

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**SFA SYSTEMS, LLC,**

**Plaintiff,**

**v.**

**1. BIGMACHINES, INC.  
2. ENTERASYS NETWORKS, INC.  
3. RICOH AMERICAS CORPORATION  
4. CARESTREAM HEALTH, INC.**

**Defendants.**

**Civil Action No. 6:11-cv-00400**

**JURY TRIAL DEMANDED**

**COMPLAINT AND DEMAND FOR JURY TRIAL**

For its Complaint against BigMachines, Inc., Enterasys Networks, Inc., Ricoh Americas Corporation, and CareStream Health, Inc. (collectively the “Defendants”), Plaintiff SFA Systems, LLC (“SFA”) alleges as follows.

**PARTIES**

1. SFA is a Texas Limited Liability Company with its principal place of business at 207 C North Washington Avenue, Marshall, Texas 75670.

2. On information and belief, Defendant BigMachines, Inc. (“BigMachines”) is a Delaware corporation with its corporate headquarters and principal place of business at 570 Lake Cook Road, Suite 126, Deerfield, IL 94403. BigMachines has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808 as its agent for service of process.

3. On information and belief, Defendant Enterasys Networks, Inc. (“Enterasys”) is a Delaware corporation with its corporate headquarters and principal place of business at 50 Minuteman Road, Andover, MA 01810. Enterasys has appointed C T Corporation System, 350 North Saint Paul Street, Suite 2900, Dallas, Texas 75201 as its agent for service of process.

4. On information and belief, Defendant Ricoh Americas Corporation (“RicoH”) is a Delaware corporation with its corporate headquarters and principal place of business at 5 Dedrick Place, West Coldwell, New Jersey 07006. RicoH has appointed C T Corporation System, 350 North Saint Paul Street, Suite 2900, Dallas, Texas 75201 as its agent for service of process.

5. On information and belief, Defendant CareStream Health, Inc. (“CareStream”) is a Delaware corporation with its corporate headquarters and principal place of business at 150 Verona Street, Rochester, New York 14608. CareStream has appointed Corporation Service Company, d/b/a CSC - Lawyers’ Incorporating Service Company, 211 East Seventh Street, Suite 620, Austin, Texas 78701 as its agent for service of process.

#### **JURISDICTION AND VENUE**

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

7. On information and belief, Defendants are subject to this Court’s specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, each Defendant has a regular and established place of business in this district, has transacted business in this district and has committed and/or induced acts of patent infringement in this district.

**INFRINGEMENT OF U.S. PATENT NO. 7,941,341**

9. SFA is the owner by assignment of United States Patent No. 7,941,341 (“the ’341 patent”) entitled “Sales Force Automation System and Method,” a true copy of which is attached as Exhibit A. The ’341 patent was issued on May 10, 2011.

10. Defendant BigMachines has been and now is directly infringing, and indirectly infringing by way of inducing infringement by others and/or contributing to the infringement by others of the ’341 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, making, using, selling and offering to sell in the United States computer implemented sales systems and methods for facilitating processes relating to the sale of products and services, including, but not limited to, its “BigMachines” web-based solutions and components of these solutions including its product configurator (Sales Engine, Channel Sales Engine and eCommerce Engine), pricing and quoting, proposal generator and B2B eCommerce software-as-a-service solutions, and otherwise making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the ’341 Patent to the injury of SFA. BigMachines has indirectly infringed the ’341 patent by inducing its licensed customers and third party users of its software-as-a-service solutions to use and practice the computer implemented sales systems and methods covered by the claims of the ’341 patent. Defendant BigMachines is thus liable for infringement of the ’341 Patent pursuant to 35 U.S.C. § 271.

11. Defendant Enterasys has been and now is directly infringing, and indirectly infringing by way of inducing infringement by others and/or contributing to the infringement by others of the ’341 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, using in the United States computer implemented sales systems and methods for facilitating processes relating to the sale of products and services, including, but not limited to, configuration, pricing and proposal systems and service contract renewal systems, including, but not limited to, those utilizing the BigMachines CPP (Configure, Price, Propose) solution, and otherwise making and using supply chain methods, sales methods,

sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '341 Patent to the injury of SFA. Enterasys has indirectly infringed the '341 patent by inducing its resellers and licensed third party users of its computer implemented sales quoting and configuration system and contract renewal system to use and practice the computer implemented sales systems and methods covered by the claims of the '341 patent. Defendant Enterasys is thus liable for infringement of the '341 Patent pursuant to 35 U.S.C. § 271.

12. Defendant Ricoh has been and now is directly infringing, and indirectly infringing by way of inducing infringement by others and/or contributing to the infringement by others of the '341 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, by, among other things, using in the United States computer implemented sales systems and methods for facilitating processes relating to the sale of products and services, including, but not limited to, configuration, pricing and proposal systems and service contract renewal systems, including, but not limited to, those utilizing BigMachines solutions, and otherwise making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or more claims of the '341 Patent to the injury of SFA. Defendant Ricoh is thus liable for infringement of the '341 Patent pursuant to 35 U.S.C. § 271.

13. Defendant CareStream has been and now is directly infringing, and indirectly infringing by way of inducing infringement by others and/or contributing to the infringement by others of the '341 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, using in the United States computer implemented sales systems and methods for facilitating processes relating to the sale of products and services, including, but not limited to, configuration, pricing and proposal systems and service contract renewal systems, including, but not limited to, those utilizing the BigMachines CPP (Configure, Price, Propose) solution, and otherwise making and using supply chain methods, sales methods, sales systems, marketing methods, marketing systems, and inventory systems covered by one or

more claims of the '341 Patent to the injury of SFA. Defendant CareStream is thus liable for infringement of the '341 Patent pursuant to 35 U.S.C. § 271.

14. To the extent that facts learned in discovery show that Defendants' infringement of the '341 patent is or has been willful, Plaintiff reserves the right to request such a finding at time of trial.

15. As a result of the above Defendants' infringement of the '341 patent, SFA has suffered monetary damages that are compensable under 35 U.S.C. § 284 in an amount not yet determined, and will continue to suffer such monetary damages in the future unless Defendants' infringing activities are permanently enjoined by this Court.

16. Unless permanent injunctions are issued enjoining these Defendants and their agents, servants, employees, attorneys, representatives, affiliates, and all other acting on their behalf from infringing the '341 patent, SFA will be greatly and irreparably harmed.

17. This case presents exceptional circumstances within the meaning of 35 U.S.C. § 285 and SFA is thus entitled to an award of its reasonable attorneys' fees.

#### **PRAYER FOR RELIEF**

WHEREFORE, SFA requests that this Court enter:

1. A judgment in favor of SFA that Defendants have infringed, directly and indirectly, by way of inducing and/or contributing to the infringement of the '341 patent;
2. A permanent injunction, enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches subsidiaries, parents, and all others acting in concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '341 patent;
3. A judgment and order requiring each Defendant to pay SFA its damages, costs, expenses and prejudgment and post-judgment interest for Defendants' respective infringement of the '341 patent as provided under 35 U.S.C. § 284;

4. An award to SFA of restitution of the benefits Defendants' have gained through their unfair, deceptive, or illegal acts;
5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to SFA its reasonable attorneys' fees; and
6. Any and all other relief for which the Court may deem SFA entitled.

**DEMAND FOR JURY TRIAL**

Plaintiff SFA, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: August 1, 2011

Respectfully submitted,

By: /s/ Marc A. Fenster  
Marc A. Fenster, CA Bar # 181067  
E-mail: mfenster@raklaw.com  
Alexander Giza, CA Bar # 212327  
E-mail: agiza@raklaw.com  
Adam Hoffman, CA Bar # 218740  
E-mail: ahoffman@raklaw.com  
Stanley H. Thompson, Jr., CA Bar # 198825  
E-mail: sthompson@raklaw.com  
Jules L. Kabat, CA Bar # 061659  
E-mail: jkabat@raklaw.com  
Benjamin T. Wang, CA Bar #228712  
E-mail: bwang@raklaw.com  
RUSS, AUGUST & KABAT  
12424 Wilshire Boulevard, 12th Floor  
Los Angeles, California 90025  
Telephone: 310/826-7474  
Facsimile: 310/826-6991

Andrew W. Spangler, TX SB # 24041960  
E-mail: spangler@spanglerlawpc.com  
SPANGLER LAW P.C.  
208 N. Green Street, Suite 300  
Longview, Texas 75601  
Telephone: 903/753-9300  
Facsimile: 903/553-0403  
**Attorneys for Plaintiff**  
**SFA SYSTEMS, LLC**

