

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**PC COMA LLC,**

Plaintiff,

v.

**OKI DATA AMERICAS, INC.,**

Defendant.

**CIVIL ACTION NO \_\_\_\_\_**

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT**

This is an action for patent infringement in which PC Coma LLC (“Plaintiff”) makes the following allegations against Oki Data Americas, Inc. (“Defendant”):

**PARTIES**

1. PC Coma LLC is a Texas limited liability company with a principle place of business located at 5068 W. Plano Parkway, Suite 300, Plano, TX 75093.

2. Upon information and belief, Oki Data Americas, Inc., is a corporation organized and existing under the laws of Delaware, with its principal place of business located 2000 Bishops Gate Blvd., Mount Laurel, NJ 08054. Defendant may be served via its registered agent: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

**JURISDICTION AND VENUE**

3. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271(a), 271(b), 281, and 284 - 85. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b). Defendant is a Delaware corporation.

5. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Delaware Long Arm Statute, due at least to Defendant's substantial business in this forum, 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 Delaware and in this district.

**THE 6,684,338 PATENT**

1. On January 27, 2004, United States Patent No. 6,684,338 (the "'338 Patent") was duly and legally issued by the United States Patent and Trademark Office for an invention titled "Apparatus and Method for Power Management of Computer System." A true and correct copy of the '338 Patent is attached hereto as Exhibit A.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 6,684,338**

2. Defendant directly or through its intermediaries has been and is now infringing claim 14, of the '338 Patent in the State of Delaware, in this Judicial District, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, selling and/or offering for sale products and/or systems (Okidata MB472w (the "Accused Instrumentality")), covered by one or more claims of the '338 Patent to the injury of Plaintiff. Defendant is directly infringing, literally infringing, and/or infringing the '338 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the '338 Patent pursuant to 35 U.S.C. § 271(a).

3. Defendant directly or through its intermediaries, makes, uses, imports, sells, and/or offers for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 14 of the '338 Patent. The Accused Instrumentality is a computer apparatus comprising a power

management system including at least one state selected from among a first power mode (e.g. Power Save Mode) and a second power mode (e.g. Sleep Mode); a basic input-output system (e.g. firmware) memory (e.g. 256MB eMMC) for storing a routine for setting the at least one state of said power management system; a PMS state storage unit (e.g. non-volatile memory) for storing the state of said power management system; and an indicating unit (e.g., a multiple-display unit consisting of two LEDs) for indicating the stored state of said power management system, said indicating unit corresponding to at least one selected from among a multicolor unit and a multiple-display unit (e.g. during Typical Operation, the operator panel backlight is on. In Power Save mode the backlight on the operator panel turns off and the Power Save indicator lights up in green). *See* Ex. A-1, Figs. 1-7.

4. As a result of Defendant's infringement of the '338 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court.

**JURY DEMAND**

Plaintiff hereby requests a trial by jury on all issues so triable by right.

**PRAYER FOR RELIEF**

Plaintiff requests that the Court find in their favor and against Defendant, and that the Court grant Plaintiff the following relief:

a. Judgment that one or more claims of the '338 Patent have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;

b. Judgment that Defendant accounts for and pay to Plaintiff all damages and costs incurred by Plaintiff, caused by Defendant's infringing activities and other conduct complained of herein;

c. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;

d. That this Court declare this an exceptional case and award Plaintiff reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

e. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

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