

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

REPIFI VENDOR LOGISTICS, INC.,

Plaintiff,

v.

INTELLICENTRICS, INC. and
INTELLICENTRICS GLOBAL HOLDINGS
LTD.,

Defendants.

Civil Action No. 4:20-cv-00448

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Repifi Vendor Logistics, Inc. (“Plaintiff” or “Repifi”), by its attorneys, hereby files this complaint against IntelliCentrics, Inc. and IntelliCentrics Global Holdings Ltd. (collectively “Defendants” or “IntelliCentrics”) for patent infringement, alleging as follows:

NATURE OF THE SUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, involving infringement of United States Patent No. 10,304,268 (hereafter, “the ’268 patent” or the “Patent-in-Suit”).

THE PARTIES

2. Plaintiff Repifi is a Delaware corporation having its principal place of business at 3020 Zuni Street, APT. 7, Denver, Colorado 80211.

3. Upon information and belief, Defendant IntelliCentrics, Inc. is a Texas corporation having its principal place of business at 1420 Lakeside Parkway, Suite 110, Flower Mound, Texas 75028, and having registered agent Michael Sheehan located at 1420 Lakeside Parkway, Suite 110, Flower Mound, Texas 75028.

4. Upon information and belief, Defendant IntelliCentrics Global Holdings Ltd. is a Cayman Islands limited company having its principal place of business at 1420 Lakeside Parkway, Suite 110, Flower Mound, Texas 75028, and having a registered agent Harneys Fiduciary (Cayman) Limited, 4th Floor, Harbour Place, 103 South Church Street, George Town, P.O. Box 10240, Grand Cayman KY1-1002 Cayman Islands.

JURISDICTION AND VENUE

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a). Venue is proper in this District under 28 U.S.C. §1400(b) because Defendant IntelliCentrics, Inc. has its principal place of business in this Judicial District.

6. This Court has personal jurisdiction over Defendant IntelliCentrics, Inc. because it exists under the laws of the State of Texas, has its principal place of business in the State of Texas in this Judicial District and on information and belief, has continuous and systematic contacts with the State of Texas. Further, on information and belief, IntelliCentrics Global Holdings Ltd. supplies products that it makes, offers to sell, sells, and/or imports in or into the United States, through its subsidiary IntelliCentrics, Inc. On information and belief, IntelliCentrics, Inc. and IntelliCentrics Global Holdings Ltd. have committed acts within the State of Texas in this Judicial District giving rise to this action, including making, using, offering for sale, selling, and/or importing in or into the United States products or services that infringe one or more claims of the Patent-in-Suit.

THE TECHNOLOGY CLAIMED IN THE '268 PATENT

7. The '268 patent is directed to and claims a method for credentialing visitors to an access-controlled environment by an access administrator for use in healthcare facilities. The claimed invention's electronic identification technology facilitates real time credentialing verifications and physical vendor badges, via an electronic badge remotely connected to a user's

smartphone, before entering a facility. The claimed electronic identification technology allows for rapid implementation of vendor credentialing solutions across all sites of care with no physical infrastructure required.

8. The invention(s) claimed in the '268 patent was created to mitigate the need for physical hardware on-site to facilitate vendor check-ins, for example, without limitation, at healthcare facilities. Instead of requiring that vendors use a physical kiosk, healthcare facilities can require electronic badging at the point of entry, increasing adherence to the credentialing system of the claimed invention(s).

9. According to the invention(s) claimed in the '268 patent, an electronic identification is created, the user's location is geofenced, triggering an automatic check-out when the user leaves the facility, providing more accurate data on individual user status. The claimed method facilitates knowledge of which users are on site in real-time or after the fact with detailed visit analytics.

10. The '268 patent, entitled "Visitor Credentialing System For An Access-Controlled Environment," was duly and legally issued by the United States Patent and Trademark office on May 28, 2019. A copy of the '268 patent is attached hereto as **Exhibit 1**.

11. The '268 patent is valid and enforceable.

12. Plaintiff Repifi is the exclusive owner of all rights, title, and interest in the '268 patent. Repifi has the right to bring this action to recover damages for any current or past infringement of the '268 patent. Repifi has never granted Defendants a license to practice the claimed invention(s) of the '268 patent.

13. Repifi has complied with the statutory patent marking requirements per 35 U.S.C. § 287.

DEFENDANTS' ACCUSED PRODUCTS AND SERVICES

14. Defendants make, use, offer for sale, and/or sell products and services that infringe the '268 patent. Defendants offer one or more visitors' access and credentialing systems advertised as the Sec3ure Go! for use on the Sec3ure Ethos technology platform (referred to herein collectively as, the "System"). The System includes a smart-badge wirelessly connected to a smart phone for vendor credentialing in access-controlled environments, (the "Sec3ure Go! Badge"), specifically healthcare facilities. A screenshot of IntelliCentrics' corporate website describing the System is attached hereto as **Exhibit 2**.

15. On information and belief, the System is a smart phone based credentialing platform that requires no hardware at a facility. The System includes a physical electronic badge wirelessly connected to a smart phone and creates an identification badge bearing certain data before an individual enters a facility and thereby enhancing individual visitor compliance. These features provide an enhanced visitor experience by mitigating that visitor's need to locate and use a physical kiosk within a facility, which is inconvenient and time consuming. These features are shown as provided by the System and displayed on an example electronic badge as depicted on Defendants' corporate website. A screen shot of Defendants' corporate website displaying and depicting these features is attached hereto as **Exhibit 2**.

16. On information and belief, Defendants market and sell the System to healthcare facilities including, but not limited to, hospitals, by offering and emphasizing its benefits including, but not limited to: (a) electronic badging that allows individuals to be fully credentialed and wearing physical badging prior to entering a facility in order to increase compliance with the credentialing requirements and enhance the overall safety of a hospital's patients and staff, (b) obviating physical credentialing hardware within a facility allowing health systems to deploy visitor credentialing and badging at all sites of care (including hospitals, smaller facilities such as

surgery centers, clinics, Medical Office Buildings (“MOBs”), pharmacies, physician offices and other outpatient facilities where it is not feasible to deploy and support a kiosk), thus permitting removal of existing kiosks, known to be periodically non-functional and saving the expense of establishing and maintaining physical kiosks, (c) improving healthcare facility security through geolocation that provides healthcare facilities accurate information as to when a visitor arrived at and departed from a particular facility and who is on-site at any given time, and (d) providing benefits to visitors by improving efficiency of visitor time spent in healthcare facilities through maximizing time spent on their primary goals instead of spending time credentialing on entry and exit. These benefits are in contrast to traditional, physical methods for checking staff, employees and visitors in and out using physical healthcare facility kiosks and personnel.

17. On information and belief, Defendants place multiple conditions on their customer healthcare facilities, including, but not limited to, hospitals, and concomitantly by such customer healthcare facilities on their visitors, including, but not limited to, healthcare facility staff, employees, vendors and vendor representatives (collectively “Visitors”), to use the System. The conditions imposed by Defendants on their customer healthcare facilities allow them to use the System as its visitor credentialing platform according to the System’s guidelines including, but not limited to: (a) requiring a healthcare facility administrative user to determine a specific set of credentials (by facility and location) for a Visitor to gain access to the healthcare facility, (b) requiring that Visitors must fulfill the credentials before being granted access to the healthcare facility, (c) requiring of the administrative user that credentials be documented in the credentialing platform to enable Visitors to gain access to the healthcare facility, (d) requiring that Visitors check into the healthcare facility once arrived on-site via a smartphone application, and (e) requiring that Visitors use the smartphone application to create a badge by adding indicia on the screen of the badge that identifies the Visitor and confirms they are properly credentialed, among other

conditions.

18. On information and belief, once a healthcare facility implements the System, Defendants proactively maintain the System in cooperation with the healthcare facility such that it requires Visitors that intend to visit that facility must subscribe to the System, submit required credentials, and accept healthcare facility policies to use the System. When visiting a healthcare facility employing the System, the Visitor's electronic badge must be generated and displayed to demonstrate proper compliance, and the Visitor must maintain credentials and policies through the System to ensure compliance for all future site visits.

19. On information and belief, Defendants require healthcare facilities to enter into agreements with Defendants by which the healthcare facility must agree to Defendants' terms of service to be allowed to implement and use the System on that facility's premises. On further information and belief, Defendants require that healthcare facilities require their Visitors to abide by the healthcare facilities' policies and procedures, and which policies and procedures reflect and enforce Defendants' terms of service for use of the System.

20. On information and belief, Defendants collect user license fees from end users of the System including, but not limited to, Visitors. On further information and belief, Defendants require end users of the System, including, but not limited to, Visitors, to agree to Terms of Use to use the System. A screen shot of Defendants' corporate website describing the Terms of Use is attached hereto as **Exhibit 21**.

21. On information and belief, healthcare facilities also can and do provide to their staff and employees access to and use of the System and, it is understood, in such situations the healthcare facilities pay user license fees to Defendants. On information and belief, healthcare facilities pay for these end user license fees because doing so provides to the facility benefits of implementing and using the System including, but not limited to, obviating the need to provide,

provision, and maintain physical credentialing kiosks, promote and ensure compliance with healthcare facility policies and procedures pertaining at least to access and safety, and enable healthcare facilities to better manage personnel on site at any given time.

22. On information and belief, Defendants began marketing the System on or about November 14, 2019. On further information and belief, Defendants released the System in January 2020. On further information and belief, Defendants required every existing user of their credentialing systems to upgrade to, and/or adopt Sec3ure Go! for their credentialing platform. On information and belief, Defendants increased their user license fee required to use the System based at least upon release of Sec3ure Go! and the Sec3ure Go! Badge.

23. The System requires that individual healthcare facility Visitors use the System for entry and exit. The System requires use of the Sec3ure Mobile smart phone application (hereafter, “the App” or “the System App”) to enable use of, and the use of the features of, the System, including, but not limited to, checking in and checking out of the credentialing platform upon entering and exiting a healthcare facility that requires use of the System. A screenshot of IntelliCentrics’ corporate website describing use of the App is attached hereto as **Exhibit 3**. Individual users, including healthcare facility Visitors, must download the App to their smart phones to enable use of the System to enter and leave a healthcare facility.

24. Defendants advertise the System to their customers stating “The big idea here is, when a healthcare professional is wearing SEC3URE GO!, they are constantly visually communicating ‘I am up to date so I can be trusted, and I see that you can be trusted as well.’ With Link and GO!, everyone between the board room and the point of care can be trusted.” A screenshot of IntelliCentrics’ corporate website describing the above is attached hereto as **Exhibit 22**.

25. On information and belief, Defendants have offered to sell and have sold the

System to at least the following non-exclusive list of healthcare facilities across the United States: Providence Health, Renton, Washington; UT Southwestern University Hospitals, Dallas, Texas; UC San Diego, San Diego, California; Scripps Health, San Diego, California; Baylor Health, Houston, Texas; Keck Medicine of USC, Los Angeles, California; Thomas Jefferson University Health, Philadelphia, Pennsylvania; Barnes Jewish Hospital, St. Louis, Missouri; Lifespan, Providence, Rhode Island; Texas Health, Fort Worth, Texas; UAB Medicine, Birmingham, Alabama; Temple University Hospital, Philadelphia, Pennsylvania; Jackson Health System, Miami, Florida; Mount Sinai Beth Israel, New York, New York; Northwell Health, New York, New York; Mount Sinai, Miami Beach, Florida; Advent Health, Altamonte Springs, Florida; Boston Medical Center, Boston, Massachusetts; Beth Israel Lahey Health, Boston, Massachusetts; and Advocate Health, Chicago, Illinois. This Complaint refers to Defendants' customers as "healthcare facilities" collectively herein, but is not intended to limit the allegations herein to a type of facility or location and is intended to include, at minimum, hospitals, and may alternatively refer to "hospitals." On information and belief, Defendants offer to sell, sell, use and maintain the System widely to hospitals across the United States, in Texas, and in this Judicial District from their headquarters in Flower Mound, Texas.

DEFENDANTS KNEW OF THE '268 PATENT

26. Plaintiff Repifi's company website has displayed the notice "patents pending" at least since November 30, 2018. On or about November 2019, and after issuance of the '268 patent on May 28, 2019, Repifi displayed the '268 patent number as covering its technology, products and services, therefore giving constructive notice of the '268 patent to the world. Computer screenshots of the Repifi company website displaying the patent marking are attached hereto as **Exhibits 4 and 5.**

27. On information and belief, Defendants accessed Repifi's company website and

technology platform from Defendants' principal place of business in Flower Mound, Texas multiple times and created multiple login profiles to Repifi's company website and technology platform enabling Defendants or individuals acting at the express direction and control of Defendants to view and study Repifi's technology. **Exhibits 6-11** show server logs and IP addresses associated with IntelliCentrics' Flower Mound, Texas headquarters, that on information and belief, represents IntelliCentrics' agents and/or employees' access to Repifi's website to view its technology.

28. On information and belief, Defendants or individuals acting at the express direction and under the control of Defendants did in fact log into Repifi's company website and technology platform using their login credentials to view and study Repifi's technology on multiple occasions during 2019, and at least as recently as September 2019.

29. On information and belief, Defendants began marketing their infringing products and services, including, but not limited to, the System, as early as November 14, 2019, after viewing and studying Repifi's technology and products.

30. On information and belief, Defendants were aware of Repifi's patented technology and of the '268 patent, and proceeded to make, use, offer for sale, sell, and/or import products and services into which Defendants knowingly and deliberately incorporated Repifi's patented technology, and that Defendant knew infringed at least claim 1 of the '268 patent.

31. On information and belief, Defendants copied features of Repifi's technology that are claimed in the '268 patent and incorporated those features into the System and did so with full knowledge of the '268 patent and with the knowledge that using, offering for sale and/or selling the System, infringed at least claim 1 of the '268 patent. Defendants are aware that the use of the System by third parties (including, but not limited to, healthcare facilities) constitutes infringement of at least claim 1 of the '268 patent. Defendants are aware that use of the System by other third

parties (including, but not limited to, healthcare facility Visitors) constitutes infringement of at least claim 1 of the '268 patent.

32. On information and belief, Defendants have made, used, offered for sale and/or sold the System that Defendants know infringes at least claim 1 of the '268 patent, and that use of the System by third parties (including, but not limited to, healthcare facilities) constitutes infringement of at least claim 1 of the '268 patent. Defendants further know that use of the System by other third parties (including, but not limited to, healthcare facility Visitors) constitutes direct infringement of at least claim 1 of the '268 patent.

33. Defendants through marketing, sales, promotional, and related contractual activities, including, but not limited to, those shown on Defendants' corporate website ([www.https://intellicentrics.com/](http://www.intellicentrics.com/)), knowingly and actively induce, encourage, and promote use of the System by third parties (including, but not limited to, health care facilities and including, but not limited to, those hospitals listed above at paragraph 25) that constitutes infringement of at least claim 1 of the '268 patent.

34. Defendants through marketing, sales, promotional and related contractual activities, including, but not limited to, those shown on Defendants' corporate website ([www.https://www.sec3ure.com/registration/profiles/hcir_new_register](http://www.sec3ure.com/registration/profiles/hcir_new_register)), knowingly and deliberately provide components of the System to third parties (including, but not limited to, healthcare facility Visitors) that are designed and manufactured to be used with the System and that are not staples of commerce and have no substantial non-infringing uses.

JOINT INFRINGING ACTIVITY BY DEFENDANTS AND THEIR CUSTOMERS

35. Paragraphs 1 through 34 are incorporated by reference as if fully stated herein.

36. Claim 1 of the '268 patent claims a method that includes the steps of: (a) providing a smart-phone based credentialing platform having global positioning system (GPS) capability;

(b) providing an electronic badge having a display having electronically controlled and changeable indicia thereon, the badge adapted to communicate with a smartphone; (c) enrolling a visitor into the credentialing platform by entering visitor information based on requirements of the administrator; (d) approving, by the administrator, that the requirements of the step of enrolling are met; (e) requesting, by the visitor, at least one location for which access is desired and submitting the at least one location to the administrator via the credentialing platform, said location having a pre-defined area; (f) approving, by the administrator, the request for access at the at least one location; (g) checking in on the smart-phone, by the visitor, via the credentialing platform, to establish check-in data including check-in time and date by the visitor, wherein the check-in data is recorded by the credentialing platform; (h) communicating between the smart-phone and the electronic badge, indicia data for forming a display image on the display on the electronic badge; (i) displaying on the badge display indicia showing access by the visitor is authorized to the location during the specific time interval; (j) recording, by the credentialing platform, geo-location data of the visitor during the visitor's presence in the pre-defined area; (k) checking out of the system when the visitor departs the pre-defined area of the at least one location, establishing check-out data, including check-out time and date and geo-location; (l) recording, by the credentialing platform, the check-in data, the geo-location data and the check-out data of the visitor; and (m) removing from the badge display, the indicia showing access by the visitor is authorized.

37. On information and belief, Defendants provide the System to perform at least steps (a), (b), (c), (h), (i), (j), (l), and (m) of claim 1 of the '268 patent when in use by a healthcare facility. On information and belief, the System, as proactively supported by Defendants, performs these steps. Additionally, the System, as provided from Defendants to healthcare facilities, when operational is set up and maintained so that these steps are performed when in use.

38. On information and belief, at least steps (d) and (f) are performed by the System as

operated and maintained by Defendants upon sale of the System and its implementation at a healthcare facility. Additionally, the healthcare facility can act as an administrator. On information and belief, the System continually performs these steps each and every time the healthcare facility Visitors seek to enter and leave the facility, as required by that facility using the System under the terms of use Defendants require of the facility, as well as throughout the credentialing process. As stated herein, a contract between Defendants and a healthcare facility requires Defendants to provide the System to the hospital enabled to perform certain steps of claim 1 of the '268 patent, and Defendants proactively maintain the System for such customer healthcare facility's use, and the healthcare facility to perform certain steps of claim 1 to implement the System, to use and gain the benefits of the System. Thus does the healthcare facility in active participation by Defendants maintain the System's credentialing platform that allows healthcare facility Visitors to enter and leave the facility in accordance with the System and its requirements.

39. On information and belief, individual users, including, but not limited to, Visitors, are required to use the System to enter and leave that healthcare facility, perform steps (e), (g), and (k) of claim 1 of the '268 patent. On further information and belief, healthcare facility Visitors are required to perform at least these steps of claim 1 to use and gain the benefits of the System and to enter and leave the healthcare facility and to gain the benefits of using the System. On further information and belief, Defendants designed, set up, and proactively maintain the System so that healthcare facility Visitors must abide by the System's protocols to use the System to enter and leave a facility according to the System's credentialing platform and thereby perform steps (e), (g), and (k) of claim 1 of the '268 patent, at least via Defendants' Client Success Team.

40. The System includes a smart phone interactive credentialing platform for credentialing Visitors to an access-controlled environment by an access administrator. *See, e.g., Exhibits 12 and 13.*

41. Defendants provide to customer healthcare facilities the System, which is a smart phone based credentialing platform having a GPS capability. *See, e.g., Exhibits 3 and 13.*

42. Defendants provide to customer healthcare facilities the System, that provides a Visitor an electronic badge having a display with electronically controlled and changeable indicia thereon, being adapted to communicate with a smart phone. *See, e.g., Exhibit 3.*

43. Defendants provide to customer healthcare facilities the System, which enables enrolling a Visitor into the System (a credentialing platform) by entering the Visitors information based on requirements of the administrator. *See, e.g., Exhibits 14 and 15.*

44. Defendants provide to customer healthcare facilities the System, that enables approving, by the administrator, the requirements of the step of enrolling are met. *See, e.g., Exhibits 14 and 15.*

45. Defendants provide to customer healthcare facilities the System, which enables the step of requesting by the Visitor, at least one location for which access is desired and submitting the at least one location to the administrator via the credentialing platform, the location from a pre-defined area. *See, e.g., Exhibits 3 and 13.*

46. Defendants provide to customer healthcare facilities the System, that enables approving, by the administrator, the request for access at the at least one location. *See, e.g., Exhibits 3 and 13.*

47. Defendants provide to customer healthcare facilities the System, which enables checking in on the smart phone, by the Visitor, via the credentialing platform, to establish check-in data including check-in time and date by the Visitor, wherein the check in data is recorded by the credentialing platform. *See, e.g., Exhibits 3 and 13.*

48. Defendants provide to customer healthcare facilities the System, that enables communicating between the smart phone and the electronic badge, indicia data for forming a

display image on the display on the electronic badge. *See, e.g., Exhibits 3 and 13.*

49. Defendants provide to customer healthcare facilities the System, which enables displaying on the badge display indicia showing access by the Visitor is authorized to the location during the specific time interval. *See, e.g., Exhibit 3.*

50. Defendant provides to customer healthcare facilities the System, that enables recording, by the credentialing platform, geo-location data of the Visitor during the Visitor's presence in the predefined area. *See, e.g., Exhibit 16.*

51. Defendants provide to customer healthcare facilities the System, which enables checking out of the system when the Visitor departs the predefined area of the at least one location, establishing check-out data, including check-out time and date and geo-location. *See, e.g., Exhibits 17 and 18.*

52. Defendants provide to customer healthcare facilities the System, that enables recording by the credentialing platform the check-in data, the geo-location data, and the check-out data of the Visitor. *See, e.g., Exhibit 16.*

53. Defendants provide to customer healthcare facilities the System, which enables removing from the badge display the indicia showing access by the Visitor is authorized. *See, e.g., Exhibit 3.*

54. On information and belief, the System, as designed and maintained by Defendants, enables the healthcare facility to act as the claimed "administrator" in claim 1 of the '268 patent step (c) by providing requirements of each Visitor, and to the extent that the healthcare facility promulgates and provides certain requirements for healthcare facility Visitors to meet to be credentialed consistent with the healthcare facility policies and procedures.

55. On information and belief, the System, as designed and maintained by Defendants, enables Defendants also to act as the claimed "administrator" in claim 1 of the '268 patent, for

example at step (d), to the extent that Defendant actively maintains the System by, for example, ensuring information provided by end users such as healthcare facility Visitors is valid and meets the requirements set forth by the healthcare facility.

56. On information and belief, direct infringement occurs any time the System is used by a healthcare facility and actively supported and encouraged by Defendants as described above, due to Defendants enabling and maintaining the System and instructing customer healthcare facilities how to use the System to establish and maintain a credentialing system for that healthcare facility.

57. On information and belief, direct infringement occurs any time the System is used by a healthcare facility and actively supported and encouraged by Defendants as described above, when requiring healthcare facility Visitors to use the System when those individuals enter and leave the healthcare facility according to the requirements of the System.

58. On information and belief, third party users, including, but not limited to, healthcare facilities sign contracts with Defendants in order to use the System on their premises. These contracts allow healthcare facilities to gain access to, and use of, the System and enable the functioning of the System. These contracts require the healthcare facilities and healthcare facility Visitors to use the System in a joint, directly infringing manner.

59. On information and belief, third party users, including, but not limited to, healthcare facility Visitors, must agree to terms of service to use the System App in order to enter and leave a healthcare facility that uses the System. These terms of service require, among other things, that individual users abide with all System rules including use of the System App to enter and leave a healthcare facility using the System. On further information and belief, Defendants require healthcare facility customers to further require healthcare facility Visitors to agree to use the System for any individual seeking to enter and leave their hospital and to do so using the System

App. These agreements require the healthcare facility Visitors, along with the healthcare facility and Defendants, to use the System in a joint, directly infringing manner.

60. On their corporate website, Defendants provide instructions and “how to use” guides to their customers, including, but not limited to, healthcare facilities, that instruct and encourage healthcare facility Visitors how to use the features of the System, for example, at the Sec3ure Go! Support link, which can be found at: <https://intellentricics.com/sec3uregosupport/>. A computer screenshot of the IntelliCentrics’ corporate website further displaying these proactive customer support features is attached hereto at **Exhibits 12 and 19**.

61. For example, on Defendants’ corporate website, there is a link at: <https://intellentricics.com/wp-content/uploads/2019/11/badge.insert.v4.5.pdf> where Defendants provide instructions and pointers to individuals on how to use the System and that instruct and encourage users to engage in joint infringement of the ’268 patent. A computer screenshot of the IntelliCentrics’ corporate website further displaying these proactive customer support features is attached hereto as **Exhibit 20**.

62. Defendants provide customer healthcare facilities access to features that form part of the System and are necessary for the System to work, including, but not limited to, the System App, described above, that healthcare facility Visitors must download to their smart phones to use the System to enter and leave healthcare facility premises by using the System via the System App. A computer screenshot of the IntelliCentrics’ corporate website describing the System App is attached hereto as **Exhibit 13**.

63. On information and belief, the System requires individual Visitors to download to their smart phones the System App and requires customer healthcare facilities to enable use of the System App so that individual Visitors may enter and leave healthcare facilities by using it according to the System, and requiring individual Visitors to so use the System App.

64. On information and belief, and as described above, Defendants are aware of the '268 patent and have been since at least September 2019.

65. On information and belief, and as described above, Defendants are aware that joint use of the System together with their customer healthcare facilities and healthcare facility Visitors infringes at least claim 1 of the '268 patent.

66. On information and belief, and as described above, Defendants through contracts with customer healthcare facilities, require that these healthcare facilities perform particular actions to use the System that when taken with Defendants' own actions infringe at least claim 1 of the '268 patent. Defendants' conduct, instructing and requiring healthcare facilities to perform these particular actions, as well as proactively maintaining the System with and for these customer healthcare facilities, demonstrates Defendants' specific intent that these healthcare facilities jointly with Defendants directly infringe at least claim 1 of the '268 patent.

67. On information and belief, and as described above Defendants, through contracts with healthcare facilities, require that healthcare facility Visitors perform particular actions to use the System that when taken together with Defendants' own actions infringe at least claim 1 of the '268 patent. Defendants' conduct, instructing healthcare facilities and healthcare facility Visitors, and requiring them to perform these particular actions as well as proactively maintaining the System with and for their customer healthcare facilities, demonstrates Defendants' specific intent that these healthcare facility Visitors jointly with Defendants and customer healthcare facilities directly infringe at least claim 1 of the '268 patent.

68. On information and belief, and as described above, Defendants have made and used, and is offering for sale and/or selling the System knowing that it constitutes a material part of the invention or inventions claimed in the '268 patent, knowing that the features of the System are especially made or adapted to infringe the '268 patent, and knowing that the System is not a

staple article of commerce suitable for substantial non-infringing use.

COUNT I – DIRECT INFRINGEMENT OF THE '268 PATENT

69. Paragraphs 1 through 68 are incorporated by reference as if fully stated herein.

70. Defendants have directly infringed and continue to directly infringe under 35 U.S.C. § 271(a) one or more claims of the '268 patent either literally and/or under the doctrine of equivalents, by making, using, offering for sale, selling, and/or importing in or into the United States the System that infringes at least claim 1 of the '268 patent.

71. Third parties, including Defendants' customers (including, but not limited to, healthcare facilities and individuals visiting those healthcare facilities), together with Defendants jointly directly infringe, and continue to jointly directly infringe under 35 U.S.C. § 271(a), one or more claims of the '268 patent, either literally and/or under the doctrine of equivalents, by acting in accordance with the Defendants' requirements for using the System and along with Defendants' proactive participation, support and encouragement in the United States, and such joint use infringes and has infringed at least claim 1 of the '268 patent.

72. Defendants had prior knowledge and notice of the '268 patent and their infringement via their repeated and systematic access to, including viewing and studying, the technology claimed in the '268 patent as described on Repifi's company website during 2019.

73. Repifi has been and continues to be damaged by Defendants' infringement of the '268 patent. Repifi has no adequate remedy at law.

74. Having had prior knowledge of the '268 patent, Defendants knew or should have known that, without taking a license to the Patent-in-Suit, their actions continue to infringe one or more claims of the '268 patent. Therefore, Defendants have willfully infringed the '268 patent and continue to do so.

75. The conduct by Defendants in infringing the '268 patent renders this case

exceptional within the meaning of 35 U.S.C. § 285.

COUNT II – DEFENDANTS
INDUCE INFRINGEMENT OF THE '268 PATENT

76. Paragraphs 1 through 75 are incorporated by reference as if fully stated herein.

77. Defendants have directly infringed, and continue to directly infringe under 35 U.S.C. § 271(a), one or more claims of the '268 patent either literally and/or under the doctrine of equivalents, by making, using, selling, offering for sale, and/or importing in or into the United States the System that infringes at least claim 1 of the '268 patent.

78. Third parties, including Defendants' customers (including, but not limited to, healthcare facilities and individuals visiting those healthcare facilities) together with Defendants jointly directly infringe, and continue to directly infringe under 35 U.S.C. § 271(a), one or more claims of the '268 patent, either literally and/or under the doctrine of equivalents, by acting in accordance with Defendants' requirements for using the System and along with Defendants' proactive participation, support and encouragement in the United States, and such joint use infringes and has infringed at least claim 1 of the '268 patent.

79. Defendants have had prior knowledge and notice of the '268 patent and their infringement through their repeated access to and study of the technology on Plaintiff Repifi's company website and via creating unique logins for same. Defendants have induced infringement and continue to induce infringement under 35 U.S.C. § 271(b). Defendants have actively, knowingly, and intentionally induced, and continue to actively, knowingly, and intentionally induce, infringement of the '268 patent by selling or otherwise supplying the System with the knowledge and intent that third parties will use the System in the United States, for Defendants' intended purpose to infringe the '268 patent, and with the knowledge and intent to proactively encourage and facilitate infringement through the dissemination of the System and/or the creation and dissemination of documentation and technical information to customers and prospective

customers related to the System.

80. On information and belief, based at least on the foregoing, Defendants repeatedly have demonstrated the specific intent that at least claim 1 of the '268 patent be infringed by the joint use of the System by Defendants together with their customer healthcare facilities and those individuals visiting those healthcare facilities.

81. Repifi has been and continues to be damaged by Defendants' infringement of the '268 patent. Repifi has no adequate remedy at law.

82. Having had prior knowledge of the '268 patent, Defendants knew or should have known that, without taking a license to the Patent-in-Suit, their actions continue to infringe one or more claims of the '268 patent. Therefore, Defendants have willfully infringed the '268 patent and continue to do so.

83. The conduct by Defendants in infringing the '268 patent renders this case exceptional within the meaning of 35 U.S.C. § 285.

COUNT III – DEFENDANTS
CONTRIBUTE TO INFRINGEMENT OF THE '268 PATENT

84. Paragraphs 1 through 83 are incorporated by reference as if fully stated herein.

85. Defendants have directly infringed and continue to directly infringe under 35 U.S.C. § 271(a), one or more claims of the '268 patent, either literally and/or under the doctrine of equivalents, by making, using, selling, offering for sale, and/or importing in or into the United States, the System that infringes one or more of the claims of the '268 patent.

86. Third parties, including Defendants' customers (including, but not limited to, healthcare facilities and individuals visiting those healthcare facilities), together with Defendants jointly directly infringe, and continue to jointly directly infringe, under 35 U.S.C. § 271(a), one or more claims of the '268 patent, either literally and/or under the doctrine of equivalents, by acting in accordance with Defendants' requirements for using the System and along with Defendants'

proactive participation, support and encouragement in the United States, and such joint use infringes and has infringed at least one claim of the '268 patent.

87. Defendants have had prior knowledge and notice of the '268 patent and their infringement through their repeated access to and study of the technology on Plaintiff Repifi's company website and via creating unique logins for same.

88. Defendants have contributed and continue to contribute to the infringement by third parties, including their customers, of one or more claims of the '268 patent, including at least claim 1, under 35 U.S.C. § 271(c), by selling and/or offering for sale in the United States the System, knowing that it constitutes a material part of the invention or inventions of the '268 patent, knowing that it is especially made or adapted to infringe the '268 patent, and knowing that the System is not a staple article of commerce suitable for substantial non-infringing use.

89. Repifi has been and continues to be damaged by Defendants' infringement of the '268 patent. Repifi has no adequate remedy at law.

90. Having had prior knowledge of the '268 patent, Defendants knew or should have known that without taking a license to the Patent-in-Suit, their actions continue to infringe one or more claims of the '268 patent.

91. Therefore, Defendants have willfully infringed the patent and continue to do so.

92. The conduct by Defendants in infringing the '268 patent renders this case exceptional within the meaning of 35 U.S.C. § 285.

PRAYER OF RELIEF

WHEREFORE, Plaintiff Repifi prays for judgment as follows:

A. That Defendant IntelliCentrics Inc. and Defendant IntelliCentrics Global Holdings Ltd. have infringed the '268 patent;

B. That Repifi be awarded all damages adequate to compensate it for Defendants'

infringement of the '268 patent, such damages to be determined by a jury with pre-judgment and post-judgment interest;

C. A judgment that the infringement was willful, and that such damages be trebled pursuant to 35 U.S.C. § 284;

D. An order permanently enjoining Defendants and their officers, agents, servants and employees, privies, and all persons in concert or participation with it, from further infringement of the '268 patent;

E. That this case be declared an exceptional case within the meaning of 35 U.S.C. § 285, and that Repifi be awarded its attorneys' fees, costs, and expenses incurred relating to this action; and

F. That Repifi be awarded such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

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

Dated: June 1, 2020

Respectfully submitted,

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--and--

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4821-6786-2461, v. 1