

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. _____

CLEAR FOCUS IMAGING, INC.,
California Corporation, and

STEPHEN G. NELSON,
an Arizona Resident,

Plaintiffs,

v.

PLASTIPRINT, INC.,
a Colorado Corporation,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Clear Focus Imaging, Inc. (“Clear Focus”) and Stephen G. Nelson (“Nelson”), for their cause of action against Defendant Plastiprint, Inc. (“Plastiprint”), state and allege as follows:

JURISDICTION AND VENUE

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code. This Court has jurisdiction over the subject matter of this action under Title 28 U.S.C. §§ 1331 and 1338(a).

2. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

PARTIES AND BACKGROUND

3. Plaintiff Clear Focus is a corporation duly organized in California, doing business in and having its principal place of business at 60 Maxwell Court, Santa Rosa, California, 95401. Stephen G. Nelson is an Arizona resident and resides at 4819 E. Calle Redonda, Phoenix, Arizona 85018.

4. Clear Focus manufactures perforated one-way vision products which are used for displaying images on one side of the one-way vision product and which are see-through when viewed from the opposite side. Clear Focus manufactures both exterior mount and interior mount one-way vision products. Clear Focus' one-way vision products can be mounted on, for example, windows of a bus or a store.

5. Clear Focus owns and/or is the exclusive licensee of many patents directed to its perforated one-way vision product technology.

6. Defendant Plastiprint is a corporation duly organized in Colorado, doing business in and having its principal place of business at 445 Union Boulevard, Suite 209, Lakewood, CO 80228.

7. Defendant Plastiprint manufactures and sells perforated see through window films that it sells under the name "PlastiView." Plastiprint manufactures and sells "Black/White" PlastiView see through film for exterior mounting.

8. Plastiprint manufactures and sells "Clear" PlastiView see through film for interior mounting.

9. Plastiprint's website promotes Black/White PlastiView and Clear PlastiView as being suitable to be printed using ink jet printers and electrostatic printing.

10. This is an exceptional case within the meaning of 35 U.S.C. § 285.

COUNT I

Infringement of U.S. Patent No. 5,525,177

11. Clear Focus realleges paragraphs 1 through 10, as though set forth here.

12. On June 11, 1996, United States Letters Patent 5,525,177 (the "'177 patent") entitled "Image Transfer Method For One Way Vision Display Panel" was duly and legally issued to inventor Gregory F. Ross. Clear Focus owns all rights, title and interest to the '177 patent. A copy of the '177 patent is attached hereto as Exhibit A.

13. Plastiprint has directly, indirectly, contributorily, and/or by inducement infringed one or more claims of the '177 patent.

14. The infringement of the '177 patent by Plastiprint has injured Clear Focus in an amount to be determined at trial. Furthermore, by these acts, Plastiprint has irreparably injured Clear Focus and the injury will continue unless the Court enjoins Plastiprint.

15. On information and belief, Plastiprint has had actual knowledge of the '177 patent and has willfully infringed the '177 patent.

COUNT II

Infringement of U.S. Patent No. 5,609,938

16. Clear Focus realleges paragraphs 1 through 15, as though set forth here.

17. On March 11, 1997, United States Letters Patent 5,609,938 (the "'938 patent") entitled "Image Display Apparatus With Holes For Opposite Side Viewing" was duly and

legally issued to inventor Rodney M. Shields. Clear Focus owns all rights, title and interest to the '938 patent. A copy of the '938 patent is attached hereto as Exhibit B.

18. Plastiprint has directly, indirectly, contributorily, and/or by inducement infringed one or more claims of the '938 patent.

19. The infringement of the '938 patent by Plastiprint has injured Clear Focus in an amount to be determined at trial. Furthermore, by these acts, Plastiprint has irreparably injured Clear Focus and the injury will continue unless the Court enjoins Plastiprint.

20. On information and belief, Plastiprint has had actual knowledge of the '938 patent and has willfully infringed the '938 patent.

COUNT III

Infringement of U.S. Patent No. 5,773,110

21. Clear Focus realleges paragraphs 1 through 20, as though set forth here.

22. On June 30, 1998, United States Letters Patent 5,773,110 (the "'110 patent") entitled "Window Painting Apparatus And Method" was duly and legally issued to inventor Rodney M. Shields. Clear Focus owns all rights, title and interest to the '110 patent. A copy of the '110 patent is attached hereto as Exhibit C.

23. Plastiprint has directly, indirectly, contributorily, and/or by inducement infringed one or more claims of the '110 patent.

24. The infringement of the '110 patent by Plastiprint has injured Clear Focus in an amount to be determined at trial. Furthermore, by these acts, Plastiprint has irreparably injured Clear Focus and the injury will continue unless the Court enjoins Plastiprint.

25. On information and belief, Plastiprint has had actual knowledge of the '110 patent and has willfully infringed the '110 patent.

COUNT IV

Infringement of U.S. Patent No. 6,258,429

26. Clear Focus realleges paragraphs 1 through 25, as though set forth here.

27. On July 10, 2001, United States Letters Patent 6,258,429 (the "'429 patent'") entitled "One-Way See-Thru Panel And Method Of Making Same" was duly and legally issued to inventor Stephen G. Nelson. Nelson owns all rights, title and interest to the '429 patent. Clear Focus is the exclusive licensee under the '429 patent. A copy of the '429 patent is attached hereto as Exhibit D.

28. Plastiprint has directly, indirectly, contributorily, and/or by inducement infringed one or more claims of the '429 patent.

29. The infringement of the '429 patent by Plastiprint has injured Clear Focus in an amount to be determined at trial. Furthermore, by these acts, Plastiprint has irreparably injured Clear Focus and the injury will continue unless the Court enjoins Plastiprint.

30. On information and belief, Plastiprint has had actual knowledge of the '429 patent and has willfully infringed the '429 patent.

COUNT V

Infringement of U.S. Patent No. 7,018,501

31. Clear Focus realleges paragraphs 1 through 30, as though set forth here.

32. On March 28, 2006, United States Letters Patent 7,018,501 (the "'501 patent'") entitled "One-Way See-Thru Panel And Method Of Making Same" was duly and legally

issued to inventor Stephen G. Nelson. Nelson owns all rights, title and interest to the '501 patent. Clear Focus is the exclusive licensee under the '501 patent. A copy of the '501 patent is attached hereto as Exhibit E.

33. Plastiprint has directly, indirectly, contributorily, and/or by inducement infringed one or more claims of the '501 patent.

34. The infringement of the '501 patent by Plastiprint has injured Clear Focus in an amount to be determined at trial. Furthermore, by these acts, Plastiprint has irreparably injured Clear Focus and the injury will continue unless the Court enjoins Plastiprint.

35. On information and belief, Plastiprint has had actual knowledge of the '501 patent and has willfully infringed the '501 patent.

WHEREFORE, Clear Focus and Nelson pray for judgment as set forth below.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Clear Focus and Nelson pray for judgment against Defendant Plastiprint as follows:

1. For a declaration that Plastiprint has directly, contributorily and by inducement, infringed the '177 patent, the '938 patent, the '110 patent, the '429 patent and the '501 patent, that such infringement has been willful and that this is an exceptional case within the meaning of 35 U.S.C. § 285;

2. For an order permanently enjoining Plastiprint, its subsidiaries, affiliates, parents, successors, assigns, officers, agents, servants, employees, attorneys, and all persons acting in concert or in participation with Plastiprint from infringing, contributing to the infringement of, and inducing infringement of the '177 patent, the '938 patent, the '110 patent, the '429 patent and the

‘501 patent, and specifically from directly or indirectly making, using, selling, or offering for sale, any products or methods embodying the invention of these patents during the life of the patents, without the express written authority of Clear Focus;

3. A judgment and order requiring Defendant Plastiprint to pay damages under 35 U.S.C. § 284, including treble damages for willful infringement as provided by 35 U.S.C. § 284, with interests and costs, and including attorney fees pursuant to 35 U.S.C. § 285; and
4. For any other relief the Court deems appropriate.

Disclosure Statement

Pursuant to D.C.COLO.LCivR 7.4, the undersigned certifies that Clear Focus is the parent entity and that no other publicly held entity owns ten percent or more of Clear Focus stock.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs Clear Focus Imaging, Inc. and Stephen G. Nelson demand a trial by jury of all issues so triable.

Dated: September 8, 2006

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