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Attorneys for Plaintiff
DATCARD SYSTEMS, INC.

IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

DATCARD SYSTEMS, INC., a California corporation,

Plaintiff,

v.

PACSGEAR, INC., a California corporation,

Defendant.

Civil Action No.
SACV10-1288 DOC (VBKx)

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff DatCard Systems, Inc. ("DatCard"), for its First Amended Complaint against Defendant PacsGear, Inc. ("PacsGear"), alleges as follows:

PARTIES

1. Plaintiff DatCard is a California corporation having a principal place of business at 7 Goodyear, Irvine, California 92618.

2. Upon information and belief, Defendant PacsGear, Inc. is a corporation organized and existing under the laws of the state of California, having a principal place of business at 7020 Koll Center Parkway, Suite 100, Pleasanton, California 94566.

JURISDICTION AND VENUE

3. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 100, *et seq*.

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Upon information and belief, PacsGear conducts business throughout the United States, including in this Judicial District, and has committed the acts complained of in this Judicial District and elsewhere.

6. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1391(b), (c) and 1400(b).

FIRST CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,302,164

7. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-6 above.

8. On November 27, 2007, U.S. Patent No. 7,302,164 ("the '164 Patent"), entitled "System and Method for Producing Medical Image Data Onto Portable Digital Recording Media," was duly and legally issued by the United States Patent and Trademark Office. DatCard is the owner of all right and title, both legal and equitable, to the '164 Patent, and has been the owner of the '164

Patent since the date of its issuance. A copy of the '164 Patent is attached hereto as Exhibit 1.

9. PacsGear has directly infringed the '164 Patent at least through its manufacture, sale, offer for sale and use of its medical disc publishing products, including the MediaWriter product.

10. In addition, PacsGear has contributed to infringement of the '164 Patent by others, and induced infringement of the '164 Patent by others, through its activities relating to its medical disc publishing products, including the MediaWriter product.

11. PacsGear's acts of infringement have caused damage to DatCard in an amount to be determined at trial.

12. PacsGear's infringement of the '164 Patent is causing irreparable harm to DatCard, for which there is no adequate remedy at law. PacsGear's infringement will continue, and will continue to cause irreparable harm to DatCard, unless PacsGear's infringement is enjoined by this Court.

13. DatCard is informed and believes that PacsGear's infringement of the '164 Patent was and is willful and deliberate, entitling DatCard to enhanced damages under 35 U.S.C. § 284 and attorneys' fees and non-taxable costs under 35 U.S.C. § 285.

SECOND CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,729,597

14. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-6 above.

15. On June 1, 2010, U.S. Patent No. 7,729,597 ("the '597 Patent"), entitled "System and Method for Producing Medical Image Data Onto Portable Digital Recording Media," was duly and legally issued by the United States Patent and Trademark Office. DatCard is the owner of all right and title, both legal and equitable, to the '597 Patent, and has been the owner of the '597

Patent since the date of its issuance. A copy of the '597 Patent is attached hereto as Exhibit 2.

16. PacsGear has directly infringed the '597 Patent at least through its manufacture, sale, offer for sale and use of its medical disc publishing products, including the MediaWriter product.

17. In addition, PacsGear has contributed to infringement of the '597 Patent by others, and induced infringement of the '597 Patent by others, through its activities relating to its medical disc publishing products, including the MediaWriter product.

18. PacsGear's acts of infringement have caused damage to DatCard in an amount to be determined at trial.

19. PacsGear's infringement of the '597 Patent is causing irreparable harm to DatCard, for which there is no adequate remedy at law. PacsGear's infringement will continue, and will continue to cause irreparable harm to DatCard, unless PacsGear's infringement is enjoined by this Court.

THIRD CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,783,174

20. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-6 above.

21. On August 24, 2010, U.S. Patent No. 7,783,174 ("the '174 Patent"), entitled "System and Method for Producing Medical Image Data Onto Portable Digital Recording Media," was duly and legally issued by the United States Patent and Trademark Office. DatCard is the owner of all right and title, both legal and equitable, to the '174 Patent, and has been the owner of the '174 Patent since the date of its issuance. A copy of the '174 Patent is attached hereto as Exhibit 3.

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22. PacsGear has directly infringed the '174 Patent at least through its manufacture, sale, offer for sale and use of its medical disc publishing products, including the MediaWriter product.

23. In addition, PacsGear has contributed to infringement of the '174 Patent by others, and induced infringement of the '174 Patent by others, through its activities relating to its medical disc publishing products, including the MediaWriter product.

24. PacsGear's acts of infringement have caused damage to DatCard in an amount to be determined at trial.

25. PacsGear's infringement of the '174 Patent is causing irreparable harm to DatCard, for which there is no adequate remedy at law. PacsGear's infringement will continue, and will continue to cause irreparable harm to DatCard, unless PacsGear's infringement is enjoined by this Court.

FOURTH CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,734,157

26. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-6 above.

27. On June 8, 2010, U.S. Patent No. 7,734,157 ("the '157 Patent"), entitled "System and Method for Producing Medical Image Data Onto Portable Digital Recording Media," was duly and legally issued by the United States Patent and Trademark Office. DatCard is the owner of all right and title, both legal and equitable, to the '157 Patent, and has been the owner of the '157 Patent since the date of its issuance. A copy of the '157 Patent is attached hereto as Exhibit 4.

28. PacsGear has directly infringed the '157 Patent at least through its manufacture, sale, offer for sale and use of its medical disc publishing products, including the MediaWriter product.

///

29. In addition, PacsGear has contributed to infringement of the '157 Patent by others, and induced infringement of the '157 Patent by others, through its activities relating to its medical disc publishing products, including the MediaWriter product.

30. PacsGear's acts of infringement have caused damage to DatCard in an amount to be determined at trial.

31. PacsGear's infringement of the '157 Patent is causing irreparable harm to DatCard, for which there is no adequate remedy at law. PacsGear's infringement will continue, and will continue to cause irreparable harm to DatCard, unless PacsGear's infringement is enjoined by this Court.

FIFTH CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,801,422

32. Plaintiff incorporates by reference and realleges each of the allegations set forth in Paragraphs 1-6 above.

33. On September 21, 2010, U.S. Patent No. 7,801,422 ("the '422 Patent"), entitled "System and Method for Producing Medical Image Data Onto Portable Digital Recording Media," was duly and legally issued by the United States Patent and Trademark Office. DatCard is the owner of all right and title, both legal and equitable, to the '422 Patent, and has been the owner of the '422 Patent since the date of its issuance. A copy of the '422 Patent is attached hereto as Exhibit 5.

34. PacsGear has directly infringed the '422 Patent at least through its manufacture, sale, offer for sale and use of its medical disc publishing products, including the MediaWriter product.

35. In addition, PacsGear has contributed to infringement of the '422 Patent by others, and induced infringement of the '422 Patent by others, through its activities relating to its medical disc publishing products, including the MediaWriter product.

36. PacsGear's acts of infringement have caused damage to DatCard in an amount to be determined at trial.

37. PacsGear's infringement of the '422 Patent is causing irreparable harm to DatCard, for which there is no adequate remedy at law. PacsGear's infringement will continue, and will continue to cause irreparable harm to DatCard, unless PacsGear's infringement is enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, DatCard prays for judgment and seeks relief as follows:

A. A judgment that PacsGear has infringed U.S. Patent No. 7,302,164;

B. A judgment that PacsGear has infringed U.S. Patent No. 7,729,597;

C. A judgment that PacsGear has infringed U.S. Patent No. 7,783,174;

D. A judgment that PacsGear has infringed U.S. Patent No. 7,734,157;

E. A judgment that PacsGear has infringed U.S. Patent No. 7,801,422;

F. Preliminary and permanent injunctions against further infringement of U.S. Patent Nos. 7,302,164, 7,729,597, 7,783,174, 7,734,157, and 7,801,422, including injunctions against direct infringement, contributory infringement, and induced infringement;

G. An award of damages for PacsGear's infringement of U.S. Patent Nos. 7,302,164, 7,729,597, 7,783,174, 7,734,157, and 7,801,422;

H. A trebling of the award of damages under 35 U.S.C. § 284, or such other enhancement of the award of damages that the Court deems appropriate;

I. A declaration that PacsGear's infringement of U.S. Patent No. 7,302,164 was and is willful, and that this is an exceptional case under 35 U.S.C. § 285;

J. An award of attorneys' fees and non-taxable costs under 35 U.S.C. § 285 on account of Defendants' willful infringement;

K. An award of taxable costs; and

///

L. Such other and further relief as this Court may deem just and proper.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 14, 2011 By: Paul Stewart

Craig S. Summers
Paul A. Stewart
David H. Chan

Attorneys for Plaintiff
DATCARD SYSTEMS, INC.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff DatCard Systems, Inc. demands a trial by jury of all issues raised by the pleadings which are triable by jury.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 14, 2011

By: Paul Stewart

Craig S. Summers
Paul A. Stewart
David H. Chan

Attorneys for Plaintiff
DATCARD SYSTEMS, INC.

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021411

PROOF OF SERVICE

I am a citizen of the United States of America, and I am employed in Irvine, California. I am over the age of 18 and not a party to the within action. My business address is 2040 Main Street, Fourteenth Floor, Irvine, California. On February 14, 2011, I served the within **SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT - DEMAND FOR JURY TRIAL** on the parties or their counsel shown below, as indicated below and by placing it in a sealed envelope addressed as follows:

VIA E-MAIL AND FIRST CLASS MAIL:

Bill F. Holbrow
BLAKELY SOKOLOFF TAYLOR ZAFMAN, LLP
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Bill_Holbrow@bstz.com

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 14, 2011 at Irvine, California.

Diana L. Rausa

10338713_1
021411

US007302164B2

(12) **United States Patent**
Wright et al.

(10) **Patent No.: US 7,302,164 B2**
(45) **Date of Patent: Nov. 27, 2007**

(54) **SYSTEM AND METHOD FOR PRODUCING MEDICAL IMAGE DATA ONTO PORTABLE DIGITAL RECORDING MEDIA**

(75) Inventors: **Ken Wright**, Chino Hills, CA (US); **Chet LaGuardia**, Rancho Santa Margarita, CA (US)

(73) Assignee: **Datcard Systems, Inc.**, Irvine, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 945 days.

(21) Appl. No.: **09/761,795**

(22) Filed: **Jan. 17, 2001**

(65) **Prior Publication Data**

US 2002/0048222 A1 Apr. 25, 2002

Related U.S. Application Data

(60) Provisional application No. 60/181,985, filed on Feb. 11, 2000.

(51) **Int. Cl.**
H04N 5/91 (2006.01)

(52) **U.S. Cl.** **386/95**; 386/112; 386/126

(58) **Field of Classification Search** 386/46, 386/95, 125, 126; 600/407; 709/219; 705/2
See application file for complete search history.

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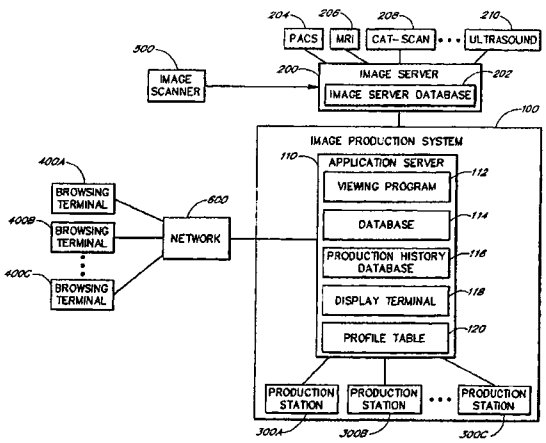
Primary Examiner—Huy Nguyen
(74) *Attorney, Agent, or Firm*—Knobbe, Martens Olson & Bear LLP

(57) **ABSTRACT**

This application discloses a system for recording medical image data for production on a portable digital recording medium such as CDs and DVDs. This system includes a receiving module, a processing module and an output module, with viewing program for viewing medical image data stored on the portable digital recording medium. It also discloses a method of storing medical image data on a portable digital recording medium, including the steps of receiving the medical image data, processing the data and storing the data on the portable digital recording medium, with a viewing program for viewing medical image data stored on the portable digital recording medium. It further discloses a method of selecting medical image data for recording on a portable digital recording medium, including the steps of connecting a browsing terminal to a computer database that stores the medical image data, selecting a first set of the medical image data from the computer database, and recording the selected first set of medical image data on the portable digital medium, with a viewing program for viewing the medical image data stored on the portable digital recording medium. It also discloses the method and system of retrieving medical image data that are related to the received/selected original medical image data, and recording the original and related medical image data on a portable digital recording medium.

27 Claims, 5 Drawing Sheets



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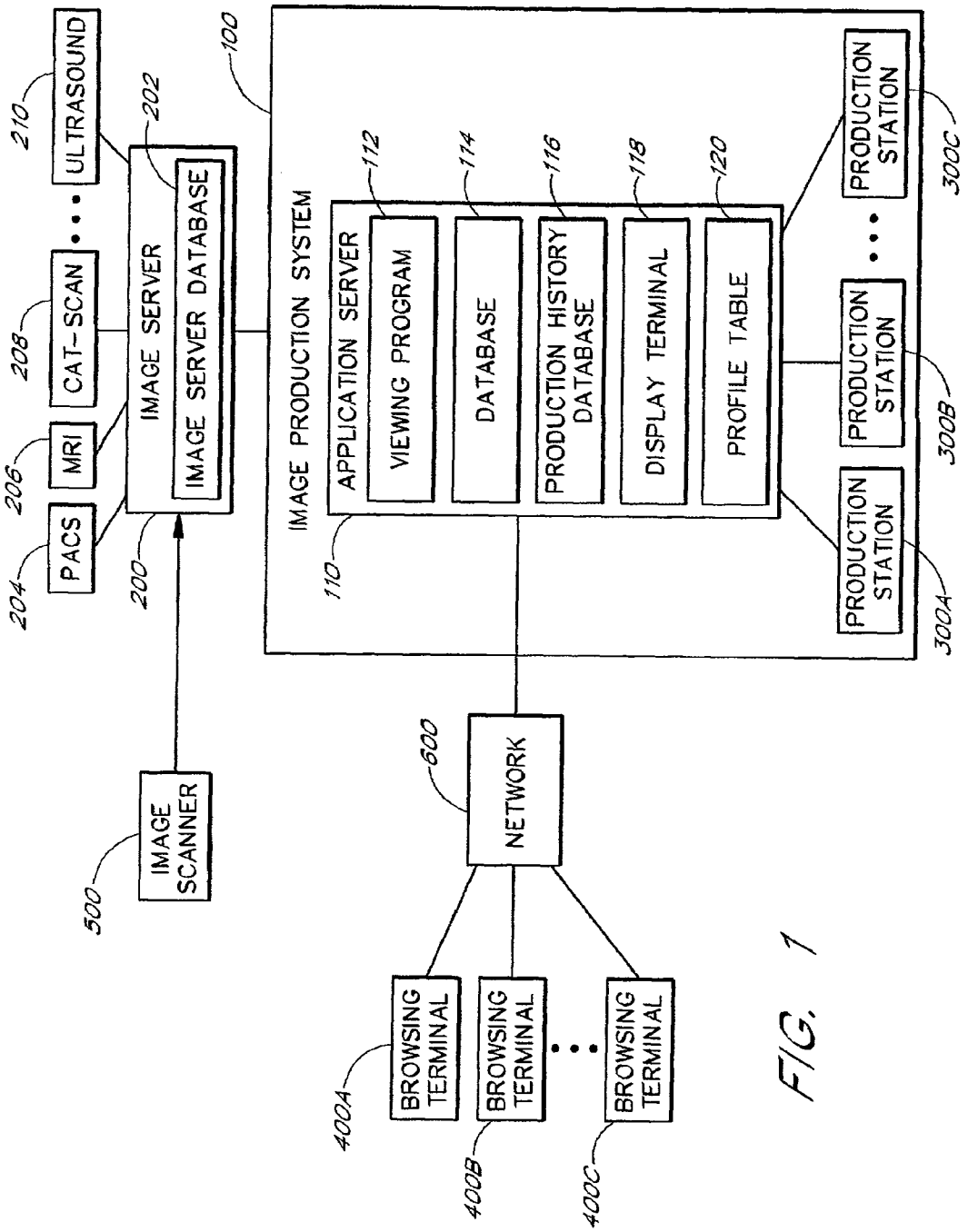


IMAGE PRODUCTION SYSTEM
100
APPLICATION SERVER
110
VIEWING PROGRAM
112
DATABASE
114
PRODUCTION HISTORY DATABASE
116
DISPLAY TERMINAL
118
PROFILE TABLE
120
IMAGE SERVER
200
IMAGE SERVER DATABASE
202
ULTRASOUND
210
CAT-SCAN
208
MRI
206
PACS
204
IMAGE SCANNER
500
NETWORK
600
PRODUCTION STATION
300A
PRODUCTION STATION
300B
PRODUCTION STATION
300C
BROWSING TERMINAL
400A
BROWSING TERMINAL
400B
BROWSING TERMINAL
400C

FIG. 1

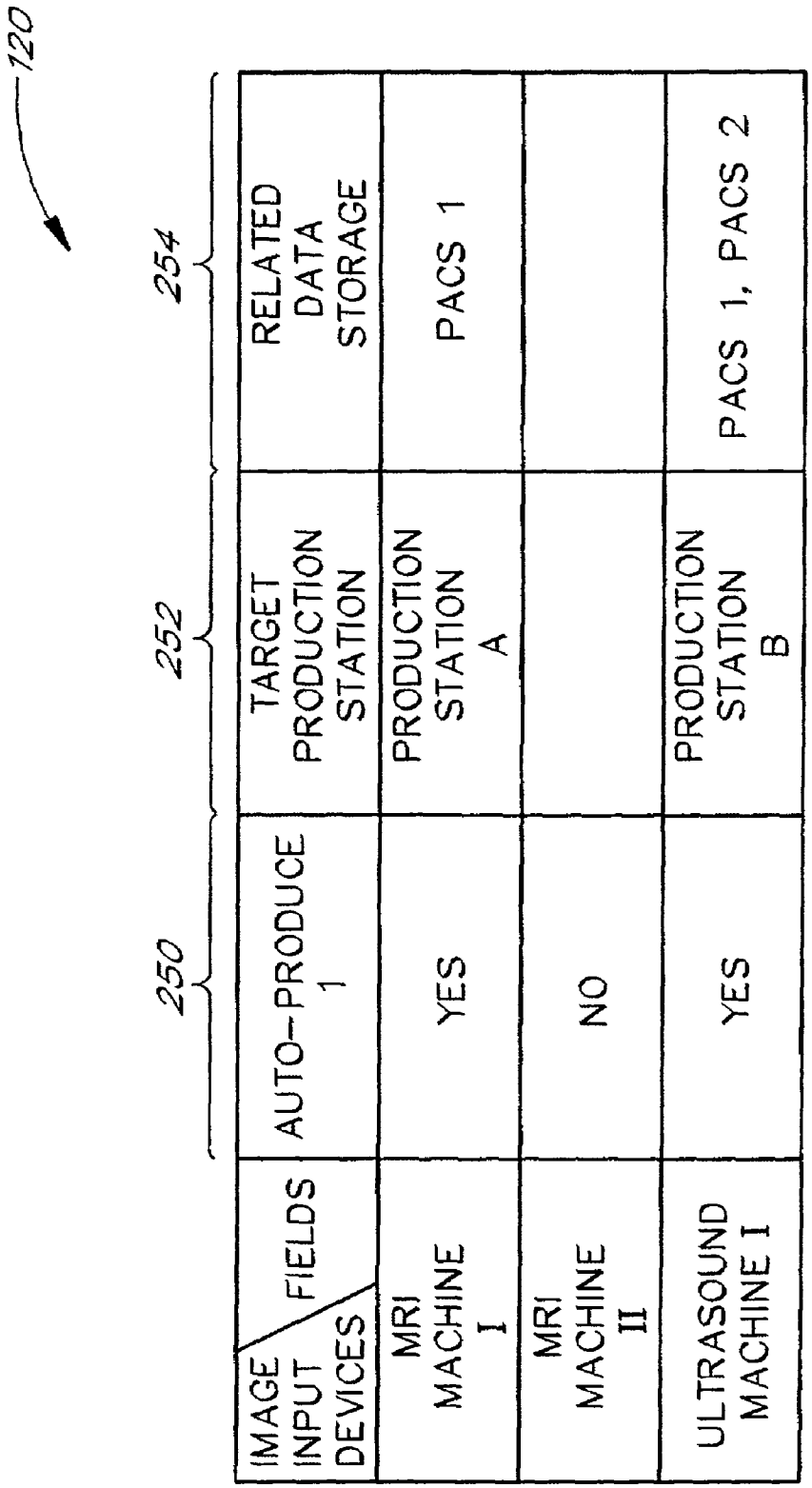
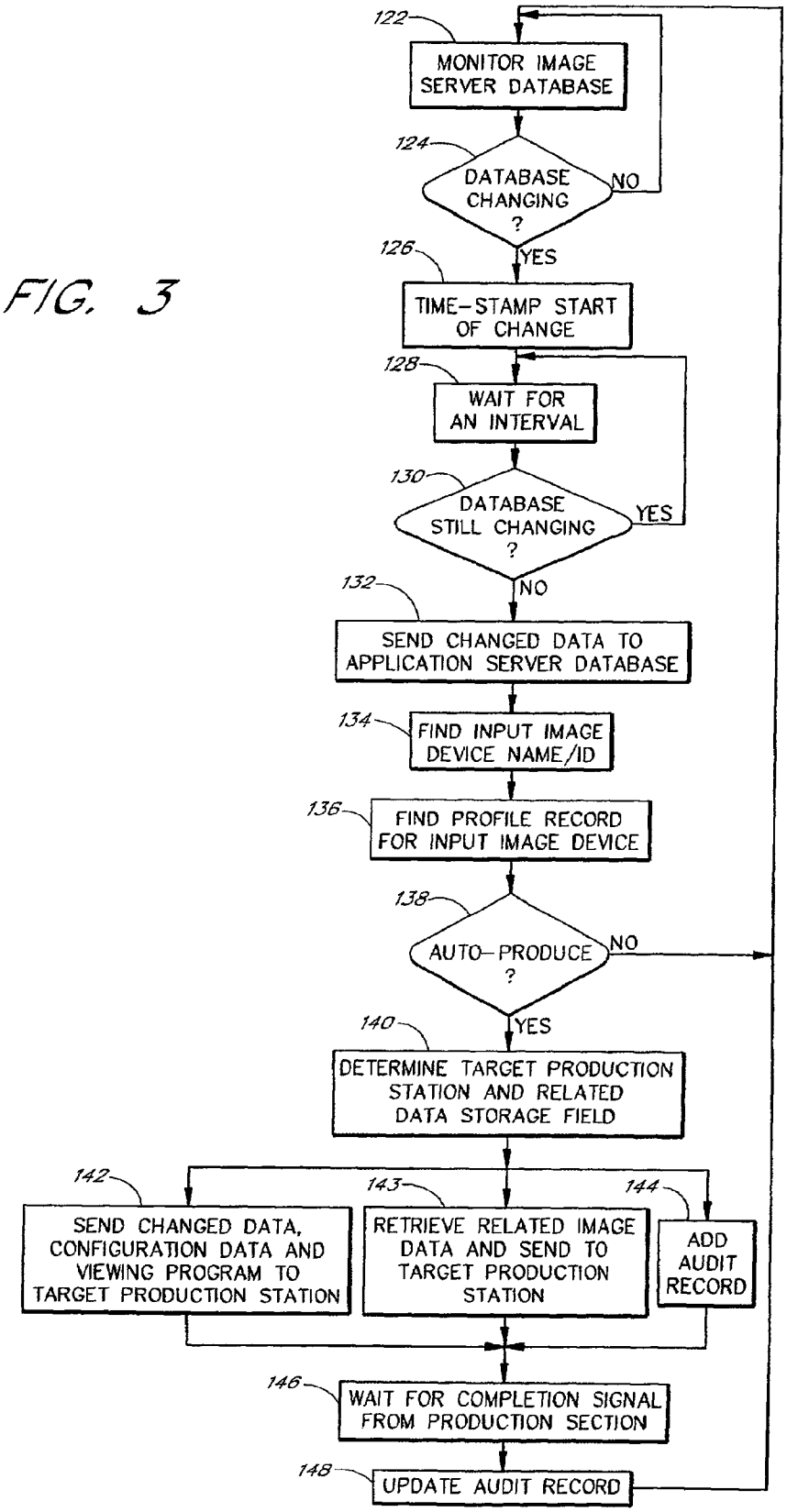

120
250
252
254
IMAGE INPUT DEVICES / FIELDS
AUTO-PRODUCE 1
TARGET PRODUCTION STATION
RELATED DATA STORAGE
MRI MACHINE I
YES
PRODUCTION STATION A
PACS 1
MRI MACHINE II
NO
ULTRASOUND MACHINE I
YES
PRODUCTION STATION B
PACS 1, PACS 2

FIG. 2

FIG. 3


122
MONITOR IMAGE SERVER DATABASE
124
DATABASE CHANGING ?
NO
YES
126
TIME-STAMP START OF CHANGE
128
WAIT FOR AN INTERVAL
130
DATABASE STILL CHANGING ?
YES
NO
132
SEND CHANGED DATA TO APPLICATION SERVER DATABASE
134
FIND INPUT IMAGE DEVICE NAME/ID
136
FIND PROFILE RECORD FOR INPUT IMAGE DEVICE
138
AUTO-PRODUCE ?
NO
YES
140
DETERMINE TARGET PRODUCTION STATION AND RELATED DATA STORAGE FIELD
142
SEND CHANGED DATA, CONFIGURATION DATA AND VIEWING PROGRAM TO TARGET PRODUCTION STATION
143
RETRIEVE RELATED IMAGE DATA AND SEND TO TARGET PRODUCTION STATION
144
ADD AUDIT RECORD
146
WAIT FOR COMPLETION SIGNAL FROM PRODUCTION SECTION
148
UPDATE AUDIT RECORD

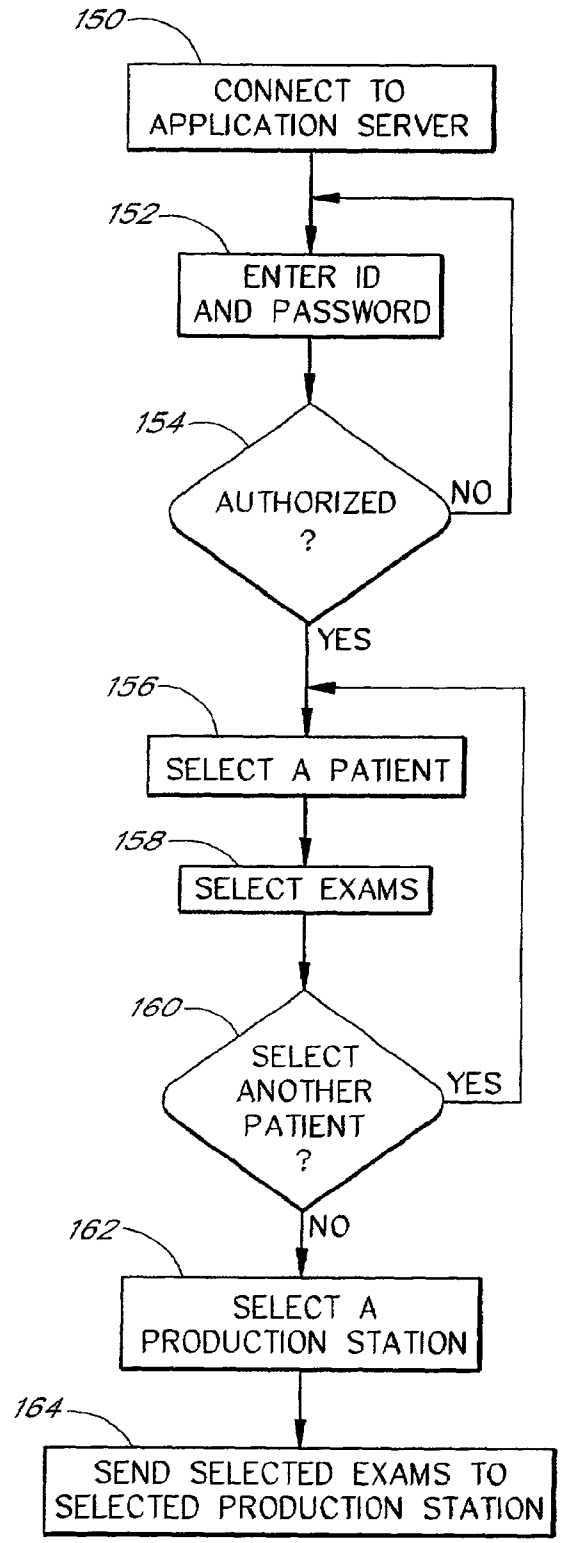

150
CONNECT TO APPLICATION SERVER
152
ENTER ID AND PASSWORD
154
AUTHORIZED ?
NO
YES
156
SELECT A PATIENT
158
SELECT EXAMS
160
SELECT ANOTHER PATIENT ?
YES
NO
162
SELECT A PRODUCTION STATION
164
SEND SELECTED EXAMS TO SELECTED PRODUCTION STATION

FIG. 4

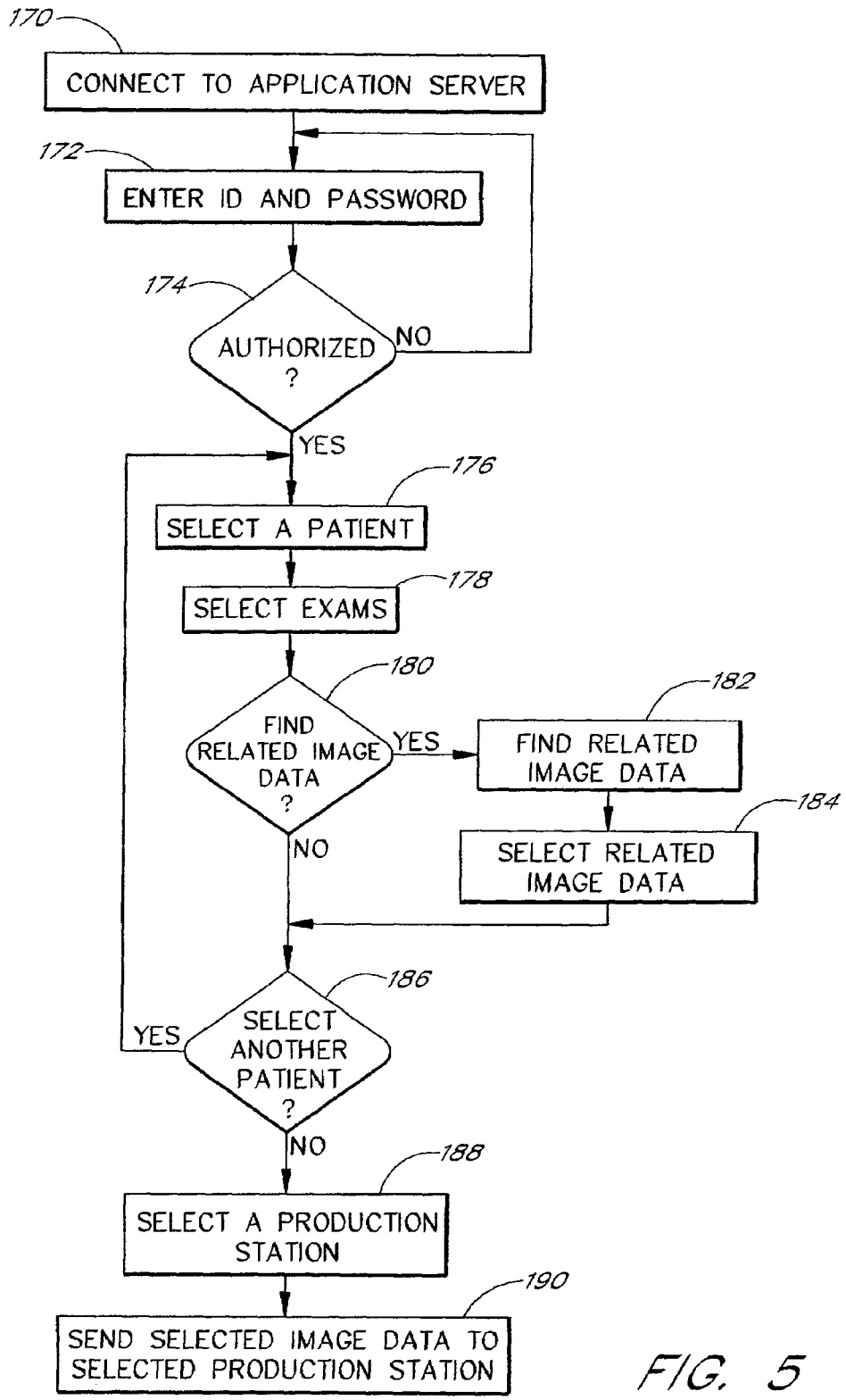

170
CONNECT TO APPLICATION SERVER
172
ENTER ID AND PASSWORD
174
AUTHORIZED ?
NO
YES
176
SELECT A PATIENT
178
SELECT EXAMS
180
FIND RELATED IMAGE DATA ?
YES
182
FIND RELATED IMAGE DATA
184
SELECT RELATED IMAGE DATA
NO
186
SELECT ANOTHER PATIENT ?
YES
NO
188
SELECT A PRODUCTION STATION
190
SEND SELECTED IMAGE DATA TO SELECTED PRODUCTION STATION

FIG. 5

SYSTEM AND METHOD FOR PRODUCING MEDICAL IMAGE DATA ONTO PORTABLE DIGITAL RECORDING MEDIA

CROSS REFERENCE TO RELATED APPLICATIONS

This non-provisional application claims priority date from the provisional patent application Ser. No. 60/181,985, titled "Medical Information System" and filed Feb. 11, 2000.

BACKGROUND OF THE INVENTION

1. Field of the Invention

This invention relates to a system and method for the production of medical image data on portable digital recording media such as compact discs. More particularly, it relates to a system and method for receiving medical image data, processing medical image data, and transmitting medical image data to be recorded on a portable digital recording medium.

2. Description of the Related Art

Since the invention of the x-ray film, film has been the predominant multipurpose medium for the acquisition, storage, and distribution of medical images. However, the storage and distribution of film often requires considerable expenses in labor and storage space.

Today's modern hospitals utilize computer-aided imaging devices such as Computed Tomography (CT), Digital Subtracted Angiography, and Magnetic Resonance Imaging (MRI). These digital devices can generate hundreds of images in a matter of seconds. Many hospitals require these images to be printed on film for storage and distribution. To print complete sets of medical images from these digital devices, the cost in film material, storage space, and management efforts is often very high.

Some radiology departments have installed digital image storage and management systems known as PACS (Picture Archive Communication Systems). PACS are capable of storing a large amount of medical image data in digital form. PACS are made by manufacturers including GE, Siemens, and Fuji.

To ease the communication of data, the DICOM (Digital Imaging and Communications in Medicine) standard was developed by ACR-NEMA (American College of Radiology-National Electrical Manufacturer's Association) for communication between medical imaging devices and PACS. In addition to the examined images, patient demographics, and exam information such as patient name, patient age, exam number, exam modality, exam machine name, and exam date can also be stored and retrieved in DICOM compatible data format. A DICOM file stores patient and exam information in the header of the file, followed by the exam images. PACS store medical image data in DICOM format.

Digital medical image data can be stored on PACS and distributed using the Internet. However, many physicians'offices do not have the bandwidth suitable for fast download of medical image data. The concerns for medical data privacy and Internet security further reduce the desirability of Internet distribution.

SUMMARY OF THE INVENTION

The claimed system allows for digital medical image data to be produced on a portable digital recording medium such as a CD. A CD containing the medical image data can be distributed to physicians, hospitals, patients, insurance companies, etc. One embodiment of the claimed system allows for medical image data to be placed on a CD along with a viewing program, so that a user can use any computer compatible with the CD to view the medical image data on the CD. One embodiment of the claimed system allows for searching medical exam data that are related and placing such data on the same CD.

One embodiment of the claimed system comprises a receiving module configured to receive medical image data, a processing module configured to process the received medical image data, and an output module configured to transmit the processed medical image data to a production station configured to produce the transmitted medical image data on portable digital recording medium, such as a CD. In one embodiment, the output module transmits a viewing program configured to view medical image data to the production station so that the viewing program is produced on the same CD as the medical image data. In another embodiment, the CD already contains the viewing program before the medical image data is transmitted to the CD production station.

In one embodiment of the claimed system, the processing module is configured to create and store audit information of the portable digital recording medium produced by the production station.

In another embodiment of the claimed system, the processing module is configured to identify the originating image input device of the received medical image data, and determine, on the basis of the originating image input device, whether to transmit the received medical image data to a production station. The processing module also selects, on the basis of the originating image input device, one of multiple production stations as the target production station.

Yet another embodiment of the claimed system is configured to retrieve medical image data that are related to the received medical image data, and transmit the retrieved related image data to the production station. In one embodiment, exam images of the same patient are considered related. In another embodiment, exam images of the same patient and the same modality are considered related. For example, two x-ray exams on the left hand of the same patient are considered related. In yet another embodiment, exam images of the same patient, the same modality and taken within a specified date range are considered related. For example, two x-ray exams on the left hand of the same patient taken within a two-month period are considered related. A hospital may also determine other scenarios of relatedness.

One claimed method comprises the steps of connecting a browsing terminal to a computer database configured to store medical image data, selecting medical image data from medical image data stored on the database, and recording the selected medical image data on portable digital recording medium. In one embodiment, the claimed method also comprises a step of recording a viewing program configured to view medical image data on the portable digital recording medium.

One embodiment of the claimed method further comprises the steps of finding and retrieving medical image data that are related to the selected medical image data, and recording related image data to portable digital recording medium.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** illustrates one embodiment of an image production system comprising an application server and portable digital recording medium production stations.

FIG. **2** illustrates sample records of one embodiment of an image input device profile table.

FIG. **3** illustrates a process of receiving image data from image server, processing received image data, and transmitting such data to the production station. This process also retrieves and transmits related image data for production.

FIG. **4** illustrates a process of a user selecting and ordering the production of image data stored on the application server.

FIG. **5** illustrates a process of a user selecting and ordering the production of image data stored on the application server, with the option of selecting and ordering the production of related image data.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

FIG. **1** illustrates one embodiment of an image production system **100** comprising an application server **110** and one or more portable digital recording medium production stations **300**A, **300**B and **300**C. In the preferred embodiment, the production stations **300**A, **300**B and **300**C are CD (Compact Disc) production stations. Digital portable recording medium comprises CDs and DVDs (Digital Versatile Disc or Digital Video Disc). CDs may comprise CD-ROM (Compact Disc Read Only Memory), CD-R (Compact Disc Recordable), and CD-RW (Compact Disc Recordable and Writable). DVDs may comprise DVD-ROM (DVD Read Only Memory), DVD-R (DVD Recordable) and DVD-RAM (a standard for DVDs that can be read and written many times). Thus, although the following description refers primarily to CDs, those of ordinary skill in the art will understand that any suitable portable digital recording medium can be substituted for CDs.

The application server **110** is connected to one or more physician browsing terminals **400**A, **400**B and **400**C through a computer network **600**. Each physician browsing terminal **400**A, **400**B or **400**C comprises a browsing program such as Internet Explorer or Netscape Communicator. Physicians or their assistants launch the browsing program to access the application server **110** through the network **600** in order to select medical image data stored on the application server database **114** to be produced by a production station **300**A, **300**B or **300**C. In the preferred embodiment, the physician browsing terminals **400**A, **400**B and **400**C are connected to the application server through an Intranet. One embodiment of the Intranet utilizes TCP/IP network protocol. The Intranet can connect one radiology department, multiple departments within a hospital, or multiple hospitals. In another embodiment the browsing terminals **400**A, **400**B and **400**C are connected to the application server **110** through the Internet.

Still referring to FIG. **1**, the application server **110** is also connected to an image server **200**. The image server **200** is further connected to image input devices such as PACS **204**, MRI machines **206**, CT-scan machines **208**, ultrasound machines **210**, etc. In the preferred embodiment, the image server **200** is a DICOM image server configured to receive and store medical image data in DICOM format. In operation, the image server **200** receives medical image data from image input devices such as PACS **204**, MRI machines **206**, CT-scan machines **208** and ultrasound machines **210** and stores such image data in the image server database **202**. A high-resolution image scanner **500** is also connected to the image server **200**, so that medical image data stored on film can be scanned on the image scanner **500**, transmitted to the image server **200** and stored in the image server database **202**. In one embodiment, the image scanner **500** also converts the scanned image to DICOM format. The application server **110** receives input image data from the image server database **202**, processes the received image data, and sends the image data to one of the production stations **300**A, **300**B or **300**C to produce CDs.

The application server **110** comprises a viewing program **112**, an application server database **114** that stores image data received from the image server **200**, a production history database **116** that stores audit records on each CD produced, a display terminal **118** for programming and operating the application server **110** by a programmer or physician, and an image input device profile table **120**.

Still referring to FIG. **1**, the viewing program **112** is configured to allow users to read and manipulate medical image data. The viewing program **112** comprises multiple image manipulation functions, such as rotating images, zooming in and zooming out, measuring the distance between two points, etc. The viewing program **112** also allows users to read the patient demographics and exam information associated with the image data. The viewing program **112** used in the preferred embodiment is produced by eFilm Medical Inc. located in Toronto, Canada. The viewing program **112** used in the preferred embodiment is an abbreviated version with fewer functions and takes less storage space, in order to maximize the storage space for image data on a CD. The image server **200** used in the preferred embodiment is also made by eFilm Medical Inc.

The CD production stations **300**A, **300**B and **300**C in the preferred embodiment are produced by Rimage Corporation in Edina, Minn. Details about the Rimage CD production stations can be found in U.S. Pat. Nos. 5,542,768, 5,734,629, 5,914,918, 5,946,276, and 6,041,703, which are incorporated herein by reference in their entirety.

The application server **110** in the preferred embodiment runs on a personal computer running a 400 MHz Celeron or Pentium II/III chip, with Windows 98 or NT as the operating system.

FIG. **2** illustrates sample records of one embodiment of an image input device profile table **120**. The image input device profile table **120** contains a profile record for each image input device. Each image input device's profile record comprises: (1) an "auto-produce" logical field **250** indicating whether medical image data from this image input device should be produced on CD automatically by the image production system **100**, (2) a "target production station" field **252** identifying one of the production stations **300**A, **300**B or **300**C on which medical image data is to be produced, and (3) a "related data storage" **254** field identifying the medical image data storage units in which to search for the related image data. A medical image data storage unit is a storage unit that stores medical image data and is connected to the application server **110**. In one embodiment, a medical image data storage unit is connected to the application server **110** through the image server **200**. In the preferred embodiment, PACS **204** is such a medical image data storage unit.

In FIG. **2**, the sample profile table **120** contains profile records for MRI Machine I, MRI Machine II, and Ultrasound Machine I. For MRI Machine I, the "auto-produce" field **250** contains a "yes" value, directing the image production system **100** to automatically produce image data originating from MRI Machine I on portable digital record-

ing medium. Its "target production station" field **252** contains a "Production Station A" value, directing the image production system **100** to produce image data originating from MRI Machine I on production station A. Its "related data storage" field **254** is "PACS I", directing the image production system **100** to retrieve related medical image data from PACS I. For MRI Machine II, the "auto-produce" field **250** is "no", directing the image production system **100** to not automatically produce image data originating from MRI Machine II on portable digital recording medium. Since image data from MRI Machine II will not be automatically produced, the "target production station" field **252** and the "related data storage" field **254** are irrelevant. For Ultrasound Machine I, the "auto-produce" field **250** is "yes", and its "target production" filed **252** is "Production Station B". Its "related data storage" field **254** contains a value of "PACS I, PACS II", directing the image production system **100** to search PACS I and PACS II for related medical image data.

FIG. **3** illustrates a process of the application server **110** receiving image data from the image server **200**, processing the received image data, and transmitting such data to the production station **300**A, **300**B or **300**C. The application server **110** continuously monitors the image server database **202** in step **122**. In one embodiment, the application server continuously "pings" the network address corresponding to the image server **200** on the network that connects the application server **110** with the image server **200**.

Still referring to FIG. **3**, the application server **110** determines if the image server database **202** is changing, in step **124**. In the preferred embodiment, the application server **110** makes that determination by detecting whether the image server database **202** is increasing in size. If there is no change in the image server database **202**, then the application server **110** returns to step **122** to continue monitoring. If there is change in the image server database **202**, then the application server **110** proceeds to step **126** and time-stamps the moment that the change started. The application server **110** then proceeds to step **128** and waits for an interval, typically 35 to 65 seconds. After the interval, the application server **110** checks whether the image server database **202** is still changing, in step **130**. If the image server database **202** is still changing then the application server **110** returns to step **128** to wait for another interval. If the image server database **202** is no longer changing, then the application server **110** proceeds to step **132** and copies the data changed since the time-stamped moment. This changed data is copied from the image server database **202** to the application server database **114**.

The application server **110** proceeds to step **134** and finds the input image device name or identification number from the newly received image data. In the preferred embodiment, image data from the image server database **202** are stored in DICOM format, and the input image device name or identification number is stored in the header of the DICOM format image data file. The input image device name/ID indicates the origin of the newly received data. The application server **110** proceeds to step **136** and uses the found input image device name/ID to find a corresponding profile record in the image input device profile table **120**. If the profile record has an "auto-produce" field **250** with a "no" value, the application server **110** returns from step **138** to step **122** to continue monitoring the image server database **202**. If the "auto-produce" field **250** contains a "yes" value, the application server **110** proceeds from step **138** to step **140**, and determines the target production station **300**A, **300**B or **300**C from the "target production station" field **252** of the profile record. In step **140**, the application server **110** also determines the value in the "related data storage" field **254** of the profile record.

Still referring to FIG. **3**, in step **142**, the application server **110** sends a copy of the newly received data, along with a copy of the viewing program **112**, to the target production station **300**A, **300**B or **300**C identified in step **140**. With the viewing program attached, the image data on each CD produced by the target production station **300**A, **300**B or **300**C can be viewed on any computer that accepts the CD, regardless of whether that computer has its own viewing program installed. In one embodiment, the data received in step **132** is stored in the application server database **114** before it is transmitted to the target production station **300**A, **300**B or **300**C in step **142**. In another embodiment, the application server **110** transmits the data received in step **132** to the target production station **300**A, **300**B or **300**C, without storing a copy of the data in the application server database **114**.

In one embodiment, the application server **110** does not send a copy of the viewing program **112** to the target production station during step **142**. Rather, the application server **110** sends a copy of the received medical image data to the production station **300**A, **300**B or **300**C to be recorded on pre-burned CDs. Each pre-burned CD contains a viewing program already recorded onto the CD before step **142**.

In step **142**, the application server **110** also sends configuration data to the target production station **300**A, **300**B or **300**C. The configuration data comprises a label-printing file comprising the specification for printing labels on top of the CDs, and a "number of copies" value indicating the number of copies of CDs to be produced. A typical specification in the label-printing file may specify information such as patient name, exam modality, hospital name, physician name, production date, etc. to be printed by the target production station as a label on the top of each CD produced.

Still referring to FIG. **3**, in step **143**, the application server **110** searches the application server database **114** for image data related to the newly received data. The application server **110** then searches the PACS systems identified in the "related data storage" field **254** in step **140** for data related to the newly received data. Some PACS systems each comprise a primary image data storage and an archive image data storage, and the application server **110** searches both the primary image data storage and the archive image data storage on these PACS systems. The application server **110** is connected to the PACS systems through the image server **200**. The application server **110** retrieves found related data from the PACS systems and stores a copy of such found related data in the application server database **114**. The application server **110** sends a copy of related data that are found from the application server database **114** or the PACS systems to the target production station **300**A, **300**B or **300**C. The medical image data originally received in step **132** and the related medical image data are produced by the target production station **300**A, **300**B or **300**C on the same CDs for comparative study.

For each CD to be produced, the application server **110** adds one audit record to the production history database **116** in step **144**. The new audit record comprises the identification number of the CD and other relevant information about the CD, such as the physician who requested the production (if any), and the names of the patients whose exam images are on that CD.

Steps **142**, **143** and **144** may be executed immediately before, concurrent with, or immediately after one another.

The target production station **300A**, **300B** or **300C** produces the CDs containing the medical image data and the viewing program sent to it, and prints a label on top of every CD, corresponding to the specification in the label-printing file. The number of CDs produced corresponds to the "number of copies" number sent by the application server **110** in step **142**. When the target production station has produced the CDs, the production station returns a "completed" signal to the application server **110**. The application server **110** waits for this signal in step **146**.

Still referring to FIG. **3**, in step **148**, the application server **110** updates the audit records in the production history database **116** that were created in step **144**. For each CD produced, the application **110** server updates the date and time of production for that CD's audit record. The application server **110** also updates the status value for that CD's audit storage record from "processing" to "successful". The application server **110** then continues monitoring the image server database **202** as in step **122**.

FIG. **4** illustrates a process of a user selecting and ordering the production of image data stored on the application server **110**. A user, typically a physician or physician's assistant, accesses the application server database **114** from a browsing terminal **400A**, **400B** or **400C** connected to a network **600**. In one embodiment, the user launches a browser such as Microsoft Internet Explorer or Netscape Communicator, and specifies a network address corresponding to the application server **110**, in step **150**. In another embodiment, the user clicks a pre-defined icon that directly launches a browser connecting to the application server **110**. The application server **110** prompts the user to enter a password or an identification name coupled with a password, in step **152**. The application server **110** checks if the entered identification/password is authorized in step **154**. If the entered identification/password is not authorized the user is returned to step **152** to re-enter the identification/password, or disconnected from the application server **110**. If the entered identification/password is authorized then the user is allowed access to the application server database **114** and the application server **110** proceeds to step **156**.

Still referring to FIG. **4**, in step **156** the user is prompted to select a patient from a list of patients with exam images in the application server database **114**. The user is then shown a list of the selected patient's exams, and is prompted to select one or more exams of that patient, in step **158**. When the user indicates that he/she has completed selecting all exams for that patient, the user is asked in step **160** whether to select another patient from the list of patients. If the user answers "yes", the user is returned to step **156** to select another patient. If the user answers "no", the user proceeds to step **162**.

In another embodiment, when a user selects a patient, all exams belonging to that patient will be automatically selected without prompting for user selection. In yet another embodiment, the user is not prompted to select patients, but is only prompted to select exams from a list of all exams for all patients contained in the application server database **114**.

When the user indicates that he/she has completed selecting, the user is prompted to select a production station from a list of production stations **300A**, **300B** and **300C** in step **162**. The user is also prompted to enter additional label text to be printed as labels on the CDs to be produced, to supplement the text printed according to the specification of the label-printing file. The user can advantageously select the production station located closest to his/her office. In one embodiment, only one production station is connected to the application server **110**, and the lone production station will be the selected production station without prompting for user selection.

In one embodiment, the user is also prompted to select the number of copies of CDs to be produced. In another embodiment, the number of copies is set at one without prompting for user direction. As described above in connection with FIG. **3**, in step **164**, the application server **110** sends a copy of the image data of the selected exams for the selected patients to the selected production station, along with a copy of the viewing program **112**, and configuration data comprising a label-printing file, additional label text, and a number indicating the number of copies of CDs to be produced. The production station **300A**, **300B** or **300C** then produces one or more CDs containing the selected exams for the selected patients and the viewing program, with labels printed on top of the CDs according to the specification in the label-printing file and the user-entered additional label text.

In another embodiment, a user accesses the application server database **114** not from a browsing terminal **400A**, **400B** or **400C**, but directly from the display terminal **118**. In this embodiment the user directly proceeds from step **152**. In this embodiment the user is typically a programmer or operator of the image production system **100**.

FIG. **5** illustrates a process of a user selecting and ordering the production of image data stored on the application server **110**, with the additional option of selecting and ordering the production of related data for comparative study. As described above in connection with FIG. **4**, a user connects to the application server **110** from a browsing terminal **400A**, **400B** or **400C** in step **170**. The user enters identification information and a password in step **172**. Step **174** determines whether the user is authorized to access the application server database **114**. If authorized, the user is prompted to select a patient in step **176**, and selects exams of the selected patient in step **178**. The user is then asked in step **180** if he/she desires to find related data of that patient for comparative study.

If the user answers yes, the application server **110** then searches for related data. The application server **110** finds the image input device profile table **120** profile record corresponding to the image input device from which the selected data originates, identifies the list of PACS systems stored in the "related data storage" field **254**, and searches these PACS systems for related data. In another embodiment, once the user has selected a patient/exam combination, the application server **110** automatically searches for related data without asking for user direction. In this embodiment, the application server **110** alerts the user if related data are found. In one embodiment, the application server **110** also searches the application server database **114** for related medial image data.

Still referring to FIG. **5**, the user is then prompted to select all or some of the related data from the list of found related data for production, in step **184**. In another embodiment, all found related data are automatically selected by the application server **110** for production, without prompting for user selection.

The user is then prompted to select another patient in step **186**. After the user has completed selecting all patients, the user is prompted to select a CD production station **300A**, **300B** or **300C** in step **188**. The user is also prompted to enter additional label text. In step **190**, the application server **110** then sends a copy of the original and selected related data, along with a copy of the viewing program **112**, a number indicating the number of copies to be produced, additional

label text, and a label-printing file to the selected production station **300**A, **300**B or **300**C for production.

The above paragraphs describe the application server **110** with one database **114** for image data storage. In another embodiment, the application server **110** includes two databases for image data storage: a new data database and a storage data database. The new data database stores only the most recent batch of new data just received from the image server **200**. After the data in the new data database is sent to a production station **300**A, **300**B or **300**C, the application server **110** erases data in the new data database. The storage data database stores all data that has ever been received from the image server database **202**. In the processes described by FIG. **4** and FIG. **5**, a user selects images for production from the storage data database.

Several modules are described in the specification and the claims. The modules may advantageously be configured to reside on an addressable storage medium and configured to execute on one or more processors. The modules may include, but are not limited to, software or hardware components that perform certain tasks. Thus, a module may include, for example, object-oriented software components, class components, processes methods, functions, attributes, procedures, subroutines, segments of program code, drivers, firmware, microcode, circuitry, data, databases, data structures, tables, arrays, and variables. Modules may be integrated into a smaller number of modules. One module may also be separated into multiple modules.

Although the foregoing has been a description and illustration of specific embodiments of the invention, various modifications and changes can be made thereto by persons skilled in the art, without departing from the scope and spirit of the invention as defined by the following claims.

What is claimed is:

1. A system for selecting and automatically recording medical image data onto a data storage medium, the system being connected to a medical image server, the system comprising:

an application server;

a plurality of production stations;

a plurality of browsing terminals;

a network connecting the application server, the plurality of production stations and the plurality of browsing terminals, wherein the application server is configured to receive medical image data from the medical image server, the medical images received being formatted in a standard medical imaging format used by specialized computers configured for viewing medical images, the application server further comprising:

a selection module configured to allow a user to select selected medical image data via at least one of (a) a selected one of the plurality of browsing terminals and (b) the application server,

a search module configured to automatically search the medical image server for related medical image data that is related to the selected medical image data,

a configuration data module configured to allow a user to input identifying information relating to the selected medical image data,

a production station selection module configured to allow a user to select one of the plurality of production stations, wherein the selected production station is configured to receive the selected medical image data and the related medical image data to produce a data storage medium that has recorded on it the selected and the related medical image data, the selected medical image data being recorded on the data storage medium in the standard medical imaging format, and

an audit module configured to automatically provide an auditable trail of the selected medical image data;

a viewing program for the standard medical imaging format that is recorded on the data storage medium, and that is configured to allow viewing of medical image data stored on the data storage medium on widely accessible computers not specifically configured with standard medical imaging software for viewing of medical images; and

a label automatically printed and applied to the data storage medium at the production station, the label containing the identifying information.

2. The system of claim **1**, wherein the data storage medium is an optical disk.

3. The system of claim **1**, wherein the auditable trail of the selected medical image data includes a record of when the selected medical image data and the related medical image data were recorded onto the data storage medium.

4. The system of claim **1**, wherein the medical image server is configured to provide medical image data to the application server in response to generation of medical image data by an imaging modality coupled to the medical image server.

5. The system of claim **4**, wherein the imaging modality is an image scanner configured to generate medical image data in a DICOM-compatible format from a film.

6. The system of claim **1**, wherein the application server further comprises a user authentication module configured to authenticate a user's identification before the user is allowed to access the selection module.

7. The system of claim **1**, wherein the application server further includes a database configured to store medical image data received from the medical image server.

8. The system of claim **7**, wherein the selection module is further configured to provide the user with a listing of patients having medical image data stored in the database.

9. A system comprising:

a medical image server configured to receive medical image data that is generated by a plurality of imaging modalities, the medical image data being formatted in a standard medical imaging format used by specialized computers configured for viewing medical images;

a database configured to store medical image data generated by the plurality of imaging modalities;

a plurality of browsing terminals configured to receive a user selection that defines selected medical image data;

a search module configured to search the database for related medical image data that is related to the selected medical image data; and

a production station that is configured to record all of the following onto a data storage medium:

the selected medical image data, recorded in the standard medical imaging format,

the related medical image data, recorded in the standard medical imaging format, and

a viewing program that is configured to allow viewing of the selected and the related medical image data that is recorded onto the data storage medium on widely accessible computers not specifically configured with standard medical imaging software for viewing of medical images.

10. The system of claim 9, further comprising a configuration data module configured to allow a user to input identifying information relating to the selected medical image data.

11. The system of claim 10, wherein the production station is further configured to print and apply a label to the data storage medium, the label containing the identifying information.

12. The system of claim 9, further comprising an audit module that is configured to automatically provide an auditable trail of the selected medical image data.

13. The system of claim 12, wherein the auditable trail of the selected medical image data includes a record of when the selected medial image data and the related medical image data were recorded onto the data storage medium.

14. The system of claim 12, wherein the auditable trail of the selected medical image data includes identifying information corresponding to the production station used to record the selected medial image data and the related medical image data onto the data storage medium.

15. The system of claim 9, wherein the data storage medium is an optical disk.

16. A method for selecting and automatically recording medical image data onto a data storage medium, the method comprising:

receiving medical image data from a plurality of imaging modalities, the received medical image data being formatted in a standard medical imaging format used by specialized computers configured for viewing medical images;

storing the received medical image data in a database;

providing a user interface configured to receive a user selection that defines selected medical image data;

searching the database for related medical image data that is related to the selected medical image data;

recording the selected medical image data and the related medical image data onto a data storage medium using a production station, the selected medical image data being recorded on the data storage medium in the standard medical imaging format;

recording a viewing program onto the data storage medium using the production station, the viewing program being configured to allow viewing of medical image data stored on the data storage medium on widely accessible computers not specifically configured with standard medical imaging software for viewing of medical images;

printing a label using the production station, wherein the label includes identifying information associated with the selected medical image data; and

affixing the label to the data storage medium using the production station.

17. The method of claim 16, further comprising generating an auditable trail of the selected medical image data, wherein the auditable trail includes a record of when the selected medial image data and the related medical image data were recorded onto the data storage medium.

18. The method of claim 16, wherein the user interface is further configured to collect the identifying information from the user.

19. The method of claim 16, further comprising providing, via the user interface, a list of patients having medical image data stored in the database.

20. The method of claim 16, wherein the plurality of imaging modalities includes an image scanner configured to generate medical image data in a DICOM-compatible format from a film.

21. The method of claim 16, wherein the data storage medium is an optical disk.

22. The method of claim 16, wherein recording the selected medical image data and the related medical image data further comprising selecting a selected production station from a plurality of production stations that are connected to the database via a computer network.

23. A system comprising:

an application server configured to receive medical image data from a medical image server, wherein the medical image data is received in a standard medical imaging format used by specialized computers configured for viewing medical images;

a plurality of production stations;

a plurality of browsing terminals; and

a network connecting the application server, the plurality of production stations and the plurality of browsing terminals;

wherein the application server comprises:

a selection module configured to allow a user to select selected medical image data via a user interface,

a search module configured to search the medical image server for related medical image data that is related to the selected medical image data, and

a production station selection module configured to allow a user to select one of the plurality of production stations, wherein the selected production station is configured to (a) receive the selected medical image data and the related medical image data, (b) produce a data storage medium that has recorded thereon in the standard medical imaging format the selected medical image data and the related medical image data, and (c) also record onto the data storage medium a viewing program for the standard medical imaging format that is configured to allow viewing of the selected medical image data and the related medical image data on widely accessible computers with standard medical imaging software for viewing medical images.

24. The system of claim 23, wherein the selection module is configured to allow the user to select selected medical image data using a selected one of the plurality of production stations or a selected one of the plurality of browsing terminals.

25. The system of claim 23, wherein the application server further comprises a configuration data module configured to allow the user to input identifying information relating to the selected medical imaging data.

26. The system of claim 25, further comprising a label applied to the data storage medium, the label containing the identifying information.

27. The system of claim 23, wherein the application server further comprises an audit module configured to provide an auditable trail of the selected medical image data.

* * * * *

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(45) **Date of Patent: *Jun. 1, 2010**

(54) **SYSTEM AND METHOD FOR PRODUCING MEDICAL IMAGE DATA ONTO PORTABLE DIGITAL RECORDING MEDIA**

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This patent is subject to a terminal disclaimer.

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See application file for complete search history.

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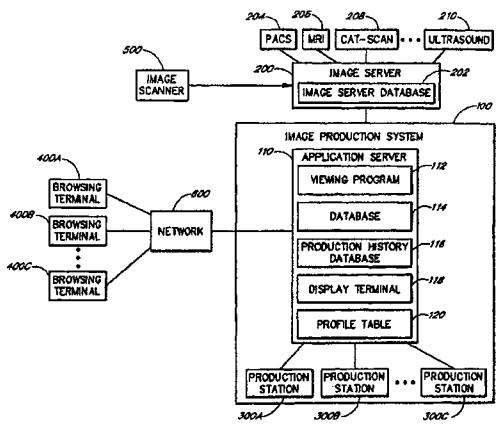
(57) **ABSTRACT**

This application discloses a system for recording medical image data for production on a portable digital recording medium such as CDs and DVDs. This system includes a receiving module, a processing module and an output module, with viewing program for viewing medical image data stored on the portable digital recording medium. It also discloses a method of storing medical image data on a portable digital recording medium, including the steps of receiving the medical image data, processing the data and storing the data on the portable digital recording medium, with a viewing program for viewing medical image data stored on the portable digital recording medium. It further discloses a method of selecting medical image data for recording on a portable digital recording medium, including the steps of connecting a browsing terminal to a computer database that stores the medical image data, selecting a first set of the medical image data from the computer database, and recording the selected first set of medical image data on the portable digital medium, with a viewing program for viewing the medical image data stored on the portable digital recording medium. It also discloses the method and system of retrieving medical image data that are related to the received/selected original medical image data, and recording the original and related medical image data on a portable digital recording medium.

10 Claims, 5 Drawing Sheets



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