IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SARIF BIOMEDICAL LLC, Plaintiff, v. ACCURAY INC., Defendant.	Civil Action No. **JURY TRIAL DEMANDED**

COMPLAINT

Plaintiff Sarif Biomedical LLC ("Sarif") alleges as follows:

PARTIES

1. Sarif is a limited liability company organized under the laws of the State of Delaware, having its principal offices at 2820 Lynn Dell Drive, Tool, Texas 75143.

2. Defendant Accuray Inc. ("Accuray") is a Delaware corporation with a principal place of business at 1310 Chesapeake Terrace, Sunnyvale, California 94089. Accuray may be served via its registered agent, the Corporation Services Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States of America, 35 U.S.C. § 1, *et seq*., including § 271. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this District under 28 U.S.C. §§ 1391 (b)-(d) and 1400(b) because Accuray is subject to personal jurisdiction in this District, have committed acts of patent infringement in this District, or have a regular and established place of business in this District.

COUNT I
(Infringement of U.S. Patent No. 5,755,725)

5. Sarif is the owner by assignment of United States Patent No. 5,755,725 ("the '725 patent"), entitled "Computer-Assisted Microsurgery Methods and Equipment." The '725 patent issued on May 26, 1998. A true and correct copy of the '725 patent is attached hereto as Exhibit A.

6. On information and belief, Accuray is directly infringing (literally and under the doctrine of equivalents) at least claim 1 of the '725 patent in this District and throughout the United States by, among other things, making, using, selling, offering to sell, or importing installations for computer-assisted microsurgery, including, but not limited to its CyberKnife System. To the extent that facts learned in discovery show that Accuray's infringement of the '725 patent is or has been willful, Sarif reserves the right to request such a finding at the time of trial.

7. As a result of Accuray's infringement of the '725 patent, Sarif has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Accuray's infringing activities are enjoined by this Court.

8. Unless a permanent injunction is issued enjoining Accuray and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on its behalf from infringing the '725 patent, Sarif will suffer irreparable harm.

PRAYER FOR RELIEF

Sarif prays for the following relief:

1. A judgment that Accuray has infringed (either literally or under the doctrine of equivalents), directly or indirectly, one or more claims of the '725 patent;

2. A permanent injunction enjoining Accuray and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with them, from infringing the '725 patent;

3. An award of damages resulting from Accuray's acts of infringement in accordance with 35 U.S.C. § 284;

4. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Sarif its reasonable attorneys' fees against Accuray;

5. A judgment and order requiring Accuray to provide an accounting and to pay supplemental damages to Sarif, including without limitation, pre-judgment and post-judgment interest; and

6. Any and all other relief to which Sarif may show itself to be entitled.

DEMAND FOR JURY TRIAL

Sarif demands a trial by jury on all issues so triable.

January 28, 2013

BAYARD, P.A.

/s/ *Stephen B. Brauerman*

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