

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACTIVISION TV, INC.,	§	
	§	
Plaintiff,	§	Civil Action No. _____
	§	
v.	§	
	§	
ADFLOW HEALTH NETWORKS, INC.,	§	
	§	DEMAND FOR JURY TRIAL
Defendant.	§	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Activision TV, Inc. ("Activision"), by way of this Complaint against Defendant ADFLOW Health Networks, Inc. ("Defendant"), hereby alleges as follows:

THE PARTIES

1. Activision is a corporation organized under the laws of Delaware with its principal place of business at 5400 Yahl Street, Suite D, Naples, Florida 34109.
2. Upon information and belief, Defendant is a corporation organized under the laws of Delaware with its principal place of business at 500 Office Center Drive, Suite 400, Fort Washington, Pennsylvania 19067.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.
4. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court has personal jurisdiction over Defendant at least because Defendant is incorporated in the State of Delaware and has thereby purposefully availed itself of the benefits and protections of the laws of the State of Delaware.

6. Upon information and belief, Defendant has ongoing and systematic contacts with this judicial district and the United States.

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

COUNT I
INFRINGEMENT OF U.S. PATENT NOS. 6,384,736, 6,215,411, and 7,369,058

8. Plaintiff repeats and realleges the allegations of paragraphs 1 through 7 as though fully set forth herein.

9. On May 7, 2002, United States Patent No. 6,384,736 ("the '736 Patent"), entitled "REMOTE CONTROL ELECTRONIC DISPLAY SYSTEM," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '736 Patent is attached as Exhibit A to this Complaint.

10. On April 10, 2001, United States Patent No. 6,215,411 ("the '411 Patent"), entitled "REMOTE CONTROL ELECTRONIC DISPLAY SYSTEM," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '411 Patent is attached as Exhibit B to this Complaint.

11. On May 6, 2008, United States Patent No. 7,369,058 ("the '058 Patent"), entitled "REMOTE CONTROL ELECTRONIC DISPLAY SYSTEM," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '058 Patent is attached as Exhibit C to this Complaint.

12. Activision, as the assignee and owner of the right, title, and interest in and to United States Patent Nos. 6,384,736, 6,215,411, and 7,369,058 ("the Activision Patents"), has the right to assert causes of action arising under said patents and the right to any remedies for infringement thereof.

13. Upon information and belief, Defendant is and has been directly infringing the Activision Patents in the United States at least by making and using infringing "Personal Health Centers," which are display systems. Defendant has infringed and continues to infringe one or more claims of the Activision Patents by making and using products that infringe and/or perform methods that infringe one or more claims of the Activision Patents. Through its products, including but not limited to its "Personal Health Centers," Defendant has been and is infringing one or more claims of the Activision Patents directly, contributorily, and/or by inducement, in violation of 35 U.S.C. § 271.

14. Because of Defendant's infringement of the Activision Patents, Plaintiff has suffered damages and will continue to suffer damages in the future.

15. Plaintiff has been damaged and has suffered irreparable injury due to the acts of infringement by Defendant and will continue to suffer such irreparable injury unless Defendant's infringing activities are enjoined.

16. Defendant has had notice of the Activision Patents at least since October 13, 2011, when Defendant was notified of its infringement in a letter sent by certified mail.

17. Upon information and belief, Defendant's continued infringement despite its knowledge of the Activision Patents, and the accusations of infringement, has been objectively reckless and willful.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands judgment for itself and against Defendant as follows:

- A. An adjudication that Defendant has infringed the Activision Patents;
- B. Permanently enjoining and restraining Defendant, its agents, affiliates, subsidiaries, servants, employees, officers, directors, attorneys, and those persons in active concert with or controlled by Defendant from further infringing the Activision Patents;
- C. An award of damages to be paid by Defendant adequate to compensate Plaintiff for its past infringement of the Activision Patents and any continuing or future infringement of the Activision Patents through the date such judgment is entered, together with pre-judgment and post-judgment interest, costs and expenses as justified under 35 U.S.C. § 284;
- D. To the extent the Defendant's conduct subsequent to the date of its notice of the Activision Patents is found to be objectively reckless, enhanced damages pursuant to 35 U.S.C. § 284 for Defendant's willful infringement of the Activision Patents;
- E. An accounting of all infringing acts including, but not limited to, those acts not presented at trial and an award for Plaintiff's damages for any such acts;
- F. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Plaintiff's reasonable attorneys' fees; and
- G. Such other and further relief at law or in equity as the Court deems just and proper.

Dated: August 1, 2012

STAMOULIS & WEINBLATT LLC

/s/ Richard C. Weinblatt

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