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CONFORM
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12 *Attorneys for Plaintiff*
13 AMERANTH, INC.

14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA

16 AMERANTH, INC., a Delaware
17 corporation,
18
19 Plaintiff,

20 vs.

21 GENESIS GAMING SOLUTIONS, INC.,)
22 a Nevada corporation, IT CASINO)
23 SOLUTIONS LLC, a California limited)
24 liability company, HOLLYWOOD PARK)
25 CASINO, INC., a California corporation,)
26 CALIFORNIA COMMERCE CLUB,)
27 INC., a California corporation,)
28 NORMANDIE CLUB LP, California)
limited partnership, & DOES 1-100,)
inclusive,)
Defendants.)

Case No. SACV11 -0189 AG (RNBx)
**COMPLAINT FOR PATENT
INFRINGEMENT**
[DEMAND FOR JURY TRIAL]

2011 FEB -2 PM 1:51
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

FILED

1 **COMPLAINT**

2 Plaintiff Ameranth, Inc., for its Complaint against Genesis Gaming Solutions,
3 Inc., IT Casino Solutions LLC, Hollywood Park Casino, Inc., Commerce Casino, Inc.,
4 and Normandie Club, LP, avers as follows:

5 **PARTIES**

6 1. Plaintiff Ameranth, Inc. (“Plaintiff” or “Ameranth”) is a Delaware
7 corporation having a principal place of business at 5820 Oberlin Drive, Suite 202, San
8 Diego, California 92121. Ameranth manufactures and sells, *inter alia*, gaming
9 information technology solutions under the trademarks 21st Century Casino™
10 (“21CC”), Poker Room Manager (“PRM”) and others, including casino waitlisting,
11 tournament, marquee, player tracking and dealer coordination products and solutions.

12 2. Defendant Genesis Gaming Solutions, Inc. (“Genesis”) is, on information
13 and belief, a Nevada corporation having a principal place of business at 25003 Pitkin
14 Road, Spring, Texas 77386. On information and belief, Defendant Genesis makes,
15 uses, sells and/or offers for sale gaming information technology products, software,
16 components and/or systems within this Judicial District including products, software,
17 components and/or systems including casino waitlisting, player tracking, tournament
18 and marquee solutions.

19 3. Defendant IT Casino Solutions, LLC (“ITCS”) is, on information and
20 belief, a California limited liability corporation having a principal place of business at
21 7310 E. Paseo Tampico, Anaheim Hills, California 92808. On information and belief,
22 Defendant ITCS makes, uses, sells and/or offers for sale gaming information
23 technology products, software, components and/or systems within this Judicial
24 District including products, software, components and/or systems including casino
25 waitlisting, player tracking, tournament, marquee and dealer coordination solutions.

26 4. Defendant Hollywood Park Casino, Inc. (“HPC”) is, on information and
27 belief, a California corporation having a principal place of business at 3883 W.
28 Century Blvd., Inglewood, California 90303. On information and belief, Defendant

1 HPC makes or uses gaming information technology products, software, components
2 and/or systems within this Judicial District including products, software, components
3 and/or systems including casino waitlisting, tournament, player tracking, marquee and
4 dealer coordination solutions.

5 5. Defendant California Commerce Club, Inc. ("Commerce") is, on
6 information and belief, a California corporation having a principal place of business at
7 6131 E. Telegraph Road, Commerce, California 90040. On information and belief,
8 Defendant Commerce makes or uses gaming information technology products,
9 software, components and/or systems within this Judicial District including products,
10 software, components and/or systems including casino waitlisting, player tracking,
11 tournament, marquee and dealer coordination solutions. Commerce purports to be the
12 world's largest poker room.

13 6. Defendant Normandie Club, LP ("Normandie") is, on information and
14 belief, a California limited partnership having a principal place of business at 1045 W.
15 Rosecrans Blvd., Gardena, California 90247. On information and belief, Defendant
16 Normandie makes or uses gaming information technology products, software,
17 components and/or systems within this Judicial District including products, software,
18 components and/or systems including casino waitlisting, tournament, player tracking,
19 marquee and dealer coordination solutions.

20 7. The true names and capacities of the Defendants named herein as DOES
21 1 through 100, inclusive, are unknown to Plaintiff at this time. Therefore, Plaintiff
22 sues said Defendants by such fictitious names. Plaintiff will amend this complaint to
23 allege these Defendants' true names and capacities when they have been ascertained.

24 JURISDICTION AND VENUE

25 8. This is an action for patent infringement arising under the Patent Laws of
26 the United States, 35 U.S.C. §§ 271, 281-285.

27 9. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
28 and 1338(a).

1 10. On information and belief, defendant Genesis has engaged in (a) the
2 offer for sale and sale of gaming technology services, products and/or components in
3 the United States, including this Judicial District, including services, products,
4 software, components and/or systems including casino waitlisting, player tracking,
5 tournament and marquee solutions under the "BRAVO" trademark and/or tradename
6 (b) the installation and maintenance of said services, products, software, components
7 and/or systems in gaming and/or casino information technology systems in the United
8 States, including this Judicial District and (c) the use of gaming information
9 technology systems comprising said services, products, software, components and/or
10 systems in the U.S., including this Judicial District.

11 11. This Court has personal jurisdiction over defendant Genesis as Genesis
12 has committed acts of patent infringement in this Judicial District including, *inter alia*,
13 making, using, offering for sale, and/or selling infringing services, products, software,
14 components and/or systems in this Judicial District.

15 12. On information and belief, defendant Genesis has knowingly and actively
16 infringed, contributed to infringement and/or have induced others to commit such acts
17 of infringement in this Judicial District.

18 13. On information and belief, defendant ITCS has engaged in (a) the offer
19 for sale and sale of gaming technology services, products and/or components in the
20 United States, including this Judicial District, including services, products, software,
21 components and/or systems including casino waitlisting, marquee, player tracking and
22 dealer coordination solutions under the "IT Casino Solutions," "ITC," "ITCS" and/or
23 "ISIS M3" trademarks and/or tradenames (b) the installation and maintenance of said
24 services, products, software, components and/or systems in gaming and/or casino
25 information technology systems in the United States, including this Judicial District
26 and (c) the use of gaming information technology systems comprising said services,
27 products, software, components and/or systems in the U.S., including this Judicial
28 District.

1 14. This Court has personal jurisdiction over defendant ITCS as ITCS has
2 committed acts of patent infringement in this Judicial District including, *inter alia*,
3 making, using, offering for sale, and/or selling infringing services, products, software,
4 components and/or systems in this Judicial District.

5 15. On information and belief, defendant ITCS has knowingly and actively
6 infringed, contributed to infringement and/or have induced others to commit such acts
7 of infringement in this Judicial District.

8 16. On information and belief, defendant HPC has engaged in (a) the
9 installation, maintenance and use of gaming technology services, products and/or
10 components in the United States, including this Judicial District, including services,
11 products, software, components and/or systems including casino waitlisting, marquee,
12 player tracking, tournament and dealer coordination solutions either itself or in concert
13 with defendant ITCS..

14 17. This Court has personal jurisdiction over defendant HPC as HPC has
15 committed acts of patent infringement in this Judicial District including, *inter alia*,
16 making or using infringing services, products, software, components and/or systems in
17 this Judicial District.

18 18. On information and belief, defendant HPC has knowingly and actively
19 infringed, contributed to infringement and/or have induced others to commit such acts
20 of infringement in this Judicial District.

21 19. On information and belief, defendant Commerce has engaged in (a) the
22 installation, maintenance and use of gaming technology services, products and/or
23 components in the United States, including this Judicial District, including services,
24 products, software, components and/or systems including casino waitlisting,
25 tournament, player tracking, marquee and dealer coordination solutions either itself or
26 in concert with defendants Genesis and/or ITCS.

27 20. This Court has personal jurisdiction over defendant Commerce as
28 Commerce has committed acts of patent infringement in this Judicial District

1 including, *inter alia*, making or using infringing services, products, software,
2 components and/or systems in this Judicial District.

3 21. On information and belief, defendant Commerce has knowingly and
4 actively infringed, contributed to infringement and/or have induced others to commit
5 such acts of infringement in this Judicial District.

6 22. On information and belief, defendant Normandie has engaged in (a) the
7 installation, maintenance and use of gaming technology services, products and/or
8 components in the United States, including this Judicial District, including services,
9 products, software, components and/or systems including casino waitlisting, player
10 tracking, marquee and/or dealer coordination solutions either alone or in concert with
11 defendant ITCS.

12 23. This Court has personal jurisdiction over defendant Normandie as
13 Normandie has committed acts of patent infringement in this Judicial District
14 including, *inter alia*, making or using infringing services, products, software,
15 components and/or systems in this Judicial District.

16 24. On information and belief, defendant Normandie has knowingly and
17 actively infringed, contributed to infringement and/or have induced others to commit
18 such acts of infringement in this Judicial District.

19 25. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391(b)
20 and (c) and 1400(b) as regards to all defendants both separately and together.

21 **BACKGROUND**

22 26. Ameranth was established in 1996 to develop and provide innovative
23 information system and data synchronization technology solutions for the hospitality
24 industry. Ameranth has been widely recognized as a technology leader in the
25 provision of wireless and internet-based systems and services to, *inter alia*,
26 restaurants, hotels, casinos, cruise ships and sports venues and has been awarded
27 multiple “best product” technology awards, as well as been widely recognized as an
28 innovator by both national and hospitality/gaming publications. Ameranth’s

1 inventions enable, in relevant part, gaming and/or casino waitlisting, tournament,
2 player tracking, marquee and/or dealer coordination functions. Ameranth's Poker
3 Room Manager (PRM) family of products have been installed in many of the largest
4 and most successful poker rooms around the world and in the United States including
5 within this Judicial District (which is home to the three largest poker rooms in the
6 world and includes the greatest concentration of poker-related activities in the world).

7 27. Development of the inventions leading to the patents-in-suit began at
8 least as early as late 2001 at a time when there were no integrated gaming or casino
9 waitlisting, marquee, player tracking, tournament or dealer coordination information
10 technology solutions. Ameranth's later-acquired division, QueueOS, conceived and
11 developed its breakthrough innovations to provide systemic integrated solutions
12 directed to uniquely meeting these previously unmet industry needs. After acquiring
13 QueueOS in 2006, Ameranth merged product features from the QueueOS product line
14 into its Poker Room Manager (PRM) family of products. Ameranth has expended
15 considerable effort and resources in inventing, developing and marketing its
16 inventions and protecting its rights therein.

17 28. Ameranth's pioneering inventions have been widely adopted throughout
18 the gaming industry and are thus now essential to the efficient operations of modern
19 casino and/or gaming enterprises of the 21st Century. Ameranth's solutions have
20 been adopted throughout the hospitality/gaming industry, including Genesis, ITCS,
21 HPC, Commerce, Normandie and many others.

22 29. The widespread adoption of Ameranth's technology by industry leaders
23 and the wide acclaim received by Ameranth for its many technological innovations are
24 just some of the many confirmations of the breakthrough aspects of Ameranth's
25 inventions. Ameranth has received more than 10 major technology awards and has
26 been widely recognized as an innovator.

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FIRST CLAIM FOR RELIEF
Patent Infringement (U.S. Pat. No. 7,431,650)
(35 U.S.C. § 271)

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2
3
4 30. Plaintiff reiterates and incorporates the allegations set forth in paragraphs
5 1-29 above as if fully set forth herein.

6 31. On October 7, 2008, United States Patent No. 7,431,650 entitled "Casino
7 Poker and Dealer Management System" ("the '650 patent") (attached hereto as
8 Exhibit A) was duly and legally issued by the United States Patent & Trademark
9 Office.

10 32. Plaintiff Ameranth is the lawful owner by assignment of all right, title
11 and interest in and to the '650 patent.

12 33. On information and belief, defendant Genesis has infringed the '650
13 patent in violation of 35 U.S.C. § 271(a) by making, using, offering for sale and/or
14 selling infringing gaming and/or casino information technology systems including but
15 not limited to systems including waitlisting, tournament, player tracking and marquee
16 functions under the BRAVO trademark and/or tradename in the U.S. without authority
17 or license from Ameranth.

18 34. On information and belief, defendant Genesis has actively induced others
19 to infringe the '650 patent in violation of 35 U.S.C. § 271(b) by knowingly
20 encouraging, aiding and abetting gaming and/or casino users to use infringing systems
21 and services including but not limited to systems and services including waitlisting,
22 tournament, player tracking, and marquee functions under the BRAVO trademark
23 and/or tradename in the U.S. without authority or license from Ameranth.

24 35. On information and belief, defendant Genesis has contributorily infringed
25 the '650 patent in violation of 35 U.S.C. § 271(c) by offering to sell and/or selling
26 components of systems on which claims of the '650 patent read, constituting a
27 material part of the invention, knowing that the components were especially adapted
28 for use in systems which infringe claims of the '650 patent to distributors and/or to

1 gaming and/or casino users for use in infringing systems and services including but
2 not limited to systems and services including waitlisting, tournament, player tracking,
3 and marquee functions under the BRAVO trademark and/or tradename in the U.S.
4 without authority or license from Ameranth.

5 36. On information and belief, defendant ITCS has infringed the '650 patent
6 in violation of 35 U.S.C. § 271(a) by making, using, offering for sale and/or selling
7 infringing gaming and/or casino information technology systems including but not
8 limited to systems including waitlisting, player tracking, marquee and dealer
9 scheduling functions under the IT Casino Solutions, ITC, ITCS and/or ISIS M3
10 trademarks and/or tradenames in the U.S. without authority or license from Ameranth.

11 37. On information and belief, defendant ITCS has actively induced others to
12 infringe the '650 patent in violation of 35 U.S.C. § 271(b) by knowingly encouraging,
13 aiding and abetting gaming and/or casino users to use infringing systems and services
14 including but not limited to systems and services including waitlisting, player
15 tracking, marquee and dealer scheduling functions under the IT Casino Solutions,
16 ITC, ITCS and/or ISIS M3 trademarks and/or tradenames in the U.S. without
17 authority or license from Ameranth.

18 38. On information and belief, defendant ITCS has contributorily infringed
19 the '650 patent in violation of 35 U.S.C. § 271(c) by offering to sell and/or selling
20 components of systems on which claims of the '650 patent read, constituting a
21 material part of the invention, knowing that the components were especially adapted
22 for use in systems which infringe claims of the '650 patent to distributors and/or to
23 gaming and/or casino users for use in infringing systems and services including but
24 not limited to systems and services including waitlisting, player tracking, marquee and
25 dealer scheduling functions under the IT Casino Solutions, ITC, ITCS and/or ISIS M3
26 trademarks and/or tradenames in the U.S. without authority or license from Ameranth.

27 39. On information and belief, defendant HPC has infringed the '650 patent
28 in violation of 35 U.S.C. § 271(a) by making or using infringing gaming and/or casino

1 information technology systems including but not limited to systems including
2 waitlisting, tournament, player tracking, marquee and dealer coordination functions
3 either itself or in concert with defendant ITCS in the U.S. without authority or license
4 from Ameranth.

5 40. On information and belief, defendant HPC has actively induced others to
6 infringe the '650 patent in violation of 35 U.S.C. § 271(b) by knowingly encouraging,
7 aiding and abetting gaming and/or casino users to use infringing systems and services
8 including but not limited to systems and services including waitlisting, tournament,
9 player tracking, marquee and dealer coordination functions either itself or in concert
10 with defendant ITCS in the U.S. without authority or license from Ameranth.

11 41. On information and belief, defendant HPC has contributorily infringed
12 the '650 patent in violation of 35 U.S.C. § 271(c) by providing components of systems
13 on which claims of the '650 patent read, constituting a material part of the invention,
14 knowing that the components were especially adapted for use in systems which
15 infringe claims of the '650 patent, to gaming and/or casino users for use in infringing
16 systems and services including but not limited to systems and services including
17 waitlisting, tournament, player tracking, marquee and dealer coordination functions
18 either itself or in concert with defendant ITCS without authority or license from
19 Ameranth.

20 42. On information and belief, defendant Commerce has infringed the '650
21 patent in violation of 35 U.S.C. § 271(a) by making and/or using infringing gaming
22 and/or casino information technology systems including but not limited to systems
23 including waitlisting, tournament, player tracking, marquee and dealer coordination
24 functions either itself or in concert with defendants Genesis and/or ITCS in the U.S.
25 without authority or license from Ameranth.

26 43. On information and belief, defendant Commerce has actively induced
27 others to infringe the '650 patent in violation of 35 U.S.C. §271(b) by knowingly
28 encouraging, aiding and abetting gaming and/or casino users to use infringing systems

1 and services including but not limited to systems and services including waitlisting,
2 tournament, player tracking, marquee and dealer coordination functions either itself or
3 in concert with defendants Genesis and/or ITCS in the U.S. without authority or
4 license from Ameranth.

5 44. On information and belief, defendant Commerce has contributorily
6 infringed the '650 patent in violation of 35 U.S.C. §271(c) by providing components
7 of systems on which claims of the '650 patent read, constituting a material part of the
8 invention, knowing that the components were especially adapted for use in systems
9 which infringe claims of the '650 patent, to gaming and/or casino users for use in
10 infringing systems and services including but not limited to systems and services
11 including waitlisting, tournament, player tracking, ,marquee and dealer coordination
12 functions either itself or in concert with defendants Genesis and/or ITCS without
13 authority or license from Ameranth.

14 45. On information and belief, defendant Normandie has infringed the '650
15 patent in violation of 35 U.S.C. § 271(a) by making or using infringing gaming and/or
16 casino information technology systems including but not limited to systems including
17 waitlisting, player tracking, marquee and dealer coordination functions either itself or
18 in concert with defendant ITCS in the U.S. without authority or license from
19 Ameranth.

20 46. On information and belief, defendant Normandie has actively induced
21 others to infringe the '650 patent in violation of 35 U.S.C. § 271(b) by knowingly
22 encouraging, aiding and abetting gaming and/or casino users to use infringing systems
23 and services including but not limited to systems and services including waitlisting,
24 player tracking, marquee and dealer coordination functions either itself or in concert
25 with defendant ITCS in the U.S. without authority or license from Ameranth.

26 47. On information and belief, defendant Normandie has contributorily
27 infringed the '650 patent in violation of 35 U.S.C. § 271(c) by providing components
28 of systems on which claims of the '650 patent read, constituting a material part of the

1 invention, knowing that the components were especially adapted for use in systems
2 which infringe claims of the '650 patent, to gaming and/or casino users for use in
3 infringing systems and services including but not limited to systems and services
4 including waitlisting, player tracking, marquee and dealer coordination functions
5 either itself or in concert with defendant ITCS without authority or license from
6 Ameranth.

7 48. On information and belief, the infringement of the '650 patent by all
8 defendants has been in willful disregard of Ameranth's patent rights, making this an
9 exceptional case within the meaning of 35 U.S.C. § 285.

10 49. The aforesaid infringing activity has caused damage to plaintiff,
11 including loss of profits from sales they would have made but for the infringements.
12 Unless enjoined, the aforesaid infringing activity will continue and cause irreparable
13 injury to plaintiff for which there is no adequate remedy at law.

14 **SECOND CLAIM FOR RELIEF**
15 **Patent Infringement (U.S. Pat. No. 7,878,909)**
16 **(35 U.S.C. § 271)**

17 50. Plaintiff reiterates and incorporates the allegations set forth in paragraphs
18 1-49 above as if fully set forth herein.

19 51. On February 1, 2011, United States Patent No. 7,878,909 entitled
20 "Products and Processes for Operations Management of casino, Leisure and
21 Hospitality Industry" ("the '909 patent") (attached hereto as Exhibit B) was duly and
22 legally issued by the United States Patent & Trademark Office.

23 52. Plaintiff Ameranth is the lawful owner by assignment of all right, title
24 and interest in and to the '909 patent.

25 53. On information and belief, defendant ITCS has infringed the '909 patent
26 in violation of 35 U.S.C. § 271(a) by making, using, offering for sale and/or selling
27 infringing gaming and/or casino information technology systems and services
28 including but not limited to systems and services including dealer coordination

1 functions under the IT Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks
2 and/or tradenames in the U.S. without authority or license from Ameranth.

3 54. On information and belief, defendant ITCS has actively induced others to
4 infringe the '909 patent in violation of 35 U.S.C. § 271(b) by knowingly encouraging,
5 aiding and abetting gaming and/or casino users to use infringing systems and services
6 including but not limited to systems and services including dealer coordination
7 functions under the IT Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks
8 and/or tradenames in the U.S. without authority or license from Ameranth.

9 55. On information and belief, defendant ITCS has contributorily infringed
10 the '909 patent in violation of 35 U.S.C. § 271(c) by offering to sell and/or selling
11 components of systems on which claims of the '909 patent read, constituting a
12 material part of the invention, knowing that the components were especially adapted
13 for use in systems which infringe claims of the '909 patent to distributors and/or to
14 gaming and/or casino users for use in infringing systems and services including but
15 not limited to systems and services including dealer coordination functions under the
16 IT Casino Solutions, ITC, ITCS and/or ISIS M3 trademarks and/or tradenames in the
17 U.S. without authority or license from Ameranth.

18 56. On information and belief, defendant HPC has infringed the '909 patent
19 in violation of 35 U.S.C. § 271(a) by making or using infringing gaming and/or casino
20 information technology systems including but not limited to systems including dealer
21 coordination functions either itself or in concert with defendant ITCS in the U.S.
22 without authority or license from Ameranth.

23 57. On information and belief, defendant HPC has actively induced others to
24 infringe the '909 patent in violation of 35 U.S.C. § 271(b) by knowingly encouraging,
25 aiding and abetting gaming and/or casino users to use infringing systems and services
26 including but not limited to systems and services including dealer coordination
27 functions either itself or in concert with defendant ITCS in the U.S. without authority
28 or license from Ameranth.

1 58. On information and belief, defendant HPC has contributorily infringed
2 the '909 patent in violation of 35 U.S.C. § 271(c) by providing components of systems
3 on which claims of the '909 patent read, constituting a material part of the invention,
4 knowing that the components were especially adapted for use in systems which
5 infringe claims of the '909 patent, to gaming and/or casino users for use in infringing
6 systems and services including but not limited to systems and services including
7 dealer coordination functions either itself or in concert with defendant ITCS without
8 authority or license from Ameranth.

9 59. On information and belief, defendant Commerce has infringed the '909
10 patent in violation of 35 U.S.C. § 271(a) by making or using infringing gaming and/or
11 casino information technology systems including but not limited to systems including
12 dealer coordination functions either alone or in concert with defendant ITCS in the
13 U.S. without authority or license from Ameranth.

14 60. On information and belief, defendant Commerce has actively induced
15 others to infringe the '909 patent in violation of 35 U.S.C. § 271(b) by knowingly
16 encouraging, aiding and abetting gaming and/or casino users to use infringing systems
17 and services including but not limited to systems and services including dealer
18 coordination functions either alone or in concert with defendant ITCS in the U.S.
19 without authority or license from Ameranth.

20 61. On information and belief, defendant Commerce has contributorily
21 infringed the '909 patent in violation of 35 U.S.C. § 271(c) by providing components
22 of systems on which claims of the '909 patent read, constituting a material part of the
23 invention, knowing that the components were especially adapted for use in systems
24 which infringe claims of the '909 patent, to gaming and/or casino users for use in
25 infringing systems and services including but not limited to systems and services
26 including dealer coordination functions either itself or in concert with defendant ITCS
27 without authority or license from Ameranth.

28 ///

1 BRAVO trademark and/or tradename infringes the '650 patent;

2 B. Adjudging that the manufacture, use, offer for sale and/or sale of ITCS's
3 products, services and/or software including those under the IT Casino Solutions, ITC,
4 ITCS and/or ISIS M3 trademarks and/or tradenames infringes the '650 and '909
5 patents;

6 C. Adjudging that the making and/or use of HPC's gaming and/or casino
7 waitlisting, player tracking, tournament, marquee and dealer coordination products,
8 services and/or software infringes the '650 and '909 patents;

9 D. Adjudging that the making and/or use of Commerce's gaming and/or
10 casino waitlisting, tournament, player tracking, marquee and dealer coordination
11 products, services and/or software infringes the '650 and '909 patents;

12 E. Adjudging that the making and/or use of Normandie gaming and/or
13 casino waitlisting, marquee and/or dealer coordination products, services and/or
14 software infringes the '650 and '909 patents;

15 F. Adjudging that Genesis has infringed, actively induced others to infringe
16 and/or contributorily infringed the '650 patent;

17 G. Adjudging that each of ITCS, HPC, Commerce and Normandie has
18 infringed, actively induced others to infringe and/or contributorily infringed the '650
19 and '909 patents;

20 H. Adjudging that infringement of the '650 patent by Genesis, ITCS, HPC,
21 Commerce and Normandie has been willful;

22 I. Enjoining Genesis, its officers, directors, employees, attorneys, agents,
23 representatives, parents, subsidiaries, affiliates and all other persons acting in concert,
24 participation or privity with them, and their successors and assigns, from infringing,
25 contributorily infringing and/or inducing others to infringe the '650 patent;

26 J. Enjoining ITCS, HPC, Commerce and Normandie, their officers,
27 directors, employees, attorneys, agents, representatives, parents, subsidiaries, affiliates
28 and all other persons acting in concert, participation or privity with them, and their

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1 successors and assigns, from infringing, contributorily infringing and/or inducing
2 others to infringe the '650 and '909 patents;

3 K. Awarding Ameranth the damages it has sustained by reason of
4 defendants' infringement, together with interest and costs pursuant to 35 U.S.C. §
5 284;

6 L. Awarding Ameranth increased damages of three times the amount found
7 or assessed by reason of the willful and deliberate nature of defendants' acts of
8 infringement pursuant to 35 U.S.C. § 284;

9 M. Adjudging this to be an exceptional case and awarding Ameranth its
10 attorney fees pursuant to 35 U.S.C. §285; and

11 N. Awarding to Ameranth such other and further relief that this Court may
12 deem just and proper.

13
14 Dated: February 1, 2011

Respectfully submitted,

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16 LOCKE LORD BISSELL & LIDDELL LLP

17
18 By: 

John W. Osborne

Brandon J. Witkow

19
20 *Attorneys for Plaintiff AMERANTH, INC.*

DEMAND FOR JURY TRIAL

Plaintiff Ameranth, Inc., hereby demand trial by jury on all issues so triable,
pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: February 1, 2011

Respectfully submitted,

LOCKE LORD BISSELL & LIDDELL LLP

By: 

John W. Osborne

Brandon J. Witkow

Attorneys for Plaintiff AMERANTH, INC.

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