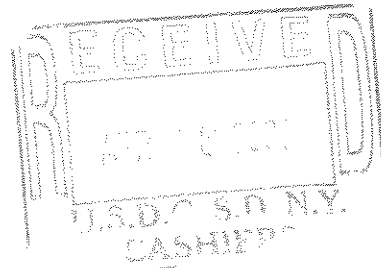


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*Attorneys for Plaintiff Advanced Video Technologies LLC*

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

ADVANCED VIDEO TECHNOLOGIES  
LLC,

Plaintiff,

v.

PURE DIGITAL TECHNOLOGY, INC.,

Defendant.

ECF Case  
Civil Action No.  
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**COMPLAINT AND DEMAND FOR TRIAL BY JURY**

Plaintiff Advanced Video Technologies LLC, having its principal place of business at 75 Montebello Park, Suffern, New York 10901-3740, for its complaint, hereby alleges as follows:

1. Advanced Video Technologies LLC ("AVT"), is a limited liability company organized and existing under the laws of the State of New York, having its principal place of business at 75 Montebello Road, Suffern, New York 10901-3740.

2. Defendant Pure Digital Technology, Inc. ("Pure Digital"), is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 30 Maiden Lane, 6th Floor, San Francisco, California 94108.

3. This action is for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* Subject matter jurisdiction is conferred upon this Court under 28 U.S.C. § 1338(a).

4. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b).

5. Personal jurisdiction over the defendant comports with the United States Constitution because Pure Digital is committing and/or contributing to the acts of patent infringement alleged in this Complaint in this district.

6. On July 14, 1998, United States Patent No. 5,781,788 ("the '788 Patent"), entitled "Full Duplex Single Chip Video Codec," was duly and lawfully issued based upon an application filed by the inventors, Beng-Yu Woo, Xiaoming Li, and Vivian Hsiun. A copy of the '788 Patent is attached as Exhibit A.

7. On January 8, 2008, the United States Patent and Trademark Office ("PTO") issued a Reexamination Certificate for the '788 Patent. A copy of the Reexamination Certification is attached as Exhibit B.

8. AVT is the owner by assignment of the '788 Patent, and has the right to sue and recover damages for infringement thereof.

9. Pure Digital is engaged in the marketing and sale of a Flip Video digital camcorder in the United States generally, and in the Southern District of New York.

10. By such acts, Pure Digital has directly and/or contributorily infringed, and/or induced infringement of, and is continuing to directly and/or contributorily infringe, and/or induce infringement of, the '788 Patent, by selling and offering to sell products and by using and inducing others to use, sell, and offer to sell a digital video camcorder that uses a single chip video codec within the scope of the '788 Patent.

11. Upon information and belief, after reasonable opportunity for further investigation and discovery, it is likely that the evidence will show that the acts of infringement of Pure Digital have occurred with knowledge of the '788 Patent and are willful and deliberate. This action, therefore, is "exceptional" within the meaning of 35 U.S.C. § 285.

12. AVT has been damaged by the infringement by Pure Digital and is suffering, and will continue to suffer, irreparable harm and damage as a result of this infringement, unless such infringement is enjoined by this Court.

13. AVT has no adequate remedy at law.

WHEREFORE, AVT demands judgment as follows:

A. An order adjudging defendant Pure Digital to have infringed the '788 Patent;

B. A permanent injunction enjoining Pure Digital, together with its officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with any of them who receive actual notice of the order by personal service or otherwise, from infringing the '788 Patent;

C. An award of damages adequate to compensate AVT for the infringement of Pure Digital, along with prejudgment and postjudgment interest, but in no event less than

a reasonable royalty, such damages to be trebled pursuant to the provisions of 35 U.S.C. § 284;

D. An award of AVT's reasonable attorney fees and expenses, pursuant to the provisions of 35 U.S.C. § 285;

E. An award of AVT's costs; and

F. Such other and further relief as this Court may deem just and proper.

**DEMAND FOR TRIAL BY JURY**

Pursuant to Fed. R. Civ. P. 38(b), AVT hereby demands a jury trial on all issues so triable raised in this action.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
*Attorneys for Plaintiff, Advanced Video  
Technologies LLC*

Dated: April 15, 2008

By: 

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**OF COUNSEL:**

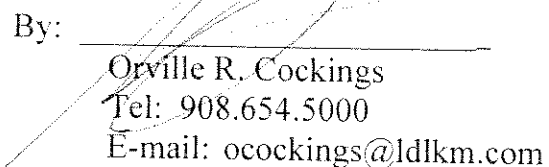
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**CERTIFICATION PURSUANT TO LOCAL CIVIL RULE 1.6(a)**

The undersigned hereby certifies, pursuant to Local Civil Rule 1.6(a), that with respect to the matter in controversy herein, plaintiff Advanced Video Technologies, LLC is not aware of any other action pending in any court, or of any pending arbitration or administrative proceeding, to which this matter is subject.

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Dated: April 15, 2008

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