

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

OY AJAT, LTD.

Plaintiff,

v.

VATECH AMERICA, INC.;  
E-WOO TECHNOLOGY U.S.A., INC.;  
VATECH CO., LTD.; and  
E-WOO TECHNOLOGY CO., LTD.

Defendants.

Civil Action No. \_\_\_\_\_

**COMPLAINT FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL**

Plaintiff OY AJAT, LTD. ("AJAT"), of Tietotie 3, Espoo, Finland, for its Complaint against defendants VATECH AMERICA, INC. and E-WOO TECHNOLOGY U.S.A., INC. of 333 Meadowlands Parkway, Suite 303, Secaucus, NJ 07094, and defendants VATECH CO., LTD. and E-WOO TECHNOLOGY CO., LTD. of 473-4, Yun-Min Bldg., Bora-ri, Giheung-gu, YongIn-si, Gyeonggi-do, Republic of Korea, (hereinafter collectively "VATECH" unless otherwise specified) alleges as follows:

**THE PARTIES, JURISDICTION AND VENUE**

1. Plaintiff OY AJAT, LTD. is a Finnish corporation at its principal place of business at Tietotie 3, Espoo, Finland.
2. Defendants VATECH AMERICA INC. and E-WOO TECHNOLOGY U.S.A. have their principal place of business in Secaucus, NJ in Hudson County. On information and belief, E-WOO TECHNOLOGY CO., LTD. is a Korean company which is a subsidiary of or controlled by VATECH CO., LTD. On information and belief, Defendant VATECH CO., LTD.

is the parent of VATECH AMERICA INC. and the ultimate controlling entity of E-WOO TECHNOLOGY U.S.A., INC. VATECH CO., LTD. and E-WOO TECHNOLOGY CO., LTD. import and sell accused infringing products to VATECH AMERICA INC. and/or E-WOO TECHNOLOGY U.S.A., INC. which, in turn, sell or offer to sell the accused infringing products to customers who use the equipment.

### **BACKGROUND**

3. AJAT is the assignee and holds all rights title and interest in U.S. Patents No. 7,336,763 B2 (the '763 Patent); and No. 7,676,022 B2 (the '022 Patent) (collectively the "Patents-in-suit"). The claims of the Patents-in-suit cover an extra oral digital panoramic dental x-ray imaging system. These patents are attached hereto as Exhibits A and B.

4. Upon information and belief, VATECH CO. LTD. is a Korean corporation with its principal place of business at 473-4, Yun-Min Bldg., Bora-ri, Giheung-gu, Yongln-si, Gyeonggi-do, Republic of Korea.

5. Upon information and belief, VATECH AMERICA INC. is an American corporation and has its principal place of business at 333 Meadowlands Parkway, Suite 303, Secaucus, NJ 07094.

6. E-WOO TECHNOLOGY U.S.A., INC. is a New Jersey corporations and, upon information and belief, has its principal place of business at 333 Meadowlands Parkway, Suite 303, Secaucus, NJ 07094.

7. Upon information and belief, E-WOO TECHNOLOGY CO., LTD. is a Korean corporation with its principal place of business at 473-4, Yun-Min Bldg., Bora-ri, Giheung-gu, Yongln-si, Gyeonggi-do, Republic of Korea.

### **INFRINGEMENT OF THE '763 and '022 PATENTS**

8. Each defendant has been selling, offering to sell and/or importing into the United States apparatus that infringe literally and through the doctrine of equivalents, one or more claims of the Patents-in-suit and has induced infringement of one or more claims of the Patents-in-suit.

9. VATECH's PAX PRIMO dental x-ray imaging system is one such infringing apparatus.

10. Defendant VATECH CO., LTD. which is the ultimate parent or controlling entity of VATECH AMERICA INC. and E-WOO TECHNOLOGY CO., LTD., and the ultimate controlling entity of E-WOO TECHNOLOGY U.S.A., INC. was notified of its infringement of the Patents-in-suit on March 23, 2010.

11. Notwithstanding such notification the VATECH entities have persisted in selling, offering to sell, or importing the infringing products into the United States and have induced purchases and use of the accused products to infringe one or more claims of the Patents-in-suit.

12. The infringing activities of each of the defendants constitute willful infringement pursuant to 35 U.S.C. § 284.

### **RELIEF REQUESTED**

WHEREFORE, plaintiff OY AJAT LTD. requests this Court to enter judgment against VATECH CO., LTD., E-WOO TECHNOLOGY CO., LTD., VATECH AMERICA INC., and E-WOO TECHNOLOGY U.S.A., INC. and any parent corporation, subsidiary, affiliate, agent, employees and all persons in active concert or participation with any VATECH defendant and to grant the following relief.

- a) An award of damages to plaintiff adequate to compensate it for the infringement that has occurred, together with prejudgment interest, including damages for infringement of the Patents-in-suit from the date of notice.
- b) An accounting of each defendant's sales and profits.
- c) All other damages permitted by 35 U.S.C. § 284; including enhanced damages for the defendants' willful infringement of each Patent-in-suit.
- d) A finding that this case is exceptional and an award to plaintiff of attorney's fees and costs as provided by 35 U.S.C. § 285.
- e) A permanent injunction prohibiting further infringement or indirect infringement of the Patents-in-suit.
- f) Such other relief as may be just and equitable.

**INITIAL CERTIFICATION**

The undersigned certifies that the matter in controversy presented above is not the subject of any other action pending in any court, or of any pending arbitration or administrative proceeding.

September 21, 2010

By: 

Philip S. Burnham, H, Esq.  
BURNHAM LAW GROUP, LLC  
8000 Sagemore Drive, Suite 8303  
Marlton, NJ 08053  
Telephone: (866) 974-2140  
Facsimile: (856) 751-5516  
pburnham@burnhamlawgroup.com

OF COUNSEL:

Douglas V. Rigler  
drigler@young-thompson.com  
Jeffrey R. Snay  
jsnay@young-thompson.com  
Jeff Goehring  
jgoehring@young-thompson.com  
YOUNG & THOMPSON  
209 Madison Street, Suite 500  
Alexandria, Virginia 22314  
Telephone: (703) 521-2297  
Facsimile: (703) 685-0573