

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TECHNOLOGY LICENSING	)	
CORPORATION,	)	
	)	Civil Action No.: 1:11-cv-8544
Plaintiff,	)	
	)	
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
PELCO, INC.,	)	
	)	
Defendant.	)	
	)	
	)	

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**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

In this action for patent infringement, Plaintiff Technology Licensing Corporation ("TLC") complains of Pelco, Inc. ("Pelco"), as follows:

**JURISDICTION AND VENUE**

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

2. Venue is proper under 28 U.S.C. §§ 1391 and 1400(b) because Pelco is subject to personal jurisdiction in this judicial district.

**PARTIES**

3. TLC is a Nevada corporation and has its principal place of business at 711 South Carson Street, Suite 6, Carson City, Nevada 89701.

4. According to the records of the California Secretary of State, Pelco is a Delaware corporation, with an address of 1415 South Roselle Road, Palatine, Illinois. It also has a place of business at 3500 Pelco Way, Clovis, California 93612.

### **PATENT INFRINGEMENT**

5. TLC owns the full and exclusive right, title, and interest in and has standing to sue for damages for any past, present and future infringement of U.S. Patent No. Re. 40,411, “Synchronizing Signal Separating Apparatus and Method.” The ‘411 patent issued on July 1, 2008. It is a reissue of U.S. Patent No. 5,754,250. A copy of the ‘411 patent is Exhibit A to this Complaint.

6. TLC owns the full and exclusive right, title and interest in and has standing to sue for damages for any past, present, and future infringement of U.S. Patent No. Re. 40, 412, “Synchronizing Signal Separating Apparatus and Method.” The ‘412 patent issued on July 1, 2008. It is a reissue of U.S. Patent No. 5,486,869. A copy of the ‘412 patent is Exhibit B to this Complaint.

7. Upon information and belief, Pelco has made, used, offered for sale, sold and/or imported products which possess video processing technology and methods, including but not limited to products incorporating the Gennum GS1881, or the GS4881, or the GS4981 video sync separator. These acts by Pelco have directly infringed at least claims 9, 19, 40 and 41 of the ‘411 patent in violation of 35 U.S.C. §271(a). With respect to the method claims, Pelco has also indirectly infringed, because it has induced or contributed to infringement by users of its products containing GS1881, GS4881, and GS4981 sync separators, in violation of 35 U.S.C. §§ 271(b) and 271(c). Pelco received notice of infringement through written communications with David L. McDonald, Paul Kashimba, Ben Kimbell and others at Pelco. Pelco has unreasonably disregarded TLC’s patent rights, and Pelco’s infringement is therefore willful.

8. On information and belief, Pelco has made, used, offered for sale, sold and/or imported products which possess video processing technology and methods, including but not

limited to products incorporating either the Gennum GS4882 or the Gennum GS4982 video sync separator. These acts by Pelco have directly infringed at least claims 7, 9, 19, 40, 41, 52-54 and 82 of the '411 patent, and at least claims 1, 4-6, 8, 9 and 12 of the '412 patent in violation of 35 U.S.C. §271(a). With respect to the method claims, Pelco has also indirectly infringed, because it has induced or contributed to infringement by users of its products containing GS4882 or GS4982 sync separators, in violation of 35 U.S.C. §§ 271(b) and 271(c). Pelco received notice of infringement through written communications with David L. McDonald, Paul Kashimba, Ben Kimbell and others at Pelco. Pelco has unreasonably disregarded TLC's patent rights, and Pelco's infringement is therefore willful.

9. On information and belief, additional infringing products or methods, for example, the National Semiconductor LMH1981 sync separator or other circuits, may be identified after a reasonable opportunity for discovery.

10. Pelco's direct infringement of the '411 and '412 patents has injured TLC, and TLC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

### **RELIEF SOUGHT**

WHEREFORE, TLC respectfully requests this Court enter judgment against Pelco, and against its subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with them, as follows:

- A. The entry of final judgment in favor of TLC.
- B. An award to TLC of such damages as it shall prove at trial against Pelco that is adequate to compensate for its infringement of the '411 and '412 patents, said damages to be no

less than a reasonable royalty, together with prejudgment interest from the date infringement of the '411 and '412 patents began;

C. A determination that this case is exceptional pursuant to 35 U.S.C. § 285 and an award to TLC of the costs of this action and its reasonable attorneys' fees; and

D. Such other relief as TLC is entitled to recover under any applicable law and as this Court and/or a jury may determine to be proper and just.

**JURY DEMAND**

TLC hereby demands a trial by jury on all issues triable to a jury in this case.

Respectfully submitted,

/s/ Joseph N. Hosteny

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