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U.S. DISTRICT COURT  
SOUTHERN DIST OHIO  
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IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

AXCESS FINANCIAL SERVICES, INC.,

Plaintiff,

v.

PI-NET INTERNATIONAL, INC.,

Defendant.

Case No. **1:14 CV 319**

Judge **J. BECKWITH**

**COMPLAINT FOR DECLARATORY  
JUDGMENT OF PATENT  
INVALIDITY AND NON-  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Access Financial Services, Inc. ("Access"), for its complaint against Pi-Net International, Inc. ("Pi-Net"), states as follows:

**NATURE OF THE ACTION**

1. This is an action for declaration of non-infringement and invalidity of claims of U.S. patents.

**PARTIES**

2. Plaintiff Access is an Ohio corporation and has its principal place of business at 7755 Montgomery Road, Suite 400, Cincinnati, Ohio 45236.

3. Plaintiff Pi-Net International, Inc. ("Pi-Net") is a California corporation founded by Dr. Lakshmi Arunachalam and has its principal place of business at 222 Stanford Avenue, Menlo Park, California 94025.

**JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction over this action under at least 28 U.S.C. §§ 1331, 1338(a), and 2201.

5. This Court has personal jurisdiction over Pi-Net under Ohio Rev. Code § 2307.382 at least because of Pi-Net's efforts to enforce its patents—including U.S. Patent No. 8,346,894 (the "'894 Patent")—against Ohio residents. Among other things, Dr. Arunachalam and Pi-Net (1) have threatened Ohio residents with lawsuits for alleged patent infringement, including allegations of infringement of claims of the '894 Patent and U.S. Patent Nos. 8,108,492 (the "'492 Patent") and 5,987,500 (the "'500 Patent"); (2) have filed lawsuits against Ohio residents—such as Bath & Body Works Brand Management, Inc.; Macys Inc.; and Victoria's Secret Direct, LLC—for alleged patent infringement for one or more of these patents; and, on information and belief, (3) have licensed patents, including at least the '894 Patent, to one or more Ohio residents.

6. Copies of the '894, '492, and '500 Patents are attached as Exhibits A, B, and C, respectively.

7. In addition, Pi-Net asserts on its Internet home page to offer "products and services," and have rights to patents—including the '894, '492, and '500 Patents—that "power any real-time Web transaction from any Web application from any device on any network." Upon information and belief, Pi-Net offers, or has offered, its "products and services" to persons in this judicial district.

8. Venue is proper in this Court under at least 28 U.S.C. §§ 1391 and 1400(b).

### **BACKGROUND**

9. Dr. Arunachalam is the named inventor of the '894, '492, and '500 Patents.

10. On March 7, 2013, Dr. Arunachalam filed a complaint against Axxess in the U.S. District Court for the District of Delaware, Case. No. 1:13-cv-01335-RGA, alleging that Axxess had infringed one or more claims of the '894 Patent.

11. The complaint alleged, among other things, that Axxess infringed at least claim 3 of the patent "by operating without authority one or more systems which are reflected in the [following] websites":

- <http://www.checkngo.com>
- <https://www.checkngo.com/pdlApplication.aspx>
- <http://www.ukloanstore.co.uk>

12. On information and belief, Dr. Arunachalam has since assigned all right, title, and interest in the '894 Patent to her company, Pi-Net.

13. On information and belief, Pi-Net is also the owner of the '492 and '500 Patents.

14. On April 11, 2014, Dr. Arunachalam's lawsuit against Axxess in the U.S. District Court for the District of Delaware was dismissed without prejudice.

15. Pi-Net, through counsel, has accused Axxess of patent infringement and threatened to file a new complaint against Axxess for infringement of one or more claims of each of the '894, '492, and '500 Patents.

**FIRST CLAIM FOR RELIEF**  
**(Declaratory Judgment of Non-infringement)**

16. Axxess incorporates the foregoing allegations as if fully restated herein.

17. Axxess has not and is not now infringing any valid claim of the '894, '492, or '500 Patents.

18. A justiciable controversy exists as to whether Axxess has been or is now infringing any valid claim of the '894, '492, or '500 Patents.

19. Axxess seeks a declaration from this Court that Axxess has not and is not now infringing any valid claim of the '894, '492, or '500 Patents.

**SECOND CLAIM FOR RELIEF**  
**(Declaratory Judgment of Invalidity)**

20. Axxess incorporates the foregoing allegations as if fully restated herein.

21. All claims of the '894, '492, and '500 Patents are invalid for failure to comply with one or more of the requirements of 35 U.S.C. §§ 101, et seq., including §§ 102, 103, and 112.

22. A justiciable controversy exists as to whether the claims of the '894, '492, and '500 Patents are valid.

23. Axxess seeks a declaration from this Court that the claims of the '894, '492, and '500 Patents are invalid.

**PRAYER FOR RELIEF**

WHEREFORE, Axxess prays for the following relief against Pi-Net:

A. That judgment be entered finding that Axxess has not infringed and is not infringing any valid claim of the '894, '492, or '500 Patents;

B. That this Court enter a declaration that the claims of the '894, '492, and '500 Patents are invalid;

C. Permanently enjoining Pi-Net, its officers, agents, directors, servants, employees, subsidiaries, and assigns, and all those acting under the authority of or in privity with them or with any of them, from asserting or otherwise seeking to enforce the '894, '492, or '500 Patents against Axxess;

D. That this case be deemed an exceptional case under 35 U.S.C. § 285 and that Access be awarded its costs and attorneys' fees; and

E. That Access be awarded such other and further relief as this Court deems equitable and just.

**JURY DEMAND**

Access hereby demands a trial by jury of all issues.

Respectfully submitted,

/s/ John F. Bennett

John F. Bennett (0074506)

Ulmer & Berne LLP

600 Vine Street, Suite 2800

Cincinnati, Ohio 45202-2409

Telephone: (513) 698-5152

Facsimile: (513) 698-5153

jbennett@ulmer.com

dmooney@ulmer.com

ATTORNEYS FOR PLAINTIFF  
ACCESS FINANCIAL SERVICES, INC.