

1 **GUTRIDE SAFIER LLP**  
ADAM J. GUTRIDE (State Bar No. 181446)  
2 adam@gutridesafier.com  
SETH A. SAFIER (State Bar No. 197427)  
3 seth@gutridesafier.com  
ANTHONY PATEK (State Bar No. 228964)  
4 anthony@gutridesafier.com  
MARIE A. MCCRARY (State Bar No. 262670)  
5 marie@gutridesafier.com  
835 Douglass Street  
6 San Francisco, California 94114  
7 Telephone: (415) 529-4995  
Facsimile: (415) 449-6469

8  
9 Attorneys for Plaintiff

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

14 COGENT MEDICINE INC.,  
15 Plaintiff,  
16 v.  
17 JOHN WILEY & SONS INC. and JOHN  
18 WILEY & SONS LTD.,  
19 Defendants.

Case No. 3:13-cv-4486

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**Date: September 27, 2013**

1 Plaintiff Cogent Medicine Inc. states its complaint against Defendants John Wiley &  
2 Sons Inc. and John Wiley & Sons Ltd., 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. Defendant John Wiley & Sons Inc. is organized and existing under the laws of  
8 the State of New York, with its principal place of business at 111 River St., Ste. 2000,  
9 Hoboken, NJ, 07030.

10 3. On information and belief, Defendant John Wiley & Sons Ltd. is organized  
11 and existing under the laws of the State of New York, with its principal place of business at  
12 111 River St., Ste. 2000, Hoboken, NJ, 07030.

13 **JURISDICTION AND VENUE**

14 4. Plaintiff realleges and incorporates by reference paragraphs the above  
15 paragraphs of this Complaint, inclusive, as though fully set forth herein.

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

19 6. Personal jurisdiction exists generally over Defendants because they have  
20 sufficient minimum contacts with the forum as a result of business conducted within the  
21 State of California and within the Northern District of California. Personal jurisdiction also  
22 exists specifically over Defendants because they, directly or through subsidiaries or  
23 intermediaries, make, use, offer for sale, sell, import, advertise, make available and/or  
24 market one or more products and/or services within the State of California, and more  
25 particularly, within the Northern District of California, that infringe the patent-in-suit, as  
26 described more particularly below.  
27  
28

1           7.     Venue is proper in the Northern District of California pursuant to 28 U.S.C. §§  
2 1391 and 1400(b), because Defendants have committed acts of infringement in the Northern  
3 District of California and has transacted business in the Northern District of California.

4  
5                                   **CLAIM FOR RELIEF**  
6                                   **(Infringement of United States Patent No. 7,133,879)**

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

9           9.     Plaintiff is the owner of all right, title, and interest in United States Patent No.  
10 7,133,879, entitled “Personalized Library Interface for Providing Data to a User,” duly and  
11 legally issued by the United States Patent and Trademark Office on November 7, 2006 (the  
12 “’879 patent”). A true and correct copy of the ’879 patent is attached hereto as Exhibit A.

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

24           11.    Defendants have infringed and continue to infringe, literally and/or under the  
25 doctrine of equivalents, one or more claims of the ’879 patent under 35 U.S.C. § 271 by  
26 making, using, offering to sell, selling, and/or importing into the United States the patented  
27 invention within the United States. Specifically, Defendants have infringed and continue to  
28 infringe the ’879 patent by making, using, offering to sell, selling, and/or importing into the

1 United States the Cochrane Library product and service, accessible through at least  
2 <http://www.thecochranelibrary.com/>.

3 12. As a result of Defendants' infringing activities with respect to the '879 patent,  
4 Plaintiff has suffered damages in an amount not yet ascertained. Plaintiff is entitled to  
5 recover damages adequate to compensate it for Defendants' infringing activities in an  
6 amount to be determined at trial, but in no event less than reasonable royalties, together with  
7 interest and costs. Defendants' infringement of Plaintiff's exclusive rights under the '879  
8 patent will continue to damage Plaintiff, causing irreparable harm for which there is no  
9 adequate remedy at law, unless enjoined by this Court.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff requests entry of judgment in its favor against Defendants  
12 as follows:

13 a) For a declaration that Defendants have infringed, directly and/or indirectly,  
14 the '879 patent;

15 b) For an award of damages adequate to compensate Plaintiff for Defendants'  
16 infringement of the '879 patent, but in no event less than a reasonable royalty, together with  
17 prejudgment and post-judgment interest and costs, in an amount according to proof;

18 c) For an entry of a permanent injunction enjoining Defendants, and their  
19 respective officers, agents, employees, and those acting in privity, from further  
20 infringement, including contributory infringement and/or inducing infringement, of the '879  
21 patent, or in the alternative, awarding a royalty for post-judgment infringement; and

22 d) For an award to Plaintiff of such other costs and further relief as the Court  
23 may deem just and proper.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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**

/s/ Marie A. McCrary /  
Adam J. Gutride, Esq.  
Seth A. Safier, Esq.  
Anthony Patek, Esq.  
Marie A. McCrary, Esq.  
835 Douglass Street  
San Francisco, California 94114  
Telephone: (415) 529-4995  
Facsimile: (415) 449-6469