the foregoing allegations as if fully stated herein.

40. Defendants, in violation of 35 U.S.C. § 271(b) and/or (c), have and continue to knowingly contribute to and/or knowingly induce others to infringe at least claim 1, 2, 4 and/or claim 21 of the '888 patent, and Ansar has been damaged thereby.

41. Ansar, under 35 U.S.C. § 284, is entitled to recover damages adequate to

compensate for the infringement of Defendants, and the Court may increase the damages up to three times.

42. Defendants' systems, products and/or methods and the systems, products and/or methods to which Defendants contribute to and/or induce infringement are not staple articles of commerce suitable for substantial noninfringing use.

43. Ansar has been, and continues to be, damaged and irreparably harmed by the infringement of Defendants, which will continue unless the Court enjoins Defendants.

44. The infringement of the '888 patent by Defendants has been, and continues to be, deliberate, willful, and knowing.

45. The Court should declare this an exceptional case under 35 § U.S.C. 285, entitling Ansar to recover attorneys' fees.

COUNT IV: INDIRECT INFRINGEMENT OF THE '579 PATENT

46. Ansar restates and realleges the foregoing allegations as if fully stated herein.

47. Defendants, in violation of 35 U.S.C. § 271(b) and/or (c), have and continue to knowingly contribute to and/or knowingly induce others to infringe at least claim 1 of the '579 patent, and Ansar has been damaged thereby.

48. Ansar, under 35 U.S.C. § 284, is entitled to recover damages adequate to compensate for the infringement of Defendants, and the Court may increase the damages up to three times.

49. Defendants' systems, products and/or methods and the systems, products and/or methods to which Defendants contribute to and/or induce infringement are not staple articles of commerce suitable for substantial noninfringing use.

50. Ansar has been, and continues to be, damaged and irreparably harmed by the

infringement of Defendants, which will continue unless the Court enjoins Defendants.

51. The infringement of the '579 patent by Defendants has been, and continues to be, deliberate, willful, and knowing.

52. The Court should declare this an exceptional case under 35 § U.S.C. 285, entitling Ansar to recover attorneys' fees.

DEMAND FOR JURY TRIAL

53. Ansar demands a trial by jury under Federal Rule of Civil Procedure 38 for all issues triable by jury.

PRAYER FOR RELIEF

Ansar prays for judgment in its favor and against Medeia, Inc., Medeia, Ltd., Critical Patient Care, Inc. and Marie Cosgrove, collectively and individually, as follows:

(a) That defendants have infringed, contributed to and/or induced the infringement of one or more claims of each of the Patents-in-Suit;

(b) That Defendants' infringement has been willful;

(c) That this case be declared an exceptional case under 35 U.S.C. § 285;

(d) That Ansar be awarded damages adequate to compensate Ansar for Defendants' infringement of each of the Patents-in-Suit, including lost profits, but in no event less than a reasonable royalty;

(e) That Ansar's damages be trebled pursuant to 35 U.S.C. § 284;

(f) That Ansar be awarded its attorneys' fees and costs pursuant to 35 U.S.C. § 285;

(g) That this Court enjoin Defendants, their officers, directors, principals, agents, servants, employees, successors, assigns, affiliates, and all that are in active concert or

participation with them, or any of them, from further infringement of each of the asserted claims of the Patents-in-Suit;

- (h) That Ansar be awarded pre- and post-judgment interest on all damages;
- (i) That Ansar be awarded all its costs and expenses in this action; and
- (j) Such further and other relief as the Court may deem just and proper.

Respectfully submitted,

By: /s/ Holly H. Barnes

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Attorneys for The Ansar Group, Inc.

Dated: December 2, 2013

CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2013, a copy of the foregoing document was sent to all counsel of record who have consented to electronic service through the Court's CM/ECF service.

/s/ Holly H. Barnes

Holly H. Barnes