

6. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 271, *et seq.*

7. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1338(a). Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b).

8. U.S. Patent No. 5,587,981 (hereinafter the “Kamatani ’981 patent”) was issued on December 24, 1996. U.S. Patent No. 5,959,280 (hereinafter the “Kamatani ’280 patent”) was issued on September 28, 1999. U.S. Patent No. 6,215,743 (hereinafter the “Kamatani ’743 patent”) was issued on September 28, 1999.

9. The Kamatani ’981, ’280 and ’743 patents were issued to Yasuo Kamatani as the inventor thereof, and are both valid and subsisting.

10. Yasuo Kamatani assigned his rights to the Kamatani ’981, ’280 and ’743 patents to LaserDynamics, Inc. which now owns the Kamatani ’981, ’280 and ’743 patents.

11. Lite-On has been and still is infringing the Kamatani patents by making, using, importing, offering for sale and/or selling DVD players and software, including computers and computer peripherals, covered by the claims of the Kamatani ’981, ’280 and ’743 patents and/or, with knowledge of the ’981, ’280 and ’743 patents, by aiding, abetting and/or inducing others to make, use, import or sell DVD players and software.

12. Lite-On’s wrongful actions were conducted without authorization or license to do so and will continue unless enjoined by this Court.

13. Lite-On had full and prior knowledge of the Kamatani ’981, ’280 and ’743 patents, and therefore their conduct was both willful and deliberate. Moreover, Lite-On’s willful infringement will continue unabated unless enjoined by this Court.

WHEREFORE, PREMISES CONSIDERED, LaserDynamics prays for the following relief:

A. Lite-On, its officers, directors, agents, servants, employees and attorneys, and those persons and entities in active concert or participation with it, be preliminarily and thereafter permanently enjoined from making, using, selling or importing infringing devices;

B. LaserDynamics recover damages from Lite-On resulting from Lite-On's infringement and that said damages be trebled in view of Lite-On's willful and wanton conduct;

C. LaserDynamics recover interest and costs pursuant to 35 U.S.C. § 284 and attorneys' fees pursuant to 35 U.S.C. § 285; and

D. LaserDynamics have such other and further relief as the Court deems just and proper under the circumstances.

Trial by jury is hereby demanded.

Respectfully submitted,

Date: October 31, 2002

Timothy N. Trop, by permission by
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KMA.0017

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of October, 2002 a true and correct copy of the foregoing Plaintiff's Second Amended Complaint was served upon the below-named counsel of record at the address via Federal Express to:

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