

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DIGIMEDIA TECH, LLC,

Plaintiff,

v.

RICOH IMAGING AMERICAS CORPORATION,

Defendant.

CIVIL ACTION

NO. _____

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff DigiMedia Tech, LLC (“Plaintiff”) files this Complaint for Patent Infringement and states as follows:

THE PARTIES

1. Plaintiff is a limited liability company organized and existing under the laws of the State of Georgia, having its principal office at 44 Milton Ave., Suite 254, Alpharetta, GA 30009.

2. Defendant Ricoh Imaging Americas Corporation (“Defendant”) is a corporation organized under the laws of the State of Delaware. Defendant may be served with process through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801. Upon information and belief, Defendant has made, used, offered to sell, sold, and/or imported products and services throughout the United States, including in this judicial district.

JURISDICTION AND VENUE

3. This Court has exclusive subject matter jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises under the Patent Laws of the

United States, 35 U.S.C. § 1 et seq., including, without limitation, 35 U.S.C. §§ 271, 281, 284, and 285.

4. This Court has general and specific personal jurisdiction over Defendant, consistent with due process, because Defendant is formed and exists under the laws of the State of Delaware. Further, Defendant has minimum contacts with the State of Delaware, and Defendant has purposefully availed itself of the privileges of conducting business in the State of Delaware, including through the sale and offer for sale of the Accused Products throughout the State of Delaware and this judicial district.

5. Venue is proper in this Court as to Defendant pursuant to 28 U.S.C. § 1400(b) on the grounds that Defendant resides in this judicial district.

FACTUAL BACKGROUND

The '250 Patent

6. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 6,741,250, entitled “Method and System for Generation of Multiple Viewpoints into a Scene Viewed by Motionless Cameras and for Presentation of a View Path” (“the '250 patent”), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

7. A true and correct copy of the '250 patent is attached hereto as Exhibit A. The '250 patent is incorporated herein by reference.

8. The application that became the '250 patent was filed on October 17, 2001.

9. The '250 patent issued on May 25, 2004, after a full and fair examination by the USPTO.

10. The '250 patent is and is legally presumed to be valid, enforceable, and directed to patent-eligible subject matter.

11. The elements recited in the asserted claims of the '250 patent were not well-understood, routine, or conventional when the application that became the '250 patent was filed.

12. The claims of the '250 patent are directed to technical solutions to the technical problem of using a single camera to provide a view path through one or more video segments to determine which video frames in the video segments are used to generate a view. One of the reasons this is important is that users of a camera with a wide field of view may prefer to select and view (or have selected for them) only portions of the supported wide field of view. The camera's field of view may be sufficiently wide to create distorted images on a rectangular screen. Users may prefer portions with reduced distortion, which calls for technical solutions. The '250 patent discloses and claims such technical solutions. The camera can record a video stream over the wide field of view. The camera and/or a user can designate a portion of the video stream to be a video segment and subsequently designate a view path through the video segment. Consequently, the technology in the '250 patent enables the view of portions of the camera's wide field of view with reduced distortion.

13. Specifically, asserted claim 1 of the '250 patent claims:

1. A method of:

recording a video stream comprising a plurality of frames, wherein said plurality of frames define a plurality of distorted images;

designating a portion of said video stream to be a video segment; and

specifying a view path through said video segment.

14. The sequence of steps set forth in asserted claim 1 of the '250 patent provides a technical solution to the technical problem of providing view paths without distortion.

15. The claimed sequence of steps set forth in the '250 patent constitutes patent-eligible subject matter, is not directed to an abstract idea, law of nature, or natural phenomenon, and contains one or more inventive concepts for providing view paths without distortion.

16. This claimed sequence was not well-understood, routine, or conventional at the time of the invention. The significance of the inventiveness of the '250 patent is illustrated by the fact that it has been cited in 129 other patent applications, including the following patents and application: US20020196327A1; US20030193562A1; US20030234866A1; US20040001137A1; US20040233222A1; US20040263636A1; US20040267521A1; US20040263611A1; US20040263646A1; US20050046703A1; US20050117034A1; US20050117015A1; US20050122393A1; US20050151837A1; US20050180656A1; US20050190768A1; US20050206659A1; US20050243168A1; US20050243167A1; US20050243166A1; US20050280700A1; US20050285943A1; US20060023074A1; US20060022962A1; US20060092269A1; US7108378B1; US20060268102A1; US20070022379A1; US20070058879A1; US20070124783A1; US20070156924A1; US20070165007A1; US7260257B2; US20070299912A1; US20070299710A1; US20070300165A1; US20080008458A1; US20080049123A1; US20080068352A1; US20080117296A1; US20080129700A1; US20080291279A1; US20080317451A1; US20090079731A1; US20090160801A1; US7593057B2; US20090305803A1; US7643006B2; US20100110005A1; US20100254670A1; WO2010127418A1; US20110043628A1; US20110095977A1; US20110128387A1; USRE42794E1; US8055022B2; US20110298917A1; US8089462B2; USRE43084E1; US8094137B2; US8115753B2; US8120596B2; US8149221B2; US8274496B2; US8289299B2; US8384693B2; US20130063427A1; US8405637B2; US8432377B2; US8456418B2; US8456447B2; US8508508B2; US8692768B2; US8902193B2;

US20150042815A1; US9294757B1; US9591272B2; US9646444B2; US9674181B2;
US20170214889A1; US9942520B2; US10129569B2; US10156706B2; WO2019017695A1;
US10225479B2; US10230898B2; US10250797B2; US10250889B1; US10281979B2;
US10284780B2; US10291845B2; US10288840B2; US10288897B2; US10288896B2;
US10371928B2; US10379371B2; US10488631B2; US10534153B2; US10578948B2;
US10616484B2; US10615513B2; US10635931B2; US10645286B2; US10694168B2;
US10706518B2; US10845565B2; US10871561B2; US10884321B2; US10904512B2;
USRE48444E1; US10951859B2; US10951834B2; US10955546B2; US10976567B2;
US11037364B2; US11268829B2; US11272154B2; US11277596B2; US11287081B2;
US11315276B2; US11333955B2; US11363180B2; US11368631B1; US11378682B2;
US11506778B2; US11525910B2; and US11531209B2.

17. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the inventions claimed and disclosed in the '250 patent were not well-understood, routine, or conventional at the time of the invention.

The '818 Patent

18. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 6,744,818, entitled "Method and Apparatus for Visual Perception Encoding" ("the '818 patent"), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

19. A true and correct copy of the '818 patent is attached hereto as Exhibit B. The '818 patent is incorporated herein by reference.

20. The application that became the '818 patent was filed on December 27, 2000.

21. The '818 patent issued on June 1, 2004, after a full and fair examination by the USPTO.

22. The '818 patent is and is legally presumed to be valid, enforceable, and directed to patent-eligible subject matter.

23. The elements recited in the asserted claims of the '818 patent were not well-understood, routine, or conventional when the application that became the '818 patent was filed.

24. As background for the disclosed and claimed invention, the '818 patent explains that “There a three types of redundancy in video signals that are related to the picture within the video. These are structural, statistical and perceptual redundancy.” '818 patent at 1:11-13.

25. The '818 patent further states that “Standard compression systems, such as the various forms of MPEG, H-compression, etc., mainly reduce structural and statistical redundancy.” *Id.* at 1:13-16.

26. The claims of the '818 patent are directed to technical solutions to the technical problem of reducing perceptual redundancy. One of the reasons this is important is for storing video in a compressed format, where the compression should also support subsequent viewing of the video at high quality. Since video streaming services must balance the competing features of both high-quality video and limited or practical video file sizes, the problem calls for technical solutions. The '818 patent discloses and claims such technical solutions.

27. For example, the '818 patent recognized that video encoding can compress the source video input with a visual perception estimator and a perception threshold, disclosing a video encoding system that “generally reduces perceptual redundancy in video streams and may comprise a visual perception threshold estimator **10**, a compression dependent threshold determiner **12**, a filter unit **14** and a structural and statistical encoder **16**.” *Id.* at 1:65-2:3.

28. The '818 patent discloses a number of techniques which include (i) a compression dependent threshold estimator using the perception threshold and (ii) a filter for pixels using the compression dependent threshold. Consequently, the technology in the '818 patent enables smaller video file sizes for a specified level of video quality. This improved the operation of prior-art computing technology.

29. This technological improvement on the prior art is recited in the claims of the '818 patent, including claims 1, 2, and 5 of the '818 patent:

1. A video encoding system comprising:

a visual perception estimator adapted to estimate a perception threshold for a pixel of a current frame of a videostream;

an encoder adapted to encode said current frame;

a compression dependent threshold estimator adapted to estimate a compression dependent threshold for said pixel at least from said perception threshold and information from said encoder; and

a filter unit adapted to filter said pixel at least according to said compression dependent threshold.

2. A system according to claim 1 and wherein said compression dependent threshold estimator also estimates at least one parameter from the following group of parameters:

whether or not a new frame $NwFr$ has been defined by said encoder as an I frame;

whether an ith pixel is in the foreground FG or the background BG of a picture;

whether an ith pixel forms part of an edge Ed around an object in the picture;

whether or not the ith pixel forms part of a single detail SD ;

whether or not the ith pixel is part of a group Gr of generally periodic details;

the contrast level L_v of the detail for the i th pixel;

the duration τ of a detail within a picture;

how full said encoder is; and the distance DP of the i th pixel from the center of the frame.

5. A system according to claim 1 and wherein said filter unit is a non-linear filter.

30. The video encoding systems set forth in the claims of the '818 patent provide a technical solution to the technical problem of reducing perceptual redundancy independent of other video compression techniques.

31. The claimed sequence of steps set forth in the claims constitutes patent-eligible subject matter, is not directed to an abstract idea, law of nature, or natural phenomenon, and contains one or more inventive concepts for balancing the competing features of both high-quality video and limited or practical video file sizes.

32. This claimed sequence was not well-understood, routine, or conventional at the time of the invention.

33. The '818 patent provides additional context for the invention recited in claim 1, including preferred embodiments for implementing it. For example, the Detailed Description section of the '818 patent spans more than seven columns and twelve figures providing significant technical detail on at least three preferred embodiments for implementing the inventions recited in the claims of the '818 patent. *Id.* at 1:60-9:43; *see also id.* at 1:63-65 (indicating that Fig. 1 “illustrates a video encoding system, constructed and operative in accordance with a preferred embodiment of the invention”); *id.* at 6:56-58 (indicating that Figures 8 and 9 “present an alternative embodiment of the filter unit”); *id.* at 8:63-65 (indicating that Figs. 11 and 12 “illustrate an alternative embodiment of the present invention”). The

description of these preferred embodiments provides additional confirmation that the inventions recited in, for example, claims 1, 2, and 5 are directed to technical solutions to technological problems in the existing state of the art.

34. The claims of the '818 patent do not preempt all techniques for reducing perceptual redundancy. For example, the claims of the '818 patent do not preempt techniques for reducing perceptual redundancy that do not involve a compression dependent threshold estimator with a perception threshold. The '818 patent specifically identifies one such other technique. '818 patent at 1:16-20 ("U.S. patent application Ser. No. 09/524,618) assigned to the common assignee of the present invention and incorporated herein by reference, attempts to reduce perceptual redundancy independent of whatever other video compression might be used afterward.").

35. The significance of the inventiveness of the '818 patent is illustrated by the fact that it or a family member has been cited in 21 other patent applications, including the following U.S. patents and published patent applications: US20020158988A1, US20050052446A1, US20050270265A1, US20060001659A1, US20060001658A1, US20060001660A1, US20060020906A1, US20060236893A1, US20060251170A1, US20060250525A1, US20070002035A1, US20070076803A1, US20100026735A1, US20110222597A1, US6753929B1, US20040131117A1, US7639892B2, US7903902B2, and US7526142B2. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the invention claimed and disclosed in the '818 patent was not well-understood, routine, or conventional at the time of the invention.

The '476 Patent

36. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 7,715,476, entitled “System, Method and Article of Manufacture for Tracking a Head of a Camera-Generated Image of a Person” (“the ’476 patent”), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

37. A true and correct copy of the ’476 patent is attached hereto as Exhibit C. The ’476 patent is incorporated herein by reference.

38. The application that became the ’476 patent was filed on April 21, 2005.

39. The ’476 patent claims priority to the application that became the ’706 patent, filed on July 30, 1999.

40. The ’476 patent issued on May 11, 2010, after a full and fair examination by the USPTO.

41. The ’476 patent is and is legally presumed to be valid, enforceable and directed to patent-eligible subject matter.

42. The elements recited in the asserted claims of the ’476 patent were not well-understood, routine, or conventional when the application that became the ’476 patent was filed.

43. The claims of the ’476 patent are directed to technical solutions to the technical problem of how to identify a head in an image. One of various reasons this is important is to assist in focusing a digital camera. Since many camera users are not trained in how to properly focus a camera, and because many photographs are candid shots of moving subjects, the problem calls for technical solutions. The ’476 patent discloses and claims such technical solutions. For example, the ’476 patent recognized that while a number of different techniques could be used to identify a head portion of a subject in an image, no single technique is foolproof. Thus, the ’476

patent discloses applying at least two techniques to identify a head portion and basing the detection of heads on the results of the two techniques. This approach overcomes a problem that any particular technique may be fooled by or rendered inapplicable by particular circumstances (e.g., lighting conditions, orientation of the subject to the camera, etc.).

44. For example, asserted claim 13 (which depends from and incorporates the elements of claim 1) of the '476 patent claims:

1. A method performed by a computer for processing images to identify a head portion of a subject in the images comprising:

obtaining images of a subject;

generating, by the computer, a first confidence value representing a confidence that a first process has identified a location of a head portion of the subject in the images;

generating, by the computer, a second confidence value representing a confidence that a second, different process has identified the location of the head portion of the subject in the images; and

identifying, by the computer, the location of the head portion of the subject in the images based at least in part on the first confidence value and the second confidence value.

13. A method as recited in claim 1, wherein the first process includes identifying a point of separation between the head portion and a torso portion.

45. The sequence of steps set forth in asserted claim 13 of the '476 patent provides a technical solution to the technical problem of head portion focus.

46. The claimed sequence of steps set forth in the '476 patent constitutes patent-eligible subject matter, is not directed to an abstract idea, law of nature, or natural phenomenon, and contains one or more inventive concepts for focusing a digital camera.

47. This claimed sequence was not well-understood, routine, or conventional at the time of the invention.

48. The significance of the inventiveness of the '476 patent is illustrated by the fact that it or a family members has been cited in 157 other patent applications, including the following patents and published patent applications: JP4157234B2; US8711217B2; US8564661B2; US9892606B2; US20050162515A1; US7020305B2; US20020085738A1; US7424175B2; US8457401B2; US20020171742A1; US6870945B2; US8300042B2; US7259747B2; US8035612B2; US6968085B2; US20030107650A1; US7710391B2; US7161579B2; US8947347B2; US7623115B2; US8797260B2; US7102615B2; US7646372B2; US7883415B2; US7760248B2; US7803050B2; US8570378B2; US9393487B2; US8686939B2; US7854655B2; US9474968B2; US8313380B2; US8139793B2; US7627139B2; US8233642B2; US7850526B2; US8160269B2; US9174119B2; US7918733B2; US9682319B2; US7134080B2; JP4240957B2; JP4318465B2; WO2004055776A1; US9177387B2; US7505862B2; US8072470B2; US8498452B2; US8593542B2; US7565030B2; US7440593B1; US8989453B2; US8155397B2; US8330831B2; US7574016B2; US9692964B2; US8948468B2; US9129381B2; US8896725B2; US7792970B2; US7269292B2; US8494286B2; US7471846B2; US7844076B2; US7620218B2; US8682097B2; US20070223732A1; US9573056B2; US8287373B2; US7874917B2; US8323106B2; US10279254B2; WO2005041579A2; CN1902930B; US7663689B2; US8345918B2; GB2414615A; US8547401B2; US8320641B2; US7386150B2; US8503800B2; US7315631B1; US9128519B1; JP4654773B2; US8081822B1; US7796780B2; US8098277B1; US20070133940A1; US8265392B2; US8265349B2; US8150155B2; KR100660725B1; US20110014981A1; AT497218T; WO2008017051A2; US7403643B2; US7916897B2; US8310656B2; US8781151B2; USRE48417E1; AU2006252252B2; US8055067B2; US8300890B1; WO2008104549A2; WO2008107002A1; US20080232696A1; US20080252596A1; JP2008282085A; US7916971B2; US8702430B2; US8221290B2;

US8360904B2; KR100904846B1; WO2009035705A1; US8159682B2; US8542907B2;
WO2009094646A2; CN103258184B; US8340379B2; US8259163B2; US8368753B2;
US7855737B2; US8595218B2; US20090312629A1; JP5547730B2; US8961313B2;
US11464578B2; US8690776B2; US8641621B2; US8554307B2; US8527657B2;
US8342963B2; US8393964B2; US8142288B2; US8379917B2; US8787663B2; US9582707B2;
US9100574B2; US8670816B2; JP6222795B2; US10314559B2; US10347100B2;
US9901406B2; US10188467B2; US10853625B2; US10551913B2; WO2016181469A1;
JP6566028B2; US9949700B2; US9675319B1; US10278778B2; US11259879B2;
US10469590B2; US11484365B2; US11037316B2; US11205274B2; and JP6973258B2.

49. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the invention claimed and disclosed in the '476 patent was not well-understood, routine, or conventional at the time of the invention.

The '635 Patent

50. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 6,914,635, entitled "Microminiature Zoom System for Digital Camera" ("the '635 patent"), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the United States Patent and Trademark Office ("USPTO").

51. A true and correct copy of the '635 patent is attached hereto as Exhibit D. The '635 patent is incorporated herein by reference.

52. The application that became the '635 patent was filed on February 8, 2001.

53. The '635 patent issued on July 5, 2005, after a full and fair examination by the USPTO.

54. The '635 patent is valid and enforceable and directed to eligible subject matter.

55. The elements recited in the asserted claims of the '635 patent were not well-understood, routine, or conventional when the application that became the '635 patent was filed.

56. The claims of the '635 patent are directed to technical solutions to the technical problem of providing zoom, autofocus, and other features to increasingly compact digital cameras. Other features of the claimed invention enables include such things as anti-shake and image stabilization. The '635 patent discloses and claims technical solutions to providing such features in increasingly compact digital cameras through, for example, a micro-electromechanical system support mechanism with at least two positions of movement. The claims of the '635 patent thus allow features like zoom, autofocus, anti-shake, and image stabilization to be provided even in increasingly compact digital cameras. The inventions claimed in the '635 patent therefore provide technical solutions to this technical problem, are not abstract, and claim patentable subject matter.

57. The significance of the inventiveness of the '635 patent is illustrated by the fact that it or a family member has been cited in 58 other patent applications, including the following U.S. patents and published patent applications: US20050123266A1; US20050249487A1; US20060192858A1; US20060192885A1; US20060198622A1; US20060204242A1; US20070024155A1; US20070041723A1; US20070052841A1; US20070058070A1; US20070065131A1; US20090097841A1; US20090146047A1; US7640803B1; US7663289B1; US20100177408A1; US7838322B1; US8337103B2; US8358925B2; US8430580B2; US8521017B2; US8547627B2; US8571405B2; US8604663B2; US8605375B2; US8608393B2; US8619378B2; US8616791B2; US8637961B2; US8711495B2; US8724201B2; US8768157B2; US8803256B2; US8855476B2; US8853975B2; US8869625B2; US8884381B2; US8941192B2; US9019390B2; US9052567B2; US9061883B2; US9063278B2; US9281763B2; US9350271B2;

US9352962B2; US9515579B2; FR2881847A1; TWI484245B; US7555210B2; JP4123250B2; EP1860492B1; CN101730863B; US7825985B2; CN101420526B; JP5839786B2; US10009528B2; US8545114B2; and CN103837980B.

COUNT I – INFRINGEMENT OF THE '250 PATENT

58. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

59. Defendant has made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '250 patent.

60. Defendant has known about the '250 patent since at least as early as August 4, 2022, and has been aware that its products practiced the '250 patent since at least September 6, 2022. Despite this knowledge, Defendant continued to make, use, sell, offer for sale, and/or import products that infringed the '250 patent directly, and/or that infringed the '250 patent when used as directed or encouraged by Defendant. As a result, Defendant has directly infringed one or more claims of the '250 patent, and has indirectly infringed one or more claims of the '250 patent by actively inducing users of its products to infringe the '250 patent by encouraging, aiding, or otherwise causing persons or entities to infringe the '250 patent with actual knowledge of the patent and intent for such actions to result in infringement, and/or by contributing to such infringement by providing a part or component that has a particular use covered by the '250 patent, and that is not a staple article or commodity of commerce suitable for substantial noninfringing use.

61. For example, Defendant has infringed at least claim 1 of the '250 patent, either literally or under the doctrine of equivalents, directly or indirectly, in connection with Defendant's Ricoh Theta 360 camera and similar products, as detailed in the preliminary claim chart attached hereto as Exhibit E and incorporated herein by reference.

62. Defendant's infringing activities have been without authority or license under the '250 patent.

63. Plaintiff has been damaged by Defendant's infringement of the '250 patent, and Plaintiff is entitled to recover damages for Defendant's infringement, which damages cannot be less than a reasonable royalty.

COUNT II – INFRINGEMENT OF THE '818 PATENT

64. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

65. Defendant has made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '818 patent.

66. Defendant has directly infringed one or more claims of the '818 patent.

67. For example, Defendant has infringed at least claim 1 of the '818 patent, either literally or under the doctrine of equivalents, in connection with Defendant's Pentax K-70 and similar products, as detailed in the preliminary claim chart attached hereto as Exhibit F and incorporated herein by reference.

68. Defendant's infringing activities have been without authority or license under the '818 patent.

69. Plaintiff has been damaged by Defendant's infringement of the '818 patent, and Plaintiff is entitled to recover damages for Defendant's infringement, which damages cannot be less than a reasonable royalty.

COUNT III – INFRINGEMENT OF THE '476 PATENT

70. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

71. Defendant has made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '476 patent.

72. Defendant has known about the '476 patent since at least as early as August 4, 2022, and has been aware that its products practiced the '476 patent since at least September 6, 2022. Despite this knowledge, Defendant continued to make, use, sell, offer for sale, and/or import products that infringed the '476 patent directly, and/or that infringed the '476 patent when used as directed or encouraged by Defendant. As a result, Defendant has directly infringed one or more claims of the '476 patent, and has indirectly infringed one or more claims of the '476 patent by actively inducing users of its products to infringe the '476 patent by encouraging, aiding, or otherwise causing persons or entities to infringe the '476 patent with actual knowledge of the patent and intent for such actions to result in infringement, and/or by contributing to such infringement by providing a part or component that has a particular use covered by the '476 patent, and that is not a staple article or commodity of commerce suitable for substantial noninfringing use.

73. For example, Defendant has infringed at least claim 13 of the '476 patent, either literally or under the doctrine of equivalents, in connection with Defendant's Pentax 645Z camera and similar products, as detailed in the preliminary claim chart attached hereto as Exhibit G and incorporated herein by reference.

74. Defendant's infringing activities have been without authority or license under the '476 patent.

75. Plaintiff has been damaged by Defendant's infringement of the '476 patent, and Plaintiff is entitled to recover damages for Defendant's infringement, which damages cannot be less than a reasonable royalty.

COUNT IV – INFRINGEMENT OF THE '635 PATENT

76. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

77. Defendant has made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '635 patent.

78. For example, Defendant has infringed at least claim 1 of the '635 patent, either literally or under the doctrine of equivalents, in connection with Defendant's Pentax 645Z camera and similar products, as detailed in the preliminary claim chart attached hereto as Exhibit H and incorporated herein by reference.

79. Defendant's infringing activities have been without authority or license under the '635 patent.

80. Plaintiff has been damaged by Defendant's infringement of the '635 patent, and Plaintiff is entitled to recover damages for Defendant's infringement, which damages cannot be less than a reasonable royalty.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

PRAYER FOR RELIEF

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

- A. Entry of judgment that Defendant has infringed one or more claims of the '250 patent and that this infringement has been willful,
- B. Entry of judgment that Defendant has infringed one or more claims of the '818 patent,

- C. Entry of judgment that Defendant has infringed one or more claims of the '476 patent,
- D. Entry of judgment that Defendant has infringed one or more claims of the '635 patent,
- E. Damages in an amount to be determined at trial for Defendant's infringement, which amount cannot be less than a reasonable royalty,
- F. A determination that this case is exceptional, and an award of enhanced damages and attorney's fees,
- G. All costs of this action,
- H. Pre-judgment and post-judgment interest on the damages assessed, and
- I. Such other and further relief, both at law and in equity, to which Plaintiff may be entitled and which the Court deems just and proper.

This 23rd day of January, 2023.

STAMOULIS & WEINBLATT LLC

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