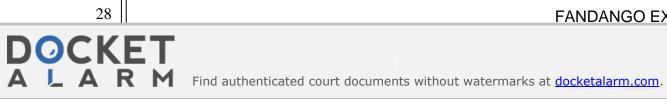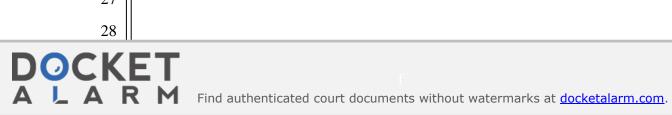1 **CALDARELLI HEJMANOWSKI & PAGE LLP**
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

AMERANTH, INC. Plaintiff, v. PIZZA HUT, INC., ET AL. Defendants.	Civil Action No.: 3:11-cv-01810-JLS-NLS

Consolidated with:

12cv729 JLS-NLS	12cv1640 JLS-NLS
12cv731 JLS-NLS	12cv1642 JLS-NLS
12cv732 JLS-NLS	12cv1643 JLS-NLS
12cv733 JLS-NLS	12cv1644 JLS-NLS
12cv737 JLS-NLS	12cv1646 JLS-NLS
12cv739 JLS-NLS	12cv1648 JLS-NLS
12cv742 JLS-NLS	12cv1649 JLS-NLS
12cv858 JLS-NLS	12cv1650 JLS-NLS
12cv1627 JLS-NLS	12cv1651 JLS-NLS
12cv1629 JLS-NLS	12cv1652 JLS-NLS
12cv1630 JLS-NLS	12cv1653 JLS-NLS
12cv1631 JLS-NLS	12cv1654 JLS-NLS
12cv1633 JLS-NLS	12cv1655 JLS-NLS
12cv1634 JLS-NLS	12cv1656 JLS-NLS
12cv1636 JLS-NLS	12cv1659 JLS-NLS

DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS AS TO DEFENDANT MICROS SYSTEMS, INC.

Complaint Filed: August 15, 2011

AND RELATED CASES.

Plaintiff Ameranth, Inc. hereby serves its Disclosure of Asserted Claims and Infringement Contentions under Patent Local Rule 3.1, as to Defendant MICROS Systems, Inc. ("MICROS").

Discovery in this case is ongoing and the Court has not yet construed the asserted claims of the Patents-in-Suit. Further, MICROS (and other Defendants) has not produced sufficient responsive documents and responses to Ameranth's discovery requests.

Ameranth reserves the right to serve Amended Infringement Contentions under Patent Local Rule 3.6(a), by Court order, or as otherwise permitted. Under Patent Local Rule 3.2, Ameranth is making a document production and hereby separately identifies by bates numbers which documents correspond to categories (a) – (e) of Patent Local Rule 3.2 in Exhibit D attached hereto.

A. Claims Infringed.

MICROS infringes at least:

MICROS Restaurant Management Systems Solutions ("RMS"): claims 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16 of U.S. Patent No. 6,384,850 (the " '850 patent") ; claims 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13 of U.S. Patent No. 6,871,325 (the " '325 patent"); and claims 1, 4, 6, 7, 8, 9, 11, 13, 16, 17, and 18 of U.S. Patent No. 8,146,077 (the " '077 patent");

MICROS Hospitality Solutions International Restaurant and Food Service Solutions ("HSI"): claims 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16 of U.S. Patent No. 6,384,850 (the " '850 patent"); claims 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13 of U.S. Patent No. 6,871,325 (the " '325 patent"); and claims 1, 6, 7, 8, 9, 11, 13, 16, 17, and 18 of U.S. Patent No. 8,146,077 (the " '077 patent");

MICROS Property Management Systems Solutions ("PMS"): claims 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16 of U.S. Patent No.

6,384,850 (the " '850 patent") ; claims 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13 of U.S. Patent No. 6,871,325 (the " '325 patent"); and claims 1, 6, 7, 8, 9, 11, 13, 16, 17, and 18 of U.S. Patent No. 8,146,077 (the " '077 patent").

B. Accused Instrumentalities.

The "MICROS Restaurant Management System," "MICROS RMS" or "Accused System," means and includes the following: The current and all previous "versions" (from Jan. 1, 2007 to present, and regardless of whether alleged by defendant to be revisions, different versions, or different systems) of the MICROS Systems, Inc. RMS system/product/service, which includes, inter alia, point of sale restaurant management systems (e.g., RES RMS and Simphony), back-of-house enterprise management systems (e.g., mymicros.net, Simphony, RES), customer loyalty and gift card systems (e.g., RES, iCare), enterprise dashboard systems (e.g., mymicros.net), wireless and internet integration, wireless, online and mobile food ordering systems (e.g., RES, Simphony, Mobile Micros, mycentral and webOrdering), online and mobile table management and reservation systems (e.g., MICROS Table Management System ("TMS") and myreservations), mobile payment systems (e.g., Tabbedout, iCard Mobile Wallet, and NFC Pay-at the-Table) and other applications via, for example, MICROS's software products/modules, website(s), hosted services and mobile website(s) and, inter alia, iPhone, Android, Windows and other mobile apps (as detailed throughout these disclosures), integration with e-mail and affinity program and social media applications such as Facebook, Twitter, Groupon, and YouTube, and/or other third-party web-based applications and other hospitality aspects including, inter alia, integration with Google Maps, TabbedOut, Verifone, third party ticketing applications/companies, third party travel aggregators, theme park systems, third

party payment processing providers and third party RMS/POS order entry providers.

The "HSI RMS," or "Accused System," means and includes the following: The current and all previous "versions" (from Jan. 1, 2007 to present, and regardless of whether alleged by defendant to be revisions, different versions, or different systems) of the HSI RMS, which includes, inter alia, point of sale restaurant management systems (e.g. Profit Series), back-of-house enterprise management systems (e.g. Myhsi.net), customer loyalty and gift card systems (e.g. iCare), enterprise dashboard systems (e.g. mysentinel), hardware solutions such as a handheld point-of-sale and point-of-sale terminals, online and mobile food ordering systems (e.g. mycentral), online and mobile table management and reservation systems (e.g. MICROS Table Management System and myreservations), and mobile payment systems (e.g. Tabbedout, iCard Mobile Wallet, and NFC Pay-at-the-Table).

The "MICROS Property Management System", or "Accused System" means and includes the following: The current and all previous "versions" (from Jan. 1, 2007 to present, and regardless of whether alleged by defendant to be revisions, different versions, or different systems) of the MICROS Systems, Inc. hotel/property management system/product/service, which includes, *inter alia*, wireless and internet integration, online and mobile ordering and reservations, customer loyalty, remote management, frequent-guest and other applications via, for example, MICROS software products/modules, website(s), hosted services and mobile website and, inter alia, iPhone, Android, Windows and other mobile apps (as detailed throughout these disclosures), integration with e-mail and affinity program and social media applications such as Facebook, Twitter, and YouTube, and/or other third-party web-based applications and other hospitality aspects including, *inter alia*, integration with Google Maps,

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