

of Digital Video Images.” A true and correct copy of the ’012 Patent is attached hereto as Exhibit B. Defendant manufactures, provides, sells, offers for sale, imports, and/or distributes infringing products and services; and/or induces others to make and use its products and services in an infringing manner, including its customers, who directly infringe the ’435 Patent and the ’012 Patent (“Patents-in-Suit”).

4. Plaintiff Lone Star seeks monetary damages and prejudgment interest for Defendant’s past infringement of the Patents-in-Suit.

II. THE PARTIES

5. Plaintiff Lone Star is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

6. Upon information and belief, Defendant is a Delaware corporation with its principal place of business located at 1 Dell Way, Round Rock, Texas 78682. Upon information and belief, Defendant is authorized to do business in Texas and has appointed Corporation Service Company, d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701 as its agent for service of process.

III. JURISDICTION AND VENUE

7. This is an action for patent infringement which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§271, 281, 283, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§1331 and 1338(a).

8. This Court has personal jurisdiction over Defendant because it has committed acts giving rise to this action within Texas and within this judicial district. The Court’s exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial

justice because Defendant has established minimum contacts with the forum. For example, Defendant has committed acts of infringement in this District, by among others things, offering to sell and selling products that infringe the asserted patents, including the accused devices as alleged herein.

9. Venue in the Eastern District of Texas is proper pursuant to 28 U.S.C. §§ 1391 (b), (c) and 1400(b) because Defendant has committed acts within this judicial district giving rise to this action, and Defendant continues to conduct business in this judicial district, including one or more acts of selling, using, importing and/or offering for sale infringing products or providing service and support to Defendant's customers in this District.

IV. PLAINTIFF'S '435 PATENT AND '012 PATENT

10. The Patents-in-Suit disclose systems and methods for controlling individual color saturation and/or hue of a digital video input image. The '435 Patent discloses independently controlling hue or saturation of individual colors by identifying input image pixels requiring adjustment and separately evaluating independent control functions for hue or saturation to form corresponding output image pixels with the desired hue or saturation. The '012 Patent teaches a method of changing the saturation of an individual color in a digital video image without affecting changes to other colors using a lookup table.

11. Lone Star has obtained all substantial right and interest to the Patents-in-Suit, including all rights to recover for all past and future infringements thereof.

VI. DEFENDANT'S ACTS

12. Defendant manufactures, provides, sells, offers for sale, and/or distributes infringing devices, including projectors and monitor and/or displays. Such devices include, but are not limited to Dell's UltraSharp 24 Monitor with PremierColor U2413 display as well as all

other substantially similar products.

13. Based on information and belief, Defendant's infringing devices contain hardware components (*e.g.* the display screen/output image, an internal processor and OSD (on-screen display)) and software components (*e.g.* firmware instructions) which specifically provide the ability to change the hue and/or saturation of an individual color in the output image.

14. Upon information and belief, Defendant has had knowledge of the Patents-in-Suit at least as early as approximately December of 2011 when Defendant was sent written pre-suit notice of the Patents-in-Suit. Upon information and belief, Dell has had notice and actual or constructive knowledge of the Patents-in-Suit at least since then.

15. With knowledge of the Patents-in-Suit, Defendant intentionally provides services and instructions for the installation and infringing operation of infringing products (including, by way of example, the resources and materials available at <http://www.dell.com/support/home/us/en/19/>) to the customers of its products, who directly infringe through the operation of those products.

16. Through its actions, Defendant has infringed the Patents-in-Suit and actively promoted others to infringe the Patents-in-Suit throughout the United States, including by customers within the Eastern District of Texas. On information and belief, Defendant induces its customers to infringe and contributes to the infringement of its customers by instructing or specifying that its customers operate Dell computer monitors and projectors in a manner to change the saturation and/or hue of individual colors through, for example, the product's OSD (on-screen display). Defendant specifies that the infringing devices operate in an infringing manner by providing manuals and customer support related to its infringing products.

17. Defendant, with knowledge of the Patents-in-Suit, contributes to the infringement

of the Patents-in-Suit, by having its direct and indirect customers sell, offer for sale, use, or import its computer monitors, projectors, and displays, including but not limited to the UltraSharp 24 Monitor with PremierColor U2413 display and all other substantially similar products, with knowledge that such products infringe the Patents-in-Suit. Defendant's accused devices are especially made or adapted for infringing the Patents-in-Suit, and have no substantially non-infringing uses. For example, Defendant's products contain the functionality to specifically allow changes to the hue and/or saturation of an individual color – functionality which is material to practicing the Patents-in-Suit. Based on information and belief, this functionality has no substantially non-infringing uses.

18. Lone Star has been and will continue to suffer damages as a result of Defendant's infringing acts.

COUNT ONE

PATENT INFRINGEMENT—U.S. PATENT NO. 6,724,435

19. Plaintiff Lone Star realleges and incorporates herein paragraphs 1–18.

20. Defendant has directly infringed the '435 Patent.

21. Defendant has indirectly infringed the '435 Patent by inducing the infringement of the '435 Patent and contributing to the infringement of the '435 Patent.

22. Upon information and belief, Defendant has jointly infringed the '435 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

23. Defendant's aforementioned acts have caused damage to Lone Star and will continue to do so.

COUNT TWO

PATENT INFRINGEMENT—U.S. PATENT NO. 6,122,012

24. Plaintiff Lone Star realleges and incorporates herein paragraphs 1–23.
25. Defendant has infringed the '012 Patent.
26. Defendant has indirectly infringed the '012 Patent by inducing the infringement of the '012 Patent and contributing to the infringement of the '012 Patent.
27. Upon information and belief, Defendant has jointly infringed the '012 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.
28. Defendant's aforementioned acts have caused damage to Lone Star and will continue to do so.

VII. JURY DEMAND

29. Plaintiff Lone Star hereby demands a jury on all issues so triable.

VIII. REQUEST FOR RELIEF

WHEREFORE, Plaintiff Lone Star respectfully requests that the Court:

- A. Enter judgment that Defendant infringes one or more claims of the '435 Patent and the '012 Patent literally and/or under the doctrine of equivalents;
- B. Award Plaintiff Lone Star past and future damages together with prejudgment and post-judgment interest to compensate for the infringement by Defendant of the '435 Patent and the '012 Patent in accordance with 35 U.S.C. §284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. §284;
- C. Declare this case exceptional pursuant to 35 U.S.C. §285; and
- D. Award Plaintiff Lone Star its costs, disbursements, attorneys' fees, and such further and additional relief as is deemed appropriate by this Court.

ORIGINAL COMPLAINT

Respectfully submitted,

Dated: November 10, 2015

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ORIGINAL COMPLAINT