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20 Attorneys for Plaintiff
21 VendingData Corporation

22 UNITED STATES DISTRICT COURT
23 DISTRICT OF NEVADA

24 VENDINGDATA CORPORATION, a
25 Nevada corporation,

26 Plaintiff,

27 vs.

28 SHUFFLE MASTER, INC., a Minnesota
corporation,

Defendant.

Case No.:

**PLAINTIFF VENDINGDATA
CORPORATION'S COMPLAINT
FOR PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

29 Plaintiff VendingData Corporation ("VendingData"), by counsel, for its complaint
30 against Shuffle Master, Inc. ("Shuffle Master") demands a jury trial and alleges as
31 follows:

JURISDICTION AND VENUE

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2 1. This is an action for patent infringement arising under the patent laws of the
3 United States, 35 U.S.C. § 1 et seq., with respect to Shuffle Master’s MD2 Shuffler.

4 2. Plaintiff VendingData is a corporation organized under the laws of the State of
5 Nevada, having a principal place of business at 6830 Spencer Street, Las Vegas, Nevada
6 89119.

7 3. Defendant Shuffle Master is a corporation organized under the laws of the State of
8 Minnesota, having a principal place of business at 1106 Palms Airport Drive, Las Vegas,
9 Nevada 89119.

10 4. This Court has subject matter jurisdiction over VendingData’s Complaint for
11 patent infringement in accordance with 28 U.S.C. §§ 1331 and 1338(a).

12 5. Shuffle Master has sufficient contacts with this District to subject it to the personal
13 jurisdiction of the Court for this Complaint.

14 6. Further, Shuffle Master has used or offered for sale within this district, and/or
15 imported into this district, the MD2 shuffler, providing this Court with specific
16 jurisdiction over this Complaint.

17 7. Venue in this District is proper under 28 U.S.C. §§ 1391 and 1400(b) because
18 Shuffle Master is a corporation subject to personal jurisdiction in this District. In
19 addition, venue is proper because Shuffle Master has a regular and established place of
20 business within this district and it has used or offered for sale within this district, and/or
21 imported into this district, the MD2 shuffle.

22 **COUNT I**
23 **Infringement of U.S. Patent No. 6,726,205**

24 8. VendingData repeats and realleges the allegations in paragraphs 1-7 as if fully set
25 forth herein.

26 9. United States Patent No. 6,726,205 (the “‘205 patent”), entitled “Inspection of
27 Playing Cards,” duly and legally issued on May 3, 2005 to William Westmore Purton. A
28 true and correct copy of the ‘205 patent is attached as Exhibit A.

1 10. VendingData is the assignee of all rights, title and interest in and to the
2 '205 patent, with the right to recover for all past and future infringement.

3 11. The '205 patent is valid and enforceable.

4 12. On information and belief, Shuffle Master has infringed and is currently
5 infringing (directly and/or indirectly) the '205 patent through the use or offering for sale
6 within the United States and/or importation into the United States of the MD2 shuffler
7 and conduct relating to such use, offers for sale and/or importation.

8 13. Shuffle Master's infringement is causing damage and irreparable injury to
9 VendingData, and VendingData will continue to suffer damage and irreparable injury
10 unless and until Shuffle Master, and all affiliates, employees, agents, officers, directors,
11 attorneys, successors and assigns, and all those acting on behalf of or in active concert or
12 participation with any of them, are enjoined by this Court.

13 14. On information and belief, Shuffle Master's infringement is and remains
14 willful and deliberate. These allegations are likely to have evidentiary support after a
15 reasonable opportunity for further investigation or discovery.

16 15. Shuffle Master has committed acts and will continue to commit acts that
17 make this case exceptional under 35 U.S.C. § 285.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, VendingData prays:

20 A. That Shuffle Master be adjudged to have infringed the '205 patent;

21 B. That Shuffle Master, and all affiliates, employees, agents, officers,
22 directors, attorneys, successors and assigns, and all those acting on behalf of or in active
23 concert or participation with any of them, be preliminary and permanently enjoined from
24 making, using, offering for sale, and/or selling within the United States, or importing into
25 the United States, the infringing MD2 shuffler or from otherwise infringing, directly or
26 indirectly, the '205 patent through actions relating to the MD2 shuffler, in accordance
27 with 35 U.S.C. § 283;

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1 C. For an accounting of damages by virtue of Shuffle Master’s infringement of
2 the ‘205 patent;

3 D. For an award of damages compensating VendingData for Shuffle Master’s
4 infringement of the ‘205 patent, in accordance with 35 U.S.C. § 284;

5 E. That Shuffle Master’s infringement be adjudged as willful, and for an
6 award of treble damages for Shuffle Master’s willful infringement pursuant to 35 U.S.C.
7 § 284;

8 F. For an assessment of pre-judgment and post-judgment interest and costs
9 against Shuffle Master, together with an award of such interests and costs in accordance
10 with 35 U.S.C. § 284;

11 G. That the case be adjudged exceptional and for an award to VendingData of
12 its reasonable costs and attorneys’ fees in accordance with 35 U.S.C. § 285; and

13 H. That VendingData shall have such other and further relief as this Court
14 shall deem appropriate.

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DEMAND FOR JURY TRIAL

In accordance with Rule 38 of the Federal Rules of Civil Procedure, VendingData demands a jury trial of all issues triable to a jury in this action.

DATED this 31st day of March, 2006.

LEWIS AND ROCA LLP

By _____/s/
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