

FILED

FEBRUARY 28, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

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

PAPST LICENSING GmbH & Co. KG
Plaintiff,

v.

RICOH COMPANY, LTD.,
RICOH AMERICAS CORPORATION and
RICOH CORPORATION,
Defendants.

Civil Action No.

DEMAND FOR JURY TRIAL

08 C 1218

**JUDGE ASPEN
MAGISTRATE JUDGE ASHMAN**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Papst Licensing GmbH & Co. KG ("Papst Licensing"), by and through counsel, for its Complaint against defendants Ricoh Company, Ltd. ("RicoH"), and Ricoh Americas Corporation ("RicoH Americas") and Ricoh Corporation ("RicoH Corporation"), (collectively "the RicoH 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 the District of Delaware 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, Ricoh is located at Ricoh Building, 8-13-1 Ginza Chuo-ku, Tokyo 104-8222, Japan.

5. Upon information and belief, Ricoh is a multinational corporation having an established and on-going business throughout the United States, and particularly, transacts business in this district through Ricoh Americas and Ricoh Corporation. Upon information and belief, Ricoh Americas has regular and established places of business throughout this district and Ricoh Corporation regularly transacts business throughout this district.

6. Upon information and belief, Ricoh is the ultimate parent company of Ricoh Americas.

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 Ricoh 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 Ricoh 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 Ricoh Defendants committed the acts of infringement described herein willfully.

13. Papst Licensing has given written notice of infringement to the Ricoh Defendants.

14. Upon information and belief, the Ricoh Defendants have been and still are committing the acts of infringement described herein and will continue to do so unless enjoined by this Court.

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 Ricoh Defendants, finding that the Ricoh Defendants have infringed the Patents in Suit;

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

3. the entry of judgment in favor of Papst Licensing, and against the Ricoh 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 Ricoh Defendants, and all those acting in concert of participation with them, from further acts of infringement; and

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

February 28, 2008

Respectfully submitted,

/s/ Jerold B. Schnayer

Jerold B. Schnayer (2495538)

James P. White (3001032)

WELSH & KATZ, LTD.

120 South Riverside Plaza, 22nd Floor

Chicago, Illinois 60606

(312) 655-1500

*Attorneys for PAPST LICENSING GmbH &
Co. KG*