

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

MAX BLU TECHNOLOGIES, LLC,

Plaintiff,

v.

MICROBOARDS TECHNOLOGY LLC,

Defendant.

CIVIL ACTION NO. _____

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Max Bu Technologies, LLC (hereinafter, “Plaintiff” or “Max Blu”), by and through its undersigned counsel, files this Original Complaint for Patent Infringement against Defendant Microboards Technology LLC (hereinafter, “Defendant” or “Microboards”) as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant’s infringement of certain claims of the following patents (collectively, the “Patents-in-Suit”), which were duly and legally issued by the United States Patent and Trademark Office (hereinafter, the “USPTO”), copies of which are attached hereto as **Exhibits A through E**, respectively:

	Patent No.	Title
A.	7,352,685	REVERSE OPTICAL MASTERING FOR DATA STORAGE DISK REPLICAS
B.	7,801,016	REVERSE OPTICAL MASTERING FOR DATA STORAGE DISK REPLICAS
C.	8,593,931	REPLICA DISK FOR DATA STORAGE
D.	RE44633	REVERSE OPTICAL MASTERING FOR DATA STORAGE DISK REPLICAS
E.	8,705,334	REPLICA DISK FOR DATA STORAGE

2. Plaintiff is the owner of the Patents-in-Suit and possesses all right, title and interest in the Patents-in-Suit, including the right to enforce the Patents-in-Suit, the right to license the Patents-in-Suit, and the right to sue Defendant for infringement and recover past damages.

3. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

4. Max Blu is a limited liability company organized and existing under the laws of the State of Texas and maintains its principal place of business at 104 East Houston Street, Suite 150, Marshall, Texas, 75670 (Harrison County).

5. Based upon public information, Microboards is a limited liability company duly organized and existing under the laws of the state of Minnesota since December 31, 1996.

6. Based upon public information, Microboards has its principal place of business located at 8150 Mallory Court, Chanhassen, Minnesota 55317 (Carver County).

7. Based upon public information, Defendant may be served at the address of its principal place of business because it has no registered agent in the State of Minnesota.

8. Based upon public information, Defendant ships, distributes, makes, uses, offers for sale, sells, and/or advertises its Blu-ray™ recordable media, including, but not limited to, recordable and re-writable discs in Blu-ray™ format under various brand names.

9. Based upon public information, Defendant ships, distributes, makes, uses, offers for sale, sells, and/or advertises its Blu-ray™ duplicators for making copies of or the publishing of read-only Blu-ray™ media.

JURISDICTION AND VENUE

10. 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 over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

11. The Court has personal jurisdiction over Microboards because: it has minimum contacts within the State of Minnesota and in the District of Minnesota; it has purposefully availed itself of the privileges of conducting business in the State of Minnesota and in the District of Minnesota; it has sought protection and benefit from the laws of the State of Minnesota; it regularly conducts business within the State of Minnesota and within the District of Minnesota, and Plaintiff's causes of action arise

directly from its business contacts and other activities in the State of Minnesota and in the District of Minnesota.

12. More specifically, Microboards, directly and/or through its intermediaries, ships, distributes, makes, uses, imports, offers for sale, sells, and/or advertises its products and affiliated services in the United States, the State of Minnesota, and the District of Minnesota. Based upon public information, Microboards has committed patent infringement in the State of Minnesota and in the District of Minnesota. Microboards solicits customers in the State of Minnesota and in the District of Minnesota. Microboards has many paying customers who are residents of the State of Minnesota and the District of Minnesota and who use its products in the State of Minnesota and in the District of Minnesota.

13. Venue is proper pursuant to 28 U.S.C. §1400(b) because Microboards is a resident of the State of Minnesota by reason of its incorporation in this state and because it has a regular and established place of business in this district and, upon information and belief, has committed acts of infringement in this district.

14. Venue is proper pursuant to 28 U.S.C. § 1391(b) and (c) because Microboards is subject to the personal jurisdiction of this Court by reason of its incorporation in this state and because it has a regular and established place of business in this district.

BACKGROUND INFORMATION

15. Each of the Patents-in-Suit traces its priority date back to Application No. 09/055,825 (hereinafter, “the ’825 Application”), which was filed with the USPTO on April 6, 1998, and was the parent to Application No. 09/730,246 (hereinafter, “the ’246 Application”), which was filed with the USPTO on December 5, 2000 and issued as United States Patent No. 6,890,704. Application No. 09/850,252 (hereinafter, “the ’252 Application”) was a continuation-in-part application of the ’246 Application, was filed with the USPTO on May 7, 2001, and issued as United States Patent No. 6,728,196 on April 27, 2004.

16. The Patents-in-Suit were duly and legally issued by the United States Patent and Trademark Office after full and fair examinations.

17. Plaintiff is the owner of the Patents-in-Suit, and possesses all right, title and interest in the Patents-in-Suit including the right to enforce the Patents-in-Suit, the right to license the Patents-in-Suit, and the right to sue Defendant for infringement and recover past damages.

18. Defendant sells, advertises, offers for sale, uses, or otherwise provides Blu-ray™ recordable media (collectively, the “Media Accused Products”) to its customers, either directly or through third-party vendors, under at least the Microboards brand. *See Exhibit F* (“Microboards Blu-ray Media”), *Exhibit G* (Microboards White Inkjet Blu-ray”), and *Exhibit H* (Microboards Silver Lacquer Blu-ray”).

19. A representative analysis of the physical characteristics of the Media Accused Products is attached as **Exhibit I** (analysis of a Blu-ray™ recordable disc).

20. Defendant sells, advertises, offers for sale, uses, or otherwise provides Blu-ray™ duplicators (collectively, the “Duplicator Accused Products”) to its customers, either directly or through third-party vendors, under at least the Microboards brand. *See Exhibit J* (Microboards CopyWriter Pro Blu-ray Tower Duplicators), **Exhibit K** (Microboards QD Series Blu-ray Tower Duplicators), *etc.*

21. According to public information, Defendant owns, operates, advertises, and/or controls the website www.microboards.com where Defendant advertises, sells, offers to sell, provides and/or educates customers about its Products, including those depicted in Exs. F through H and J through K.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 7,352,685

22. Plaintiff re-alleges and incorporates by reference each of the paragraphs above.

23. United States Patent No. 7,352,685 (hereinafter, the “’685 Patent”) was duly and legally issued by the USPTO on April 1, 2008 to its inventors, Jathan D. Edwards and Donald J. Kerfeld, and was initially assigned to Imation Corporation. *See Ex. A.*

24. The ’685 Patent was issued after full and fair examination of application number 10/790,970 which was filed with the USPTO on March 2, 2004 as a continuation

of application number 09/850,252 (which itself issued as United States Patent No. 6,728,196). *See* Ex. A.

25. A Certificate of Correction was issued for the '685 Patent on February 16, 2010. *See* Ex. A.

26. Defendant has infringed and continues to infringe the '685 Patent either literally or under the doctrine of equivalents through the manufacture and sale of infringing products. More specifically, Defendant has infringed and continues to infringe one or more claims of the '685 Patent, including at least Claims 1, 2-4, 7, 9, 19 and 20-35 (the "'685 Patent Claims") because it ships distributes, makes, uses, imports, offers for sale, sells, and/or advertises the Media Accused Products. Specifically, Defendant's Media Accused Products infringe the '685 Patent Claims by providing to its customers Blu-ray™ recordable media with the physical characteristics as claimed in the '685 Patent Claims. *See* Ex. I. Defendant's Media Accused Products are available for sale on its website and in its stores. *See* Exs. F through H.

27. Upon information and belief, Blu-ray™ formatted media created by the Duplicator Accused Products have infringed and continue to infringe one or more claims of the '685 Patent, including at least Claim 1, due to Defendant's enabling its customers to create Blu-ray™ formatted media with the physical characteristics as claimed in the '685 Patent Claims. *See* Exs. J through K.

28. Defendant has intentionally induced and continues to induce infringement of the '685 Patent Claims in this district and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Media and Duplicator Accused Products in an infringing manner. Despite knowledge of the '685 Patent as early as the date of service of the Original Complaint in this action, Defendant continues to encourage, instruct, enable, and otherwise cause its customers to use its systems and methods, in a manner which infringes one or more claims of the '685 Patent.¹ The provision of and sale of the Media and Duplicator Accused Products provides Defendant with a source of revenue and business focus. Defendant has specifically intended its customers to use the Media and Duplicator Accused Products in such a way that infringes one or more claims of the '685 Patent by, at a minimum, providing and supporting the Media and Duplicator Accused Products under its trademarked brand and referring to and marking the products as Blu-ray™ compliant (or for the Duplicator Accused Products, as creating media that is Blu-ray™ compliant) through use of such logos and terminology, thereby inducing its customers to purchase Blu-ray™ recordable and recorded media that infringe one or more claims of the '685 Patent. Defendant knew that its actions, including but not limited to, making the Media and Duplicator Accused Products

¹ See *In re Bill of Lading Transmission & Processing Sys. Patent Litig.*, 681 F.3d 1323, 1345 (Fed. Cir. 2012); see also *Regents of the Univ. of Minn. v. AT&T Mobility LLC*, 135 F. Supp. 3d 1000, 1012 (D. Minn. 2015) (allowing claim for induced infringement for damages accruing post-filing).

available for sale on its website and in its stores, would induce, have induced, and will continue to induce infringement by its customers by continuing to sell, support, and instruct its customers on using, the Media and Duplicator Accused Products. *See* Exs. F through H and J through K.

29. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

30. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

31. Defendant's infringement of Plaintiff's rights under the '685 Patent will continue to damage Plaintiff, causing irreparable harm to Plaintiff for which there is no adequate remedy at law, unless enjoined by this Court.

COUNT II
INFRINGEMENT OF U.S. PATENT NO. 7,801,016

32. Plaintiff re-alleges and incorporates by reference each of the paragraphs above.

33. United States Patent No. 7,801,016 (hereinafter, the "'016 Patent") was duly and legally issued by the USPTO on September 21, 2010 to its inventors, Jathan D. Edwards and Donald J. Kerfeld, and was initially assigned to Imation Corporation. *See* Ex. B.

34. The '016 Patent was issued after full and fair examination of application number 12/584,454 which was filed with the USPTO on September 4, 2009 as a continuation of application number 10/790,965 (which itself issued as United States Patent No. 7,600,992). *See* Ex. B.

35. Defendant has infringed and continues to infringe the '016 Patent either literally or under the doctrine of equivalents through the manufacture and sale of infringing products. More specifically, Defendant has infringed and continues to infringe one or more claims of the '016 Patent, including at least Claims 1 and 3 (the "'016 Patent Claims") because it ships distributes, makes, uses, imports, offers for sale, sells, and/or advertises the Media Accused Products. Specifically, Defendant's Media Accused Products infringe the '016 Patent Claims by providing to its customers Blu-ray™ recordable media with the physical characteristics as claimed in the '016 Patent Claims. *See* Ex. I. Defendant's Media Accused Products are available for sale on its website and in its stores. *See* Exs. E through H.

36. Upon information and belief, Blu-ray™ formatted media created by the Duplicator Accused Products have infringed and continue to infringe one or more claims of the '016 Patent, including at least Claim 1, due to Defendant's enabling its customers to create Blu-ray™ formatted media with the physical characteristics as claimed in the '016 Patent Claims. *See* Exs. J through K.

37. Defendant has intentionally induced and continues to induce infringement of the '016 Patent Claims in this district and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Media and Duplicator Accused Products in an infringing manner. Despite knowledge of the '016 Patent as early as the date of service of the Original Complaint in this action, Defendant continues to encourage, instruct, enable, and otherwise cause its customers to use its systems and methods, in a manner which infringes one or more claims of the '016 Patent.² The provision of and sale of the Media and Duplicator Accused Products provides Defendant with a source of revenue and business focus. Defendant has specifically intended its customers to use the Media and Duplicator Accused Products in such a way that infringes one or more claims of the '016 Patent by, at a minimum, providing and supporting the Media and Duplicator Accused Products under its trademarked brand and referring to and marking the products as Blu-ray™ compliant (or for the Duplicator Accused Products, as creating media that is Blu-ray™ compliant) through use of such logos and terminology, thereby inducing its customers to purchase Blu-ray™ recordable and recorded media that infringe one or more claims of the '016 Patent. Defendant knew that its actions, including but not limited to, making the Media and Duplicator Accused Products available for sale on its website and in its stores, would induce, have induced, and will

² See Footnote 1 above.

continue to induce infringement by its customers by continuing to sell, support, and instruct its customers on using, the Media and Duplicator Accused Products. *See* Exs. F through H and J through K.

38. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

39. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

40. Defendant's infringement of Plaintiff's rights under the '016 Patent will continue to damage Plaintiff, causing irreparable harm to Plaintiff for which there is no adequate remedy at law, unless enjoined by this Court.

COUNT III
INFRINGEMENT OF U.S. PATENT NO. 8,593,931

41. Plaintiff re-alleges and incorporates by reference each of the paragraphs above.

42. United States Patent No. 8,593,931 (hereinafter, the "'931 Patent") was duly and legally issued by the USPTO on November 26, 2013 to its inventors, Jathan D. Edwards and Donald J. Kerfeld, and was initially assigned to Legger Col. A.B. LLC. *See* Ex. C.

43. The '931 Patent was issued after full and fair examination of application number 13/730,733 which was filed with the USPTO on December 28, 2012 as a continuation of application number 13/089,994 (which itself issued as United States Patent No. 8,363,534). *See* Ex. C.

44. Defendant has infringed and continues to infringe the '931 Patent either literally or under the doctrine of equivalents through the manufacture and sale of infringing products. More specifically, Defendant has infringed and continues to infringe one or more claims of the '931 Patent, including at least Claims 1, 2, 6, 7, 9, 10, 11 and 13 (the "'931 Patent Claims'") because it ships distributes, makes, uses, imports, offers for sale, sells, and/or advertises the Media Accused Products. Specifically, Defendant's Media Accused Products infringe the '931 Patent Claims by providing to its customers Blu-ray™ recordable media with the physical characteristics as claimed in the '931 Patent Claims. *See* Ex. I. Defendant's Media Accused Products are available for sale on its website and in its stores. *See* Exs. E through H.

45. Upon information and belief, Blu-ray™ formatted media created by the Duplicator Accused Products have infringed and continue to infringe one or more claims of the '931 Patent, including at least Claim 1, due to Defendant's enabling its customers to create Blu-ray™ formatted media with the physical characteristics as claimed in the '931 Patent Claims. *See* Exs. J through K.

46. Defendant has intentionally induced and continues to induce infringement of the '931 Patent Claims in this district and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Media and Duplicator Accused Products in an infringing manner. Despite knowledge of the '931 Patent as early as the date of service of the Original Complaint in this action, Defendant continues to encourage, instruct, enable, and otherwise cause its customers to use its systems and methods, in a manner which infringes one or more claims of the '931 Patent.³ The provision of and sale of the Media and Duplicator Accused Products provides Defendant with a source of revenue and business focus. Defendant has specifically intended its customers to use the Media and Duplicator Accused Products in such a way that infringes one or more claims of the '931 Patent by, at a minimum, providing and supporting the Accused Products under its trademarked brand and referring to and marking the products as Blu-ray™ compliant (or for the Duplicator Accused Products, as creating media that is Blu-ray™ compliant) through use of such logos and terminology, thereby inducing its customers to purchase Blu-ray™ recordable and recorded media that infringe one or more claims of the '931 Patent. Defendant knew that its actions, including but not limited to, making the Media and Duplicator Accused Products available for sale on its website and in its stores, would induce, have induced, and will continue to induce

³ See Footnote 1 above.

infringement by its customers by continuing to sell, support, and instruct its customers on using, the Media and Duplicator Accused Products. *See* Exs. F through H and J through K.

47. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

48. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

49. Defendant's infringement of Plaintiff's rights under the '931 Patent will continue to damage Plaintiff, causing irreparable harm to Plaintiff for which there is no adequate remedy at law, unless enjoined by this Court.

COUNT IV
INFRINGEMENT OF U.S. PATENT NO. RE44633

50. Plaintiff re-alleges and incorporates by reference each of the paragraphs above.

51. United States Reissued Patent No. RE44633 (hereinafter, the "'633 Patent") was duly and legally issued by the USPTO on December 10, 2013 to its inventors, Jathan D. Edwards and Donald J. Kerfeld, and was initially assigned to Legger Col. A.B. LLC. *See* Ex. D. The '633 Patent was filed with the USPTO on September 23, 2011 as application number 13/243,939. *Id.*

52. The reexamination that resulted in the issuance of the '633 Patent was based on United States Patent No. 7,952,986 (the "'986 Patent"), which issued on May 31, 2011 from Application No. 12/852,139 and was filed with the USPTO on August 6, 2010, as a continuation of application number 12/584,454 (which itself issued as United States Patent No. 7,801,016). *See* Ex. D.

53. Upon information and belief, Blu-ray™ formatted media created by the Duplicator Accused Products have infringed and continue to infringe one or more claims of the '633 Patent, including at least Claim 1, due to Defendant's enabling its customers to create Blu-ray™ formatted media with the physical characteristics as claimed in the '633 Patent Claims. *See* Exs. J through K.⁴

54. Defendant has intentionally induced and continues to induce infringement of the '633 Patent Claims in this district and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Duplicator Accused Products in an infringing manner. Despite knowledge of the '633 Patent as early as the date of service of the Original Complaint in this action, Defendant continues to encourage, instruct, enable, and otherwise cause its customers to use its systems and methods, in a manner which infringes one or more claims of the '633 Patent.⁵ The

⁴ Based on the data for the representative disk (Ex. I), no claims of the '633 Patent are infringed by the Media Accused Products.

⁵ *See* Footnote 1 above.

provision of and sale of the Duplicator Accused Products provides Defendant with a source of revenue and business focus. Defendant has specifically intended its customers to use the Duplicator Accused Products in such a way that infringes one or more claims of the '633 Patent by, at a minimum, providing and supporting the Duplicator Accused Products under its trademarked brand and referring to and marking the products as Blu-ray™ compliant (or for the Duplicator Accused Products, as creating media that is Blu-ray™ compliant) through use of such logos and terminology, thereby inducing its customers to purchase Blu-ray™ recordable and recorded media that infringe one or more claims of the '633 Patent. Defendant knew that its actions, including but not limited to, making the Duplicator Accused Products available for sale on its website and in its stores, would induce, have induced, and will continue to induce infringement by its customers by continuing to sell, support, and instruct its customers on using, the Duplicator Accused Products. *See* Exs. J through K.

55. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

56. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

57. Defendant's infringement of Plaintiff's rights under the '633 Patent will continue to damage Plaintiff, causing irreparable harm to Plaintiff for which there is no adequate remedy at law, unless enjoined by this Court.

COUNT V
INFRINGEMENT OF U.S. PATENT NO. 8,705,334

58. Plaintiff re-alleges and incorporates by reference each of the paragraphs above.

59. United States Patent No. 8,705,334 (hereinafter, the "'334 Patent'") was duly and legally issued by the USPTO on April 22, 2014 to its inventors, Jathan D. Edwards and Donald J. Kerfeld, and was initially assigned to Legger Col. A.B. LLC. *See* Ex. E.

60. The '334 Patent was issued after full and fair examination of application number 14/065,337, which was filed with the USPTO on October 28, 2013 as a continuation of application number 13/730,733 (which itself issued as United States Patent No. 8,593,931). *See* Ex. E.

61. Upon information and belief, Blu-ray™ formatted media created by the Duplicator Accused Products have infringed and continue to infringe one or more claims of the '334 Patent, including at least Claim 1, due to Defendant's enabling its customers

to create Blu-ray™ formatted media with the physical characteristics as claimed in the '334 Patent Claims. *See* Exs. J through K.⁶

62. Defendant has intentionally induced and continues to induce infringement of the '334 Patent Claims in this district and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Duplicator Accused Products in an infringing manner. Despite knowledge of the '334 Patent as early as the date of service of the Original Complaint in this action, Defendant continues to encourage, instruct, enable, and otherwise cause its customers to use its systems and methods, in a manner which infringes one or more claims of the '334 Patent.⁷ The provision of and sale of the Accused Products provides Defendant with a source of revenue and business focus. Defendant has specifically intended its customers to use the Accused Products in such a way that infringes one or more claims of the '334 Patent by, at a minimum, providing and supporting the Duplicator Accused Products under its trademarked brand and referring to and marking the products as Blu-ray™ compliant (or for the Duplicator Accused Products, as creating media that is Blu-ray™ compliant) through use of such logos and terminology, thereby inducing its customers to purchase Blu-ray™ recordable and recorded media that infringe one or more claims of the '334

⁶ Based on the data for the representative disk (Ex. I), no claims of the '633 Patent are infringed by the Media Accused Products.

⁷ *See* Footnote 1 above.

Patent. Defendant knew that its actions, including but not limited to, making the Duplicator Accused Products available for sale on its website and in its stores, would induce, have induced, and will continue to induce infringement by its customers by continuing to sell, support, and instruct its customers on using, the Duplicator Accused Products. *See* Exs. J through K.

63. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

64. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

65. Defendant's infringement of Plaintiff's rights under the '334 Patent will continue to damage Plaintiff, causing irreparable harm to Plaintiff for which there is no adequate remedy at law, unless enjoined by this Court.

JURY DEMAND

66. Plaintiff demands a trial by jury on all issues.

PRAYER FOR RELIEF

67. Plaintiff respectfully requests the following relief:

- A. An adjudication that one or more claims of the Patents-in-Suit has been infringed, either literally and/or under the doctrine of equivalents, by the Defendant;

- B. An adjudication that Defendant has induced infringement of one or more claims of the Patents-in-Suit based upon post-filing date knowledge of the Patents-in-Suit;
- C. An award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement and any continuing or future infringement up until the date such judgment is entered, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary to adequately compensate Plaintiff for Defendant's infringement, an accounting of all infringing sales including, but not limited to, those sales not presented at trial;
- D. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendant and its respective officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, from further acts of infringement with respect to any one or more of the claims of the Patents-in-Suit;
- E. That this Court declare this to be an exceptional case and award Plaintiff its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and,
- F. Any further relief that this Court deems just and proper.

Respectfully submitted,

HELLMUTH & JOHNSON

Dated: June 6, 2019.

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**ATTORNEYS FOR PLAINTIFF
MAX BLU TECHNOLOGIES, LLC**

List Of Exhibits

- A. U.S. Patent No. 7,352,685
- B. U.S. Patent No. 7,801,016
- C. U.S. Patent No. 8,593,931
- D. U.S. Patent No. RE44633
- E. U.S. Patent No. 8,705,334
- F. Webpage: "Microboards Blu-ray Media"
- G. Webpage: "Microboards White Inkjet Blu-ray Media"
- H. Webpage: "Microboards Silver Lacquer Blu-ray Media"
- I. Representative AFM Analysis of Microboards Blu-ray Media
- J. Brochure: "Microboards CopyWriter Pro Blu-ray Tower Duplicators"
- K. Brochure: "Microboards QD Series Blu-ray Tower Duplicators"