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 TECHNOLOGY LICENSING CORPORATION

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

TECHNOLOGY LICENSING  
 CORPORATION

Plaintiff,

vs.

VIDEOTEK, INC.

Defendant.

Case No. CV-01-4204 CRB

**TLC'S SECOND AMENDED  
 COMPLAINT FOR PATENT  
 INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

GENNUM CORPORATION

Third-party Plaintiff

vs.

TECHNOLOGY LICENSING  
 CORPORATION

Third-party Defendant

AND RELATED COUNTERCLAIMS

1 Plaintiff Technology Licensing Corporation alleges the following in support of its  
2 First Amended Complaint for Patent Infringement against defendant Videotek, Inc.

3 The Parties

4 1. Plaintiff Technology Licensing Corporation (“TLC”) is a California  
5 corporation with its principal place of business at 110 Knowles Drive, Los Gatos, California  
6 95032-1828.

7 2. Defendant Videotek, Inc. (“VIDEOTEK”) is a Pennsylvania corporation  
8 with its principal place of business at 243 Shoemaker Road, Pottstown, Pennsylvania 19464.

9 Jurisdiction and Venue

10 3. This is an action for patent infringement arising under the patent laws of  
11 the United States, including 35 U.S.C. § 271 and §§ 281-85. Jurisdiction is conferred upon  
12 this Court pursuant to 28 U.S.C. § 1331 and § 1338 (a).

13 4. Venue is proper in this Court under 28 U.S.C. § 1391(b), (c) and  
14 § 1400(b).

15 5. Defendant’s products are, *inter alia*, used and offered for sale in this  
16 jurisdiction, particularly the County of Santa Clara. Because this action arises in the County  
17 of Santa Clara and Plaintiff’s principal place of business is located in the County of Santa  
18 Clara, the assignment of this action to the San Jose Division of this Federal District Court is  
19 proper under Civil L.R. 3-2.

20 Operative Facts

21 6. On February 25, 1986, the United States Patent and Trademark Office  
22 issued Patent No. 4,573,070 (the “‘070 Patent”) entitled “Noise Reduction System for Video  
23 Signals” to J. Carl Cooper (“Cooper”). A true and correct copy of the ‘070 Patent is attached  
24 hereto at Tab A.

25 7. On January 23, 1996, the United States Patent and Trademark Office  
26 issued Patent No. 5,486,869 (the “‘869 Patent”) entitled “Synchronizing Signal Separating  
27  
28

1 Apparatus and Method” to Cooper. A true and correct copy of the ‘869 Patent is attached  
2 hereto at Tab B.

3 8. On May 19, 1998, the United States Patent and Trademark Office issued  
4 Patent No. 5,754,250 (the “‘250 Patent”) entitled “Synchronizing Signal Separating  
5 Apparatus and Method” to Cooper. A true and correct copy of the ‘250 Patent is attached  
6 hereto at Tab C.

7 9. On August 27, 1996, the United States Patent and Trademark Office  
8 issued Patent No. 5,550,594 (the “‘594 Patent”) entitled “Apparatus and Method For  
9 Synchronizing Asynchronous Signals” to Cooper et al. A true and correct copy of the ‘594  
10 Patent is attached hereto at Tab D.

11 10. All substantial rights in the ‘070 Patent, ‘869 Patent, ‘250 Patent and  
12 ‘594 Patent (individually and collectively “the patents-in-suit”), including the exclusive right  
13 to enforce the patents-in-suit and to sue and collect damages and all other available monetary  
14 and equitable relief for all past and present acts of infringement of the patents-in-suit, are  
15 exclusively licensed to TLC pursuant to a license agreement between J. Carl Cooper and  
16 TLC dated March 14, 1997. As a consequence, TLC has standing to sue in its own right for  
17 infringement of the patents-in-suit.

18 11. Upon information and belief, VIDEOTEK has been and continues to  
19 infringe directly, contributorily and by inducing others to infringe the patents-in-suit by  
20 making, using, selling and/or offering to sell products embodying and/or practicing the  
21 subject matter claimed in the patents-in-suit.

22 12. Upon information and belief, VIDEOTEK will continue infringing the  
23 patents-in-suit unless enjoined by this Court.

24 13. VIDEOTEK’s infringement of the patents-in-suit has caused and will  
25 continue to cause TLC irreparable harm, for which there is no adequate remedy at law.

26 14. Upon information and belief, VIDEOTEK’s infringement of the patents-  
27 in-suit has been and will continue to be willful and deliberate.

Prayer for Relief

WHEREFORE, TLC prays that this Court enter judgment:

A. That VIDEOTEK has infringed each of the patents-in-suit;

B. That VIDEOTEK's infringement of the patents-in-suit has been willful and deliberate;

C. Preliminarily and permanently enjoining VIDEOTEK and its respective directors, officers, employees, agents and all persons in active concert or participation with them from further acts of infringement of the patents-in-suit;

D. Awarding to TLC against VIDEOTEK damages adequate to compensate TLC for the patent infringement by VIDEOTEK, not less than the amount of a reasonable royalty, together with interest as fixed by the Court, such damages to be trebled in accordance with 35 U.S.C. § 284 as a consequence of VIDEOTEK's willful infringement;

E. Declaring this case exceptional under 35 U.S.C. § 285 and awarding TLC its costs and attorney's fees; and

F. Awarding TLC such other and further relief as the Court deems just and proper.

Dated: June 18, 2003

KATTEN MUCHIN ZAVIS ROSENMAN

By: /s/ John Arai Mitchell

John Arai Mitchell  
Attorneys For Third Party Defendant and  
Counter Claimant Technology Licensing  
Corporation

DEMAND FOR A JURY TRIAL

Plaintiff Technology Licensing Corporation hereby demands that the case be tried to a jury.

Dated: June 18, 2003

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By: /s/ John Arai Mitchell

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