

NATURE OF THE ACTION

1. This lawsuit pertains to the Defendants' infringement of each of the following U.S. Patents: (1) U.S. Patent No. 6,690,731 titled "Method and Apparatus for Diagonal Processing of Video Data" (the "'731 Patent"); (2) U.S. Patent No. 8,179,971 titled "Method and Apparatus for Video Data Compression" (the "'971 Patent"); (3) U.S. Patent No. 6,850,647 titled "System, Method, and Article of Manufacture for Decompressing Digital Camera Sensor Data" (the "'647 Patent"); (4) U.S. Patent No. 7,627,183 titled "System, Method, and Article of Manufacture for Decompressing Digital Camera Sensor Data" (the "'183 Patent"); and (5) U.S. Patent No. 7,489,824 titled "System, Method, and Article of Manufacture for Decompressing Digital Camera Sensor Data" (the "'824 Patent"). Copies of the '731, '971, '647, '183, and '824 Patents are attached to this Complaint as Exhibits A through E, respectively. This Complaint will refer to the patents asserted in this lawsuit collectively as the "Patents."

PARTIES

2. Plaintiff VStream Technologies LLC is a Limited Liability Company organized under the laws of Texas. VStream is the assignee of all rights, title, and interest in and to the Patents and possesses all rights of recovery under the Patents.

3. On information and belief, Defendant GoPro, Inc. is a Delaware corporation with its principal place of business at 3000 Clearview Way, Building E, San Mateo, CA. 94402. This Complaint will refer to GoPro, Inc. as "GoPro." On information and belief, GoPro is doing business in this judicial district, in Texas and elsewhere throughout the United States. GoPro's products accused of infringement in this Complaint are and have been offered for sale and sold in this and other judicial districts for a period not yet known but continuing to this date.

4. On information and belief, Defendant iON America LLC is a New Jersey Corporation with its principal place of business at 513 S. Lenola Rd., Suite 101, Moorestown, NJ 08057. On information and belief, iON America is doing business in this judicial district, in Texas and elsewhere throughout the United States. On information and belief, Defendant World Wide Licenses, Ltd. is a Hong Kong company with its principal place of business at 20 Salisbury Rd., Tsim Sha Tsui, Room 808-810, New World Centre Aia Tower, Kowloon, Hong Kong. On information and belief, iON America is a wholly-owned subsidiary of World Wide Licenses, Ltd. On information and belief, World Wide Licenses LTD. manufactures the products alleged to infringe in this complaint and controls the decisions of iON America to infringe or license the patents herein as agents of the principal parent company, World Wide Licenses Ltd. On information and belief World Wide Licenses is doing business in this judicial district, in Texas and elsewhere throughout the United States. This Complaint will refer to iON America and World Wide Licenses collectively as “iON.”

JURISDICTION AND VENUE

5. This action arises under the Patent Laws of the United States, 35 U.S.C. § 101 *et seq.*, including 35 U.S.C. § 271. This Court has original and exclusive subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

6. The Court has personal jurisdiction over each Defendant. On information and belief, each Defendant has conducted and does conduct business within the State of Texas. On information and belief, each Defendant, directly and/or through intermediaries (including distributors, retailers, and others), offers for sale, sells, advertises, and/or uses its products and services (including the

products accused of infringement in this lawsuit) in the United States, the State of Texas, and the Eastern District of Texas. On information and belief, each Defendant, directly and/or through intermediaries, has committed patent infringement within the State of Texas, and, more particularly, within the Eastern District of Texas. On information and belief, each Defendant, has purposefully and voluntarily placed one or more infringing products into the stream of commerce with the expectation that they will be purchased by consumers in the Eastern District of Texas. On information and belief, each Defendant is subject to general jurisdiction in this Court.

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

8. Joinder of these Defendants in one action is proper under 35 U.S.C. §299 because VStream is informed and believes that a substantial number of the products of each Defendant incorporate the Sony Exmor R Complementary Metal Oxide Semiconductor (“CMOS”) image sensor and Ambarella image processing chips.

FACTUAL BACKGROUND

9. The Patents are generally directed to methods, systems, apparatus, and articles of manufacture for encoding and decoding signals representative of image and/or video signals (*i.e.*, “video compression” or “video decompression”).

10. Video compression and decompression techniques are used in many industries that involve either the transmission of images from one location to another and/or the manufacture or sale of devices to receive or store image and/or video signals. These industries include, for example: content providers; cable and

satellite companies; teleconferencing providers; television, electronics and smartphone manufacturers; television broadcasters and digital media providers.

11. Video and/or image signals are encoded (compressed) prior to being stored on a medium or transmitted over a medium. The image or video signals are decoded (decompressed) when read from the storage medium or received at the other end of a transmission. The decoding will either recreate the original image and/or video signal in its entirety (“lossless” compression techniques) or will produce a close approximation of the original signal (“lossy” compression techniques). Compression and decompression techniques reduce the amount of data required to store, transmit, and reproduce image and/or video signals.

12. Michael Gough is the primary inventor of each of the Patents. He is self-made man and prolific inventor. In 1978, at age seventeen, he began working on technology in the defense industry. He taught himself computer science and software technology. He became so adept that in 1987, he caught the attention of a young company in California—Apple. Gough began work at Apple in January 1988. Over his time at Apple, he was an inventor of fourteen patents assigned to Apple. Gough worked at Apple until December 1996.

13. On February 10, 2004, the U.S. Patent and Trademark Office (“USPTO”) issued the ’731 Patent to Michael L. Gough and James J. Gough. VStream is now the sole owner of the ’731 Patent and possesses all rights of recovery under the ’731 Patent.

14. On February 1, 2005, the USPTO issued the ’647 Patent to Michael L. Gough and Paul Miner. VStream is now the sole owner of the ’647 Patent and possesses all rights of recovery under the ’647 Patent.

15. On February 10, 2009, the USPTO issued the '824 Patent to Michael L. Gough and Paul Miner. VStream is now the sole owner of the '824 Patent and possesses all rights of recovery under the '824 Patent.

16. On December 1, 2009, the USPTO issued the '183 Patent to Michael L. Gough and Paul Miner. VStream is now the sole owner of the '183 Patent and possesses all rights of recovery under the '183 Patent.

17. On May 15, 2012, the USPTO issued the '971 Patent to Michael L. Gough and James J. Gough. VStream is now the sole owner of the '971 Patent and possesses all rights of recovery under the '971 Patent.

FIRST CLAIM FOR RELIEF

(Infringement of U.S. Patent 6,690,731)

18. VStream refers to and incorporates the allegations of Paragraphs 1-17 above.

19. GoPro has infringed and continues to infringe one or more claims of the '731 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '731 Patent.

20. iON has infringed and continues to infringe one or more claims of the '731 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '731 Patent.

21.VStream is entitled to recover from each Defendant the damages sustained by VStream as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

22.Each Defendant's infringement of the '731 Patent is causing, and will continue to cause, irreparable harm to VStream for which there is no adequate remedy at law unless and until enjoined by this Court.

SECOND CLAIM FOR RELIEF
(Infringement of U.S. Patent 8,179,971)

23.VStream refers to and incorporates the allegations of Paragraphs 1-22 above.

24.GoPro has infringed and continues to infringe one or more claims of the '971 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '971 Patent.

25.iON has infringed and continues to infringe one or more claims of the '971 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '971 Patent.

26.VStream is entitled to recover from each Defendant the damages sustained by VStream as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

27. Each Defendant's infringement of the '971 Patent is causing, and will continue to cause, irreparable harm to VStream for which there is no adequate remedy at law unless and until enjoined by this Court.

THIRD CLAIM FOR RELIEF
(Infringement of U.S. Patent 6,850,647)

28. VStream refers to and incorporates the allegations of Paragraphs 1-27 above.

29. GoPro has infringed and continues to infringe one or more claims of the '647 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '647 Patent.

30. iON has infringed and continues to infringe one or more claims of the '647 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '647 Patent.

31. VStream is entitled to recover from each Defendant the damages sustained by VStream as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

32. Each Defendant's infringement of the '647 Patent is causing, and will continue to cause, irreparable harm to VStream for which there is no adequate remedy at law unless and until enjoined by this Court.

FOURTH CLAIM FOR RELIEF

(Infringement of U.S. Patent 7,627,183)

33.VStream refers to and incorporates the allegations of Paragraphs 1-32 above.

34.GoPro has infringed and continues to infringe one or more claims of the '183 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '183 Patent.

35.iON has infringed and continues to infringe one or more claims of the '183 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '183 Patent.

36.VStream is entitled to recover from each Defendant the damages sustained by VStream as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

37.Each Defendant's infringement of the '183 Patent is causing, and will continue to cause, irreparable harm to VStream for which there is no adequate remedy at law unless and until enjoined by this Court.

FIFTH CLAIM FOR RELIEF

(Infringement of U.S. Patent 7,489,824)

38.VStream refers to and incorporates the allegations of Paragraphs 1-37 above.

39.GoPro has infringed and continues to infringe one or more claims of the '824 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '824 Patent.

40.iON has infringed and continues to infringe one or more claims of the '824 Patent, either literally or through equivalents in violation of 35 U.S.C. § 271(a) by manufacturing, using, selling, offering to sell, and/or marketing several types of consumer electronics, including without limitation digital video cameras that implement the systems, methods, apparatus, and/or articles of manufacture claimed in the '824 Patent.

41.VStream is entitled to recover from each Defendant the damages sustained by VStream as a result of each Defendant's wrongful acts in an amount subject to proof at trial.

42.Each Defendant's infringement of the '824 Patent is causing, and will continue to cause, irreparable harm to VStream for which there is no adequate remedy at law unless and until enjoined by this Court.

JURY DEMAND

43.VStream demands a trial by jury on all issues.

PRAYER FOR RELIEF

Plaintiff VStream Technologies LLC respectfully requests this Court to enter judgment in its favor against each Defendant and grant the following relief:

- A. An adjudication that each Defendant has infringed and continues to infringe claims of the '731, '971, '647, '183, and '824 Patents;
- B. An award of damages to VStream adequate to compensate for Defendants' acts of infringement together with prejudgment interest;
- C. An award of VStream's costs of suit and reasonable attorneys' fees as permitted under 35 U.S.C. §285, or as otherwise permitted by law;
- D. A grant of permanent injunction in accordance with 35 U.S.C. §283, enjoining each Defendant from further acts of infringement; and
- E. For any further relief that this Court deems just and proper.

Dated: August 21, 2014	Respectfully submitted, KYLE LUDWIG HARRIS LLP <i>// John S. Kyle</i> <hr/> John S. Kyle Lead Attorney California State Bar No. 199196 jkyle@klhipbiz.com 450 B St., Suite 1410 San Diego, CA. 92101 Telephone: (619) 600-0644 ATTORNEYS FOR VSTREAM TECHNOLOGIES LLC
------------------------	---