

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

2015 JAN -5 P 1:12
CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

AFILIAS PLC
2 La Touche House
IFSC
Dublin 1
Ireland;

Plaintiff,

v.

Case No. 1:15-CV-00014

ARCHITELOS, INC.,
43622 Merchant Mill Terrace
Leesburg, VA 20176;

and

ALEXA RAAD,
43622 Merchant Mill Terrace
Leesburg, VA 20176;

Defendants.

COMPLAINT

Afilias PLC, a/k/a Afilias Limited (“Afilias”), by and through its attorneys, alleges:

NATURE OF THE ACTION

1. Afilias brings this action under to recover damages for, and to stop, an ongoing conspiracy perpetrated by Defendants and others to misappropriate trade secrets and other confidential information belonging to Afilias.

PARTIES

2. Plaintiff Afilias is incorporated under the laws of the Republic of Ireland with its head office in Dublin, Ireland. Afilias wholly owns Afilias Canada, Corp., (“Afilias Canada”) a

Canadian subsidiary. Afilias also wholly owns Afilias USA, Inc. ("Afilias USA") a U.S. subsidiary. Afilias is the registry operator for several internet domains and provides domain name registry services for several countries. Afilias is the world's second largest Internet domain name registry, with more than 20 million names under management. Afilias owns all the trade secret and proprietary information described in this Complaint, either directly, indirectly through Afilias Canada, Corp. and/or Afilias USA, Inc., and/ or through assignment therefrom.

3. Defendant Architelos, Inc. ("Architelos") is a Delaware corporation with headquarters in Leesburg, Virginia. According to its website, Architelos offers managed services for new and existing internet domains. Architelos claims over 30 years of combined experience in building, launching, and managing successful multi-million name generic "Top Level Domains." Architelos was founded in January 2011. Architelos is a direct competitor of Afilias.

4. Defendant Alexa Raad ("Raad") is Architelos' Chief Executive Officer.

DEFENDANTS' CO-CONSPIRATORS

5. Michael Young ("Young") was Afilias Canada's Vice-President, Technology until he left Afilias on or about February, 2011. He is currently Architelos' Chief Technology Officer. Young's online biography on Architelos' website describes him to have been "a founding member of the management team at Afilias." Afilias alleges that Young is a co-conspirator of Defendants.

6. Stephen Van Egmond ("Van Egmond") was a software developer on contract with Afilias Canada from 2006 to March 2011 through Tiny Planet Consulting, Inc. Afilias alleges that Van Egmond is a co-conspirator of Defendants.

7. Tiny Planet Consulting Inc. ("Tiny Planet") is a corporation incorporated under the laws of Canada with its head office in Toronto, Ontario. Van Egmond is a director and officer of the company. Afilias alleges that Tiny Planet is a co-conspirator of Defendants.

8. Greg Aaron (“Aaron”) was a consultant for Afilias ~~through Illumintel, Inc.~~, and later was an employee of Afilias USA, Inc. until he left Afilias as an employee on or about June 30, 2011. Subsequently Aaron again was a consultant for Afilias, this time through Illumintel, Inc. While at Afilias he held the title of Director, Key Account Management and Domain Security. Aaron lives in Pennsylvania. Afilias alleges that Aaron is a co-conspirator of Defendants.

9. Illumintel Inc. (“Illumintel”) is a corporation incorporated under the laws of Pennsylvania. Aaron is its President. Afilias alleges that Illumintel is a co-conspirator of Defendants.

JURISDICTION AND VENUE

10. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 because there is complete diversity among the parties and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs. Afilias PLC is a citizen of Ireland. Defendant Architelos is a citizen of Delaware with its principal place of business in this District. Defendant Raad is a resident of this District.

11. This Court has personal jurisdiction over Defendants because they transact business and caused tortious injury by an act or omission in the Commonwealth of Virginia.

12. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because a substantial part of the events in this matter occurred in this district.

DEFENDANTS' CONSPIRACY

Co-conspirators' Commitments to Afilias

13. Young was an employee of Afilias Canada from approximately October 2002 to February 2011. As a condition of his employment at Afilias Canada, Young agreed:

(a) All "Proprietary Information" is the property of Afilias Canada, and "Proprietary Information" includes information relating to

(i) Afilias' past, present or future products, research, development, improvements, inventions, processes, techniques, designs or other technical data, lists of authorized dealers, customer lists or other compilations for marketing, sales, distribution or development; or

(ii) administrative, management, financial, marketing, sales or manufacturing activities of Afilias or of a third party which provided proprietary information to Afilias on a confidential basis.

(b) During and after the term of his employment, he would not (i) disclose Afilias' Proprietary Information to any third party; (ii) remove Proprietary Information from Afilias' premises without a valid business purpose; or (iii) use Proprietary Information for his own benefit or for the benefit of any third party.

(c) Afilias Canada owns all rights, including all trade secrets and copyrights, in and to the following works created by Young while he is employed by Afilias Canada: (i) works which relate to or arise out of the actual or anticipated business of Afilias; and (ii) works which result from or arise out of any task assigned to Young or work performed by Young for Afilias Canada (collectively "Works"). Further, Young waived any and all rights to be identified as the author of, to receive remuneration (apart from his employee

salary and continued employment) for, and to restrict modification or use by Afiliás Canada, of the Works.

(d) He would assign to Afiliás Canada his entire right, title and interest in any invention, technique, process, device, discovery, improvement or know-how, made or conceived solely or jointly by Young at any time during the term of his employment with which are (i) created using Afiliás Canada's facilities, supplies, information, trade secrets or time; or (ii) directly or indirectly relate to the Afiliás Canada's business or actual or anticipated research and development; or (iii) directly or indirectly resulting from any work performed by Young for the benefit of the Afiliás Canada.

(e) He would not engage in the domain registry line of business engaged in by Afiliás Canada anywhere in the world for a period of 12 months, post-termination.

These commitments survive termination.

14. Van Egmond provided services to Afiliás Canada as an external consultant through a third-party provider of contract workers called Datalist. As a condition of that consulting engagement, Van Egmond and/or Tiny Planet agreed to keep in confidence all Confidential Information disclosed to it by Afiliás Canada. Confidential Information includes know-how, trade secrets, techniques, designs, specifications, methods, methodologies, computer source code, customer lists, customer information, marketing plans, financial information, business strategies, and information relating to released or unreleased, hardware, software, or technology. All Confidential Information disclosed by Afiliás to Van Egmond and/or Tiny Planet remained the sole and exclusive property of Afiliás Canada. This commitment survives termination.

15. Aaron was an employee of Afiliás USA from January 1, 2004 until June 30, 2011. As a condition of that employment, Aaron agreed to keep in confidence all Confidential

Information disclosed to him by Afilias USA Confidential Information includes know-how, trade secrets, techniques, designs, specifications, methods, methodologies, computer source code, customer lists, customer information, marketing plans, financial information, business strategies, and information relating to released or unreleased, hardware, software, or technology. All Confidential Information disclosed by Afilias USA to Aaron remained the sole and exclusive property of Afilias USA. After Aaron left as an Afilias USA, Inc. employee, his company, Illumintel, served as a consultant to Plaintiff Afilias. As a condition of that consulting engagement Aaron and Illumintel agreed that it would not, without prior written consent of Afilias, disclose any business or technical information of Afilias that Aaron or Illumintel acquired during the consulting engagement. These commitments survive termination.

Disclosure of Afilias' Information

16. In the course of their employment/contractual relationships with Afilias, Young, Van Egmond/Tiny Planet, and Aaron/Illumintel received and, in some cases, developed, information ("Confidential Information") concerning but not limited to the following:

- (i) products, research, development, improvements, inventions, processes, techniques, designs or other technical data, trade secrets;
- (ii) lists of authorized dealers, customer lists or other compilations for marketing, sales, distribution or development;
- (iii) administrative, management, financial, marketing, sales or manufacturing activities of Afilias.

This information also falls within the definition of Proprietary Information in the commitment that Young made.

17. Young, Van Egmond and Aaron went to work for Architelos after their respective departures from Afilias; Afilias Canada; and Afilias USA. Since then, Defendants have made use of Afilias' confidential information and trade secrets Young, Van Egmond/Tiny Planet, and/or Aaron/Illumintel acquired during their work with Afilias. As examples:

(a) Architelos has applied for a European patent (application number EP 20130158369; publication No. EP 2,637,387 A1) for which Young, Van Egmond and Aaron are listed as inventors, the title of which is "Managing Domain Name Abuse";

(b) Young, Van Egmond, and Aaron have applied for a U.S. patent (application number 13/416,688; Publication No. 2013/0239209), the title of which is "Managing Domain Name Abuse", for which an assignment executed July 1, June 26, and July 1, 2013, respectively, was recorded as of December 4, 2014 purportedly granting their rights to Architelos; and

(c) Raad, obtained U.S. Patent No. 8,800,044, which she assigned to Architelos (which is, again, apparently the current employer for Young, Van Egmond and Aaron also), the title of which is "Storing And Accessing Threat Information For Use In Predictive Modeling In A Network Security Service"; and

(d) Raad, who is not a software engineer or developer, is also listed as the "inventor" on a European and a PCT patent application by Architelos (application number EP 20120760627, publication number 2,689,331 A1;

also PCT/US2012/028508), the title of which is “System and Method for Predictive Modeling in a Network Security Service.”

18. A review of these patents and patent applications discloses that they contain and are based on Confidential Proprietary Information from projects on which Young, Van Egmond and Aaron worked during their time with Afilias.

19. Afilias did not become aware of the disclosure of its Trade Secrets and Confidential Proprietary Information by Afilias, Young, Van Egmond/Tiny Planet, Aaron or Illumintel until May 2014, when it discovered U.S. Patent Publication No. 2013/0239209. Afilias, Afilias Canada and Afilias USA did not consent to or authorize any of these disclosures.

COUNT ONE

MISAPPROPRIATION OF TRADE SECRETS

20. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 19 of the Complaint as if fully set forth herein.

21. Defendants sought and misappropriated the Afilias’ confidential and proprietary information, including detailed information developed during their employment and/or consulting with Afilias regarding Afilias’ Domain Name Abuse project. This information is protectable as a trade secret, in that Afilias derives independent economic value from the information not being generally known to, and not readily ascertainable by proper means by, other persons who can obtain economic value from the information’s disclosure or use. Furthermore, the information is protectable as a trade secret in that Afilias used its best efforts to protect the information under the circumstances.

22. Defendants misappropriated Afilias’ trade secret information by entering into an agreement or understanding with Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel which called for one of more of them to obtain the information, and by using the information

misappropriated from Afilias, through with Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel, to create and market Architelos' improperly derived product(s). Defendants' improper use of the trade secrets constitutes misappropriation in that, at the time of disclosure or use, Architelos and Raad knew or had reason to know that the trade secret information was acquired under circumstances giving rise to a duty to maintain its secrecy and in disregard for the duties and contractual obligations that Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel had to Afilias to maintain the secrecy of the information. This information possesses independent economic value from not being generally known in the industry, and is subject to reasonable efforts to maintain its confidentiality.

23. Afilias has suffered, and will continue to suffer, actual losses as a result of Defendants' misappropriation of trade secrets in that Architelos has offered and is offering an improperly derived competing product.

24. In addition, Architelos has been, and will continue to be, unjustly enriched in that it saved considerable time and expenses in developing its competing product because Architelos improperly used the misappropriated information, and because Architelos has been able to offer a competing product earlier than it would have otherwise had Architelos' competing product been developed without improperly acquired information.

25. Defendants' misappropriation was willful and malicious, thus entitling Afilias to punitive damages pursuant to Va. Code § 59.1-338(B) and attorneys' fees pursuant to Va. Code § 59.1-338.1.

COUNT TWO

CONSPIRACY TO INJURE ANOTHER IN TRADE, BUSINESS, REPUTATION

26. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 25 of the Complaint as if fully set forth herein.

27. By the conduct described herein, Defendants have combined and conspired with each other, as well as others including Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel, and attempted to procure the participation, cooperation, agreement or other assistance of one or more persons, for the purpose of willfully and maliciously injuring Afiliás' business in violation of Va. Code Ann. § 18.2-499 *et seq.*

28. This conduct has caused Afiliás to suffer damages, including but not limited to, loss of its trade secrets and confidential information, and lost profits, loss of trade, goodwill, business and reputation in the marketplace. This damage was a reasonably foreseeable consequence of the Defendants' conduct.

COUNT THREE

TORTIOUS INTERFERENCE WITH CONTRACTS

29. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 28 of the Complaint as if fully set forth herein.

30. Afiliás Canada had a valid Employee Agreement with Young.

31. Defendants had, or reasonably should have had, knowledge of this Employee Agreement.

32. Defendants intentionally interfered with the Employee Agreement by inducing Young to disclose confidential, proprietary trade secrets of Afiliás.

33. Afiliás Canada had a valid consulting agreement with Van Egmond/Tiny Planet.

34. Defendants had, or reasonably should have had, knowledge of this consulting agreement.

35. Defendants intentionally interfered with the Van Egmond/Tiny Planet consulting agreement by inducing Van Egmond and/or Tiny Planet to disclose confidential, proprietary trade secrets of Afilias.

36. Afilias USA, Inc. had a valid employment agreement with Aaron.

37. Defendants had, or reasonably should have had, knowledge of this employee agreement.

38. Defendants intentionally interfered with the employee agreement by inducing Aaron to disclose confidential, proprietary trade secrets of Afilias.

39. Plaintiff had a valid consulting agreement with Illumintel.

40. Defendants had, or reasonably should have had, knowledge of this consulting agreement.

41. Defendants intentionally interfered with the consulting agreement by inducing Illumintel to disclose confidential, proprietary trade secrets of Afilias.

42. Afilias has suffered, and will continue to suffer, harm as a result of Defendants' actions.

COUNT FOUR

DECLARATORY JUDGMENT – RIGHTS TO PATENT NO. 8,800,044

43. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 42 of the Complaint as if fully set forth herein.

44. Raad obtained U.S. Patent 8,800,044 (the '044 Patent), entitled "Storing And Accessing Threat Information For Use In Predictive Modeling In A Network Security Service." Raad assigned the '044 Patent to Architelos.

45. Neither Raad nor Architelos are the owner of the '044 Patent or its subject matter.

46. There is an actual and substantial controversy about the ownership of the '044 Patent. Raad claimed ownership, as evidence by her purported assignment of the '044 Patent to Architelos. Afilias asserts that it owns the technology and know-how on which the '044 Patent relies.

47. This controversy is sufficiently immediate and real to warrant the issuance of a declaratory judgment because Architelos, as assignee of the '044 Patent, is currently using the '044 Patent in the market. An actual controversy exists between Afilias and Raad/Architelos within the meaning of 29 U.S.C. § 2201. Pursuant to Rule 57, Federal Rules of Civil Procedure, this Court is vested with the power to declare the rights status and other legal relations of the parties to this action with reference to ownership of the '044 Patent.

48. Pursuant to 28 U.S.C. § 2201, Afilias requests the Court declare that:

- a. Afilias is the owner of the '044 Patent;
- b. Raad is not an owner of the '044 Patent, in whole or in part;
- c. Architelos is not an owner of the '044 Patent in whole or in part.

COUNT FIVE

DECLARATORY JUDGMENT – RIGHTS TO PATENT APPLICATION NO. EP 20130158369

49. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 48 of the Complaint as if fully set forth herein.

50. Architelos has applied for a European patent (application number EP 20130158369) for which Young, Van Egmond and Aaron are listed as inventors, the title of which is "Managing Domain Name Abuse."

51. Architelos is not the owner of Patent Application EP 20130158369 or its subject matter.

52. There is an actual and substantial controversy about the ownership of Patent Application EP 20130158369. Afilias asserts that it owns the technology and know-how that comprises the subject matter of Patent Application EP 20130158369. Architelos does not own the technology and know-how that comprises the subject matter of Patent Application EP 20130158369.

53. This controversy is sufficiently immediate and real to warrant the issuance of a declaratory judgment because Architelos is currently using the subject matter of EP 20130158369 in the market. An actual controversy exists between Afilias and Architelos within the meaning of 29 U.S.C. § 2201. Pursuant to Rule 57, Federal Rules of Civil Procedure, this Court is vested with the power to declare the rights status and other legal relations of the parties to this action with reference to ownership of Patent Application EP 20130158369.

54. Pursuant to 28 U.S.C. § 2201, Afilias requests the Court declare that:

- a. Afilias is the owner of EP 20130158369;
- b. Raad is not an owner of EP 20130158369, in whole or in part;
- c. Architelos is not an owner of EP 20130158369 in whole or in part.

COUNT SIX

DECLARATORY JUDGMENT – RIGHTS TO PATENT APPLICATION EP 20120760627

55. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 54 of the Complaint as if fully set forth herein.

56. Raad is listed as the “inventor” on a European patent application by Architelos (application number EP 20120760627), the title of which is “System and Method for Predictive Modeling in a Network Security Service.”

57. Raad is not the owner of Patent Application EP 20120760627 or its subject matter.

58. There is an actual and substantial controversy about the ownership of Patent Application EP 20120760627. Afilias asserts that it owns the technology and know-how that comprises the subject matter of EP 20120760627. Raad does not own the technology and know-how that comprises the subject matter of EP 20120760627.

59. This controversy is sufficiently immediate and real to warrant the issuance of a declaratory judgment because Architelos is currently using the subject matter of EP 20120760627 in the market. An actual controversy exists between Afilias and Architelos within the meaning of 29 U.S.C. § 2201. Pursuant to Rule 57, Federal Rules of Civil Procedure, this Court is vested with the power to declare the rights status and other legal relations of the parties to this action with reference to ownership of Patent Application EP 20120760627.

60. Pursuant to 28 U.S.C. § 2201, Afilias requests the Court declare that:

- a. Afilias is the owner of EP 20120760627;
- b. Raad is not an owner of EP 20120760627, in whole or in part;
- c. Architelos is not an owner of EP 20120760627 in whole or in part.

COUNT SEVEN

**DECLARATORY JUDGMENT –
RIGHTS TO PATENT APPLICATION CA 2866822**

61. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 60 of the Complaint as if fully set forth herein.

62. Raad is listed as the “inventor” on a Canadian patent application by Architelos (application number CA 2866822), the title of which is “System and Method for Predictive Modeling in a Network Security Service.”

63. Raad is not the owner of Patent Application CA 2866822 or its subject matter.

64. There is an actual and substantial controversy about the ownership of Patent Application CA 2866822. Afilias asserts that it owns the technology and know-how that comprises the subject matter of CA 2866822. Raad does not own the technology and know-how that comprises the subject matter of CA 2866822.

65. This controversy is sufficiently immediate and real to warrant the issuance of a declaratory judgment because Architelos is currently using the subject matter of CA 2866822 in the market. An actual controversy exists between Afilias and Architelos within the meaning of 29 U.S.C. § 2201. Pursuant to Rule 57, Federal Rules of Civil Procedure, this Court is vested with the power to declare the rights status and other legal relations of the parties to this action with reference to ownership of Patent Application CA 2866822.

66. Pursuant to 28 U.S.C. § 2201, Afilias requests the Court declare that:

- a. Afilias is the owner of CA 2866822;
- b. Raad is not an owner of CA 2866822, in whole or in part;
- c. Architelos is not an owner CA 2866822, in whole or in part.

COUNT EIGHT

DECLARATORY JUDGMENT – RIGHTS TO PATENT APPLICATION 13/416,688

67. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 66 of the Complaint as if fully set forth herein.

68. Architelos asserts that it is the owner of the subject matter embodied in recently allowed U.S. patent application number 13/416,688, the title of which is “Managing Domain Name Abuse,” by way of an assignment by Young, Van Egmond and Aaron.

69. Architelos is not the owner of 13/416,688 or its subject matter.

70. There is an actual and substantial controversy about the ownership of 13/416,688. Afilias asserts that it owns the technology and know-how that comprises the subject matter of 13/416,688. Architelos does not own the technology and know-how that comprises the subject matter of 13/416,688, either directly or through assignment.

71. This controversy is sufficiently immediate and real to warrant the issuance of a declaratory judgment because Architelos is currently using the subject matter of 13/416,688 in the market. An actual controversy exists between Afilias and Architelos within the meaning of 29 U.S.C. § 2201. Pursuant to Rule 57, Federal Rules of Civil Procedure, this Court is vested with the power to declare the rights status and other legal relations of the parties to this action with reference to ownership of Patent Application 13/416,688.

72. Pursuant to 28 U.S.C. § 2201, Afilias requests the Court declare that:

- a. Afilias is the owner of 13/416,688;
- b. Raad is not an owner of 13/416,688, in whole or in part;
- c. Architelos is not an owner of 13/416,688 in whole or in part.

COUNT NINE
CONVERSION

73. Plaintiffs hereby incorporate by reference the allegations contained in Paragraphs 1 through 66 of the Complaint as if fully set forth herein.

74. The confidential and trade secret information Defendants removed from Afilias' offices and computer networks through the respective actions of Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel when they developed or helped develop such information while employed by or consulting for Afilias, belongs to Afilias and Afilias is entitled to immediate possession of such information.

75. Defendants wrongfully converted Afilias' confidential information and trade secrets when each acquired, retained and used Afilias' confidential information and trade secrets.

COUNT TEN
CIVIL CONSPIRACY

76. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 69 of the Complaint as if fully set forth herein.

77. By the conduct described herein, Defendants, as well as other known and unknown individuals or entities, including Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel, have acted in concert, agreed, associated, mutually undertaken and combined together to accomplish unlawful concerted actions with the purpose of injuring Afilias.

78. In furtherance of this conspiracy, Defendants, as well as other known and unknown individuals or entities, including Young, Van Egmond, Tiny Planet, Aaron and/or Illumintel, used improper and unlawful means, including but not limited to acting in tortious interference of contract and in violation of the Virginia Uniform Trade Secrets Act.

79. Defendants' actions in furtherance of this conspiracy were taken to maliciously injure Afilias in its trade and profession.

80. Defendants' actions in furtherance of this conspiracy were taken intentionally, purposefully and without lawful justification.

81. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff has suffered and will suffer irreparable injury, as well as other damages, including lost profits, loss of trade, goodwill, business and reputation.

82. In addition, on information and belief, Defendants have unlawfully profited in an amount to be proven at trial from the unlawful actions described above.

PRAYER FOR RELIEF

WHEREFORE, the Afilias prays for the following relief:

A. An immediate order preliminarily requiring Architelos and Raad to preserve all information currently stored on their business computers, including computers employees may have at their homes, and including any information stored on backup tapes that may relate in any way to the issues raised in this Complaint;

B. An immediate order granting Afilias the right to conduct an immediate inspection of Defendants' business computers (as described above) conducted by reputable experts in the information technology field. As part of this inspection, Afilias proposes that its expert be permitted to copy the hard drives of the Defendants' business computers and analyze the hard drives to determine if they presently or ever have contained Afilias trade secrets. As soon as this analysis is complete, counsel for Afilias will promptly report the results of this inspection to the Court. None of the information copied by the expert(s) will be used by Afilias, unless permitted by an order of this Court;

C. An order preliminarily, then permanently, requiring that Architelos and Raad:

- a. Return to Afilias all of Afilias' trade secrets and other confidential information including, but not limited to, any information copied from Afilias computers or computer networks and any documents or other Afilias property physically copied or removed from the Company's office by [[Young, Van Egmond, and/or Aaron or any other former or current Afilias employee;
 - b. Destroy all remaining physical and electronic copies of Afilias' trade secrets and other confidential information, including products and materials derived from Afilias' trade secrets and other confidential information (as described above);
 - c. Identify all persons to whom Afilias' trade secrets and other confidential information have been disclosed;
 - d. Refrain from ever using any Afilias trade secrets or confidential information and from ever selling any product based thereon, regardless of whether the trade secret or confidential information is embodied only in a component part of a larger product, or the product is produced through the trade secret or confidential information;
 - e. Destroy any inventory of products embodying or produced by Afilias' trade secret or confidential information; and
 - f. Refrain from contacting Afilias' current and former employees;
- D. An order requiring Defendants to pay Afilias compensatory damages for the actual losses caused by their misappropriation of Afilias' trade secrets;
- E. An order requiring Defendants to pay to Afilias punitive damages pursuant to Va. Code § 59.1-338(B);
- F. An order requiring Defendants to pay the Company's attorneys' fees pursuant to Va. Code § 59.1-338.1;

- G. An order requiring Defendants to pay to Afilias compensatory, incidental and punitive damages for Young, Van Egmond, and/or Aaron's tortious interference with contract;
- H. An order requiring Defendants to pay Afilias compensatory and incidental damages for Defendants' conversion of the Company's property;
- I. An order requiring Defendants to pay to Afilias its damages, including treble damages, and attorneys' fees, pursuant to Va. Code Ann. § 18.2-500;
- J. An order requiring Defendants to pay to Afilias the appropriate pre- and/or postjudgment interest on any award;
- K. An order requiring Defendants to pay to Afilias its costs for bringing this lawsuit;
- L. A Judgment declaring Afilias the owner of the '044 Patent and Patent Application Nos. 13/416,688; EP 20120760627; EP 20130158369, CA 2866822 and their respective subject matters; and
- M. Such other and further relief as this Court may consider just and proper.

JURY TRIAL DEMAND

Plaintiffs demand a trial by jury.

Dated: January 5, 2014



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Attorneys for Plaintiff

AFILIAS PLC

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

FILED

I. (a) PLAINTIFFS
 Afilius PLC, 2 La Touche House, IFSC, Dublin 1, Ireland

(b) County of Residence of First Listed Plaintiff Dublin, Ireland
 (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
 Scott Cuning, HAYNES and BOONE LLP, 800 17th Street, N.W., Suite 500, Washington, DC 20006. 202-654-4500

DEFENDANTS
 Architelos, Inc., 43622 Merchant Mill Terrace, Leesburg, VA 20176,
 Alexa Radd, 43622 Merchant Mill Terrace, Leesburg, VA 20176

County of Residence of First Listed Defendant Loudoun
 (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND IN FEDERAL DISTRICT COURT ALEXANDRIA, VIRGINIA

Attorneys (If Known)

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1:15-CV-14

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff

2 U.S. Government Defendant

3 Federal Question (U.S. Government Not a Party)

4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	<input type="checkbox"/> 1	PTF DEF	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input checked="" type="checkbox"/> 5	<input type="checkbox"/> 5	
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6	

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 28 U.S.C. § 1332; 28 U.S.C. § 2201

Brief description of cause:
 Declaratory Judgment on certain ownership rights; interference with contract; theft of trade secrets; civil conspiracy

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMANDS** 10,000,000.00 CHECK YES only if demanded in complaint **JURY DEMAND:** Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 01/05/2015 SIGNATURE OF ATTORNEY OF RECORD *Scott Cuning*

FOR OFFICE USE ONLY RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____

Court Name: United States District Court
Division: 1
Receipt Number: 14683848626
Cashier ID: rbroaden
Transaction Date: 01/05/2015
Payer Name: HAYNES BOONE

CIVIL FILING FEE
For: HAYNES BOONE
Amount: \$400.00

CHECK
Reitter: HAYNES BOONE
Check/Money Order Num: 1451357
Amt Tendered: \$400.00

Total Due: \$400.00
Total Tendered: \$400.00
Change Amt: \$0.00

FILING FEE
115CV14