

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK

Jean-Marc Zimmerman  
Law Offices of Jean-Marc Zimmerman LLC  
226 St. Paul Street  
Westfield, New Jersey 07090  
Tel: (908) 654-8000  
Fax: (908) 654-7207  
jmzimmerman@lawofficesjmz.com

Attorneys for plaintiff Content Extraction and Transmission LLC

CONTENT EXTRACTION AND  
TRANSMISSION LLC  
  
Plaintiff,  
  
v.  
  
ELECTRONICS FOR IMAGING, INC,  
  
Defendant.

Case No. 12 CIV 4486

COMPLAINT FOR PATENT  
INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff Content Extraction and Transmission LLC ("CET") demands a jury trial and complains against defendant Electronics For Imaging, Inc. (hereinafter "Defendant"), as follows:

**THE PARTIES**

- 1. CET is a limited liability company organized and existing under the laws of the State of New Jersey, with its principal place of business at New Jersey.
- 2. Upon information and belief, Defendant is a corporation organized and existing under the laws of the State of California, conducting business in this judicial district.

**JURISDICTION AND VENUE**

- 3. 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).
- 4. On information and belief, each Defendant is doing business and committing infringements in this judicial district and is subject to personal jurisdiction in this judicial district.

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

2 **CLAIM FOR PATENT INFRINGEMENT**

3 6. CET repeats and incorporates herein the entirety of the allegations contained in  
4 paragraphs 1 through 6 above.

5 7. On November 2, 1993, U.S. Patent No. 5,258,855 (hereinafter referred to as “the ‘855  
6 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”  
7 A copy of the ‘855 patent is attached to this Complaint as Exhibit 1.

8 8. On November 29, 1994, U.S. Patent No. 5,369,508 (hereinafter referred to as “the  
9 ‘508 patent”) was duly and legally issued for an invention entitled “Information Processing  
10 Methodology.” A copy of the ‘508 patent is attached to this Complaint as Exhibit 2.

11 9. On April 29, 1997, U.S. Patent No. 5,625,465 (hereinafter referred to as “the ‘465  
12 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”  
13 A copy of the ‘465 patent is attached to this Complaint as Exhibit 3.

14 10. On June 16, 1998, U.S. Patent No. 5,768,416 (hereinafter referred to as “the ‘416  
15 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”  
16 A copy of the ‘416 patent is attached to this Complaint as Exhibit 4.

17 11. On August 21, 2007, U.S. Patent No. 7,259,887 (hereinafter referred to as “the ‘887  
18 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”

19 12. On January 6, 2009, U.S. Patent No. 7,474,434 (hereinafter referred to as “the ‘434  
20 patent”) was duly and legally issued for an invention entitled “Information Processing Methodology.”

21 13. CET is the owner by way of assignment of all right, title and interest in and to the  
22 ‘855, ‘508, ‘465, ‘416, ‘887 and ‘434 patents. The ‘855, ‘508, ‘465 and ‘416 patents will hereinafter be  
23 collectively referred to as the “Patents-in-Suit.”  
24  
25  
26  
27  
28

**COUNT ONE**

1  
2 14. Plaintiff, CET, repeats and incorporates herein the entirety of the allegations  
3 contained in paragraphs 1 through 13 above.

4 15. Defendant has infringed, actively induced the infringement of and contributorily  
5 infringed in this judicial district, the ‘855 patent by, among other things, importing, making, using,  
6 offering for sale, and/or selling computer hardware, software and systems, including but not limited  
7 to its SendMe product, in which information from a hard copy document is extracted and  
8 transmitted to an application program in a manner defined by the claims of the ‘855 patent without  
9 permission from CET and will continue to do so unless enjoined by this Court.  
10

11 16. Plaintiff, CET, has been damaged by such has been damaged by such activities of  
12 the Defendant which infringe the ‘855 patent.

**COUNT TWO**

13  
14 17. Plaintiff, CET, repeats and incorporates herein the entirety of the allegations  
15 contained in paragraphs 1 through 16 above.

16 18. Defendant has infringed, actively induced the infringement of and contributorily  
17 infringed in this judicial district, the ‘508 patent by, among other things, importing, making, using,  
18 offering for sale, and/or selling computer hardware, software and systems, including but not limited  
19 to its SendMe product, in which information from a hard copy document is extracted and  
20 transmitted to an application program in a manner defined by the claims of the ‘508 patent without  
21 permission from CET and will continue to do so unless enjoined by this Court.  
22

23 19. Plaintiff, CET, has been damaged by such has been damaged by such activities of  
24 the Defendant which infringe the ‘508 patent.  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**COUNT THREE**

20. Plaintiff, CET, repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 19 above.

21. Defendant has and still is infringing, actively inducing the infringement of and contributorily infringing in this judicial district, the '465 patent by, among other things, importing, making, using, offering for sale, and/or selling computer hardware, software and systems, including but not limited to its SendMe product, in which information from a hard copy document is extracted and transmitted to an application program in a manner defined by the claims of the '465 patent without permission from CET and will continue to do so unless enjoined by this Court.

22. Plaintiff, CET, has been damaged by such infringing activities by the Defendant of the '465 patent and will be irreparably harmed unless such infringing activities are enjoined by this Court.

**COUNT FOUR**

23. Plaintiff, CET, repeats and incorporates herein the entirety of the allegations contained in paragraphs 1 through 22 above.

24. Defendant has and still is infringing, actively inducing the infringement of and contributorily infringing in this judicial district, the '506 patent by, among other things, importing, making, using, offering for sale, and/or selling computer hardware, software and systems, including but not limited to its SendMe product, in which information from a hard copy document is extracted and transmitted to an application program in a manner defined by the claims of the '506 patent without permission from CET and will continue to do so unless enjoined by this Court.

25. Plaintiff, CET, has been damaged by such infringing activities by the Defendant, of the '506 patent and will be irreparably harmed unless such infringing activities are enjoined by this Court.

**PRAYER FOR RELIEF**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

WHEREFORE, Plaintiff CET prays for judgment against the Defendant on all the counts and for the following relief:

- A. Declaration that the CET is the owner of the Patents-in-Suit and has the right to sue and to recover for infringement thereof;
- B. Declaration that the Defendant has infringed, actively induced the infringement of, and contributorily infringed the Patents-in-Suit;
- C. A preliminary and permanent injunction against the Defendant, each of its officers, agents, servants, employees, and attorneys, all parent and subsidiary corporations, their assigns and successors in interest, and those persons acting in active concert or participation with them, including distributors and customers, enjoining them from continuing acts of infringement, active inducement of infringement, and contributory infringement of CET's '465 and '416 patents;
- D. An accounting for damages under 35 U.S.C. §284 for infringement of CET's '855, '508, '465 and '416 patents by the Defendant and the award of damages so ascertained to the CET together with interest as provided by law;
- E. Award of CET's costs and expenses; and
- F. Such other and further relief as this Court may deem proper, just and equitable.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DEMAND FOR JURY TRIAL**

Plaintiff CET demands a trial by jury of all issues properly triable by jury in this action.

By: /s/Jean-Marc Zimmerman  
Jean-Marc Zimmerman  
Law Offices of Jean-Marc Zimmerman LLC  
226 St. Paul Street  
Westfield, New Jersey 07090  
Tel: (908) 654-8000  
Fax: (908) 654-7207  
jmzimmerman@lawofficesjmz.com  
  
Attorneys for plaintiff Content Extraction  
and Transmission LLC

Dated: June 6, 2012  
Westfield, New Jersey