

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

TLI COMMUNICATIONS LLC,

Plaintiff,

v.

LUCIDIOM, INC., and
RICHMOND CAMERA SHOP, INCORPORATED

Defendants.

Civil Action No. 1:14-cv-00141
(TSE/IDD)

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff TLI Communications LLC (“TLI”) files this Complaint for Patent Infringement against Lucidiom, Inc. (“Lucidiom”) and Richmond Camera Shop, Incorporated (“RCS”), wherein, pursuant to 35 U.S.C. §§ 271 and 281, Plaintiff seeks a judgment of infringement by Defendants of U.S. Patent Nos. 6,038,295 (the “295 Patent”), damages resulting therefrom pursuant to 35 U.S.C. § 284, as well as a preliminary and permanent injunction of the infringing activity pursuant to 35 U.S.C. § 283, and such other relief as the Court deems just and proper, and in support thereof alleges as follows:

The Parties

1. Plaintiff TLI is a Delaware limited liability corporation with its principal place of business at 3422 Old Capitol Trail, Suite 72, Wilmington, Delaware 19808.

2. Defendant Lucidiom, Inc. is a corporation organized under the laws of the State of Virginia, with its principal place of business at 7900 Westpark Drive, Suite 515, McLean, Virginia 22102.

3. Defendant Richmond Camera Shop, Incorporated is a corporation organized under the laws of the State of Virginia, with its principal place of business at 213 West Broad Street, Richmond, Virginia 23220.

Jurisdiction and Venue

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the action concerns infringement of a United States patent.

6. This Court has personal jurisdiction over Lucidiom because Lucidiom is located in this district and it conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over Lucidiom because it is a Virginia corporation and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

7. Venue is proper in this judicial district as to Lucidiom pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, Lucidiom is subject to personal jurisdiction in this district, Lucidiom is located in this district, Lucidiom has facilities and employees in this district, and Lucidiom has committed and continues to commit acts of patent infringement in this district.

8. This Court has personal jurisdiction over RCS because RCS is located in this district and it conducts substantial business in this district, directly or through intermediaries,

including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over RCS because it is a Virginia corporation and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

9. Venue is proper in this judicial district as to RCS pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, RCS is subject to personal jurisdiction in this district, RCS is located in this district, RCS has facilities and employees in this district, and RCS has committed and continues to commit acts of patent infringement in this district.

10. Joinder is proper under 35 U.S.C. § 299 because, and as explained further below, Lucidiom and RCS are jointly and severally liable for infringement arising out of the same series of transactions or occurrences related to the use and sale of the same infringing platform. Questions and facts common to all defendants will arise in the action.

The Patent-in-Suit

11. TLI is the owner of the '295 Patent entitled "Apparatus and Method for Recording, Communicating and Administering Digital Images," which the United States Patent & Trademark Office lawfully and duly issued on March 14, 2000. A true and correct copy of the '295 Patent is attached hereto as Exhibit A.

Factual Background

12. Dr. Heinz Mattes is the named inventor of the '295 patent.

13. The '295 patent has a priority date of June 17, 1996. The '295 patent was originally assigned to Siemens Aktiengesellschaft of Munich, Germany. TLI is the current owner of the '295 patent via assignment.

14. In the mid 1990's, Dr. Mattes, while working as a scientist for Siemens, recognized that mobile telephony and digital photography, each then in their infancy, would likely become more and more popular. Dr. Mattes recognized that mobile telephones could be integrated with digital cameras, resulting in a proliferation of the quantity of digital images that could and would be taken.

15. Dr. Mattes invented a revolutionary way of communicating and recording such digital images, which allowed numerous images to be simply and quickly recorded, tracked, accessed and transmitted.

16. In 1996, Dr. Mattes' invention was among the winners of a Siemens idea competition, leading to Siemens initiating a project to develop a cellular telephone with an integrated camera.

17. The '295's patented inventions are applicable to the uploading and organization of digital images from a telephone. Over the past few years, smart cellular telephones that incorporate sophisticated digital cameras have exploded in popularity, as has social media. Today, hundreds of millions of digital images are uploaded onto computer servers and social media websites every day, including onto Lucidom's and RCS's servers. Lucidom's and RCS's products use the '295's patented technology, without license or authority, to classify those images so that they can be easily uploaded, stored, organized, retrieved and shared.

Lucidiom's Infringing Products

18. Lucidiom provides computer, cellular phone and web based products and services, including its Pocket Pics mobile telephone image uploading products.

19. Lucidiom purports that “[r]etailers [can] brand [its] white-label iPhone[] app with their own name, graphics, products and services [and c]onsumers [can] download the app on the iTunes App Store and can [] upload and share images stored on their phone. . . .”¹

20. Lucidiom offers websites, software and downloadable applications, especially designed for mobile devices having telephones, including iPhone mobile telephones, which allow telephone users to easily characterize and upload digital images to Lucidiom servers. Lucidiom entices its users to upload digital images by providing easy-to-use platforms and instructions, and Lucidiom stores and archives the digital images uploaded to its servers using the characterization information provided by its users.

21. So that these digital images could be captured, uploaded, stored and organized, Lucidiom fashioned products and processes that employ TLI's patented technology. The infringing products include, but are not limited to, the products and processes that Lucidiom uses to capture, upload, store and organize the digital images it receives from mobile devices having telephones, including via Apple's iPhone.

RCS's Infringing Products

22. RCS provides computer, cellular phone and web based products and services, including its mobile telephone image uploading products.

¹ <http://www.lucidiom.com/mobile/>.

23. RCS purports that the “Richmond Camera app lets [users] easily upload photos and order prints from richmondcamera.com.”² Defendant Lucidiom supplies this image-uploading platform to RCS.

24. RCS offers websites, software and downloadable applications, especially designed for mobile devices having telephones, including iPhone mobile telephones, which allow telephone users to easily characterize and upload digital images to Richmond servers or to servers operated on RCS’s behalf. RCS entices its users to upload digital images by providing easy-to-use platforms and instructions, and RCS stores and archives the digital images uploaded to its servers using the characterization information provided by its users.

25. So that these digital images could be captured, uploaded, stored and organized, RCS created or used products and processes that employ TLI’s patented technology. The infringing products include, but are not limited to, the products and processes that RCS uses to capture, upload, store and organize the digital images it receives from mobile devices having telephones.

CLAIM FOR RELIEF

COUNT I

(Lucidiom’s Infringement of the ’295 Patent)

26. TLI incorporates by reference paragraphs 1 through 25 of the Complaint as if set forth here in full.

Direct Infringement

27. Upon information and belief, Lucidiom has been and is currently directly infringing one or more claims of the ’295 Patent by making, using, offering to sell, and/or selling within the United States, and/or importing into the United States, without authority, the

² <http://itunes.apple.com/us/app/richmond-camera/id577791172?mt=8>.

aforementioned platforms that upload and store digital images from mobile devices having telephones. For example, and without limitation, Lucidiom has directly infringed and continues to directly infringe the '295 Patent in this judicial district and elsewhere in the United States. Lucidiom's infringement includes, without limitation, (i) making and using the apparatus of claim 1 and claims dependent thereon, and (ii) practicing the method of claim 17 and claims dependent thereon.

28. Specifically, Lucidiom's direct infringement includes, without limitation (i) its uploading of digital images from mobile devices having telephones onto Lucidiom servers (or onto servers operated on or for Lucidiom's behalf ("Lucidiom servers")), (ii) its testing of its Lucidiom products by uploading images from mobile devices having telephones onto Lucidiom servers within the United States, and (iii) its maintaining Lucidiom servers that categorize and store images that were uploaded via mobile devices having telephones. Lucidiom also directs and/or controls its employees, executives, agents, customers and agents to use the aforementioned digital image uploading platforms to upload images from mobile devices having telephones onto Lucidiom servers within the United States.

29. To the extent that claim 1 of the '295 Patent is construed to require a system with a claim element not practiced by Lucidiom, Lucidiom would also directly infringe claim 1 at least because it directs and/or controls the practicing of all claim elements or because it places the invention into service. For example, Lucidiom provides websites, platforms and software to mobile telephone users that provide and enable image uploading, thereby putting the invention into service. Moreover, Lucidiom directs and/or controls the practicing of all claim elements, as shown for example, by Lucidiom entering into contracts with its users, Lucidiom instructing its users how to upload digital images from mobile devices having telephones, Lucidiom

automatically syncing digital images from mobile devices having telephones onto its servers, Lucidiom automatically uploading digital images from mobile devices having telephones onto its servers, Lucidiom automatically tagging digital images that it uploads onto its servers from mobile devices having telephones with characterization information of the users, and Lucidiom automatically archiving the digital images that it uploads onto its servers with characterization information of the users.

30. To the extent that claim 17 of the '295 Patent is construed to require a method with a step not practiced by Lucidiom, Lucidiom would also directly infringe claim 17 at least because it directs and/or controls the practicing of all claimed steps. Lucidiom directs and/or controls the practicing of all claim elements, as shown for example, by Lucidiom entering into contracts with its users, Lucidiom instructing its users how to upload digital images from mobile devices having telephones, Lucidiom automatically syncing digital images from mobile devices having telephones onto its servers, Lucidiom automatically uploading digital images from mobile devices having telephones onto its servers, Lucidiom automatically tagging digital images that it uploads onto its servers from mobile devices having telephones with characterization information of the users, and Lucidiom automatically archiving the digital images that it uploads onto its servers with characterization information of the users.

31. At least as a result of the computer software and hardware that performs these activities, Lucidiom is liable for literal direct infringement of the '295 Patent pursuant to 35 U.S.C. § 271(a).

32. To the extent that any fact finder deems any of the elements of the '295 patent claims not literally satisfied by the structure or use of the Lucidiom platform, these elements are satisfied under the doctrine of equivalents.

Indirect Infringement

33. Alternatively, and in addition to its liability for direct infringement of the '295 Patent, Lucidiom is also liable for indirectly infringing the '295 Patent in this judicial district and elsewhere in the United States by inducing direct infringement in violation of 35 U.S.C. § 271(b) and contributing to direct infringement in violation of 35 U.S.C. § 271(c).

34. Lucidiom has been aware of the '295 Patent at least since the filing date of this complaint.

35. Upon information and belief, upon Lucidiom's gaining knowledge of the '295 patent, it was, or became, apparent to Lucidiom that the operation of its digital image uploading platforms and software resulted in infringement of the '295 Patent. Upon information and belief, Lucidiom has continued to engage in the aforementioned activities constituting inducement of infringement, notwithstanding its knowledge (or willful blindness thereto) that the activities it was inducing result in infringement of the '295 Patent.

36. The direct infringement induced and contributed to by Lucidiom includes at least the uploading of digital images from mobile devices having telephones to Lucidiom servers by end users acting alone or in combination with Lucidiom. For example, and without limitation, to the extent that claim 1 is construed to require a system with the system placed into service by a user who uploads digital images from a mobile device having a telephone (and it is determined that Lucidiom does not direct and/or control that user), the user would be considered to be a direct infringer of claim 1. Lucidiom knows that these users are infringing the '295 Patent and Lucidiom has specific intent to encourage the users to infringe the '295 Patent. As another example, to the extent that claim 17 is construed to require a method with steps performed by one or more entities other than Lucidiom, for example, a user (and it is determined that Lucidiom

does not direct and/or control these entities), Lucidiom induces those entities to perform those infringing acts, knowing that the acts constitute infringement of the '295 Patent and with specific intent to encourage those acts and encourage infringement.

37. Lucidiom encourages direct infringement of the '295 Patent at least by widely publicizing its software, by providing image-uploading software, by automatically syncing images from mobile devices having telephones, by automatically tagging images uploaded from mobile devices having telephones, by automatically characterizing images with user information when uploaded from mobile devices having telephones, by providing image storage, by storing images uploaded from mobile devices having telephones according to user-characterization information, by providing image-uploading, downloadable applications for mobile devices having telephones, and by providing instructions for conducting the directly infringing use of uploading digital images from mobile devices.³

38. Lucidiom induces infringement at least by encouraging, facilitating and instructing users to use the '295 Patent's inventions by uploading digital images to Lucidiom servers from mobile devices having telephones. Lucidiom does this by providing image uploading software and platforms to its users, and by instructing its users how to upload images to Lucidiom servers, thereby inducing the use of the claimed inventions.

39. Lucidiom is inducing infringement of the '295 Patent by, among other things, knowingly and with specific intent, actively encouraging its customers, suppliers, agents and affiliates to make, use, sell and/or offer for sale the aforementioned Lucidiom image uploading platforms in a manner that constitutes infringement of one or more claims of the '295 Patent, knowing that such activities infringe at least one claim of the '295 Patent, and with the

³ See, for example, <http://www.lucidiom.com/mobile/>; <http://wiki.lucidiom.com/pages/viewpage.action?pageId=65503238>.

knowledge and specific intent to encourage, direct and facilitate those infringing activities, including through the creation and dissemination of promotional and marketing materials, instructional materials, product materials and technical materials.⁴

40. By inducing its customers', suppliers', users', agents' and affiliates' use of the methods claimed in the '295 Patent and their making and/or using the aforementioned Lucidiom image uploading platforms, Lucidiom has been and is now indirectly infringing under 35 U.S.C. § 271(b) one or more claims of the '295 Patent, either literally or under the doctrine of equivalents.

41. Lucidiom contributes to the '295 Patent's direct infringement by, among other things, knowingly and with specific intent, actively encouraging its customers, suppliers, agents, users and affiliates to make, use, sell and/or offer for sale Lucidiom's aforementioned image uploading platforms and services that constitutes infringement of at least claims 1 and 17 of the '295 Patent. For example, to the extent that any claim is construed to require a system, Lucidiom provides components, including image-uploading software, websites and/or downloadable applications, for use in systems, which facilitate the uploading of digital images from mobile devices having telephones. Lucidiom knows that such products constitute a material part of the inventions of the '295 Patent, knows those products to be especially made or adapted to infringe the '295 Patent, and knows that those products are not staple articles or commodities of commerce suitable for substantial non-infringing use. Lucidiom knows that by providing such components to its customers, its customers will infringe at least one claim of the '295 Patent, and Lucidiom knows that its customers do infringe the '295 Patent. Lucidiom image uploading software has no substantial non-infringing uses.

⁴ See *id.*

42. By contributing to its customers', suppliers', agents', users' and affiliates' use of the methods claimed in the '295 Patent and their making and/or using the aforementioned Lucidiom image uploading platforms, Lucidiom has been and is now indirectly infringing under 35 U.S.C. § 271(c) one or more claims of the '295 Patent, either literally or under the doctrine of equivalents.

271(f) Infringement

43. Lucidiom is liable for infringement under 35 U.S.C. § 271(f) when the end user is outside the United States by supplying its software components for combination outside the United States.

Joint Infringement

44. Alternatively, the actions alleged above establish joint infringement of at least claims 1 and 17 by Lucidiom and its customers, users, suppliers, agents and affiliates for which they should be found jointly and severally liable.

Remedy for Lucidiom's Infringement

45. As a result of Lucidiom's unlawful infringement of the '295 Patent, TLI has suffered and will continue to suffer damage. TLI is entitled to recover from Lucidiom the damages adequate to compensate for such infringement, which have yet to be determined.

46. Lucidiom will continue to infringe the '295 Patent unless and until it is enjoined by this Court.

47. Lucidiom's acts of infringement have caused and will continue to cause irreparable harm to TLI unless and until Lucidiom is enjoined by this Court.

COUNT II
(RCS's Infringement of the '295 Patent)

48. TLI incorporates by reference paragraphs 1 through 25 of the Complaint as if set forth here in full.

Direct Infringement

49. Upon information and belief, RCS has been and is currently directly infringing one or more claims of the '295 Patent by making, using, offering to sell, and/or selling within the United States, and/or importing into the United States, without authority, the aforementioned Lucidiom-supplied platforms that upload and store digital images from mobile devices having telephones. For example, and without limitation, RCS has directly infringed and continues to directly infringe the '295 Patent in this judicial district and elsewhere in the United States. RCS's infringement includes, without limitation, (i) making and using the apparatus of claim 1 and claims dependent thereon, and (ii) practicing the method of claim 17 and claims dependent thereon.

50. Specifically, RCS's direct infringement includes, without limitation (i) its uploading of digital images from mobile devices having telephones onto RCS or Lucidiom servers (or onto servers operated on or for RCS's behalf ("RCS servers")), (ii) its testing of its RCS products by uploading images from mobile devices having telephones onto RCS servers within the United States, and (iii) its maintaining RCS servers that categorize and store images that were uploaded via mobile devices having telephones. RCS also directs and/or controls its employees, executives, agents, customers and agents to use the aforementioned digital image uploading platforms to upload images from mobile devices having telephones onto RCS servers within the United States.

51. To the extent that claim 1 of the '295 Patent is construed to require a system with a claim element not practiced by RCS, RCS would also directly infringe claim 1 at least because it directs and/or controls the practicing of all claim elements or because it places the invention into service. For example, RCS provides websites, platforms and software to mobile telephone users that provide and enable image uploading, thereby putting the invention into service. Moreover, RCS directs and/or controls the practicing of all claim elements, as shown for example, by RCS entering into contracts with its users, RCS instructing its users how to upload digital images from mobile devices having telephones, RCS automatically syncing digital images from mobile devices having telephones onto its servers, RCS automatically uploading digital images from mobile devices having telephones onto its servers, RCS automatically tagging digital images that it uploads onto its servers from mobile devices having telephones with characterization information of the users, and RCS automatically archiving the digital images that it uploads onto its servers with characterization information of the users.

52. To the extent that claim 17 of the '295 Patent is construed to require a method with a step not practiced by RCS, RCS would also directly infringe claim 17 at least because it directs and/or controls the practicing of all claimed steps. RCS directs and/or controls the practicing of all claim elements, as shown for example, by RCS entering into contracts with its users, RCS instructing its users how to upload digital images from mobile devices having telephones, RCS automatically syncing digital images from mobile devices having telephones onto its servers, RCS automatically uploading digital images from mobile devices having telephones onto its servers, RCS automatically tagging digital images that it uploads onto its servers from mobile devices having telephones with characterization information of the users,

and RCS automatically archiving the digital images that it uploads onto its servers with characterization information of the users.

53. At least as a result of the computer software and hardware that performs these activities, RCS is liable for literal direct infringement of the '295 Patent pursuant to 35 U.S.C. § 271(a).

54. To the extent that any fact finder deems any of the elements of the '295 patent claims not literally satisfied by the structure or use of the RCS platform, these elements are satisfied under the doctrine of equivalents.

Indirect Infringement

55. Alternatively, and in addition to its liability for direct infringement of the '295 Patent, RCS is also liable for indirectly infringing the '295 Patent in this judicial district and elsewhere in the United States by inducing direct infringement in violation of 35 U.S.C. § 271(b) and contributing to direct infringement in violation of 35 U.S.C. § 271(c).

56. RCS has been aware of the '295 Patent at least since the filing date of this complaint.

57. Upon information and belief, upon RCS's gaining knowledge of the '295 patent, it was, or became, apparent to RCS that the operation of its digital image uploading platforms and software resulted in infringement of the '295 Patent. Upon information and belief, RCS has continued to engage in the aforementioned activities constituting inducement of infringement, notwithstanding its knowledge (or willful blindness thereto) that the activities it was inducing result in infringement of the '295 Patent.

58. The direct infringement induced and contributed to by RCS includes at least the uploading of digital images from mobile devices having telephones to RCS servers by end users

acting alone or in combination with RCS. For example, and without limitation, to the extent that claim 1 is construed to require a system with the system placed into service by a user who uploads digital images from a mobile device having a telephone (and it is determined that RCS does not direct and/or control that user), the user would be considered to be a direct infringer of claim 1. RCS knows that these users are infringing the '295 Patent and RCS has specific intent to encourage the users to infringe the '295 Patent. As another example, to the extent that claim 17 is construed to require a method with steps performed by one or more entities other than RCS, for example, a user (and it is determined that RCS does not direct and/or control these entities), RCS induces those entities to perform those infringing acts, knowing that the acts constitute infringement of the '295 Patent and with specific intent to encourage those acts and encourage infringement.

59. RCS encourages direct infringement of the '295 Patent at least by widely publicizing its software, by providing image-uploading software, by automatically syncing images from mobile devices having telephones, by automatically tagging images uploaded from mobile devices having telephones, by automatically characterizing images with user information when uploaded from mobile devices having telephones, by providing image storage, by storing images uploaded from mobile devices having telephones according to user-characterization information, by providing image-uploading, downloadable applications for mobile devices having telephones, and by providing instructions for conducting the directly infringing use of uploading digital images from mobile devices.⁵

60. RCS induces infringement at least by encouraging, facilitating and instructing users to use the '295 Patent's inventions by uploading digital images to RCS servers from mobile

⁵ <http://itunes.apple.com/us/app/richmond-camera/id577791172?mt=8>.

devices having telephones. RCS does this by providing image uploading software and platforms to its users, and by instructing its users how to upload images to RCS servers, thereby inducing the use of the claimed inventions.

61. RCS is inducing infringement of the '295 Patent by, among other things, knowingly and with specific intent, actively encouraging its customers, suppliers, agents and affiliates to make, use, sell and/or offer for sale the aforementioned RCS image uploading platforms in a manner that constitutes infringement of one or more claims of the '295 Patent, knowing that such activities infringe at least one claim of the '295 Patent, and with the knowledge and specific intent to encourage, direct and facilitate those infringing activities, including through the creation and dissemination of promotional and marketing materials, instructional materials, product materials and technical materials.

62. By inducing its customers', suppliers', users', agents' and affiliates' use of the methods claimed in the '295 Patent and their making and/or using the aforementioned RCS image uploading platforms, RCS has been and is now indirectly infringing under 35 U.S.C. § 271(b) one or more claims of the '295 Patent, either literally or under the doctrine of equivalents.

63. Upon information and belief, RCS contributes to the '295 Patent's direct infringement by, among other things, knowingly and with specific intent, actively encouraging its customers, suppliers, agents, users and affiliates to make, use, sell and/or offer for sale RCS's aforementioned image uploading platforms and services that constitutes infringement of at least claims 1 and 17 of the '295 Patent. For example, to the extent that any claim is construed to require a system, RCS provides components, including image-uploading software, websites and/or downloadable applications, for use in systems, which facilitate the uploading of digital

images from mobile devices having telephones. RCS knows that such products constitute a material part of the inventions of the '295 Patent, knows those products to be especially made or adapted to infringe the '295 Patent, and knows that those products are not staple articles or commodities of commerce suitable for substantial non-infringing use. RCS knows that by providing such components to its customers, its customers will infringe at least one claim of the '295 Patent, and RCS knows that its customers do infringe the '295 Patent. RCS image uploading software has no substantial non-infringing uses.

64. By contributing to its customers', suppliers', agents', users' and affiliates' use of the methods claimed in the '295 Patent and their making and/or using the aforementioned RCS image uploading platforms, RCS has been and is now indirectly infringing under 35 U.S.C. § 271(c) one or more claims of the '295 Patent, either literally or under the doctrine of equivalents.

271(f) Infringement

65. RCS is liable for infringement under 35 U.S.C. § 271(f) when the end user is outside the United States by supplying its software components for combination outside the United States.

Joint Infringement

66. Alternatively, the actions alleged above establish joint infringement of at least claims 1 and 17 by RCS and its customers, users, suppliers, agents and affiliates for which they should be found jointly and severally liable.

Remedy for RCS's Infringement

67. As a result of RCS's unlawful infringement of the '295 Patent, TLI has suffered and will continue to suffer damage. TLI is entitled to recover from RCS the damages adequate to compensate for such infringement, which have yet to be determined.

68. RCS will continue to infringe the '295 Patent unless and until it is enjoined by this Court.

69. RCS's acts of infringement have caused and will continue to cause irreparable harm to TLI unless and until RCS is enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, TLI prays for a Judgment in favor of TLI and against Defendants as follows:

- A. That Defendants have directly infringed the '295 Patent;
- B. That Defendants have indirectly infringed the '295 Patent;
- C. That Lucidiom and its customers, users, suppliers, agents and affiliates have jointly infringed the '295 Patent;
- D. That RCS and its customers, users, suppliers, agents and affiliates have jointly infringed the '295 Patent;
- E. An order preliminarily and permanently enjoining Defendants and their affiliates, subsidiaries, officers, directors, employees, agents, representatives, licensees, successors, assigns, and all those acting for them and on their behalf, or acting in concert with them directly or indirectly, from further acts of infringement of the '295 Patent;

F. A full accounting for and an award of damages to TLI for Defendants' infringement of the '295 Patent; including enhanced damages pursuant to 35 U.S.C. § 284, together with pre- and post-judgment interest;

G. That this case is "exceptional" within the meaning of 35 U.S.C. § 285;

H. An award of TLI's reasonable attorneys' fees, expenses, and costs; and

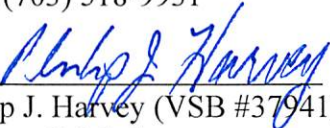
I. A grant of such other and further equitable or legal relief as this Court deems proper.

DEMAND FOR JURY TRIAL

TLI hereby demands trial by jury on all issues so triable.

Dated: February 10, 2014

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