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California corporation

BY: _____
11 OCT 27 PM 3:53
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

FILED

BY FAX

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 TOPAZ SYSTEMS, INC., a California
corporation,

Plaintiff,

13 vs.

14 RIGHT SIGNATURE LLC, a California
15 Corporation and DOES 1 - 10,

16 Defendants.

Case No.:
CV 11-08929 RZ
COMPLAINT FOR INFRINGEMENT OF
UNITED STATES PATENT NO. 6,307,955
REQUEST FOR JURY TRIAL

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19 Plaintiff Topaz Systems, Inc., a California corporation, for its Complaint
20 against Right Signature LLC, a California corporation, alleges as follows:

21 THE PARTIES

22 1. Plaintiff, Topaz Systems, Inc. ("TOPAZ"), is a corporation organized
23 under the laws of California, having a place of business in Simi Valley, California,
24 within this judicial district.

25 2. Upon information and belief, Right Signature LLC, is a limited liability
26 corporation organized and existing under the laws of the State of California, having a
27 principal place of business at 8 East Figueroa St., Santa Barbara, California ("Right
28 Signature").

1 3. The true names and capacities of the Defendants named herein as DOES
 2 1 through 10, whether individual, corporate, associate, or otherwise, are unknown to
 3 Plaintiff, who therefore sues said Defendants by said fictitious names. Plaintiff is
 4 informed and believes, and thereon alleges, that each of the Defendants designated
 5 herein as DOE is legally responsible for the events and happenings hereinafter
 6 alleged and legally caused injury and damages proximately thereby to Plaintiff as
 7 alleged herein. Plaintiff will seek leave to amend the Complaint when the true names
 8 and capacities of said DOE Defendants have been ascertained. Right Signature LLC
 9 and DOES 1 through 10 are hereinafter collectively referred to as “Defendants.”

10 4. Plaintiff is informed and believes, and on that basis alleges, that each of
 11 the Defendants participated in and is in some manner responsible for the acts
 12 described in this Complaint and any damages resulting therefrom.

13 5. Plaintiff is informed and believes, and on that basis alleges, that each of
 14 Right Signature and DOES 1 - 3 has acted in concert and participation with each
 15 other concerning the claim in this Complaint.

16 6. Plaintiff is informed and believes, and on that basis alleges, that each of
 17 DOES 4 – 10 is a customer of Right Signature.

18 7. Plaintiff is informed and believes, and on that basis alleges, that each of
 19 Right Signature and DOES 1-3 was empowered to act as the agent, servant and/or
 20 employees of each other, and that all the acts alleged to have been done by each of
 21 them were authorized, approved and/or ratified by each of them.

JURISDICTION AND VENUE

22 8. Plaintiff TOPAZ asserts against Defendants a claim for patent
 23 infringement arising under the patent laws of the United States, Title 35 of the United
 24 States Code. This Court, therefore, has subject matter jurisdiction under 28 U.S.C.,
 25 §§ 1331 and 1338(a).

26 9. Venue is proper in this judicial district under 28 U.S.C. 1391(c) and
 27 1400(a)-(b) because all Defendants may be found within this judicial district, and
 28

1 because a substantial part of the events giving rise to this claim, as to each
2 Defendant, occurred within this judicial district.

3 **THE PATENT AT ISSUE**

4 10. Plaintiff is the owner of all right, title and interest in and to United
5 States Patent No. 6,307,955 (“the ‘955 Patent”), entitled “Electronic Signature
6 Management System,” that was duly and legally issued on October 23, 2001. The
7 ‘955 patent was reexamined by the U.S. Patent Office. A true and correct copy of
8 the ‘955 Patent is attached hereto as Exhibit A.

9 **CLAIM FOR PATENT INFRINGEMENT AGAINST RIGHT SIGNATURE**

10 11. Upon information and belief, Defendant Right Signature and Does 1-3
11 have used and/or have, without authorization, used, offered for sale and sold
12 software that infringes the Patent, both literally and/or under the doctrine of
13 equivalents. At least some software has been sold by Defendants as part of packages
14 including other electronic equipment, such as iPads® and other tablet devices,
15 collectively the “Combination,” the combination further infringes the Patent.

16 12. Upon information and belief, one or more of Defendants are aware of
17 the Patent and continue to sell or offer to sell products that infringe the Patent.

18 13. Upon information and belief, Defendants have provided user manuals,
19 owner guides, and other materials relating to the operation and use of the Software
20 and the other electronic equipment combinations and has thereby instructed and
21 induced its consumers to use them in accordance with the Patent and in an infringing
22 manner. These customers, who are not parties and have not been sued herein, are,
23 therefore, direct infringers of the Patent.

24 14. The Combination includes a graphic tablet for signaling position
25 coordinates of the stylus during manual movement thereof relative to a writing
26 surface.

27 15. The Combination includes a computer processor electrically interfaced
28 with the tablet, the processor being program for receiving a multiplicity of the

1 coordinates during the manual movement of the stylus, and storing respective sets of
2 the coordinates in sequential order as an electronic signature, while preserving the
3 time relation between coordinates, the electronic signature forming a line history of
4 the stylus movement, the computer processor having a graphic display implemented
5 for displaying the electronic signature as a sequential line segments.

6 16. The Combination includes a computer processor being further
7 implemented for determining a stylus velocity associated with each line segment, and
8 displaying the line segments at wits being portion to, the stylus velocity.

9 17. As a result of the aforementioned acts, Defendants have infringed,
10 actively induced infringement and contributed to infringement by others of various
11 claims of the Patent, including at least independent claim 24.

12 18. Plaintiff notified at least one of the Defendants of the Patent and the
13 availability of a license under the Patent on or about June 22, 2011. On information
14 and belief, Defendants have nevertheless continued infringement, inducement of
15 infringement and contributory infringement of the Patent without seeking the
16 permission or authorization of Plaintiff.

17 19. Upon information and belief, buy the acts of patent infringement herein
18 complained of, Defendants have made substantial profits to which they are not
19 equitably entitled.

20 20. Plaintiff is entitled to recover from Defendants all damages it has
21 sustained as a result of Defendants' infringement, inducement of infringement and
22 contributory infringement of the Patent.

23 21. Upon information and belief, Defendants' infringement, induced
24 infringement and contributory infringement of the Patent will continue and will cause
25 Plaintiff irreparable harm unless enjoined by this Court. Plaintiff has no adequate
26 remedy at law.

27 22. Upon information and belief, this is an exceptional case as to
28 Defendants under 35 U.S.C. § 285.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests judgment as to Defendants as follows:

A. Preliminary and permanent injunctions against further infringement, inducement of infringement or contributory infringement of the Patent by Defendants;

B. An award in favor of Plaintiff of three times the damages it has sustained as a consequence of Defendants' infringement, inducement of infringement and contributory infringement of the Patent pursuant to 35 U.S.C. § 284;

C. An award to Plaintiff of its attorneys' fees, as provided by 35 U.S.C. § 285 as to Defendants;

D. An award to Plaintiff of interest and costs as fixed by the Court as to Defendants; and

E. An award to Plaintiff of such other and further relief as this Court deems just and proper.

Dated: October 27 2011

Respectfully submitted,

SHELDON MAK & ANDERSON PC

By: *Douglas H. Morseburg*
Douglas H. Morseburg

Jeffrey G. Sheldon

Attorneys for Plaintiff, Topaz Systems, Inc., a California corporation.

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, and Local Rule 38-1, plaintiff TOPAZ does hereby demand trial by jury of each and every issue or claim as to which it is entitled to trial by jury under Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: October 27, 2011

Respectfully submitted,
SHELDON MAK & ANDERSON PC

By: *Douglas H. Morseburg*
Douglas H. Morseburg
Jeffrey G. Sheldon
Attorneys for Plaintiff, Topaz Systems, Inc., a
California corporation.



US006307955B1

(12) **United States Patent**
Zank et al.

(10) Patent No.: **US 6,307,955 B1**
(45) Date of Patent: **Oct. 23, 2001**

(54) **ELECTRONIC SIGNATURE MANAGEMENT SYSTEM**

5,995,084 * 11/1999 Chan et al. 345/173
6,021,202 * 2/2000 Anderson et al. 705/54

(75) Inventors: **Anthony E. Zank; David R. Stevens,**
both of Simi Valley, CA (US)

* cited by examiner

(73) Assignee: **Topaz Systems, Inc., Simi Valley, CA**
(US)

Primary Examiner—Amelia M. Au
Assistant Examiner—Mehrdad Dastouri
(74) Attorney, Agent, or Firm—Sheldon & Mak

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(57) **ABSTRACT**

An electronic signature management system includes a graphic tablet digitizer for signaling position coordinates of a stylus being moved to produce a handwritten signature, a clock circuit of the digitizer defining a fixed interval between successive stylus position measurements, a computer processor electrically interfaced with the tablet and programmed for receiving and storing a multiplicity of the coordinates in sequential order as an electronic signature forming a time history of the stylus movement. The computer is also programmed for verifying the fixed time intervals of the measurements, such as by comparing a ratio of total elapsed time and total number of the measurements with a standard measurement interval, and for comparing the electronic signature with a reference signature, such as by feeding a stored reference signature counterpart and the electronic signature into a cross-correlator for evaluating a degree of correspondence between respective time histories of the electronic signature and the reference signature. The signatures can also be compared visually in a simultaneous display wherein respective pointers follow the signatures orthogonally in response to an operator-controlled slider, with pertinent data corresponding to the pointer positions being displayed. The electronic signature is preferably encrypted using a hash function or message digest of the document as a key. Also disclosed are methods for electronically signing a document, wherein the electronic signature is electronically bound to the document, wherein the electronic signature is encrypted using a key derived from the document and not saved, and methods for decrypting and verifying electronic signatures.

(21) Appl. No.: **09/216,246**

(22) Filed: **Dec. 18, 1998**

(51) Int. Cl.⁷ **G06K 9/00; G06K 9/68; H04L 9/00; H04K 1/00**

(52) U.S. Cl. **382/121; 382/122; 382/189; 382/218; 713/176; 380/30**

(58) Field of Search **382/187, 188, 382/189, 200, 201, 218, 219, 116, 119, 120, 121, 122, 123; 713/170, 176, 187; 380/30, 282**

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33 Claims, 3 Drawing Sheets

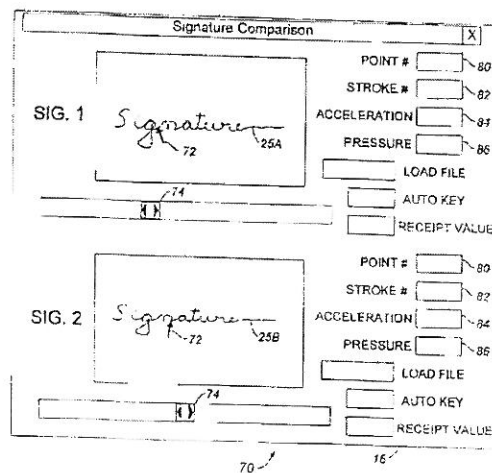
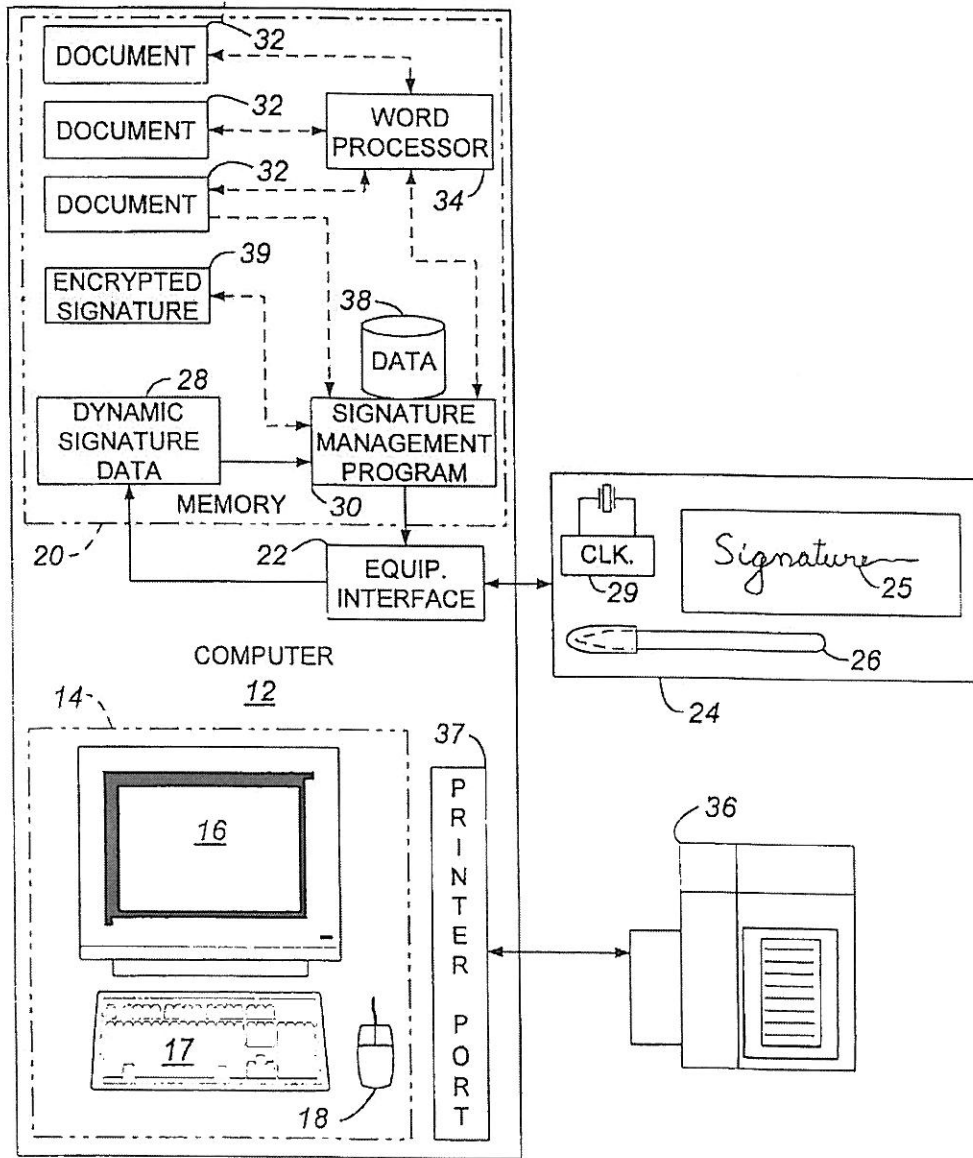
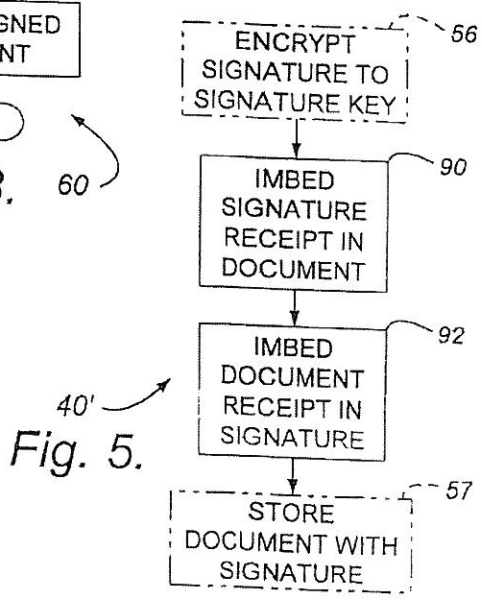
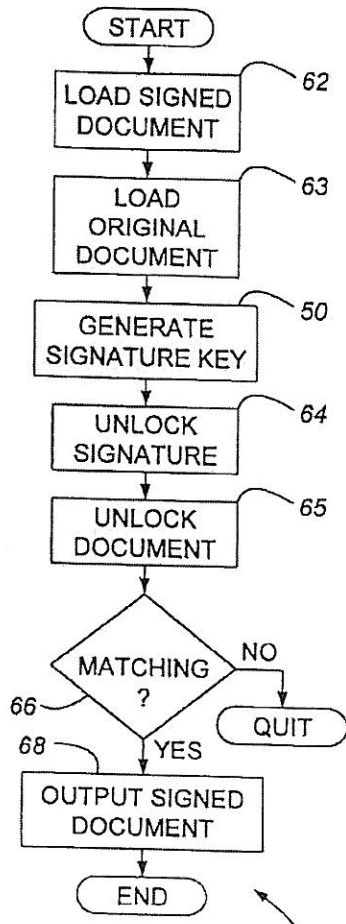
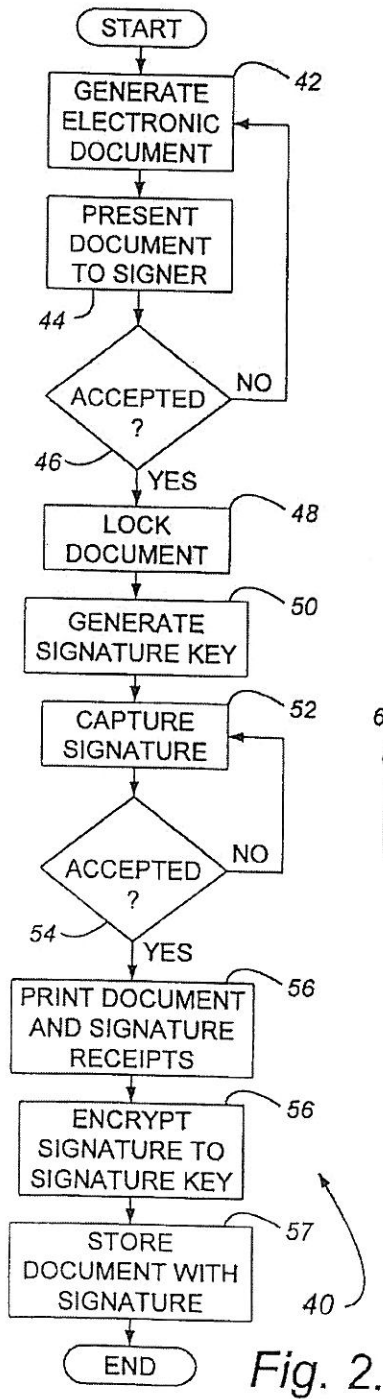


EXHIBIT A



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Fig. 1.

- 8 -



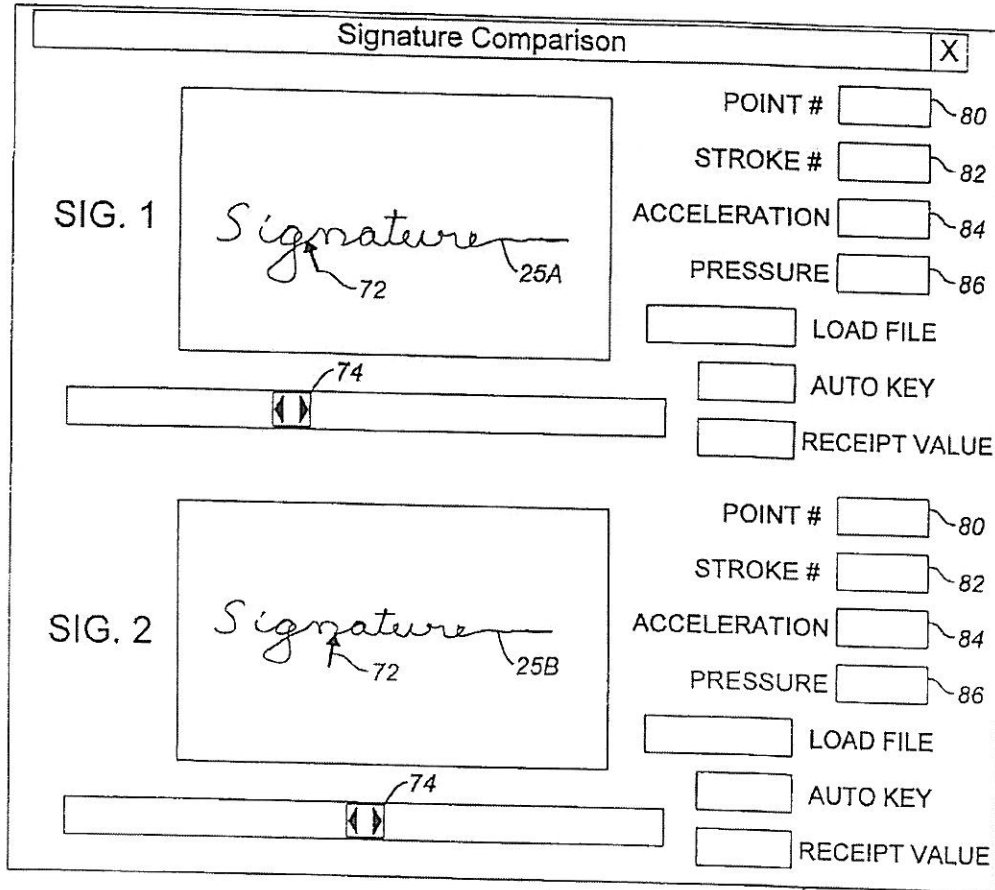


Fig. 4. 70

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ELECTRONIC SIGNATURE MANAGEMENT
SYSTEM

BACKGROUND

The present invention relates to document authentication, and more particularly to the utilization of handwritten signatures in connection with electronically stored, transmitted, and retrieved data and documents.

Handwritten pen-on-paper signatures have been the basis of contracts in commerce for hundreds of years, for a variety of reasons, including:

1. The signature and documents are one in the same, being forever bound together by the ink being on the paper;
2. The identity of the signer can be verified after the fact by a trained forensic document examiner who is skilled in the art and science of signature character analysis, and who can testify, be qualified, and be cross-examined in a court of law; and
3. The signer can keep a copy or duplicate original of the contract to deter fraud.

In the continuing development of electronic document storage and retrieval, a recognized need is inclusion of legally effective signatures for creating legally binding electronic records. Early systems addressing this need utilized a simple image of a signature (such as a bit map) being affixed to a document as a picture of a signature. This approach had the disadvantage that the bit map image of the signature is difficult to verify as being directly from the hand of the signer, in that little if any dynamic data is present. Also, an image of a signature can easily be scanned from an existing document or record and improperly inserted into a document as a forgery.

Later systems included computer algorithms for verifying a signature prior to the user being able to sign an electronic document. Problems with this method include the need to enrol the signer into an electronic verification unit of the system prior to use, the potential for errors in the verification algorithm, and the inability to demonstrate the accuracy of verification of a signature to a layperson or in a court of law. Further, the signatures are typically not transportable to systems having different algorithms without loss of data precision.

U.S. Pat. No. 5,544,255 to Smithies et al. Discloses a computer-based system for capturing and verifying a handwritten signature of an electronically stored document by capturing the signature and storing a set of statistical measurements in a signature envelope that can contain a checksum of the document. The measurements can include shape, number of pen strokes, total line length, average stroke length, number of acceleration and deceleration maxima events, the overall time taken to complete the signature, and the pen down time. The system can also contain a database of known signature measurement templates to be compared with a submitted signature to produce a similarity score. The system of Smithies et al. is not entirely satisfactory; for example:

1. The signature envelopes cannot be verified by a forensic document examiner using traditional methods;
2. The signature envelopes are not readily transportable to future systems, being based on arbitrary measurement statistics of the handwritten signatures; and
3. The signature envelopes are ineffective to the extent that they omit information originally contained in the handwritten signature itself.

Thus there is a need for an electronic document signature system that is effective, reliable, easily verifiable, resistant to

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forgery, and easy to use, and that otherwise overcomes the disadvantages of the prior art.

SUMMARY

The present invention meets this need by providing a system for the electronic capture of signatures, the binding of the signature to a document or data, and means for compression and storage of the signatures. The invention further provides means for authentication after the fact of the signature by a trained forensic document examiner. Thus the system combines the effectiveness of time-proven pen-on-paper methods of commerce with the efficiency of automatic computer operations. The system also allows for the signer to keep a receipt of both the document and the signature as a duplicate original representation.

In one aspect of the invention, the system includes a graphic tablet for signaling position coordinates of a stylus during manual movement thereof relative to a writing surface; a clock circuit for periodically initiating position measurements by the graphic tablet at predetermined fixed time intervals; a first computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates during the manual movement of the stylus, and storing respective sets of the coordinates in sequential order as an electronic signature while preserving a time relation between coordinates, the electronic signature forming a time history of the stylus movement; and means for verifying the fixed time intervals of the measurements. The system can further include means for comparing the electronic signature with a reference signature, such as by including reference memory for storing an electronic counterpart of the reference signature, and a cross-correlator for evaluating a degree of correspondence between respective time histories of the electronic signature and the electronic counterpart of the reference signature. The reference memory can be electronically interfaced with the first computer processor. Also, or in the alternative, the means for comparing can be implemented as a parallel display of the electronic and reference signatures, each having a cursor positioned along and perpendicular to a line segment thereof and being movable along the signature in response to operator input.

The electronic signature can have associated therewith a date and time of the handwritten signature. The electronic signature can have further associated therewith an annotation including at least one of a geographic location, a physical address, and an identification string. The first computer processor can be a digital processor, the electronic signature being a digital signature.

The graphic tablet can include the clock circuit. Preferably the time intervals are not greater than 20 milliseconds. More preferably, the time intervals are between 2 milliseconds and 3 milliseconds. The means for verifying the time intervals can include the computer being programmed for determining a ratio of a total elapsed time of the measurements and a total number of the measurements, and comparing the ratio with the predetermined interval. Alternatively, the clock circuit has a certified unalterable time interval, the tablet being implemented for transmitting an encoded certification stamp with the coordinate data, and the computer can be programmed for decoding the certification stamp to verify use of the certified time interval.

The computer can be further programmed for encrypting the time history to a fixed key of arbitrary length, the stored electronic signature being in encrypted form. Preferably the computer is programmed for generating the key as a cryp-

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tographic hash function or message digest of the document. Hereafter, the term "cryptographic hash function" is used interchangeably with "message digest" notwithstanding technical differences therebetween.

In another aspect of the invention, a method for electronically signing a document includes the steps of:

- (a) progressively capturing a handwritten signature as an ordered sequence of data corresponding to successive coordinates and corresponding timing of stylus movement producing the signature;
- (b) storing the data as an electronic signature; and
- (c) electronically binding the electronic signature to a stored counterpart of the document.

The step of binding can include the further steps of:

- (a) creating an encryption key by generating a cryptographic hash function of the stored counterpart of the document; and
- (b) encrypting the electronic signature to the encryption key.

The method can include the further steps of identifying stored instances of the encryption key and erasing each such instance.

In a further aspect of the invention, a method for electronically signing a document includes the steps of:

- (a) capturing a handwritten signature as a sequence of data corresponding to coordinates of stylus movement producing the signature;
- (b) storing the data as an electronic signature;
- (c) creating an encryption key by generating a cryptographic hash function of a stored counterpart of the document;
- (d) encrypting the electronic signature to the encryption key, thereby electronically binding the electronic signature to a stored counterpart of the document;
- (e) identifying stored instances of the encryption key; and
- (f) erasing each stored instance of the encryption key.

The step of storing can include the further steps of:

- (a) encrypting the sequence of data to a fixed key of arbitrary length; and
- (b) storing the encrypted sequence as the electronic signature.

The step of storing can include the further steps of:

- (a) determining a date and time at which the handwritten signature was produced; and
- (b) including counterparts of the date and time with the electronic signature.

The step of storing can include the further steps of:

- (a) determining a set of document data associated with the document;
- (b) generating a cryptographic hash data string of arbitrary length from the document data; and
- (c) encrypting the electronic signature using the cryptographic hash data string.

The method can include the further step of electronically tying the encrypted signature to the stored counterpart of the document using a device selected from the set consisting of forming a linked directory structure, forming a database, forming a compressed file, and forming a common digital signature packet.

In still a further aspect of the invention, a method for decrypting a signature having been encrypted by the above method to facilitate authentication of the binding includes the further steps of:

- (a) creating a counterpart of the encryption key by generating another cryptographic hash function of the stored counterpart of the document,

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(b) decrypting the electronic signature using the encryption key, thereby electronically binding the electronic signature to a stored counterpart of the document;

(c) identifying stored instances of the encryption key; and
(d) erasing each stored instance of the encryption key.

In yet another aspect of the invention, a method for electronically signing a document includes the steps of:

(a) capturing a handwritten signature as a sequence of data corresponding to coordinates of stylus movement producing the signature;

(b) storing the data as an electronic signature;

(c) creating a signature receipt as a cryptographic hash function of the electronic signature;

(d) creating a document receipt as a cryptographic hash function of a stored counterpart of the document; and

(e) producing counterparts of the signature and document receipts.

Preferably the method includes the additional steps of:

(c) embedding the signature receipt into the document; and

(f) embedding the document receipt into the electronic signature, thereby to form a cross-linked binding of the signature with the document.

The method can include the further steps of:

(a) providing a transportable file medium;

(b) copying counterparts of the document receipt and the signature receipt on the file medium; and

(c) delivering the file medium having the receipt counterparts to a signer of the document.

In yet another aspect of the invention, a method for verifying the signature of an electronically signed document having associated therewith an electronic signature being a stored sequence of data corresponding to coordinates of stylus movement producing a first handwritten signature includes the following steps:

(a) capturing a second electronic signature as a stored sequence of data corresponding to coordinates of stylus movement producing second handwritten signature;

(b) simultaneously displaying in locational proximity graphic counterparts of the first and second electronic signatures;

(c) displaying, for each of the graphic counterparts, a cursor being positioned along a line segment of the signature and oriented perpendicular to the line segment; and

(d) for each of the graphic counterparts, moving the cursor relative to the signature in response to operator input.

The method can include for each of the graphic counterparts the further steps of:

(a) determining at least one measurement parameter relative to the line segment at which the cursor is located; and

(b) displaying a digital representation of the parameter.

The at least one measurement parameter can be selected from the group consisting of a point number, a stroke number, an acceleration value, and a pressure value.

DRAWINGS

These and other features, aspects, and advantages of the present invention will become better understood with reference to the following description, appended claims, and accompanying drawings, where:

FIG. 1 is a pictorial block diagram of an electronic signature management system according to the present invention,

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FIG. 2 is a flow chart of a computer process for document signature capture, binding and storage using the system of FIG. 1;

FIG. 3 is a flow chart of a computer process for retrieving a document having an electronic signature using the system of FIG. 1;

FIG. 4 is a signature authentication comparison screen diagram of the system of FIG. 1; and

FIG. 5 is a flow chart showing an alternative configuration of the process of FIG. 2.

DESCRIPTION

The present invention is directed to a computer-based signature management system that is particularly effective, reliable, and resistant to forgery, and that permits verification of electronic signatures by traditional methods. With reference to FIGS. 1-4 of the drawings, a signature management system 10 includes a computer 12 having an operator interface 14 including a screen display 16, a keyboard 17, and a pointing device or mouse 18. The computer 12 also includes a memory 20 and a device interface 22 that is suitably connected to a pen tablet 24 for capturing a handwritten signature 25 using a stylus 26. The memory 20 typically includes volatile random access memory (RAM) and non-volatile memory such as read-only memory (ROM) and random access disk memory. As used herein, storage in non-volatile memory can include temporary storage in volatile memory. According to the present invention, the pen tablet 24 is implemented for periodically transmitting pen position coordinates such as x-, y-, and z-axis data to the computer 12, the coordinate data representing precise intervals in the progression of the signature from its inception to completion and being stored by the computer 12 as a dynamic signature capture file 28 in the memory 20. An exemplary and preferred implementation of the pen tablet 24 includes a clock circuit 29 for initiating measurements of the coordinates at predetermined fixed intervals. It will be understood that the coordinate data can be transmitted immediately as measurements are completed; alternatively, data can be accumulated and transmitted in one or more batches, either spontaneously or upon interrogation by the computer 12. Verification of the time intervals can be by the clock circuit 29 can be a certified device having an unalterable time interval, the pen tablet 24 being implemented to transmit an encoded certification stamp with the coordinate data, such as by a pseudo-random data stream being imbedded within serial data being received from the tablet 24 during capture of the handwritten signature. The computer 12 is correspondingly programmed for decoding the certification stamp, successful decoding thus verifying use of the certified clock circuit 29. Alternatively, the computer can be programmed for determining a ratio of a total elapsed time of the measurements and a total number of the measurements, and comparing the ratio with the predetermined interval.

Also, a counterpart of the clock circuit 29 can be implemented in association with the device interface 22, or other suitable means for obtaining precise sampling intervals. By capturing the signature 25 at regular intervals, biometric data including the sequence of pen strokes and the precise timing of all of the elements of the signature are preserved.

The z-axis data can be simply a single-bit binary representation of a pen-up or pen-down condition or, if desired, a multiple-bit representation of pen pressure for preserving further biometric data of the signature 25. The x- and y-axis data can be in absolute, relative, or incremental form.

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absolute being with respect to an origin reference of the tablet 24, relative being with respect to a starting point of a signature, and incremental being with respect to the coordinate position of each preceding incremental time period. Similarly, the pen pressure data, if used, can also be in absolute, relative, or incremental form, relative being with respect to either a threshold pressure or an initial pen pressure.

In further accordance with the present invention, the computer 12 has a signature management program 30 in the memory 20 as described below in connection with FIG. 2. The computer 12 is also implemented for electronic storage and retrieval of document files 32 in any suitable manner, such as by having an installed word processor 34, which can be a conventional commercially available program. It will be understood that the signature management program 30 can be operated as a macro of the word processor 34; the word processor program 30 can be invoked under the control of the signature management program 30; and/or the word processor 34 can be combined with the signature management program 30 as a unified program, as desired, using conventional programming devices. Also, as used herein, the document files 32 are electronically stored counterparts of actual documents being printable by a printer 36 being connected to a printer port 37 of the computer 12 and driven as controlled by the word processor 34. Typically, the document files 32 contain digital codes of characters to be printed by the printer 37. Alternatively, the document files 32 can contain data codes defining a graphical representation of actual documents, as either pixels, vectors, or any combination of pixels, vectors, and characters. Thus, the document files 32 are sometimes referred to herein as documents 32. The substantive content of the document files 32 can define an entire electronic document, a collection of document data indexed in a database, a few characters and data representing a sales transaction, and many other possible forms to be authenticated or approved by signatures as described herein.

Capture, Binding and Storage

With particular reference to FIG. 2, the signature management program 30 controls a document signing process 40 as described herein. First a selected document 32 is generated in a preparation step 42 and presented to the signer for review in a presentation step 44. Typically, the generation and presentation steps 42 and 44 are implemented at least in part by using the operator interface 14 and the word processor 34. Next, a test document step 46 is entered for determining acceptance or rejection of the document 32. Once the document is accepted by the signer, the document file 32 is frozen or otherwise protected from further alteration except as described herein in a lock step 48. The lock step 48 can be implemented by maintaining the document file 32 in an open condition in subsequent steps of the process 40.

The document file 32 is next processed by a hashing function in a generate signature key step 50 to create a unique encryption "key" to be used to encrypt the handwritten signature 25. The signature 25 is then captured in a capture signature step 52, preferably in such a way as to preserve its biometric properties as described above. These properties include the starting and ending point of each written stroke along with the exact sequence of the signature stroke and the velocity of each segment in the stroke, and optionally the pressure applied to the pen tip at each point along the stroke. The velocity data is derived by sampling the position of the pen by means of the pen tablet 24 which samples the pen position at a preset and highly accurate

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timing interval. This data is formatted into the dynamic signature file which preserves the data precisely and preferably adds into the data the time and date that the signature was captured and a text or annotation string that can relate circumstances of the signing. Since the signature data is to be encrypted and tamper-proof, the time and date annotations can be reviewed at a later date as additional evidence to indicate the validity of the signature by confirming the location of the signer at the captured time and date.

Next, a signature test step 53 is entered for determining acceptance or rejection of the signature 25. For example, the signer can view a graphical display of the signature on the screen display 16, signaling by the keyboard 17 and/or the mouse 18 acceptance or rejection thereof, and the capture file 28 can be compared with previously obtained signatures of the signer that may have been stored in a database 38 that is associated with the signature management program 30 for sufficient correlation. Once the signature is accepted, receipts of the document and the signature are printed for delivery to the signer in a print receipt step 54. Thus when the signature is captured, unique document and signature receipts typically consisting of between 8 and 40 characters are generated and can be provided to the signer as a unique representation of both the document and the signature. The receipts can be printed separately or together on a single page. Also, the capture file 28 is encrypted in a signature encryption step 56 for producing an encrypted signature 39, using the signature key previously obtained in the generate signature key step 52. An important feature of the encryption step 56 is that the signature key is not retained following use thereof to create the encrypted signature 39. Accordingly, all counterparts of the signature key are preferably overwritten to positively preclude unauthorized uses thereof.

FIG. 1 shows the encrypted signature 39 being saved in the (non-volatile) memory 20 of the computer 12, it being understood that temporary maintenance in volatile RAM is also within the scope of the present invention. Since the key for encryption is derived directly and uniquely from the document, a powerful link exists between the two. If the document is tampered with or changed in any way, a key derived from the data will also have changed and the key will therefore be unable to properly decode the signature data. The signature data cannot be displayed or printed in the event of such tampering.

Finally, the encrypted signature is stored in association with the document in a save document with signature step 57, thereby binding the signature to the document. This is accomplished in any suitable manner, including conventional hierarchical database linkage, zip file creation, or encapsulation within a digital signature.

Accordingly, the present invention provides a secure combination of document and bound signature of the document. The signature data has stored within it several biometric properties that can be examined at a later date for authenticity by a forensic document examiner. Preferably all of the biometric properties available from the pen tablet 24 are retained, such as by retaining each set of the x-, y-, and z-coordinates from the tablet 24 in the encrypted signature file.

Retrieval

FIG. 3 shows a procedure 60 for retrieving the signed document, which requires the presence of both the original document and the original signature. The procedure 60 includes a load signed document step 62 and a load original document step 63, followed by a counterpart of the generate signature key step 50 for again obtaining the signature key. Next, an unlock signature step 64 extracts the electronic

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signature from the signed document file that was previously loaded, and an unlock document step 65 extracts the document from the same signed document file. Finally, a test document step 66 performs a comparison of the text of the document as extracted from the signed document file with the document as previously saved. The signature and/or the verified document is then delivered in any desired form in an output step 68. The authenticity of the retrieved signature is confirmed by identity of the document as extracted from the signed document file with the document as originally stored; otherwise, the process is aborted for lack of correspondence between the signed document and the original document. This process of the present invention is intrinsically reliable in that if the original document is absent, then a correct key cannot be derived in order to properly de-encrypt the signature. Also, if the original signature is missing, the key derived from the correct document cannot be used to unlock a signature that was not originally encrypted from it. With the presence of both the original document and signature, both can be displayed and printed as the original.

Authentication

Authentication after the fact by a forensic document examiner is a powerful feature of the present invention that permits the same infrastructure, experts and legal weight to be applied to electronic contracts and signatures that are currently applied to paper documents, contracts and signatures. With reference to FIG. 4, an authentication screen 70 that is produced by the signature management program 30 on the screen display 16 permits at least two signatures to be compared on a computer screen side-by-side or over and under, over and under being shown in FIG. 4, respectively as first and second signature displays 25A and 25B. If pressure data is recorded in the biometric capture file 28, then the displayed line width can be modulated corresponding to variations in the pressure, greater pressure being represented by increased line width. Alternatively, the line width represents pen velocity. Also, both pressure and velocity can be indicated by the pen velocity data can be displayed as color variations, lower velocity being indicated by redness, higher velocity being conversely indicated as blueness. Further, the pressure and velocity indications can be interchanged, with lower pressure represented by increased line width.

In addition, the screen 70 includes for each of the signatures a movable pointer 72 for indicating selected elements of the respective signatures, each pointer 72 being positioned in response to a movable (graphically represented) slider 74, the sliders 74 being conventional devices commonly operated by the mouse 18 or other pointing device of the user interface 14. The end points of slider movement correspond to beginning and endpoint data of the signatures 25. The signature management program 30 locates each pointer 72 on the corresponding signature display 25A or 25B at a point corresponding to the position of the slider 74, and oriented orthogonally to the displayed line direction at that point. More particularly, the signature 25 is displayed as a series of line segments connecting successive data points, the orthogonality being with respect to a particular line segment being pointed to by the cursor 72. It will be understood that the cursor 72 can be implemented pointing to midpoints or end points of successive line segments with the same visual effect at normal magnifications. In the case of pointing to end points, orthogonality can be with respect to the line segment previously traversed or to the next segment. Thus the slider 74 is used in conjunction with the cursor 72 to select locations along the signature for particular reference. Preferably the screen 70 is further imple-

mented for displaying metrics of the signature 25 in corresponding to the location of the cursor 72. Representative metrics to be displayed are shown in FIG. 3 as point number 80, pen stroke number 82, acceleration 84, and pressure 86. Instantaneous velocity can be included additionally or as an alternative to acceleration.

Signature Authentication Tools

A forensic document examiner can use several categories of information to compare and authenticate signatures, as presented in the following Table with corresponding signature electronic data:

TABLE I

| Characteristic | Electronic Data Available |
|---|--|
| 1. Stroke Sequence; Shows, for example, whether loops are clockwise or counterclockwise. | The exact sequence of each signature is reproducible using the slider bug to precisely trace out the recorded signature sequence |
| 2. Pace of Signature: Indicates the overall pace from beginning to end and the pace around each loop. | The total elapsed time of a signature is represented by the total number of points. The velocity within loops is indicated by the modulated display line width and displayed numerically for the pointer position. |
| 3. Signature Receipt: Indicates lack of tampering. | The signature receipt value is displayed and can be compared to the hard-copy receipt value in the possession of the signer from the time of original signature. |

Document and Signature Receipts

The document and signature receipts produced in the document signing process 40 of FIG. 2 are particularly effective anti-tampering counterparts of conventional pen-on-paper signature, in that the signer or signers are allowed to keep their own original copies of the document and signature. If a clever and experienced forger is able to tamper with one copy, there is always a second copy in a second location to use for comparison and fraud detection. The electronic document and signature receipts provide this same protection requiring only the recording of simple 8 or higher digit receipts reflecting the exact content of a document or signature. If the contract is ever disputed, the signer can bring his print out of the document and signature receipts to a legal proceeding and require that the electronic document and signature receipts be compared to those which are inherent in the original electronic documents. The holder of the electronic documents can then further protect its position by providing signature and document receipts to the signer printed on special bond paper and/or with a signature from their representative affixed thereto.

Digital signatures can be used to increase the securing and effectiveness of electronic biometric signatures, documents, and receipts. For example, the signature and document receipts can be e-mailed or otherwise provided to the signer of a document via encapsulation in a digital signature. In this way, if the signature or document is disputed, the signer can demonstrate that the receipt he has in his possession is indeed an original receipt and that it has not been tampered with or altered. It is also useful to encapsulate both the original document and the linked biometric signature file into a digitally transmitted message encrypted to a digital signature. The benefit of the digital signature is that it

validates the agent or workstation who transmitted the data, where the electronic, biometric signature is validating the agreement to a contract and the biometrically traceable identity of an individual person.

With further reference to FIG. 5, an alternative configuration of the document signing method, designated 40', includes, following the signature encryption step 56, cross-linking the document and signature receipts with the signature and document, respectively. More particularly, the signature receipt is combined with the document 32 in an embed signature receipt in document step 90, and the document receipt is combined with the encrypted signature 39 in an embed document receipt in signature step 92, prior to the save document with signature step 57, thereby forming a cross-linked binding of the signature with the document.

The present invention thus provides a system and method for the capture, transmission, storage and retrieval, and authentication of signatures or electronic contracts and documents. The system retains many recognized advantages of traditional paper and pen-based authentication systems that have been successful for hundreds of years, while providing significant new benefits. For example:

1. The signature is by hand and incorporates by biometric data the identity of a human being;
2. The signature and document/data are bound together as a single entity;
3. A receipt is provided to the signer(s) with a unique link referencing the document and the signature;
4. The signature can be verified after the fact by a forensic document examiner using software comparison tools, time and date information, and comparison of receipts of the electronic document to the receipts stored independently by the signers;
5. Security is enhanced by transmission of documents, signatures, and receipts using digital signature encryption in a manner corresponding to mailing a sealed copy to oneself through the Post Office and keeping the envelope sealed.

Although the present invention has been described in considerable detail with reference to certain preferred versions thereof, other versions are possible. Therefore, the spirit and scope of the appended claims should not necessarily be limited to the description of the preferred versions contained herein.

What is claimed is:

1. A system for managing handwritten signatures, comprising:
 - (a) a graphic tablet for signaling position coordinates of a stylus during manual movement thereof relative to a writing surface;
 - (b) a clock circuit for periodically initiating position measurements by the graphic tablet at predetermined fixed time intervals;
 - (c) a first computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates during the manual movement of the stylus, and storing respective sets of the coordinates in sequential order as an electronic signature while preserving a time relation between coordinates, the electronic signature forming a time history of the stylus movement; and
 - (d) means for comparing the electronic signature with a reference signature, comprising the computer processor having a graphic display implemented for simultaneously displaying the electronic signature and the

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reference signature with corresponding cursors being positioned along a line segment of the signature and oriented perpendicular to the line segment, and the computer being further implemented for moving the cursors in response to operator input.

2. The system of claim 1, wherein the means for comparing further comprises reference memory for storing an electronic counterpart of the reference signature, and a cross-correlator for evaluating a degree of correspondence between respective time histories of the electronic signature and the electronic counterpart of the reference signature.

3. The system of claim 2, wherein the reference memory is electronically interfaced with the first computer processor.

4. The system of claim 1, wherein the electronic signature has associated therewith a date and time of the handwritten signature.

5. The system of claim 4, wherein the electronic signature has further associated therewith an annotation including at least one of a geographic location, a physical address, and an identification string.

6. The system of claim 1, wherein the first computer processor is a digital processor, and the electronic signature is a digital signature.

7. The system of claim 1, wherein the computer is further programmed for encrypting the time history to a fixed key of arbitrary length, the stored electronic signature being in encrypted form.

8. The system of claim 7, wherein the computer is programmed for generating the key as a cryptographic hash function or message digest of the document.

9. The system of claim 1, wherein the computer processor is further implemented for determining a stylus velocity associated with each line segment, and displaying the line segments at widths being proportional to the stylus velocity.

10. The system of claim 1, wherein the computer processor is programmed for displaying the line segments at widths being proportional to the stylus pressure data.

11. A system for managing handwritten signatures, comprising:

(a) a graphic tablet for signaling position coordinates of a stylus during manual movement thereof relative to a writing surface;

(b) a clock circuit in the graphic tablet for periodically initiating position measurements by the graphic tablet at predetermined fixed time intervals;

(c) a first computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates during the manual movement of the stylus, and storing respective sets of the coordinates in sequential order as an electronic signature while preserving a time relation between coordinates, the electronic signature forming a time history of the stylus movement; and

(d) means for verifying the fixed time intervals of the measurements, comprising the computer being programmed for determining a ratio of a total elapsed time of the measurements and a total number of the measurements, and comparing the ratio with the predetermined interval.

12. The system of claim 11, wherein the time intervals are not greater than 20 milliseconds.

13. The system of claim 12, wherein the time intervals are between 2 milliseconds and 3 milliseconds.

14. The system of claim 11, wherein the means for verifying the time intervals comprises:

(a) the clock circuit having a certified unalterable time interval;

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(b) the tablet being implemented for transmitting an encoded certification stamp with the coordinate data; and

(c) the computer being programmed for decoding the certification stamp to verify use of the certified time interval.

15. The system of claim 11, wherein the first computer processor is a digital processor, and the electronic signature is a digital signature.

16. The system of claim 11, wherein the computer is further programmed for encrypting the time history to a fixed key of arbitrary length, the stored electronic signature being in encrypted form.

17. The system of claim 16, wherein the computer is programmed for generating the key as a cryptographic hash function or message digest of the document.

18. A method for verifying the signature of an electronically signed a document having associated therewith an electronic signature being a stored sequence of data corresponding to coordinates of stylus movement producing a first handwritten signature:

(a) capturing a second electronic signature as a stored sequence of data corresponding to coordinates of stylus movement producing second handwritten signature;

(b) simultaneously displaying in locational proximity graphic counterparts of the first and second electronic signatures;

(c) displaying, for each of the graphic counterparts, a cursor being positioned along a line segment of the signature and oriented perpendicular to the line segment; and

(d) for each of the graphic counterparts, moving the cursor relative to the signature in response to operator input.

19. The method of claim 18, comprising, for each of the graphic counterparts the further steps of:

(a) determining at least one measurement parameter relative to the line segment at which the cursor is located; and

(b) displaying a digital representation of the parameter.

20. The method of claim 19, wherein the at least one measurement parameter is selected from the group consisting of a point number, a stroke number, an acceleration value, and a pressure value.

21. A system for managing handwritten signatures, comprising:

(a) a graphic tablet for signaling position coordinates of a stylus during manual movement thereof relative to a writing surface;

(b) a computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates during the manual movement of the stylus, and storing respective sets of the coordinates in sequential order as an electronic signature while preserving a time relation between coordinates, the electronic signature forming a time history of the stylus movement; and

(c) means for comparing the electronic signature with a reference signature, comprising the computer processor having a graphic display implemented for simultaneously displaying the electronic signature and the reference signature with corresponding cursors being positioned along a line segment of the signature and oriented perpendicular to the line segment, and the computer being further implemented for moving the cursors in response to operator input

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22. The system of claim 21, wherein the electronic signature includes recorded stylus pressure data, the system further comprising means for varying a displayed line width of each line segment of the electronic signature and the reference signature, the computer processor being further implemented for displaying the line segments of the electronic signature at widths being proportional to the stylus pressure data.

23. The system of claim 21, the system further comprising means for varying a displayed line width of each line segment of the electronic signature and the reference signature, the computer processor being further implemented for determining a stylus velocity associated with each line segment of the electronic signature, and displaying the line segments of the electronic signature at widths being proportional to the stylus velocity.

24. A system for managing handwritten signatures, comprising:

- (a) a graphic tablet for signaling position coordinates of a stylus during manual movement thereof relative to a writing surface;
- (b) a computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates during the manual movement of the stylus, and storing respective sets of the coordinates in sequential order as an electronic signature while preserving a time relation between coordinates, the electronic signature forming a time history of the stylus movement, the computer processor having a graphic display implemented for displaying the electronic signature as sequential line segments; and
- (c) the computer processor being further implemented for determining a stylus velocity associated with each line segment, and displaying the line segments at widths being proportional to the stylus velocity.

25. A system for managing handwritten signatures, comprising:

- (a) a graphic tablet for signaling position coordinates and stylus pressure data of a stylus during manual movement thereof relative to a writing surface;
- (b) a computer processor electrically interfaced with the tablet, the processor being programmed for receiving a multiplicity of the coordinates and the stylus pressure data during the manual movement of the stylus, and storing respective sets of the coordinates with the stylus pressure data in sequential order as an electronic signature, the electronic signature forming a time history of the stylus movement and pressure, the computer processor having a graphic display implemented for displaying the electronic signature as sequential line segments; and
- (c) the computer processor being further implemented for displaying the line segments at widths being proportional to the stylus pressure data.

26. A method for authenticating a document having been signed by a method comprising capturing a handwritten signature as a sequence of data corresponding to coordinates of stylus movement producing the signature, storing the data as an electronic signature, creating a signature receipt as a cryptographic hash function or message digest of the electronic signature, creating a signature encryption key by generating a cryptographic hash function or message digest of a stored counterpart of the document, encrypting the electronic signature using the signature encryption key, creating a document receipt as a cryptographic hash function

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or message digest of a stored counterpart of the document, producing counterparts of the signature and document receipts, and encapsulating the signature and document receipts in a digital signature, the method comprising the further steps of:

- (a) transmitting the digital signature containing the signature and document receipts to a signer of the document;
- (b) recalling the transmitted digital signature
- (c) extracting the signature and document receipts from the digital signature;
- (d) recovering the electronic signature and a stored counterpart of the document;
- (e) generating new signature and document receipts from the recovered electronic signature and the stored counterpart of the document; and
- (f) comparing the recovered signature and document receipts with the new signature and document receipts, the document being authenticated when respective receipt counterparts are matching.

27. The method system of claim 26, comprising the further steps of identifying stored instances of the signature encryption key and erasing each such instance.

28. A method for authenticating a document having been signed by a method comprising capturing a handwritten signature as a sequence of data corresponding to coordinates of stylus movement producing the signature, storing the data as an electronic signature, creating a signature receipt as a cryptographic hash function or message digest of the electronic signature, creating a signature encryption key by generating a cryptographic hash function or message digest of a stored counterpart of the document, encrypting the electronic signature using the signature encryption key, creating a document receipt as a cryptographic hash function or message digest of a stored counterpart of the document, and producing counterparts of the signature and document receipts, the method comprising the further steps of:

- (a) distributing plural counterparts of the signature and document receipts to signers of the document;
- (b) recalling the distributed signature and document receipts; and
- (c) comparing the recalled signature receipts and the document receipts, the document being authenticated when respective receipt counterparts are matching.

29. The method of claim 28, comprising the further step of encapsulating the signature and document receipts in a digital signature.

30. The method system of claim 28, comprising the further steps of identifying stored instances of the signature encryption key and erasing each such instance.

31. A method for authenticating a document having been signed by a method comprising capturing a handwritten signature as a sequence of data corresponding to coordinates of stylus movement producing the signature, storing the data as an electronic signature, creating a signature receipt as a cryptographic hash function or message digest of the electronic signature, creating a signature encryption key by generating a cryptographic hash function or message digest of a stored counterpart of the document, encrypting the electronic signature using the signature encryption key, creating a document receipt as a cryptographic hash function or message digest of a stored counterpart of the document, and producing counterparts of the signature and document receipts, the method comprising the further steps of:

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- (a) delivering the signature and document receipts to a signer of the document;
- (b) recalling the signature and document receipts;
- (c) recovering the electronic signature and a stored counterpart of the document;
- (d) generating new signature and document receipts from the recovered electronic signature and the stored counterpart of the document; and
- (e) comparing the recalled signature and document receipts with the new signature and document receipts,

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- the document being authenticated when respective receipt counterparts are matching.
32. The method of claim 31, comprising the further step of encapsulating the electronic signature in a digital signature.
33. The method system of claim 31, comprising the further steps of identifying stored instances of the signature encryption key and erasing each such instance.

* * * * *

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TOPAZ SYSTEMS, INC., a California corporation,

PLAINTIFF(S)

v.

RIGHT SIGNATURE LLC, a California corporation
and DOES 1-10,

DEFENDANT(S).

CASE NUMBER

CV11-08929P2

SUMMONS

TO: DEFENDANT(S): Right Signature LLC

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Jeffrey G. Sheldon, whose address is Sheldon Mak & Anderson PC, 100 Corson Street, Pasadena, CA 91103-3842. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

OCT 27 2011

Clerk, U.S. District Court

Dated: _____

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

| | |
|--|---|
| <p>I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) TOPAZ SYSTEMS, INC., a California corporation,</p> | <p>DEFENDANTS RIGHT SIGNATURE LLC, a California corporation and DOES 1-10, inclusive</p> |
| <p>(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Jeffrey G. Sheldon (SBN 67516); Douglas H. Morseburg (SBN 126205) SHELDON MAK & ANDERSON PC, 100 Corson St., Third Floor Pasadena, CA 91103-3842 - Tel. (626) 796-4000, Fax.: (626) 795-6321</p> | <p>Attorneys (If Known)</p> |

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----------------------------|---|---------------------------------------|---------------------------------------|------------|------------|-----------------------|----------------------------|----------------------------|---|---------------------------------------|---------------------------------------|--------------------------|----------------------------|----------------------------|---|----------------------------|----------------------------|---|----------------------------|----------------------------|----------------|----------------------------|----------------------------|
| <p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p> | <p>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table> | | PTF | DEF | | PTF | DEF | Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 | Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
| | PTF | DEF | | PTF | DEF | | | | | | | | | | | | | | | | | | | | |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input checked="" type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 | | | | | | | | | | | | | | | | | | | | |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | | | | | | | | | | | | | | | | | | | | |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | | | | | | | | | | | | | | | | | | | | |

IV. ORIGIN (Place an X in one box only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ According to Proof

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
35 U.S.C., Sections 281 and 284 - Patent Infringement

VII. NATURE OF SUIT (Place an X in one box only.)

| | | | | | |
|---|---|---|--|--|--|
| <p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Act</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Info Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p> | <p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p> <p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p> | <p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Fed. Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury-Med Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury-Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p> | <p>TORTS</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> <p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 445 American with Disabilities - Employment</p> <p><input type="checkbox"/> 446 American with Disabilities - Other</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> | <p>PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus/Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p>FORFEITURE / PENALTY</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R R & Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 660 Occupational Safety /Health</p> <p><input type="checkbox"/> 690 Other</p> | <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc Security Act</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input checked="" type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U S Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p> |
|---|---|---|--|--|--|

CV11-08929

FOR OFFICE USE ONLY: Case Number _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? No Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? No Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 B. Call for determination of the same or substantially related or similar questions of law and fact, or
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present

IX. VENUE: (When completing the following information, use an additional sheet if necessary)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles | |

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Santa Barbara | |

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

| | |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Los Angeles | |

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
 Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): Wongles S. Moraburg Date October 27, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action |
|---------------------|--------------|---|
| 861 | HIA | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program (42 U.S.C. 1935FF(b)) |
| 862 | BL | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 923) |
| 863 | DIWC | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability (42 U.S.C. 405(g)) |
| 863 | DIWW | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g)) |
| 864 | SSID | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended. |
| 865 | RSI | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g)) |