





1 that infringe one or more claims of the Lewis Patents. MGM Mirage and MGM Mirage Online  
2 have infringed the Lewis Patents either directly or through acts of contributory infringement or  
3 inducement in violation of 35 U.S.C. § 271.

4 8. WagerWorks, Inc. (“WagerWorks”) is a Delaware corporation with its  
5 headquarters at 2339 Third Street, Fourth Floor, San Francisco, CA 94107. WagerWorks has  
6 sold, offered for sale, and offers for sale software products that infringe one or more claims of  
7 the Lewis Patents. WagerWorks has infringed the Lewis Patents either directly or through acts  
8 of contributory infringement or inducement in violation of 35 U.S.C. § 271.

9 **BACKGROUND FACTS**

10 9. Dr. Lewis received B.S. and M.S. degrees with honors in mechanical and  
11 electrical engineering from M.I.T. Dr. Lewis has a Ph.D. from Oxford University in adaptive  
12 digital signal processing as a Marshall Scholar and an M.B.A. from Harvard Business School.  
13 Dr. Lewis led the development of single-chip video and audio compression solutions, as well as  
14 the first automotive video cellular telephone.

15 10. Dr. Lewis owns a portfolio of patent rights in multimedia communication  
16 technology including the separation, processing and recombination of multiple streams of  
17 multimedia data. This processing can include enhancement, compression, and other forms of  
18 data manipulation. The inventions of Dr. Lewis’ patents are used in many online wagering  
19 systems, particularly where background, foreground, and audio are separately handled,  
20 transmitted, and recombined.

21 **PATENT INFRINGEMENT**

22 11. Each of the Defendants has infringed the patent in suit either directly or through  
23 acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

24 12. Boss Media has infringed at least Claim 1 of the ‘379 Patent, at least Claim 26  
25 of ‘001 Patent, and at least Claim 1 of the ‘088 Patent.

26 13. Cryptologic has infringed at least Claim 1 of the ‘379 Patent, at least Claim 26  
27 of the ‘001 Patent, and at least Claim 1 of the ‘088 Patent.

28 ///

HUTCHISON & STEFFEN

A PROFESSIONAL CORPORATION

LAKES BUSINESS PARK  
8831 WEST SAHARA AVENUE  
LAS VEGAS, NEVADA 89117

1 14. MGM Mirage and MGM Mirage Online have infringed at least Claim 26 of the  
2 '001 Patent, at least Claim 1 of the '088 Patent, and at least Claim 1 of the '379 Patent.

3 15. WagerWorks has infringed at least Claim 1 of the '379 Patent, at least Claim 26  
4 of the '001 Patent, and at least Claim 1 of the '088 Patent.

5 16. Defendants' infringement, contributory infringement and/or inducement to  
6 infringe has injured Dr. Lewis and he, therefore, is entitled to recover damages adequate to  
7 compensate him for such infringement, but in no event less than a reasonable royalty.

8 17. Defendants' infringement, contributory infringement and/or inducement to  
9 infringe has been willful and deliberate because each Defendant has been given notice of or  
10 knew of Dr. Lewis' patents and has nonetheless injured and will continue to injure Dr. Lewis,  
11 unless and until this Court enters an injunction prohibiting further infringement and,  
12 specifically, enjoining further manufacture, use, sale, and/or offer for sale of products or  
13 services that come within the scope of the Lewis Patents.

14 **JURY DEMAND**

15 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Dr. Lewis requests a  
16 trial by jury on all issues presented that can properly be tried to a jury.

17 WHEREFORE, plaintiff, Dr. Scott Lewis, asks this Court to enter judgment,  
18 individually and jointly against defendants Boss Media, Cryptologic, MGM Mirage, MGM  
19 Mirage Online, and WagerWorks, and against their subsidiaries, affiliates, agents, servants,  
20 employees and all persons in active concert or participation with them, granting the following  
21 relief:

- 22 A. An award of damages adequate to compensate Dr. Lewis for the infringement
- 23 that has occurred, together with prejudgment interest from the date infringement
- 24 began;
- 25 B. All other damages permitted by 35 U.S.C. § 284;
- 26 C. A finding that this case is exceptional and an award to Dr. Lewis of attorneys'
- 27 fees and costs as provided by 35 U.S.C. § 285;

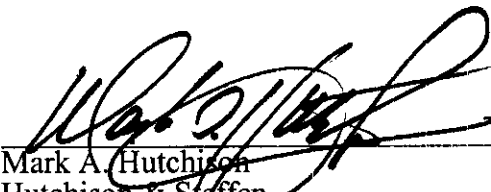
28 ///

**HUTCHISON & STEFFEN**

A PROFESSIONAL CORPORATION

LAKES BUSINESS PARK  
8831 WEST SAHARA AVENUE  
LAS VEGAS, NEVADA 89117

- 1 D. A permanent injunction prohibiting further infringement, inducement, and
  - 2 contributory infringement of the Lewis Patents; and,
  - 3 E. Such other and further relief as this Court or a jury may deem proper and just.
- 4 DATED this 24<sup>th</sup> day of February, 2003.

5  
6  
7   
8 Mark A. Hutchison  
9 Hutchison & Steffen  
10 8831 W. Sahara Avenue  
11 Las Vegas, Nevada 89117  
12 Phone: 702-385-2500  
13 Fax: 702-385-2086

14 Raymond P. Niro  
15 Raymond P. Niro, Jr.  
16 William W. Flachsbart  
17 Niro, Scavone, Haller & Niro  
18 181 West Madison, Suite 4600  
19 Chicago, Illinois 60602-4515  
20 Phone: 312-236-0733  
21 Fax: 312-236-3137

22 Attorneys for Plaintiff

HUTCHISON & STEFFEN

A PROFESSIONAL CORPORATION

LAKES BUSINESS PARK  
8831 WEST SAHARA AVENUE  
LAS VEGAS, NEVADA 89117

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28