UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Globalprivatequity.com, Inc.,	
Plaintiff,	Civil Action No. 1:24-cv-11481
v.	JURY TRIAL DEMANDED
The Debt Exchange, Inc.,	
Defendant.	

COMPLAINT

Plaintiff Globalprivatequity.com, Inc. ("GPE" or "Plaintiff") through undersigned counsel hereby brings this Complaint for patent infringement against The Debt Exchange, Inc. ("DebtX" or "Defendant"), and alleges as follows:

NATURE OF THE ACTION

1.   This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 et. seq., and seeking damages and injunctive relief under 35 U.S.C. §§ 271,281, 283-285.

2.   DebtX has infringed and continues to infringe, contribute to the infringement of, and/or actively induce others to infringe GPE's U.S. Patent No. 7,526,444 (the `444 patent), U.S. Patent No. 7,877,319 (the `319 patent) and U.S. Patent No. 8,694,418 (the `418 patent).

THE PARTIES

3.   Plaintiff GPE is a corporation organized and existing under the laws of the state of Delaware and a principal place of business located at 244 Cedarview Drive, East Rockhill, PA 19844.

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4.   Upon information and belief, Defendant DebtX is a corporation organized and existing under the laws of the state of Delaware with its principal place of business located at 225 Franklin St, 26th Floor, Boston, MA 02110.

JURISDICTION AND VENUE

5.   This lawsuit is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 et seq.

6.   This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a) because this is a civil action for patent infringement arising under the federal patent laws of the United States.

7.   This Court has personal jurisdiction over DebtX for at least the following reasons: (i) DebtX, on information and belief, continuously, systematically, and purposefully conducts business within this District; (ii) DebtX, on information and belief, has committed acts of patent infringement and/or contributed to or induced acts of patent infringement by others in this District and elsewhere in and the United States; (iii) DebtX, on information and belief, regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered, in this District; and (iv) DebtX's principal place of business is located in Boston, Massachusetts, which is located in this District.

8.   Venue is proper in this judicial district based upon 28 U.S.C. §§ 1400(b) and/or 28 U.S.C. §§ 1391(b) and (c) because DebtX has a principal place of business is located in Boston, Massachusetts and has committed acts of infringement in this in this District.

THE PATENTS IN SUIT

9.   On April 28, 2009, the United States Patent and Trademark Office ("USPTO") issued the `444 patent", entitled Integrated Trading Information Processing and Transmission System for Exempt Securities. A true copy of the `444 patent is attached as Exhibit A.

10.   On January 25, 2011, the USPTO issued the `319 patent, entitled Integrated Trading Information Processing and Transmission System for Exempt Securities. A true copy of the `319 patent is attached as Exhibit B.

11.   On April 8, 2014, the USPTO issued the `418 patent, entitled Integrated Trading Information Processing and Transmission System for Exempt Securities. A true copy of the `418 patent is attached as Exhibit C.

FACTUAL BACKGROUND

12.   DebtX provides online electronic trading platforms and evaluation tools for over the counter exempt ("OTC") securities, specifically for syndicated mortgage loans.

13.   By letter dated April 16, 2013, DebtX was made aware of the existence of the `444 and `319 patents. In its letter GPE requested information about DebtX's offers of trading methods and systems for exempt securities including, but not limited to DXOpen®, DXParticipate®, DXSyndicate®, DXDocs®, and DXAgency® (the "DebtX Letter Products") and how the DebtX Letter Products differ from GPE's `444 and `319 patents.

14.   GPE is the owner of all right, title and interest in and to the `444 patent.

15.   GPE is the owner of all right, title and interest in and to the `319 patent.

16.   GPE is the owner of all right, title and interest in and to the `418 patent.

17.   DebtX offers to end-users evaluation, matching and transactional capabilities for evaluation and sale of over-the-counter (OTC) exempt securities on its platforms, including, but not limited, to the DebtX Letter Products as well as additional DebtX analytics products including DXMark®, DXScore, and DXCDA (collectively, with the above-identified DebtX Letter Products, "DebtX Solutions").

18.   GPE has never authorized DebtX to manufacture, sell, offer for sale, or use products and methods that are within the claims of the `444, `319 and `418 patents.

19.   GPE has never authorized DebtX to manufacture, sell, offer for sale, or use any if its online platforms for OTC exempt securities, including, but not limited to, the DebtX Solutions and related evaluation tools that are within the claims of the `444, `319 and `418 patents.

20.   In September of 2013, GPE approached DebtX about a license to the same patents that are alleged to be infringed here.

21.   The parties executed an NDA and GPE presented its licensing proposal and infringement claim charts at meetings and through correspondence during the remaining months of 2013 and into early 2014.

22.   DebtX refused to take a license, so GPE sued DebtX for patent infringement in the Southern District of New York on June 27, 2014. *Globalprivatequity.com, Inc. v. The Debt Exchange*, No. 1-14-cv-4800 (S.D.N.Y. 2014).

23.   DebtX moved to dismiss the indirect infringement allegations.

24.   The court set a briefing schedule on the motion on August 25, 2014.

25.   Two days later, GPE voluntarily dismissed its suit under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

26.   Each claim of the `444, `319 and `418 patents is presumed valid, and invalidity must be proven by clear and convincing evidence.

COUNT I
PATENT INFRINGEMENT OF THE `444 PATENT

27.   GPE repeats the allegations in paragraphs 1-20 of this Complaint as though fully set forth herein.

28.   The `444 Patent relates to systems and methods for monitoring and transacting exempt securities not listed on a conventional exchange.

29.   With respect to claim 21, the DebtX Solutions provide software which can statistically analyze the securities using models and/or historical pricing data selected by the user. The DebtX Solutions provide this capability by collecting information which includes price data, valuation data, and market data. As one example, the DXMark software utilizes "aggregate data from hundreds of thousands of competitively executed secondary loan sales" in order to "feed[] the sophisticated, quantitative algorithms used by DXMark, providing an objective basis for calculating the expected market-clearing price and associated risk of a given asset or portfolio standard   defines   a   distinct   "primary   channel"   and   "secondary   channel." https://debtxanalytics.com/valuations-analytics/dxmark.

30.   As another example, "DXScore measures the credit risk of an individual loan or portfolio   of   loans   independent   of   financial   factors   such   as   required   market   yield." https://debtxanalytics.com/valuations-analytics/dxscore.

31.   As another example, "DebtX Analytics's DXCDA calculates your loan portfolio's expected losses with loan-by-loan granularity, giving you an immediate view into any potential capital   impact.   DXCDA   is   a   fully   outsourced,   independent   CECL   service." https://debtxanalytics.com/valuations-analytics/dxcda-cecl.

32.   The DebtX Solutions provide software which provides users with inventory data on assets or securities, including loans, in order to provide functionality marketed by DebtX as "Online Auction capabilities."   *See, e.g.,* DebtX, "The Loan Sale Advisor," Winter 2011-12, 1, *available   at   https://www.debtx.com/corp/wp-content/uploads/2016/04/* newsletter_2012_Winter.pdf   (hereinafter,   "The   Loan   Sale   Advisor").   *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform.").

33.   The DebtX Solutions provide software which accepts a selection of an asset or exempt security by the user For example, DebtX represents that it enables "thousands of investors [to] perform[] concurrent due diligence and bidding" and to allow the user to "track[] what buyers are evaluating" as part of DebtX's "Online Auction capabilities." *See* "The Loan Sale Advisor."

34.   The DebtX Solutions provide software which provides users with at least one of the price data, the valuation data, and the market data for assets or securities, including loans. For example, DebtX represents that it "tracks what buyers are evaluating" and in providing the ability to "report[s] on investor activity, such as revealing the least and most reviewed asset," and also to give it with the ability to "provide[] investors with realtime updates about an asset sale" and provide "[r]eal-time updates [that] enable investors to keep their financial models current." *See* "The Loan Sale Advisor." *See also* https://debtxanalytics.com/valuations-analytics/dxmark ("Through its marketplace, DebtX Analytics has collected and continues to aggregate data from hundreds of thousands of competitively executed secondary loan sales. DebtX Analytics also aggregates new issue origination data as well as data on seasoned loans monthly."). *See also* https://debtxanalytics.com/valuations-analytics/dxscore ("Idiosyncratic factors relate to the specific loan… DXScore is primarily concerned with idiosyncratic factors."). *See also* https://debtxanalytics.com/valuations-analytics/dxcda-cecl ("DXCDA leverages the most robust historical data set in the market for both performing and non-performing loans.").

35.   As described above, the DebtX Solutions provide software which statistically analyzes loan securities. DebtX provides the results of these loan valuation and analytics services to the user of the DebtX Solutions. *See* "The Loan Sale Advisor" (stating, "DXOpen improves asset sales in two key aspects: 1) By providing a repeatable sale process that institutionalizes

knowledge that can then be shared across an organization; 2) By generating insights about buyers'

behavior and potentially increasing the number of bids per offering").

36.   As one example, the DXMark product provided by DebtX provides statistical

analysis related to loan securities. *See* https://debtxanalytics.com/valuations-analytics/dxmark

("Through its marketplace, DebtX Analytics has collected and continues to aggregate data from

hundreds of thousands of competitively executed secondary loan sales. DebtX Analytics also

aggregates new issue origination data as well as data on seasoned loans monthly. This data feeds

the sophisticated, quantitative algorithms used by DXMark, providing an objective basis for

calculating the expected market-clearing price and associated risk of a given asset or portfolio.").

37.   As a second example, the DXScore product provided by DebtX provides statistical

analysis related to loan securities. *See* https://debtxanalytics.com/valuations-analytics/dxscore

("DXScore measures the credit risk of an individual loan or portfolio of loans independent of

financial factors such as required market yield. By reducing emphasis on loans' interest earned

and focusing primarily on their bundle of credit-related factors, DXScore allows for the rank-

ordering of a portfolio of loans by their overall level of risk.").

38.   As a third example, the DXCDA product provided by DebtX provides statistical

analysis related to loan securities. *See* https://debtxanalytics.com/valuations-analytics/dxcda-cecl

("DebtX Analytics's DXCDA calculates your loan portfolio's expected losses with loan-by-loan

granularity, giving you an immediate view into any potential capital impact. DXCDA is a fully

outsourced, independent CECL service.").

39.   The DebtX Solutions provide software which provides users with transactional

access to conduct bidding, selling, and auctioning transactions related to loan securities. For

example, DebtX represents that it provides "a secure online platform for institutions conducting

direct loan sales, B-Piece due diligence, mezzanine debt and bond sales. DXOpen integrates Virtual Data Room, Contact Relationship Management and Online Auction capabilities into a single platform and supports thousands of investors performing concurrent due diligence and bidding. The platform offers full Digital Rights Management capabilities as part of its security protocols." *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform enabling loan brokers and financial institutions to conduct self-directed loan sales with multiple auction format options and automated bid optimization.")

40.   Thus, for at least the reasons described above, the DebtX Solutions infringe one or more claims of the `444 Patent, including claim 21. An exemplar infringement chart is attached as Exhibit D.

41.   Upon information and belief, in violation of 35 U.S.C. § 271, DebtX is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe at least claim 21 of the `444 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, products or processes that practice the inventions claimed in the `444 patent, including without limitation, the DebtX Solutions and related evaluation tools.

42.   Upon information and belief, DebtX's actions have been and are with knowledge of the `444 patent and thus have been and are willful disregard of those patent rights.

43.   As a result of DebtX's unlawful infringement of the `444 patent, GPE has suffered and will continue to suffer damage.

44.   GPE is entitled to recover from DebtX the damages suffered by GPE as a result of its unlawful acts.

45.   On information and belief, DebtX intends to continue its unlawful infringing activity, and GPE continues to and will continue to suffer irreparably harm for which there is no adequate remedy at law from such unlawful infringing activities unless this Court enjoins DebtX from further infringing activities.

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COUNT II
PATENT INFRINGEMENT OF THE `319 PATENT

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46.   GPE repeats the allegations in paragraphs 1-39 of this Complaint as though fully set forth herein.

47.   The `319 Patent relates to systems and methods for monitoring and transacting exempt securities not listed on a conventional exchange.

48.   With respect to claim 22, the DebtX Solutions provide software which can statistically analyze the securities using models and/or historical pricing data selected by the user. The DebtX Solutions provide this capability by collecting information which includes price data, valuation data, and market data. As one example, the DXMark software utilizes "aggregate data from hundreds of thousands of competitively executed secondary loan sales" in order to "feed[] the sophisticated, quantitative algorithms used by DXMark, providing an objective basis for calculating the expected market-clearing price and associated risk of a given asset or portfolio standard   defines   a   distinct   "primary   channel"   and   "secondary   channel." https://debtxanalytics.com/valuations-analytics/dxmark.

49.   As another example, "DXScore measures the credit risk of an individual loan or portfolio of loans independent of financial factors such as required market yield." https://debtxanalytics.com/valuations-analytics/dxscore.

50.   As another example, "DebtX Analytics's DXCDA calculates your loan portfolio's expected losses with loan-by-loan granularity, giving you an immediate view into any potential

capital   impact.   DXCDA   is   a   fully   outsourced,   independent   CECL   service."
https://debtxanalytics.com/valuations-analytics/dxcda-cecl.

51.   The DebtX Solutions provide software which provides users with inventory data
on assets or securities, including loans, in order to provide functionality marketed by DebtX as
"Online   Auction   capabilities."   *See, e.g.,*   "The   Loan   Sale   Advisor."   *See also*
https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform.").

52.   The DebtX Solutions provide software which accepts a selection of an asset or
exempt security by the user For example, DebtX represents that it enables "thousands of investors
[to] perform[] concurrent due diligence and bidding" and to allow the user to "track[] what buyers
are evaluating" as part of DebtX's "Online Auction capabilities." *See* "The Loan Sale Advisor."

53.   The DebtX Solutions provide software which provides users with at least one of
the price data, the valuation data, and the market data for assets or securities, including loans For
example, DebtX represents that it "tracks what buyers are evaluating" and in providing the ability
to "report[s] on investor activity, such as revealing the least and most reviewed asset," and also to
give it with the ability to "provide[] investors with realtime updates about an asset sale" and
provide "[r]eal-time updates [that] enable investors to keep their financial models current." *See*
"The   Loan   Sale   Advisor."   *See also*   https://debtxanalytics.com/valuations-analytics/dxmark
("Through its marketplace, DebtX Analytics has collected and continues to aggregate data from
hundreds of thousands of competitively executed secondary loan sales. DebtX Analytics also
aggregates new issue origination data as well as data on seasoned loans monthly."). *See also*
https://debtxanalytics.com/valuations-analytics/dxscore ("Idiosyncratic   factors   relate   to   the
specific   loan…   DXScore   is   primarily   concerned   with   idiosyncratic   factors.").   *See also*

https://debtxanalytics.com/valuations-analytics/dxcda-cecl ("DXCDA leverages the most robust historical data set in the market for both performing and non-performing loans.").

54.   As described above in ¶¶23-25, the DebtX Solutions provide software which statistically analyzes loan securities. DebtX provides the results of these loan valuation and analytics services to the user of the DebtX Solutions. *See* "The Loan Sale Advisor" (stating, "DXOpen improves asset sales in two key aspects: 1) By providing a repeatable sale process that institutionalizes knowledge that can then be shared across an organization; 2) By generating insights about buyers' behavior and potentially increasing the number of bids per offering").

55.   As one example, the DXMark product provided by DebtX provides statistical analysis related to loan securities. *See* https://debtxanalytics.com/valuations-analytics/dxmark ("Through its marketplace, DebtX Analytics has collected and continues to aggregate data from hundreds of thousands of competitively executed secondary loan sales. DebtX Analytics also aggregates new issue origination data as well as data on seasoned loans monthly. This data feeds the sophisticated, quantitative algorithms used by DXMark, providing an objective basis for calculating the expected market-clearing price and associated risk of a given asset or portfolio.").

56.   As a second example, the DXScore product provided by DebtX provides statistical analysis related to loan securities. *See* https://debtxanalytics.com/valuations-analytics/dxscore ("DXScore measures the credit risk of an individual loan or portfolio of loans independent of financial factors such as required market yield. By reducing emphasis on loans' interest earned and focusing primarily on their bundle of credit-related factors, DXScore allows for the rank-ordering of a portfolio of loans by their overall level of risk.").

57.   As a third example, the DXCDA product provided by DebtX provides statistical analysis related to loan securities. See https://debtxanalytics.com/valuations-analytics/dxcda-cecl

("DebtX Analytics's DXCDA calculates your loan portfolio's expected losses with loan-by-loan granularity, giving you an immediate view into any potential capital impact. DXCDA is a fully outsourced, independent CECL service.").

58.   The DebtX Solutions provide software which provides users with transactional access to conduct bidding, selling, and auctioning transactions related to loan securities. For example, DebtX represents that it provides "a secure online platform for institutions conducting direct loan sales, B-Piece due diligence, mezzanine debt and bond sales. DXOpen integrates Virtual Data Room, Contact Relationship Management and Online Auction capabilities into a single platform and supports thousands of investors performing concurrent due diligence and bidding. The platform offers full Digital Rights Management capabilities as part of its security protocols." *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform enabling loan brokers and financial institutions to conduct self-directed loan sales with multiple auction format options and automated bid optimization.")

59.   Thus, for at least the reasons described above, the DebtX Solutions infringe one or more claims of the `319 Patent, including claim 22. An exemplar infringement chart is attached as Exhibit E.

60.   Upon information and belief, in violation of 35 U.S.C. § 271, DebtX is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe at least claim 22 of the `319 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, products or processes that practice the inventions claimed in the `319 patent, including without limitation, the DebtX Solutions and related evaluation tools.

61.   Upon information and belief, DebtX's actions have been and are with knowledge of the `319 patent and thus have been and are willful disregard of those patent rights.

62.   As a result of DebtX's unlawful infringement of the `319 patent, GPE has suffered and will continue to suffer damage.

63.   GPE is entitled to recover from DebtX the damages suffered by GPE as a result of its unlawful acts.

64.   On information and belief, DebtX intends to continue its unlawful infringing activity, and GPE continues to and will continue to suffer irreparable harm for which there is no adequate remedy at law from such unlawful infringing activities unless this Court enjoins DebtX from further infringing activities.

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COUNT III
PATENT INFRINGEMENT OF THE `418 PATENT

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65.   GPE repeats the allegations in paragraphs 1-58 of this Complaint as though fully set forth herein.

66.   The `418 Patent relates to systems and methods for monitoring and/or transacting exempt securities not listed, traded, valuated or bought/sold in a conventional exchange.

67.   With respect to claim 1, the DebtX Solutions provide software which can analyze loan securities. The DebtX Solutions provide this capability because it "tracks what buyers are evaluating" and in provides the ability to "report on investor activity, such as revealing the least and most reviewed asset," and also the ability to "provide[] investors with realtime updates about an asset sale" and provide "[r]eal-time updates [that] enable investors to keep their financial models current." *See* "The Loan Sale Advisor."

68.   The DebtX Solutions also collect data related to the loan securities. As one example, the DXMark software utilizes "aggregate data from hundreds of thousands of

competitively executed secondary loan sales" in order to "feed[] the sophisticated, quantitative algorithms used by DXMark, providing an objective basis for calculating the expected market-clearing price and associated risk of a given asset or portfolio standard defines a distinct "primary channel" and "secondary channel." https://debtxanalytics.com/valuations-analytics/dxmark.

69.   As another example, "DXScore measures the credit risk of an individual loan or portfolio of loans independent of financial factors such as required market yield." https://debtxanalytics.com/valuations-analytics/dxscore.

70.   As another example, "DebtX Analytics's DXCDA calculates your loan portfolio's expected losses with loan-by-loan granularity, giving you an immediate view into any potential capital impact.   DXCDA   is   a   fully   outsourced,   independent   CECL   service." https://debtxanalytics.com/valuations-analytics/dxcda-cecl.

71.   The DebtX Solutions provide, on information and belief, the ability for a user to buy or sell loan securities through an online auction platform provided by the DebtX Solutions for such securities. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief, DebtX provides functionality for accepting information regarding a new offer to buy or sell loans.

72.   The DebtX Solutions provide, on information and belief, the ability for a user to post new offers to buy or sell loan securities through an online auction platform provided by the DebtX Solutions for such securities. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See*

"The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief, DebtX provides functionality for posting a new offer to buy or sell loans which are capable of being viewed by one or more users of the platform.

73.   The DebtX Solutions provide, on information and belief, the ability for a user to query a database of pending offers to buy or sell loan securities through an online auction platform provided by the DebtX Solutions for such securities, and to determine whether pending offers match any new offers provided by users. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief, DebtX provides functionality for querying the platform's inventory of offers to buy or sell in order to determine matches between offers to buy or sell, including the new offer from the first user described above.

74.   The DebtX Solutions provide, on information and belief, the ability for a user to automatically transmit a notification upon finding a match between offers based on users' notification preferences. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief,

DebtX provides functionality for transmitting notifications of matches between offers to buy or sell to users of the platform based upon the users' notification preferences.

75.   The DebtX Solutions provide, on information and belief, the ability to store offers to buy and sell loan securities in one or more databases. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief, DebtX provides functionality for storing offers to buy or sell in a database for tracking the auctions and bids.

76.   The DebtX Solutions provide, on information and belief, transactional access to buy and sell loan securities associated with online auctions of such loan securities. For example, DebtX represents that it provides "Online Auction capabilities" related to online loan sales through its DXOpen Loan Auction platform. *See* "The Loan Sale Advisor." *See also* https://debticate.com/services/loan-platform/ ("DXOpen is a Loan Auction platform."). Although the user interface for the platform is not depicted in DebtX's published materials, by providing such online loan auction platform, on information and belief, DebtX provides functionality for conducting sales of loans via the auctions and bids placed on the platform.

77.   Thus, for at least the reasons described above, the DebtX Solutions infringe one or more claims of the `418 Patent, including claim 1. An exemplar infringement chart is attached as Exhibit F.

78.   Upon information and belief, in violation of 35 U.S.C. § 271, DebtX is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe at

least claim 1 of the `418 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, products or processes that practice the inventions claimed in the `418 patent, including without limitation, the DebtX Solutions and related evaluation tools.

79.   Upon information and belief, DebtX's actions have been and are with knowledge of the `418 patent and thus have been and are willful disregard of those patent rights.

80.   As a result of DebtX's unlawful infringement of the `418 patent, GPE has suffered and will continue to suffer damage.

81.   GPE is entitled to recover from DebtX the damages suffered by GPE as a result of its unlawful acts.

82.   On information and belief, DebtX intends to continue its unlawful infringing activity, and GPE continues to and will continue to suffer irreparably harm for which there is no adequate remedy at law from such unlawful infringing activities unless this Court enjoins DebtX from further infringing activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment in its favor and against Defendant and respectfully requests the following relief:

(a)   A judgment that DebtX infringes one or more claims of the `444, `319 and `418 patents;

(b)   A permanent injunction enjoining DebtX, its officers, agents, servants, employees, successors, subsidiaries, affiliates, parent company and all persons acting under, in concert with, or for it, from directly or indirectly making or causing to be made, using or causing to be used, selling or causing to be sold, offering for sale or causing to be used, selling or causing to be sold, offering for sale or causing to be offered for sale, or importing or causing to be imported products

that fall within the scope of one or more claims of the `444,`319 and `418 patents, or otherwise

directly or contributorily infringing, or inducing infringement of, the `444, `319 and `418 patents;

(c)   An order requiring DebtX, its officers, agents, servants, and employees to recall

and destroy all products infringing, directly or otherwise, one or more claims of the `444, `319 and

`418 patents;

(d)   An order directing DebtX to file with this Court and serve on GPE within twenty

(20) days after service of an injunction a written report setting forth in detail the manner and form

in which DebtX has complied with each injunction to which the Court finds GPE entitled;

(e)   An award of damages adequate to compensate GPE for the infringement of the

`444, `319, and `418 patents, together with the prejudgment and post judgment interest thereon at

the highest rate allowable at law until prejudgment and post-judgment interest thereon at the

highest rate allowable at law until paid in full, and costs fixed by the Court, as provided by 35

U.S.C. § 284;

(f)   A judgment that the infringement of the `444, `319 and `418 patents was and is

willful, and an award to GPE of treble damages in accordance with 35 U.S.C. § 284;

(g)   A declaration that this is an exceptional case and that GPE be granted its reasonable

attorneys' fees pursuant to 35 U.S.C. § 285; and

(h)   A grant to GPE of such further relief as this Court deems just and proper.

Dated: June 6, 2024

Respectfully submitted,

/s/ Christopher E. Hanba
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