

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KENEXA BRASSRING, INC.,

Plaintiff

v.

VURV TECHNOLOGY, INC.,

Defendant.

C. A. No.: _____

Jury Trial Demanded

COMPLAINT

The Parties

1. Plaintiff, Kenexa BrassRing, Inc. (“Kenexa”), is a Delaware corporation having its corporate headquarters at 650 East Swedesford Road, Wayne, Pennsylvania 19087.

2. Defendant Vurv Technology, Inc. (“Vurv”) is a Delaware corporation having a principal place of business at 7660 Centurion Parkway, Suite 100, Jacksonville, Florida 32256.

Jurisdiction

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338(a).

4. As alleged herein, Vurv has infringed (literally and/or by equivalents), and is continuing to infringe, Kenexa’s patents by making, using, importing, selling, and/or offering to sell products covered by one or more patent claims – or by performing any method claimed therein – within the United States, and/or by contributing to or inducing such infringement.

5. This Court has personal jurisdiction over Vurv, which is a Delaware corporation.

Count I
Infringement of U.S. Patent No. 5,999,939

6. Kenexa repeats and realleges the foregoing paragraphs.

7. Kenexa is the owner of United States Patent No. 5,999,939 (the "'939 patent") and has the right to sue on the '939 patent. A copy of the '939 patent is attached as Exhibit A.

8. Vurv has infringed (literally and/or by equivalents), and is continuing to infringe, the '939 patent by making, using, importing, selling, and/or offering to sell products covered by one or more of the '939 patent claims – or by performing any method claimed therein – within the United States, and/or by contributing to or inducing such infringement.

9. Vurv's infringement of the '939 patent is and has been willful, has caused and will continue to cause Kenexa to suffer substantial damages, and has caused and will continue to cause Kenexa to suffer irreparable harm for which there is no adequate remedy at law.

Count II
Infringement of U.S. Patent No. 6,996,561

10. Kenexa repeats and realleges the foregoing paragraphs.

11. Kenexa is the owner of United States Patent No. 6,996,561 (the "'561 patent") and has the right to sue on the '561 patent. A copy of the '561 patent is attached as Exhibit B.

12. Vurv has infringed (literally and/or by equivalents), and is continuing to infringe, the '561 patent by making, using, importing, selling, and/or offering to sell products covered by one or more of the '561 patent claims – or by performing any method claimed therein – within the United States, and/or by contributing to or inducing such infringement.

13. Vurv's infringement of the '561 patent is and has been willful, has caused and will continue to cause Kenexa to suffer substantial damages, and has caused and will continue to cause Kenexa to suffer irreparable harm for which there is no adequate remedy at law.

PRAYER

WHEREFORE, Kenexa requests that this Court:

1. Enter a permanent injunction enjoining Vurv and its affiliates, subsidiaries, officers, directors, employees, agents, representatives, licensees, successors, assigns, and all those acting for any of them or on their behalf, or acting in concert with them, from further infringement of any and all of the '939 and '561 patents;
2. award Kenexa compensatory damages, costs, and interest for patent infringement;
3. award Kenexa treble damages for the willful infringement of the '939 and '561 patents;
4. award Kenexa its reasonable attorneys' fees under 35 U.S.C. §285; and
5. award Kenexa such other relief as the Court deems just and proper.

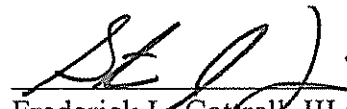
JURY DEMAND

Kenexa demands a trial by jury on all issues so triable.

Of Counsel:

Matthew B. Lowrie
Robert J. Silverman
LOWRIE, LANDO & ANASTASI, LLP
Riverfront Office Park
One Main Street – 11th Floor
Cambridge, MA 02142
(617) 395-7000

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Frederick L. Cottrell, III (#2555)
cottrell@rlf.com
Steven J. Fineman (#4025)
fineman@rlf.com
RICHARDS, LAYTON AND FINGER
One Rodney Square
920 N. King Street
P.O. Box 551
Wilmington, DE 19899
(302) 651-7700

Attorneys for Plaintiff