

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

TROVER GROUP, INC., and	§	
THE SECURITY CENTER, INC.,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:13-cv-1125
	§	JURY DEMAND
AXIS COMMUNICATIONS, INC.	§	
	§	
<i>Defendant.</i>	§	

PLAINTIFFS’ ORIGINAL COMPLAINT

1. Plaintiffs Trover Group, Inc., and The Security Center, Inc., (collectively “Plaintiffs” or “Security Center”) file this, their Original Complaint for patent infringement. Plaintiffs assert claims for patent infringement of U.S. Patent No. 5,751,346 (“the ‘346 Patent”), a copy of which is attached hereto as Exhibit “A” against Defendant Axis Communications, Inc. under 35 U.S.C. § 271, *et seq.* In support thereof, Plaintiffs Trover Group, Inc. and Security Center, Inc. would respectfully show the Court the following:

PARTIES

2. Plaintiff Trover Group, Inc. (“Trover”) is a Texas corporation with its principal place of business located at 101 East Park Blvd., Suite 600, Plano, Texas 75074. Trover was formerly known as Dozier Financial Corporation.

3. Plaintiff The Security Center, Inc. (“Security Center”) is a Texas corporation with its principal place of business located at 10750 Forest Lane, Dallas, Texas 75243. Plaintiffs Security Center and Trover are sister corporations.

4. Defendant Axis Communications, Inc. (“Axis”) is the United States subsidiary of Axis Communications AB, a company based in Sweden. Axis has its principal place of business located at 300 Apollo Drive, Chelmsford, MA, 01824. Axis may be served with process through its registered agent, Fredrik Nilsson, 300 Apollo Drive, Chelmsford, MA, 01824. Upon information and belief, Axis does business in the State of Texas and in the Eastern District of Texas.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. This Court has exclusive subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§1331 and 1338(a).

6. This Court has personal jurisdiction over Defendant Axis. Axis conducts business within the State of Texas and the Eastern District of Texas. Axis, directly or through intermediaries (including distributors, retailers, and others) ships, distributes, offers for sale, sells, and advertises its products in the United States, the State of Texas, and the Eastern District of Texas. Axis has purposefully and voluntarily placed infringing products in the stream of commerce with the expectation that its products will be purchased by end users in the Eastern District of Texas. Axis has committed the tort of patent infringement within the State of Texas and this District.

7. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391(b) and 1400.

8. In 2006, Trover enforced the ‘346 Patent against two infringers, Diebold Corporation and Verint Systems, Inc. by bringing separate actions for patent infringement in the United States District Court for the Eastern District of Texas, Marshall Division in Case Nos. 2:06-cv-445-TJW-CE and 2:06-cv-532-TJW-CE. The Court held a claim construction hearing and

issued a claim construction order in the Diebold case. Trover and Security Center also recently filed the following cases in the United States District Court for the Eastern District of Texas, Marshall Division, in order to enforce the '346 Patent:

- *Trover Group, Inc., et al. v. Tyco, et al.* (Case No. 2:13-cv-52)
- *Trover Group, Inc., et al. v. i3 International Inc.* (Case 2:13-cv-01046)
- *Trover Group, Inc., et al. v. Dedicated Micros USA* (2:13-cv-01047)

PATENT INFRINGEMENT

9. On May 12, 1998, the United States Patent and Trademark Office (“PTO”) issued the '346 Patent, entitled “Image Retention and Information Security System” after a full and fair examination. The patent relates generally to video monitoring systems, and in particular to such systems that store and retrieve images by use of computer equipment and digital storage.

10. The '346 Patent contains five independent and two dependent claims.

11. The '346 Patent was originally assigned to Dozier Financial Corporation, a company owned and controlled by Charles Dozier, one of the named inventors of the patent, and his family. Dozier Financial Corporation later changed its name to Trover Group, Inc. Plaintiff Trover is the successor-in-interest to Dozier Financial Corporation and is the assignee of all rights, title and interest in and to the '346 Patent and possesses all rights of recovery under the '346 Patent. Plaintiff Security Center is also a business owned and controlled by Dozier and his family that has been granted an exclusive license of the '346 Patent from Trover. Security Center manufactures and sells the IRIS Total Vision and EyzOn products, which are commercial embodiments of the '346 Patent. As the exclusive licensee of the '346 Patent, Security Center has the right to enforce each patent and to recover all damages available under law. Security Center also has the right to seek injunctive relief with respect to the '346 Patent.

Infringement of the ‘346 Patent

12. Axis manufactures and sells to customers within the United States numerous digital cameras that infringe the ‘346 Patent, including but not limited to the following (collectively “Accused Products”):

AXIS M1013	AXIS P1354	AXIS P5534 PTZ
AXIS M1014	AXIS P1354-E	AXIS P5534-E PTZ
AXIS M2014-E	AXIS P1355	AXIS P5544 PTZ
AXIS M3004-V	AXIS P1355-E	AXIS Q1602
AXIS M3005-V	AXIS P1357	AXIS Q1602-E
AXIS M3006-V	AXIS P1357-E	AXIS Q1604
AXIS M3007-P	AXIS P3346	AXIS Q1604-E
AXIS M3007-PV	AXIS P3346-V	AXIS Q1755
AXIS M5013 PTZ	AXIS P3346-VE	AXIS Q1755-E
AXIS M5013-V PTZ	AXIS P3353	AXIS Q1910
AXIS M5014 PTZ	AXIS P3354	AXIS Q1910-E
AXIS M5014-V PTZ	AXIS P3363-V	AXIS Q1921
AXIS P1204	AXIS P3363-VE	AXIS Q1921-E
AXIS P1214	AXIS P3364-LV	AXIS Q1922
AXIS P1214-E	AXIS P3364-LVE	AXIS Q1922-E
AXIS P1343	AXIS P3364-VE	AXIS Q6032 PTZ
AXIS P1343-E	AXIS P3367-VE	AXIS Q6032-C PTZ
AXIS P1344	AXIS P3384-V	AXIS Q6032-E PTZ
AXIS P1344-E	AXIS P3384-VE	AXIS Q6034 PTZ
AXIS P1346	AXIS P5512 PTZ	AXIS Q6034-C PTZ
AXIS P1346-E	AXIS P5512-E PTZ	AXIS Q6034-E PTZ
AXIS P1347	AXIS P5522 PTZ	AXIS Q6035 PTZ
AXIS P1347-E	AXIS P5522-E PTZ	AXIS Q6035-C PTZ
AXIS P1353	AXIS P5532 PTZ	AXIS Q6035-E PTZ
AXIS P1353-E	AXIS P5532-E PTZ	

13. The Accused Products offer image streams in a choice of compression formats and compare two digitized images to determine if there has been a change in the pixels in a specific portion of the images that exceed a present threshold. If such a change is detected to have occurred, then the second image is saved. Later the saved images can be retrieved for examination.

14. The Accused Products infringe the ‘346 Patent and compete with the EyzOn Series of cameras made and sold by the Security Center.

Axis Has Knowledge of the '346 Patent

15. The Security Center has consistently marked its EyzOn products with the patent numbers for each patent since the '346 Patent were first issued. The Security Center publicly displayed its EyzOn camera at the 2013 ISC West trade show and convention in Las Vegas on April 10-12, 2013. Axis was also an exhibitor at the same trade show. Upon information and belief, employees or representatives from Axis visited the Security Center's booth and would have seen the EyzOn camera, and a copy of the '346 Patent that was also on display.

16. The '346 Patent has been cited as prior art with respect to 68 patent applications.

17. The '346 Patent was cited in U.S. Patent No. 6,829,395, which was assigned to Axis, AB. Axis, AB is owned in whole or in part by Axis Communications AB, the parent of Defendant Axis.

18. Axis has had actual knowledge of both the '346 Patent since at least the date on which it was served with a copy of this Complaint.

COUNT ONE: PATENT INFRINGEMENT OF THE '346 PATENT

19. Trover and the Security Center reallege the previous paragraphs herein.

20. Axis has infringed and continues to infringe the '346 Patent by making, using, selling, or offering for sale in the United States, including in the Eastern District of Texas, systems, products and devices, including, but not limited to the Accused Products, and/or by undertaking processes and methods embodying the patented inventions without authority.

21. By manufacturing and selling these products, Axis directly infringes one or more of Claims 4, 5, 6 and 7 of the '346 Patent, either literally or through the doctrine of equivalents. In addition, Axis is actively, intentionally, and/or knowingly inducing or contributing to the

infringement of one or more of Claims 4, 5, 6 and 7 the '346 Patent by others, either literally or through the doctrine of equivalents.

22. The Accused Products have no substantial uses that do not infringe the '346 Patent.

23. Unless enjoined by this Court, Axis will continue to infringe the '346 Patents through its sales of these products.

MISCELLANEOUS

24. The Plaintiffs have satisfied all conditions precedent to filing this action, or any such conditions that have not been satisfied have been waived.

25. Through this pleading, the Plaintiffs have not elected any one remedy to which they may be entitled, separately or collectively, over any other remedy.

RELIEF

Plaintiffs Trover Group and Security Center respectfully request the following relief:

- A. That the Court issue a preliminary injunction against Axis, enjoining it from making, using, selling, or offering for sale in the United States any products, and from undertaking any processes or methods embodying the patented inventions claimed in the '346 Patent during the pendency of this case;
- B. That the Court issue a permanent injunction against Axis from making, using, selling, or offering for sale in the United States any products, and from undertaking any processes or methods embodying the patented inventions or designs claimed in the '346 Patent;
- C. That the Court award damages to Plaintiffs Trover Group and Security Center to which each is entitled;
- D. That the Court declare this to be an "exceptional" case under 35 U.S.C. § 285;

- E. That the Court award pre-judgment and post-judgment interest on such damages at the highest rates allowed by law;
- F. That the Court award Plaintiffs Trover Group and Security Center their costs and attorneys' fees incurred in this action; and
- G. That the Court award such other and further relief, at law or in equity, as the Court deems just and proper.

A JURY TRIAL IS DEMANDED BY PLAINTIFFS TROVER GROUP, INC. AND SECURITY CENTER, INC.

Respectfully submitted,

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