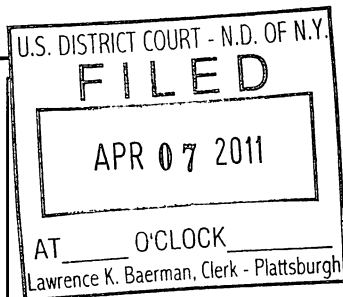


**UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK**

Terry Gordon  
Plaintiff

Vs

Larry Holmberg " Individual"  
Defendant



Civil Action No. 8:11-cv-385 (GLS)(RFT)

**Patent Infringement Complaint**

Jury Trial "Respectfully" Demanded

Plaintiff, Terry J. Gordon, henceforth "Gordon", for his complaint against Defendant, Larry Holmberg, hereafter "Holmberg"

THE PARTIES

1. Plaintiff Gordon is an individual residing at 12 Whitney Lane, Keeseville. New York 12944
2. Upon information and belief, Holmberg is an individual patent(s) holder and is directly responsible for offering for sale various mounts and camera systems under the "Moniker" Rifle Cam
3. Upon information and belief Holmberg distributes his products from Gully, Minnesota and resides at 31554 410<sup>th</sup> Avenue Southeast, Gull, Minnesota 56646

JURISDICTION AND VENUE

4. This an action for patent infringement under the patent laws of the United States, 35 U.S.C. & 1 *et seq.* and particularly 35 U.S.C. & 271.
5. This court has subject matter jurisdiction under 28 U.S.C.&&1331 and 1338(a).
6. Upon information and belief, defendant Holmberg transacts and has transacted business throughout the United States, and has committed tortuous acts within the State of New York, causing injury in the State New York to Gordon, thereby establishing sufficient minimum contacts. This Court has personal jurisdiction over Holmberg by reason of committing acts of infringement, inducement to infringe and/or contributory infringement within the State of New York and this judicial district.

6. Venue in the United States District Court for the District of Northern New York is proper pursuant to 28 U.S.C. &&1391( c ) and 1400(b) because WGI are companies over which the Court has personal jurisdiction.

**COUNT I: INFRINGEMENT OF U.S.PATENT NO. 6,163,000**

7. Gordon incorporates and re-alleges paragraph 1 through 6.
8. On December 14, 1999, U.S. Patent Number 6,000,1633 entitled "Photographic Rifle Scope Apparatus and Method". Patent # 6,000,163 was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the # 6,000,163 patent is attached as Exhibit A to the complaint.
9. Gordon is the sole inventor and owner of the entire right, title and interest in and to the Patent # 6,000,163 with the right to sue for past, present, and future infringement of patent # 6,000,163
10. Holmberg / D.B.A. , Rifle Cam has been and continues making, using, selling, offering for sale, and/or importing, without license or authority from Gordon, in this district and elsewhere in the United States, cameras that embody the invention(s) claimed in patent # 6,000,163 under 35 U.S.C. &271.
11. Upon information and belief, Holmberg will continue to directly infringe, contributorily infringe, and/or induce infringement of patent # 6,000,163 unless enjoined by the Court.
12. Gordon has been damaged by Holmberg / D.B.A. Rifle Cam infringement of patent #6,000163, and will continue to be damaged by that infringement unless enjoined by this court.

**PRAYER FOR RELIEF**

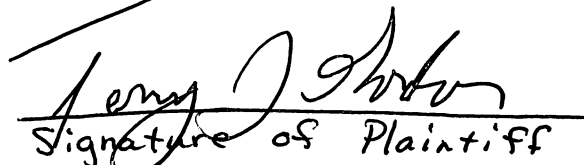
**WHEREFORE**, Plaintiff, Gordon, prays for the following relief:

- a. That Holmberg , its officers, agents, servants, employees and attorneys, and all persons in active concert or participation with them be found to have infringed the valid U.S. Patent No. 6,000,163, and be enjoined, preliminarily and permanently, from making , using, selling, offering for sale or importing into the United States products which infringe U.S. Patent No. 6,000,163

- b. That Gordon be compensated by Holmberg for the damages caused by Holmberg's infringement of U.S. Patent No. 6,000,163 under 35 U.S.C. & 284, in an amount to be determined by an accounting, but not less than a reasonable royalty, plus interest;
- c. That the award of damages for infringement of U.S. patent No. 6,000,163 be trebled as provided for by 35 U.S.C. & 284 for willful infringement by Holmberg / Rifle Cam
- d. That Gordy be awarded its costs and attorneys' fees incurred in prosecuting this exceptional case, as provided for by 35 U.S.C. & 285, plus interest; and
- e. That Gordon be awarded \$2,000,000.00 in punitive damages for Holmberg's frivolous "Scheme to Defraud" Plaintiff Gordon of his just rewards for proper and lawful use of his intellectual property rights.
- f. That Gordon be awarded such other relief as the Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 7, 2011

  
Signature of Plaintiff  
Terry J. Gordon

**JURY DEMAND**

Gordon respectfully request a jury trial on all issues so triable

**Terry Gordon**

Dated: April 7, 2011

By: 