

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

RAH COLOR TECHNOLOGIES LLC,

Plaintiff,

v.

AGFA-GEVAERT N.V., and

AGFA CORPORATION,

Defendants.

Civil Action No.

JURY TRIAL DEMANDED

**COMPLAINT**

This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, against Defendants Agfa-Gevaert N.V. and Agfa Corporation (collectively “Agfa”) that relates to five U.S. patents owned by RAH Color Technologies LLC (“RAH Color Technologies” or “RAHCT”): U.S. Patent Nos. 6,995,870; 7,312,897; 8,416,444; 8,760,704; and 7,729,008 (collectively, the “Patents-in-Suit”).

**THE PARTIES**

1. Plaintiff RAH Color Technologies is a limited liability company organized under the laws of the Commonwealth of Virginia. RAH Color Technologies maintains an office at 7012 Colgate Drive, Alexandria, Virginia 22307. RAH Color Technologies owns numerous United States patents generally related to the field of color management. Dr. Richard A. Holub manages RAH Color Technologies and is the named inventor of the Patents-in-Suit.

2. Defendant Agfa-Gevaert N.V. is a company duly organized and existing under the laws of Belgium, with its principal place of business at Agfa-Gevaert N.V., Septestraat 27, B-2640 Mortsel, Belgium. On information and belief, Agfa-Gevaert N.V. can be served with process at that address.

3. Agfa Corporation is a Delaware Corporation that maintains a principal place of business at 611 River Dr., Elmwood Park, NJ 07407. Agfa Corporation can be served with process through its registered agent, CT Corporation, 208 S. LaSalle St., Suite 814, Chicago, IL 60604. Agfa Corporation maintains a packaging demo center and sales office near Chicago, Illinois at Riverway West, 9399 W. Higgins Road, Suite 130W, Rosemont, IL 60018. Agfa Corporation also maintains a warehouse near Chicago, Illinois at 800 Bilter Road, Aurora, IL 60502. Agfa Corporation also maintains a place of business near Chicago, Illinois at 221 Covington Drive, Bloomingdale, IL 60108.

4. Agfa manufactures, makes, uses, sells, imports, and offers for sale printer, prepress and workflow hardware and software that employ color measurement and management techniques in the U.S.

#### **JURISDICTION AND VENUE**

5. This Complaint states causes of action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 100 *et seq.*, and, more particularly 35 U.S.C. § 271.

6. This Court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a) in which the district courts have original and exclusive jurisdiction of any civil action for patent infringement.

7. Each Agfa Defendant is subject to this Court's general personal jurisdiction pursuant to due process and/or the Illinois Long Arm Statute, Illinois Statutes 735 § 5/2-209, due at least to its substantial business conducted in this District, including: (i) having transacted business within the State of Illinois and attempted to derive financial benefit from residents of the State of Illinois in this District, including benefits directly related to the instant patent infringement causes of action set forth herein; (ii) having placed its products and services into the stream of commerce throughout the United States and having been actively engaged in transacting business in Illinois and in this District, and (iii) having committed the complained of tortious acts in Illinois and in this District. For example, Agfa maintains operations in Rosemont, Aurora, and Bloomingdale, Illinois.

8. Agfa, directly and/or through subsidiaries and agents (including distributors, retailers, and others), makes, imports, ships, distributes, offers for sale, sells, uses, and advertises (including offering products and services through its website, <https://www.agfagraphics.com/global/en.html>, as well as other retailers) its products and/or services in the United States, the State of Illinois, and the Northern District of Illinois.

9. Agfa, directly and/or through its subsidiaries and agents (including distributors, retailers, and others), has purposefully and voluntarily placed one or more of its infringing products and/or services, as described below, into the stream of commerce with the expectation that they will be purchased and used by consumers in the Northern District of Illinois. These infringing products and/or services have been and continue to be purchased and used by consumers in the Northern District of Illinois. Agfa has

committed acts of patent infringement within the State of Illinois and, more particularly, within the Northern District of Illinois.

10. This Court's exercise of personal jurisdiction over Agfa is consistent with Illinois Long Arm Statute, Illinois Statutes 735 § 5/2-209, and traditional notions of fair play and substantial justice.

11. Venue is proper in this District under 28 U.S.C. §§1391(b) and (c) and 1400(b) because all Defendants are subject to personal jurisdiction in this District and Agfa-Gevaert NV may be sued in any judicial district.

#### **BACKGROUND FACTS REGARDING RAH COLOR TECHNOLOGIES**

12. RAH Color Technologies is owned by Dr. Richard A. Holub, who is a named inventor of all its patent assets. Dr. Holub holds a Ph.D. in Neurophysiology and has studied and worked extensively in the fields of vision and color reproduction for nearly fifty years.

13. For example, between 1983 and 1994, Dr. Holub worked for several leading companies including Eastman Kodak (following its acquisition of Eikonix Corp., which Dr. Holub joined in 1983), Agfa/Bayer and SuperMac Technologies where he served as Chief Color Scientist, Technology Consultant, and Principal Engineer, respectively, and had responsibility for developing and/or managing development of color technologies for new products.

14. Dr. Holub has additionally been a leader in development, research, and education in the graphic arts industry.

15. For example, for ten consecutive years beginning in 1993-94, Dr. Holub was elected to and served on the Board of Directors of The Technical Association of the

Graphic Arts (“TAGA”), now a part of the Printing Industries of America. For nine of those ten years, Dr. Holub was an officer, serving three years as Technical Vice President and Papers Chair, two years as Executive Vice President, two years as President and two years as Immediate Past President. During his three years as Technical VP, Dr. Holub organized four technical conferences, including TAGA’s first-ever international conference, and, in addition, TAGA’s contributions to the Graphic Arts Show Company’s “Concepts” Conference in two successive years.

16. Between 1995 and 1998, Dr. Holub taught in various instructional programs at Rochester Institute of Technology, especially taking responsibility for research methods courses offered to Master’s students pursuing the technology concentration in the School of Printing Management and Sciences (subsequently renamed the School of Print Media). During that time he served on thesis committees for a number of students in the Master’s program. Many graduates of that program hold significant positions in the publishing and printing industries. In addition, during the early 1990’s, Dr. Holub served as a key technical contributor to early standards developed by CGATS, the Committee for Graphic Arts Technical Standards.

17. Spanning almost two decades, Dr. Holub’s R&D work (alone and with collaborators) resulted in 11 papers presented to TAGA’s Annual Technical Conference, all of which subsequently appeared in published Conference *Proceedings*. His research also resulted in the contribution of at least four (4) important papers to refereed journals, including the *Journal of Imaging Technology* and *Color Research and Application*, as well as contributions to symposia organized by The Society for Imaging Science and

Technology (IS&T), the Society of Photo-Optical Instrumentation Engineers (SPIE), and the Institute of Electrical and Electronics Engineers (IEEE).

18. In 1994, Dr. Holub began work on a new business that would leverage inventive developments in color measurement, imaging system architecture, user-interface and color reproduction technologies to implement open and accurate color reproduction in a networked environment. Over the next several years, Dr. Holub rented laboratory/demo space from RIT Research Corp., hired students from the Rochester Institute of Technology as well as software and hardware contractors to assist him in developing a first product prototype. The prototype combined instrumentation for fully automatic display calibration with software support for highly accurate soft-proofing. During this time, he also prepared and filed the first two in a series of significant patent disclosures to cover implementations of inventive concepts.

19. Dr. Holub formed Imagicolor Corporation in 1998 to commercialize his prototype described above in paragraph 18. Further efforts at business development continued, however, investment did not materialize and Imagicolor was eventually dissolved.

20. Though commercialization of the prototype did not come to fruition, Dr. Holub continued to innovate, and pursue patents on those innovations, with the United States Patent Office. In 2005, RAH Color Technologies LLC was formed as a vehicle for an on-going licensing program for companies whose products depend on Dr. Holub's innovations.

**BACKGROUND FACTS REGARDING THE RAH COLOR TECHNOLOGIES  
PATENT PORTFOLIO**

21. The United States Patent Office has awarded Dr. Holub 30 patents to date, including the following Patents-in-Suit:

- United States Patent No. 6,995,870, entitled “System for Distributing and Controlling Color Reproduction at Multiple Sites” (the ’870 Patent);
- United States Patent No. 7,312,897, entitled “System for Distributing and Controlling Color Reproduction at Multiple Sites” (the ’897 Patent);
- United States Patent No. 8,416,444, entitled “System for Distributing and Controlling Color Reproduction at Multiple Sites” (the ’444 Patent);
- United States Patent No. 8,760,704, entitled “System for Distributing and Controlling Color Reproduction at Multiple Sites” (the ’704 Patent); and
- United States Patent No. 7,729,008, entitled “System for Distributing and Controlling Color Reproduction at Multiple Sites” (the ’008 Patent).

22. The United States Patent Office has considered nearly 500 references during the prosecution of Dr. Holub’s patent applications.

23. Hundreds of subsequently filed patent applications by third parties have cited to Dr. Holub’s patents.

24. RAH Color Technologies has licensed the technology covered by its patents to six of the largest manufacturers of color imaging and printing products for consumer and professional segments in the world. RAH Color Technologies has also licensed its innovations to two additional manufacturers with extensive experience in the color measurement and management space. Additionally, 13 major companies have entered into end-user license agreements with RAH Color Technologies.

25. These industry-leading companies have each recognized the contributions Dr. Holub has made to the fields of color management, remote proofing, and measurement and control of color product quality.

26. All right, title, and interest in the Patents-in-Suit are held by RAH Color Technologies.

**AGFA'S KNOWLEDGE OF THE PATENTS-IN-SUIT, HOW AGFA INFRINGES THEM, AND AGFA'S CONTINUED INFRINGEMENT DESPITE THAT KNOWLEDGE**

27. Agfa has been aware of the Patents-in-Suit since at least March 17, 2015.

28. On March 17, 2015, counsel for RAH Color Technologies (Global IP Law Group, LLC) sent a seven-page letter to Agfa's counsel Christopher Santomassimo at the law firm Nicoll Davis & Spinella LLP, offering Agfa a license to RAH Color Technologies' patents. The letter indicated that Agfa was using RAH Color Technologies' patented technologies.

29. RAH Color Technologies' March 17, 2015 letter identified the Patents-in-Suit and the Agfa products and methods RAH contends infringes them.

30. In the cover email sent with the March 17, 2015 letter, RAH Color Technologies (Global IP Law Group, LLC) indicated: "Please let me know whether Agfa has any preliminary questions as it begins its review."

31. On the same day, Mr. Santomassimo emailed back, stating: "Thanks for your note. We will review and respond."

32. By December 10, 2015, Agfa had not responded to RAHCT's March 17, 2015 letter.



33. On December 10, 2015, RAH Color Technologies (Global IP Law Group, LLC) emailed Mr. Santomassimo requesting a response to RAHCT's March 17, 2015 letter, notifying Agfa of additional licensees recently granted, and stating: "We'd like to move this matter forward with Agfa, and would be happy to travel where convenient for Agfa for an in-person meeting if you think that would be helpful. Please let me know."

34. On December 15, 2015, Mr. Santomassimo responded: "Thanks for your note. I am communicating with my client, and will let you know when I receive further word. Given that the Christmas season is quickly approaching, I anticipate that I will not hear much before January. Thanks in advance for your patience, and your agreement not to file until we speak further."

35. On January 19, 2016, RAH Color Technologies (Global IP Law Group, LLC) emailed Mr. Santomassimo requesting an update.

36. Mr. Santomassimo then responded: "Thank for your note. You will hear shortly form [sic] our outside counsel, Mike Hartmann, regarding next steps."

37. At no time between March 17, 2015 and February 8, 2016 did Agfa request any information from RAHCT or Global IP Law Group.

38. On February 8, 2016, eleven months after the letter was sent, Mr. H. Michael Hartmann from the law firm Leydig, Voit & Mayer, Ltd. responded to RAH Color Technologies' March 17, 2015 letter on Agfa's behalf.

39. Agfa's February 8, 2016 letter stated: "Agfa does not believe that a discussion of licensing opportunities would be appropriate at this point, and respectfully declines your invitation."

40. On March 3, 2016, RAH Color Technologies (Global IP Law Group, LLC) sent a letter response to Agfa, which stated: “RAH Color Technologies's notice of infringement was provided as a result of a detailed study of the technical information Agfa makes publicly available.”

41. On March 3, 2016 RAHCT also provided claim charts comparing the claims of the '444 and '704 patents to Agfa's products.

42. RAHCT's March 3, 2016 letter invited Agfa to participate in an in-person meeting with RAHCT to discuss RAHCT's patent portfolio and RAHCT's past licensing.

43. Agfa never agreed to participate in any in-person meeting with RAHCT.

44. On March 8, 2016, Mr. Hartmann responded: “Thank you for your note. Let us have a look at the information you are providing and get back to you.”

45. On March 11, 2016, RAHCT (Global IP Law Group, LLC) provided an additional claim chart to Agfa comparing the claims of the '008 patent to Agfa's products.

46. The March 11, 2016 email from RAH Color Technologies (Global IP Law Group, LLC) stated: “Follow[ing] up on my March 3 letter, here is the '008 chart I mentioned. Looking forward to hearing back from you once your review is complete.”

47. Agfa never responded to RAHCT's March 11, 2016 email.

48. On March 22, 2016, RAH Color Technologies (Global IP Law Group, LLC) emailed Mr. Hartmann and Mr. Santomassimo, as well as Rudi Goedeweck (General Manager of Intellectual Property at Agfa-Gevaert) notifying Agfa of another license between RAHCT and Nikon, joining other licensees including a founding member of the International Color Consortium, and stating: “We respectfully request that

Agfa consider RAH Color Technologies's widespread licensing in the industry as a factor during its evaluation of the portfolio. We look forward to hearing from you soon. Have a good weekend."

49. Agfa never responded to RAHCT's March 22, 2016 email.

50. On April 7, 2016, RAH Color Technologies (Global IP Law Group, LLC) sent Mr. Hartmann an email requesting an update.

51. On April 27, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) spoke with Mr. Hartmann by telephone and discussed the possible fees that Agfa would pay for a license to RAHCT's patents.

52. On May 17, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) sent Mr. Hartmann an email requesting an update on Agfa's status.

53. On June 10, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) sent Mr. Hartmann an email requesting to discuss resolution of the matter.

54. On June 14, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) telephoned Mr. Hartmann requesting to discuss resolution of the matter.

55. On June 22, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) spoke with Mr. Hartmann by phone. On the call, RAHCT conveyed an opening settlement offer from RAHCT that, if Agfa had accepted it, would have resolved the issues in the present litigation.

56. On October 28, 2016, Mr. Berten from Global IP Law Group spoke with Mr. Hartmann (on Agfa's behalf) by phone. On the call, Agfa did not make any offer or counteroffer. Agfa requested that RAH identify one or two "key claims" rather than the many identified in RAH Color Technologies' March 17, 2015 letter.

57. On November 11, 2016, counsel for RAH Color Technologies (Global IP Law Group, LLC) provided an additional claim chart for the '870 Patent, and copies of the '704 and '008 Patent claim charts (originally sent to Agfa on March 3 and 11, 2016, respectively) in response to Agfa's request to identify key claims.

58. RAH Color Technologies (Global IP Law Group, LLC) sent Agfa follow-up emails on December 6, December 9, and December 20, 2016.

59. On December 22, 2016, Christopher J. Gass, from the law firm Leydig Voit & Mayer, emailed RAH Color Technologies (Global IP Law Group, LLC) a letter from Agfa responding to RAH's November 11, 2016 correspondence. In the letter, Agfa did not agree to take a license or discuss any payment terms or amount. In the letter, Agfa did not agree to meet with RAHCT.

60. On January 16, 2017, RAH Color Technologies (Global IP Law Group, LLC) provided Agfa with a six-page letter responding to the issues raised in Agfa's December 22, 2016 letter.

61. In its January 16, 2017 letter, RAHCT stated: "As you know, RAHCT has been attempting to resolve this matter with Agfa for nearly a year. We believe we have answered Agfa's technical objections at least to the point where each side can understand the other's positions and, while not necessarily agreeing with them, can make a reasonable assessment of whether a license is prudent. Dr. Holub will be in Chicago next week (January 23) and would be happy to sit down with you in person if Agfa is prepared to make a counteroffer to Dr. Holub's proposal."

62. On February 5, 2017, RAH Color Technologies (Global IP Law Group, LLC) sent Mr. Hartmann an email stating: "It's been over a month and we have not heard

back from you. In the meantime, we have formally resolved the case with Ricoh and you should see that case dismissed this quarter. Last Thursday, we also filed the attached complaint against RR Donnelley. Can you let us know if Agfa wishes to continue negotiations and if there is a counteroffer to our proposal?”

63. On February 6, 2017, Mr. Hartmann responded: “I have been in touch with the client on this matter and plan to have a further response by the end of the week. I’m afraid the holidays have delayed matters a little longer than I would have preferred. I appreciate your patience.”

64. On February 13, 2017, Mr. Hartmann emailed RAH (Global IP Law Group) stating: “Our client indicated they would have further instructions to me by early this week. I am expecting to hear from them tomorrow or Wednesday, and will be in touch with you promptly after that.”

65. On February 21, 2017, RAHCT (Global IP Law Group) emailed Mr. Hartmann requesting an update.

66. On February 23, 2017, Mr. Hartmann responded: “We’re in continuing communication with our client, David; we will let you have the response shortly.”

67. On February 27, 2017, Agfa sent RAHCT (Global IP Law Group) a letter that expanded on the same issues that Agfa raised in its December 22, 2016 letter. In the letter, Agfa did not agree to take a license. In the letter, Agfa did not discuss any payment terms or amount. In the letter, Agfa did not agree to meet with RAHCT.

68. At no time has Agfa discussed the patents with RAHCT in any meeting.

69. Throughout the two years of dealings between RAHCT and Agfa, RAHCT has provided Agfa with at least three substantive letters, 11 emails, two phone calls and four claim charts explaining its infringement contentions to Agfa.

70. Agfa has not agreed to enter into a licensing agreement with RAH Color Technologies.

71. Agfa has not provided RAH Color Technologies any licensing proposal.

72. Agfa has not provided any counteroffer to RAH Color Technologies' licensing settlement offer.

73. Despite knowledge of the Patents-in-Suit and knowledge of the manner in which the Patents-in-Suit are infringed as demonstrated in the provided claim charts, Agfa has continued to infringe and induce the infringement of the Patents-in-Suit.

74. Agfa promotes its capabilities of accurately managing color in support of Agfa's business of providing printers and software that it sells and offers for sale to customers in the U.S. As part of its business, Agfa uses printer hardware and software that employ color measurement and management techniques in the U.S. which, alone or in combination, infringe various claims of the Patents-in-Suit.

75. Agfa has in the past and continues to directly infringe the asserted claims of the Patents-in-Suit pursuant to 35 U.S.C. § 271 by using methods and using, making and importing systems, software, and apparatuses covered by the asserted patent claims identified below.

**COUNT I: INFRINGEMENT OF U.S. PATENT '870 CLAIM 34**

76. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 of this Complaint as though set forth in full herein.

77. Claim 34 of the '870 Patent provides:

Claim 34 Preamble	A method for providing control to a user for processing color images comprising the steps of:
Element A	providing an interface operable at a computer through which the user is able to select a plurality of sites having one or more color input or output devices;
Element B	communicating between said sites through a network interface at said sites; and
Element C	providing information for transforming input color image data into output color image data for the color input or output devices at said plurality of sites such that colors produced by the color devices appear substantially the same within colors attainable by each of the devices, wherein said information for transforming comprises information relating the color gamuts of different ones of said color devices to each other and user preferences for color reproduction for at least one of the color devices.

78. “Agfa Accused Color Workflow Systems” include Agfa Apogee Suite (including Apogee Prepress, Color Quality Manager, Impose, DigitalPrint Link, InkSave, Proof, and WebApproval) and other software that include the same or equivalent functionality described in paragraphs 79-90 of Count I, paragraph 99 of Count II, paragraph 108 of Count III, paragraph 117 of Count IV, paragraph 126 of Count V, paragraph 135 of Count VI, paragraph 144 of Count VII, paragraphs 153-159 of Count VIII, paragraphs 165-171 of Count IX, paragraphs 177-178 of Count X, paragraph 184 of Count XI, paragraphs 190-192 of Count XII, paragraph 198 of Count XIII, paragraph 204 of Count XIV, paragraph 210 of Count XV, paragraphs 216-217 of Count XVI, paragraphs 223-236 of Count XVII, paragraphs 245-248 of Count XVIII, and paragraph 257 of Count XIX.

79. Agfa Accused Color Workflow Systems provide control for processing color images.

80. Agfa Accused Color Workflow Systems provide an interface used on a computer. Using the interface, users are able to select and access two or more sites (e.g., a computer-to-plate device or digital front end) having a color output device (e.g., a printer or printing press or computer-to-plate device) associated with the site.

81. Agfa Accused Color Workflow Systems communicate with two or more sites using a network interface.

82. Agfa Accused Color Workflow Systems provide information for transforming input color image data into output color image data for the color input or output devices at the sites via, for example, International Color Consortium (“ICC”) profiles (including version 4 (“ICC v.4”)-compliant profiles) and data used by Agfa Accused Color Workflow Systems’ Color Management Module (“CMM”) to process profiles.

83. Agfa Accused Color Workflow Systems use color profiles and the CMM to provide information used to transform input color image data into output color image data for color input or output devices.

84. Agfa Accused Color Workflow Systems use color profiles and verification to ensure that colors produced by the devices appear substantially the same within colors attainable by each of the devices.

85. One example of verification used by Agfa Accused Color Workflow Systems is its Validation Reports feature, which ensures that the rendering device renders colors accurately (i.e., substantially the same within colors attainable by the device).



86. Agfa Accused Color Workflow Systems are ICC v.4 compliant, which means that the CMM uses the ICC's standard Perceptual Reference Medium Gamut ("PRMG") or similarly structured gamut data for gamut mapping.

87. The PRMG provides a standardized gamut representation for image data in coordinates for the ICC-defined Profile Connection Space ("PCS") used for transforming colors between devices having different gamuts.

88. A workflow using the PRMG employs the PRMG to map colors from an input device to an output device using an intermediate color-to-color' transformation (i.e., input device gamut in PCS values to PRMG).

89. The ICC profiles and CMM include user preferences for color reproduction for at least one of the color devices.

90. Agfa Accused Color Workflow Systems allow user preferences to be set by a user for color reproduction.

91. Agfa directly infringes claim 34 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

92. In addition, Agfa induces infringement of claim 34 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

93. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 34 of the '870 Patent. Agfa actively induces customers and end-users to directly

infringe each and every claim limitation of at least claim 34 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 34 of the '870 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 34 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

94. Agfa has had knowledge of the '870 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations of how Agfa Accused Color Workflow Systems infringe claim 34 of the '870 Patent since at least November 11, 2016.

95. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 34 of the '870 Patent under 35 U.S.C. § 271(a) directly.

96. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT II: INFRINGEMENT OF U.S. PATENT '870 CLAIM 35**

97. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

98. Claim 35 of the '870 Patent provides:

Claim 35	The method according to claim 34 wherein the communication between said sites employs one or more of a wide area network, Internet, telecommunications network, or LAN.
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99. Agfa Accused Color Workflow Systems communicate with sites using a network that uses, for example, a LAN, or other network that supports Ethernet.

100. Agfa directly infringes claim 35 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

101. In addition, Agfa induces infringement of claim 35 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

102. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 35 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 35 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 35 of the '870 Patent with the specific intent to encourage

such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 35 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

103. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

104. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 35 of the '870 Patent under 35 U.S.C. § 271(a) directly.

105. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT III: INFRINGEMENT OF U.S. PATENT '870 CLAIM 36**

106. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

107. Claim 36 of the '870 Patent provides:

Claim 36	The method according to claim 34 wherein said communication is capable of being at least partly wireless.
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108. Agfa Accused Color Workflow Systems include components that can communicate wirelessly using a network protocol.

109. Agfa directly infringes claim 36 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

110. In addition, Agfa induces infringement of claim 36 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

111. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 36 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 36 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 36 of the '870 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 36 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

112. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

113. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 36 of the '870 Patent under 35 U.S.C. § 271(a) directly.

114. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT IV: INFRINGEMENT OF U.S. PATENT '870 CLAIM 39**

115. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

116. Claim 39 of the '870 Patent provides:

Claim 39	The method according to claim 34 wherein said user preferences for color reproduction include at least one aspect of the utilization of one or more neutral colorants.
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117. Agfa Accused Color Workflow Systems include user settings for its InkSave feature that controls the use of black ink (a neutral colorant).

118. Agfa directly infringes claim 39 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

119. In addition, Agfa induces infringement of claim 39 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

120. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 39 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 39 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 39 of the '870 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 39 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

121. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

122. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 39 of the '870 Patent under 35 U.S.C. § 271(a) directly.

123. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT V: INFRINGEMENT OF U.S. PATENT '870 CLAIM 41**

124. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

125. Claim 41 of the '870 Patent provides:

Claim 41	The method according to claim 34 further comprising the step of annotating images produced by at least one of said color devices.
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126. In Agfa Accused Color Workflow Systems, WebApproval adds annotations to images rendered by a color device automatically during an approval process.

127. Agfa directly infringes claim 41 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

128. In addition, Agfa induces infringement of claim 41 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

129. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 41 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 41 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 41 of the '870 Patent with the specific intent to encourage



such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 41 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

130. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

131. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 41 of the '870 Patent under 35 U.S.C. § 271(a) directly.

132. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT VI: INFRINGEMENT OF U.S. PATENT '870 CLAIM 42**

133. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

134. Claim 42 of the '870 Patent provides:

Claim 42	The method according to claim 34 wherein at least two of said sites capable of being remote from each other.
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135. Agfa Accused Color Workflow Systems employ networking technologies and communication protocols that allow sites to be remotely located from each other.

136. Agfa directly infringes claim 42 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

137. In addition, Agfa induces infringement of claim 42 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

138. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 42 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 42 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 42 of the '870 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 42 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

139. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

140. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 42 of the '870 Patent under 35 U.S.C. § 271(a) directly.

141. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages

**COUNT VII: INFRINGEMENT OF U.S. PATENT '870 CLAIM 43**

142. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-96 of this Complaint as though set forth in full herein.

143. Claim 43 of the '870 Patent provides:

Claim 43	The method according to claim 34 further comprising the step of verifying whether said information for transforming properly transforms said color image data at one or more of said sites.
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144. In Agfa Accused Color Workflow Systems, Color Quality Manager's validation reports verify that rendered colors have measured color values that fall within acceptable error tolerances, indicating that the colors are properly transformed.

145. Agfa directly infringes claim 43 of the '870 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

146. In addition, Agfa induces infringement of claim 43 of the '870 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

147. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 43 of the '870 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 43 of the '870 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '870 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 43 of the '870 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 43 of the '870 Patent by using the Agfa Accused Color Workflow Systems.

148. Agfa has had knowledge of the '870 Patent since at least March 17, 2015.

149. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 43 of the '870 Patent under 35 U.S.C. § 271(a) directly.

150. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT VIII: INFRINGEMENT OF U.S. PATENT '897 CLAIM 61**

151. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 78 of this Complaint as though set forth in full herein.

152. Claim 61 of the '897 Patent provides:

Claim 61 Preamble	A computer-readable medium encoded with a computer program for providing control to a user for processing color images comprising:
Element A	a screen through which the user is able to select one or more sites according to information regarding identity or location of said one or more sites, each of said one or more sites having one or more color output devices;
Element B	one or more screens enabling the user to control conversion of color image data for each of said color output devices for said one or more selected sites in accordance with user preferences for color reproduction; and
Element C	one or more modules enabling the user to select verification of color reproduction of each of said color output devices in accordance with a reference expressible in device independent units.

153. Agfa Accused Color Workflow Systems include software installable on a computer for controlling color processing of color images.

154. Agfa Accused Color Workflow Systems include a screen that allows a user to connect to other networked computers and connected rendering devices based on name or location.

155. Agfa Accused Color Workflow Systems includes screens that allow a user to create profiles compliant with the International Color Consortium's version 4 specification ("ICC v.4").

156. These profiles control conversion of input color image information to output color image information.

157. Agfa Accused Color Workflow Systems allow a user to create profiles that include user preferences, such as preferences for black ink usage, paper type, and ink type as examples.

158. Agfa Accused Color Workflow Systems include software for validating that rendered colors have values within color error tolerances (e.g., by indicating values in green; providing a green check mark if within tolerances) for multiple color reproduction devices.

159. Color errors are the difference between measured color values and reference values in device independent L\*a\*b\* units of color.

160. Agfa infringes claim 61 of the '897 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

161. Agfa has had knowledge of the '897 Patent since at least March 17, 2015.

162. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT IX: INFRINGEMENT OF U.S. PATENT '444 CLAIM 41**

163. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 78 of this Complaint as though set forth in full herein.

164. Claim 41 of the '444 patent provides:

Claim 41 Preamble	A non-transitory computer-readable medium encoded with a program for controlling color reproduction comprising:
Element A	one or more files comprising one or more color transformations for converting a first set of color coordinates into a second set of coordinates, wherein said second set at least partly controls rendering by a device, at least one of said files comprising a

	header which has information related to said one or more color transformations and provides access to a gamut filter and a chromatic adaptation transform, wherein said gamut filter has inputs which are color values and outputs indicative of whether color values of said inputs are inside or outside of a color gamut and said chromatic adaptation transform enables conversion of input color coordinates to output color coordinates representative of different viewing conditions; and
Element B	software for preparing color data for rendering by a device in accordance with said one or more color transformations.

165. Agfa Accused Color Workflow Systems include software installable on a computer for controlling color reproductions (e.g., Apogee Prepress with integrated WebApproval and Color Quality Manager).

166. Agfa Accused Color Workflow Systems include Apogee Color Quality Manager used to modify, generate, and provide ICC v.4-compliant color profiles for rendering devices in combination with other components of Agfa Accused Color Workflow Systems (e.g., Apogee Prepress, WebApproval).

167. Upon information and belief, Agfa will also provide ICC profiles for supported rendering devices with its Agfa Accused Color Workflow Systems.

168. ICC profiles have a header that points to tagged elements (e.g., “AToB0” and “BToA0”) that are used to transform color coordinates from, for example, an input color image to color coordinates useable by a particular rendering device, such as a color printer or color display for rendering.

169. ICC profiles have a header that points to tagged elements including a gamut filter (indicated by the “gamutTag”) that uses PCS color values as inputs, and outputs a zero or non-zero to indicate if the input color value is in or out-of-gamut for a particular rendering device.

170. ICC profiles have a header that points to tagged elements including a chromatic adaptation transform (indicated by the “chromaticAdaptationTag”) that is used to convert colors representative of one viewing condition (e.g., D65 white point used by digital images) to colors representative of another viewing condition (e.g., D50 white point used as a standard for printing).

171. Agfa Accused Color Workflow Systems include a CMM, which is used to perform color transformations using ICC profiles in combination with other data supplied by the CMM.

172. Agfa infringes claim 41 of the ’444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

173. Agfa has had knowledge of the ’444 Patent since at least March 17, 2015, and RAH Color Technologies’ specific allegations that the Agfa Accused Color Workflow Systems infringe claim 41 of the ’444 Patent since at least March 3, 2016.

174. As a direct and proximate result of Agfa’s acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT X: INFRINGEMENT OF U.S. PATENT ’444 CLAIM 42**

175. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, and 163-174 of this Complaint as though set forth in full herein.

176. Claim 42 of the ’444 patent provides:

Claim 42	The non-transitory computer-readable medium according to claim 41 further comprising a gamut descriptor representing
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	a two-dimensional array whose inputs are coordinates related to lightness and hue and whose outputs represent the saturation at the surface of a color gamut at said input coordinates.
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177. Agfa Accused Color Workflow Systems are ICC v.4 compliant, which means that Agfa's CMM uses the ICC's standard Perceptual Reference Medium Gamut ("PRMG") or similarly structured gamut descriptors for gamut mapping.

178. The PRMG is structured as an array having inputs corresponding to lightness and hue, and having outputs corresponding to chroma limits as a function of lightness and hue inputs.

179. Agfa infringes claim 42 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

180. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 42 of the '444 Patent since at least March 3, 2016.

181. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XI: INFRINGEMENT OF U.S. PATENT '444 CLAIM 45**

182. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, and 163-174 of this Complaint as though set forth in full herein.

183. Claim 45 of the '444 patent provides:

Claim 45	The non-transitory computer-readable medium according to claim 41 wherein said program for controlling color reproduction further provides a graphical user interface based upon stored, displayable screens.
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184. Agfa Accused Color Workflow Systems have a graphical user interface.

185. Agfa infringes claim 45 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

186. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 45 of the '444 Patent since at least March 3, 2016.

187. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XII: INFRINGEMENT OF U.S. PATENT '444 CLAIM 49**

188. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, and 163-174 of this Complaint as though set forth in full herein.

189. Claim 49 of the '444 patent provides:

Claim 49	The non-transitory computer-readable medium according to claim 41 wherein said one or more color transformations utilizes at least tonal transfer functions for a plurality of color channels which are specific to a color device and wherein said tonal transfer functions are modified in accordance with reference data and responsive to user interface settings.
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190. Agfa Accused Color Workflow Systems include Apogee Color Quality Manager, which creates calibration curves for use with Apogee Prepress and specific rendering devices using specific paper and ink combinations.

191. Calibration in general entails rendering color patches having known reference values, measuring those color patches, and comparing the measured values to the known reference values.

192. Agfa Accused Color Workflow Systems include user preferences for calibration curve adjustments, such as preferences for the specific paper/ink combination to be used for a particular rendering device.

193. Agfa infringes claim 49 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

194. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 49 of the '444 Patent since at least March 3, 2016.

195. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XIII: INFRINGEMENT OF U.S. PATENT '444 CLAIM 50**

196. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, 163-174, and 182-187 of this Complaint as though set forth in full herein.

197. Claim 50 of the '444 Patent provides:

Claim 50	The non-transitory computer-readable medium according to claim 45 wherein said graphical user interface enables a user to configure a workflow for processing color image data by assembling elements representative of said workflow on a display.
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198. Agfa Accused Color Workflow Systems include Apogee Prepress integrated with WebApproval, which includes a graphical user interface that allows a user to define a workflow by assembling graphical representations of steps or stages used in the workflow.

199. Agfa infringes claim 50 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

200. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 50 of the '444 Patent since at least March 3, 2016.

201. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XIV: INFRINGEMENT OF U.S. PATENT '444 CLAIM 51**

202. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, 163-174, 182-187, and 196-201 of this Complaint as though set forth in full herein.

203. Claim 51 of the '444 Patent provides:

Claim 51	The non-transitory computer-readable medium according to claim 50
Element A	wherein said workflow comprises a sequence of operations selectable by a user
Element B	and said user interface enables said user to apply one or more of said operations to said color image data.

204. Agfa Accused Color Workflow Systems include Apogee Prepress integrated with WebApproval, which includes a graphical user interface that allows a user to implement a workflow by linking together graphical representations of steps or stages used in the workflow.

205. Agfa infringes claim 51 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

206. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 51 of the '444 Patent since at least March 3, 2016.

207. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XV: INFRINGEMENT OF U.S. PATENT '444 CLAIM 52**

208. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, 163-174, and 182-187 of this Complaint as though set forth in full herein.

209. Claim 52 of the '444 Patent provides:

Claim 52	The non-transitory computer-readable medium according to claim 45 wherein said graphical user interface enables a user to initiate verification of one or more of said color transformations.
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210. Agfa Accused Color Workflow Systems include an option for users to generate validation reports using color bar measurements that verify that colors are transformed and rendered correctly.

211. Agfa infringes claim 52 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

212. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 52 of the '444 Patent since at least March 3, 2016.

213. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XVI: INFRINGEMENT OF U.S. PATENT '444 CLAIM 53**

214. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, 163-174, 182-187, and 208-213 of this Complaint as though set forth in full herein.

215. Claim 53 of the '444 Patent provides:

Claim 53	The non-transitory computer-readable medium according to claim 52 further comprising software for rendering a color image and receiving measurement data of said rendered image from a color measurement instrument, said instrument having an associated calibration reference.
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216. Agfa Accused Color Workflow Systems include Apogee Prepress, which can be used to render color images using its print engine, and Apogee Color Quality Manager, which can be used to receive color measurements using a supported measurement device.

217. In general, measurement instruments have a calibration reference (e.g., a calibration tile) to verify the instrument's accuracy and return the instrument to its original state of calibration.

218. Agfa infringes claim 53 of the '444 Patent when it makes, imports, uses, sells and offers for sale the Agfa Accused Color Workflow Systems.

219. Agfa has had knowledge of the '444 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 53 of the '444 Patent since at least March 3, 2016.

220. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XVII: INFRINGEMENT OF U.S. PATENT '704 CLAIM 17**

221. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 78 of this Complaint as though set forth in full herein.

222. Claim 17 of the '704 Patent provides:

Claim 17 Preamble	A method of color reproduction comprising the steps of:
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Element A	connecting two or more programmable computers in a network provided by LAN, WAN or Internet for communication using one or more network protocols, wherein at least two of said two or more programmable computers are linked to color rendering devices;
Element B	providing data for storage in memory associated with said network, said data comprising:
Element C	graphical menu elements used by one or more of said two or more programmable computers to provide a user interface on a display enabling a user to initiate execution of programs for receiving color measurements and verifying the accuracy of transforming input colors having a device independent interpretation for rendering on one or more of said color rendering devices by comparing measured colors to reference colors with respect to an error criterion;
Element D	at least one file comprising a header and tags identifying a plurality of data structures within said file, said data structures holding information related to color transformation, wherein at least one of said data structures is a three-dimensional array whose inputs are device-independent color values and each of whose outputs indicate whether the corresponding input color is inside or outside of a color gamut, wherein said file is communicable between nodes of said network; and
Element E	tonal transfer functions expressing the relationship between digital command codes and rendered density values for each of the color channels of at least one of said color rendering devices responsive to measurements and to user preferences expressed through said user interface; and
Element F	directing execution of one or more programs by one or more of said two or more programmable computers, said one or more programs comprising:
Element G	software for retouching color images or designing page layouts;
Element H	a program that receives measurement data representative of rendered output of at least one of said a color rendering devices and accumulates a record of color reproduction performance of said at least one of said color rendering devices over time;
Element I	a program that uses said measurement data for comparing measured colors to reference colors to produce color error data; and
Element J	a program for modifying rendering by said at least one of said color rendering devices responsive to said color error data.



223. In using Agfa Accused Color Workflow Systems for their intended purpose of centralizing control over multiple types of rendering devices, Agfa and/or its customers connect two or more computers over a network, with each computer linked to a color rendering device.

224. For example, both Apogee Prepress and DigitalPrint Link components of Agfa Accused Color Workflow Systems connect computers over a network, with each computer associated with a rendering device (e.g., digital press/printer, offset press, computer-to-plate device).

225. Agfa Accused Color Workflow Systems include software designed to be installed on a computer's memory.

226. The user interface of the Color Quality Manager component of Agfa Accused Color Workflow Systems includes a graphical user interface that allows a user to collect color measurements.

227. Color Quality Manager can generate validation reports that verify the accuracy of ICC profile-based color transformations from input to output by comparing measurements of rendered colors to expected values for those colors, and verifying that any deviations in color values fall within error tolerances.

228. ICC-profile based transformations convert device-dependent color values to and from device-independent values used by the Profile Connection Space.

229. Agfa Accused Color Workflow Systems use ICC profiles that include a header and tags, including "AToB0" and "BToA0" data structure tags used for transforming colors.

230. The ICC profiles used by Agfa Accused Color Workflow Systems include a “gamutTag” data structure that uses PCS device-independent values as input, and that outputs values indicating if the input value is inside or outside of a color gamut. The gamutTag uses a three-dimensional array to calculate the output values.

231. ICC profiles are communicated between the connected computers and their associated color rendering devices (e.g., from Apogee Prepress to a digital press).

232. In Agfa Accused Color Workflow Systems, Color Quality Manager generates calibration curves that provide digital command codes instructing a rendering device on how much ink to deposit to achieve a certain color. The calibration curves are calculated based on measurements for each ink or colorant used, and are based on preferences selected by a user (e.g., paper type and ink set for a particular rendering device).

233. In Agfa Accused Color Workflow Systems, Apogee Prepress and Impose both edit page layouts for rendering.

234. In Agfa Accused Color Workflow Systems, Color Quality Manager receives color measurement data of colors rendered by a rendering device to generate color characterization and calibration curves, for example. Color Quality Manager stores these color measurements and other color data for multiple rendering devices as files, upon information and belief. These files reflect rendering devices’ color rendering characteristics over time.

235. Color Quality Manager generates validation reports, as an example. These reports compare the results of measurements of colors as rendered versus reference target

color values, with the difference between the measured and reference color depicted as  $\Delta E$  color error values.

236. Agfa Accused Color Workflow Systems uses color error data to edit calibration curves, as an example. Editing calibration curves compensates for discrepancies between desired and actual output results.

237. Agfa directly infringes claim 17 of the '704 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

238. In addition, Agfa induces infringement of claim 17 of the '704 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

239. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 17 of the '704 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 17 of the '704 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '704 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 17 of the '704 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting

services, system integration) that induce its customers and/or end users to directly infringe at least claim 17 of the '704 Patent by using the Agfa Accused Color Workflow Systems.

240. Agfa has had knowledge of the '704 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 17 of the '704 Patent since at least March 3, 2016.

241. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 17 of the '704 Patent under 35 U.S.C. § 271(a) directly.

242. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XVIII: INFRINGEMENT OF U.S. PATENT '704 CLAIM 18**

243. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, and 221-242 of this Complaint as though set forth in full herein.

244. Claim 18 of the '704 Patent provides:

Claim 18	The method according to claim 17 wherein at least one of said color rendering devices is a press linked to one of said programmable computers, said method further comprising the step of utilizing a multi-dimensional color transformation to perform color matching between the color rendering device linked to another of said programmable computers and said press in accordance with a criterion for color error and a relationship between the color gamuts of said press and said another rendering device.
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245. Agfa Accused Color Workflow Systems centralizes control over multiple color rendering devices, including digital presses, proofers, and computer-to-plate devices, that are linked to computers on the Apogee network.

246. In Agfa Accused Color Workflow Systems, Apogee Prepress uses ICC color profiles that use AToB and BToA-type tags to match input colors to output colors, for example, when matching colors from a digital press and proofer devices. Both AToB and BToA-type tags use multidimensional transformations.

247. In Agfa Accused Color Workflow Systems, Color Quality Manager generates validation reports that compare color output on, for example, a digital press and proofer, used to make adjustments to provide consistent colors on both devices. Upon information and belief, adjustments are made based on color error tolerances.

248. When using ICC profiles to transform colors, Apogee's Color Management Module performs a gamut mapping operation if the gamut of the press exceeds the gamut of the other color rendering device, for example, a proofer.

249. Agfa directly infringes claim 18 of the '704 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

250. In addition, Agfa induces infringement of claim 18 of the '704 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

251. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least

claim 18 of the '704 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 18 of the '704 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '704 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 18 of the '704 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 18 of the '704 Patent by using the Agfa Accused Color Workflow Systems.

252. Agfa has had knowledge of the '704 Patent since at least March 17, 2015.

253. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 18 of the '704 Patent under 35 U.S.C. § 271(a) directly.

254. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XIX: INFRINGEMENT OF U.S. PATENT '704 CLAIM 20**

255. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75, 78, and 221-242 of this Complaint as though set forth in full herein.

256. Claim 20 of the '704 Patent provides:

Claim 20	The method according to claim 17 wherein said program that receives measurement data is capable of communicating with a light-sensitive instrument, said light sensitive instrument being incorporated into at least one of said color rendering devices.
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257. Apogee Color Quality Manager receives color measurements by communicating with a color measuring device, such as a Spectro-Proofing spectrophotometer integrated with a color proofing device.

258. Agfa directly infringes claim 20 of the '704 Patent by using the Agfa Accused Color Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

259. In addition, Agfa induces infringement of claim 20 of the '704 Patent by end users by importing and selling the Agfa Accused Color Workflow Systems that practice the claimed process in ordinary use.

260. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 20 of the '704 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 20 of the '704 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '704 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 20 of the '704 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical

guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 20 of the '704 Patent by using the Agfa Accused Color Workflow Systems.

261. Agfa has had knowledge of the '704 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Color Workflow Systems infringe claim 20 of the '704 Patent since at least March 3, 2016.

262. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Color Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 20 of the '704 Patent under 35 U.S.C. § 271(a) directly.

263. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XX: INFRINGEMENT OF U.S. PATENT '008 CLAIM 28**

264. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 of this Complaint as though set forth in full herein.

265. Claim 28 of the '008 Patent provides:

Claim 28 Preamble	A method for color rendering using a computer system having a display coupled to said computer system, said method comprising the steps of:
Element A	displaying on the display a menu of selections which enable a user to select at least user preferences for color reproduction; and



Element B	storing in memory at least tonal transfer curves for a plurality of color channels, color image data, and one or more color transformations for converting a first set of color coordinates into a second set of coordinates wherein said tonal transfer curves and said one or more color transformations are at least partly in accordance with calibration data in device-independent units of color and are useable in combination to control rendering of said color image data, and at least one of said one or more color transformations is a chromatic adaptation transform useable to compensate for change in viewing conditions.
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266. “Agfa Accused Wide Format Workflow Systems” include Asanti Suite (including Asanti Render), and other print workflow management systems that include the same or equivalent functionality described in paragraphs 267-273 of Count XX, paragraphs 281-283 of Count XXI, paragraph 292 of Count XXII, paragraph 301 of Count XXIII, and paragraph 310 of Count XXIV.

267. The user interface of Asanti Render software in Agfa Accused Wide Format Workflow Systems shows a menu of selections for user preferences for color reproduction.

268. Agfa Accused Wide Format Workflow Systems use ICC profiles that include tonal transfer curves, and tagged elements (e.g., “AToB0” and “BToA0” transforms) that are used to transform color coordinates from, for example, an input color image to a particular output device, such as a color printer or color display for rendering.

269. In addition, Agfa Accused Wide Format Workflow Systems store tonal transfer curves as part of its calibrated print mode files.

270. Agfa Accused Wide Format Workflow Systems store print jobs that include color images for rendering.

271. On information and belief, Agfa calibrates its color rendering devices from time to time, resulting in adjustments to tonal transfer curves and color transformations that are made in accordance with data from the calibration.

272. Calibration devices in general (and, on information and belief, the specific calibration device used by Agfa) use device-independent color units, such as density, L\*a\*b\* and/or CIEXYZ, resulting in device-independent calibration data.

273. Agfa Accused Wide Format Workflow Systems store in memory ICC profiles that include a chromatic adaptation transform (indicated by a chromaticAdaptationTag (“chad” tag)) that is useable to account for changes in viewing conditions.

274. Agfa directly infringes claim 28 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

275. In addition, Agfa induces infringement of claim 28 of the '008 Patent by end users by importing and selling the Agfa Accused Wide Format Workflow Systems that practice the claimed process in ordinary use.

276. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 28 of the '008 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 28 of the '008 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '008 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to

directly infringe at least claim 28 of the '008 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 28 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems.

277. Agfa has had knowledge of the '008 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Wide Format Workflow Systems infringe claim 28 of the '008 Patent since at least March 11, 2016.

278. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Wide Format Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 28 of the '008 Patent under 35 U.S.C. § 271(a) directly.

279. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XXI: INFRINGEMENT OF U.S. PATENT '008 CLAIM 31**

280. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 264-279 of this Complaint as though set forth in full herein.

Claim 31 Preamble	The method according to claim 28 further comprising the steps of
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Element C	enabling display of parts of said color image data which are outside the gamut of the color output device and
Element D	storing a data structure in said memory whose inputs are color values and whose outputs indicate whether input values are either in or out of gamut for the color output device.

281. Agfa Accused Wide Format Workflow Systems support version 4 ICC profiles, which means they can use/process profiles containing the “gamutTag” defined in ICC v.4.

282. The gamutTag allows Agfa Accused Wide Format Workflow Systems to display colors of a print job that are outside the gamut of the device used to render the print job.

283. The gamutTag is a data structure that uses color values as inputs and outputs a value indicating whether the input color value is in-gamut or out-of-gamut for a particular rendering device.

284. Agfa directly infringes claim 31 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

285. In addition, Agfa induces infringement of claim 31 of the '008 Patent by end users by importing and selling the Agfa Accused Wide Format Workflow Systems that practice the claimed process in ordinary use.

286. Upon information and belief, Agfa’s customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 31 of the '008 Patent. Agfa actively induces customers and end-users to directly

infringe each and every claim limitation of at least claim 31 of the '008 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '008 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 31 of the '008 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 31 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems.

287. Agfa has had knowledge of the '008 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Wide Format Workflow Systems infringe claim 31 of the '008 Patent since at least March 11, 2016.

288. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Wide Format Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 31 of the '008 Patent under 35 U.S.C. § 271(a) directly.

289. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XXII: INFRINGEMENT OF U.S. PATENT '008 CLAIM 35**

290. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 264-279 of this Complaint as though set forth in full herein.

291. Claim 35 of the '008 Patent provides:

Claim 35	The method according to claim 28 further comprising the step of enabling rendering of said color image data.
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292. Agfa Accused Wide Format Workflow Systems, through at least Asanti Render, allows for rendering of color image data.

293. Agfa directly infringes claim 35 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

294. In addition, Agfa induces infringement of claim 35 of the '008 Patent by end users by importing and selling the Agfa Accused Wide Format Workflow Systems that practice the claimed process in ordinary use.

295. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 35 of the '008 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 35 of the '008 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '008 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 35 of the '008 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting

services, system integration) that induce its customers and/or end users to directly infringe at least claim 35 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems.

296. Agfa has had knowledge of the '008 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Wide Format Workflow Systems infringe claim 35 of the '008 Patent since at least March 11, 2016.

297. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Wide Format Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 35 of the '008 Patent under 35 U.S.C. § 271(a) directly.

298. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XXIII: INFRINGEMENT OF U.S. PATENT '008 CLAIM 37**

299. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 264-279 of this Complaint as though set forth in full herein.

300. Claim 37 of the '008 Patent provides:

Claim 37	The method according to claim 28 further comprising the step of displaying on the display user preferences for one or more of GCR, UCR or maximum black.
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301. The user interface of Agfa Accused Wide Format Workflow Systems includes user options for GCR setting when creating a CPM file.

302. Agfa directly infringes claim 37 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

303. In addition, Agfa induces infringement of claim 37 of the '008 Patent by end users by importing and selling the Agfa Accused Wide Format Workflow Systems that practice the claimed process in ordinary use.

304. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 37 of the '008 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 37 of the '008 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '008 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 37 of the '008 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 37 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems.



305. Agfa has had knowledge of the '008 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Wide Format Workflow Systems infringe claim 37 of the '008 Patent since at least March 11, 2016.

306. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Wide Format Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 37 of the '008 Patent under 35 U.S.C. § 271(a) directly.

307. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

**COUNT XXIV: INFRINGEMENT OF U.S. PATENT '008 CLAIM 42**

308. RAH Color Technologies incorporates by reference the allegations set forth in paragraphs 1-75 and 264-279 of this Complaint as though set forth in full herein.

309. Claim 42 of the '008 Patent provides:

Claim 42	The method according to claim 28 further comprising the step of displaying on the display a graphical comparison of the gamuts of at least two devices.
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310. Agfa Accused Wide Format Workflow Systems include a CPM quality report, which includes a graphical comparison of two different device gamuts.

311. Agfa directly infringes claim 42 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems, including in relation to product testing and improvement responsive to user feedback, and demonstration at trade shows, sales facilities, customer sites, and training/tutorial videos.

312. In addition, Agfa induces infringement of claim 42 of the '008 Patent by end users by importing and selling the Agfa Accused Wide Format Workflow Systems that practice the claimed process in ordinary use.

313. Upon information and belief, Agfa's customers and/or end users have directly infringed and are directly infringing each and every claim limitation of at least claim 42 of the '008 Patent. Agfa actively induces customers and end-users to directly infringe each and every claim limitation of at least claim 42 of the '008 Patent under 35 U.S.C. § 271(b). Agfa has had actual knowledge of the '008 Patent since at least March 17, 2015. Agfa has been and is knowingly inducing its customers and/or end users to directly infringe at least claim 42 of the '008 Patent with the specific intent to encourage such infringement, and knowing that the acts induced constitute patent infringement. Agfa's inducement includes, for example, providing extensive training and technical guides, product data sheets, demonstrations, software and hardware specifications, installation guides, and other forms of support (e.g., maintenance contracts, consulting services, system integration) that induce its customers and/or end users to directly infringe at least claim 42 of the '008 Patent by using the Agfa Accused Wide Format Workflow Systems.

314. Agfa has had knowledge of the '008 Patent since at least March 17, 2015, and RAH Color Technologies' specific allegations that the Agfa Accused Wide Format Workflow Systems infringe claim 42 of the '008 Patent since at least March 11, 2016.

315. Agfa makes, uses, offers to sell, sells, and/or imports the Agfa Accused Wide Format Workflow Systems knowing that Agfa has infringed and continues to infringe at least claim 42 of the '008 Patent under 35 U.S.C. § 271(a) directly.

316. As a direct and proximate result of Agfa's acts of patent infringement, RAH Color Technologies has been and continues to be injured and has sustained, and will continue to sustain, damages.

### **WILLFUL INFRINGEMENT**

317. Agfa has infringed and continues to infringe the above identified claims of each of the Patents-in-Suit despite its knowledge of the Patents-in-Suit and its knowledge that at least Agfa Accused Color Workflow Systems and Agfa Accused Wide Format Workflow Systems were and are using the technology claimed by the Patents-in-Suit since at least March 17, 2015; its specific knowledge of RAH Color Technologies' allegations for certain claims of the '444 and '704 Patents since at least March 3, 2016; its specific knowledge of RAH Color Technologies' allegations for certain claims of the '008 Patent since at least March 11, 2016; RAH Technologies' allegations for certain claims of the '870 Patent since at least November 11, 2016; and the objectively high likelihood that its acts constitute patent infringement.

318. Agfa's infringement of the Patents-in-Suit is willful and deliberate, entitling RAH Color Technologies to enhanced damages under 35 U.S.C. § 284.

319. Agfa's willful infringement and unwillingness to enter into license negotiations with RAH Color Technologies make this an exceptional case such that RAH Color Technologies should be entitled to recover its attorneys' fees and costs incurred in relation to this matter pursuant to 35 U.S.C. § 285.

### **JURY DEMAND**

RAH Color Technologies demands a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff RAH Color Technologies requests that this Court enter judgment in its favor and against Agfa as follows:

A. Adjudging, finding, and declaring that Agfa has infringed of the above-identified claims of each of the Patents-in-Suit under 35 U.S.C. § 271;

B. Awarding the past and future damages arising out of Agfa's infringement of the Patents-in-Suit to RAH Color Technologies in an amount no less than a reasonable royalty, together with prejudgment and post-judgment interest, in an amount according to proof;

C. Adjudging, finding, and declaring that Agfa's infringement is willful and enhanced damages and fees as a result of that willfulness under 35 U.S.C. § 284;

D. Adjudging, finding, and declaring that this is an "exceptional" case pursuant to 35 U.S.C. § 285;

E. Awarding attorney's fees, costs, or other damages pursuant to 35 U.S.C. §§ 284 or 285 or as otherwise permitted by law; and

F. Granting RAH Color Technologies such other further relief as is just and proper, or as the Court deems appropriate.

March 20, 2017

Respectfully submitted,

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