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15 Attorneys for Plaintiffs
16 ARISTOCRAT TECHNOLOGIES AUSTRALIA
17 PTY LIMITED and ARISTOCRAT
18 TECHNOLOGIES, INC.

19 IN THE UNITED STATES DISTRICT COURT
20 FOR THE DISTRICT OF NEVADA

21 ARISTOCRAT TECHNOLOGIES
22 AUSTRALIA PTY LIMITED and
23 ARISTOCRAT TECHNOLOGIES, INC.,

24 Plaintiffs,

25 v.

26 INTERNATIONAL GAME
27 TECHNOLOGY and IGT,

28 Defendants.

2:05-CV-00820-BES-PAL

**FIRST AMENDED COMPLAINT FOR
PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiffs Aristocrat Technologies Australia Pty Limited and Aristocrat Technologies, Inc. (collectively, "Aristocrat") bring this action for patent infringement against Defendants International Game Technology and IGT (collectively, "IGT Defendants"), and allege as follows:

THE PARTIES

1. Aristocrat Technologies Australia Pty Limited ("ATA") is an Australian company with a principal place of business at 71 Longueville Road, Lane Cove, NSW 2066 Australia. ATA is a leading global entertainment company that provides a comprehensive range of gaming solutions such as software, systems, and hardware, including electronic gaming machines, to

1 entertainment venues around the world.

2 2. Aristocrat Technologies, Inc. (“ATI”) is a Nevada corporation with a principal place
3 of business at 7230 Amigo Street, Las Vegas, Nevada 89119. ATI develops and distributes ATA
4 products in North, Central and South America.

5 3. Upon information and belief, International Game Technology is a Nevada corporation
6 with its principal place of business at 9295 Prototype Drive, Reno, Nevada 89521.

7 4. Upon information and belief, IGT is a Nevada corporation with its principal place of
8 business at 9295 Prototype Drive, Reno, Nevada 89521.

9 5. Upon information and belief, the IGT Defendants design and manufacture electronic
10 gaming machines for sale in the United States.

11 **JURISDICTION AND VENUE**

12 6. This action is for patent infringement pursuant to the patent laws of the United States,
13 35 U.S.C. § 1 *et seq.* This Court has subject matter jurisdiction over the action pursuant to 28
14 U.S.C. §§ 1331 and 1338(a).

15 7. This Court has personal jurisdiction over the IGT Defendants by virtue of their
16 business activities in this jurisdiction and their acts of patent infringement committed in this
17 jurisdiction.

18 8. Venue is proper in the District of Nevada pursuant to 28 U.S.C. §§ 1391(b)-(c) and
19 1400(b).

20 **GENERAL ALLEGATIONS**

21 9. On July 25, 2000, the United States Patent and Trademark Office duly and legally
22 issued U.S. Patent No. 6,093,102 (the “‘102 Patent”), entitled “MULTILINE GAMING
23 MACHINE.” ATA is the owner, by valid assignment, of all right, title, and interest in and to the
24 ‘102 Patent. A true and correct copy of the ‘102 Patent is attached as Exhibit A to this
25 Complaint.

26 10. ATI is a licensee of ATA and is licensed to practice the ‘102 Patent in a territory
27 including the United States.

28 11. Upon information and belief, the IGT Defendants make, use, and/or sell in the United

1 States electronic gaming machines, including electronic gaming machines that infringe
2 Aristocrat's '102 Patent, in violation of 35 U.S.C. § 271.

3 **FIRST CAUSE OF ACTION**

4 **(Infringement of U.S. Patent No. 6,093,102)**

5 12. Aristocrat realleges and incorporates by reference paragraphs 1 through 11, inclusive,
6 as though fully set forth in this paragraph.

7 13. Upon information and belief, by making, using, selling, or offering for sale in this
8 judicial district and elsewhere in the United States, without authorization or license from
9 Aristocrat, electronic gaming machines that are covered by one or more claims of the '102 Patent,
10 the IGT Defendants have been and are currently infringing the '102 Patent, directly, by
11 inducement, and/or contributorily, in violation of 35 U.S.C. § 271.

12 14. As a direct result of the IGT Defendants' infringing activities, Aristocrat has suffered
13 damages in an amount not yet ascertained. Aristocrat is entitled, pursuant to 35 U.S.C. § 284, to
14 recover damages adequate to compensate Aristocrat for the IGT Defendants' infringing activities
15 in an amount to be determined at trial, but in no event less than a reasonable royalty, together
16 with interest and costs.

17 15. As a direct result of the IGT Defendants' infringing activities, Aristocrat has suffered
18 and will continue to suffer irreparable harm, including but not limited to harm to its business
19 reputation and goodwill. The IGT Defendants' infringing activities will cause Aristocrat added
20 injury and damage in the future unless the IGT Defendants are enjoined from infringing the '102
21 Patent. Aristocrat's remedy at law is not by itself adequate to compensate Aristocrat for the harm
22 inflicted and threatened by the IGT Defendants. Accordingly, Aristocrat is entitled to preliminary
23 and/or permanent injunctive relief against further such infringing activities pursuant to 35 U.S.C.
24 § 283.

25 16. Upon information and belief, the IGT Defendants had knowledge of and willfully,
26 deliberately, and intentionally infringed the claims of the '102 Patent, rendering this an
27 exceptional case pursuant to 35 U.S.C. § 285, and entitling Aristocrat to enhanced damages and
28 attorneys' fees.

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PRAYER FOR RELIEF

WHEREFORE, Aristocrat requests entry of judgment in its favor and against the IGT Defendants as follows:

A. Adjudging that the IGT Defendants have infringed the ‘102 Patent;

B. Preliminarily and/or permanently enjoining the IGT Defendants and their officers, agents, servants, employees, attorneys, parent, subsidiary, and affiliate corporations or other business entities, and all other persons acting in active concert, participation, or privity with them, from further infringing, inducing and/or contributing to the infringement of the ‘102 Patent, in accordance with 35 U.S.C. § 283;

C. Awarding Aristocrat damages in an amount adequate to compensate Aristocrat for the IGT Defendants’ direct, inducement of, and/or contributory infringement of the ‘102 Patent, in accordance with 35 U.S.C. § 284;

D. Increasing the damages to three times the amount found or assessed by virtue of the deliberate and willful nature of the IGT Defendants’ direct, inducement of, and/or contributory infringement of the ‘102 Patent, in accordance with 35 U.S.C. § 284;

E. Directing the IGT Defendants to:

1. Send a copy of any decision in this case in favor of Aristocrat to each person or entity to whom the IGT Defendants sold, leased, or otherwise distributed said infringing machines and related materials, informing such persons or entities of the judgment and that the sale or solicited commercial transaction was wrongful;

2. Recall and collect from all persons and entities any and all said infringing machines and related materials that were made, sold, leased, or otherwise distributed by the IGT Defendants or anyone acting on their behalf; and

3. File with the Court and serve upon Aristocrat, within 30 days after entry of final judgment in this case, a report in writing and subscribed under oath setting forth in detail the form and manner in which the IGT Defendants have complied with the Court’s orders as prayed for.

MCDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
PALO ALTO

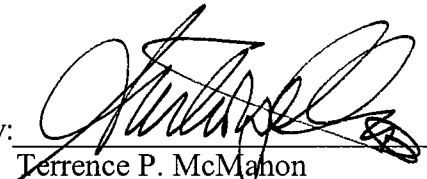
1 F. Awarding Aristocrat its costs of suit, including reasonable attorneys' fees as
2 provided by 35 U.S.C. § 285; and

3 G. Granting such other and further relief as this Court may deem just and appropriate.

4 **JURY DEMAND**

5 Aristocrat requests a jury trial on all issues so triable.

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8 Dated: January 13, 2006

9 By: 
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MPK 102809-1.074272.0014

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