

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

CASE NO. 6:00-cv-600-ORL-19c

JORDAN SPENCER JACOBS,

Plaintiff,

vs.

MICROSOFT CORPORATION, a foreign  
corporation, LOGITECH, INC., a foreign  
corporation, ELECTRO SOURCE, L.L.C.,  
a foreign limited liability company, through its  
division known as PELICAN ACCESSORIES,  
and ANALOG DEVICES, INC., a foreign corporation,

Defendants.

**AMENDED COMPLAINT FOR PATENT INFRINGEMENT**  
**AND DEMAND FOR JURY TRIAL**  
**(INJUNCTIVE RELIEF SOUGHT)**

Plaintiff, JORDAN SPENCER JACOBS ("JACOBS") sues Defendants,  
MICROSOFT CORPORATION, a foreign corporation ("MICROSOFT"), LOGITECH,  
INC., a foreign corporation ("LOGITECH"), ELECTRO SOURCE, L.L.C., a foreign  
limited liability company, through its division known as PELICAN ACCESSORIES  
("PELICAN"), and ANALOG DEVICES, INC., a foreign corporation "(ANALOG)", and  
alleges:

1. This is an action for patent infringement under the Patent Laws of the  
United States, Title 35, United States Code, to include §§271, 281 and 285. This court

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CLERK U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA  
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has jurisdiction under 28 U.S.C. §§1331 and 1338(a). Venue is proper under 28 U.S.C. §§1391(b) and 1400(b).

2. JACOBS is a resident of the state of Florida.

3. Upon information and belief, Defendants are foreign corporations or foreign limited liability companies who have been and are transacting business, have been and are contracting to supply goods, and have regularly solicited and regularly solicit business in this judicial district, thus subjecting themselves to the jurisdiction and venue of this court.

4. On October 21, 1991, the United States Patent and Trademark office duly and legally issued United States Letters Patent No. 5,059,958 (“the ‘958 patent”) entitled “Manually Held Tilt Sensitive Non-Joystick Control Box”, to inventors Jordan Spencer Jacobs and Marvin Jacobs. (**Exhibit “A”**). In part, the patent describes a tilt-sensitive game controller which can be used to control motion in personal computer (PC) based games and in common game systems such as the Nintendo® 64 and Sony® PlayStation. Rather than rely on button or keyboard input, the controller described by the patent can actually control motion by merely moving or “tilting” the controller.

5. Marvin Jacobs, now deceased, has transferred all his rights and interests in the ‘958 patent to JACOBS.

6. Upon information and belief, MICROSOFT, LOGITECH, and PELICAN are directly infringing one or more claims of the ‘958 patent by manufacturing, marketing and distributing remarkably similar, if not identical, tilt-sensitive controllers, including,

but not limited to, the “Sidewinder Freestyle Pro” (MICROSOFT) (see **Exhibit “B”**), the “Wingman Gamepad Extreme” (LOGITECH)(see **Exhibit “C”**), and the “Tiltforce 2 Motion-Sensing Force Feedback Controller” (PELICAN)(see **Exhibit “D”**), and potentially other products which have infringed, are infringing, and will continue to infringe upon one or more of the claims of the ‘958 patent unless enjoined by this court.

7. Upon information and belief, MICROSOFT, LOGITECH, and PELICAN are inducing infringement of one or more claims of the ‘958 patent by manufacturing, marketing and distributing the above referenced tilt-sensitive game controllers with the knowledge and intent that those game controllers be used by persons in a manner which has infringed, is infringing and will continue to infringe upon one or more of the claims of the ‘958 patent unless enjoined by this court.

8. Upon information and belief, ANALOG, is contributorily infringing the ‘958 patent by manufacturing, marketing and distributing specific components especially made for use, or especially adapted for use, in the above referenced tilt-sensitive game controllers with knowledge of their infringing use. (See generally, **Exhibit “E”**). Additionally, ANALOG has induced and is inducing infringement of the ‘958 patent by undertaking the above actions to knowingly cause or aid others to infringe the patent.

9. Upon information and belief, all Defendants are contributing to the infringement of one or more claims of the ‘958 patent by manufacturing the above referenced tilt-sensitive game controllers and component products which have no use

other than in a device controlling action that directly infringes one or more of the claims of the '958 patent.

10. Upon information and belief, the Defendants' foregoing direct infringement, inducement to infringe, and contributory infringement has been willful and deliberate after notice of the existence of the patent-in-suit and will continue unless enjoined by this Court.

11. Plaintiff has been damaged by such infringing activities and will be irreparably injured and without an adequate remedy at law unless such infringing activities are enjoined by this Court.

WHEREFORE, Plaintiff demands:

- a. an injunction against any Defendant directly infringing the '958 patent;
- b. an injunction against any Defendant inducing infringement of the '958 patent or contributing to the infringement of the '958 patent;
- c. an injunction against any Defendant officer, agent, servant, employee, and those persons acting in active concert or participation with any of them, from infringing, either directly, by inducement or by contribution, the '958 patent;
- d. that an accounting be had for damages caused by Defendants' infringing activities and that Plaintiff be awarded his damages;
- e. that because Defendants' activities have been willful and deliberate, Plaintiff be awarded treble damages;

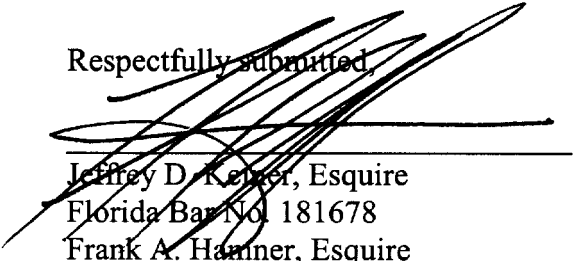
- f. that an assessment of interest be made upon all damages;
- g. that Plaintiff be awarded his attorneys' fees, costs and expenses in this action; and,
- h. that Plaintiff be awarded such further necessary and proper relief as this Court may deem just.

**JURY TRIAL DEMANDED**

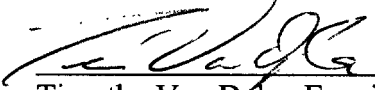
Plaintiff demands trial by jury on all issues so triable.

Dated: January 24, 2001

Respectfully submitted,



Jeffrey D. Ketter, Esquire  
Florida Bar No. 181678  
Frank A. Hanner, Esquire  
Florida Bar No. 0059153  
Christine Noworyta Smith  
Florida Bar No. 38164  
Gray Harris & Robinson, P.A.  
301 East Pine Street, Suite 1400  
Orlando, Florida 32802  
Phone: (407) 843-8880  
Fax: (407) 244-5690  
Trial Counsel for Plaintiff



Timothy Van Dyke, Esquire  
Florida Bar No. 0120626  
Bencen & Van Dyke, P.A.  
1630 Hillcrest Street  
Orlando, Florida 32803  
Phone: (407) 228-0328  
Fax: (407) 228-0329

Jordan Spencer Jacobs  
v.  
Microsoft Corporation, et al  
Case No. 6:00-cv-600-ORL-19c

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**JORDAN SPENCER JACOBS v. MICROSOFT CORPORATION, et al.**  
**Case No. 6:00 CV-600-Orl-19JGG**

**SERVICE LIST**

Timothy Van Dyke, Esquire  
Bencen & Van Dyke, P.A.  
1630 Hillcrest Street  
Orlando, Florida 32802  
Counsel for Plaintiff

Robert W. Duckworth, Esquire  
Holland & Knight  
200 South Orange Avenue, Suite 2600  
Orlando, Florida 32801  
Local counsel for Microsoft

Edward M. Mullins, Esquire  
Astigarraga, Davis, Mullins  
& Grossman, P.A.  
Miami Center, 20th Floor  
201 S. Biscayne Blvd.  
Miami, FL 33131  
Local counsel for Analog Devices

William F. Lee, Esquire  
Donald R. Steinberg, Esquire  
Hale and Dorr, LLP  
60 State Street  
Boston, MA 02109-1803  
Trial counsel for Analog Devices

William G. McElwain, Esquire  
Hale and Dorr, LLP  
1455 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-1008  
Counsel for Analog Devices

Eric L. Wesenberg, Esquire  
Kai Tseng, Esquire  
Orrick, Herrington & Sutcliffe, LLP  
600 Hansen Way, Ste. 200  
Palo Alto, CA 94305  
Trial counsel for Logitech

Ava K. Doppelt, Esquire  
Allen, Dyer, Doppelt, Milbrath  
& Gilchrist  
255 S. Orange Avenue  
Post Office Box 3791  
Orlando, FL 32802  
Local counsel for Electro Source  
(Pelican)

Nancy J. Faggianelli, Esquire  
C. Douglas McDonald, Jr., Esquire  
John C. Clark, Esquire  
Carlton, Fields, Ward, Emmanuel, et al  
One Harbour Place  
Post Office Box 3239  
Tampa, FL 33601  
Local counsel for Logitech

T. Andrew Culbert, Esquire  
Microsoft Corporation  
Building 8, One Microsoft Way  
Redmond, WA 98052-6399  
Of counsel for Microsoft Corp.

J. Christopher Carraway, Esquire  
Garth A. Winn, Esquire  
Klarquist, Sparkman, Campbell, et al  
One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Of counsel for Microsoft Corp.

Larry Russ, Esquire  
Laura Stanton, Esquire  
Evan Kent, Esquire  
Russ, August, Kabat & Kent  
1242 Wilshire Blvd., Suite 1200  
Los Angeles, CA 90025  
Counsel for Electro Source (Pelican)

**ADDITIONAL  
ATTACHMENTS  
NOT  
SCANNED**

\_\_\_\_ Exceeds scanner's page limit  
\_\_\_\_ Physical exhibit prevents scanning  
✓ Other: EXHIBITS

**\*\*REFER TO COURT FILE\*\***