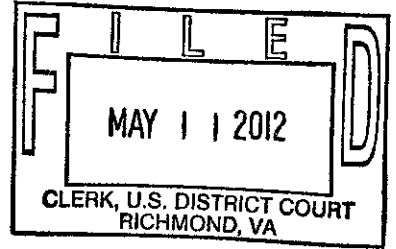


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**



**OBJECTVIDEO, INC.,**

**Plaintiff,**

**v.**

**PELCO, INC.**

**Defendant.**

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**Civil Action No.** 3:12CV3003

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff ObjectVideo, Inc., for its Complaint against Pelco, Inc. (hereinafter referred to as "Pelco" or "Defendant"), hereby states and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code.

**THE PARTIES**

2. Plaintiff ObjectVideo, Inc. ("ObjectVideo") is a corporation organized and existing under the laws of Delaware with its principal place of business at 11600 Sunrise Valley Drive, Reston, Virginia, 20191. ObjectVideo is a private video analytics software development company that provides intelligent video software for security, public safety, business intelligence, process improvement and other technology.

3. Upon information and belief, Defendant Pelco is a corporation organized and existing under the laws of Delaware with its principal place of business at 3500 Pelco Way, Clovis, California, 93612-5999.

**JURISDICTION AND VENUE**

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*

5. Personal jurisdiction over Defendant is consistent with the United States Constitution and § 8.01-328.1 of the Virginia Code Annotated because Defendant has minimum contacts within the Eastern District of Virginia; Defendant has purposefully availed itself of the privileges of conducting business in the Eastern District of Virginia; Defendant has sought protection and benefit from the laws of the Commonwealth of Virginia; Defendant regularly conducts business within the Commonwealth of Virginia; and Defendant has committed and continues to commit acts of direct and indirect patent infringement in this district as alleged in this Complaint.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because Defendant has done business in this District; has committed acts of infringement within this District; and continues to commit acts of infringement in this District, entitling ObjectVideo to relief. More specifically, Defendant directly and/or through intermediaries (including resellers or distributors) distributes, offers for sale, sells, and/or advertises its products and services in the Eastern District of Virginia.

**BACKGROUND OF THE PATENTS-IN-SUIT**

**United States Patent No. 6,696,945**

7. On October 9, 2001, Application No. 09/972,039 was filed before the United States Patent and Trademark Office (“USPTO”), and on February 24, 2004, the USPTO duly and

legally issued United States Patent No. 6,696,945 (the “‘945 Patent”), entitled “Video Tripwire.”

A copy of the ‘945 Patent is attached hereto as Exhibit A.

8. The named co-inventors of the ‘945 Patent are Peter L. Venetianer, Mark C. Allmen, Paul C. Brewer, Andrew J. Chosak, John I.W. Clark, Matthew F. Frazier, Niels Haering, Tasuki Hirata, Caspar Horne, Alan J. Lipton, William E. Severson, James S. Sfekas, Thomas E. Slowe, Thomas M. Strat, John F. Tilki, and Zhong Zhang.

9. The named inventors assigned all right, title and interest in the ‘945 Patent to DiamondBack Vision, Inc. A certified copy of this executed assignment is attached as Exhibit B. DiamondBack Vision, Inc. was later renamed as ObjectVideo and filed a Change of Name with the USPTO. A certified copy of this Change of Name is attached hereto as Exhibit C.

10. The ‘945 Patent discloses a method and system that captures video and then gathers and processes data based on this video. The system also permits the input of a virtual tripwire, and in some embodiments, determines if the virtual tripwire has been crossed, and once it is determined that the tripwire has been crossed, generates a response to notify, for example, a user of that event. The technology disclosed in the ‘945 Patent has applications in many industries, including, but not limited to, security, public safety, business intelligence, and process improvement.

11. ObjectVideo currently owns all right, title, and interest in the ‘945 Patent, and pursuant to 35 U.S.C. § 154(a)(1), ObjectVideo has the right to exclude others from making, using, importing, offering for sale, or selling the invention disclosed in the ‘945 Patent, including the right to bring this action for damages and injunctive relief.

12. The ‘945 Patent is valid and enforceable.

**United States Patent No. 6,970,083**

13. On November 12, 2003 Application No. 10/704,645 was filed before the USPTO, and on November 29, 2005, the USPTO duly and legally issued United States Patent No. 6,970,083 (the “’083 Patent”), entitled “Video Tripwire.” The ’083 Patent is a continuation-in-part of Application No. 09/972,039, filed on October 9, 2001, which matured into the ’945 Patent. A copy of the ’083 Patent is attached hereto as Exhibit D.

14. The named co-inventors of the ’083 Patent are Peter L. Venetianer, Paul C. Brewer, Andrew J. Chosak, John I.W. Clark, Niels Haering, Alan J. Lipton, Gary Myers, Chung-Cheng Yen, and Pramod Kalapa.

15. The named inventors assigned all right, title and interest in the ’083 Patent to DiamondBack Vision, Inc. A certified copy of this executed assignment is attached as Exhibit E. DiamondBack Vision, Inc. was later renamed as ObjectVideo and filed a Change of Name with the USPTO. A certified copy of this Change of Name is attached hereto as Exhibit F.

16. The ’083 Patent discloses a method and system that captures video and then gathers and processes data based on this video. The system also permits the input of a virtual tripwire, and in some embodiments, determines if the virtual tripwire has been crossed, and once it is determined that the tripwire has been crossed, generates a response to notify, for example, a user of that event. The input of the virtual tripwire is accomplished through a graphical user interface that includes allowing a user to draw a video tripwire. The technology disclosed in the ’083 Patent has applications in many industries, including, but not limited to security, public safety, business intelligence, and process improvement.

17. ObjectVideo currently owns all right, title, and interest in the ’083 Patent, and pursuant to 35 U.S.C. § 154(a)(1), ObjectVideo has the right to exclude others from making,

using, offering for sale, or selling the invention disclosed in the '083 Patent, including the right to bring this action for damages and injunctive relief.

18. The '083 Patent is valid and enforceable.

**United States Patent No. 7,868,912**

19. On April 5, 2005 Application No. 11/098,385 was filed before the PTO, and on January 11, 2011, the USPTO duly and legally issued United States Patent No. 7,868,912 (the "'912 Patent"), entitled "Video Surveillance System Employing Video Primitives." The '912 Patent is a continuation-in-part of Application No. 11/057,154, filed on February 15, 2005, which is a continuation-in-part of abandoned Application No. 09/987,707, filed on November 15, 2001, which is a continuation-in-part of Application No. 09/694,712, filed on October 24, 2000, which is now U.S. Patent No. 6,954,498. A copy of the '912 Patent is attached hereto as Exhibit G.

20. The named co-inventors of the '912 Patent are Peter L. Venetianer, Alan J. Lipton, Andrew J. Chosak, Matthew F. Frazier, Niels Haering, Gary W. Myers, Weihong Yin, and Zhong Zhang.

21. The named inventors assigned all right, title and interest in the '912 Patent to ObjectVideo. A certified copy of this executed assignment is attached as Exhibit H.

22. The '912 Patent discloses a method and a system for reducing the overall processing burden of a video surveillance system by, in some embodiments, eliminating the need for reprocessing video data. Specifically, the '912 Patent discloses a system that processes a video stream for attributes and then processes those attributes to determine whether a defined rule has been violated. The technology disclosed in the '912 Patent has applications in many

industries, including, but not limited to security, public safety, business intelligence, and process improvement.

23. ObjectVideo currently owns all right, title, and interest in the '912 Patent, and pursuant to 35 U.S.C. § 154(a)(1), ObjectVideo has the right to exclude others from making, using, offering for sale, or selling the invention disclosed in the '912 Patent, including the right to bring this action for damages and injunctive relief.

24. The '912 Patent is valid and enforceable.

**United States Patent No. 7,932,923**

25. On September 29, 2009, Application No. 12/569,116 was filed before the USPTO, and on April 26, 2011, the USPTO duly and legally issued United States Patent No.7,932,923, entitled "Video Surveillance System Employing Video Primitives." The '923 Patent is a continuation of abandoned U.S. Patent Application Serial No. 09/987,707, filed on November 15, 2001, which is a continuation-in-part of application No. 09/694,712, filed on October 24, 2000, which is now United States Letters Patent No. 6,954,498. A copy of the '923 Patent is attached hereto as Exhibit I.

26. The named co-inventors of the '923 Patent are Alan J. Lipton, Thomas M. Strat, Peter L. Venetianer, Mark C. Allmen, William E. Severson, Niels Haering, Andrew J. Chosak, Zhong Zhang, Matthew F. Frazier, James S. Seekas, Tasuki Hirata, and John Clark.

27. The named inventors assigned all right, title and interest in the '923 Patent to DiamondBack Vision, Inc. A copy of this executed assignment is attached as Exhibit J. DiamondBack Vision, Inc. was later re-named as ObjectVideo and filed a Name Change with the USPTO. A certified copy of this Change of Name is attached as Exhibit K.

28. The '923 Patent discloses a method and a system for reducing the overall processing burden of a video surveillance system by, in some embodiments, eliminating the need for reprocessing video data. Specifically, the '923 Patent discloses a system that processes a video stream for attributes and then processes those attributes to determine whether a defined rule has been violated. The technology disclosed in the '923 Patent has applications in many industries, including, but not limited to security, public safety, business intelligence, and process improvement.

29. ObjectVideo currently owns all right, title, and interest in the '923 Patent, and pursuant to 35 U.S.C. § 154(a)(1), ObjectVideo has the right to exclude others from making, using, offering for sale, or selling the invention disclosed in the '923 Patent, including the right to bring this action for damages and injunctive relief.

30. The '923 Patent is valid and enforceable.

### **PELCO'S INFRINGING ACTIVITIES**

31. Upon information and belief, Pelco has in the past and continues to offer for sale, sell, and/or import into the United States products having video analytics capabilities that both directly and indirectly infringe ObjectVideo's patented technology in violation of 35 U.S.C. §§ 271(a), 271(b), and 271(c).

32. More specifically, upon information and belief, Pelco has sold, offered for sale, and/or imported into the United States products incorporating infringing video analytics capabilities that include cameras having Pelco's Video Analytics software. Camera products incorporating the Pelco analytics software include, but are not necessarily limited to, Pelco Sarix® IDE Series Cameras, Pelco Sarix® IXE Series Cameras, and Pelco Sarix® IEE Series Cameras. These Pelco Sarix® camera products include, but are not necessarily limited to, Pelco product model numbers: Sarix® IDE10DN-0, Sarix® IDE10DN-1, Sarix® IDE10DN8-1,

Sarix® IDE20DN-0, Sarix® IDE20DN-1, Sarix® IDE20DN8-1, Sarix® IEE10DN-0, Sarix® IEE10DN-1, Sarix® IEE10DN8-1, Sarix® IEE20DN-0, Sarix® IEE20DN-1, Sarix® IEE20DN8-1, Sarix® IXE10DN, Sarix® IXE10LW, Sarix® IXE20DN, Sarix® IXE20LW, Sarix® IXE20C-PM, Sarix® IXE20DN-PM, Sarix® IXE20C-PO, and Sarix® IXE20DN-PO. Products incorporating the Pelco Video Analytics software also include, but are not necessarily limited to, Pelco Spectra® HD Series Cameras. These Pelco Spectra® camera products include, but are not necessarily limited to, Pelco product model numbers: Spectra® S5118-FW0, Spectra® S5118-FW1, Spectra® S5118-YB0, Spectra® S5118-YB1, Spectra® S5118-PG0, Spectra® S5118-PG1, Spectra® S5118-PB0, Spectra® S5118-PB1, Spectra® S5118-EG0, and Spectra® S5118-EG1. All of the above Pelco camera products will be referred to herein collectively as the “Accused Pelco Camera Products.”

33. In addition, upon information and belief, Pelco has sold, offered for sale, and/or imported into the United States products incorporating infringing video analytics capabilities that include video encoders having Pelco’s Video Analytics software. Encoder products incorporating the Pelco analytics software include, but are not necessarily limited to, Pelco NET5400T Series Video Encoders. These Pelco products include, but are not necessarily limited to, Pelco product model numbers NET5401T, NET5402T, and NET5404T. All of these Pelco encoder products will be referred to herein collectively as the “Accused Pelco Encoder Products.”



**COUNT ONE**

**INFRINGEMENT OF U.S. PATENT NO. 6,696,945**

34. ObjectVideo hereby restates, realleges, and incorporates by reference the allegations of paragraphs 1 through 12 and 31 through 33 of this Complaint as if fully set forth herein.

35. Upon information and belief, Pelco has in the past and continues to offer for sale, sell, and/or import into the United States products having video analytics capabilities that both directly and indirectly infringe the '945 Patent in violation of 35 U.S.C. §§ 271(a), 271(b), and 271(c). More specifically, upon information and belief, at least the Accused Pelco Camera Products and the Accused Pelco Encoder Products directly and indirectly infringe the '945 Patent in violation of 35 U.S.C. §§ 271(a), 271(b), and 271(c).

36. The Accused Pelco Camera Products directly infringe claims 1, 2, and 5 of the '945 Patent. More specifically, the Pelco analytics software on the Accused Pelco Camera Products produces video output, performs calibration, and gathers and processes the video output. The Pelco analytics software also allows for entry of at least one virtual tripwire.

37. The Accused Pelco Camera Products also indirectly infringe claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 patent. Pelco's indirect infringement of the '945 Patent takes the form of both contributory infringement under 35 U.S.C. § 271(c) and active inducement of infringement under 35 U.S.C. § 271(b). Pelco was placed on notice of the '945 Patent by no later than December of 2011 as a result of a meeting with ObjectVideo personnel in Richmond, Virginia on December 21, 2011. Pelco was also placed on notice of its indirect infringement of claims of the '945 Patent during this December 21, 2011 meeting. The tripwire functionality of the Accused Pelco Camera Products comprises software that is material to the product, is not a

staple item of commerce, and does not have substantial noninfringing uses. Pelco's indirect infringement occurs when certain parts of video analytics systems manufactured, imported, used, sold for importation, and/or sold after importation, in this instance the Accused Pelco Camera Products, are provided to third parties and installed in a complete video analytics system and used in the United States in the manner intended by Pelco. More specifically, Pelco indirectly infringes at least claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 Patent in violation of 35 U.S.C. §§ 271(b) and 271(c) by instructing its end user customers to use the Accused Pelco Camera Products, including instructing its customers to connect the Accused Pelco Camera Products to a personal computer such that at least the identified claims of the '945 Patent can be read on the combination of any of the Accused Pelco Camera Products and the personal computer. As directed by Pelco, the end users of the accused Pelco Camera Products directly infringe at least claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 Patent by using the combined system, thereby making Pelco a contributory infringer and an inducer of infringement in violation of 35 U.S.C. §§ 271 (b) and (c). The Pelco video analytics software running on the Accused Pelco Camera Products also allows for entry of at least one virtual tripwire.

38. The Accused Pelco Encoder Products also indirectly infringe claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 Patent. Pelco's indirect infringement of the '945 Patent takes the form of both contributory infringement under 35 U.S.C. § 271(c) and active inducement of infringement under 35 U.S.C. § 271(b). Pelco was placed on notice of the '945 Patent by no later than December of 2011 as a result of a meeting with ObjectVideo personnel in Richmond, Virginia on December 21, 2011. Pelco was also placed on notice of its indirect infringement of claims of the '945 Patent during this December 21, 2011 meeting. The tripwire functionality of the Accused Pelco Encoder Products comprises software that is material to the product, is not a

staple item of commerce, and does not have substantial noninfringing uses. Pelco's indirect infringement occurs when certain parts of video analytics systems manufactured, imported, used, sold for importation, and/or sold after importation, in this instance the Accused Pelco Encoder Products, are provided to third parties and installed in a complete video analytics system and used in the United States in the manner intended by Pelco. More specifically, Pelco indirectly infringes at least claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 Patent in violation of 35 U.S.C. §§ 271(b) and 271(c) by instructing its end user customers to use the Accused Pelco Encoder Products, including instructing its end user customers to connect the Accused Pelco Encoder Products to a device, such as a camera, that produces a video output for the encoder to receive such that at least the identified claims of the '945 Patent can be read on the combination of any of the Accused Pelco Encoder Products, the personal computer, and the camera. As directed by Pelco, the end users of the Accused Pelco Encoder Products directly infringe at least claims 1-8, 11-12, 25, 30, 33, and 35-37 of the '945 Patent by using the combined system, thereby making Pelco a contributory infringer and an inducer of infringement in violation of 35 U.S.C. §§ 271 (b) and (c). More specifically, the software on the Accused Pelco Encoder Products receives video output from a camera, and then performs calibration and gathers and processes the video output. The Pelco software running on the Accused Pelco Encoder Products also allows for entry of at least one virtual tripwire.

39. Upon information and belief, Pelco has had knowledge of the infringement of the '945 Patent, yet Pelco continues to infringe the '945 Patent. Pelco's infringement of the '945 Patent is willful and deliberate, entitling ObjectVideo to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

40. Upon information and belief, the unlawful infringing activities by Pelco are continuing and will continue unless enjoined by this Court.

41. As a result of the infringing acts herein described, ObjectVideo has sustained damages and will continue to sustain damages in the future, including irreparable harm, unless Pelco is enjoined from infringing the '945 Patent.

**COUNT TWO**

**INFRINGEMENT OF U.S. PATENT NO. 6,970,083**

42. ObjectVideo hereby restates, realleges, and incorporates by reference the allegations of paragraphs 1 through 6, 13 through 18, and 31 through 33 of this Complaint as if fully set forth herein.

43. Upon information and belief, Pelco has in the past and continues to offer for sale, sell, and/or import into the United States products having video analytics capabilities that both directly and indirectly infringe the '083 Patent in violation of 35 U.S.C. §§ 271(a), 271(b), and 271(c).

44. The Accused Pelco Camera Products directly infringe claims 1-11 and 25 of the '083 Patent. More specifically, the Pelco analytics software on the Accused Pelco Camera Products produces video output, performs calibration, and gathers and processes the video output. The Pelco analytics software also allows for entry of at least one virtual tripwire.

45. The Accused Pelco Camera Products also indirectly infringe claims 1-28 of the '083 Patent. Pelco's indirect infringement of the '083 Patent takes the form of both contributory infringement under 35 U.S.C. § 271(c) and active inducement of infringement under 35 U.S.C. § 271(b). Pelco was placed on notice of the '083 Patent by no later than December of 2011 as a result of a meeting with ObjectVideo personnel in Richmond, Virginia on December 21, 2011.

Pelco was also placed on notice of its indirect infringement of claims of the '083 Patent during this December 21, 2011 meeting. The tripwire functionality of the Accused Pelco Camera Products comprises software that is material to the product, is not a staple item of commerce, and does not have substantial noninfringing uses. Pelco's indirect infringement occurs when certain parts of video analytics systems manufactured, imported, used, sold for importation, and/or sold after importation, in this instance the Accused Pelco Camera Products, are provided to third parties and installed in a complete video analytics system and used in the United States in the manner intended by Pelco. More specifically, Pelco indirectly infringes at least claims 1-28 of the '083 Patent in violation of 35 U.S.C. §§ 271(b) and 271(c) by instructing its end user customers to use the Accused Pelco Camera Products, including instructing its customers to connect the Accused Pelco Camera Products to a personal computer such that at least the identified claims of the '083 Patent can be read on the combination of any of the Accused Pelco Camera Products and the personal computer. As directed by Pelco, the end users of the Accused Pelco Camera Products directly infringe at least claims 1-28 of the '083 Patent by using the combined system, thereby making Pelco a contributory infringer and an inducer of infringement in violation of 35 U.S.C. §§ 271 (b) and (c). The Pelco video analytics software running on the Accused Pelco Camera Products also allows for entry of at least one virtual tripwire.

46. The Accused Pelco Encoder Products directly infringe claims 7-11 and 28 of the '083 Patent. More specifically, the software on the Accused Pelco Encoder Products provides a graphical user interface adapted to allow for entry of at least one virtual tripwire.

47. The Accused Pelco Encoder Products also indirectly infringe claims 1-28 of the '083 Patent. Pelco's indirect infringement of the '083 Patent takes the form of both contributory infringement under 35 U.S.C. § 271(c) and active inducement of infringement under 35 U.S.C.

§ 271(b). Pelco was placed on notice of the '083 Patent by no later than December of 2011 as a result of a meeting with ObjectVideo personnel in Richmond, Virginia on December 21, 2011. Pelco was also placed on notice of its indirect infringement of claims of the '083 Patent during this December 21, 2011 meeting. The tripwire functionality of the Accused Pelco Encoder Products comprises software that is material to the product, is not a staple item of commerce, and does not have substantial noninfringing uses. Pelco's indirect infringement occurs when certain parts of video analytics systems manufactured, imported, used, sold for importation, and/or sold after importation, in this instance the Accused Pelco Encoder Products, are provided to third parties and installed in a complete video analytics system and used in the United States in the manner intended by Pelco. More specifically, Pelco indirectly infringes at least claims 1-28 of the '083 Patent in violation of 35 U.S.C. §§ 271(b) and 271(c) by instructing its end user customers to use the Accused Pelco Encoder Products, including instructing its end user customers to connect the Accused Pelco Encoder Products to a device, such as a camera, that produces a video output for the encoder to receive such that at least the identified claims of the '083 Patent can be read on the combination of any of the Accused Pelco Encoder Products, the personal computer, and the camera. As directed by Pelco, the end users of the Accused Pelco Encoder Products directly infringe at least claims 1-28 of the '083 Patent by using the combined system, thereby making Pelco a contributory infringer and an inducer of infringement in violation of 35 U.S.C. §§ 271 (b) and (c). More specifically, the software on the Accused Pelco Encoder Products receives video output from a camera, and then performs calibration and gathers and processes the video output. The Pelco software running on the Accused Pelco Encoder Products contains a graphical user interface that allows for entry of at least one virtual tripwire.

48. Upon information and belief, Pelco has knowledge of the infringement of the '083 Patent, yet Pelco continues to infringe the '083 Patent. Pelco's infringement of the '083 Patent is willful and deliberate, entitling ObjectVideo to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

49. Upon information and belief, the unlawful infringing activities by Pelco are continuing and will continue unless enjoined by this Court.

50. As a result of the infringing acts herein described, ObjectVideo has sustained damages and will continue to sustain damages in the future, including irreparable harm, unless Pelco is enjoined from infringing the '083 Patent.

### **COUNT THREE**

#### **INFRINGEMENT OF U.S. PATENT NO. 7,868,912**

51. ObjectVideo hereby restates, realleges, and incorporates by reference the allegations of paragraphs 1 through 6, 19 through 24, and 31 through 33 of this Complaint as fully set forth herein.

52. Upon information and belief, Pelco has in the past and continues to offer for sale, sell, and/or import into the United States products having video analytics capabilities that directly infringe the '912 Patent in violation of 35 U.S.C. §§ 271(a).

53. More specifically, upon information and belief, the Accused Pelco Camera Products and Accused Pelco Encoder Products directly infringe claims 12-16 and 18-21 of the '912 Patent in violation of 35 U.S.C. § 271(a). The Accused Pelco Camera Products and Accused Pelco Encoder Products analyze a video to determine attributes of objects detected in the video. The Accused Pelco Camera Products and Accused Pelco Encoder Products transmit the attributes for subsequent analysis.

54. Upon information and belief, Pelco has knowledge of the infringement of the '912 Patent, yet Pelco continues to infringe the '912 Patent. Pelco's infringement of the '912 Patent is willful and deliberate, entitling ObjectVideo to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

55. Upon information and belief, the unlawful infringing activities by Pelco are continuing and will continue unless enjoined by this Court.

56. As a result of the infringing acts herein described, ObjectVideo has sustained damages and will continue to sustain damages in the future, including irreparable harm, unless Pelco is enjoined from infringing the '912 Patent.

#### **COUNT FOUR**

#### **INFRINGEMENT OF U.S. PATENT NO. 7,932,923**

57. ObjectVideo hereby restates, realleges, and incorporates by reference the allegations of paragraphs 1 through 6 and 25 through 33 of this Complaint as if fully set forth herein.

58. Upon information and belief, Pelco has in the past and continues to offer for sale, sell, and/or import into the United States products having video analytics capabilities that directly infringe the '923 Patent in violation of 35 U.S.C. §§ 271(a).

59. More specifically, upon information and belief, the Accused Pelco Camera Products and Accused Pelco Encoder Products directly infringe claim 20 of the '923 Patent in violation of 35 U.S.C. § 271(a). The Accused Pelco Camera Products and Accused Pelco Encoder Products analyze a video to determine attributes of objects detected in the video. After detecting the attributes, the Accused Pelco Camera Products and Accused Pelco Encoder Products identify an event by applying a selected user rule to the detected attributes.



60. Upon information and belief, Pelco has knowledge of the infringement of the '923 Patent, yet Pelco continues to infringe the '923 Patent. Pelco's infringement of the '923 Patent is willful and deliberate, entitling ObjectVideo to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

61. Upon information and belief, the unlawful infringing activities by Pelco are continuing and will continue unless enjoined by this Court.

62. As a result of the infringing acts herein described, ObjectVideo has sustained damages and will continue to sustain damages in the future, including irreparable harm, unless Pelco is enjoined from infringing the '923 Patent.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff ObjectVideo prays for entry of judgment in its favor and against Defendant and for an award of relief and damages as follows:

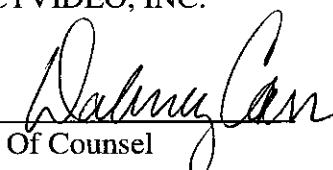
- a. That Defendant has infringed the '945, '083, '912, and/or '923 Patents under 35 U.S.C. §§ 271(a), 271(b), and/or 271 (c);
- b. That Defendant be ordered to pay damages adequate to compensate Plaintiff for Defendant's infringement of the '945, '083, '912, and/or '923 Patents pursuant to 35 U.S.C. § 284, together with prejudgment and post-judgment interest, in an amount according to proof;
- c. That Defendant be ordered to submit an equitable accounting of damages for the period of infringement of the '945, '083, '912, and/or '923 Patents following the period of damages established by Plaintiff at trial;
- d. That Defendant's infringement of the '945, '083, '912, and/or '923 Patents was willful and awarding treble damages under 35 U.S.C. § 284;

- e. That Defendant, including its officers, agents, employees, and those acting in privity with it, be enjoined from further direct infringement and further indirect infringement of the '945, '083, '912, and/or '923 Patents pursuant to 35 U.S.C. § 283;
- f. That, if a permanent injunction is not granted, this Court determine the conditions for future infringement or grant such other relief as the Court deems appropriate;
- g. That Defendant be ordered to pay Plaintiff's attorneys' fees pursuant to 35 U.S.C. § 285;
- h. That Defendant be ordered to pay prejudgment interest;
- i. That Defendant be ordered to pay all costs associated with this action; and
- j. That ObjectVideo be granted such other and additional relief as the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Fed. R. Civ. P. 38(b), ObjectVideo hereby demands a trial by jury of all issues triable of right by a jury.

OBJECTVIDEO, INC.

By   
Of Counsel

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