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8 Attorneys for Plaintiffs  
9 Ivera Medical Corporation and  
10 Becton, Dickinson and Company

11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 IVERA MEDICAL CORPORATION  
14 and BECTON, DICKINSON AND  
15 COMPANY,

16 Plaintiffs,

17 v.

18 CATHETER CONNECTIONS, INC.,

19 Defendant.

Case No. '14CV1346 GPC BLM

**COMPLAINT**

**JURY TRIAL DEMANDED**

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22  
23 Plaintiffs Ivera Medical Corporation (“Ivera”) and Becton, Dickinson and  
24 Company (“BD”) (Ivera and BD collectively referred to herein as “Plaintiffs”), for  
25 their Complaint against Defendant Catheter Connections, Inc. (“Catheter  
26 Connections” or “Defendant”), aver as follows:  
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28

1 **PARTIES**

2 1. Plaintiff Ivera is a California corporation with its principal place of  
3 business at 10805 Rancho Bernardo Road, Suite 100, San Diego, CA 92127.

4 2. Plaintiff Becton, Dickinson and Company is a New Jersey corporation  
5 with its principal executive offices at 1 Becton Drive, Franklin Lakes, New Jersey,  
6 07417.

7 3. Defendant Catheter Connections is a Delaware corporation with its  
8 principal place of business at 2455 E. Parleys Way, Suite 150, Salt Lake City, Utah,  
9 84109.

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11 **JURISDICTION AND VENUE**

12 4. This is a civil action for patent infringement arising under the patent  
13 laws of the United States of America, 35 U.S.C. § 1, et. seq.

14 5. This Court has jurisdiction over the subject matter of the Complaint  
15 pursuant to 28 U.S.C. §§1331 & 1338.

16 6. This Court has personal jurisdiction over Catheter Connections because  
17 Catheter Connections purposefully ships the infringing products through established  
18 distribution channels into the State of California and is engaged in substantial and  
19 regular business in the State of California.

20 7. Venue is proper under 28 U.S.C. §§1391(b) and 1400.

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22 **BACKGROUND**

23 8. On June 3, 2014, United States Patent No. 8,740,864 (the “’864  
24 patent”), on an invention entitled “Patient Fluid Line Access Valve Antimicrobial  
25 Cap/Cleaner” was duly and legally issued by the United States Patent and  
26 Trademark Office. A copy of the ’864 patent is attached hereto as Exhibit A.

27 9. BD is and has been the owner of the ’864 patent since its issuance.  
28

10. Ivera is the exclusive licensee of the '864 patent and has the authority to enforce the '864 patent.

11. Catheter Connections makes, uses, offers to sell, and sells the infringing DualCap Solo and LB IV-Pole Strips products (collectively referred to herein as the “Accused Products”).

12. The Accused Products infringe one or more claims of the '864 patent in the United States within the meaning of 35 U.S.C. § 271.

**FIRST CAUSE OF ACTION**  
**(INFRINGEMENT OF THE '864 PATENT)**

13. Plaintiffs reallege and incorporate the previous paragraphs of this Complaint as though set forth in full herein.

14. Catheter Connections has used, offered for sale, sold, and/or imported into the United States the Accused Products, which literally and under the doctrine of equivalents infringe one or more claims of the '864 patent in violation of 35 U.S.C. §271.

15. Catheter Connections actively induces infringement of the '864 patent by users of the Accused Products in violation of 35 U.S.C. §271(b). Catheter Connections closely monitors patents owned or licensed by Ivera and has knowledge of the '864 patent. Catheter Connections specifically intends its customers to infringe the '864 patent by using the Accused Products to maintain luer activated valves providing fluid line access in accordance with Catheter Connections' instructions for use. Catheter Connections knows that use of the Accused Products by engaging the threads of the Accused Products with the external threads on luer activated valves to attach the Accused Products constitutes infringement of the '864 patent.

16. Plaintiffs have been damaged and have suffered irreparable injury due to acts of patent infringement and inducement by Catheter Connections and will continue to suffer irreparable injury unless Catheter Connections' activities are enjoined.

17. Plaintiffs have suffered and will continue to suffer substantial damages by reason of Catheter Connections' acts of patent infringement and inducement alleged above, and are entitled to recover from Catheter Connections the damages sustained as a result of Catheter Connections' acts.

## PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that judgment be entered by this Court in their favor and against Catheter Connections as follows:

A. That Catheter Connections has infringed the '864 patent;

B. Permanently enjoining and restraining Catheter Connections, its agents, affiliates, subsidiaries, servants, employees, officers, directors, attorneys and those persons in active concert with or controlled by Catheter Connections from further infringing the '864 patent;

C. For an award of damages adequate to compensate Plaintiffs for the damages they have suffered as a result of Catheter Connections' conduct, including pre-judgment interest;

D. That Catheter Connections be directed to withdraw from distribution all infringing products, whether in the possession of Catheter Connections or its distributors or retailers, and that all infringing products or materials be impounded or destroyed;

E. For monetary damages in an amount according to proof;

F. For interest on said damages at the legal rate from and after the date such damages were incurred;

