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9 Attorneys for Hawk Technology Systems, LLC

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **HAWK TECHNOLOGY SYSTEMS,**
13 **LLC,**

14 Plaintiff,

15 v.

16 **LA JOLLA BEACH & TENNIS**
17 **CLUB, INC.,**

18 Defendant.

Case No. '14CV3033 LAB MDD

COMPLAINT

1 Plaintiff, Hawk Technology Systems, LLC (“Hawk”), hereby sues La Jolla Beach &
2 Tennis Club, Inc. (“La Jolla”) and alleges:

3 **NATURE OF THE ACTION**

4 1. This is a civil action for patent infringement of United States Patent No.
5 RE43,462 (‘462 Patent). The ‘462 Patent is a reissue of United States Patent No.
6 5,625,410 (the ‘410 Patent). The independent claims in the reissued ‘462 Patent are
7 substantially identical to the corresponding claims in the original ‘410 Patent.

8 2. The abstract for the ‘462 Patent states:

9 A PC-based system for monitoring and storing representative
10 images from video cameras which may be utilized for security or
11 other monitoring applications. Camera inputs from digital or
12 analog sources are individually and independently digitized and
13 displayed at a first set of image sizes, sampling rates, and frame
14 rates, and may be stored in digital form on various recording
15 media at a second set of image sizes, sampling rates, and frame
16 rates, and these two sets of sizes and rates may or may not be
17 identical. Provisions are included for adding detection or alarm
18 systems which will automatically alter image size, sampling rate
19 and/or frame rate of an individual input source, or activate other
20 physical responses. In addition to security system monitoring,
21 further applications of the invention are disclosed for process
22 monitoring in manufacturing environments and also for
23 applications in videoconferencing.

24 **PARTIES**

25 3. Hawk is a limited liability company organized and existing under the
26 laws of the State of Florida and maintains its principal place of business at 2 South
27 Biscayne Blvd., Suite 3800, Miami, Florida 33131.

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1 vary the spatial parameters and temporal parameters at which a
2 particular image is updated in its window in accordance with one of the
3 externally derived commands,
4 store the digitally compressed images in the high-capacity storage
5 media, and
6 vary the spatial parameters and temporal parameters at which a
7 particular image is stored in accordance with one of the externally
8 derived commands.

9 ('462 Patent, Col. 10, line 57 – Col. 11, line 20).

10 **Claim 12 Of The '462 Patent**

11 17. Claim 12 of the '462 patent states:
12 The method of simultaneously displaying and storing multiple video images,
13 comprising the steps of:
14 receiving video images at a personal computer based system from one or
15 more sources;
16 digitizing any of the images not already in digital form using an analog-to-
17 digital converter;
18 displaying at least certain of the digitized images in separate windows on a
19 personal computer based display device, using a first set of temporal and
20 spatial parameters associated with each image in each window;
21 converting one or more of the video source images into a data storage format
22 using a second set of temporal and spatial parameters associated with each
23 image; and
24 simultaneously storing the converted images in a storage device.

25 ('462 Patent, Col. 11, line 62 – Col. 12, line 10).

26 **Claim 15 Of The '462 Patent**

27 18. Claim 15 of the '462 patent states:
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1 A video storage and display system, comprising:
2 one or more video cameras, each outputting a signal representative of a video
3 image;
4 means to receive the signals from each camera and digitally compress the
5 images; and
6 a computer configured to receive the digitally compressed images, the
7 computer being interfaced to the following devices:
8 a display screen,
9 means to receive externally derived operator commands including means for
10 sensing a deviation from the normal-state image scene associated with at least
11 one of the video cameras, the existence of the deviation being used as the
12 basis for generating an externally derived command, and
13 a high-capacity storage medium, and
14 programmed to perform the following functions:
15 display the digitally compressed images from the cameras in different
16 windows on the display screen, each window being associated with an update
17 rate and dimensions in pixels,
18 vary spatial parameters and temporal parameters at which a particular image
19 is updated in its window in accordance with one of the externally derived
20 commands,
21 store the digitally compressed images in the high-capacity storage medium,
22 and
23 vary the spatial parameters and temporal parameters at which a particular
24 image is stored in accordance with one of the externally derived commands.

25 ('462 Patent, Col. 12, line 15 – 45).

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1 19. By reviewing publically available information, including the article
2 attached hereto as Exhibit A, Hawk learned that La Jolla used a video storage and
3 display system and methods that infringed the ‘462 Patent.

4 20. Hawk has prepared a claim chart which explains how each limitation
5 reads onto the system claimed by Claims 1 and 15 and the method claimed by Claim
6 12 of the ‘462 Patent. At least each of these three claims was infringed by La Jolla.

7 21. All conditions precedent to bringing this action have occurred or been
8 waived.

9 22. Hawk has retained counsel to represent it in this matter and is obligated
10 to pay its counsel a reasonable fee for its services.

11 23. Pursuant to 35 U.S.C. § 285, Hawk is entitled to recover its attorneys’
12 fees.

13 **COUNT I: DIRECT INFRINGEMENT OF THE ‘462 PATENT**

14 24. The allegations contained in paragraphs 1-23 above are hereby re-
15 alleged as if fully set forth herein.

16 25. Without Hawk’s authorization, La Jolla used a video storage and
17 display system and/or methods that infringed one or more of the claims in the ‘462
18 Patent.

19 26. Hawk has been damaged by La Jolla’s infringement.

20 **WHEREFORE**, Hawk respectfully requests the Court:

21 A. Enter a judgment finding that La Jolla Beach & Tennis Club, Inc. has
22 directly infringed the ‘462 Patent.

23 B. Pursuant to 35 U.S.C. § 284, order La Jolla Beach & Tennis Club, Inc.
24 to pay damages adequate to compensate for the infringement, but in no event less
25 than a reasonable royalty for the use made of the invention, together with interest
26 and costs;

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C. Find this to be an exceptional case of patent infringement under 35 U.S.C. § 285 and award reasonable attorneys’ fees, costs, and expenses incurred by Plaintiffs in prosecuting this action; and

D. Award such other and further relief as the Court deems just and proper.

JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable.

DATED: December 31, 2014

Respectfully submitted,

LIPSCOMB, EISENBERG & BAKER, PL

Attorneys for Plaintiff

By: /s/ Debora B. Baker

Deborah B. Baker, Esq.