

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SCA VENTURES, LLC)	
)	
Plaintiff,)	
)	Civil Action No. 2:17-cv-730
v.)	
)	JURY TRIAL DEMANDED
CANON U.S.A., INC.)	
)	
Defendant.)	
_____)	

COMPLAINT

For its Complaint, Plaintiff SCA Ventures, LLC ("SCA"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. SCA is a Texas company with a place of business located at 5068 W. Plano Parkway, Suite 300, Plano, Texas 75093.

2. Defendant Canon U.S.A., Inc. is a New York corporation with, upon information and belief, a place of business located at Austin and Houston, Texas.

3. Upon information and belief, Defendant has registered with the Texas Secretary of State to conduct business in Texas.

4. By registering to conduct business in Texas and by having places of business where it regularly conducts business in this District, Defendant has a permanent and continuous presence in Texas.

5. Thus, Defendant has a regular and established place of business in the Eastern District of Texas.

JURISDICTION AND VENUE

6. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

7. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

8. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

9. Venue is proper in this district pursuant to § 1400(b).

THE PATENT-IN-SUIT

10. On October 19, 1999, United States Patent No. 5,969,698, entitled "Manually Controllable Cursor and Control Panel in a Virtual Image," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '698 patent is attached hereto as Exhibit A.

11. SCA is the assignee and owner of the right, title and interest in and to the '698 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 5,969,698

12. SCA repeats and realleges the allegations of paragraphs 1 through 11 as if fully set forth herein.

13. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed at least claim 1 of the '698 patent by making, using, importing, offering for sale,

and/or selling portable electronic equipment including a virtual display, including, but not limited to VIXIA HF G10 ("HF G10").

14. More specifically, HF G10 is portable electronic equipment including a virtual display.

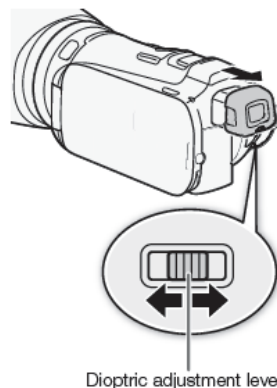
Using the Viewfinder

If it is difficult to use the LCD screen while the LCD backlight is on (□ 23), you can use the viewfinder. You can also use the viewfinder when you rotate the LCD panel 180 degrees to let the subject watch the recording.

- 1 Pull out the viewfinder.
- 2 Press **POWER** to turn on the camcorder.
- 3 Adjust the viewfinder using the dioptic adjustment lever.
 - You can close the LCD panel or rotate it toward the subject as you prefer.
 - The LCD backlight setting (□ 23) is common to the LCD screen and the viewfinder.

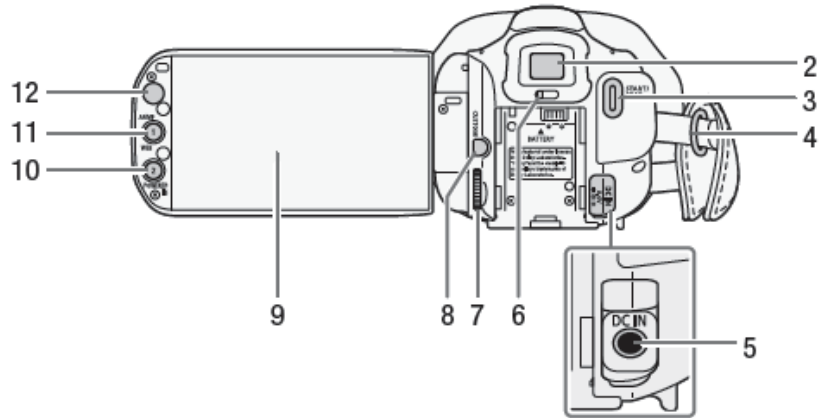
NOTES

- For details about how to take care of the viewfinder, refer to *Handling Precautions* (□ 164), *Cleaning* (□ 167).



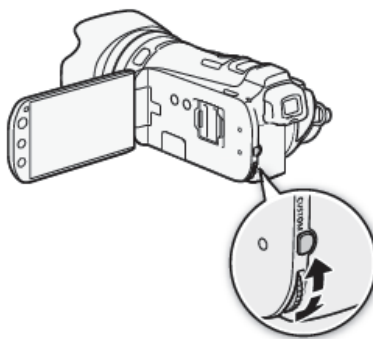
VIXIA HF G10 HD Camcorder Instruction Manual ("Instruction Manual") at p. 22 (available at <http://gdlp01.c-wss.com/gds/7/0300004847/02/hfg10-im2-n-c-en.pdf> (last accessed Nov. 6, 2017)). It includes electronics coupled to the virtual display for producing a manually controllable virtual cursor image when activated and a virtual control panel image including alpha-numeric keys viewable in the virtual display when activated.

Back view

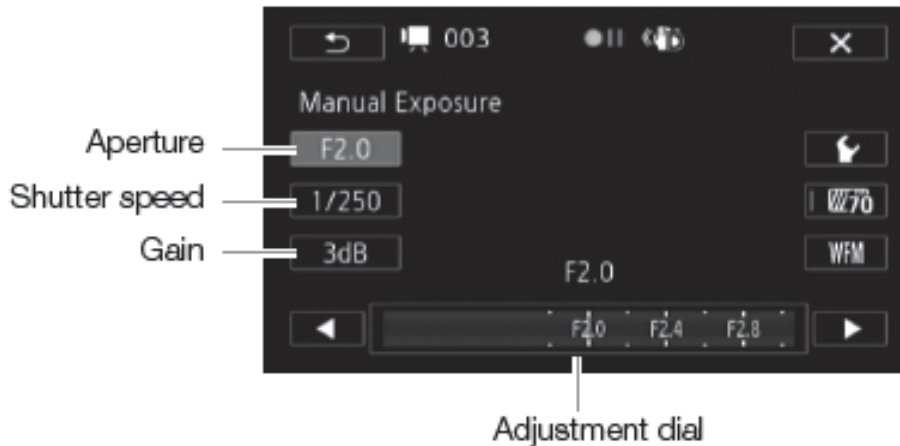


- | | |
|--|--|
| 1 Instant AF sensor (□ 167) | 9 LCD touch screen (□ 23, 26) |
| 2 Viewfinder (□ 22) | 10 POWERED IS button (□ 54)/
Assignable button 2 (□ 84) |
| 3 START/STOP button (□ 37) | 11 AF/MF button (□ 46)/
WEB button (□ 133)/
Assignable button 1 (□ 84) |
| 4 Strap mount (□ 24) | 12 Remote sensor (□ 25) |
| 5 DC IN terminal (□ 20) | |
| 6 Dioptric adjustment lever (□ 22) | |
| 7 CUSTOM (customizable) dial (□ 83) | |
| 8 CUSTOM (customizable) button
(□ 83) | |

Id. at p. 16.



Id. at p. 83.



Id. at p. 58.

[M Manual Exposure] When you set the recording program to **[M Manual Exposure]**, press **[CUSTOM]** to toggle between the aperture value, shutter speed and gain. Next, use the **CUSTOM** dial to adjust the setting.

[AGC AGC Limit] When you set **[AGC AGC Limit]** in the FUNC. panel to **[M Manual]**, you can adjust the AGC limit with the **CUSTOM** dial. Press **[CUSTOM]** first if the AGC limit does not appear on the screen.

[Exposure] Adjusts the exposure. Press **[CUSTOM]** to display the exposure value and then use the **CUSTOM** dial to adjust the exposure value.

[OFF Off] Use this setting if you do not intend to use **[CUSTOM]** or **CUSTOM** dial.

Id. at p. 83. HF G10 includes electronics being connected so that the alpha-numeric keys of the virtual control panel image are operable with the virtual cursor image. For example, the alpha-numeric adjustment dial is operable with the virtual cursor because as a user turns the "Custom Dial" while the virtual cursor highlights "Aperture," the alpha-numeric dial adjusts such that a new aperture value is selected' as shown in the example below, the aperture value switches from F1.8 to F2.0.



<https://www.youtube.com/watch?v=2Ca7lnemBBs> (last accessed Nov. 6, 2017).



3 Touch [◀] or [▶] to set the desired value.

- You can also drag your finger along the dial.
- The exposure will change according to the setting's new value. Repeat steps 2 and 3 to adjust other settings.
- Before touching [X], you can also use the zebra pattern (see below) and waveform monitor (📖 78).

4 Touch [X].

i NOTES

- When adjusting the exposure, you can also use the waveform monitor (📖 78).
- If you set [🔑] [▶] [Custom Key/Dial] to [M] Manual Exposure (📖 83), you can adjust the aperture, shutter speed and gain with the CUSTOM dial.

Instruction Manual at p. 58. The electronics are further connected to operate the portable electronics equipment in response to operation of the alpha-numeric keys of the virtual control panel image with the virtual cursor image.

Exposure Adjustment

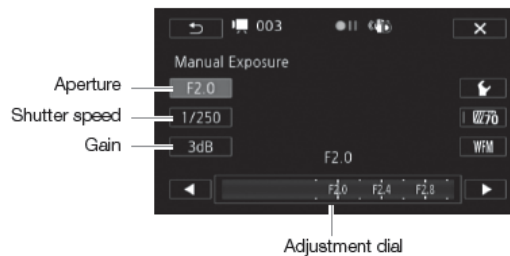
At times, backlit subjects may appear too dark (underexposed) or subjects under very strong lights may appear too bright or glaring (overexposed). In such cases, adjusting the exposure will correct this. This camcorder features a dedicated recording program, [M Manual Exposure], for adjusting the exposure manually. However, you can also adjust the exposure when using other recording programs.

Using the Manual Exposure Recording Program

Using the [M Manual Exposure] recording program, you can adjust the aperture, shutter speed and gain to achieve the desired exposure.

Operating modes: **AUTO** **M** **CINEMA** | **[M]** **[C]**

- 1 Activate the [M Manual Exposure] recording program.
[FUNC.] **[M]** [Rec. Programs] **[M]** [M Manual Exposure]
- 2 Touch the control button of the setting you wish to adjust.



- 3 Touch [◀] or [▶] to set the desired value.
 - You can also drag your finger along the dial.
 - The exposure will change according to the setting's new value. Repeat steps 2 and 3 to adjust other settings.
 - Before touching [X], you can also use the zebra pattern (see below) and waveform monitor (□ 78).
- 4 Touch [X].

i NOTES

- When adjusting the exposure, you can also use the waveform monitor (□ 78).
- If you set [CUSTOM] **[M]** [Custom Key/Dial] to [M Manual Exposure] (□ 83), you can adjust the aperture, shutter speed and gain with the CUSTOM dial.

Id.

15. SCA is entitled to recover from Defendant the damages sustained by SCA as a result of Defendant's infringement of the '698 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

SCA hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, SCA requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '698 patent;
- B. An award of damages to be paid by Defendant adequate to compensate SCA for Defendant's past infringement of the '698 patent, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of SCA's reasonable attorneys' fees; and
- D. An award to SCA of such further relief at law or in equity as the Court deems just and proper.

Dated: November 8, 2017

/s/ Richard C. Weinblatt
Stamatios Stamoulis DE SB #4606
Richard C. Weinblatt DE SB #5080 – Lead Counsel
Stamoulis & Weinblatt LLC
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540
Facsimile: (302) 762-1688
stamoulis@swdelaw.com
weinblatt@swdelaw.com

Attorneys for Plaintiff
SCA Ventures, LLC