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14 Attorneys for Plaintiff Server Technology, Inc.

15 THE UNITED STATES DISTRICT COURT
16 FOR THE DISTRICT OF NEVADA
17

18 SERVER TECHNOLOGY, INC.,
a Nevada Corporation,

19 Plaintiff,

20 v.

21 RARITAN INC., a New Jersey corporation, and
22 RARITAN AMERICAS, INC., a New Jersey
23 corporation,

24 Defendants.

CASE NO.: 3:15-cv-00330-MMD-WGC

FIRST AMENDED COMPLAINT FOR
PATENT INFRINGEMENT

JURY DEMAND

1
2 Pursuant to Rule 15(a)(1)(A) of the Federal Rules of Civil Procedure, as a matter of
3 course, plaintiff Server Technology, Inc., submits this first amended complaint against
4 defendants Raritan Inc. and Raritan Americas, Inc.

5 **JURISDICTION AND VENUE**

6 1. This is an action for patent infringement arising under the patent laws of the
7 United States, Title 35 of the United States Code, 35 U.S.C. § 271 *et seq.*

8 2. This Court has original jurisdiction over these claims pursuant to 28 U.S.C.
9 §§ 1331 and 1338(a).

10 3. This Court has personal jurisdiction over defendants Raritan Inc. and Raritan
11 Americas, Inc. because they transact business in the District of Nevada, they have marketed,
12 manufactured or sold infringing product within this district, and they have caused plaintiff injury
13 within this district.

14 4. Venue is proper in this district under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b).

15 **PARTIES**

16 5. Plaintiff Server Technology, Inc. (“Server Technology”) is a Nevada corporation
17 having its principal place of business at 1040 Sandhill Drive, Reno, Nevada, 89521.

18 6. Defendants Raritan Inc. and Raritan Americas, Inc. (jointly “Raritan”) both are
19 New Jersey corporations having their principal place of business at 400 Cottontail Lane,
20 Somerset, NJ 08873. Raritan does business within the District of Nevada.

21 **GENERAL ALLEGATIONS**

22 7. Server Technology is a leader in innovative power management solutions. It
23 designs and manufactures a number of products, including what are called intelligent power
24 distribution units (or “PDUs”). Although used in many types of applications, a primary
25 application for PDU products is in data centers.

26 8. Server Technology is the owner of United States Patent No. 7,043,543 (“the ‘543
27 patent”) entitled “VERTICAL-MOUNT ELECTRICAL POWER DISTRIBUTION
28

1 PLUGSTRIP,” which issued on May 9, 2006. A true and correct copy of the ‘543 patent is
2 attached as Exhibit 1 and incorporated by this reference.

3 9. Server Technology is the owner of United States Patent No. 7,702,771 (“the ‘771
4 patent”) entitled “ELECTRICAL POWER DISTRIBUTION DEVICE HAVING A CURRENT
5 DISPLAY,” which issued on April 20, 2010. A true and correct copy of the ‘771 patent is
6 attached as Exhibit 2 and incorporated by this reference.

7 10. Server Technology is the owner of United States Patent No. 7,171,461 (“the ‘461
8 patent”) entitled “NETWORK REMOTE POWER MANAGEMENT OUTLET STRIP,” which
9 issued on January 30, 2007. A true and correct copy of the ‘461 patent is attached as Exhibit 3
10 and incorporated by this reference.

11 11. Server Technology is the owner of United States Patent No. 7,162,521 (“the ‘521
12 patent”) entitled “REMOTE POWER CONTROL SYSTEM,” which issued on January 9, 2007.
13 A true and correct copy of the ‘521 patent is attached as Exhibit 4 and incorporated by this
14 reference.

15 12. Server Technology is the owner of United States Patent No. 8,549,067 (“the ‘067
16 patent”) entitled “NETWORKABLE ELECTRICAL POWER DISTRIBUTION PLUGSTRIP
17 WITH CURRENT DISPLAY AND METHOD OF USE,” which issued on October 1, 2013. A
18 true and correct copy of the ‘067 patent is attached as Exhibit 5 and incorporated by this
19 reference.

20 13. Server Technology is the owner of United States Patent No. 8,601,291 (“the ‘291
21 patent”) entitled “POWER MANAGEMENT DEVICE WITH COMMUNICATIONS
22 CAPABILITY AND METHOD OF USE,” which issued on December 3, 2013. A true and
23 correct copy of the ‘291 patent is attached as Exhibit 6 and incorporated by this reference.

24 14. Server Technology is the owner of United States Patent No. 7,457,106 (“the ‘106
25 patent”) entitled “POWER DISTRIBUTION UNIT AND METHODS OF MAKING AND USE
26 INCLUDING MODULAR CONSTRUCTION AND ASSEMBLIES,” which issued on
27 November 25, 2008. A true and correct copy of the ‘106 patent is attached as Exhibit 7 and
28 incorporated by this reference.

1 15. Server Technology is the owner of United States Patent No. 7,706,134 (“the ‘134
2 patent”) entitled “POWER DISTRIBUTION UNIT AND METHODS OF MAKING AND USE
3 INCLUDING MODULAR CONSTRUCTION AND ASSEMBLIES,” which issued on April 27,
4 2010. A true and correct copy of the ‘134 patent is attached as Exhibit 8 and incorporated by this
5 reference.

6 16. Server Technology is the owner of United States Patent No. 7,990,689 (“the ‘689
7 patent”) entitled “POWER DISTRIBUTION UNIT AND METHODS OF MAKING AND USE
8 INCLUDING MODULAR CONSTRUCTION AND ASSEMBLIES,” which issued on August
9 2, 2011. A true and correct copy of the ‘689 patent is attached as Exhibit 9 and incorporated by
10 this reference.

11 17. Server Technology is the owner of United States Patent No. 8,694,272 (“the ‘272
12 patent”) entitled “MONITORING POWER-RELATED PARAMETERS IN A POWER
13 DISTRIBUTION UNIT,” which issued on April 8, 2014. A true and correct copy of the ‘272
14 patent is attached as Exhibit 10 and incorporated by this reference.

15 18. Server Technology is the owner of United States Patent No. 8,305,737 (“the ‘737
16 patent”) entitled “POWER DISTRIBUTION APPARATUS WITH INPUT AND OUTPUT
17 POWER SENSING AND METHOD OF USE,” which issued on November 6, 2012. A true and
18 correct copy of the ‘737 patent is attached as Exhibit 11 and incorporated by this reference.

19 19. The ‘543, ‘771, ‘461, ‘521, ‘067, ‘291, ‘106, ‘134, ‘689, ‘272, and ‘737 patents
20 are collectively referred to as the “Server Technology Patents.”

21 20. Server Technology’s business is centered on PDUs. Virtually all of its sales are
22 PDUs and related services, and most of these sales are directly related to products covered by the
23 Server Technology Patents. Server Technology’s success depends upon innovation and product
24 differentiation.

25 21. Raritan has made, used, imported, sold or offered to sell, and continues to make,
26 use, import, sell, and/or offer to sell data center equipment cabinets and data center power
27 management devices, including PDUs.

28

1 22. Raritan competes directly with Server Technology in the PDU market. Raritan's
2 acts of infringement have caused Server Technology to lose market share and goodwill to
3 Raritan.

4 23. Raritan has made, used, offered for sale, and sold in the United States hundreds of
5 PDU products that infringe one or more of the claims of the Server Technology Patents.
6 Specifically, as just two examples, Raritan's DPSX12-15 and PX3-5902V model PDUs infringe
7 each of the Server Technology Patents.

8 24. Additionally, the Raritan model PX2-5520 PDU infringes claim 15 of the '543
9 patent and claim 15 of the '771 patent. A list of 182 models of Raritan PDUs that infringe claim
10 15 of the '543 patent and claim 15 of the '771 patent is set forth in Exhibit 12.

11 25. As set forth below in the following subparagraphs, Raritan has made, used,
12 offered for sale and has sold in the United States PDUs that infringe at least the following claims
13 of the Server Technology Patents:

- 14 a. Claim 15 of the '543 patent;
- 15 b. Claim 15 of the '771 patent;
- 16 c. Claims 1 and 8 of the '461 patent;
- 17 d. Claims 1, 16, 31 of the '521 patent;
- 18 e. Claim 1 of the '067 patent;
- 19 f. Claims 1 and 7 of the '291 patent;
- 20 g. Claims 1 and 22 of the '106 patent;
- 21 h. Claims 1, 9 and 22 of the '134 patent;
- 22 i. Claim 1 of the '689 patent;
- 23 j. Claim 1 of the '272 patent; and
- 24 k. Claim 1 of the '737 patent.

25 26. Server Technology marks its products with the numbers of the Server Technology
26 Patents in accordance with 35 U.S.C. § 287. Therefore, Raritan has had constructive notice of
27 the Server Technology Patents since the date marking commenced for each individual patent.
28

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