1 2 3 4 5 6	Peter D. Weinstein, SBN 212948 James F. Fleming SBN 225879 ENTRALTA P.C. 1560-1 Newbury Rd., #327 Thousand Oaks, CA 91320 Tel. (805) 444-7865 Fax: (805) 322-4469 E-mail: peter.weinstein@entralta.com E-mail: james.fleming@entralta.com Attorneys for Plaintiff		
7	INNOMED Technologies, Inc.		
8	UNITED STATES DISTRICT COURT		
9	CENTRAL DISTRICT OF CALIFORNIA		
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11	INNOMED TECHNOLOGIES, INC.	CASE NO.	2:23-cv-5268
12	Plaintiff,	COMPLAINT	Γ FOR PATENT
13	V.	INFRINGEMENT	
14	UCLA HEALTH and AKIRA ISHIYAMA	JURY TRIAI	L DEMANDED
15	Defendants.		
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18	Plaintiff InnoMed Technologies complains of Defendants UCLA Health and Akira Ishiyama ("UCLA,"		
19	"Ishiyama" or "Defendants") as follows:		
20	I. NATURE OF LAWSUIT		
21	1. This is a claim for patent infringement arising under the patent laws of the United		
22	States, Title 35 of the United States Code.		
23	II. THE PARTIES		
24	2. Plaintiff InnoMed Technologies ("INNOMED") is a corporation having a principal place		
25	of business located in Encino, California. INNOMED is the owner, by assignment, of U.S. Patent No.		
26	11,083,789 (the '789 Patent) issued August 10, 2021, and entitled "IVIG Treatments for Bell's Palsy"		
27	(copy attached as Exhibit A). INNOMED owns all rights, title, and interest in, and has standing to sue		
28	for infringement of the '789 Patent.		
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- 3. On information and belief, Defendant UCLA Health ("UCLA") is located is in the business of providing health care services to patients and is located throughout Southern California, but principally in Ventura, Los Angeles and Ventura Counties in California.
- 4. On information and belief, Defendant Akira Ishiyama ("Ishiyama") is a medical doctor who is employed by UCLA Health in Los Angeles, California and has a residence located in Mission Oaks Estates, Camarillo, California.

## III. JURISDICTION AND VENUE

- 5. This is an action for patent infringement arising under the patent laws of the United States of America, Title 35 U.S.C. This Court has jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).
- 6. Personal Jurisdiction over the defendant is proper in this Court in that Defendants UCLA and Ishiyama have done and continues to do business in this district. Venue in this judicial district is proper under 28 U.S.C. §§ 1391(b), (c) and/or 1400(b) in that a substantial part of the events giving rise to the patent infringement claims herein have taken place and may still be taking place in this judicial district.

## IV. THE SUBJECT PATENTS

- 7. The '789 Patent is directed to techniques for treating Bell's Palsy in a patient suffering from this disease using intravenous immunoglobulin ("IVIG"). Such a method of treatment finds particular value as the patients administered IVIG generally recover from Bell's Palsy in a short period of time as compared to other treatments that either fail or take a long time to work. Additionally, IVIG has been administered for many years to treat a variety of diseases including immunodeficiency and is generally considered a safe therapeutic.
- 8. The '789 Patent is entitled, "IVIG Treatments for Bell's Palsy" and contains multiple claims directed to the treatment of Bell's Palsy with IVIG. The '789 Patent was properly and duly issued by the United States Patent and Trademark Office and the '789 Patent is presumed to be valid.

## V. DEFENDANT'S ACTS OF INFRINGEMENT

9. INNOMED restates and incorporates by reference paragraphs 1 through 8 above as if fully re-stated herein.

- 10. The inventors of the '789 Patent, Dr. John Joseph and Karen Doyle were the first to identify and put into practice the use of IVIG to treat patients suffering from Bell's Palsy. Dr. John Joseph and Karen Doyle have assigned their rights in the '789 Patent to INNOMED.
- 11. Prior to their invention as claimed in the '789 Patent, many treatments for Bell's Palsy failed to reverse the debilitating conditions associated with the disease. To the extent that any of the treatments used actually worked, the recovery time would be many months. What Ms. Doyle and Dr. Joseph found was that by administering IVIG to a patient suffering from Bell's Palsy, the patients uniformly recovered from the debilitating conditions associated with this disease in as little as two weeks.
- 12. Dr. John Joseph informed Defendant Ishiyama and Defendant UCLA about his invention and asked Defendant Ishiyama to treat a patient suffering from Bell's Palsy to see how the invention worked. To Dr. John Joseph's and Defendant Ishiyama's surprise, the invention comprising treating a patient suffering from Bell's Palsy with IVIG worked better to resolve Bell's Palsy than currently used treatments. In fact, the patient's Bell's Palsy resolved within about two weeks.
- 13. Defendants Ishiyama and UCLA recognizing the incredible value of Dr. John Joseph's and Karen Doyle's invention to treat Bell's Palsy then used the treatment on at least nine other patients that are known to Dr John Joseph and Karen Doyle. Based on information provided to Dr. John Joseph, the recovery rate of these at least these other nine additional patients was one hundred percent (100%). Additionally, the recovery times for these additional nine patients were all relatively short as compared to current treatments, with several recovering in about two weeks.
- 14. Knowing that the inventive treatment of Dr. John Joseph and Karen Doyle worked better than other commonly used treatments, Defendants Ishiyama and UCLA decided to proceed with using the inventive treatment method using IVIG to treat patients suffering with Bell's Palsy without obtaining the consent of either inventors, Dr. John Joseph or Karen Doyle. Instead, Defendants Ishiyama and UCLA with full knowledge of the patents existence, have willfully infringed the '789 Patent to the great detriment and loss of Dr. John Joseph and Karen Doyle.
- 15. Defendants Ishiyama and UCLA have been on notice of the '789 Patent and INNOMED's claims of infringement by Defendants, and, for at least this reason, Defendants Ishiyama and UCLA actions are believed to be willful and undertaken with the intent to infringe the '789 Patent.

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16. Defendants Ishiyama and UCLA's direct infringement and inducement to infringe have been willful and have deliberately injured and will continue to injure INNOMED unless and until the Court enters an injunction prohibiting further infringement and, specifically, enjoining further use, sale and/or offer for sale of the patented method using IVIG to treat Bell's Palsy that fall within the scope of the '789 Patent claims.

## VI. PRAYER FOR RELIEF

WHEREFORE, INNOMED asks this Court to enter judgment against Defendant and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- An award of damages adequate to compensate INNOMED for the infringement that has A. occurred, together with prejudgment interest from the date infringement of the '789 Patent began;
  - В. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to INNOMED of its attorneys' fees and costs as may be appropriate and as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the '789 Patent.
- E. Pre-judgment interest calculated from the time of the first occurrence of any infringing activity through and until entry of judgment; and
  - F. Such other and further relief as this Court or a jury may deem proper and just.

VII. **JURY DEMAND** INNOMED demands a trial by jury on all issues presented in this Complaint. Dated: June 30, 2023 ENTRALTA P.C. By: /s Peter D. Weinstein Peter D. Weinstein peter.weinstein@entralta.com /s James F. Fleming By: James F. Fleming james.fleming@entralta.com Attorneys for Plaintiff INNOMED TECHNOLOGIES, INC. 

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