

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RECONSTRUCTOR HOLDINGS, LLC,
Plaintiff,

AYASDI, Inc.,

Defendant.

CASE NO. 3:16-_____

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Reconstructor Holdings, LLC (“Plaintiff” or “Reconstructor”) by and through its undersigned counsel, files this Complaint against Defendant Ayasdi, Inc. (“Defendant” or “Ayasdi”) as follows:

THE PARTIES

1. Reconstructor is a limited liability company organized under the laws of the State of Delaware with a principal place of business at 67 Holly Hill Ln #302, Greenwich, CT 06830. Its members are ISPD, Inc., a Connecticut corporation with its principal place of business in Connecticut; Regulus International Capital Corp., a Connecticut corporation with its principal place of business in Connecticut; Clara Miller, an individual who is a citizen of Connecticut; and the S.A.M. 2000 Irrevocable Trust, which is a Delaware trust whose trustee is an individual citizen of Connecticut.

2. Reconstructor is the assignee of U.S. Patent No. 8,606,672 (the “’672 Patent”) entitled “Method and System for Analyzing Investment Information.” A true and correct copy of the ’672 Patent is attached hereto as Exhibit A.

3. Upon information and belief, Defendant Ayasdi is a corporation organized under the laws of Delaware, and its principal place of business is 4400 Bohannon Dr #200, Menlo Park, CA 94025. It is registered to do business in California. Its registered agent for service of process is Gurjeet Singh, who can be served at Ayasdi's principal place of business.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant because Ayasdi has extensive contacts with the State of Texas that suffice to permit the Court to exercise general jurisdiction over it. Specifically, Ayasdi transacts business within this State and was registered as a foreign corporation with the Texas Secretary of State with the registration number 0801303964 during the time that a substantial part of the acts giving rise to this lawsuit occurred.

6. Upon information and belief, Ayasdi at all times relevant to this action, also has regularly transacted business in Texas with and/or through its subsidiary Ayasdi Government Services, Inc., which is registered as a Texas foreign corporation with registration number 0801826703.

7. This Court also has personal jurisdiction over Defendant because Defendant has purposefully and voluntarily availed itself of the privilege of doing business in the United States, the State of Texas, and the Northern District of Texas by continuously and systematically placing goods into the stream of commerce with the expectation that they will be purchased by consumers in the Northern District of Texas and or selling or offering for sale infringing products in the State of Texas. Upon information and belief, Defendant has committed acts of

patent infringement within the State of Texas and, more particularly, within the Northern District of Texas.

8. Venue is proper in this district U.S.C. §§ 1391(b) and 1400(b) because Defendant has committed acts of infringement in this District by selling, offering to sell, and/or using infringing products within this District.

PATENT INFRINGEMENT OF U.S. PATENT NO. 8,606,672

9. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-8 as though fully set forth herein.

10. The '672 Patent was duly and legally issued by the United States Patent and Trademark Office on December 10, 2013 to Reconstructor, as assignee of named inventors Samir Varma and Michael Wayne Shore.

11. Reconstructor is the owner of all right, title, and interest in and to the '672 Patent with full right to bring suit to enforce the patent, including the right to recover for past infringement damages.

12. Each and every claim of the '672 Patent is valid and enforceable and each enjoys a statutory presumption of validity separate, apart, and in addition to the statutory presumption of validity enjoyed by every other of its claims. 35 U.S.C. § 282.

13. Ayasdi has at no time, either expressly or impliedly, been licensed under the '672 Patent.

14. The '672 Patent describes and claims, *inter alia*, method, software and apparatus for analyzing investment information.

15. Reconstructor is informed and believes, and thereupon alleges, that Ayasdi, without authorization or license, has been, and is currently directly or indirectly infringing one or more claims of the '672 Patent in violation of 35 U.S.C. § 271, including as stated below.

16. Reconstructor is informed and believes, and thereupon alleges, that Ayasdi has directly infringed, literally and/or under the doctrine of equivalents, and will continue to directly infringe, each patent claim of the '672 Patent by making, using, selling, offering to sell, and/or importing into the United States products that embody or practice the apparatus and/or method covered by one or more claims of the '672 Patent, including but not limited to the Defendant's Ayasdi Core product (collectively referred to as "Accused Products").

17. Ayasdi has had knowledge of and notice of the '672 Patent and Ayasdi's infringement of the '672 Patent, at minimum, as a result of the filing of this Complaint.

18. Reconstructor expressly reserves the right to investigate and allege any actions by Ayasdi that render this an exceptional case and any post-filing conduct that constitutes willful infringement, induced infringement, or contributory infringement by Ayasdi.

19. Reconstructor adopts and incorporates by reference, as if fully stated herein, the attached claim chart for claim 1 of the '672 Patent, which is attached hereto as **Exhibit B**. The claim chart describes and demonstrates how Ayasdi infringes the apparatus claimed in the patent.

20. In addition to the claim chart, Reconstructor alleges that Ayasdi infringes, at minimum, additional claims of the '672 patent, including but not limited to claims 16 and 18. Claim 16 is a method claim and claim 18 is a claim directed to a "computer-readable medium" that contain the same or similar elements as claim 1. Reconstructor adopts by reference as if fully stated herein the claim chart analysis of the elements of claim 1 that correspond to or match the elements of claims 16 and 18.

21. Reconstructor is informed and believes, and thereupon alleges, that Ayasdi knowingly manufactures, uses, offers to sell or sells the Accused Products within the United States. The technologies are especially made or especially adapted for use in infringement of the '672 Patent. The Accused Products are software, or hardware and software, that allow analysis of complex data and therefore are not staple articles or commodities of commerce suitable for substantial non-infringing use. The Accused Products constitute a material part of the invention claimed by the '672 Patent at least because Ayasdi's technologies in the Accused Products work in conjunction with mobile and computer applications.

22. Defendant's acts of infringement have caused and will continue to cause substantial and irreparable damage to Reconstructor.

23. As a result of the infringement of the '672 Patent by Defendant, Reconstructor has been damaged. Reconstructor is, therefore, entitled to such damages pursuant to 35 U.S.C. § 284 in an amount that presently cannot be pled but that will be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for entry of judgment against Defendant as follows:

- A. A judgment that Defendant has infringed and continues to infringe the '672 Patent, directly and/or indirectly by way of inducing or contributing to infringement of such patents post-suit as alleged herein;
- B. That Defendant provide to Reconstructor an accounting of all gains, profits and advantages derived by Defendant's infringement of the '672 Patent, and that Reconstructor be awarded damages adequate to compensate it for the wrongful infringement by Defendant in accordance with 35 U.S.C. § 284;

- C. That Reconstructor be awarded any other supplemental damages and interest on all damages and costs of court;
- D. That the Court permanently enjoin Defendant and all those in privity with Defendant from making, having made, selling, offering for sale, distributing and/or using products that infringe the '672 Patent, including the Accused Products, in the United States; and
- E. That Reconstructor be awarded such other and further relief and all remedies available at law.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), Reconstructor hereby demands a trial by jury on all issues triable to a jury.

Dated: March 31, 2016

Respectfully submitted,

/s/ Alfonso G. Chan

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