

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK

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GLORY LICENSING LLC,

Plaintiff,

v.

CANON U.S.A., INC.,

Defendant.

CASE NO. 11-cv-1440 (LDW)(AKT)

**AMENDED COMPLAINT FOR
PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiff Glory Licensing LLC (hereinafter referred to as “Glory”), demands a jury trial and complains against the defendant as follows:

THE PARTIES

1. Glory is a limited liability company organized and existing under the laws of Saint Kitts and Nevis, with its principal place of business at Springates South, Government Road, Charlestown, Nevis, Saint Kitts and Nevis.

2. Upon information and belief, Canon U.S.A., Inc. (hereinafter referred to as “Defendant” or “Canon”) is a corporation organized and existing under the laws of the State of New York, having a place of business at One Canon Plaza, Lake Success, New York 11042.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

1 4. On information and belief, Defendant is doing business and committing
2 infringements in this judicial district and are subject to personal jurisdiction in this judicial district.

3 5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

4 **CLAIM FOR PATENT INFRINGEMENT**

5 6. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
6 contained in paragraphs 1 through 5 above.

7 7. On November 2, 1993, U.S. Patent No. 5,258,855 (hereinafter referred to as “the
8 ‘855 patent”) was duly and legally issued to System X, L.P. for an invention entitled “Information
9 Processing Methodology.” The ‘855 Patent was subsequently assigned, first to Millennium, L.P.
10 (“Millennium”) and then to Glory. A copy of the ‘855 patent is attached to this Complaint as Exhibit
11 1.
12

13 8. On November 29, 1994, U.S. Patent No. 5,369,508 (hereinafter referred to as “the
14 ‘508 patent”) was duly and legally issued to System X, L.P. for an invention entitled “Information
15 Processing Methodology.” The ‘508 Patent was subsequently assigned, first to Millennium and
16 then to Glory. A copy of the ‘508 patent is attached to this Complaint as Exhibit 2.

17 9. On April 29, 1997, U.S. Patent No. 5,625,465 (hereinafter referred to as “the ‘465
18 patent”) was duly and legally issued to International Patent Holdings, Ltd. for an invention entitled
19 “Information Processing Methodology.” The ‘465 Patent was subsequently assigned, first to
20 Millennium and then to Glory. A copy of the ‘465 patent is attached to this Complaint as Exhibit 3.
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22 10. On June 16, 1998, U.S. Patent No. 5,768,416 (hereinafter referred to as “the ‘416
23 patent”) was duly and legally issued to Millennium for an invention entitled “Information
24 Processing Methodology.” The ‘416 Patent was subsequently assigned to Glory. A copy of the
25 ‘506 patent is attached to this Complaint as Exhibit 4.

26 11. On July 25, 2000, U.S. Patent No. 6,094,505 (hereinafter referred to as “the ‘505
27 patent”) was duly and legally issued to Millennium for an invention entitled “Information
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1 Processing Methodology.” The ‘505 Patent was subsequently assigned to Glory. A copy of the
2 ‘505 patent is attached to this Complaint as Exhibit 5.

3 12. Glory is the owner of all right, title and interest in and to the ‘855 patent, the ‘508
4 patent, the ‘465 patent, the 506 patent and the ‘505 patent.

5 **COUNT ONE**

6 13. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
7 contained in paragraphs 1 through 12 above.

8 14. Canon has for a long time past and still is infringing, actively inducing the
9 infringement of and contributorily infringing in this judicial district, the ‘855 patent by, among
10 other things, importing, making, using, offering for sale, and/or selling computer hardware,
11 software and systems, including but not limited to its PaperToOfficePro, eCopy ShareScan, and
12 imageWARE products, in which information from a hard copy document is extracted and
13 transmitted to an application program in a manner defined by the claims of the ‘855 patent without
14 permission from Glory and will continue to do so unless enjoined by this Court.
15

16 15. Plaintiff, has been damaged by such infringing activities by the Defendant of the
17 ‘855 patent and will be irreparably harmed unless such infringing activities are enjoined by this
18 Court.
19

20 **COUNT TWO**

21 16. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
22 contained in paragraphs 1 through 15 above.

23 17. Canon has for a long time past and still is infringing, actively inducing the
24 infringement of and contributorily infringing in this judicial district, the ‘508 patent by, among
25 other things, importing, making, using, offering for sale, and/or selling computer hardware,
26 software and systems, including but not limited to its PaperToOfficePro, eCopy ShareScan, and
27 imageWARE products, in which information from a hard copy document is extracted and
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1 transmitted to an application program in a manner defined by the claims of the '508 patent without
2 permission from Glory and will continue to do so unless enjoined by this Court.

3 18. Plaintiff has been damaged by such infringing activities by the Defendant, of the
4 '508 patent and will be irreparably harmed unless such infringing activities are enjoined by this
5 Court.

6 **COUNT THREE**

7 19. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
8 contained in paragraphs 1 through 18 above.

9 20. Canon has for a long time past and still is infringing, actively inducing the
10 infringement of and contributorily infringing in this judicial district, the '465 patent by, among
11 other things, importing, making, using, offering for sale, and/or selling computer hardware,
12 software and systems, including but not limited to its PaperToOfficePro, eCopy ShareScan, and
13 imageWARE products, in which information from a hard copy document is extracted and
14 transmitted to an application program in a manner defined by the claims of the '465 patent without
15 permission from Glory and will continue to do so unless enjoined by this Court.
16

17 21. Plaintiff has been damaged by such infringing activities by the Defendant of the
18 '465 patent and will be irreparably harmed unless such infringing activities are enjoined by this
19 Court.
20

21 **COUNT FOUR**

22 22. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
23 contained in paragraphs 1 through 21 above.

24 23. Canon has for a long time past and still is infringing, actively inducing the
25 infringement of and contributorily infringing in this judicial district, the '506 patent by, among
26 other things, importing, making, using, offering for sale, and/or selling computer hardware,
27 software and systems, including but not limited to its PaperToOfficePro, eCopy ShareScan, and
28

1 imageWARE products, in which information from a hard copy document is extracted and
2 transmitted to an application program in a manner defined by the claims of the '506 patent without
3 permission from Glory and will continue to do so unless enjoined by this Court.

4 24. Plaintiff has been damaged by such infringing activities by the Defendant, of the
5 '506 patent and will be irreparably harmed unless such infringing activities are enjoined by this
6 Court.

7
8 **COUNT FIVE**

9 25. Plaintiff Glory repeats and incorporates herein the entirety of the allegations
10 contained in paragraphs 1 through 24 above.

11 26. Canon has for a long time past and still is infringing, actively inducing the
12 infringement of and contributorily infringing in this judicial district, the '505 patent by, among
13 other things, importing, making, using, offering for sale, and/or selling computer hardware,
14 software and systems, including but not limited to its PaperToOfficePro, eCopy ShareScan, and
15 imageWARE products, in which information from a hard copy document is extracted and
16 transmitted to an application program in a manner defined by the claims of the '505 patent without
17 permission from Glory and will continue to do so unless enjoined by this Court.

18 27. Plaintiff has been damaged by such infringing activities by the Defendant, of the
19 '505 patent and will be irreparably harmed unless such infringing activities are enjoined by this
20 Court.

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22 **PRAYER FOR RELIEF**

23 WHEREFORE, Plaintiff Glory prays for judgment against Defendant Canon on all the
24 counts and for the following relief:

25 A. Declaration that the Plaintiff is the owner of the '855, '508, '465, '416 and '505
26 patents and that the Plaintiff has the right to sue and to recover for infringement
27 thereof;
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- 1 B. Declaration that the '855, '508, '465, '416 and '505 patents are valid and
2 enforceable;
- 3 C. Declaration that the Defendant has infringed, actively induced infringement of, and
4 contributorily infringed '855, '508, '465, '416 and '505 patents;
- 5 D. A preliminary and permanent injunction against the Defendant, each of its officers,
6 agents, servants, employees, and attorneys, all parent and subsidiary corporations,
7 their assigns and successors in interest, and those persons acting in active concert or
8 participation with them, including distributors and customers, enjoining them from
9 continuing acts of infringement, active inducement of infringement, and contributory
10 infringement of Glory's '855, '508, '465, '416 and '505 patents;
- 11 E. An accounting for damages under 35 U.S.C. §284 for infringement of Glory's '855,
12 '508, '465, '416 and '505 patents by the Defendant and the award of damages so
13 ascertained to the Plaintiff together with interest as provided by law;
- 14 F. Award of Glory's costs and expenses; and
- 15 G. Such other and further relief as this Court may deem proper, just and equitable.

16 **DEMAND FOR JURY TRIAL**

17 Plaintiff demands a trial by jury of all issues properly triable by jury in this action.

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26 Attorneys for Plaintiff Glory LLC

27 Dated: May 31, 2011
28 Westfield, NJ