

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

WATSON GUIDE IP, LLC, and  
GUIDEDSMILE, LLC,

Plaintiffs,

v.

3D DIAGNOSTIX, INC.,

Defendant.

Civil Action No.

**DEMAND FOR JURY TRIAL**

**COMPLAINT**

Plaintiffs Watson Guide IP, LLC (“Watson Guide”) and GuidedSmile, LLC (“GuidedSmile”) (collectively, “Plaintiffs”), by their undersigned attorneys, for their complaint against 3D Diagnostix, Inc. d/b/a 3DDX (“3DDX”), allege as follows:

**NATURE OF THE ACTION**

1. This is a patent infringement action alleging that 3DDX has infringed and continues to infringe and induce infringement of one or more claims of U.S. Patent Nos. 11,173,016 (“the ‘016 patent”), 11,576,755 (“the ‘755 patent”) and 11,806,209 (“the ‘209 patent”) (collectively, “the patents-in-suit”) by making, using, selling, and offering to sell its Magnetix™ stackable surgical guide products and services.

**THE PARTIES**

2. Plaintiff Watson Guide is a Delaware limited liability company having its principal place of business at 4933 Ocean View Blvd., La Canada, California 91011.

3. Plaintiff GuidedSmile, LLC is an Ohio limited liability company with a principal place of business at 7100 E. Pleasant Valley Rd., Independence, Ohio 44131.

4. Defendant 3DDX is, on information and belief, a Massachusetts corporation with a principal place of business at 24 Denby Rd., Boston, MA 02134.

### **JURISDICTION AND VENUE**

5. This is a civil action for patent infringement under the laws of the United States, Title 35 United States Code.

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1338(a) and 1331.

7. This Court has personal jurisdiction over 3DDX because it is a Massachusetts corporation headquartered in this District, and it has committed acts within this District giving rise to this action.

8. Venue is proper in this District under 28 U.S.C. § 1400(b) because 3DDX is a Massachusetts corporation headquartered in this District, and because 3DDX has a regular and established place of business in this District from which it has committed acts giving rise to this action.

### **BACKGROUND**

9. Watson Guide is the owner by assignment of the patents-in-suit. The patents-in-suit describe and claim apparatus and methods for installing a multi-tooth dental prosthesis. Jason Watson, the inventor of the patent-in-suit and managing member of Watson Guide, is an innovation leader in techniques for installing multi-tooth dental prostheses.

10. GuidedSmile is the exclusive licensee of the patents-in-suit. GuidedSmile manufactures and sells Chrome GuidedSMILE products that practice the patents-in-suit.

CHROME GuidedSMILE provides dentists with a preplanned, predictable guided surgery for multi-tooth dental prostheses. The Chrome GuidedSMILE stackable guide coordinates implants, bone reduction, prosthetics, with a simplified final conversion protocol. Components of the Chrome GuidedSMILE system are shown below:



11. The '016 patent, titled "Fixation Base and Guides for Dental Prosthesis Implantation," was duly and legally issued by the United States Patent and Trademark Office on November 16, 2021. A true and correct copy of the '016 patent is attached as Exhibit A.

12. The '755 patent, titled "Fixation Base and Guides for Dental Prosthesis Implantation," was duly and legally issued by the United States Patent and Trademark Office on February 14, 2023. A true and correct copy of the '755 patent is attached as Exhibit B.

13. The ‘209 patent, titled “Fixation Base and Guides for Dental Prosthesis Implantation,” was duly and legally issued by the United States Patent and Trademark Office on November 7, 2023. A true and correct copy of the ‘209 patent is attached as Exhibit C.

14. Watson Guide and GuidedSmile have complied with 35 U.S.C. § 287(a) by marking substantially all of the Chrome GuidedSMILE products with an internet address, accessible to the public without charge, that associates the patented article with the numbers of the patents-in-suit.

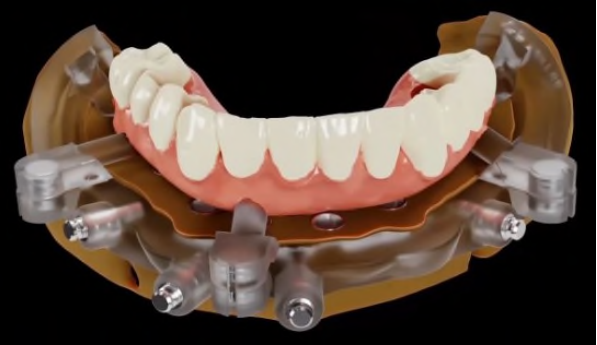
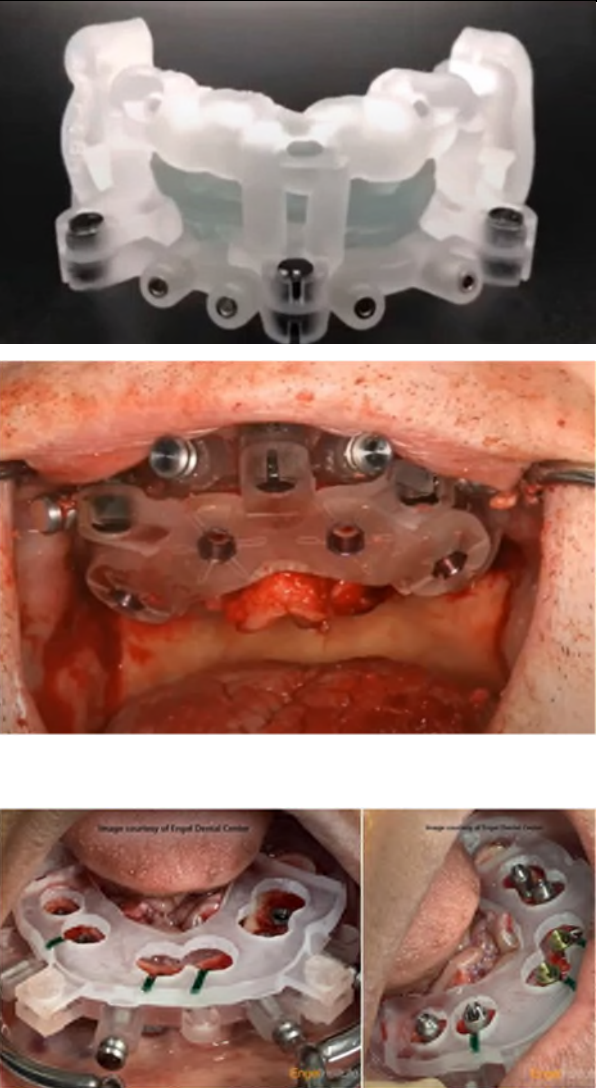
15. On information and belief, 3DDX is and has been aware of all of the patents-in-suit, at least from correspondence sending copies thereof to Khalid Elsaid, President of 3DDX, in November 2023.

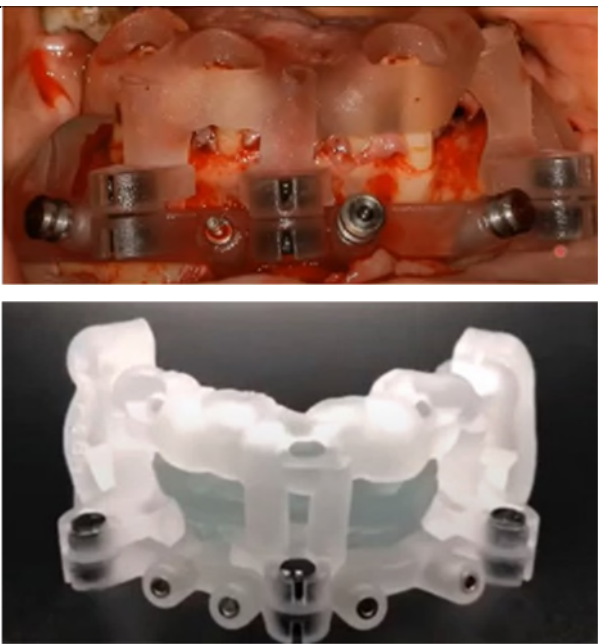
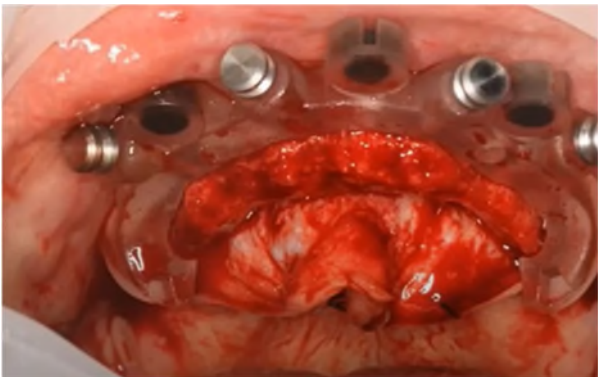
16. Neither Watson Guide nor ROE has authorized 3DDX to use the patents-in-suit or any portion thereof.

17. On information and belief, 3DDX makes, sells and offers to sell guided surgery products under the Magnetix™ brand.

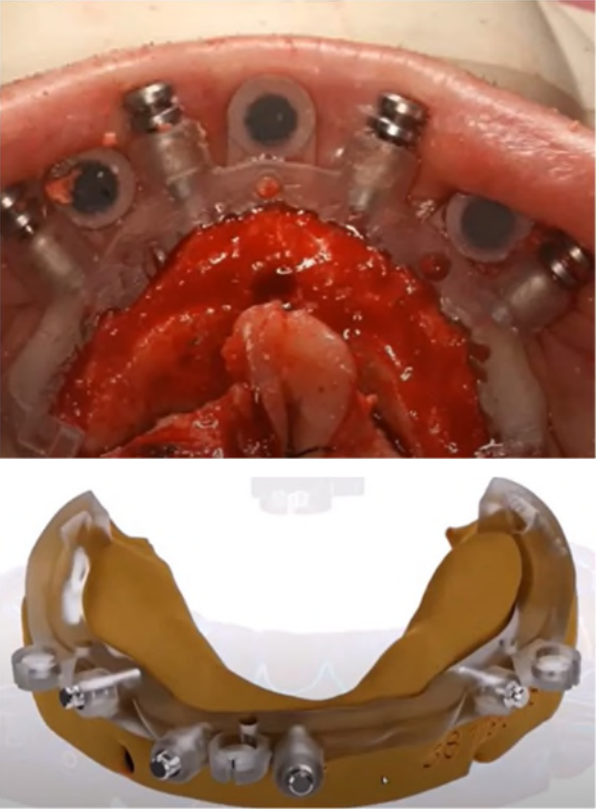
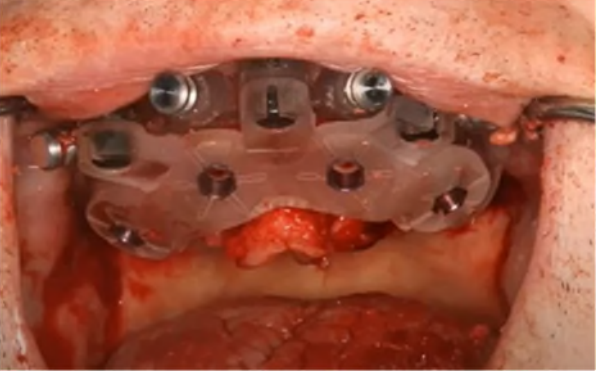
18. On information and belief, the Magnetix™ products infringe and are used to infringe at least claims 1 and 6 of the ‘016 patent, as shown by example below with regard to claim 1 of the ‘016 patent:




Claim	Magnetix™
1. A method of installing a multi-tooth dental prosthesis in a maxillary or mandibular position in a mouth of a patient, the method comprising:	

<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>providing a dental prosthesis for the maxillary or mandibular positioning in the patient's mouth,</p>	
<p>utilizing a fixation base to serve as a mounting jig for a plurality of other dental guides comprising a first dental guide, a second dental guide, and a third dental guide, wherein the fixation base comprises a generally arcuate shape with a front surface that has a plurality of openings through which fasteners can be passed, a rear surface, and a horizontal surface bearing first attachment elements for engagement of the dental guides used in the prosthesis installation, wherein the fixation base is configured and dimensioned to fit only in front of the maxillary or mandibular bone structure of said patient and itself does not include any portion which would otherwise extend in back of the maxillary or mandibular bone structure of said patient;</p>	

<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>utilizing the first dental guide, wherein the first dental guide is a mouthpiece that attaches to the fixation base and is used to assure appropriate location to attach the fixation base to the maxillary or mandibular bone tissue of said patient;</p> <p>installing the fixation base to the maxillary or mandibular bone tissue of said patient;</p>	
<p>removing the mouthpiece from the installed fixation base;</p> <p>removing at least one of natural teeth, dental fixtures, and obstructive mouth tissues from the work site, to expose an underside of the maxillary or mandibular bone tissue;</p>	



<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>recontouring the bone tissue;</p>	
<p>utilizing the second dental guide, wherein the second dental guide is a drill guide that attaches to the installed fixation base to assure appropriate location and orientation of holes to be drilled for the subsequently installed implants;</p>	

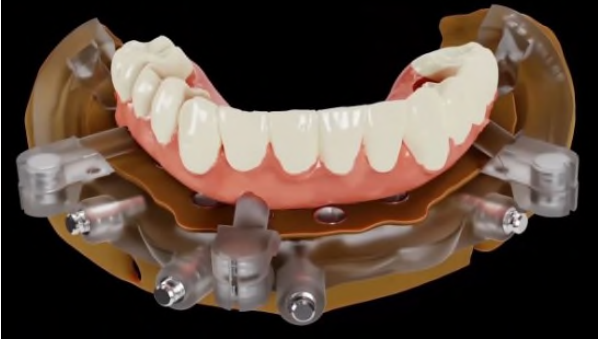
<p>drilling the implant holes in the recontoured bone tissue using the drill guide attached to the fixation base;</p> <p>removing the drill guide from the installed fixation base;</p>	
<p>utilizing the third dental guide, wherein the third dental guide is an abutment guide base that attaches to the installed fixation base to assure appropriate location for the subsequently installed abutments;</p>	
<p>installing the abutments, using the abutment guide base attached to the fixation base; and, installing said dental prosthesis to the abutments.</p>	

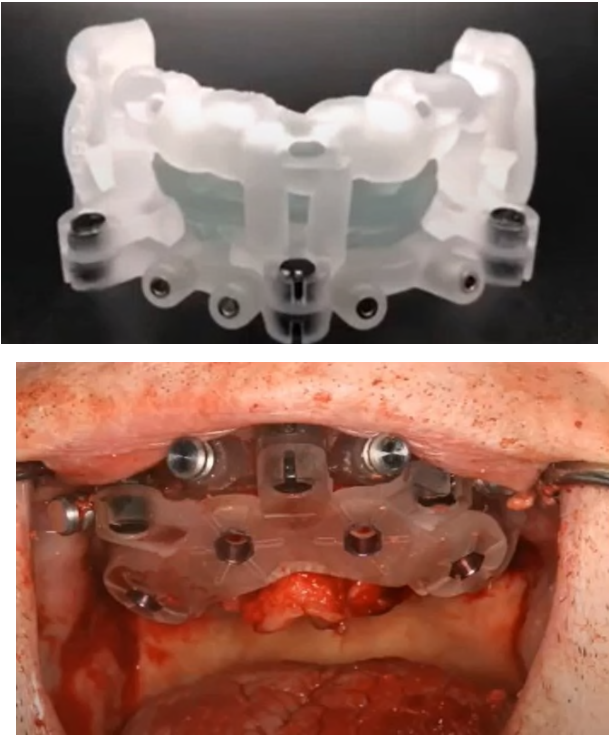
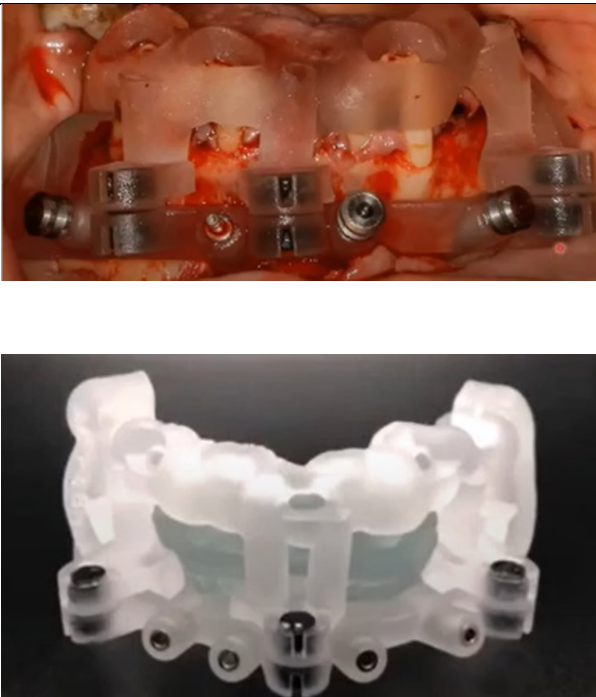


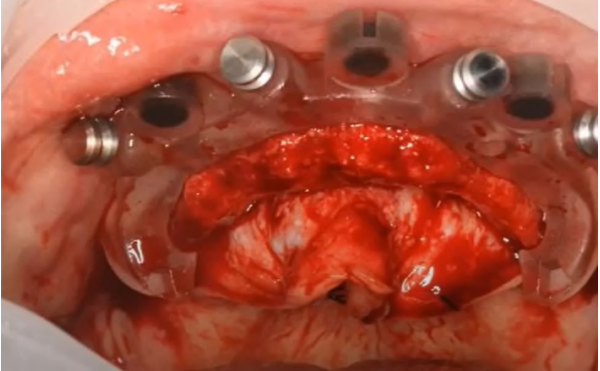
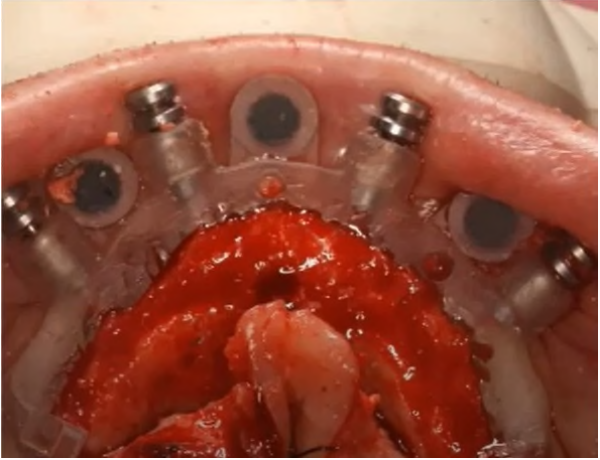
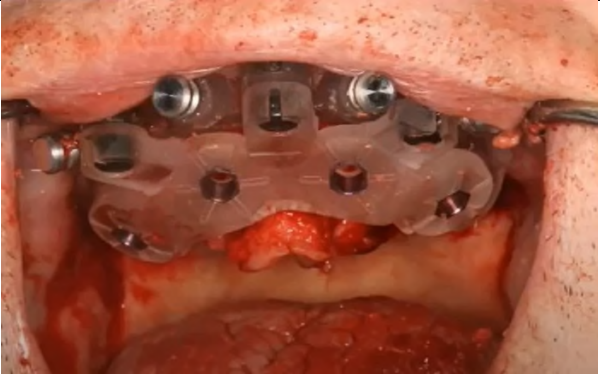
19. On information and belief, 3DDX has induced dentists, prosthodontists, and oral surgeons to use the Magnetix™ in a manner that infringes the ‘016 patent through advertisements, instruction manuals and videos.


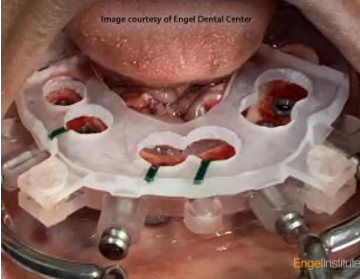
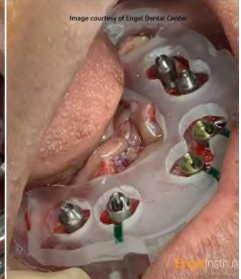
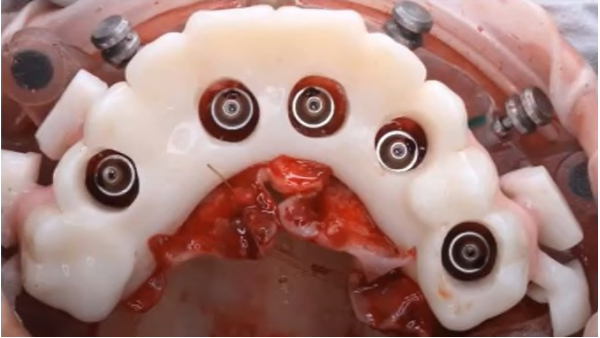

20. On information and belief, 3DDX has infringed the ‘016 patent and induced dentists, prosthodontists, and oral surgeons to infringe despite knowing of the ‘016 patent and that infringement.

21. On information and belief, the Magnetix™ products infringe and are used to infringe at least claims 1 and 7 of the ‘755 patent, as shown by example below with regard to claim 1 of the ‘755 patent:

Claim	Magnetix™
<p>1. A method of installing a multi-tooth dental prosthesis in a maxillary or mandibular position in a mouth of a patient, the method comprising:</p>	
<p>providing a dental prosthesis for the maxillary or mandibular positioning in the patient's mouth,</p>	

<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>utilizing a fixation base to serve as a mounting jig for a plurality of other dental guides comprising a first dental guide and a second dental guide, wherein the fixation base comprises an arcuate shape with a front surface that has a plurality of openings through which fasteners can be passed, a rear surface, and a horizontal surface, wherein the fixation base is configured and dimensioned to fit only in front of the maxillary or mandibular bone structure of said patient and itself does not include any portion which would otherwise extend in back of the maxillary or mandibular bone structure of said patient;</p>	
<p>utilizing the first dental guide, wherein the first dental guide is a mouthpiece that attaches to the fixation base and is used to assure appropriate location to attach the fixation base to the maxillary or mandibular bone tissue of said patient;</p> <p>installing the fixation base to the maxillary or mandibular bone tissue of said patient;</p>	


<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>removing the mouthpiece from the installed fixation base;                      removing at least one of natural teeth, dental fixtures, and obstructive mouth tissues from the work site, to expose an underside of the maxillary or mandibular bone tissue;</p>	
<p>recontouring the bone tissue;</p>	
<p>utilizing the second dental guide, wherein the second dental guide is a drill guide that attaches to the installed fixation base to assure appropriate location and orientation of holes to be drilled for the subsequently installed implants;</p>	

<p style="text-align: center;"><b>Claim</b></p>	<p style="text-align: center;"><b>Magnetix™</b></p>
<p>drilling the implant holes in the bone tissue using the drill guide attached to the fixation base;</p>	
<p>installing implants in the implant holes; installing the abutments to the implants; and, installing said dental prosthesis to the abutments.</p>	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <div data-bbox="781 764 1138 1041"> <p style="font-size: 8px;">Image courtesy of Engel Dental Center</p>  </div> <div data-bbox="1138 764 1377 1041"> <p style="font-size: 8px;">Image courtesy of Engel Dental Center</p>  </div> </div> <div data-bbox="781 1062 1377 1398">  </div> <div data-bbox="781 1415 1377 1759">  </div> </div>

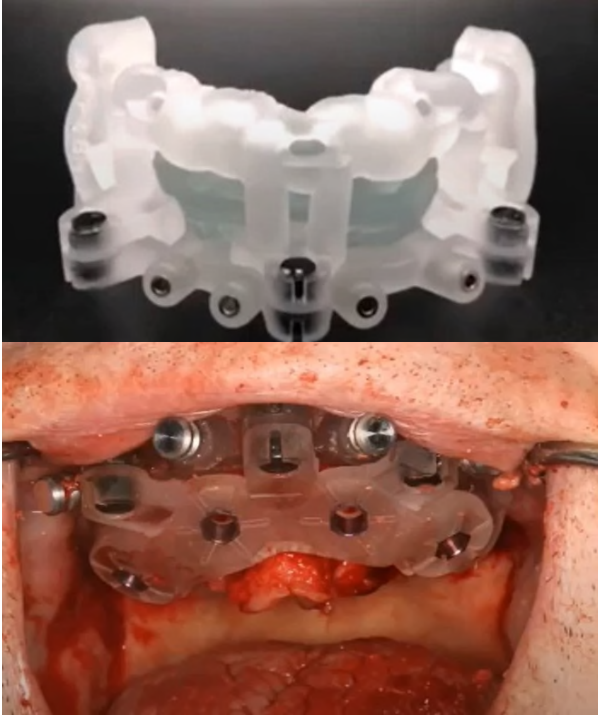
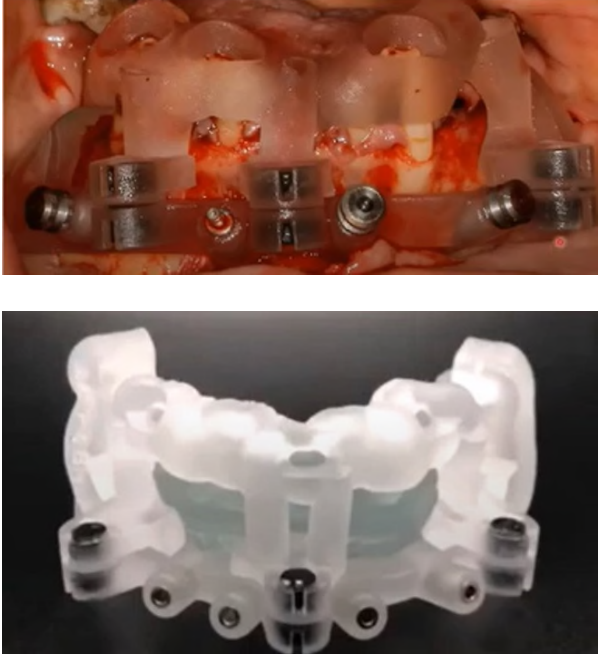
22. On information and belief, 3DDX has induced dentists, prosthodontists, and oral surgeons to use the Magnetix™ in a manner that infringes the ‘755 patent through advertisements, instruction manuals and videos.

23. On information and belief, 3DDX has infringed the ‘755 patent and induced dentists, prosthodontists, and oral surgeons to infringe despite knowing of the ‘755 patent and that infringement.

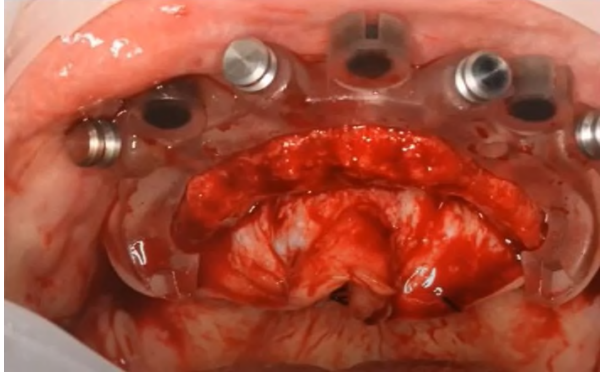

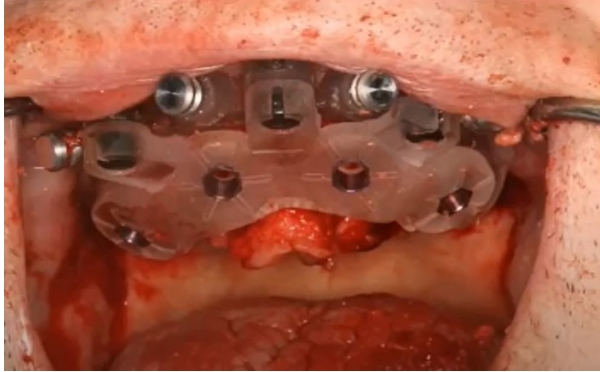
24. On information and belief, the Magnetix™ products infringe and are used to infringe at least claims 1 and 7 of the ‘209 patent, as shown by example below with regard to claim 1 of the ‘209 patent:

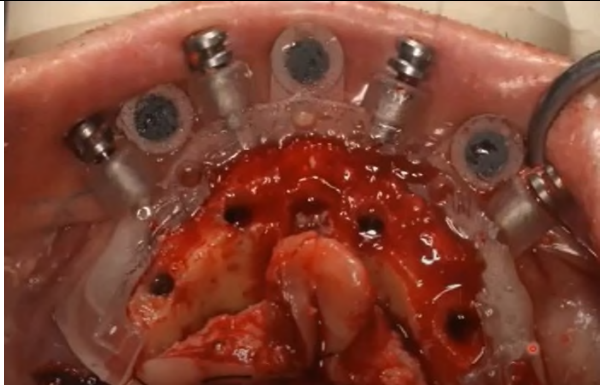
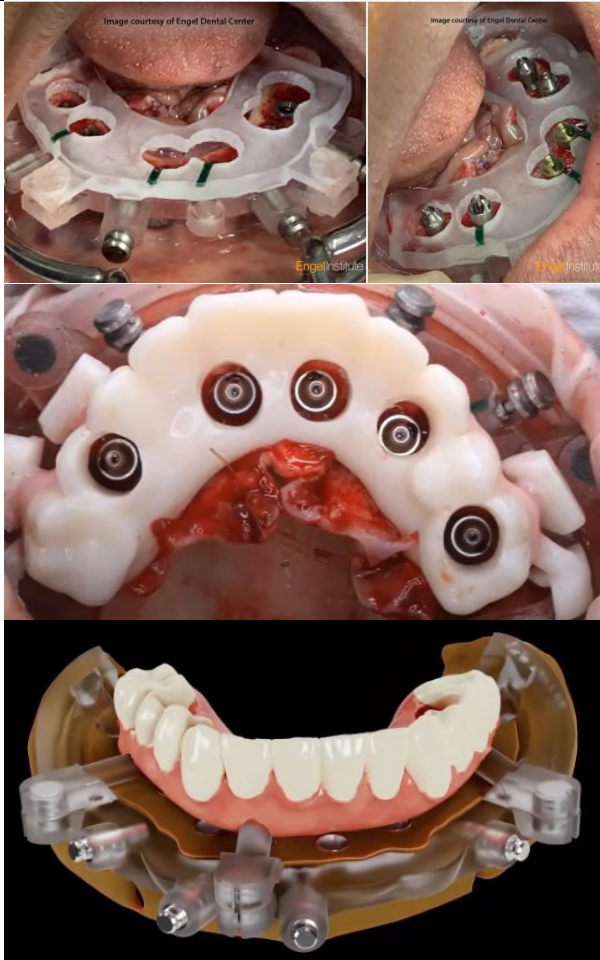
Claim	Magnetix™
1. A method of installing a multi-tooth dental prosthesis in a maxillary or mandibular position in a mouth of a patient, the method comprising:	
providing a dental prosthesis for the maxillary or mandibular positioning in the patient's mouth,	



Claim	Magnetix™
<p>utilizing a fixation base to serve as a mounting jig for a plurality of other dental guides comprising a first dental guide and a second dental guide, wherein the fixation base comprises a generally arcuate shape with a front surface that has a plurality of openings through which fasteners can be passed, a rear surface, and a horizontal surface;</p>	
<p>utilizing the first dental guide, wherein the first dental guide is a mouthpiece that attaches to the fixation base and configured and dimensioned to surround at least a portion of the teeth of the patient and is used to assure appropriate location to attach the fixation base to the maxillary or mandibular bone tissue of said patient;</p> <p>installing the fixation base to the maxillary or mandibular bone tissue of said patient;</p>	
<p>removing the mouthpiece from the</p>	



Claim	Magnetix™
<p>installed fixation base;  removing at least one of natural teeth,  dental fixtures, and obstructive mouth  tissues from the work site, to expose an  underside of the maxillary or mandibular  bone tissue;</p>	
<p>recontouring the bone tissue;</p>	
<p>utilizing the second dental guide,  wherein the second dental guide is a drill  guide that attaches to the installed  fixation base to assure appropriate  location and orientation of holes to be  drilled for the subsequently installed  implants;</p>	

Claim	Magnetix™
<p>drilling the implant holes in the bone tissue using the drill guide attached to the fixation base;</p>	
<p>installing implants in the implant holes; installing the abutments to the implants; and, installing said dental prosthesis to the abutments.</p>	

25. On information and belief, 3DDX has induced dentists, prosthodontists, and oral surgeons to use the Magnetix™ in a manner that infringes the '209 patent through advertisements, instruction manuals and videos.

26. On information and belief, 3DDX has infringed the '209 patent and induced dentists, prosthodontists, and oral surgeons to infringe despite knowing of the '209 patent and that infringement.

**FIRST CAUSE OF ACTION**

27. Paragraphs 1 through 26 are incorporated by reference as if fully set forth herein.

28. Through making, selling and offering for sale of the Magnetix™ products, 3DDX has directly infringed and continues to directly infringe the '016 patent in violation of 35 U.S.C. § 271(a).

29. By causing others to use the invention claimed in the '016 patent, 3DDX has induced infringement in violation of 35 U.S.C. § 271(b).

30. 3DDX's acts of infringement and inducement of infringement have been and continue to be willful and deliberate.

31. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered and continue to suffer damages, including lost profits.

32. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered irreparable harm for which there is no adequate remedy at law, which will continue unless 3DDX is enjoined.

**SECOND CAUSE OF ACTION**

33. Paragraphs 1 through 26 are incorporated by reference as if fully set forth herein.

34. Through making, selling and offering for sale of the Magnetix™ products, 3DDX has directly infringed and continues to directly infringe the '755 patent in violation of 35 U.S.C. § 271(a).

35. By causing others to use the invention claimed in the '755 patent, 3DDX has induced infringement in violation of 35 U.S.C. § 271(b).

36. 3DDX's acts of infringement and inducement of infringement have been and continue to be willful and deliberate.

37. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered and continue to suffer damages, including lost profits.

38. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered irreparable harm for which there is no adequate remedy at law, which will continue unless 3DDX is enjoined.

### **THIRD CAUSE OF ACTION**

39. Paragraphs 1 through 26 are incorporated by reference as if fully set forth herein.

40. Through making, selling and offering for sale of the Magnetix™ products, 3DDX has directly infringed and continues to directly infringe the '209 patent in violation of 35 U.S.C. § 271(a).

41. By causing others to use the invention claimed in the '209 patent, 3DDX has induced infringement in violation of 35 U.S.C. § 271(b).

42. 3DDX's acts of infringement and inducement of infringement have been and continue to be willful and deliberate.

43. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered and continue to suffer damages, including lost profits.

44. By reason of 3DDX's infringement and inducement, Watson Guide and GuidedSmile have suffered irreparable harm for which there is no adequate remedy at law, which will continue unless 3DDX is enjoined.

**PRAYER FOR RELIEF**

WHEREFORE, Watson Guide and GuidedSmile respectfully request the Court enter judgment in their favor and against 3DDX as follows:

- a) Declaring that 3DDX has directly infringed and is directly infringing the patents-in-suit;
- b) Declaring that 3DDX has induced infringement the patents-in-suit;
- c) Declaring that 3DDX's infringement and inducement have been willful;
- d) Declaring that this case is exceptional under 35 U.S.C. § 285;
- e) Preliminarily and permanently enjoining 3DDX from making, selling or offering for sale its Magnetix<sup>TM</sup> products and colorable variations thereof;
- f) Preliminarily and permanently enjoining 3DDX from encouraging others to use the Magnetix<sup>TM</sup> products and colorable variations thereof;
- g) Awarding Watson Guide and GuidedSmile their respective damages including lost profits, but not less than a reasonable royalty;
- h) Trebling the damages awarded to Watson Guide and GuidedSmile;
- i) Awarding all costs and expenses of this action, including Watson Guide's and GuidedSmile's reasonable attorneys' fees;
- j) Awarding pre-judgment and post-judgment interest; and
- k) Awarding such other and further relief as the Court may deem just, necessary, and proper.

**JURY DEMAND**

Plaintiffs demand a trial by jury as to all claims and all issues properly triable thereby.

Date: February 29, 2024

Respectfully submitted,

Watson Guide IP, LLC and GuidedSmile, LLC,

By their attorneys,

/s/ Andrew T. O'Connor

Andrew T. O'Connor (BBO #664811)

GOULSTON & STORRS PC

400 Atlantic Ave.

Boston, MA 02110

(617) 574-4153

aoconnor@goulstonstorrs.com

and

Bruce G. Chapman (*pro hac vice forthcoming*)

Karish & Bjorgum, P.C.

119 E. Union Street, Suite B

Pasadena, CA 91103

(213) 785-8070

bruce.g.chapman@kb-ip.com