

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

PROTEGRITY CORPORATION	/	
a Cayman Islands Company,	/	
	/	
Plaintiff,	/	
	/	
v.	/	Case No.: 3:10-cv-00755-RNC
	/	
VOLTAGE SECURITY, INC.	/	
a California Corporation,	/	
	/	
Defendant.	/	
_____	/	

FIRST AMENDED COMPLAINT AND JURY DEMAND

Plaintiff, PROTEGRITY CORPORATION, by and through its undersigned attorneys,
alleges, upon information and belief, as follows:

THE PARTIES

1. Plaintiff, Protegrity Corporation, is a corporation incorporated under the laws of the country of The Cayman Islands, with its principal operating subsidiary in the United States, Protegrity USA, Inc., a Delaware Corporation, having its principal place of business at 5 High Ridge Park, Stamford, Connecticut 06905.

2. Upon information and belief, Defendant, Voltage Security, Inc., is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in the State of California and having an office at 4005 Miranda Avenue, Suite 210, Palo Alto, California 94304.

3. This action has arisen under the patent laws of the United States, Title 35 United States Code, Section 271 *et seq.* As part of its infringement due diligence investigation before

filing suit, Plaintiff sent Defendant an inquiry letter dated March 10, 2010 asking for certain technical information regarding Defendant's SecureData and Voltage Key Management Server products used alone or in combination with Thales nSheild Connect or other hardware security modules. Unfortunately, however, by letter dated April 7, 2010, Defendant refused to produce the requested technical information.

4. Jurisdiction of this action arises under 28 U.S.C. §1338(a). Venue is predicated under 28 U.S.C. §1391(c).

COUNT I

5. On November 20, 2001, United States Patent Number 6,321,201 (hereinafter Patent '201) entitled "Data Security System for a Database Having Multiple Encryption Levels Applicable on a Data Element Value Level" was duly and regularly issued. On October 4, 2011, Ex Parte Reexamination Certificate (8590th) related to Patent '201 was duly and regularly issued. On January 10, 2012, a Certificate of Correction related to the reexamination certificate was duly and regularly issued. A copy of the aforesaid patent, reexamination certificate, and certificate of correction are attached hereto as Exhibit "A".

6. Plaintiff is the owner of Patent '201.

7. Upon information and belief, Defendant has directly or contributorily infringed or induced the infringement of the claims of Patent '201 by having made, used or sold database security systems that duly embody the invention as claimed therein; such infringement was willful and deliberate; the infringement by Defendant of said Plaintiff's Patent '201 has deprived Plaintiff and its principal operating subsidiary of sales which it otherwise would have made and has in other respects injured Plaintiff and its principal operating subsidiary and will cause Plaintiff and its principal operating subsidiary added injury and loss of profits unless enjoined by

this Court.

8. The Plaintiff has been damaged by the acts of infringement complained of herein.

9. The Plaintiff has no adequate remedy without the intervention of this Court.

10. This case is "exceptional" within the meaning of 35 USC § 285.

COUNT II

11. On November 8, 2005, United States Patent Number 6,963,980 (hereinafter Patent '980) entitled "Combined Hardware and Software Based Encryption of Databases" was duly and regularly issued. A copy of the aforesaid patent is attached hereto as Exhibit "B".

12. Plaintiff is the owner of Patent '980.

13. Upon information and belief, Defendant has directly or contributorily infringed or induced the infringement of the claims of Patent '980 by having made, used or sold database security systems that duly embody the invention as claimed therein; such infringement was willful and deliberate; the infringement by Defendant of said Plaintiff's Patent '980 has deprived Plaintiff and its principal operating subsidiary of sales which it otherwise would have made and has in other respects injured Plaintiff and its principal operating subsidiary and will cause Plaintiff and its principal operating subsidiary added injury and loss of profits unless enjoined by this Court.

14. The Plaintiff has been damaged by the acts of infringement complained of herein.

15. The Plaintiff has no adequate remedy without the intervention of this Court.

16. This case is "exceptional" within the meaning of 35 USC § 285.

COUNT III

17. On January 29, 2008, United States Patent Number 7,325,129 (hereinafter Patent '129) entitled "Method for Altering Encryption Status in a Relational Database in a Continuous

Process" was duly and regularly issued. A copy of the aforesaid patent is attached hereto as Exhibit "C".

18. Plaintiff is the owner of Patent '129.

19. Upon information and belief, Defendant has directly or contributorily infringed or induced the infringement of the claims of Patent '129 by having made, used or sold database security systems that duly embody the invention as claimed therein; such infringement was willful and deliberate; the infringement by Defendant of said Plaintiff's Patent '129 has deprived Plaintiff and its principal operating subsidiary of sales which it otherwise would have made and has in other respects injured Plaintiff and its principal operating subsidiary and will cause Plaintiff and its principal operating subsidiary added injury and loss of profits unless enjoined by this Court.

20. The Plaintiff has been damaged by the acts of infringement complained of herein.

21. The Plaintiff has no adequate remedy without the intervention of this Court.

22. This case is "exceptional" within the meaning of 35 USC § 285.

WHEREFORE, Plaintiff prays that:

A. An injunction be granted preliminarily and permanently restraining Defendant and all those in privity with it from further infringement of Plaintiff's Patents '201, '980 and '129.

B. Defendant be required to account to Plaintiff for the damages recoverable by Plaintiff under 35 U.S.C. §284 as a result of the wrongful making, using, and selling of Plaintiff's inventions as claimed in Plaintiff's Patents '201, '980 and '129, the exact extent of which cannot now be determined by Plaintiff, and that all of such damages be trebled.

C. Plaintiff be awarded reasonable attorney fees;

D. Plaintiff be allowed its costs; and

E. Such other and further relief be granted to which Plaintiff may be justly entitled.

JURY DEMAND

Plaintiff demands a trial by jury.

Date: January 24, 2012

Respectfully submitted,

/s/ Stephen P. McNamara

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that on this 24th day of January 2012, a true and correct copy of the foregoing **FIRST AMENDED COMPLAINT AND JURY DEMAND** was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

Dated: January 24, 2012

/s/ Jessica L. White

Jessica L. White