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CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

SUN NUCLEAR CORPORATION,
a Florida corporation,

Plaintiff,

vs.

Case No. 6:13-cv-968-Orl-31GJK

IBA DOSIMETRY GMBH,
a Foreign corporation,
Defendant.
_____/

INJUNCTIVE RELIEF REQUESTED

JURY TRIAL REQUESTED

COMPLAINT

Plaintiff Sun Nuclear Corporation, hereby files its Complaint against Defendant IBA Dosimetry GmbH, and alleges as follows:

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff Sun Nuclear Corporation ("Sun") is a Florida corporation.

2. Defendant IBA Dosimetry GmbH ("IBA"), is, upon information and belief, a German corporation with its principal place of business in Schwarzenbruck Germany. Upon information and belief, IBA sells and offers for sale products and systems used to infringe one or more claims of Sun's patent in the United States, including within this Judicial District.

3. This Court has jurisdiction over the subject matter of this action as to the Defendants pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has *in personam* jurisdiction as to IBA because, upon information and belief, IBA is subject to both general and specific jurisdiction in this State. Upon information and belief, IBA regularly conducts business activity in the United States and the State of Florida. Upon information and belief, IBA sells and offers to sell products and systems used to infringe one or more claims of Sun's patent in this Judicial District.

5. Venue properly lies within this judicial district and division, pursuant to 28 U.S.C. §§1391(c) and 1400(b).

STATEMENT OF FACTS

6. Sun is a leader and innovator in the field of radiation measurement solutions and radiation detector calibration. Sun is the sole and exclusive owner of U.S. Patent No. 6,125,335, a valid and enforceable United States Patent.

7. The Patent-in-Suit reflects inventions in the field of radiation measurement and detector calibration.

8. Upon information and belief, IBA has sold and offered for sale in the United States and in this Judicial District, radiation measurement and detector calibration systems that instruct users to perform measurement and detector calibration in a manner that indirectly infringes upon one or more claims of the

Patent-in-Suit. The accused systems include, but are not limited to, the OmniPro I'mRT System and related methods.

9. Sun has not granted IBA a license to practice the Patent-in-Suit.

COUNT I
Action for Infringement of the Patents-in-Suit

10. Count I is an action by Sun against IBA for monetary damages and injunctive relief for Defendant's infringement of the Patent-in-Suit.

11. Sun herein restates and reincorporates into this Count the allegations of Paragraphs 1 through 9 herein.

12. Upon information and belief, IBA has made and/or offered for sale and sold and/or distributed dosimetry solutions used to infringe by inducement and/or contributorily, one or more claims of the Patent-in-Suit.

13. Sun is entitled to compensatory damages and injunctive relief for Defendant's infringing activities.

14. Upon information and belief, IBA has received notice of and therefore has knowledge of the Patent-in-Suit since at least 2005.

15. IBA publishes the OmniPro-I'mRT System User's Guide, which directs, encourages and induces the performance of all steps claimed in at least one claim of the Patent-in-Suit. The OmniPro-I'mRT System itself likewise directs, encourages and induces the performance of all steps claimed in at least one claim of the Patent-in-Suit.

16. Upon information and belief, IBA's customers have performed all method steps claimed in at least one claim of the Patent-in-Suit, using the directions supplied by IBA for calibration and/or recalibration of the OmniPro-I'mRT System, and have therefore directly infringed the Patent-in-Suit.

17. The calibration method directed and encouraged by IBA is a material part of the invention and has no noninfringing use. The calibration method described in the OmniPro-I'mRT System User's Guide is especially adapted for use in infringement.

18. Upon information and belief, IBA lacks justifiable belief that there is no infringement or that the infringed claims are invalid and has acted with objective recklessness in its infringing activity. IBA's infringement is therefore willful, and Sun is entitled to an award of exemplary damages, attorneys' fees, and costs in bringing this action.

Wherefore, Plaintiff Sun Nuclear Corporation prays this Honorable Court enter such preliminary and final orders and judgments as are necessary to provide Sun with the following requested relief:

A. A preliminary and then permanent injunction enjoining Defendant from infringing each of the Patents-in-Suit;

B. An award of damages against Defendant under 35 U.S.C. §284 in an amount adequate to compensate Sun for Defendant's infringement, but in no event

less than a reasonable royalty for the use made by Defendant of the inventions set forth in the Patents-in-Suit;

C. An award against Defendant for exemplary damages, attorneys' fees, and costs under 35 U.S.C. § 285; and

D. Such other and further relief as this Court deems just and proper.

JURY TRIAL REQUEST

Sun requests a trial by jury as to all matters so triable.

Respectfully submitted June 24, 2013,



Brian R. Gilchrist, Esq.
Florida Bar No. 774065
bgilchrist@addmg.com
Ryan T. Santurri, Esq.
Florida Bar No. 015698
rsanturri@addmg.com
Allen, Dyer, Doppelt,
Milbrath & Gilchrist, P.A.
255 South Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802-3791
Telephone: 407-841-2330
Facsimile: 407-841-2343

Counsel for Plaintiff