

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RAMPART IC, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. _____
)	
EGG MEDICAL, INC.,)	DEMAND FOR JURY TRIAL
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Rampart IC, LLC hereby alleges for its complaint for patent infringement against Defendant Egg Medical, Inc. as follows:

THE PARTIES

1. Plaintiff Rampart IC, LLC (“Rampart”) is a limited liability company organized under the laws of Delaware with its principal place of business located at 1500 Urban Center Drive, Suite 140, Birmingham, AL 35242.

2. On information and belief, Defendant Egg Medical, Inc. (“Egg Medical”) is a corporation organized under the laws of Delaware with its principal place of business located at 3758 Dunlap Street N, Arden Hills, MN 55112.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the Patent Laws of the United States of America, Title 35, United States Code §§ 100, *et seq.*

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

5. This Court has personal jurisdiction over Egg Medical because, on information and belief, Egg Medical is a corporation organized and existing under the laws of the State of Delaware with a registered agent in the State of Delaware.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b) because, on information and belief, Egg Medical is a corporation organized and existing under the laws of the State of Delaware.

BACKGROUND

7. The U.S. Patent and Trademark Office duly and legally issued U.S. Patent No. 11,660,056 (the “‘056 Patent”) titled “Swinging Shielding System for Use with a Radiation Source” on May 30, 2023. A true and correct copy of the ‘056 Patent is attached hereto as Exhibit A.

8. Rampart is the owner by assignment of all right, title, and interest in and to the ‘056 Patent, including the right to recover for past infringement thereof.

9. On information and belief, Egg Medical had actual knowledge of the specification and issued claims of the ‘056 Patent, at the very latest, when it received a cease and desist letter from Rampart’s outside counsel dated April 5, 2024, and when it received a subsequent letter enclosing Rampart’s ‘056 Patent dated April 11, 2024. On information and belief based on certified mail receipts, Egg Medical received those letters on April 10, 2024 and April 17, 2024, respectively.

10. Outside counsel for Egg Medical sent a letter dated May 3, 2024 to Rampart’s outside counsel in response to the letters identified in Paragraph 9, and Rampart’s counsel responded in a letter dated May 7, 2024.

11. On May 21, 2024, outside counsel for Rampart and outside counsel for Egg Medical had a telephonic discussion about the contents of letters identified in Paragraphs 9 and 10 as well as other issues.

12. On May 31, 2024, outside counsel for Rampart and outside counsel for Egg Medical had another telephonic discussion about the parties' respective claims and positions.

INFRINGEMENT OF U.S. PATENT NO. 11,660,056

13. Rampart reasserts and incorporates herein by reference the allegations of Paragraphs 1-12 of this Complaint as if fully set forth herein.

14. Egg Medical has in the past infringed and continues to infringe, literally or under the doctrine of equivalents, at least Claim 1 of the '056 Patent by making, using, offering to sell, selling, and/or importing in this judicial district and elsewhere in the United States its "EGGNEST COMPLETE" hanging shield system. A chart showing Egg Medical's infringement of Claim 1 of the '056 Patent is attached hereto as Exhibit B.

15. Rampart has sustained and continues to sustain damages as a direct and proximate result of Egg Medical's infringement of the '056 Patent.

16. As a consequence of Egg Medical's infringement of the '056 Patent, Rampart is entitled to recover damages in the form of lost profits or, at a minimum, a reasonable royalty together with interest and costs pursuant to 35 U.S.C. § 284.

17. As a consequence of Egg Medical's continued and future infringement of the '056 Patent as complained of herein, Rampart is entitled to an injunction against Egg Medical or royalties for Egg Medical's infringement of the '056 Patent on a going-forward basis.

PRAYER FOR RELIEF

Rampart respectfully requests that this Court enter judgment against Egg Medical as follows:

A. Adjudging that Egg Medical has infringed one or more claims of the '056 Patent, directly or indirectly, literally or under the doctrine of equivalents, in violation of 35 U.S.C. § 271(a);

B. Awarding damages to be paid by Egg Medical to Rampart adequate to compensate for Egg Medical's past infringement and any continuing or future infringement up until the date a judgment is entered, and in no event less than a reasonable royalty, in accordance with 35 U.S.C. § 284 in an amount to be determined at trial;

C. Enjoining Defendant and its officers, agents, servants, employees, and attorneys as well as all other persons who are in active concert or participation with any of them from infringement of the '056 Patent or ordering Defendant to pay post-judgment royalties to Rampart for infringement of the '056 Patent on a going-forward basis at a rate to be determined at trial;

D. Awarding Rampart pre-judgment and post-judgment interest on its damages at the maximum rate permitted by law;

E. Awarding Rampart its costs and expenses in this action; and

F. Granting Rampart such further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Rampart demands a trial by jury on all claims and issues so triable.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Michael J. Flynn

OF COUNSEL:

John M. Hintz
MAYNARD NEXSEN PC
The Fred F. French Building
551 Fifth Avenue, Suite 1600
New York, NY 10176
(646) 609-9280

Michael J. Flynn (#5333)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
mflynn@morrisnichols.com

Attorneys for Plaintiff Rampart IC, LLC

May 31, 2024