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15 Attorneys for Plaintiff Server Technology, Inc.

16 THE UNITED STATES DISTRICT COURT
17 FOR THE DISTRICT OF NEVADA
18

19 SERVER TECHNOLOGY, INC.,
a Nevada Corporation,

20 Plaintiff,

21 v.

22 RARITAN INC., a Delaware corporation,
23 RARITAN AMERICAS, INC., a New Jersey
corporation, LEGRAND NORTH AMERICA, a
24 Delaware corporation, and LEGRAND SA, a
French corporation,

25 Defendants.
26

CASE NO.: 3:15-cv-00330-MMD-WGC

SECOND AMENDED COMPLAINT FOR
PATENT INFRINGEMENT

JURY DEMAND

1 Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, plaintiff Server
2 Technology, Inc., submits this second amended complaint against defendants Raritan Inc.,
3 Raritan Americas, Inc., Legrand North America, and Legrand SA.

4 **JURISDICTION AND VENUE**

5 1. This is an action for patent infringement arising under the patent laws of the
6 United States, Title 35 of the United States Code, 35 U.S.C. § 271 *et seq.*

7 2. This Court has original jurisdiction over these claims pursuant to 28 U.S.C.
8 §§ 1331 and 1338(a).

9 3. This Court has personal jurisdiction over defendants Raritan Inc., Raritan
10 Americas, Inc., Legrand North America, and Legrand SA because they transact business in the
11 District of Nevada, they have marketed, manufactured or sold infringing product within this
12 district, and they have caused plaintiff injury within this district.

13 4. Venue is proper in this district under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b).

14 **PARTIES**

15 5. Plaintiff Server Technology, Inc. (“Server Technology”) is a Nevada corporation
16 having its principal place of business at 1040 Sandhill Drive, Reno, Nevada, 89521.

17 6. Defendants are Raritan Inc., Raritan Americas, Inc., Legrand North America, and
18 Legrand SA (collectively, “Defendants”).

19 7. Defendant Raritan Inc. is a Delaware corporation having its principal place of
20 business at 400 Cottontail Lane, Somerset, NJ 08873. Raritan Inc. does business within the
21 District of Nevada.

22 8. Defendant Raritan Americas, Inc. is a New Jersey corporation having its principal
23 place of business at 400 Cottontail Lane, Somerset, NJ 08873. Raritan Americas, Inc. does
24 business within the District of Nevada

25 9. Defendant Legrand North America is a Delaware corporation having its principal
26 place of business at 60 Woodlawn Street, West Hartford, CT 06110. On September 28, 2015,
27 Raritan Inc. announced that it was acquired by Legrand North America, and that “Raritan will
28

1 operate as an independent business within Legrand North America.” Legrand North America
2 does business within the District of Nevada.

3 10. Defendant Legrand SA is a corporation organized and existing under the laws of
4 France with headquarters in Limoges, France. Legrand North America is a wholly owned
5 subsidiary of parent, Legrand SA. On information and belief, Legrand SA produces and sells
6 switches, electrical connectors, and other circuit components, as well as circuit breakers,
7 electrical cabinets, conduits, and other cable management products. Upon information and
8 belief, Legrand SA does business within the District of Nevada.

9 **GENERAL ALLEGATIONS**

10 11. Server Technology is a leader in innovative power management solutions. It
11 designs and manufactures a number of products, including what are called intelligent power
12 distribution units (“PDUs”) and automatic transfer switches (“ATs”). Although used in many
13 types of applications, a primary application for PDUs and ATs is in data centers.

14 12. Server Technology is the owner of United States Patent No. 7,043,543 (“the ‘543
15 patent”) entitled “VERTICAL-MOUNT ELECTRICAL POWER DISTRIBUTION
16 PLUGSTRIP,” which issued on May 9, 2006. A true and correct copy of the ‘543 patent is
17 attached as Exhibit 1 and incorporated by this reference.

18 13. Server Technology is the owner of United States Patent No. 7,702,771 (“the ‘771
19 patent”) entitled “ELECTRICAL POWER DISTRIBUTION DEVICE HAVING A CURRENT
20 DISPLAY,” which issued on April 20, 2010. A true and correct copy of the ‘771 patent is
21 attached as Exhibit 2 and incorporated by this reference.

22 14. Server Technology is the owner of United States Patent No. 7,171,461 (“the ‘461
23 patent”) entitled “NETWORK REMOTE POWER MANAGEMENT OUTLET STRIP,” which
24 issued on January 30, 2007. A true and correct copy of the ‘461 patent is attached as Exhibit 3
25 and incorporated by this reference.

26 15. Server Technology is the owner of United States Patent No. 7,162,521 (“the ‘521
27 patent”) entitled “REMOTE POWER CONTROL SYSTEM,” which issued on January 9, 2007.
28

1 A true and correct copy of the '521 patent is attached as Exhibit 4 and incorporated by this
2 reference.

3 16. Server Technology is the owner of United States Patent No. 8,601,291 ("the '291
4 patent") entitled "POWER MANAGEMENT DEVICE WITH COMMUNICATIONS
5 CAPABILITY AND METHOD OF USE," which issued on December 3, 2013. A true and
6 correct copy of the '291 patent is attached as Exhibit 5 and incorporated by this reference.

7 17. Server Technology is the owner of United States Patent No. 7,706,134 ("the '134
8 patent") entitled "POWER DISTRIBUTION UNIT AND METHODS OF MAKING AND USE
9 INCLUDING MODULAR CONSTRUCTION AND ASSEMBLIES," which issued on April 27,
10 2010. A true and correct copy of the '134 patent is attached as Exhibit 6 and incorporated by this
11 reference.

12 18. Server Technology is the owner of United States Patent No. 8,694,272 ("the '272
13 patent") entitled "MONITORING POWER-RELATED PARAMETERS IN A POWER
14 DISTRIBUTION UNIT," which issued on April 8, 2014. A true and correct copy of the '272
15 patent is attached as Exhibit 7 and incorporated by this reference.

16 19. Server Technology is the owner of United States Patent No. 8,305,737 ("the '737
17 patent") entitled "POWER DISTRIBUTION APPARATUS WITH INPUT AND OUTPUT
18 POWER SENSING AND METHOD OF USE," which issued on November 6, 2012. A true and
19 correct copy of the '737 patent is attached as Exhibit 8 and incorporated by this reference.

20 20. Server Technology is the owner of United States Patent No. 8,494,661 ("the '661
21 patent") entitled "POWER DISTRIBUTION, MANAGEMENT, AND MONITORING
22 SYSTEMS AND METHODS," which issued on July 23, 2013. A true and correct copy of the
23 '661 patent is attached as Exhibit 9 and incorporated by this reference.

24 21. Server Technology is the owner of United States Patent No. 7,400,493 ("the '493
25 patent") entitled "CIRCUIT BREAKING LINK STATUS DETECTION AND REPORTING
26 CIRCUIT," which issued on July 15, 2008. A true and correct copy of the '493 patent is
27 attached as Exhibit 10 and incorporated by this reference.

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1 22. Server Technology is the owner of United States Patent No. 7,414,329 (“the ‘329
2 patent”) entitled “POLYPHASE POWER DISTRIBUTION AND MONITORING
3 APPARATUS,” which issued on August 19, 2008. A true and correct copy of the ‘329 patent is
4 attached as Exhibit 11 and incorporated by this reference.

5 23. Server Technology is the owner of United States Patent No. 7,447,002 (“the ‘002
6 patent”) entitled “FUSE MODULE WITH MOVABLE FUSE HOLDER FOR FUSED
7 ELECTRICAL DEVICE,” which issued on November 4, 2008. A true and correct copy of the
8 ‘002 patent is attached as Exhibit 12 and incorporated by this reference.

9 24. Server Technology is the owner of United States Patent No. 7,567,430 (“the ‘430
10 patent”) entitled “ELECTRICAL CIRCUIT APPARATUS WITH FUSE ACCESS SECTION,”
11 which issued on July 28, 2009. A true and correct copy of the ‘430 patent is attached as Exhibit
12 13 and incorporated by this reference.

13 25. Server Technology is the owner of United States Patent No. 8,541,906 (“the ‘906
14 patent”) entitled “POLYPHASE POWER DISTRIBUTION AND MONITORING
15 APPARATUS,” which issued on September 24, 2013. A true and correct copy of the ‘906
16 patent is attached as Exhibit 14 and incorporated by this reference.

17 26. Server Technology is the owner of United States Patent No. 8,541,907 (“the ‘907
18 patent”) entitled “POLYPHASE POWER DISTRIBUTION AND MONITORING
19 APPARATUS,” which issued on September 24, 2013. A true and correct copy of the ‘907
20 patent is attached as Exhibit 15 and incorporated by this reference.

21 27. The ‘543, ‘771, ‘461, ‘521, ‘291, ‘134, ‘272, ‘737, ‘661, ‘493, ‘329, ‘002, ‘430,
22 ‘906, and ‘907 patents are collectively referred to as the “Server Technology Patents.”

23 28. Server Technology’s business is centered on PDUs and ATSSs. Virtually all of its
24 sales are PDUs, ATSSs, and related services, and most of these sales are directly related to
25 products covered by the Server Technology Patents. Server Technology’s success depends upon
26 innovation and product differentiation.

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1 29. Defendants have made, used, imported, sold or offered to sell, and continues to
2 make, use, import, sell, and/or offer to sell data center equipment cabinets and data center power
3 management devices, including PDUs and ATSSs.

4 30. Defendants compete directly with Server Technology in the PDU and ATS
5 market. Defendants' acts of infringement have caused Server Technology to lose market share
6 and goodwill to Defendants.

7 31. Defendants have made, used, offered for sale, and sold in the United States
8 hundreds of PDU and ATS products that infringe one or more of the claims of the Server
9 Technology Patents. For example, Raritan's Power IQ DCIM Monitoring Software infringes the
10 '661 patent, Raritan's PX2-4863V-F1 model PDUs infringe the '002 and '430 patents, and
11 Raritan's DPSX12-15 and PX3-5902V model PDUs infringe each of the remaining Server
12 Technology Patents.

13 32. Additionally, the Raritan model PX2-5520 PDU infringes at least claim 15 of the
14 '543 patent and claim 15 of the '771 patent. A list of 176 models of Raritan PDUs that infringe
15 claim 15 of the '543 patent and claim 15 of the '771 patent is set forth in Exhibit 16.

16 33. As set forth below in the following subparagraphs, Defendants have made, used,
17 offered for sale and has sold in the United States PDUs and ATSSs that infringe at least the
18 following claims of the Server Technology Patents:

- 19 a. Claim 15 of the '543 patent;
20 b. Claim 15 of the '771 patent;
21 c. Claims 1 and 8 of the '461 patent;
22 d. Claims 1, 16, 31 of the '521 patent;
23 e. Claims 1 and 7 of the '291 patent;
24 f. Claims 1, 9, 13, and 22 of the '134 patent;
25 g. Claim 1 of the '272 patent;
26 h. Claim 1 of the '737 patent;
27 i. Claims 1, 14, and 27 of the '661 patent;
28 j. Claim 1 of the '493 patent;

- 1 k. Claims 1, 10, and 19 of the '329 patent;
- 2 l. Claims 1 and 16 of the '002 patent;
- 3 m. Claims 1, 6, 7, 11, 14, 19, 20, 21, 26, and 31 of the '430 patent;
- 4 n. Claim 1 of the '906 patent; and
- 5 o. Claims 1, 9, 17, and 23 of the '907 patent.

6 34. Server Technology marks its products with the numbers of the Server Technology
7 Patents in accordance with 35 U.S.C. § 287. Therefore, Defendants have had constructive notice
8 of each of the Server Technology Patents since the date marking commenced for each individual
9 patent. Additionally, Defendants have had actual knowledge of each of the Server Technology
10 Patents prior to the filing of this amended complaint. Upon information and belief, Defendants
11 have also known of each of the Server Technology patents because Defendants routinely monitor
12 Server Technology's patents and products, which are properly marked with the appropriate
13 patent information. The existence and scope of the Server Technology Patents are well-known
14 to those companies that manufacture and sell PDUs, such as Defendants.

15 **FIRST CAUSE OF ACTION**

16 (Infringement of the '543 patent)

17 35. Server Technology incorporates by reference the allegations contained in
18 paragraphs 1-34.

19 36. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
20 at least claim 15 of the '543 patent by manufacturing, using, offering to sell, or selling, within
21 the United States, and/or by importing into the United States, over 180 different product models
22 in the DPSX, PX-2000 and PX-5000 series of vertical, switched PDU products, including but not
23 limited to the Raritan model DPSX12-15, PX3-5902V and PX2-5520 PDUs.

24 37. Defendants' infringing acts have caused damage to Server Technology.

25 38. Defendants will continue to infringe claim 15 of the '543 patent unless
26 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
27 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
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1 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
2 infringement pursuant to 35 U.S.C. § 283.

3 39. Based on Defendants' knowledge of the '543 patent, Defendants' infringement of
4 the '543 patent is willful.

5 **SECOND CAUSE OF ACTION**

6 (Infringement of the '771 patent)

7 40. Server Technology incorporates by reference the allegations contained in
8 paragraphs 1-39.

9 41. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
10 at least claim 15 of the '771 patent by manufacturing, using, offering to sell, or selling, within
11 the United States, and/or by importing into the United States, over 180 different product models
12 in the DPSX, PX-2000 and PX-5000 series of vertical, switched PDU products, including but not
13 limited to the Raritan model DPSX12-15, PX3-5902V and PX2-5520 PDUs.

14 42. Defendants' infringing acts have caused damage to Server Technology.

15 43. Defendants will continue to infringe claim 15 of the '771 patent unless
16 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
17 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
18 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
19 infringement pursuant to 35 U.S.C. § 283.

20 44. Based on Defendants' knowledge of the '771 patent, Defendants' infringement of
21 the '771 patent is willful.

22 **THIRD CAUSE OF ACTION**

23 (Infringement of the '461 patent)

24 45. Server Technology incorporates by reference the allegations contained in
25 paragraphs 1-44.

26 46. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
27 at least claim 1 of the '461 patent by manufacturing, using, offering to sell, or selling, within the
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1 United States, and/or by importing into the United States, products, including but not limited to
2 the Raritan model PX3-5902V and PX2-5520 PDUs.

3 47. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
4 at least claim 8 of the '461 patent by manufacturing, using, offering to sell, or selling, within the
5 United States, and/or by importing into the United States, products, including but not limited to
6 the Raritan model DPSX12-15, PX3-5902V and PX2-5520 PDUs.

7 48. Defendants' infringing acts have caused damage to Server Technology.

8 49. Defendants will continue to infringe claims 1 and 8 of the '461 patent unless
9 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
10 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
11 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
12 infringement pursuant to 35 U.S.C. § 283.

13 50. Based on Defendants' knowledge of the '461 patent, Defendants' infringement of
14 the '461 patent is willful.

15 **FOURTH CAUSE OF ACTION**

16 (Infringement of the '521 patent)

17 51. Server Technology incorporates by reference the allegations contained in
18 paragraphs 1-50.

19 52. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
20 at least claims 1, 16, and 31 of the '521 patent by manufacturing, using, offering to sell, or
21 selling, within the United States, and/or by importing into the United States, products, including
22 but not limited to the Raritan model DPSX12-15 and PX3-5902V PDUs.

23 53. Defendants' infringing acts have caused damage to Server Technology.

24 54. Defendants will continue to infringe at least claims 1, 16, and 31 of the '521
25 patent unless permanently enjoined by this Court. As a result of Defendants' infringement,
26 Server Technology has suffered, and will continue to suffer, irreparable harm for which there is
27 no adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
28 relief against such infringement pursuant to 35 U.S.C. § 283.

1 55. Based on Defendants' knowledge of the '521 patent, Defendants' infringement of
2 the '521 patent is willful.

3 **FIFTH CAUSE OF ACTION**

4 (Infringement of the '291 patent)

5 56. Server Technology incorporates by reference the allegations contained in
6 paragraphs 1-55.

7 57. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
8 at least claim 1 of the '291 patent by manufacturing, using, offering to sell, or selling, within the
9 United States, and/or by importing into the United States, products, including but not limited to
10 the Raritan model PX3-5902V PDU.

11 58. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
12 at least claim 7 of the '291 patent by manufacturing, using, offering to sell, or selling, within the
13 United States, and/or by importing into the United States, products, including but not limited to
14 the Raritan model DPSX12-15 and PX3-5902V PDUs.

15 59. Defendants' infringing acts have caused damage to Server Technology.

16 60. Defendants will continue to infringe at least claims 1 and 7 of the '291 patent
17 unless permanently enjoined by this Court. As a result of Defendants' infringement, Server
18 Technology has suffered, and will continue to suffer, irreparable harm for which there is no
19 adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
20 relief against such infringement pursuant to 35 U.S.C. § 283.

21 61. Based on Defendants' knowledge of the '291 patent, Defendants' infringement of
22 the '291 patent is willful.

23 **SIXTH CAUSE OF ACTION**

24 (Infringement of the '134 patent)

25 62. Server Technology incorporates by reference the allegations contained in
26 paragraphs 1-61.

27 63. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
28 at least claims 1, 9, and 13 of the '134 patent by manufacturing, using, offering to sell, or selling,

1 within the United States, and/or by importing into the United States, products, including but not
2 limited to the Raritan model DPSX12-15 and PX3-5902V PDUs.

3 64. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
4 at least claim 22 of the '134 patent by manufacturing, using, offering to sell, or selling, within
5 the United States, and/or by importing into the United States, products, including but not limited
6 to the Raritan model PX3-5902V PDU.

7 65. Defendants' infringing acts have caused damage to Server Technology.

8 66. Defendants will continue to infringe or induce the infringement of at least claims
9 1, 9, 13, and 22 of the '134 patent unless permanently enjoined by this Court. As a result of
10 Defendants' infringement, Server Technology has suffered, and will continue to suffer,
11 irreparable harm for which there is no adequate remedy at law. Accordingly, Server Technology
12 is entitled to permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

13 67. Based on Defendants' knowledge of the '134 patent, Defendants' infringement of
14 the '134 patent is willful.

15 **SEVENTH CAUSE OF ACTION**

16 (Infringement of the '272 patent)

17 68. Server Technology incorporates by reference the allegations contained in
18 paragraphs 1-67.

19 69. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
20 at least claim 1 of the '272 patent by manufacturing, using, offering to sell, or selling, within the
21 United States, and/or by importing into the United States, products, including but not limited to
22 the Raritan model DPSX12-15 and PX3-5902V PDUs.

23 70. Defendants' infringing acts have caused damage to Server Technology.

24 71. Defendants will continue to infringe at least claim 1 of the '272 patent unless
25 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
26 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
27 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
28 infringement pursuant to 35 U.S.C. § 283.

1 72. Based on Defendants' knowledge of the '272 patent, Defendants' infringement of
2 the '272 patent is willful.

3 **EIGHTH CAUSE OF ACTION**

4 (Infringement of the '737 patent)

5 73. Server Technology incorporates by reference the allegations contained in
6 paragraphs 1-72.

7 74. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
8 at least claim 1 of the '737 patent by manufacturing, using, offering to sell, or selling, within the
9 United States, and/or by importing into the United States, products, including but not limited to
10 the Raritan model DPSX12-15 and PX3-5902V PDUs.

11 75. Defendants' infringing acts have caused damage to Server Technology.

12 76. Defendants will continue to infringe at least claim 1 of the '737 patent unless
13 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
14 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
15 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
16 infringement pursuant to 35 U.S.C. § 283.

17 77. Based on Defendants' knowledge of the '737 patent, Defendants' infringement of
18 the '737 patent is willful.

19 **NINTH CAUSE OF ACTION**

20 (Infringement of the '661 patent)

21 78. Server Technology incorporates by reference the allegations contained in
22 paragraphs 1-77.

23 79. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
24 at least claims 1, 14, and 27 of the '661 patent by manufacturing, using, offering to sell, or
25 selling, within the United States, and/or by importing into the United States, products, including
26 but not limited to Raritan's Power IQ DCIM Monitoring Software.

27 80. Defendants' infringing acts have caused damage to Server Technology.

28 81. Defendants will continue to infringe at least claims 1, 14, and 27 of the '661

1 patent unless permanently enjoined by this Court. As a result of Defendants' infringement,
2 Server Technology has suffered, and will continue to suffer, irreparable harm for which there is
3 no adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
4 relief against such infringement pursuant to 35 U.S.C. § 283.

5 82. Based on Defendants' knowledge of the '661 patent, Defendants' infringement of
6 the '661 patent is willful.

7 **TENTH CAUSE OF ACTION**

8 (Infringement of the '493 patent)

9 83. Server Technology incorporates by reference the allegations contained in
10 paragraphs 1-82.

11 84. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
12 at least claim 1 of the '493 patent by manufacturing, using, offering to sell, or selling, within the
13 United States, and/or by importing into the United States, products, including but not limited to
14 the Raritan model PX3-5902V and PX2-5520 PDUs.

15 85. Defendants' infringing acts have caused damage to Server Technology.

16 86. Defendants will continue to infringe at least claim 1 of the '493 patent unless
17 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
18 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy
19 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
20 infringement pursuant to 35 U.S.C. § 283.

21 87. Based on Defendants' knowledge of the '493 patent, Defendants' infringement of
22 the '493 patent is willful.

23 **ELEVENTH CAUSE OF ACTION**

24 (Infringement of the '329 patent)

25 88. Server Technology incorporates by reference the allegations contained in
26 paragraphs 1-87.

27 89. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
28 at least claims 1, 10, and 19 of the '329 patent by manufacturing, using, offering to sell, or

1 selling, within the United States, and/or by importing into the United States, products, including
2 but not limited to the Raritan model PX3-5902V PDUs.

3 90. Defendants' infringing acts have caused damage to Server Technology.

4 91. Defendants will continue to infringe at least claim 1, 10, and 19 of the '329 patent
5 unless permanently enjoined by this Court. As a result of Defendants' infringement, Server
6 Technology has suffered, and will continue to suffer, irreparable harm for which there is no
7 adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
8 relief against such infringement pursuant to 35 U.S.C. § 283.

9 92. Based on Defendants' knowledge of the '329 patent, Defendants' infringement of
10 the '329 patent is willful.

11 **TWELFTH CAUSE OF ACTION**

12 (Infringement of the '002 patent)

13 93. Server Technology incorporates by reference the allegations contained in
14 paragraphs 1-92.

15 94. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
16 at least claims 1 and 16 of the '002 patent by manufacturing, using, offering to sell, or selling,
17 within the United States, and/or by importing into the United States, products, including but not
18 limited to the Raritan model PX2-4863V-F1 PDUs.

19 95. Defendants' infringing acts have caused damage to Server Technology.

20 96. Defendants will continue to infringe at least claims 1 and 16 of the '002 patent
21 unless permanently enjoined by this Court. As a result of Defendants' infringement, Server
22 Technology has suffered, and will continue to suffer, irreparable harm for which there is no
23 adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
24 relief against such infringement pursuant to 35 U.S.C. § 283.

25 97. Based on Defendants' knowledge of the '002 patent, Defendants' infringement of
26 the '002 patent is willful.

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1 **THIRTEENTH CAUSE OF ACTION**

2 (Infringement of the '430 patent)

3 98. Server Technology incorporates by reference the allegations contained in
4 paragraphs 1-97.

5 99. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
6 at least claims 1, 6, 7, 11, 14, 19, 20, 21, 26, and 31 of the '430 patent by manufacturing, using,
7 offering to sell, or selling, within the United States, and/or by importing into the United States,
8 products, including but not limited to the Raritan model PX2-4863V-F1 PDUs.

9 100. Defendants' infringing acts have caused damage to Server Technology.

10 101. Defendants will continue to infringe at least claims 1, 6, 7, 11, 14, 19, 20, 21, 26,
11 and 31 of the '430 patent unless permanently enjoined by this Court. As a result of Defendants'
12 infringement, Server Technology has suffered, and will continue to suffer, irreparable harm for
13 which there is no adequate remedy at law. Accordingly, Server Technology is entitled to
14 permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

15 102. Based on Defendants' knowledge of the '430 patent, Defendants' infringement of
16 the '430 patent is willful.

17 **FOURTEENTH CAUSE OF ACTION**

18 (Infringement of the '906 patent)

19 103. Server Technology incorporates by reference the allegations contained in
20 paragraphs 1-102.

21 104. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
22 at least claim 1 of the '906 patent by manufacturing, using, offering to sell, or selling, within the
23 United States, and/or by importing into the United States, products, including but not limited to
24 the Raritan model PX3-5902V PDUs.

25 105. Defendants' infringing acts have caused damage to Server Technology.

26 106. Defendants will continue to infringe at least claim 1 of the '906 patent unless
27 permanently enjoined by this Court. As a result of Defendants' infringement, Server Technology
28 has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy

1 at law. Accordingly, Server Technology is entitled to permanent injunctive relief against such
2 infringement pursuant to 35 U.S.C. § 283.

3 107. Based on Defendants' knowledge of the '906 patent, Defendants' infringement of
4 the '906 patent is willful.

5 **FIFTEENTH CAUSE OF ACTION**

6 (Infringement of the '907 patent)

7 108. Server Technology incorporates by reference the allegations contained in
8 paragraphs 1-107.

9 109. In violation of 35 U.S.C. § 271(a), Defendants have infringed and are infringing
10 at least claims 1, 9, 17, and 23 of the '907 patent by manufacturing, using, offering to sell, or
11 selling, within the United States, and/or by importing into the United States, products, including
12 but not limited to the Raritan model PX3-5902V PDUs.

13 110. Defendants' infringing acts have caused damage to Server Technology.

14 111. Defendants will continue to infringe at least claims 1, 9, 17, and 23 of the '907
15 patent unless permanently enjoined by this Court. As a result of Defendants' infringement,
16 Server Technology has suffered, and will continue to suffer, irreparable harm for which there is
17 no adequate remedy at law. Accordingly, Server Technology is entitled to permanent injunctive
18 relief against such infringement pursuant to 35 U.S.C. § 283.

19 112. Based on Defendants' knowledge of the '907 patent, Defendants' infringement of
20 the '907 patent is willful.

21 **SIXTEENTH CAUSE OF ACTION**

22 (Induced Infringement of the '661 patent)

23 113. Server Technology incorporates by reference the allegations contained in
24 paragraphs 1-112.

25 114. In violation of 35 U.S.C. § 271(b) Defendants have knowingly induced and
26 continue to induce others to directly infringe at least claim 14 of the '661 patent through the use
27 of covered systems and methods, including but not limited to use of Raritan's Power IQ DCIM
28 Monitoring Software.

1 115. Defendants possessed and continue to possess specific intent to encourage those
2 others' infringement of Server Technology's patents.

3 116. Through distribution of product manuals and other materials with its products, or
4 that are otherwise furnished to its customers, Defendants have induced those customers to use
5 products, including Raritan's Power IQ DCIM Monitoring Software, in a way that directly
6 infringes at least claim 14 of the '661 patent. Specifically, Defendants provide to its customers
7 detailed technical information demonstrating that their products operate in a manner that directly
8 infringes those claims, and expressly encourage and induce the use of products in a manner that
9 infringes at least claim 14 of the '661 patent.

10 117. At least since being served with this complaint, Defendants have been aware of
11 the '661 patent.

12 118. Upon information and belief, Defendants have also known of the '661 patent
13 because Defendants routinely monitor Server Technology's patents and products, and Server
14 Technology's products encompassed by the '661 patent are properly marked with that patent.

15 119. Upon information and belief, Defendants' customers, including those end-users
16 who purchase and use in the United States Raritan's Power IQ DCIM Monitoring Software,
17 directly infringe the asserted claims of the '661 patent.

18 120. Defendants, therefore, are liable for inducing infringement.

19 121. Defendants' indirectly infringing acts have caused damage to Server Technology.

20 122. Defendants will continue to induce infringement of at least claim 14 of the '661
21 patent unless permanently enjoined by this Court. As a result of Defendants' indirect
22 infringement, Server Technology has suffered, and will continue to suffer, irreparable harm for
23 which there is no adequate remedy at law. Accordingly, Server Technology is entitled to
24 permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

25 **SEVENTEENTH CAUSE OF ACTION**

26 (Induced Infringement of the '430 patent)

27 123. Server Technology incorporates by reference the allegations contained in
28 paragraphs 1-122.

1 124. In violation of 35 U.S.C. § 271(b) Defendants have knowingly induced and
2 continue to induce others to directly infringe at least claim 14 of the '430 patent through the use
3 of covered systems and methods, including but not limited to methods that use the Raritan model
4 PX2-4863V-F1 PDUs.

5 125. Defendants possessed and continue to possess specific intent to encourage those
6 others' infringement of Server Technology's patents.

7 126. Through distribution of product manuals and other materials with its products, or
8 that are otherwise furnished to its customers, Defendants have induced those customers to use
9 products, including the Raritan model PX2-4863V-F1 PDUs, in a way that directly infringes at
10 least claim 14 of the '430 patent. Specifically, Defendants provide to its customers detailed
11 technical information demonstrating that their products operate in a manner that directly
12 infringes those claims, and expressly encourage and induce the use of products in a manner that
13 infringes at least claim 14 of the '430 patent.

14 127. At least since being served with this complaint, Defendants have been aware of
15 the '430 patent.

16 128. Upon information and belief, Defendants have also known of the '430 patent
17 because Defendants routinely monitor Server Technology's patents and products, and Server
18 Technology's products encompassed by the '430 patent are properly marked with that patent.

19 129. Upon information and belief, Defendants' customers, including those end-users
20 who purchase and use in the United States the Raritan model PX2-4863V-F1 PDUs, directly
21 infringe the asserted claims of the '430 patent.

22 130. Defendants, therefore, are liable for inducing infringement.

23 131. Defendants' indirectly infringing acts have caused damage to Server Technology.

24 132. Defendants will continue to induce infringement of at least claim 14 of the '430
25 patent unless permanently enjoined by this Court. As a result of Defendants' indirect
26 infringement, Server Technology has suffered, and will continue to suffer, irreparable harm for
27 which there is no adequate remedy at law. Accordingly, Server Technology is entitled to
28 permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

EIGHTEENTH CAUSE OF ACTION

(Induced Infringement of the '907 patent)

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3 133. Server Technology incorporates by reference the allegations contained in
4 paragraphs 1-132.

5 134. In violation of 35 U.S.C. § 271(b) Defendants have knowingly induced and
6 continue to induce others to directly infringe at least claims 1, 9, and 17 of the '907 patent
7 through the use of covered systems and methods, including but not limited to methods that use
8 the Raritan model PX3-5902V PDUs.

9 135. Defendants possessed and continue to possess specific intent to encourage those
10 others' infringement of Server Technology's patents.

11 136. Through distribution of product manuals and other materials with its products, or
12 that are otherwise furnished to its customers, Defendants have induced those customers to use
13 products, including the Raritan model PX3-5902V PDUs, in a way that directly infringes at least
14 claims 1, 9, and 17 of the '907 patent. Specifically, Defendants provide to its customers detailed
15 technical information demonstrating that their products operate in a manner that directly
16 infringes those claims, and expressly encourage and induce the use of products in a manner that
17 infringes at least claims 1, 9, and 17 of the '907 patent.

18 137. At least since being served with this complaint, Defendants have been aware of
19 the '907 patent.

20 138. Upon information and belief, Defendants have also known of the '907 patent
21 because Defendants routinely monitor Server Technology's patents and products, and Server
22 Technology's products encompassed by the '907 patent are properly marked with that patent.

23 139. Upon information and belief, Defendants' customers, including those end-users
24 who purchase and use in the United States the Raritan model PX3-5902V PDUs, directly
25 infringe the asserted claims of the '907 patent.

26 140. Defendants, therefore, are liable for inducing infringement.

27 141. Defendants' indirectly infringing acts have caused damage to Server Technology.

28 142. Defendants will continue to induce infringement of at least claims 1, 9, and 17 of

1 the '907 patent unless permanently enjoined by this Court. As a result of Defendants' indirect
2 infringement, Server Technology has suffered, and will continue to suffer, irreparable harm for
3 which there is no adequate remedy at law. Accordingly, Server Technology is entitled to
4 permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

5 **NINETEENTH CAUSE OF ACTION**

6 (Contributory Infringement of the '661 patent)

7 143. Server Technology incorporates by reference the allegations contained in
8 paragraphs 1-142.

9 144. In violation of 35 U.S.C. § 271(c), Defendants have contributed to and continue to
10 contribute to the infringement by others of at least claim 1 of the '661 patent, because they offer
11 to sell or sell within the United States or import into the United States their products, including
12 Raritan's Power IQ DCIM Monitoring Software, which constitute a material part of the
13 inventions claimed in the '661 patent, knowing the same to be especially made or adapted for
14 infringement.

15 145. Defendants' products, including Raritan's Power IQ DCIM Monitoring Software,
16 are not staple articles or commodities of commerce suitable for substantial noninfringing uses.
17 When used for their intended purpose, those products—alone or in combination with other
18 products with which they are especially adapted, expected, and/or intended to be used—infringe
19 at least claim 1 of the '661 patent. Other than for the uses for which they were designed and
20 intended to be used, those products have no other regular or expected use.

21 146. At least since being served with this complaint, Defendants have been aware of
22 the '661 patent.

23 147. Upon information and belief, Defendants have also known of the '661 patent
24 because Defendants routinely monitor Server Technology's patents and products, and Server
25 Technology's products encompassed by the '661 patent are properly marked with that patent.

26 148. Upon information and belief, Defendants' customers, including those end-users
27 who purchase and use the accused products, including Raritan's Power IQ DCIM Monitoring
28 Software, directly infringed the asserted claims of the '661 patent.

1 149. Defendants' indirectly infringing acts have caused damage to Server Technology.

2 150. Defendants will continue to contribute to the infringement of at least claim 1 of
3 the '661 patent unless permanently enjoined by this Court. As a result of Defendants' indirect
4 infringement, Server Technology has suffered, and will continue to suffer, irreparable harm for
5 which there is no adequate remedy at law. Accordingly, Server Technology is entitled to
6 permanent injunctive relief against such infringement pursuant to 35 U.S.C. § 283.

7 **TWENTIETH CAUSE OF ACTION**

8 (Contributory Infringement of the '430 patent)

9 151. Server Technology incorporates by reference the allegations contained in
10 paragraphs 1-150.

11 152. In violation of 35 U.S.C. § 271(c), Defendants have contributed to and continue to
12 contribute to the infringement by others of at least claims 1, 6, 7, 11, and 26 of the '430 patent,
13 because they offer to sell or sell within the United States or import into the United States their
14 products, including the Raritan model PX2-4863V-F1 PDUs, which constitute a material part of
15 the inventions claimed in the '430 patent, knowing the same to be especially made or adapted for
16 infringement.

17 153. Defendants' products, including the Raritan model PX2-4863V-F1 PDUs, are not
18 staple articles or commodities of commerce suitable for substantial noninfringing uses. When
19 used for their intended purpose, those products—alone or in combination with other products
20 with which they are especially adapted, expected, and/or intended to be used—infringe at least
21 claims 1, 6, 7, 11, and 26 of the '430 patent. Other than for the uses for which they were
22 designed and intended to be used, those products have no other regular or expected use.

23 154. At least since being served with this complaint, Defendants have been aware of
24 the '430 patent.

25 155. Upon information and belief, Defendants have also known of the '430 patent
26 because Defendants routinely monitor Server Technology's patents and products, and Server
27 Technology's products encompassed by the '430 patent are properly marked with that patent.

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JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Server Technology hereby demands a trial by jury of all issues so triable.

DATED December 15, 2015.

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