

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HAWK TECHNOLOGY SYSTEMS, LLC,	§	
	§	
Plaintiff,	§	Case No: 3:19-cv-598
	§	
vs.	§	PATENT CASE
	§	
JETBLUE AIRWAYS CORPORATION,	§	JURY TRIAL DEMANDED
	§	
Defendant.	§	
	§	
<hr style="width: 45%; margin-left: 0;"/>		

COMPLAINT

Plaintiff, Hawk Technology Systems, LLC (“Hawk”), files this Complaint against JetBlue Airways Corporation (“JetBlue”) for infringement of United States Patent No. RE43,462 (“the ‘462 Patent”).

NATURE OF THE ACTION

1. This is a civil action for patent infringement of United States Patent No. RE43,462 (‘462 Patent). The ‘462 Patent is a reissue of United States Patent No. 5,265, 410 (the ‘410 Patent). The independent claims in the reissued ‘462 Patent are substantially identical to the corresponding claims in the original ‘410 Patent.

PARTIES

2. Hawk is a limited liability company organized and existing under the laws of the State of Florida, and maintains its principal place of business at 2 South Biscayne Blvd., Suite 3800, Miami, Florida 33131.

3. Defendant is a Delaware corporation, with a principal address at 27-01 Queens Plaza North, Long Island City, New York 11101.

JURISDICTION AND VENUE

4. Pursuant to 28 U.S.C. §§ 1331 and 1338(a), this Court has original jurisdiction over the subject matter of this action because this is an action arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et. seq.*

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Pursuant to 28 U.S.C. §1400(b), venue is proper in this district. Acts of infringement are occurring in this District and the Defendant has a regular and established place of business in this District.

GENERAL ALLEGATIONS

7. Hawk Technology Systems, LLC was formed in 2012 to commercialize the inventions of its founder, Barry Schwab.

8. Mr. Ken Washino and Mr. Schwab invented what is claimed by the '462 Patent.

9. Mr. Washino and Mr. Schwab have collaborated on a number of other pioneering inventions resulting in patents in the areas of video archiving, video downloading and digital cinema.

10. Mr. Schwab is also a named inventor on more than thirty patents, ranging from consumer products to secure network computing.

Claim 12 Of The '462 Patent

11. Claim 12 of the '462 patent states:

The method of simultaneously displaying and storing multiple video images, comprising the steps of:

receiving video images at a personal computer based system from one or more

sources;

digitizing any of the images not already in digital form using an analog-to-digital converter;

displaying at least certain of the digitized images in separate windows on a personal computer based display device, using a first set of temporal and spatial parameters associated with each image in each window;

converting one or more of the video source images into a data storage format using a second set of temporal and spatial parameters associated with each image; and simultaneously storing the converted images in a storage device.

('462 Patent, Col. 11, line 62 – Col. 12, line 10).

12. Defendant uses a video storage and display system and methods that infringe the '462 Patent.

COUNT I: DIRECT INFRINGEMENT OF THE '462 PATENT

13. The allegations contained in paragraphs 1-12 above are hereby re-alleged as if fully set forth herein.

14. The cause of action arises under the patent laws of the United States, and, in particular, 35 USC §§ 271, *et seq.*

15. Plaintiff is the owner by assignment of the '462 Patent, with sole rights to enforce the '462 Patent and to sue infringers.

16. A copy of the '462 Patent titled "Video Monitoring and Conferencing System" is attached as Exhibit A.

17. Without Plaintiff's authorization, Defendant uses, and has used during the enforceable life of the '462 Patent, a video storage and display system and/or methods that infringe one or more of the claims in the '462 Patent including at least Claim 12 of the '462 Patent.

18. Plaintiff has been damaged by Defendant's infringement.

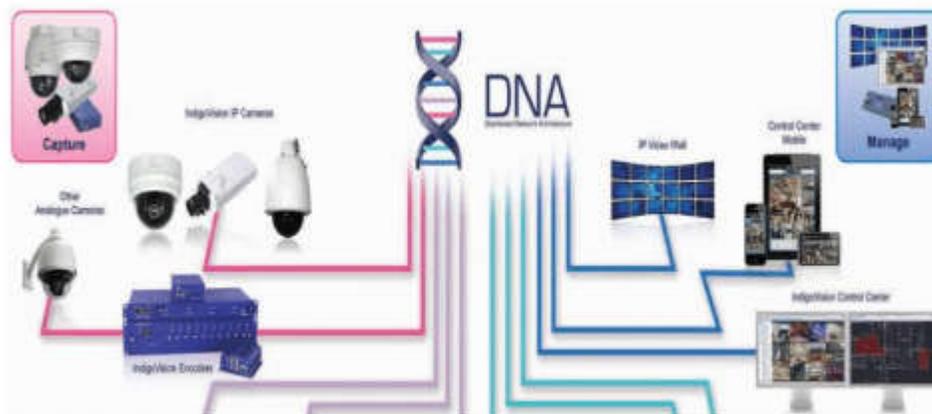
19. Defendant uses, and has used during the enforceable life of the '462 Patent, a video surveillance system (the "Product") provided by IndigoVision Group plc ("IndigoVision").

20. The details of Defendant's infringement by way of using the IndigoVision system are provided in the claim chart attached as Exhibit B.

21. The Product provides a method of simultaneously displaying and storing multiple video images. For example, the IndigoVision Control Center Brochure describes certain "key features." "Control Center enables local and simultaneous remote monitoring, viewing and recording across multiple sites, regardless of geographical location." Control Center Brochure , at 1. Control Center is IndigoVision's complete suite of management software. The user friendly software enables quick and efficient management of video and events from one location. Control Center allows live viewing and playback of IndigoVision cameras and a wide range of cameras from other manufacturers. *Id.* According to Indigo's Complete IP Video Security Solutions document, IndigoVision Standalone NVR-AS's have up to 9TB storage per device, support recording for up to 64 cameras and are available in RAID 5 options. IndigoVision Enterprise NVR-AS's have up to 40TB storage per device, support recording for up to 200 cameras and are available in RAID 5 and 6 options. IndigoVision Large Enterprise NVR-AS's have up to 600TB storage per device, support recording for up to 700 cameras and are available in RAID 6 options. IndigoVision NVR-AS software, for Windows based servers, supports a number of storage options -SAN, NAS, DAS -as well as supporting up to 200 cameras per server.

22. The Product practices receiving video images at a personal computer based system from one or more sources. For example, the IndigoVision Control Center Brochure

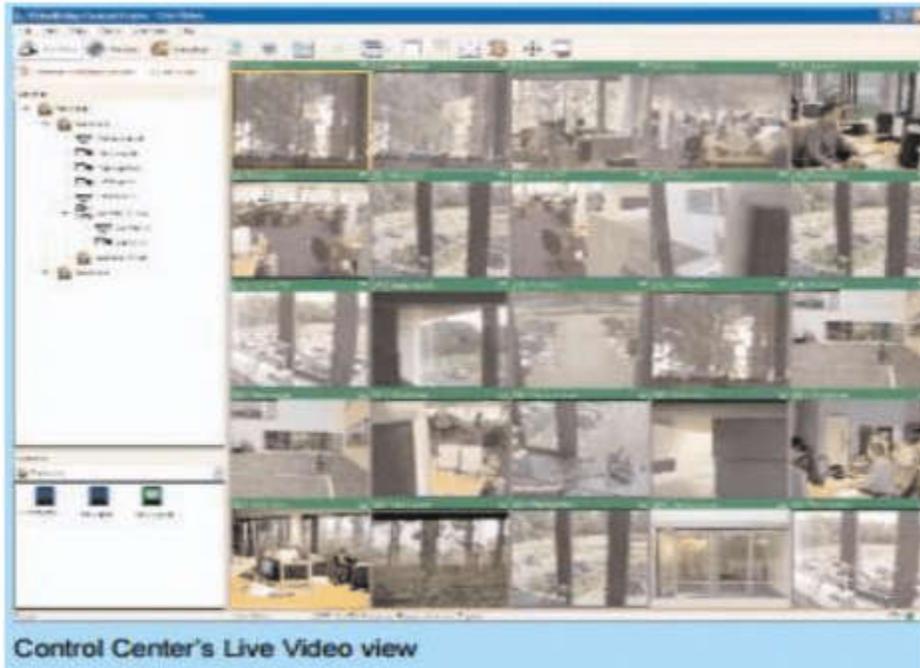
indicates that “[u]p to 64 live video streams can be viewed from one PC, using up to 4 monitors” and “[r]ecordings from up to 16 cameras can be played back simultaneously.” Certain aspects of this element are illustrated in the screen shot of the IndigoVision architecture below.



23. The Product practices digitizing any of the images not already in digital form using an analog-to-digital converter. For example, the IndigoVision Control Center Brochure indicates that a user may view live video from IndigoVision cameras and transmitters seamlessly in any video format. H261, MPEG-4 and H.264 formats, Standard Definition and HD all supported in the same version of Control Center. This implies the ability of the system to digitize images not already in digital form.

24. The Product practices displaying at least certain of the digitized images in separate windows on a personal computer based display device, using a first set of temporal and spatial parameters associated with each image in each window. For example, the Control Center Brochure indicates that “Control Center allows all users to display live camera output in up to 25 video panes, all at full frame rate (25x30 fps = 750 fps) and on a full screen. Up to 4 monitors can be used to view additional video panes, with up to 25 in each window. Users can also initiate two-way audio with a camera.” Also, InidigoVision’s Control Center Live View brochure indicates: “View HD and SD simultaneously:View live video from IndigoVisioncameras and

transmitters seamlessly in any video format; H261, MPEG-4, and H.264 formats. Standard Definition and HD all supported in the same version of Control Center.” Certain aspects of this element are illustrated in the screen shot below:



25. The Product practices converting one or more of the video source images into a data storage format using a second set of temporal and spatial parameters associated with each image. For example, the Control Center Brochure indicates: “View live video from IndigoVision cameras and transmitters seamlessly in any video format. H261, MPEG-4 and H.264 formats, Standard Definition and HD all supported in the same version of Control Center.” And, the IndigoVision’s Control Center datasheet indicates: “Supports user-defined Time Schedules for recording.”

26. The Product practices simultaneously storing the converted images in a storage device. For example, the Control Center Brochure indicates: “Several users can simultaneously view, manage and record across the network from any point on that network.” And, Indigo’s Complete IP Video Security Solutions document indicates: “IndigoVision

Standalone NVR-AS's have up to 9TB storage per device, support recording for up to 64 cameras and are available in RAID 5 options. IndigoVision Enterprise NVR-AS's have up to 40TB storage per device, support recording for up to 200 cameras and are available in RAID 5 and 6 options. IndigoVision Large Enterprise NVR-AS's have up to 600TB storage per device, support recording for up to 700 cameras and are available in RAID 6 options. IndigoVision NVR-AS software, for Windows based servers, supports a number of storage options -SAN, NAS, DAS -as well as supporting up to 200 cameras per server.”

27. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

28. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

29. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court:

- A. Enter a judgment finding that Defendant has directly infringed the '462 Patent;
- B. Pursuant to 35 U.S.C. § 284, order Defendant to pay damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention, together with interest and costs;
- C. Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;
- D. Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of

the order from further infringement of United States Patent No. RE43,462 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

E. Award Plaintiff pre-judgment and post-judgment interest and costs; and

F. Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: March 11, 2019

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON

State Bar No. 24067322

D. BRADLEY KIZZIA

State Bar No. 11547550

KIZZIA JOHNSON, PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT A

EXHIBIT B