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6 *Pro Se* Plaintiff

7 **IN THE UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

<p>9 DR. LAKSHMI ARUNACHALAM,</p> <p>10 Plaintiff,</p> <p>11 vs.</p> <p>12 STANFORD HEALTH CARE; LUCILE SALTER PACKARD CHILDREN’S HOSPITAL AT STANFORD; AND DOES 1-100 INCLUSIVE, 13 Defendants</p>	<p>Case No.: 5:18-cv-03995-EJD</p> <p>FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT</p> <p>DEMAND FOR JURY TRIAL YES</p>
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14 **FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

15 As per the Court’s Order (D.I. 51) dated 1/25/19, Plaintiff DR. LAKSHMI
16 ARUNACHALAM, (“Dr. Arunachalam”), representing herself, hereby files this First Amended
17 Complaint for Patent Infringement against STANFORD HEALTH CARE, LUCILE SALTER
18 PACKARD CHILDREN’S HOSPITAL AT STANFORD, and DOES 1-100, each a
19 (“Defendant”), collectively (“Defendants”), and hereby alleges as follows:

20 **I. THE PARTIES**

- 21 1. Plaintiff, Dr. Lakshmi Arunachalam, (“Dr. Arunachalam”), is an individual that
22 maintains her principal place of business at 222 Stanford Avenue, Menlo Park, CA
23 94025.
- 24 2. Defendant STANFORD HEALTH CARE is a California healthcare service provider
25 and Hospital that maintains its principal place of business at 300 Pasteur Dr., H3200,
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1 Palo Alto, CA, 94304, Tel: 650. 723.4000. Defendant regularly conducts and
2 transacts business in this District.

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4 3. Defendant LUCILE SALTER PACKARD CHILDREN’S HOSPITAL AT
5 STANFORD is a California healthcare service provider and Hospital that maintains its
6 principal place of business at 770 Welch Rd, Ste 150, Palo Alto, CA, 94304,
7 Tel.:650.497.8000. Defendant regularly conducts and transacts business in this
8 District.

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10 4. Defendants do business in California and in this District and can be served with
11 process through their Agent for Service of Process, Debra L Zumwalt, 450 Serra
12 Mall, Building 170, Third Floor, Main Quad, Mail Code: 2038, Stanford, CA 94305-
13 2038; Tel.: 650.723.9611.

14 5. And, Defendants **DOES 1 through 100**, inclusive.

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16 **II. JURISDICTION AND VENUE**

17 6. This action arises under the patent laws of the United States, Title 35 of the United
18 States Code. The Court’s jurisdiction over this action is proper under the above
19 statutes, including 35 U.S.C. § 271 et seq. and 28 U.S.C. § 1338.

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21 7. Personal jurisdiction exists over the Defendants because there exists sufficient contact
22 with the forum as a result of business conducted within the State of California and
23 within this district. Personal jurisdiction also exists specifically over the Defendants
24 because of Defendants’ conduct in making and using infringing products and
25 practices within the State of California and this district, wherein they have a regular,
26 established place of business.
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1 8. Venue is proper in this Court under 28 U.S.C. §§1391(b), (c), and (d), as well as 28
2 U.S.C. § 1400(b).

3 **III. PATENT INFRINGEMENT**

4 9. Plaintiff, Dr. Arunachalam, is the inventor and assignee of all rights, title and interest
5 in and under United States Patent No. 7,930,340 (“the ‘340 patent”), which duly and
6 legally issued on April 19, 2011, with Plaintiff Dr. Arunachalam, as the named
7 inventor for a Network Transaction Portal.
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9 10. Defendants have been and continue to infringe the ‘340 patent by at least making and
10 using, without authority, products and practices regarding at least their MyHealth and
11 other Web apps on IoT devices, mobile Web apps on Apple AppStore, Google
12 Play, providing easy, secure access anytime, anywhere to patient health information
13 and care team, manage patient care and prescriptions, make appointments, Epic Web
14 applications for a wide variety of functions at the Hospital, namely, electronic
15 medical records (EMR) accessible on the iPhone, precision health Web apps, Web
16 apps for use by patients, nurses and doctors; for scheduling; emergency room (ER),
17 patient check-in, so patients can access their secure medical records right from their
18 iPhone, Epic’s HER, EMR and other Web applications to access, organize, store
19 and share electronic medical records, and Web applications for medical center
20 operations, including population health management, patient engagement and revenue
21 cycle management, Cerner Corp’s Web app products, McKesson Corp.’s EHR Web
22 apps, Allscripts’ Web apps, Meditech Web apps, and AthenaHealth Web apps,
23 **EpicCare**, the core EHR Web app product, tailored for physicians and Defendants
24 that focuses on clinical care, decision support and streamlined processes;
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1 **MyChart** Web app that provides patient engagement features, including family
2 health information, which Defendants renamed as MyHealth; **Healthy Planet** Web
3 app that uses data interoperability to boost population health management efforts;
4 **Revenue cycle management** software and Web apps, that help handle patient claims
5 and billing; **Tapestry** Web app, that addresses managed care activities; **Mobile**
6 **interfaces**, including Haiku for smartphones, Canto for tablets and Limeric for
7 the Apple Watch, to aid patient care via mobile devices; cloud-based medical records
8 systems; Epic’s population health and analytics platform Web apps to lower drug
9 costs, to enable Defendants to access real-time information about prescription
10 insurance coverage and information about less expensive alternative drugs; Epic’s
11 Sonnet Web apps; All Terrain Web app; Epic Web apps for Defendants’ patient
12 portal and inpatient-outpatient system with revenue cycle management; EpicCare
13 Electronic Medical Record (EMR) system, built on the InterSystems CACHÉ high-
14 performance object database and Ensemble; InterSystems HealthShare for regional or
15 national health information exchange; InterSystems DeepSee to embed real-time
16 business intelligence in transactional applications; Apple Health Records application
17 programming interface to create apps that can use electronic health records data to
18 help people manage their health care and medications; Apple Heart Study Web app
19 that uses data from Apple Watch to identify, detect and analyze irregular heart
20 rhythms, atrial fibrillation, potentially serious heart conditions; leading the
21 biomedical revolution in precision health, defining and developing the next
22 generation of care that is proactive, predictive and precise, with Web apps for EHRs,
23 harnessing data for population health management; payment and medical claims
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1 processing services and systems and methods that fall within the scope of the claims
2 of the '340 patent. *See* Exhibit 2: Plaintiff's Infringement Claim Charts of U.S.
3 Patent No. 7.930,340 against Stanford Health Care's and Lucile Salter Packard
4 Children's Hospital at Stanford's Accused Products, incorporated by reference
5 herein, as if fully incorporated herein, and attached herewith. Defendant will continue
6 to infringe the '340 patent unless enjoined by this Court. Plaintiff is without an
7 adequate remedy at law.
8

9 11. Defendants' infringements of the '340 patent have been and continue to be willful.
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11 12. This is a patent infringement action against Defendants — who have used and are
12 *using Web apps* in the largest digital hospital in the world running Dr.

13 Arunachalam's patents in the entire fabric of the Hospital, and on each "Internet of
14 Hospital Things" IoT device, *concealed from patients, doctors, nurses, insurance*
15 *companies and other health providers that it is unlicensed* — in willful infringement,
16 after the CEO, David Entwistle and COO, Quinn McKenna of STANFORD
17 HEALTH CARE have been put on notice of the patent infringement, which caused
18 injury to Plaintiff. Defendants have been touted as "leading the biomedical revolution
19 in precision health, defining and developing the next generation of care that is
20 proactive, predictive and precise," all utilizing Plaintiff's patents, without which this
21 could not be accomplished.
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23 13. In 1995, the CIO of Stanford Hospital, Blackford Middleton, signed an NDA with
24 Dr. Lakshmi Arunachalam and her company and proposed to be on her Board of
25 Directors. Sequoia Capital had offered to invest in Plaintiff's business in March 1995.
26 Dr. Arunachalam shared confidential information with Stanford Hospital's CIO and
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1 his technical team under the NDA in 1995 about her Web application technologies
2 that she invented and developed prior to 1995.

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4 14. Subsequently, Dr. Arunachalam raised venture capital and her company WebXchange
5 conducted a beta trial at Stanford Hospital of her Web application technologies and
6 products, as applied to Stanford Health Care and again signed an NDA.

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8 15. The CEO of Stanford Health Care, David Entwistle, gave a talk in 2017 in Medicine
9 X, on the *Internet of Hospital Things*, which contains *prima facie* evidence of
10 Stanford Health Care using Dr. Arunachalam's patented technologies and the
11 asserted patent. See https://www.youtube.com/watch?v=iS_y4uEZxO0.

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13 16. The CEO, David Entwistle stated in that talk that Stanford Health Care uses Epic
14 Web applications for a wide variety of functions at the Hospital, namely, electronic
15 medical records (EMR) accessible on the iPhone, precision health Web apps, Web
16 apps for use by patients, nurses and doctors; for scheduling; emergency room (ER),
17 patient check-in, that Defendants are using Epic's MyChart and renamed it MyHealth
18 at Stanford, and that Defendants are working in partnership with Google and Apple in
19 deploying Web apps. Google, Apple and Epic Systems have sold technologies and
20 products to Stanford, without paying royalties to Plaintiff for the use of her patents
21 and patented technologies.
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23 17. David Entwistle's Tweet on 3/29/18 is *prima facie* evidence of Defendant's use of
24 Plaintiff's patent(s):

25 "Stanford Health Care
26 Beginning today, patients at @StanfordHealth and numerous other hospitals and
27 clinics can access their secure medical records right from their iPhone.
28 David Entwistle 3/29/2018"
@DEntwistleSHC

1 18. Defendants have and are actively inducing and/or contributing to the infringement of
2 the '340 patent each among itself and by others.

3 19. This is an exceptional case within the meaning of 35 U.S.C. § 285.
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5 **IV. PRAYER FOR RELIEF**

6 20. Plaintiff respectfully requests this Court to enter judgment against Defendant(s) and
7 against Defendant(s)' subsidiaries, affiliates, agents, servants, employees and all
8 persons in active concert or participation with Defendant(s), granting the following
9 relief:
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11 A. An award of damages adequate to compensate Plaintiff for the
12 infringement that has occurred, together with prejudgment interest from the date
13 infringement of the '340 Patent began;

14 B. An award to Plaintiff of all remedies available under 35 U.S.C. § 284;

15 C. An award to Plaintiff of all remedies available under 35 U.S.C. § 285;

16 D. A preliminary and thereafter a permanent injunction under 35 U.S.C. §
17 283 against Defendants' infringements of the '340 Patent, and, in the alternative,
18 in the event injunctive relief is not granted as requested by Plaintiff, an award of a
19 compulsory future royalty;
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21 E. That the Court award to Plaintiff her costs and attorneys' fees incurred in
22 this action; and
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24 F. Such other and further relief as the Court or a jury deems just and proper.
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26 **V. DEMAND FOR JURY TRIAL**

27 21. Plaintiff demands a jury trial on all issues.
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1 22. Exhibit 1: U.S. Patent No. 7,930,340 is incorporated by reference herein, as if fully
2 incorporated herein, and is attached herewith.

3 23. Exhibit 2: Plaintiff's Infringement Claim Charts of U.S. Patent No. 7.930,340 against
4 Stanford Health Care's and Lucile Salter Packard Children's Hospital at Stanford's
5 Accused Products, is incorporated by reference herein, as if fully incorporated herein,
6 and is attached herewith.
7

8 Respectfully submitted,

9 

10 DATED: February 23, 2019

11 Dr. Lakshmi Arunachalam
12 222 Stanford Avenue, Menlo Park, CA 94025
13 Tel: 650 690 0995; Fax: 650 854 3393
14 Laks22002@yahoo.com
15 *Pro Se Plaintiff Inventor/Patent Owner*

16 **VERIFICATION**

17 I, Dr. Lakshmi Arunachalam, Plaintiff in the above entitled action, hereby verify under
18 penalty of perjury, under the laws of the United States of America, that the above statement
19 of facts and laws is true and correct, according to the best of my current information,
20 knowledge, and belief, so help me God, pursuant to 28 U.S.C. 1746(1). See the Supremacy
21 Clause in the Constitution for the United States of America, as lawfully amended (hereinafter
22 "U. S. Constitution").

23 Dated: February 23, 2019

24 Signed:
25 Printed:

26 

27 Dr. Lakshmi Arunachalam

28 **DECLARATION OF DR. LAKSHMI ARUNACHALAM IN SUPPORT OF
PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT
INFRINGEMENT**

I, Dr. LAKSHMI ARUNACHALAM, declare:

I am the inventor and assignee of the patent-in-suit, U.S. Patent No. 7,930,340 ('340). I
reside at 222 Stanford Avenue, Menlo Park, CA 94025. I am *pro se* Plaintiff in the above-

1 captioned action. I make this declaration based on personal knowledge and, if called upon to do
2 so, could testify competently thereto.

- 3
- 4 1. Attached as **Exhibit 1** is a true and correct copy of Plaintiff's U.S. Patent No. 7,930,340.
 - 5 2. Attached as **Exhibit 2** is a true and correct copy of Plaintiff's Infringement Claim Charts
6 of U.S. Patent No. 7.930,340 against Stanford Health Care's and Lucile Salter Packard
7 Children's Hospital at Stanford's Accused Products.

8 I declare under the penalty of perjury under the laws of the United States and the State of
9 California that the foregoing as well as all the statements made in the Amended Complaint are
10 true and correct. Executed this 23rd day of February, 2019 in Menlo Park, California.

11 

12 Dr. Lakshmi Arunachalam
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16 **CERTIFICATE OF SERVICE AND MAILING**

17 I, Dr. Lakshmi Arunachalam, hereby certify that on February 23, 2019, I filed and caused to be
18 served upon all Counsel of Record for Defendants via ECF the attached First Amended
19 Complaint for Patent Infringement, Dr. Arunachalam's Declaration and Verification in support
20 thereof, Exhibits 1 and 2, and also sent via Express Mail via the U.S. Post Office an original and
21 one copy (marked as Chambers' Copy) of the same to the Clerk of the Court, United States
22 District Court for the Northern District of California, San Jose Division at 280 South 1st Street,
23 Room 2112, San Jose, CA 95113.

24 February 23, 2019

25 

26 Dr. Lakshmi Arunachalam
27 222 Stanford Ave, Menlo Park, CA 94025
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Exhibit 1: U.S. Patent No. 7,930,340