

under 28 U.S.C. §1391(c).

5. Prior to instituting this lawsuit, Protegrity requested additional technical information concerning Shift4's products alleged to infringe the Patents-in-Suit. Shift4 did not provide any technical information. Instead, Shift4 filed a lawsuit against Protegrity in the District of Nevada on October 25, 2013. *See Shift 4 Corp. v. Protegrity Corp.*, Civil Action No. 2:13-CV-1960.

COUNT I

6. On March 19, 2013, United States Patent Number 8,402,281 (hereinafter "'281 Patent") entitled "Data Security System for a Database" was duly and regularly issued. A copy of the '281 Patent is attached hereto as Exhibit "A".

7. Plaintiff is the owner of the '281 Patent.

8. Upon information and belief, Defendant has directly or contributorily infringed or induced the infringement of the claims of '281 Patent by having made, used or sold database security systems that duly embody the invention as claimed therein; such infringement was willful and deliberate; the infringement by Defendant of said Plaintiff's '281 Patent has deprived Plaintiff of sales which it otherwise would have made and has in other respects injured Plaintiff and will cause Plaintiff added injury and loss of profits unless enjoined by this Court.

9. The Plaintiff has been damaged by the acts of infringement complained of herein.

10. The Plaintiff has no adequate remedy without the intervention of this Court.

11. This case is "exceptional" within the meaning of 35 USC § 285.

COUNT II

12. On November 20, 2001, United States Patent Number 6,321,201 (hereinafter "'201 Patent") entitled "Data Security System for a Database Having Multiple Encryption Levels

Applicable on a Data Element Value Level” was duly and regularly issued. On October 4, 2011, Ex Parte Reexamination Certificate (8590th) related to ‘201 Patent was duly and regularly issued. On January 10, 2012, a Certificate of Correction related to the reexamination certificate was duly and regularly issued. A copy of the aforesaid patent, reexamination certificate, and certificate of correction are attached hereto as Exhibit “B”.

13. Plaintiff is the owner of the ‘201 Patent.

14. Upon information and belief, Defendant has directly or contributorily infringed or induced the infringement of the claims of the ‘201 Patent by having made, used or sold database security systems that duly embody the invention as claimed therein; such infringement was willful and deliberate; the infringement by Defendant of said Plaintiff’s ‘201 Patent has deprived Plaintiff of sales which it otherwise would have made and has in other respects injured Plaintiff and will cause Plaintiff added injury and loss of profits unless enjoined by this Court.

15. The Plaintiff has been damaged by the acts of infringement complained of herein.

16. The Plaintiff has no adequate remedy without the intervention of this Court.

17. This case is “exceptional” within the meaning of 35 USC § 285.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that:

A. An injunction be granted preliminarily and permanently restraining Defendant and all those in privity with it from further infringement of Plaintiff’s ‘281, and ‘201 Patents.

B. Defendant be required to account to Plaintiff for the damages recoverable by Plaintiff under 35 U.S.C. §284 as a result of the wrongful making, using, and selling of Plaintiff’s inventions as claimed in Plaintiff’s ‘281 and ‘201 Patents, the exact extent of which cannot now be determined by Plaintiff, and that all of such damages be trebled.

- C. Plaintiff be awarded reasonable attorney fees;
- D. Plaintiff be allowed its costs; and
- E. Such other and further relief be granted to which Plaintiff may be justly entitled.

JURY DEMAND

Plaintiff demands a trial by jury.

December 4, 2013

Respectfully submitted,

/s/ Stephen P. McNamara

Stephen P. McNamara, ct01220
ST. ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, Connecticut 06905-5619
Telephone: (203) 324-6155
Facsimile: (203) 327-1096
smcnamara@ssjr.com
litigation@ssjr.com

and

Stefan V. Stein, concurrently seeking *pro hac vice*
admission
Florida Bar Number 300527
Woodrow H. Pollack, concurrently seeking *pro hac vice*
admission
Florida Bar Number 26802
GRAYROBINSON, PA
Suite 2700
401 E. Jackson Street
Tampa, Florida 33602
Telephone: (813) 273-5000
Facsimile: (813) 273-5145
stefan.stein@gray-robinson.com
woodrow.pollack@gray-robinson.com

Attorneys for Plaintiff Protegrity Corporation