

**IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF FLORIDA**

DATREC, LLC,

Plaintiff,

V.

GREENWAY HEALTH, LLC

Defendant.

Civil Action No. 8:21-cv-507

JURY TRIAL DEMANDED

PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

DatRec, LLC (“DatRec”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 8,156,158 (“the ‘158 patent”) (referred to as the “Patent-in-Suit”) by Greenway Health, LLC.

I. THE PARTIES

1. Plaintiff DatRec is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, Greenway health, LLC (“Greenway”) is a limited liability company organized and existing under the laws of Florida, with a principal place of business located at 4301 W. Boy Scout Blvd., Suite 800, Tampa, FL 33607, in the U.S. District Court for the Middle District of Florida. On information and belief, Greenway sells and offers to sell products and services throughout Florida, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Florida and this judicial district. Greenway can be served with process at 4301 W. Boy Scout Blvd., Suite 800 Tampa, FL 33607 or anywhere else it may be served.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court also has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. § 1332(a)(1) because Plaintiff is a limited liability company organized under the laws of the State of Texas and Defendants are a Florida limited liability company with a principal, physical place of business in Florida. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Florida and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Florida and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Florida and in this judicial district.

6. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Florida and this District.

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III. INFRINGEMENT

A. Infringement of the '158 Patent

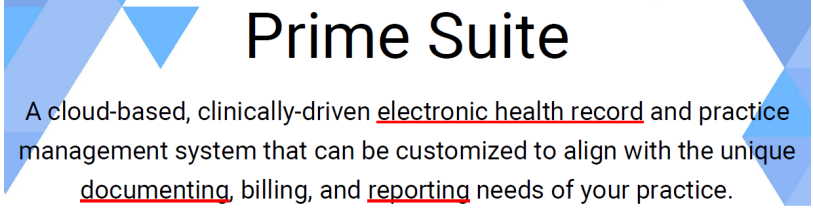
7. On April 10, 2012, U.S. Patent No. 8,156,158 (“the ’158 patent”, attached as Exhibit A) entitled “Method and System for Use of a Database of Personal Data Records” was duly and legally issued by the U.S. Patent and Trademark Office. DatRec, LLC owns the ’158 patent by assignment.

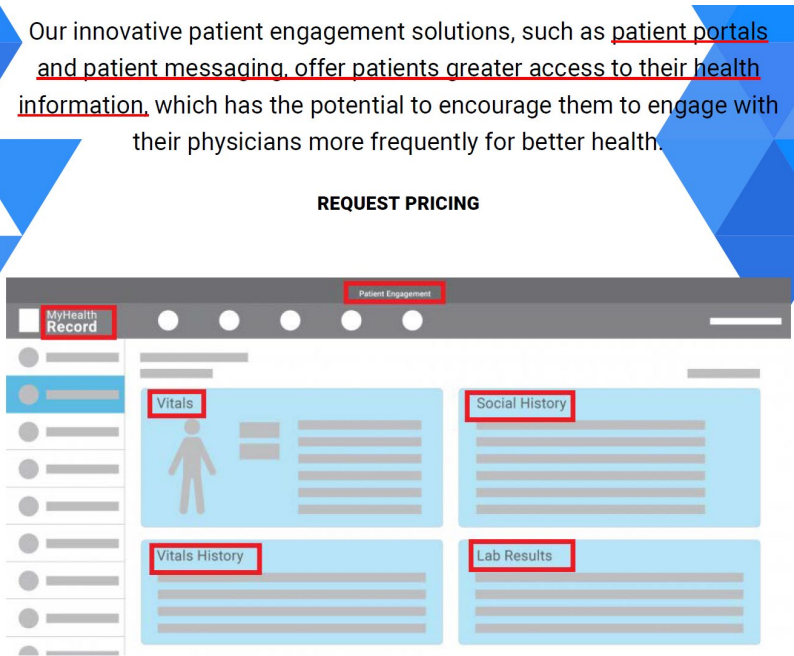
8. The ’158 patent relates to a novel and improved manner of constructing a verified database of identified individuals capable of processing with a subgroup of at least one medical application.

9. Greenway maintains, operates, and administers an electronic health record (“EHR”) that infringes one or more claims of the ’158 patent, including one or more of claims 1-23, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ’158 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

10. Support for the allegations of infringement may be found in the following preliminary table:

Exemplary Claim	GreenwayHealth Prime Suit
A method for using and managing a database, the method comprising:	GreenwayHealth Prime Suit provides a system and/or method for using and managing a database:

Exemplary Claim	GreenwayHealth Prime Suit
	 <h2 data-bbox="743 268 1068 325">Prime Suite</h2> <p data-bbox="521 359 1295 464">A cloud-based, clinically-driven <u>electronic health record</u> and practice management system that can be customized to align with the unique <u>documenting</u>, billing, and <u>reporting</u> needs of your practice.</p> <p data-bbox="505 579 1182 611">Attachment 1 (Prime Suite Greenway Health) at 1.</p> <p data-bbox="505 646 1198 678">Source: https://www.greenwayhealth.com/prime-suite</p> <ul data-bbox="521 730 1360 909" style="list-style-type: none"> • <u>Rapid access to patient data and past medical histories via EHR software.</u> <p data-bbox="505 919 1182 951">Attachment 1 (Prime Suite Greenway Health) at 3.</p> <p data-bbox="505 987 1198 1018">Source: https://www.greenwayhealth.com/prime-suite</p> <p data-bbox="505 1129 1404 1245">Notes: GreenwayHealth has records and user can access and exchange patient records with GreenwayHealth, thus GreenwayHealth include a database to manage the records.</p>
providing a verified database of a plurality of identified individuals, the verified database	A verified database of a plurality of identified individuals is provided which comprises a plurality of individual-identifier data sets (IDSs) and relationship data. The following exemplifies this limitation's existence in GreenwayHealth Prime Suit:

Exemplary Claim	GreenwayHealth Prime Suit
<p>comprising a plurality of individual-identifier data sets (IDSs) and relationship data; and</p>	<p>The GreenwayHealth Prime Suit does not provide relationship data</p> <p>Our innovative patient engagement solutions, such as <u>patient portals and patient messaging</u>, offer patients greater access to their health information, which has the potential to encourage them to engage with their physicians more frequently for better health.</p> <p>REQUEST PRICING</p>  <p>Attachment 2 (Patient Engagement) at 1</p> <p>Source: https://www.greenwayhealth.com/solutions/patient-engagement</p> <p><u>ActX (/marketplace/partner/actx-inc) is a complete evidence based Genomic Decision Support Service integrated into Greenway PrimeSUITE. Every prescription is automatically checked against the patient's genetics for adverse reactions, dosing, and efficacy. Alerts appear for actionable genetic medical risks such as cancer risks or cardiovascular risks. All of the information is accessible directly within PrimeSUITE.</u></p> <p>Attachment 6 (AxtX) at 1.</p>

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