

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TECHNOLOGY LICENSING)	
CORPORATION,)	
)	
Plaintiff,)	No. 09-CV-820
)	
v.)	Judge Virginia M. Kendall
)	Magistrate Judge Martin C. Ashman
)	
HARRIS CORPORATION,)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	
_____)	

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Technology Licensing Corporation (“TLC”) complains of defendant Harris Corporation (“Harris”), as follows:

PARTIES, JURISDICTION AND VENUE

1. This is a claim for patent infringement arising under the patent laws of the United States, including 35 U.S.C. § 271. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. § 1338(a).

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

3. TLC owns the full and exclusive right, title and interest in and have standing to sue for the following patents: (1) U.S. Patent No. RE 40,411E (“the ‘411’ patent) (Exhibit A), and (2) U.S. Patent No. RE 40,412E (“the ‘412 patent) (Exhibit B), both entitled “Synchronizing Signal Separating Apparatus and Method,” and having issue dates of July 1, 2008; (3) U.S. Patent No. 5,920,842 (“the ‘842 patent”) entitled “Signal Synchronization” and having an issue

date of July 6, 1999 (Exhibit C); (4) U.S. Patent No. 5,550,594 (“the ‘594 patent”) entitled “Apparatus and Method for Synchronizing Asynchronous Signals” and having an issue date of August 27, 1996 (Exhibit D); and (5) U.S. Patent No. 8,072,539 (“the ‘539 patent”) entitled “Apparatus and Method for Digital Processing of Analog Television Signals” and having an issue date of December 6, 2011 (Exhibit E).

4. Harris Corporation is a Delaware corporation and has its headquarters at 1025 West NASA Boulevard, Melbourne, Florida 32919. Harris is an international communications and information technology company serving government and commercial markets in more than 150 countries.

5. Harris has several offices and facilities in the State of Illinois, including 600 W 5th Avenue, Naperville, IL 60563 in this judicial district.

6. Harris has sold or offered to sell products that infringe the ‘411 and ‘412 patents within this judicial district, and has advertised the sale of such products in this judicial district.

7. Venue is proper in this district under 28 U.S.C. § 1400 (b).

COUNT I

PATENT INFRINGEMENT

8. The ‘411 patent is the reissue of U.S. Patent No. 5,754,250.

9. The ‘412 patent is the reissue of U.S. Patent No. 5,486,869.

10. Harris has made, used, sold, offered for sale, and/or imported products with synchronization signal separation capabilities, including, but not limited to its analog video ADC and conversion product families, such as ADV6800, DAS6801, DEC6800, DES6800, DQS6800, OP-DAS, X50, X75, X8, and its digital video synchronizers, video processors and video delay product families, such as AVM3901, AVS3902, AVS6800, DAS6801, DEC6800, DES6800,

DMX6800, DQS6800, EAS6800, ENS3901, ENS6801, HDC6800, HDX6803, HFS6801, HUC6801, MSA6800, OP-DAS, SFS3901, SFS6800, SFS6803, VFS6800, X50, X75, X85, XHD-3902, XHD-3903, XHD6800, XHD6801, XRC-3901. These acts by Harris have directly infringed at least one claim of the '411, '412, '842, and '594 patents within the meaning of 35 U.S.C. §271(a).

11. Harris has committed and will continue to commit acts that constitute, with its knowledge of the '411, '412, '842, '594, and '539 patents, knowing and intentional inducement of infringement of at least one claim of the '411, '412, 842, '594, and '539 patents by others within the meaning of 35 U.S.C. §271(b) through, among other things, its acts of making, using, marketing, distributing, providing, testing, configuring, selling and/or offering to sell in the United States and/or importing into the United States products with synchronization signal separation capabilities, including, but not limited to its analog video ADC and conversion product families, such as ADV6800, DAS6801, DEC6800, DES6800, DQS6800, OP-DAS, X50, X75, X8, and its digital video synchronizers, video processors and video delay product families, such as AVM3901, AVS3902, AVS6800, DAS6801, DEC6800, DES6800, DMX6800, DQS6800, EAS6800, ENS3901, ENS6801, HDC6800, HDX6803, HFS6801, HUC6801, MSA6800, OP-DAS, SFS3901, SFS6800, SFS6803, VFS6800, X50, X75, X85, XHD-3902, XHD-3903, XHD6800, XHD6801, XRC-3901. Harris' customers who have used sold, offered for sale, and/or imported such products directly infringe at least one claim of the '411, '412, '842, '594, and '539 patents within the meaning of 35 U.S.C. §271(a). Harris has knowingly induced such infringement with the intent to encourage such infringing use through providing instructions enabling such infringing use to its customers via manuals, brochures, and/or its knowledge base after receiving notice of their actual infringement.

12. Harris has also committed and will continue to commit acts that constitute with its knowledge of the '411, '412, '842, '594, and '539 patents, acts of contributory infringement of at least one claim of the '411, '412, '842, '594, and '539 patents within the meaning of 35 U.S.C. §271(c) through, among other things, its acts of making, using, marketing, distributing, providing, testing, configuring, selling and/or offering to sell in the United States and importing into the United States products with synchronization signal separation capabilities, including, but not limited to its analog video ADC and conversion product families, such as ADV6800, DAS6801, DEC6800, DES6800, DQS6800, OP-DAS, X50, X75, X8, and its digital video synchronizers, video processors and video delay product families, such as AVM3901, AVS3902, AVS6800, DAS6801, DEC6800, DES6800, DMX6800, DQS6800, EAS6800, ENS3901, ENS6801, HDC6800, HDX6803, HFS6801, HUC6801, MSA6800, OP-DAS, SFS3901, SFS6800, SFS6803, VFS6800, X50, X75, X85, XHD-3902, XHD-3903, XHD6800, XHD6801, XRC-3901. Harris' customers who have used sold, offered for sale, and/or imported such products directly infringe at least one claim of the '411, '412, '842, '594, and '539 patents within the meaning of 35 U.S.C. §271(a). Ross has further provided the accused products with knowledge of that they would be combined with other broadcast equipment knowing that such a combination would infringe one or more claims of the '411, '412, '842, '594, and '539 patents. These Harris products further lack any substantial noninfringing use.

13. Harris has received notice of its infringement of the '411, '412, and '594 patents pursuant to 35 U.S.C. § 287, and the '539 patent issued from the same family as the '594 patent. As a result, Harris' infringement has been willful, deliberate, and in disregard of these patents-in-suit.

14. Harris' acts of infringement have injured TLC, and TLC is entitled to recover damages adequate to compensate it for the infringement that has occurred, but in no event less than a reasonable royalty.

15. Harris' infringement will continue to injure TLC and its patent, unless and until such infringement is enjoined by this Court.

WHEREFORE, Plaintiff Technology Licensing Corporation, respectfully request judgment against Harris Corporation and its subsidiaries and affiliates as follows:

- A. That Harris has infringed one or more claims of the '411 patent;
- B. That Harris has infringed one or more claims of the '412 patent;
- C. That Harris has infringed one or more claims of the '594 patent;
- D. That Harris has infringed one or more claims of the '842 patent;
- E. That Harris has infringed one or more claims of the '539 patent;
- F. An award of damages adequate to compensate plaintiff for the infringement that has occurred, together with prejudgment interest from the date infringement of the patents began and through the lifetimes of the respective patents;
- G. Any other damages permitted, including any for willful infringement, under 35 U.S.C. § 284;
- H. A finding that this case is exceptional and an award to plaintiff of their attorneys' fees and expenses as provided by 35 U.S.C. § 285;
- I. An injunction permanently prohibiting Harris Corporation and all persons in active concert or participation with it, from further acts of infringement of the patent; and
- J. Such other and further relief as this Court or a jury may deem proper.

JURY DEMAND

Plaintiffs demand a trial by jury.

Dated: June 25, 2012

Respectfully submitted,

/s/Kara L. Szpondowski

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT** was electronically filed with the Clerk of Court using CM/ECF system, which will send notification of such filing to the following e-mail addresses on June 25, 2012 by:

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