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*Attorneys for Plaintiff*  
*Biometric Technology Holdings LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

BIOMETRIC TECHNOLOGY HOLDINGS LLC,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. <u>2:19-cv-14240</u>
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
IRIS ID SYSTEMS, INC.,	)	
	)	
Defendant.	)	
_____	)	

**COMPLAINT**

For its Complaint, Biometric Technology Holdings LLC ("BTH"), by and through the undersigned counsel, alleges as follows:

**THE PARTIES**

1. BTH is a Delaware limited liability company with a place of business located at 3511 Silverside Road, Suite 105, Wilmington, Delaware 19810.

2. Defendant Iris ID Systems, Inc. is a New Jersey company with, upon information and belief, a place of business located at Cedar Brook Corp Center, 8 Clarke Drive, Cranbury, New Jersey 08512.

**JURISDICTION AND VENUE**

3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

5. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

6. Venue is proper in this district pursuant to § 1400(b).

**THE PATENT-IN-SUIT**

7. On April 17, 2001, U.S. Patent No. 6,219,439 (the "'439 patent"), entitled "Biometric Authentication System," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '439 patent is attached hereto as Exhibit A.

8. BTH is the assignee and owner of the right, title and interest in and to the '439 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,219,439**

9. BTH repeats and realleges the allegations of paragraphs 1 through 8 as if fully set forth herein.

10. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe at least claim 1 of the '439 patent by making, using, importing, offering for sale, and/or selling, methods and apparatuses for authenticating a user,

including, but not limited to, IrisAccess 7000 series (the "Accused Device"), because each and every element is met either literally or equivalently.

11. Upon information and belief, Defendant used the Accused Device via its internal use and testing in the United States, directly infringing one or more claims of the '439 patent.

12. For example, to create its quick start guide for Accused Device, Defendant used the Accused Device.

13. More specifically, the Accused Device is an authentication apparatus.

#### IrisAccess 7000

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Iris ID's IrisAccess® 7000 continues to set the highest standard for performance and versatility for iris recognition. Whether you are looking for a single biometric identification solution that leads the industry, or a multi-factor verification solution that works with cards, card readers or keypad solutions, the IrisAccess platform will meet your needs.

Iris ID has been the leader and key developer and driver of the commercialization of iris recognition technology for the past 15 years. IrisAccess continues to lead the market as the world's most advanced and most widely deployed iris recognition platform. The iCAM7000 series is the newest generation in the iCAM series and is completely compatible with the prior iCAM4000 series solution deployed worldwide. IrisAccess, now in its fourth generation, has even more features and functionality with greater integration flexibility.

Iris ID's biometric solutions provide highly accurate, non-contact identification by the iris of the eye from 14 inches away while delivering security, convenience, privacy and productivity to millions of people around the world. The iCAM7000's versatility and flexibility allows for easy integration with many Wiegand and network based access control, time and attendance, visitor management and point of sale applications.

Engineering and design teams have further enhanced the intuitive user interface of the iCAM series with visual and audible prompts that provide the easiest, quickest and most accurate iris enrollment and identification. A rapid auto-tilt capability further increases both speed and convenience with a simple touch or when combined with cards or PINs to adjust for height. A face image can also be obtained during enrollment to streamline badging and visitor management applications while a space for an optional surveillance camera has also been incorporated.

A new iData™ software suite for access control, as well as SDKs and a development tool kit allow partners to build identity management applications which support several encryption alternatives, are FIPS201 compliant and include PKI support. Experts also concede that the countermeasures built into the IrisAccess suite set the standard for the industry.

Every iris pattern is unique and stable for life and since there are more readily measurable characteristics in the iris, iris recognition is regarded to be the most accurate, fastest, and scalable option for both small and large scale biometric deployments. Other biometric modalities such as fingerprint, hand, voice, vein and facial characteristics can often vary and change over time or with use conditions.

<https://www.irisid.com/productssolutions/irisaccesssystem/irisaccess7000/>.

## irisaccess-7000



<https://americansecuritytoday.com/iris-id-competes-ast-homeland-security-awards-learn/irisaccess-7000/>.

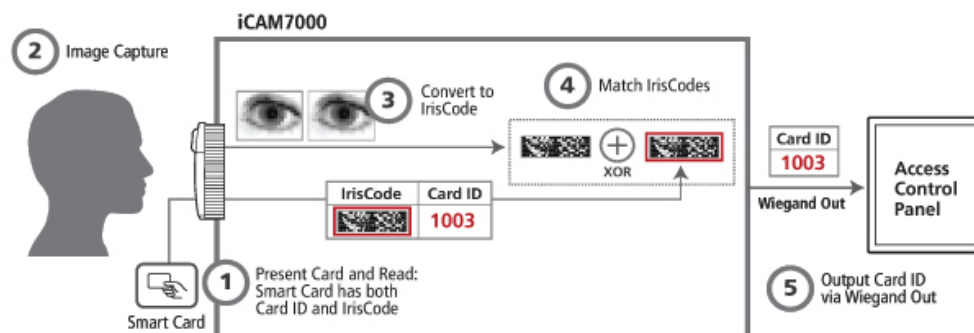
14. The Accused Device includes a storage means for storing biometric data of a user.

Using smart cards with biometrics results in a trusted credential for authenticating an individual's identity using one-to-one biometric verification. With the biometric template stored on the smart card, comparison can be made locally, without the need for connection to a database of biometric identifiers. Since all biometric matching takes place using templates, it is unnecessary to store complete biometric image data on the smart card. With the latest secure smart card microcontrollers, sufficient on-card processing power and memory exist to perform the biometric match directly within the logic of the smart card instead of within the reader device. This biometric match-on-card approach can provide an even more private and secure identity verification system.

<https://www.irisid.com/smart-card-and-biometrics/>.

## 7000 Configuration (option 2)

- Smart Card On-Device Verification Mode
- The iCAM operates as a stand-alone device for verification (1:1) of iris templates on a smart card
- For use with iData CMA and/or pre-existing smart cards with iris templates created by IrisAccess EAC or 3rd party applications

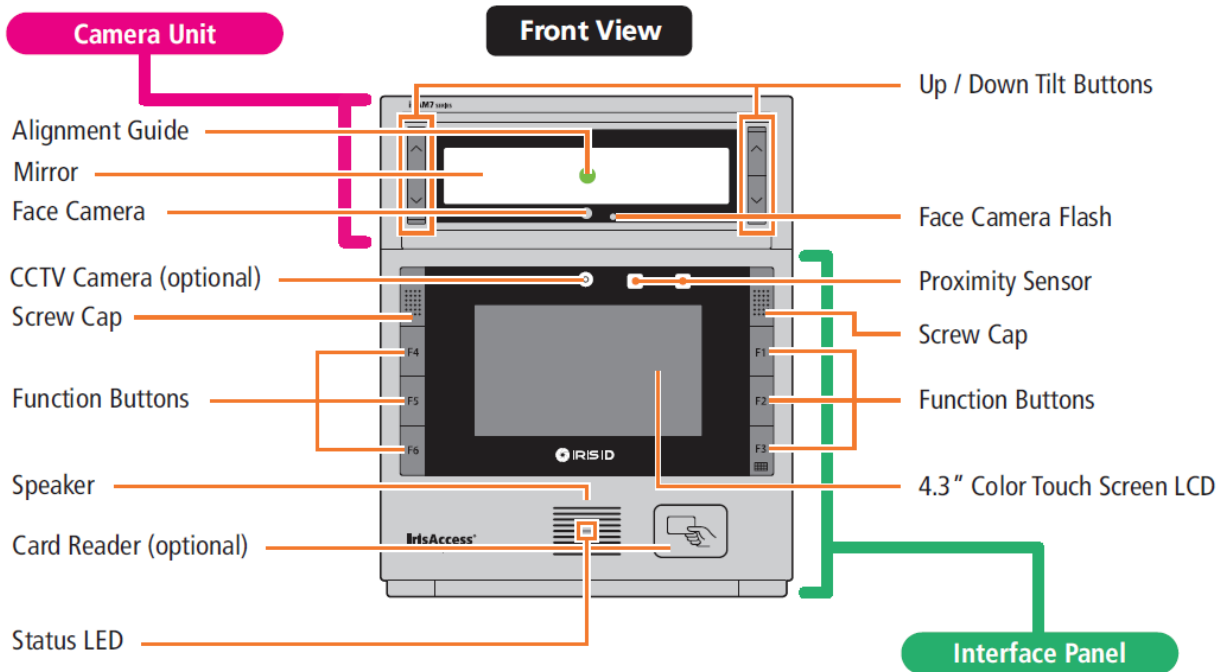


<https://www.irisid.com/productssolutions/irisaccesssystem/integration/>.

15. The Accused Device includes a reader means for reading a biometric feature of a user.

The IrisAccess® 7000 Series has features no other iris system offers, according to Koo. An auto-focus lens-enabled iris acquisition process ensures rapid, high quality iris image capture for enrollment and recognition, and a motor-driven targeting aid is part of an intuitive and interactive interface that also includes customizable voice prompts and visual feedback. All models feature the robust Iris ID countermeasure package experts agree sets the standard in the industry. The iCAM 7000 series devices will be ready for shipment before end of second quarter 2011. New iCAM 7000 series to provide seamless integration into legacy and future systems.

<https://www.irisid.com/iris-id-systems-introduces-versatile-icam-7000-series-industry-leading-4th-generation-irisaccess-platform/>.



iCAM7100S Series Hardware Guide: Advanced Multifactor Biometric Iris Reader at 2 (available at [https://www.irisid.com/download/iCAM7100S\\_Hardware\\_Guide\\_160215\\_ver%201.1.pdf](https://www.irisid.com/download/iCAM7100S_Hardware_Guide_160215_ver%201.1.pdf)).



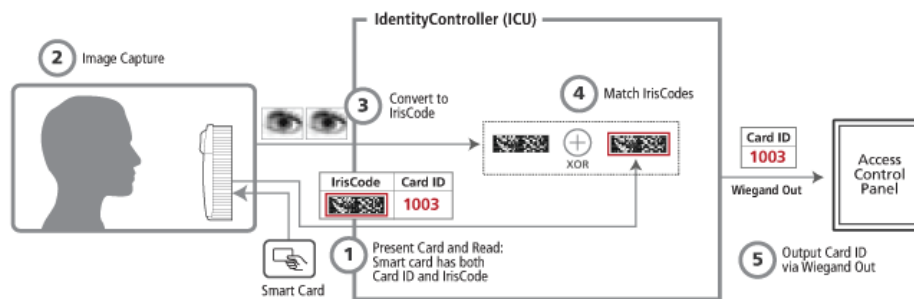
- iCAM activates when user approaches or when card is presented.
- Picture capture range is 12~14 inches (31~35cm) away.
- Self or auto/set height adjustment.
- Placing dot over the bridge of nose, easily helps alignment.

IrisAccess 7000: Stand-Alone Iris Recognition Platform at 2 (available at [http://smartcontactless.com/wp-content/uploads/2015/07/IrisID\\_IrisAccess7000Option3.pdf](http://smartcontactless.com/wp-content/uploads/2015/07/IrisID_IrisAccess7000Option3.pdf)).

16. The reader means coacts with the storage means for reading the biometric data at the reader means and generates a signal representing a result of a comparison of the biometric data with the biometric feature of the user to determine authentication status of the user.

### Iris in the 1:1 Verification Mode with a Smart Card

- The 512 byte size of an iris template allows 2 iris templates to be efficiently placed on a smart card. When smart cards are used, there is no need to maintain a central database, or poll a database to make the authentication decision.
- In the 1:1 verification mode, the smart card is placed against the ICAM adjacent to the card reader icon.
- When the iris template from the card is read, the card holder is prompted to look into the camera where and image is captured.
- If the template generated from the "live present" matches the stored value from the card, verification is successful and access is granted.
- When verification is made, the system signals the access control panel via Wiegand output.
- Card intelligence allows the system to be programmed to automatically set the camera imager to the user's height.

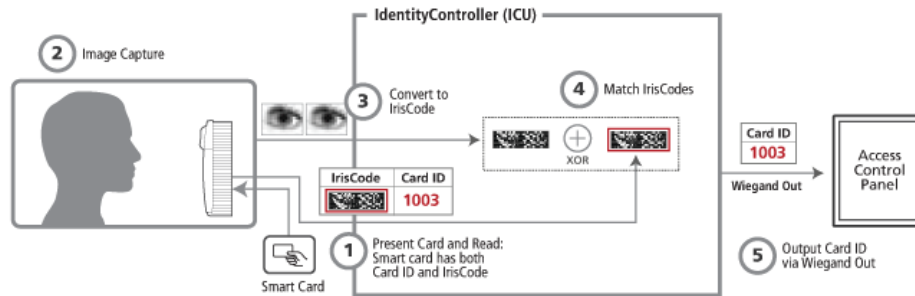


<https://www.irisid.com/productssolutions/irisaccesssystem/operationmodes/>.

17. The Accused Device includes a control means in communication with the reader means for controlling access to the biometric data and the biometric feature of the user to be restricted to the reader means until positive authentication of the user.

### Iris in the 1:1 Verification Mode with a Smart Card

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- In the 1:1 verification mode, the smart card is placed against the iCAM adjacent to the card reader icon.
- When the iris template from the card is read, the card holder is prompted to look into the camera where and image is captured.
- If the template generated from the "live present" matches the stored value from the card, verification is successful and access is granted.
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<https://www.irisid.com/productssolutions/irisaccesssystem/operationmodes/>.

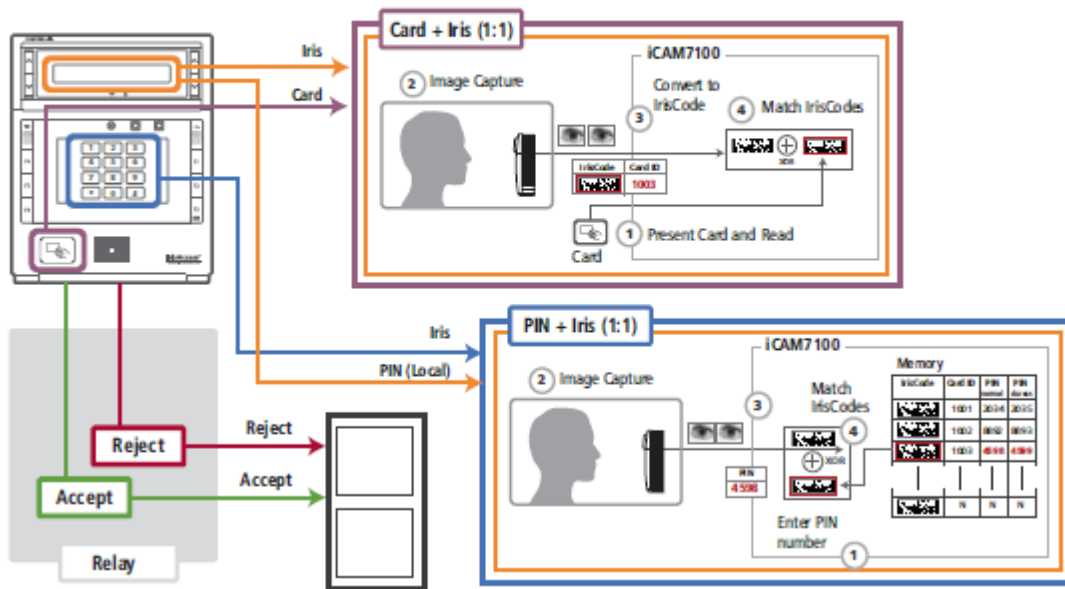
The IrisServer PC (iData EAC) controls enrollment and the distribution of 512 byte (two eyes 1K bytes) iris templates to the iCAM units. A Wiegand output or relay can control the operation of the door. A multi color targeting aid is part of an intuitive and interactive interface that includes voice and visual feedback for optimum user experience. iCAM7000 will automatically adjust the recognition mirror the users height when a card is presented to the iCAM. Single, Dual or Tri-Factor authentication is available.

IrisAccess 7000: Stand-Alone Iris Recognition Platform at 2 (available at

[http://smartcontactless.com/wp-content/uploads/2015/07/IrisID\\_IrisAccess7000Option3.pdf](http://smartcontactless.com/wp-content/uploads/2015/07/IrisID_IrisAccess7000Option3.pdf)).



## 2 Factor Authentication: iCAM7100 without PACS System (Local PIN)



Technical Specifications for IrisAccess System at 2 (available at [https://www.irisid.com/download/IrisID\\_TechSpecSheet.pdf](https://www.irisid.com/download/IrisID_TechSpecSheet.pdf)).

18. BTH is entitled to recover from Defendant the damages sustained by BTH as a result of Defendant's infringement of the '439 patent 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.

### **JURY DEMAND**

BTH hereby demands a trial by jury on all issues so triable.

### **PRAYER FOR RELIEF**

WHEREFORE, BTH requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '439 patent;
- B. An award of damages to be paid by Defendant adequate to compensate BTH for Defendant's past infringement of the '439 patent and any continuing or future infringement through

the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of BTH's reasonable attorneys' fees; and

D. An award to BTH of such further relief at law or in equity as the Court deems just and proper.

Respectfully submitted,

Dated: June 25, 2019

/s/ Richard C. Weinblatt

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