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14  
 15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 SAN FRANCISCO DIVISION

18  
 19 INNOVATIVE AUTOMATION LLC,

20 Plaintiff,

21 v.

22 MEDIATECHNICS SYSTEMS, INC.;  
 RICHARD DUWAYNE WILSON, an  
 23 individual;  
 TIBI SZILAGYA, an individual;  
 24 VINPOWER, INC.;  
 VINPOWER DIGITAL, INC.,

25 Defendants.  
 26  
 27  
 28

Case No. 5:11-cv-03410-HRL

**FIRST AMENDED COMPLAINT FOR  
 PATENT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**Date: November 1, 2011**

1 Plaintiff Innovative Automation LLC states its complaint against Defendants  
2 Mediatechnics Systems, Inc., Richard Duwayne Wilson, Tibi Szilagya, Vinpower, Inc., and  
3 Vinpower Digital, Inc., and alleges as follows:  
4

5 **THE PARTIES**

6 1. Plaintiff Innovative Automation LLC (“Plaintiff” or “Innovative Automation”)  
7 is a limited liability company organized and existing under the laws of the State of  
8 California, with its principal place of business at 606 North First Street, San Jose, California  
9 95112.

10 2. On information and belief, Defendant Mediatechnics Systems, Inc.  
11 (“Mediatechnics”) is a corporation that, during at least part of the relevant period, was  
12 organized and existing under the laws of the State of California, with its principal place of  
13 business at 4 Bluehill Court, Scotts Valley, California 95066. On information and belief,  
14 one or more individuals continue to operate the business of Mediatechnics, and to sell  
15 products under the Mediatechnics name, although the corporate status of Mediatechnics has  
16 been suspended.

17 3. On information and belief, Defendant Richard Duwayne Wilson is an  
18 individual residing at 4405 Buena Vista Road, Ione, California 95640. On information and  
19 belief, Mr. Wilson, with Defendant Szilagya, has directed the operations of Mediatechnics  
20 during the entirety of the relevant period—both before and after Mediatechnics’ corporate  
21 status was suspended.

22 4. On information and belief, Defendant Tibi Szilagya is an individual residing at  
23 4 Bluehill Court, Scotts Valley, California 95066. On information and belief, Mr. Szilagya,  
24 with Defendant Wilson, has directed the operations of Mediatechnics during the entirety of  
25 the relevant period—both before and after Mediatechnics’ corporate status was suspended.

26 5. On information and belief, Defendants Vinpower, Inc. and Vinpower Digital,  
27 Inc. are corporations with their principal place of business at 817 South Palm Avenue,  
28

1 Alhambra, California 91803. At least Defendant Vinpower, Inc. is organized and existing  
2 under the laws of California.

3  
4 **JURISDICTION AND VENUE**

5 6. Plaintiff realleges and incorporates by reference paragraphs the above  
6 paragraphs of this Complaint, inclusive, as though fully set forth herein.

7 7. This action is for patent infringement pursuant to the patent laws of the United  
8 States, 35 U.S.C. §§ 1 *et seq.* This Court has subject matter jurisdiction over the action  
9 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10 8. This Court has personal jurisdiction over Defendant Mediatechnics Systems,  
11 Inc. because, on information and belief, Mediatechnics does and has done substantial  
12 business in this judicial District, including (i) maintaining its principal place of business in  
13 this judicial District; (ii) committing acts of patent infringement and/or contributing to or  
14 inducing acts of patent infringement by others in this judicial District and elsewhere in  
15 California; and (iii) regularly doing business or soliciting business, engaging in other  
16 persistent courses of conduct, and/or deriving substantial revenue from products and/or  
17 services provided to persons in this District and in this State.

18 9. This Court has personal jurisdiction over Defendant Richard Duwayne Wilson  
19 because, on information and belief, Mr. Wilson does and has done substantial business in  
20 this judicial District, including (i) directing the operations of Mediatechnics Systems, Inc.,  
21 which maintained and maintains its principal place of business in this judicial District; (ii)  
22 committing acts of patent infringement and/or contributing to or inducing acts of patent  
23 infringement by others in this judicial District and elsewhere in California; and (iii) regularly  
24 doing business or soliciting business, engaging in other persistent courses of conduct, and/or  
25 deriving substantial revenue from products and/or services provided to persons in this  
26 District and in this State.

27 10. This Court has personal jurisdiction over Defendant Tibi Szilagya because, on  
28 information and belief, Mr. Szilagya resides in this judicial District, and because Mr.

1 Szilagya does and has done substantial business in this judicial District, including (i)  
2 directing the operations of Mediatechnics Systems, Inc., which maintained and maintains its  
3 principal place of business in this judicial District; (ii) committing acts of patent  
4 infringement and/or contributing to or inducing acts of patent infringement by others in this  
5 judicial District and elsewhere in California; and (iii) regularly doing business or soliciting  
6 business, engaging in other persistent courses of conduct, and/or deriving substantial  
7 revenue from products and/or services provided to persons in this District and in this State.

8 11. This Court has personal jurisdiction over Defendant Vinpower, Inc. because,  
9 on information and belief, Vinpower, Inc. does and has done substantial business in this  
10 judicial District, including (i) committing acts of patent infringement and/or contributing to  
11 or inducing acts of patent infringement by others in this judicial District and elsewhere in  
12 California; and (ii) regularly doing business or soliciting business, engaging in other  
13 persistent courses of conduct, and/or deriving substantial revenue from products and/or  
14 services provided to persons in this District and in this State.

15 12. This Court has personal jurisdiction over Defendant Vinpower Digital, Inc.  
16 because, on information and belief, Vinpower Digital, Inc. does and has done substantial  
17 business in this judicial District, including (i) committing acts of patent infringement and/or  
18 contributing to or inducing acts of patent infringement by others in this judicial District and  
19 elsewhere in California; and (ii) regularly doing business or soliciting business, engaging in  
20 other persistent courses of conduct, and/or deriving substantial revenue from products and/or  
21 services provided to persons in this District and in this State.

22 13. Venue is proper in this judicial District pursuant to 28 U.S.C. §§ 1391 and  
23 1400(b) because, on information and belief, the Defendants have committed acts of direct  
24 and indirect infringement in this judicial District and have transacted business in this judicial  
25 District. In addition, Defendant Mediatechnics has its headquarters and/or facilities in this  
26 judicial District, and Defendant Szilagya resides in this judicial District.

27 **CLAIM FOR RELIEF**

**(Infringement of United States Patent No. 7,174,362)**

1  
2 14. Plaintiff realleges and incorporates by reference paragraphs the above  
3 paragraphs of this Complaint, inclusive, as though fully set forth herein.

4 15. Plaintiff is the owner of all right, title, and interest in United States Patent No.  
5 7,174,362, entitled “Method and System for Supplying Products from Pre-Stored Digital  
6 Data in Response to Demands Transmitted via Computer Network,” duly and legally issued  
7 by the United States Patent and Trademark Office on February 6, 2007 (the “‘362 patent”).  
8 A true and correct copy of the ‘362 patent is attached hereto as Exhibit A.

9 16. The ‘362 patent generally describes and claims a computer-implemented  
10 method of digital data duplication. In the method of claim 1 of the ‘362 patent, a request is  
11 taken at one or more user interfaces and is transmitted through a network to a computer.  
12 The computer contains a module to create a task log based on incoming requests; a module  
13 for storing the necessary data; and a module to create a subset of the data, download that  
14 subset to an output device, and command the device to transfer the subset onto blank media.  
15 The request is assigned to an output device, and the duplication process is executed. Claims  
16 2-8 of the ‘362 patent describe various other methods and a system of digital data  
17 duplication.

18 17. On information and belief, Mediatechnics Systems, Inc. has contributorily  
19 infringed and continues to contributorily infringe one or more claims of the ‘362 patent,  
20 literally and/or under the doctrine of equivalents, by making, offering to sell, and selling  
21 devices that (1) constitute a material part of the invention of the ‘362 patent, (2)  
22 Mediatechnics knows to be especially adapted for use in infringing the ‘362 patent, and (3)  
23 are not staple articles of commerce suitable for substantial noninfringing use with respect to  
24 the ‘362 patent. These devices include at least the Mediatechnics Fusion KVM, and are  
25 used by companies, such as those that offer digital media duplication services, in a way that  
26 directly infringes one or more claims of the ‘362 patent. In addition, Mediatechnics has  
27 directly infringed, and continues to directly infringe, literally and/or under the doctrine of  
28 equivalents, one or more claims of the ‘362 patent under 35 U.S.C. § 271 by using the

1 claimed method(s) of duplicating digital data while (i) testing these devices; and (ii) using  
2 these devices to perform digital media duplication services such as optical media duplication  
3 services.

4 18. On information and belief, Richard Wilson has contributorily infringed and  
5 continues to contributorily infringe one or more claims of the '362 patent, literally and/or  
6 under the doctrine of equivalents, by making, offering to sell, and selling devices that (1)  
7 constitute a material part of the invention of the '362 patent, (2) Mr. Wilson knows to be  
8 especially adapted for use in infringing the '362 patent, and (3) are not staple articles of  
9 commerce suitable for substantial noninfringing use with respect to the '362 patent. These  
10 devices include at least the Mediatechnics Fusion KVM, and are used by companies, such as  
11 those that offer digital media duplication services, in a way that directly infringes one or  
12 more claims of the '362 patent. In addition, Mr. Wilson has directly infringed, and continues  
13 to directly infringe, literally and/or under the doctrine of equivalents, one or more claims of  
14 the '362 patent under 35 U.S.C. § 271 by using the claimed method(s) of duplicating digital  
15 data while (i) testing these devices; and (ii) using these devices to perform digital media  
16 duplication services such as optical media duplication services.

17 19. On information and belief, Tibi Szilagya has contributorily infringed and  
18 continues to contributorily infringe one or more claims of the '362 patent, literally and/or  
19 under the doctrine of equivalents, by making, offering to sell, and selling devices that (1)  
20 constitute a material part of the invention of the '362 patent, (2) Mr. Szilagya knows to be  
21 especially adapted for use in infringing the '362 patent, and (3) are not staple articles of  
22 commerce suitable for substantial noninfringing use with respect to the '362 patent. These  
23 devices include at least the Mediatechnics Fusion KVM, and are used by companies, such as  
24 those that offer digital media duplication services, in a way that directly infringes one or  
25 more claims of the '362 patent. In addition, Mr. Szilagya has directly infringed, and  
26 continues to directly infringe, literally and/or under the doctrine of equivalents, one or more  
27 claims of the '362 patent under 35 U.S.C. § 271 by using the claimed method(s) of  
28

1 duplicating digital data while (i) testing these devices; and (ii) using these devices to  
2 perform digital media duplication services such as optical media duplication services.

3         20. On information and belief, Vinpower, Inc. has contributorily infringed and  
4 continues to contributorily infringe one or more claims of the '362 patent, literally and/or  
5 under the doctrine of equivalents, by making, offering to sell, and selling devices that (1)  
6 constitute a material part of the invention of the '362 patent, (2) Vinpower, Inc. knows to be  
7 especially adapted for use in infringing the '362 patent, and (3) are not staple articles of  
8 commerce suitable for substantial noninfringing use with respect to the '362 patent. These  
9 devices include at least the Vinpower device ultimately sold as the Mediatechnics Fusion  
10 KVM, and are used by companies, such as those that offer digital media duplication  
11 services, in a way that directly infringes one or more claims of the '362 patent. In addition,  
12 Vinpower, Inc. has directly infringed, and continues to directly infringe, literally and/or  
13 under the doctrine of equivalents, one or more claims of the '362 patent under 35 U.S.C. §  
14 271 by using the claimed method(s) of duplicating digital data while testing these devices.

15         21. On information and belief, Vinpower Digital, Inc. has contributorily infringed  
16 and continues to contributorily infringe one or more claims of the '362 patent, literally  
17 and/or under the doctrine of equivalents, by making, offering to sell, and selling devices that  
18 (1) constitute a material part of the invention of the '362 patent, (2) Vinpower Digital, Inc.  
19 knows to be especially adapted for use in infringing the '362 patent, and (3) are not staple  
20 articles of commerce suitable for substantial noninfringing use with respect to the '362  
21 patent. These devices include at least the Vinpower device ultimately sold as the  
22 Mediatechnics Fusion KVM, and are used by companies, such as those that offer digital  
23 media duplication services, in a way that directly infringes one or more claims of the '362  
24 patent. In addition, Vinpower Digital, Inc. has directly infringed, and continues to directly  
25 infringe, literally and/or under the doctrine of equivalents, one or more claims of the '362  
26 patent under 35 U.S.C. § 271 by using the claimed method(s) of duplicating digital data  
27 while testing these devices.






**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury.

Respectfully submitted,

Dated: November 1, 2011

**GUTRIDE SAFIER LLP**



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