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8 Attorneys for Plaintiff

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 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION  
 13

14 COGENT MEDICINE INC.,  
 15 Plaintiff,  
 16 v.  
 17 ELSEVIER INC.,  
 18 Defendant.

Case No.  
**COMPLAINT FOR PATENT  
 INFRINGEMENT**  
**DEMAND FOR JURY TRIAL**  
**Date: September 27, 2013**

1 Plaintiff Cogent Medicine Inc. states its complaint against Defendant Elsevier Inc.,  
2 and alleges as follows:

3 **THE PARTIES**

4 1. Plaintiff Cogent Medicine Inc. (“Plaintiff” or “Cogent”) is a corporation  
5 organized and existing under the laws of the State of Delaware, with its principal place of  
6 business at 4104 24<sup>th</sup> St., Suite 402, San Francisco, CA 94114.

7 2. On information and belief, Defendant Elsevier Inc. (“Defendant”) is a  
8 corporation organized and existing under the laws of the State of Delaware, with its  
9 principal place of business at 1600 John F. Kennedy Blvd., Suite 1800, Philadelphia, PA  
10 19103-2822.

11 **JURISDICTION AND VENUE**

12 3. Plaintiff realleges and incorporates by reference paragraphs the above  
13 paragraphs of this Complaint, inclusive, as though fully set forth herein.

14 4. This action is for patent infringement pursuant to the patent laws of the United  
15 States, 35 U.S.C. §§ 1, *et seq.* This Court has subject matter jurisdiction over the action  
16 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

17 5. Personal jurisdiction exists generally over Defendant because it has sufficient  
18 minimum contacts with the forum as a result of business conducted within the State of  
19 California and within the Northern District of California. Personal jurisdiction also exists  
20 specifically over Defendant because it, directly or through subsidiaries or intermediaries,  
21 makes, uses, offers for sale, sells, imports, advertises, makes available and/or markets one or  
22 more products and/or services within the State of California, and more particularly, within  
23 the Northern District of California, that infringe the patent-in-suit, as described more  
24 particularly below.

25 6. Venue is proper in the Northern District of California pursuant to 28 U.S.C. §§  
26 1391 and 1400(b), because Defendant has committed acts of infringement in the Northern  
27 District of California and has transacted business in the Northern District of California.  
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**CLAIM FOR RELIEF**  
**(Infringement of United States Patent No. 7,133,879)**

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2           7. Plaintiff realleges and incorporates by reference the above paragraphs of this  
3 Complaint, inclusive, as though fully set forth herein.

4           8. Plaintiff is the owner of all right, title, and interest in United States Patent No.  
5 7,133,879, entitled “Personalized Library Interface for Providing Data to a User,” duly and  
6 legally issued by the United States Patent and Trademark Office on November 7, 2006 (the  
7 “’879 patent”). A true and correct copy of the ’879 patent is attached hereto as Exhibit A.

8           9. The ’879 patent generally describes and claims a computer-implemented  
9 method for providing users with a personal library interface containing medical literature.  
10 In the method of claim 1 of the ’879 patent, one or more search strategies directed toward  
11 medical literature in data folders are accepted from users and stored. Further, user requests  
12 to view medical information are accepted and, based on said requests, medical information  
13 having been preselected by a specialist and placed in data folders is selectively provided to  
14 the user. The medical information provided, which corresponds to the saved search  
15 strategies directed toward medical literature, is either added to one or more data sets since  
16 the last time the user accessed the data sets or is not limited in time. Claims 2-21 of the ’879  
17 patent describe various other methods and a system of personalized library interface for  
18 providing users with medical data.

19           10. Defendant has infringed and continues to infringe, literally and/or under the  
20 doctrine of equivalents, one or more claims of the ’879 patent under 35 U.S.C. § 271 by  
21 making, using, offering to sell, selling, and/or importing into the United States the patented  
22 invention within the United States. Specifically, Defendant has infringed and continues to  
23 infringe the ’879 patent by making, using, offering to sell, selling, and/or importing into the  
24 United States at least the MD Consult, First Consult, and Clinical Key products and services,  
25 accessible through at least <http://www.mdconsult.com>, <http://firstconsult.com>, and  
26 <http://www.clinicalkey.com> and the iOS First Consult mobile application.  
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**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury.

Respectfully submitted,

Dated: September 27, 2013

**GUTRIDE SAFIER LLP**

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