

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

Imran Niazi

Plaintiff,

v.

Case No. 16-cv-670

Pressure Products Medical Supplies, Inc.,

Defendant.

COMPLAINT

Plaintiff Imran Niazi (“Niazi”), for his complaint against defendant Pressure Products Medical Supplies, Inc. (“Pressure Products”), alleges as follows:

Parties

1. Plaintiff Imran Niazi is an individual with his principal residence in River Hills, Wisconsin. Niazi is a board-certified electrophysiologist who treats patients with heart rhythm disorders. Niazi currently works for Aurora Health Care, practicing out of facilities in Milwaukee, Wisconsin and Lake Geneva, Wisconsin.

2. Defendant Pressure Products Medical Supplies, Inc. is a corporation with its principal place of business at 49 Via Alicia, Santa Barbara, CA 93108.

Nature of Action

3. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 100 *et seq.*

4. Niazi is the owner of all right, title and interest in U.S. Patent 6,638,268 (“the ‘268 Patent”) entitled *Catheter to cannulate the coronary sinus*, issued on October 28, 2003, a copy of which is attached as Exhibit A.

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Upon information and belief, Pressure Products regularly conducts business in this District and has sold and/or offered for sale products that infringe the ‘268 patent in this District. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

COMPARISON OF EXEMPLARY CLAIM TO EXEMPLARY ACCUSED PRODUCT

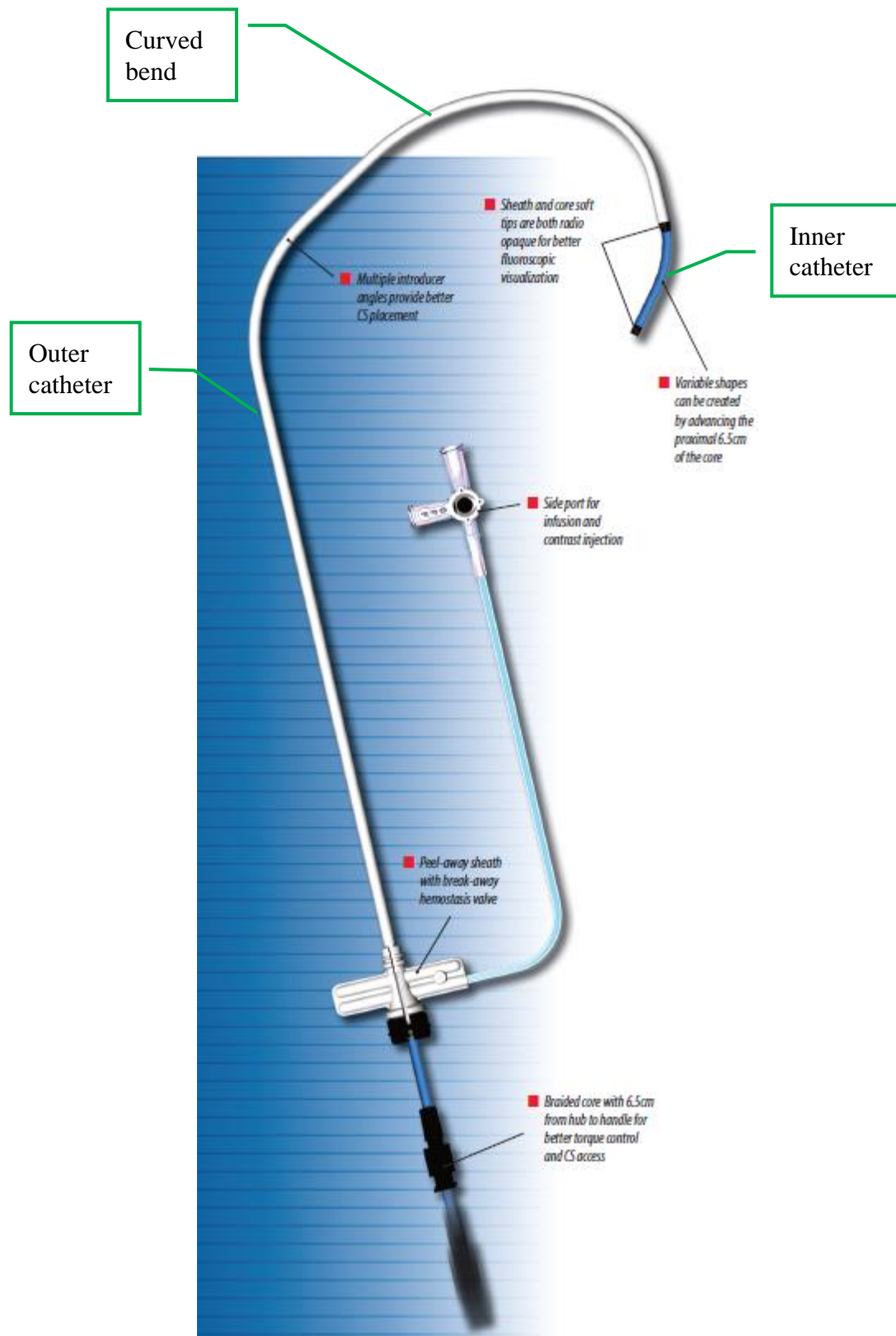
Claim 1

7. Claim 1 of the ‘268 patent is directed to a double catheter for cannulating the coronary sinus of a human heart.

8. Upon information and belief, Pressure Products manufactures, sells and/or offers to sell a double catheter called the SafeSheath® CSG® Coronary Sinus Guide (the “CSG”) that may be used to cannulate the coronary sinus of a human heart.

9. Claim 1 includes an outer, resilient catheter having shape memory and a hook shaped distal end configured for cannulation of the coronary sinus with at least one curved bend.

10. Pressure Products’ CSG includes an outer, resilient catheter having shape memory and a hook shaped distal end configured for cannulation of the coronary sinus with at least one curved bend, as shown below:



11. Claim 1 includes an inner, pliable catheter slidably disposed in the outer catheter and of greater length than the outer catheter so that a distal end portion of the inner catheter can

be extended or retracted from a distal end opening of the outer catheter to vary the overall length of the double catheter.

12. Pressure Products' CSG includes an inner, pliable catheter slidably disposed in the outer catheter and of greater length than the outer catheter so that a distal end portion of the inner catheter can be extended or retracted from a distal end opening of the outer catheter to vary the overall length of the double catheter. This is shown in the figure of paragraph 10 above.

13. Claim 1 further requires that the inner catheter have an internal lumen configured for the introduction of contrast media and a pacing lead into the coronary sinus.

14. Pressure Products' CSG includes a lumen configured for the introduction of contrast media and a pacing lead into the coronary sinus.

15. Claim 1 further requires a mechanism operable from the proximal end of the outer catheter for changing the curvature of the distal end of the outer catheter.

16. Pressure Products' CSG includes a mechanism operable from the proximal end of the outer catheter for changing the curvature of the distal end of the outer catheter.

COUNT I

Claim for Infringement of the '268 Patent

17. Niazi realleges and incorporates by reference the allegations in paragraphs 1-16 as if fully set forth herein.

18. Pressure Products has manufactured, used, sold and offered to sell at least the following products that infringe the '268 patent either literally or under the doctrine of equivalents: SafeSheath® CSG® Braided Core, the SafeSheath® CSG® Extruded, and the SafeSheath® Worley® LVI (collectively the "Infringing Products").

19. Pressure Products has directly infringed and continues to infringe the '268 patent through the use, manufacture, sale, and offer for sale of the Infringing Products.

20. Upon information and belief, Pressure Products has induced and contributorily caused its customers to infringe the '268 patent.

21. Upon information and belief, Pressure Products was aware of the '268 patent prior to being put on notice by Niazi.

22. Upon information and belief, direct end users of the Infringing Products have infringed the '268 patent by using the Infringing Products.

23. Upon information and belief, Pressure Products has encouraged the end users to use the Infringing Products.

24. Upon information and belief, Pressure Products knew that the use the Infringing Products would infringe Niazi's '268 patent.

25. Upon information and belief, Pressure Products knew that the Infringing Products were made or adapted for a use that would infringe Niazi's '268 patent.

26. Upon information and belief, the Infringing Products are not commonly available items with substantial non-infringing uses.

27. Upon information and belief, Pressure Products has been and is willfully infringing the '268 patent.

28. It is believed that Pressure Products will continue to manufacture, sell, and/or offer for sale the Infringing Products unless enjoined from doing so, causing Niazi irreparable harm.

29. Pressure Products' conduct shows a lack of the required duty to avoid infringement of the '268 patent such that this is an exceptional case; therefore, Niazi should be awarded his reasonable attorneys' fees pursuant to 35 U.S.C. § 285.

30. Pursuant to 35 U.S.C. § 284, Niazi is entitled to enhanced damages for infringement of the '268 patent by Pressure Products, up to treble damages.

31. Pursuant to 35 U.S.C. § 283, Niazi is entitled to a preliminary and permanent injunction against further infringement of the '268 patent by Pressure Products.

Request for Relief

WHEREFORE, Plaintiff Imran Niazi demands that judgment be entered in his favor and against Defendant Pressure Products Medical Supplies, Inc., as follows:

- A. Adjudging that Defendant has willfully infringed U.S. Patent 6,638,268;
- B. Preliminarily and permanently enjoining the Defendant from infringing U.S. Patent 6,638,268;
- C. Awarding Plaintiff his damages, together with prejudgment interest, caused by the Defendant's infringement;
- D. Granting such other and further relief as the Court may deem appropriate.

Jury Demand

Plaintiff Imran Niazi hereby demands a jury trial of all issues of fact not admitted by the Defendant.

Dated: October 5, 2016

s/Michael T. Griggs

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