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15 Zodex Data Systems LLC

16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 ZODEX DATA SYSTEMS LLC, a  
19 Delaware limited liability company,

20 Plaintiff,

21 v.

22 Siemens Medical Solutions USA, Inc., a  
23 Delaware corporation,

24 Defendant.

Case No. 8:22-cv-4111

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Zodex Data Systems LLC (“Zodex” or “Plaintiff”), for its Complaint  
2 against Siemens Medical Solutions USA, Inc. (“Siemens” or “Defendant”) alleges  
3 the following:

4 **I. NATURE OF THE ACTION**

5 1. This is an action for patent infringement of United States Patent No.  
6 6,396,507 (the “’507 Patent” or the “patent in suit”), arising under the Patent Laws of  
7 the United States, 35 U.S.C. § 1, *et seq.*, seeking damages and other relief under 35  
8 U.S.C. § 281, *et seq.*

9 **II. THE PARTIES**

10 2. Plaintiff is a limited liability company organized and existing under the  
11 laws of the State of Delaware with a principal office at 3107 Boardwalk, Atlantic  
12 City, NJ 08401.

13 3. Upon information and belief, Defendant is a corporation organized under  
14 the laws of Delaware with a registered agent, CTC, 1209 Orange Street, Wilmington,  
15 DE 19801.

16 4. Upon information and belief, Defendant sells and offers to sell products  
17 and services throughout the United States, including in this District, and introduces  
18 products and services into the stream of commerce and that incorporate infringing  
19 technology knowing that they would be sold in this District and elsewhere in the  
20 United States.

21 5. Upon information and belief, Defendant conducts a significant,  
22 persistent and regular amount of business in this District through product sales by its  
23 distributors, customers, and resellers and through online marketing, and derives  
24 substantial revenue from such business.

25 6. Upon information and belief, Defendant has multiple offices in  
26 California and in this District located in Los Angeles, CA.

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**III. JURISDICTION AND VENUE**

7. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

8. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over Defendant because it is incorporated in California and has purposefully availed itself of the privileges and benefits of the laws of the State of California. Further, Defendant is subject to this Court’s general and specific personal jurisdiction because Defendant has sufficient minimum contacts within the State of California, pursuant to due process and/or the California Long Arm Statute, because Defendant purposefully availed itself of the privileges of conducting business in the State of California, and because Plaintiff’s causes of action arise directly from Defendant’s business contacts and other activities in the State of California, including regularly doing or soliciting business and deriving substantial revenue from products and services provided to individuals in this District. Furthermore, Defendant’s United States headquarters is located within this district. The exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial justice.

10. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), (c) and/or 28 U.S.C. § 1400(b) as the Defendant is a California corporation. Defendant transacts business within this District and offers for sale in this District products that infringe the Patent-in-Suit. Defendant is registered to do business in California. Defendant has a regular and established place of business in Central District of California. For example, Defendant has an office in California where it employs sales and user operations teams.

**IV. BACKGROUND**

11. Zodex is a small technology and licensing company.

**V. PATENT OWNERSHIP AND EXCLUSIVE RIGHT TO SUE**

1 12. Zodex is the exclusive owner of all rights, title, and interest in the patent  
2 in suit, including the right to exclude others and to enforce, sue and recover damages  
3 for past and future infringement thereof.

4 **VI. PATENT IN SUIT**

5 13. As set forth above, the inventions of the '507 Patent resolve technical  
6 problems related to viewing different portions of an image with greater detail. (*See*  
7 Ex. 1 at Abstract, Figs. 3A-3E, 4 and corresponding description in the specification.)  
8 When viewing remote images on a server, the zoom in feature on the client of the  
9 '507 Patent focuses only on the selected portion of interest for the user. (*Id.*)

10 14. The claims of the '507 Patent do not merely recite the performance of  
11 some business practice known from the pre-Internet world along with the requirement  
12 to perform it on the Internet. Instead, the claims of the '507 Patent recite one or more  
13 inventive concepts that are rooted in computerized user graphical interface technology  
14 that works seamlessly in a client-server computing technology, and overcome  
15 problems specifically arising in the realm of client access to documents on the server  
16 in client-server technologies. (*See id.* at 2:66-8:9.)

17 15. As set forth above, the claims of the '507 Patent recite an invention that  
18 is not merely the routine or conventional use of computers. (*See id.* at 1:13-2:64  
19 describing the background of the invention and problems solved.) Instead, the  
20 invention makes use of specific client-server computer architecture functionalities.  
21 The '507 Patent claims thus specify how computing devices and remote servers are  
22 manipulated to yield a desired result.

23 16. The technology claimed in the '507 Patent does not preempt all ways of  
24 using client-server computing architectures or the use of all communication session  
25 technologies, or any other well-known or prior art technology.

26 17. Each claim of the '507 Patent recites a combination of elements  
27 sufficient to ensure that the claim in practice amounts to significantly more than a  
28 patent on an ineligible concept.

1           18. The '507 Patent claims, in a data storage/access network system that  
2 access images on a server from a remote client device, for zooming image, data  
3 extraction for extracting a portion of image data in accordance with a request from a  
4 client machine occurs for the image from the server machine. When a request for  
5 enlarging a partial region is issued from the client side, the image data in the requested  
6 partial region is dynamically extracted and displayed for the user to zoom in and view  
7 with greater detail.

8                           **VII. ACCUSED PRODUCTS AND/OR SERVICES**

9           19. Defendant manufactures, provides, uses, sells, offers for sale, imports,  
10 and/or distributes infringing software for image viewing that allows for designating  
11 portions of images that are of interest, reading out and transmitting the designated  
12 portions, including, for example, imaging software products for viewing medical  
13 images including, but not limited to syngo workspace system, that operates using  
14 Defendant's servers and Defendant's client-side software that is connected through  
15 networks including, for example, Mobile Applications, Web browser interface and/or  
16 Desktop Applications (collectively, "Accused Products and/or Services").

17   **COUNT I**

18   **INFRINGEMENT OF U.S. PATENT NO. 6,396,507**

19           20. Plaintiff hereby restates the allegations contained in the preceding  
20 paragraphs above as if fully set forth herein.

21           21. On May 28, 2002, U.S. Patent No. 6,396,507, entitled "Data  
22 Storage/Access Network System for zooming image and method of the  
23 storage/access," was duly and legally issued by the United States Patent and  
24 Trademark Office. A true and correct copy of the '507 Patent is attached as Exhibit  
25 1. Related U.S. application data is set forth on the face of the patent.

26           22. Plaintiff is the assignee and owner of the right, title, and interest in and  
27 to the '507 Patent, including the right to assert all causes of action arising under the  
28 '507 Patent and the right to any remedies for infringement of the '507 Patent.

1           23. Defendant has been directly infringing at least claim 1<sup>1</sup> of the '507 Patent  
2 by making, using, selling, offering to sell, importing and/or providing and causing to  
3 be used the software products for viewing medical images including, but not limited  
4 to syngo webspace system which satisfy, literally or under the doctrine of equivalents,  
5 each and every claim limitation of claim 1 of the '507 Patent. The correspondence  
6 between the limitations of claim 1 of the '507 Patent and the software products for  
7 viewing medical images including, but not limited to syngo webspace system is  
8 shown in the claim chart attached hereto as Exhibit 2. The claim chart is incorporated  
9 by reference as if set forth herein.

10           24. Defendant has infringed at least claim 1 of the '507 Patent under 35  
11 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using,  
12 selling, and/or offering for sale in the United States, and/or importing into the United  
13 States, Accused Products and/or Services (hereafter "Accused Instrumentalities"). At  
14 a minimum, Accused Instrumentalities include software products for viewing medical  
15 images including, but not limited to syngo webspace system.

16           25. As just one non-limiting example, set forth in the claim chart, attached  
17 as Exhibit 2 is a description of exemplary claim 1 of the '507 Patent. Plaintiff reserves  
18 the right to modify this description, including on the basis of information it obtains  
19 during discovery.

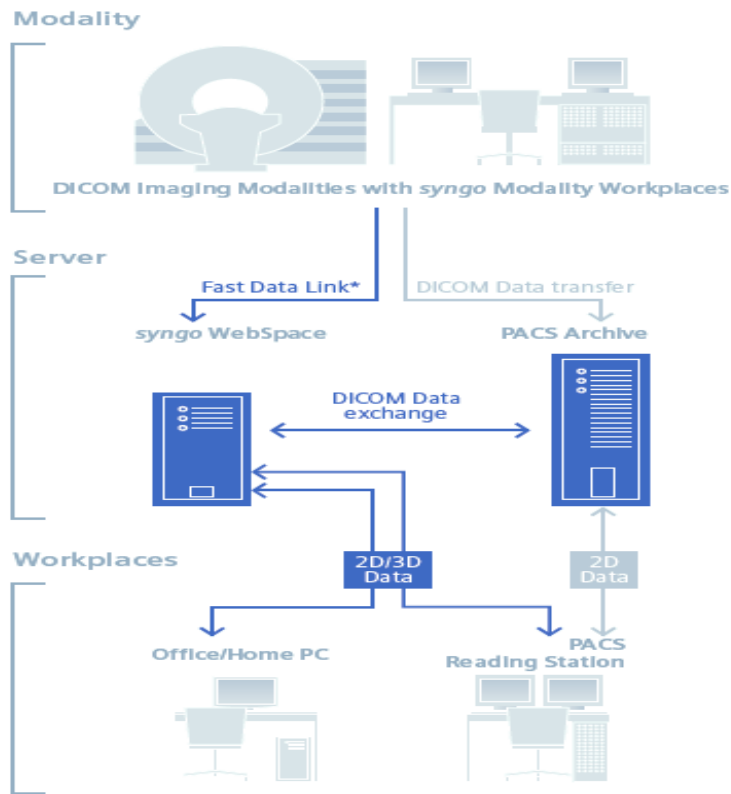
20           26. For example, the Accused Products and/or Services meet all of the claim  
21 limitations of claim 1 of the '507 Patent, set forth below with claim language in italics.  
22 To the extent the preamble is limiting, the Accused Products and/or Services include  
23 "*A data reading method applied to a network system in which an image data storage*  
24 *device and an access device are connected.*"

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26 <sup>1</sup> Plaintiff reserves the right to identify additional asserted claims and accused  
27 products as this litigation proceeds. For example, Plaintiff expressly reserves the right  
28 to identify additional asserted claims and accused products in its infringement  
contentions to be served during the discovery process.

1 [http://www.medical.siemens.com/siemens/en\\_INT/gg\\_ct\\_FBAs/files/somatomwo](http://www.medical.siemens.com/siemens/en_INT/gg_ct_FBAs/files/somatomworld/somatom_sessions/SOMATOM_Sessions_22.pdf)  
2 [rld/somatom\\_sessions/SOMATOM\\_Sessions\\_22.pdf](http://www.medical.siemens.com/siemens/en_INT/gg_ct_FBAs/files/somatomworld/somatom_sessions/SOMATOM_Sessions_22.pdf) at 14.

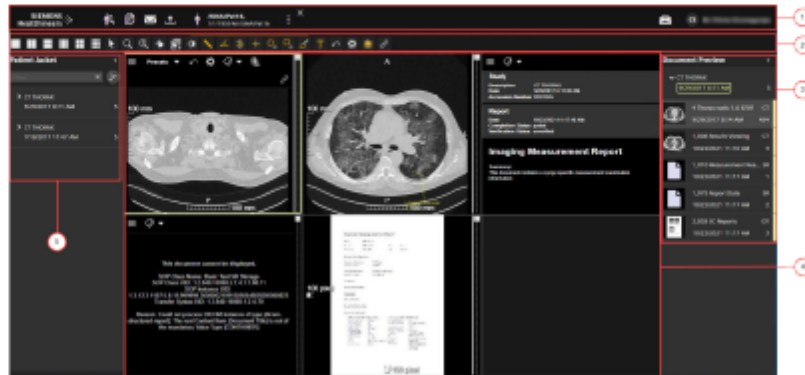


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18 27. The Accused Products and/or Services include “transmitting image data  
19 in a file from said storage device to said access device,”

20 Syngo Carbon Space Physician’s Access Manual at 43.

### 3.7 Screen layout of Physician Access

Physician Access is divided into the following sections.



- (1) Access bar - The patient tab displays the studies related to the patient, and details such as study date, patient name, and department name.
- (2) Toolbar - Displays the hanging protocol selection and the configured favorite tools.  
For more information, see (→ Page 45 The viewer).
- (3) Document Preview - Displays the number of documents in the currently displayed study and allows you to navigate through them.
- (4) Image area - Displays study images within the segments.  
The image that you are currently working with is highlighted around the image segment. Double-click an image within the image segment to view it full screen.
- (5) Patient Jacket - Displays all the related studies of the patient in the patient tab. The related studies include both online and remote studies.

28. The Accused Products and/or Services include “designating an arbitrary portion of said image data transmitted and displayed on said access device.”

#### 3.8.3 Scaling tools

The viewer offers various scaling tools, for example, the magnifier or zoom. The zoom tool allows you to scale the image smoothly by pressing and holding the left mouse button. In the specific toolbar, further scaling options are available.

##### Magnifier

The magnifier function enlarges a portion of an image and can be used on both DICOM and generic images.

Clicking the required area in an image enlarges that area in a separate window.

The scale factor is controlled by the mouse wheel and can be increased to a



1 maximum of 10 and reduced to a minimum of 1. If you click and drag the  
2 mouse, the magnifier window will follow your movement while maintaining  
3 the set scale factor. Click the left mouse button again to close the window.  
4 Annotations are not considered when you use the magnifier, however, any  
5 overlays that have been saved with the image will be shown.

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7 Syngo Carbon Space Physician’s Access Manual at 46

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9 29. The Accused Products and/or Services include “*reading out only*  
10 *wanting image data in said arbitrary portion designated on said access device from*  
11 *the same file as said file of said image data transmitted.*”

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13 Syngo Carbon Space Physician’s Access Manual at 46.

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15 Clicking the required area in an image enlarges that area in a separate window.  
16 The scale factor is controlled by the mouse wheel and can be increased to a  
17 maximum of 10 and reduced to a minimum of 1. If you click and drag the  
18 mouse, the magnifier window will follow your movement while maintaining  
19 the set scale factor. Click the left mouse button again to close the window.

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22 30. The Accused Products and/or Services include “*transferring said*  
23 *wanting image data to said access device through a network.*”

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25 Syngo Carbon Space Physician’s Access Manual at 55-56.

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**Restoring and fetching documents** Documents that are stored in a long-term archive and have the status *Nearline* can be restored. Once restored, the documents can be displayed in Physician Access and all actions are available as usual.

The **Fetch** function allows you to send studies and series from a DICOM archive to a move destination AET via a C-MOVE operation (the move destination AET is defined in *webmanagement*). Only documents in third-party archives that have the status *Online* or *Nearline* can be fetched. If no move destination AET is defined, the context menu entry is not available.

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31. Defendant has committed acts of infringement without license or authorization.

32. Defendant provides users of the software products for viewing medical images including, but not limited to syngo webservice system with instructions on how to operate within software products for viewing medical images including, but not limited to syngo webservice system in its promotional materials for the syngo webservice Access Devices. In addition, Defendant provides users with an application which serves as a central location to which Accused Instrumentalities may connect. To operate within a software products for viewing medical images including, but not limited to syngo webservice system network, the software products for viewing medical images including, but not limited to syngo webservice system Access Devices that necessarily practice at least claim 1 of the '507 Patent.

33. On information and belief, any other of Defendant's software products and access devices are also Accused Instrumentalities.

34. As reflected in Exhibit 2, Defendant's website further shows that Defendant has tested and verified that the Accused Instrumentalities promote the infringing features. In making these instructions and materials available to customers and touting the benefits of the infringing features, Defendant specifically intended to encourage its customers to use the Accused Instrumentalities in an infringing manner, knowing that such use in accordance with its instructions and materials constituted infringement of the '507 Patent.

35. Defendant's acts of infringement involving the '507 Patent have caused damage to Plaintiff, and Plaintiff is entitled to recover from Defendant the damages it has sustained as a result of Defendant's wrongful acts in an amount subject to proof at trial.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

- 1 a) Declaring that Defendant has infringed the '507 Patent.
- 2 b) Awarding damages arising out of Defendant's infringement of the '507
- 3 Patent to Zodex, together with prejudgment and post-judgment interest, in an
- 4 amount according to proof.
- 5 c) Awarding attorneys' fees to Zodex pursuant to 35 U.S.C. § 285 or as
- 6 otherwise permitted by law.
- 7 d) Awarding such other costs and further relief as the Court may deem
- 8 just and proper.

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10 Dated: June 15, 2022

**DEVLIN LAW FIRM, LLC**

By: /s/ Deepali A. Brahmbhatt  
Deepali A. Brahmbhatt

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*Attorney for Plaintiff,*  
Zodex Data Systems LLC

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**DEMAND FOR JURY TRIAL**

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Plaintiff requests a jury trial of all issues in this action so triable.

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Dated: June 15, 2022

**DEVLIN LAW FIRM, LLC**

By: /s/ Deepali A. Brahmbhatt  
Deepali A. Brahmbhatt

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*Attorney for Plaintiff,*  
Zodex Data Systems LLC

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