

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PAPST LICENSING GmbH & Co. KG
Plaintiff,

v.

KONICA-MINOLTA HOLDINGS, INC.,
KONICA-MINOLTA BUSINESS
SOLUTIONS U.S.A., INC.
Defendants

FILED: JUNE 24, 2008
08CV3606
JUDGE MORAN
Civil Action No. MAGISTRATE JUDGE DENLOW
TG
DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Papst Licensing GmbH & Co. KG ("Papst Licensing"), by and through counsel, for its Complaint against defendants Konica-Minolta Holdings Inc. ("Konica-Minolta"), and Konica-Minolta Business Solutions U.S.A., Inc. ("Konica-Minolta USA"), (collectively "the Konica-Minolta Defendants"), states as follows:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction (federal question) of Papst Licensing's patent infringement claims pursuant to 28 U.S.C. §1331 and 1338(a) because this action arises under the patent laws of the United States. 35 U.S.C. §§ 1, *et seq.*
2. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(c), 1391(d) and 1400(b).

3. Papst Licensing is a company existing under the laws of The Federal Republic of Germany with its principal place of business headquartered at Bahnhofstrasse 33, 78112 St. Georgen, Germany.

4. Upon information and belief, Konica-Minolta is located at Marunouchi Center Building, 1-6-1 Marunouchi, Chiyoda-ku, Tokyo, Japan.

5. Upon information and belief, Konica-Minolta is a multinational corporation having an established and on-going business throughout the United States, and regularly transacts business in this district through Konica-Minolta USA. Konica-Minolta USA is registered to do business in Illinois, maintains a registered agent in Illinois, and is located at 2001 Butterfield Road, Suite 900, Downers Grove, IL 60515. Konica-Minolta USA's headquarters are at 100 Williams Drive, Ramsey, NY 07466.

6. Upon information and belief, Konica-Minolta is the ultimate parent company of Konica-Minolta USA.

FACTS GIVING RISE TO THIS ACTION

7. The patents listed in Paragraphs Nos. 8 and 9 below cover, *inter alia*, various aspects of digital cameras. Unless otherwise specified, the said patents are collectively referred to hereinafter as the "Patents in Suit." Papst Licensing is the lawful owner, by assignment, of the entire right, title, and interest in and to each and every one of the Patents in Suit.

8. United States Patent No. 6,470,399 B1 duly and legally issued on October 22, 2002.

9. United States Patent No. 6,895,449 B2 duly and legally issued on May 17, 2005.

10. Upon information and belief the Konica-Minolta Defendants have made, used, sold or offered to sell to numerous customers in the United States or have imported into the United States digital cameras which infringe the Patents in Suit.

11. A reasonable opportunity for further investigation or discovery is likely to provide evidentiary support that the Konica-Minolta Defendants have actively induced others and/or contributed to the infringement of the Patents in Suit.

12. A reasonable opportunity for further investigation or discovery is likely to provide evidentiary support that the Konica-Minolta Defendants committed the acts of infringement described herein willfully.

13. Papst Licensing has given written notice of infringement to the Konica-Minolta Defendants.

DEMAND FOR JURY TRIAL

Plaintiff respectfully requests a trial by jury of all issues so triable.

REQUESTED RELIEF

WHEREFORE, Papst Licensing respectfully requests the following relief:

1. The entry of judgment in favor of Papst Licensing, and against the Konica-Minolta Defendants, finding that the Konica-Minolta Defendants have infringed the Patents in Suit;

2. The entry of judgment in favor of Papst Licensing, and against the Konica-Minolta Defendants, awarding Papst Licensing damages adequate to compensate it for the Konica-Minolta Defendants' acts of infringement;

3. The entry of judgment in favor of Papst Licensing, and against the Konica-Minolta Defendants, awarding Papst Licensing all applicable interest (including pre-judgment and post-judgment interest), costs, an increase of damages to three times the amount of damages found or assessed, and attorneys' fees;

4. The entry of a permanent injunction enjoining the Konica-Minolta Defendants, and all those acting in concert with them, from further acts of infringement; and

5. Such other and further relief as the Court deems just and proper.

June 24, 2008

Respectfully submitted,

/s/ Jerold B. Schnayer

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