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UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEW JERSEY

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Attorneys for Plaintiff Millennium, L.P.

MILLENNIUM, L.P.,  
  
Plaintiff,  
  
v.  
  
170 SYSTEMS, INC.,  
  
Defendant.

Case No.: \_\_\_\_\_

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiff, Millennium, L.P., a limited partnership (hereinafter referred to as "Millennium"),  
demands a jury trial and complains against the defendant as follows:

**THE PARTIES**

1. Millennium is a limited partnership organized and existing under the laws of the  
Cayman Islands, with its principal place of business at P.O. Box 500, Georgetown, Grand Cayman,  
Cayman Islands.

2. Upon information and belief, 170 Systems, Inc., hereinafter referred to as  
"Defendant" or "170 Systems") is a corporation organized and existing under the laws of the State  
of Massachusetts having a place of business at 36 Crosby Drive, Bedford, MA 01730

1 **JURISDICTION AND VENUE**

2 3. This action arises under the patent laws of the United States of America, Title 35 of  
3 the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and  
4 1338(a).

5 4. On information and belief, Defendant is doing business and committing  
6 infringements in this judicial district and are subject to personal jurisdiction in this judicial district.

7 5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

8 **CLAIM FOR PATENT INFRINGEMENT**

9 6. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
10 contained in paragraphs 1 through 5 above.

11 7. On November 2, 1993, U.S. Patent No. 5,258,855 (hereinafter referred to as “the  
12 ‘855 patent”) was duly and legally issued to Millennium for an invention entitled “Information  
13 Processing Methodology.” A copy of the ‘855 patent is attached to this Complaint as Exhibit 1.

14 8. On November 29, 1994, U.S. Patent No. 5,369,508 (hereinafter referred to as “the  
15 ‘508 patent”) was duly and legally issued to Millennium for an invention entitled “Information  
16 Processing Methodology.” A copy of the ‘508 patent is attached to this Complaint as Exhibit 2.

17 9. On April 29, 1997, U.S. Patent No. 5,625,465 (hereinafter referred to as “the ‘465  
18 patent”) was duly and legally issued to Millennium for an invention entitled “Information  
19 Processing Methodology.” A copy of the ‘465 patent is attached to this Complaint as Exhibit 3.

20 10. On June 16, 1998, U.S. Patent No. 5,768,416 (hereinafter referred to as “the ‘416  
21 patent”) was duly and legally issued to Millennium for an invention entitled “Information  
22 Processing Methodology.” A copy of the ‘506 patent is attached to this Complaint as Exhibit 4.

23 11. On July 25, 2000, U.S. Patent No. 6,094,505 (hereinafter referred to as “the ‘505  
24 patent”) was duly and legally issued to Millennium for an invention entitled “Information  
25 Processing Methodology.” A copy of the ‘505 patent is attached to this Complaint as Exhibit 5.  
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1 12. Millennium is the owner of all right, title and interest in and to the '855 patent, the  
2 '508 patent, the '465 patent, the 506 patent and the '505 patent.

3 **COUNT ONE**

4 13. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
5 contained in paragraphs 1 through 12 above.

6 14. 170 Systems has for a long time past and still is infringing, actively inducing the  
7 infringement of and contributorily infringing in this judicial district, the '855 patent by, among  
8 other things, importing, making, using, offering for sale, and/or selling computer hardware,  
9 software and systems as defined by the claims of the '855 patent without permission from  
10 Millennium and will continue to do so unless enjoined by this Court.

11 15. Plaintiff, Millennium, has been damaged by such infringing activities by the  
12 Defendant of the '855 patent and will be irreparably harmed unless such infringing activities are  
13 enjoined by this Court.  
14

15 **COUNT TWO**

16 16. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
17 contained in paragraphs 1 through 15 above.

18 17. 170 Systems has for a long time past and still is infringing, actively inducing the  
19 infringement of and contributorily infringing in this judicial district, the '508 patent by, among  
20 other things, importing, making, using, offering for sale, and/or selling computer hardware,  
21 software and systems as defined by the claims of the '508 patent without permission from  
22 Millennium and will continue to do so unless enjoined by this Court.  
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24 18. Plaintiff, Millennium, has been damaged by such infringing activities by the  
25 Defendant, of the '508 patent and will be irreparably harmed unless such infringing activities are  
26 enjoined by this Court.  
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**COUNT THREE**

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2 19. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
3 contained in paragraphs 1 through 18 above.

4 20. 170 Systems has for a long time past and still is infringing, actively inducing the  
5 infringement of and contributorily infringing in this judicial district, the '465 patent by, among  
6 other things, importing, making, using, offering for sale, and/or selling computer hardware,  
7 software and systems as defined by the claims of the '465 patent without permission from  
8 Millennium and will continue to do so unless enjoined by this Court.  
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10 21. Plaintiff, Millennium, has been damaged by such infringing activities by the  
11 Defendant of the '465 patent and will be irreparably harmed unless such infringing activities are  
12 enjoined by this Court.

**COUNT FOUR**

13  
14 22. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
15 contained in paragraphs 1 through 21 above.

16 23. 170 Systems has for a long time past and still is infringing, actively inducing the  
17 infringement of and contributorily infringing in this judicial district, the '506 patent by, among  
18 other things, importing, making, using, offering for sale, and/or selling computer hardware,  
19 software and systems as defined by the claims of the '506 patent without permission from  
20 Millennium and will continue to do so unless enjoined by this Court.  
21

22 24. Plaintiff, Millennium, has been damaged by such infringing activities by the  
23 Defendant, of the '506 patent and will be irreparably harmed unless such infringing activities are  
24 enjoined by this Court.

**COUNT FIVE**

25  
26 25. Plaintiff, Millennium, repeats and incorporates herein the entirety of the allegations  
27 contained in paragraphs 1 through 24 above.  
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1 26. 170 Systems has for a long time past and still is infringing, actively inducing the  
 2 infringement of and contributorily infringing in this judicial district, the ‘505 patent by, among  
 3 other things, importing, making, using, offering for sale, and/or selling computer hardware,  
 4 software and systems as defined by the claims of the ‘505 patent without permission from  
 5 Millennium and will continue to do so unless enjoined by this Court.

6 27. Plaintiff, Millennium, has been damaged by such infringing activities by the  
 7 Defendant, of the ‘505 patent and will be irreparably harmed unless such infringing activities are  
 8 enjoined by this Court.  
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10 **PRAYER FOR RELIEF**

11 WHEREFORE, THE Plaintiff, Millennium prays for judgment against the Defendant 170  
 12 Systems on all the counts and for the following relief:

- 13 A. Declaration that the Plaintiff is the owner of the ‘855 patent, and that the Plaintiff has  
 14 the right to sue and to recover for infringement thereof;
- 15 B. Declaration that the ‘855 patent is valid and enforceable;
- 16 C. Declaration that the Defendant has infringed, actively induced infringement of, and  
 17 contributorily infringed ‘855 patent;
- 18 D. Declaration that the Plaintiff is the owner of the ‘508 patent, and that the Plaintiff has  
 19 the right to sue and to recover for infringement thereof;
- 20 E. Declaration that the ‘508 patent is valid and enforceable;
- 21 F. Declaration that the Defendant has infringed, actively induced infringement of, and  
 22 contributorily infringed ‘508 patent;
- 23 G. Declaration that the Plaintiff is the owner of the ‘465 patent, and that the Plaintiff has  
 24 the right to sue and to recover for infringement thereof;
- 25 H. Declaration that the ‘465 patent is valid and enforceable;
- 26 I. Declaration that the Defendant has infringed, actively induced infringement of, and  
 27 contributorily infringed ‘465 patent;  
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- 1 J. Declaration that the Plaintiff is the owner of the '506 patent, and that the Plaintiff has
- 2 the right to sue and to recover for infringement thereof;
- 3 K. Declaration that the '506 patent is valid and enforceable;
- 4 L. Declaration that the Defendant has infringed, actively induced infringement of, and
- 5 contributorily infringed '506 patent;
- 6 M. Declaration that the Plaintiff is the owner of the '505 patent, and that the Plaintiff has
- 7 the right to sue and to recover for infringement thereof;
- 8 N. Declaration that the '505 patent is valid and enforceable;
- 9 O. Declaration that the Defendant has infringed, actively induced infringement of, and
- 10 contributorily infringed '505 patent;
- 11 P. A preliminary and permanent injunction against the Defendant, each of its officers,
- 12 agents, servants, employees, and attorneys, all parent and subsidiary corporations,
- 13 their assigns and successors in interest, and those persons acting in active concert or
- 14 participation with them, including distributors and customers, enjoining them from
- 15 continuing acts of infringement, active inducement of infringement, and contributory
- 16 infringement of Millennium's '855, '508, '465, 506 and '505 patents;
- 17 Q. An accounting for damages under 35 U.S.C. §284 for infringement of Millennium's
- 18 '855, '508, '465, 506 and '505 patents by the Defendant and the award of damages
- 19 so ascertained to the Plaintiff, Millennium, together with interest as provided by law;
- 20 R. Award of Millennium's costs and expenses; and
- 21 S. Such other and further relief as this Court may deem proper, just and equitable.
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**DEMAND FOR JURY TRIAL**

The Plaintiff, Millennium, demands a trial by jury of all issues properly triable by jury in this action.

By: /s/Jean-Marc Zimmerman  
Jean-Marc Zimmerman (JZ 7743)  
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226 St. Paul Street  
Westfield, NJ 07090  
Attorneys for Plaintiff Millennium, L.P.

Dated: March 18, 2005  
Westfield, NJ