

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK

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DIGITAL DEVELOPMENT CORPORATION,

Plaintiff,

v.

GENERAL SOFTWARE, INC. AND JOHN  
DOES 1-100,

Defendants.

Case No.: \_\_\_\_\_

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiff, Digital Development Corporation, a corporation (hereinafter referred to as  
“DDC”), demands a jury trial and complains against the defendant as follows:

**THE PARTIES**

1. DDC is a corporation organized and existing under the laws of the State of Arizona,  
with its principal place of business at 5726 N. 10<sup>th</sup> Street, #10, Phoenix, Arizona 85014.

2. On information and belief, Defendant, General Software, Inc. (hereinafter referred to  
as “General”) is a Washington State corporation having a place of business at 11000 NE 33<sup>rd</sup> Place,  
Suite 102, Bellevue, Washington 98004.

3. John Does 1-100 are entities presently unknown to whom General has sold products  
that infringe U.S. Patents owned by DDC as complained of below in Counts I and II of this  
Complaint. General and John Does 1-100 will hereinafter be collectively referred to as  
“Defendants.”

**JURISDICTION AND VENUE**

4. This action arises under the patent laws of the United States of America, Title 35 of the United States Code. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a).

5. On information and belief, Defendants are doing business and committing infringements in this judicial district and are subject to personal jurisdiction in this judicial district.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

**CLAIM FOR PATENT INFRINGEMENT**

7. Plaintiff, DDC, repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 6 above.

8. On December 4, 1990, U.S. Patent No. 4,975,950 (hereinafter referred to as “the ‘950 patent”) was duly and legally issued to Stephen Lentz for an invention entitled “System and Method of Protecting Integrity of Computer Data and Software.” A copy of the ‘950 patent is attached to this Complaint as Exhibit 1.

9. On June 9, 1992, U.S. Patent No. 5,121,345 (hereinafter referred to as “the ‘345 patent”) was duly and legally issued to Stephen Lentz for an invention entitled “System and Method of Protecting Integrity of Computer Data and Software.” A copy of the ‘345 patent is attached to this Complaint as Exhibit 2.

10. DDC is the exclusive licensee of all right, title and interest in and to the ‘950 patent and the ‘345 patent.

**COUNT ONE**

11. Plaintiff, DDC, repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 10 above.

12. Defendants have and still are infringing, actively inducing the infringement of and contributorily infringing in this judicial district, the ‘950 patent by, among other things, importing,

1 making, using, offering for sale, and/or selling computer hardware, software and systems as defined  
2 by the claims of the '950 patent without permission from DDC and will continue to do so unless  
3 enjoined by this Court.

4 13. Plaintiff, DDC, has been damaged by such infringing activities by the Defendants of  
5 the '950 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
6 Court.

7  
8 **COUNT TWO**

9 14. Plaintiff, DDC, repeats and incorporates herein the entirety of the allegations  
10 contained in paragraphs 1 through 13 above.

11 15. Defendants have and still are infringing, actively inducing the infringement of and  
12 contributorily infringing in this judicial district, the '345 patent by, among other things, importing,  
13 making, using, offering for sale, and/or selling computer hardware, software and systems as defined  
14 by the claims of the '345 patent without permission from DDC and will continue to do so unless  
15 enjoined by this Court.

16 16. Plaintiff, DDC, has been damaged by such infringing activities by the Defendants of  
17 the '345 patent and will be irreparably harmed unless such infringing activities are enjoined by this  
18 Court.

19  
20 **PRAYER FOR RELIEF**

21 WHEREFORE, THE Plaintiff, DDC prays for judgment against the Defendants on all the  
22 counts and for the following relief:

- 23 A. Declaration that the Plaintiff is the owner of the '950 patent, and that the Plaintiff has  
24 the right to sue and to recover for infringement thereof;
- 25 B. Declaration that the '950 patent is valid and enforceable;
- 26 C. Declaration that the Defendants have infringed, actively induced infringement of,  
27 and contributorily infringed the '950 patent;
- 28

- 1 D. Declaration that the Plaintiff is the owner of the '345 patent, and that the Plaintiff has  
2 the right to sue and to recover for infringement thereof;
- 3 E. Declaration that the '345 patent is valid and enforceable;
- 4 F. Declaration that the Defendants have infringed, actively induced infringement of,  
5 and contributorily infringed the '345 patent;
- 6 H. A preliminary and permanent injunction against the Defendants, their officers,  
7 agents, servants, employees, and attorneys, all parent and subsidiary corporations, its  
8 assigns and successors in interest, and those persons acting in active concert or  
9 participation with the Defendants, including distributors and customers, enjoining  
10 them from continuing acts of infringement, active inducement of infringement, and  
11 contributory infringement of DDC's '950 and '345 patents;
- 12 I. An accounting for damages under 35 U.S.C. §284 for infringement of DDC's '950  
13 and '345 patents by the Defendants and the award of damages so ascertained to the  
14 Plaintiff, DDC, together with interest as provided by law; and
- 15 J. Such other and further relief as this Court may deem proper, just and equitable.

16 **DEMAND FOR JURY TRIAL**

17 The Plaintiff, DDC, demands a trial by jury of all issues properly triable by jury in this  
18 action.

19 By: /s/Jean-Marc Zimmerman  
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23 Dated: January 4, 2006  
24 Westfield, New Jersey