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9 Attorney for Plaintiff,
10 **DIGITECH IMAGE TECHNOLOGIES, LLC**

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA

13 DIGITECH IMAGE TECHNOLOGIES, LLC,
14

15 Plaintiff,

16 v.

17 BUY.COM INC.
18

19 Defendant.
20

21 CASE NO. SACV12 - 01668 CJC (MLGx)

22 ORIGINAL COMPLAINT FOR
23 INFRINGEMENT OF U.S. PATENT
24 NO. 6,128,415

25 DEMAND FOR JURY TRIAL

26 Complaint Filed: October 1, 2012

27 **ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

28 This is an action for patent infringement in which DIGITECH IMAGE
TECHNOLOGIES, LLC submits this Original Complaint against Defendant named
herein, namely BUY.COM INC.; (hereinafter "Defendant" or "BUY.COM"), as
follows:

THE PARTIES

FILED
2012 OCT -1 PM 3:32
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

COPY

BY FAX

1 1. DIGITECH IMAGE TECHNOLOGIES, LLC (“DIGITECH” or
2 “Plaintiff”) is a California limited liability company with a place of business at 500
3 Newport Center Drive, Suite 700, Newport Beach, CA 92660.
4

5 2. On information and belief, BUY.COM INC. is a Delaware corporation
6 with a place of business at Aliso Viejo, CA.
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8 **JURISDICTION AND VENUE**

9 3. This action arises under the patent laws of the United States, Title 35 of
10 the United States Code. This Court has subject matter jurisdiction pursuant to 28
11 U.S.C. §§ 1331 and 1338(a).
12

13 4. On information and belief, Defendant is subject to this Court’s specific
14 and/or general personal jurisdiction, pursuant to due process and/or the California
15 Long Arm Statute, due at least to its substantial business in California, including
16 related to the infringements alleged herein. Further, on information and belief,
17 Defendant has, within this forum, engaged in at least the selling of the accused
18 products listed herein. In addition, Defendant induces infringement of the patent-in-
19 suit by sellers and/or infringing users located in this forum. Further, on information
20 and belief, Defendant has interactive websites which are used in and/or accessible in
21 this forum. Further, on information and belief, Defendant regularly conducts and/or
22 solicits business, engages in other persistent courses of conduct, and/or derives
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1 substantial revenue from goods and services provided to persons and/or entities in
2 California.

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4 5. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and
5 1400(b). Without limitation, on information and belief, Defendant is subject to
6 personal jurisdiction in this district. On information and belief, the Defendant is
7 subject to this Court's specific and/or general personal jurisdiction, pursuant to due
8 process and/or the California Long Arm Statute, due at least to their substantial
9 business in this district, including related to the infringements alleged herein. Further,
10 on information and belief, Defendant is, within this forum, engaged in at least the
11 selling of the accused products listed herein. In addition, Defendant induces
12 infringement of the patent-in-suit by sellers and/or infringing users located in this
13 forum. Further, on information and belief, Defendant has interactive websites which
14 are used in and/or accessible in this forum. Further, on information and belief,
15 Defendant regularly conducts and/or solicits business, engages in other persistent
16 courses of conduct, and/or derives substantial revenue from goods and services
17 provided to persons and/or entities in California.
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23 **COUNT I**

24 **INFRINGEMENT OF U.S. PATENT NO. 6,128,415**

1 6. United States Patent No. 6,128,415 (“the ‘415 patent”), entitled
2 “DEVICE PROFILES FOR USE IN A DIGITAL IMAGE PROCESSING
3 SYSTEM,” issued on October 3, 2000.
4

5 7. DIGITECH is the present assignee of the entire right, title and interest in
6 and to the ‘415 patent, including all rights to sue for past and present infringement.
7 Accordingly, DIGITECH has standing to bring this lawsuit for infringement of the
8 ‘415 patent.
9

10 8. The various claims of the ‘415 patent cover, *inter alia*, a device profile
11 for describing properties of a device in a digital image reproduction system to capture,
12 transform or render an image, said device profile comprising: first data for describing
13 a device dependent transformation of color information content of the image to a
14 device independent color space; and second data for describing a device dependent
15 transformation of spatial information content of the image in said device independent
16 color space.
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20 9. On information and belief, BUY.COM has been and now is infringing
21 the ‘415 patent by actions comprising making, using, importing, selling and/or
22 offering to sell products comprising a device profile for describing properties of a
23 device in a digital image reproduction system to capture, transform or render an
24 image, said device profile comprising: first data for describing a device dependent
25 transformation of color information content of the image to a device independent
26 transformation of color information content of the image to a device independent
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1 color space; and second data for describing a device dependent transformation of
2 spatial information content of the image in said device independent color space.

3
4 10. Moreover, on information and belief, BUY.COM has been and now is
5 indirectly infringing by way of intentionally inducing infringement of the '415 patent
6 in this judicial district, and elsewhere in the United States, including by aiding or
7 abetting customers and/or users to use the infringing products. Upon information and
8 belief, such induced infringement has occurred at least since this Defendant became
9 aware of the '415 patent, at least through becoming aware of this Complaint.
10
11

12 11. Upon present information and belief, BUY.COM's infringing products
13 comprise at least the following accused products: CANON: EOS-1D Mark IV, EOS
14 5D, EOS 5D Mark II, EOS 5D Mark III, EOS 7D, EOS 60D, EOS D60, EOS Rebel
15 T1i, EOS Rebel XS, EOS Rebel XSi, Digital Rebel XTi, EOS Rebel T3i, EOS Rebel
16 T2i, EOS Rebel T3, PowerShot G1 X, PowerShot G1, PowerShot G9, PowerShot
17 G10, PowerShot G11, PowerShot G12, PowerShot S100, PowerShot S3 IS,
18 PowerShot S90, PowerShot S100 Digital ELPH, PowerShot S95, PowerShot SX1 IS,
19 PowerShot SX20 IS, PowerShot SX30 IS, PowerShot SX40 HS, PowerShot SX110
20 IS, PowerShot SX120 IS, PowerShot SX260 HS, PowerShot SX230 HS, PowerShot
21 SX210 IS, PowerShot SX200 IS, PowerShot SX150 IS, PowerShot SX130 IS,
22 PowerShot D20, PowerShot SD770 IS, PowerShot SD780 IS, PowerShot SD790 IS,
23 PowerShot SD940 IS, PowerShot SD970 IS, PowerShot SD980 IS, PowerShot
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1 SD1300 IS, PowerShot SD1400 IS, PowerShot SD3500 IS, PowerShot SD4000 IS,
 2 PowerShot SD4500 IS, PowerShot ELPH 530 HS, PowerShot ELPH 520 HS,
 3 PowerShot ELPH 500 HS, PowerShot ELPH 320 HS, PowerShot ELPH 310 HS,
 4 PowerShot ELPH 300 HS, PowerShot A4000 IS, PowerShot A3400 IS, PowerShot
 5 A3300 IS, PowerShot A2400 IS, PowerShot A2300, PowerShot A2200, PowerShot
 6 A1300, PowerShot A1200, PowerShot A810, PowerShot A800, PowerShot A470,
 7 PowerShot A490, PowerShot A495, PowerShot A590 IS, PowerShot A650 IS,
 8 PowerShot A720 IS, PowerShot A1000 IS, PowerShot A3000 IS, PowerShot A3100
 9 IS and PowerShot Pro 1; NIKON: Nikon 1 J1, Nikon 1 V1, D4, D800, D7000, D3100,
 10 D3200, D3S, D700, D3X, D300S, D90, D5100, COOLPIX P310, COOLPIX S30,
 11 COOLPIX L810, COOLPIX AW100, COOLPIX L26, COOLPIX P510, COOLPIX
 12 P7100, COOLPIX P500, COOLPIX S100, COOLPIX S8200, COOLPIX S1200pj,
 13 COOLPIX S9300, COOLPIX S6300, COOLPIX S3300, COOLPIX S6200,
 14 COOLPIX S6100, COOLPIX S4100, COOLPIX S3100, COOLPIX P300, COOLPIX
 15 S9100, COOLPIX L120 and COOLPIX L24; SONY: alpha NEX-5N, alpha NEX-C3,
 16 alpha a77, alpha a65, Cyber-shot HX200V, Cyber-shot HX30V, Cyber-shot TX66,
 17 Cyber-shot W650, Cyber-shot TX200V, Cyber-shot TX20, Cyber-shot HX10V,
 18 Cyber-shot H90, Cyber-shot WX150, Cyber-shot WX70, Cyber-shot W690, Cyber-
 19 shot W620, Cyber-shot W610 and Cyber-shot WX50; PANASONIC: LUMIX DMC-
 20 TS4, LUMIX DMC-ZS20, LUMIX DMC-ZS15, LUMIX DMC-SZ7, LUMIX DMC-
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1 TS20, LUMIX DMC-SZ1, LUMIX DMC-FH8, LUMIX DMC-FH6, LUMIX DMC-
 2 S2, LUMIX DMC-3D1K, LUMIX LX5, LUMIX FZ47, LUMIX ZS10, LUMIX
 3 GF3and LUMIX GF2; OLYMPUS: VR-340, VG-160, VR-330, VR-320, VG-140,
 4 VG-120, VG-110, Tough TG-1 iHS, Tough TG-820 iHS, Tough TG-620 iHS, Tough
 5 TG-320, Tough TG-810, Tough TG-610, Tough TG-310, SZ-31MR iHS, SP-620UZ,
 6 SZ-12, SP-810UZ, SZ-30MR, SZ-20, SZ-10, SP-610UZ, XZ-1, E-P3, E-PL3, E-PM1,
 7 E-PL2, E-PL1, E-P2 and E-5; PENTAX: OPTIO WG-2, OPTIO VS20, OPTIO RZ18,
 8 OPTIO WG-1, Q and K-R; LEICA: V-LUX 40, V-LUX 3, X1, D-LUX 5 and M9;
 9 CASIO: EX-H20G; FUJIFILM: FinePix X10, FinePix X100, FinePix X-Pro1,
 10 FinePix S2950, FinePix S3200, FinePix S4000, FinePix S4200, FinePix S4500,
 11 FinePix SL300, FinePix HS20EXR, FinePix HS25EXR, FinePix HS30EXR, FinePix
 12 F500EXR, FinePix F550EXR, FinePix F600EXR, FinePix F660EXR, FinePix
 13 F750EXR, FinePix F770EXR, FinePix Z90, FinePix XP20, FinePix XP30, FinePix
 14 XP50, FinePix XP100, FinePix XP150, FinePix T200, FinePix T300, FinePix T350,
 15 FinePix T400, FinePix JV200, FinePix JX500, FinePix JX580, FinePix JZ100,
 16 FinePix JZ250, FinePix JX300, FinePix AX550, FinePix AX300 and FinePix AV200;
 17 SIGMA: DP2x; AGFAPHOTO: PRECISA 1430; GE: J1470S, A1456W, E1410SW,
 18 E1486TW, X500, G100 and X5; VIVITAR: ViviCam T135, ViviCam X029,
 19 ViviCam X028, ViviCam X018, iTwist 7028, ViviCam 8025, ViviCam 8690,
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1 ViviCam 8018, ViviCam 8400, ViviCam 5118, ViviCam 5024, ViviCam 5028,
2 ViviCam 5018, ViviCam 5399, ViviCam V25and ViviCam V15.

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4 12. BUY.COM is thus liable for infringement of the '415 patent pursuant to
5 35 U.S.C. § 271.

6
7 13. As a result of Defendant's infringing conduct, Defendant has damaged
8 DIGITECH. Defendant is liable to DIGITECH in an amount that adequately
9 compensates DIGITECH for their infringement, which, by law, can be no less than a
10 reasonable royalty.
11

12 14. DIGITECH will take discovery relative to Defendant's pre-suit
13 knowledge of the '415 patent at the appropriate time. Upon information and belief,
14 Defendant's infringement of the '415 patent since receiving notice of the patent, at a
15 minimum by virtue of this lawsuit, would necessarily be willful and objectively
16 reckless at least due to the fact that the Defendant's infringement is clear and there is
17 no known good faith basis to assert invalidity.
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19

20 **PRAYER FOR RELIEF**

21
22 WHEREFORE, DIGITECH respectfully requests that this Court enter:

23 1. A judgment in favor of DIGITECH that Defendant has infringed, directly
24 and/or indirectly, the '415 patent;
25

26 2. A judgment that the Defendant's infringement is and/or has been willful
27 and objectively reckless;
28

1 3. A permanent injunction enjoining Defendant, and its officers, directors,
2 employees, agents, affiliates and all others acting in active concert therewith from
3 infringing the '415 patent;
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5 4. A judgment and order requiring Defendant to pay DIGITECH its
6 damages, costs, expenses, and prejudgment and post-judgment interest for
7 Defendant's infringement of the '415 patent as provided under 28 U.S.C. § 284;
8

9 5. An award to DIGITECH for enhanced damages as provided under 35
10 U.S.C. § 284;
11

12 6. A judgment and order finding that this is an exceptional case within the
13 meaning of 35 U.S.C. § 285 and awarding to DIGITECH its reasonable attorneys'
14 fees;
15

16 7. Any and all other relief to which DIGITECH may show itself to be
17 entitled.
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19 **DEMAND FOR JURY TRIAL**

20 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial
21 by jury of any issues so triable by right.
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1 Dated: October 1, 2012

Respectfully submitted,

2 COLLINS, EDMONDS,
3 POGORZELSKI, SCHLATHER &
4 TOWER, PLLC

5 

6 John J. Edmonds – LEAD COUNSEL
7 State Bar No. 274200

8 Attorney for Plaintiff
9 DIGITECH IMAGE
10 TECHNOLOGIES, LLC
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Cormac J. Carney and the assigned discovery Magistrate Judge is Marc Goldman.

The case number on all documents filed with the Court should read as follows:

SACV12- 1668 CJC (MLGx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

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

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> DIGITECH IMAGE TECHNOLOGIES, LLC		DEFENDANTS BUY.COM INC.	
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) JOHN J. EDMONDS, COLLINS EDMONDS POGORZELSKI SCHLATHER & TOWER, PLLC, 1851 EAST FIRST STREET, SUITE 900, SANTA ANA, CA 92705, TELEPHONE: (951) 708-1237		Attorneys (If Known)	

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:30%;"></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 align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td 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 type="checkbox"/> 4	<input 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																				
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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:** \$ _____

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.)
 Patent Infringement 35 U.S.C. § 271

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

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PEITITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input checked="" type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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SACV12 - 01668 CJC (MLGx)

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): SACV12-01153 ODW(MRWx)

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): 8:12-cv-001153-MLG; SEE ATTACHMENT

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
PLAINTIFF (ORANGE COUNTY)	

(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
BUY.COM INC. (ORANGE COUNTY)	

(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, 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):**  Date 10-1-2012

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))

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

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?

1. DIGITECH IMAGE TECHNOLOGIES v. ELECTRONIC FOR IMAGING, ET AL.,
(Case No. SACV 23-01324-JVS-RNB)
2. DIGITECH IMAGE TECHNOLOGIES, LLC v. B&H FOTO & ELECTRONICS CORP.
(Civil Action No. TBD)
3. DIGITECH IMAGE TECHNOLOGIES, LLC v. BEST BUY CO., INC.; BEST BUY
STORES, LP; BESTBUY.COM, LLC (Civil Action No. TBD)
4. DIGITECH IMAGE TECHNOLOGIES, LLC v. BUY.COM INC. (Civil Action No.
TBD)
5. DIGITECH IMAGE TECHNOLOGIES, LLC v. CANON INC.; CANON U.S.A., INC.
(Civil Action No. TBD)
6. DIGITECH IMAGE TECHNOLOGIES, LLC v. CASIO COMPUTER CO., LTD.;
CASIO AMERICA, INC. (Civil Action No. TBD)
7. DIGITECH IMAGE TECHNOLOGIES, LLC v. CDW LLC (Civil Action No. TBD)
8. DIGITECH IMAGE TECHNOLOGIES, LLC v. FUJIFILM CORPORATION;
FUJIFILM HOLDINGS CORPORATION; FUJIFILM HOLDINGS AMERICA
CORPORATION (Civil Action No. TBD)
9. DIGITECH IMAGE TECHNOLOGIES, LLC v. GENERAL IMAGING COMPANY
(Civil Action No. TBD)
10. DIGITECH IMAGE TECHNOLOGIES, LLC v. VICTOR HASSELBLAD AB;
HASSELBLAD USA INC. (Civil Action No. TBD)
11. DIGITECH IMAGE TECHNOLOGIES, LLC v. LEICA CAMERA AG; LEICA
CAMERA INC. (Civil Action No. TBD)
12. DIGITECH IMAGE TECHNOLOGIES, LLC v. MAMIYA DIGITAL IMAGING CO.,
LTD.; LEAF IMAGING LTD. D/B/A MAMIYALEAF; MAMIYA AMERICA
CORPORATION (Civil Action No. TBD)
13. DIGITECH IMAGE TECHNOLOGIES, LLC v. MICRO ELECTRONICS, INC. D/B/A
MICRO CENTER (Civil Action No. TBD)
14. DIGITECH IMAGE TECHNOLOGIES, LLC v. NEWEGG, INC.; NEWEGG.COM,
INC. (Civil Action No. TBD)
15. DIGITECH IMAGE TECHNOLOGIES, LLC v. NIKON CORPORATION; NIKON
INC.; NIKON AMERICAS, INC. (Civil Action No. TBD)
16. DIGITECH IMAGE TECHNOLOGIES, LLC v. OLYMPUS CORPORATION;
OLYMPUS IMAGING AMERICA INC. (Civil Action No. TBD)

17. DIGITECH IMAGE TECHNOLOGIES, LLC v. OVERSTOCK.COM, INC. (Civil Action No. TBD)
18. DIGITECH IMAGE TECHNOLOGIES, LLC v. PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA (Civil Action No. TBD)
19. DIGITECH IMAGE TECHNOLOGIES, LLC v. PENTAX RICOH IMAGING CO., LTD.; PENTAX RICOH IMAGING AMERICAS CORPORATION; RICOH COMPANY, LTD.; RICOH AMERICAS CORPORATION (Civil Action No. TBD)
20. DIGITECH IMAGE TECHNOLOGIES, LLC v. SAKAR INTERNATIONAL, INC. D/B/A VIVITAR (Civil Action No. TBD)
21. DIGITECH IMAGE TECHNOLOGIES, LLC v. SIGMA CORPORATION; SIGMA CORPORATION OF AMERICA (Civil Action No. TBD)
22. DIGITECH IMAGE TECHNOLOGIES, LLC v. SONY CORPORATION; SONY CORPORATION OF AMERICA; SONY ELECTRONICS INC. (Civil Action No. TBD)
23. DIGITECH IMAGE TECHNOLOGIES, LLC v. TARGET CORPORATION (Civil Action No. TBD)

Name & Address:

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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

DIGITECH IMAGE TECHNOLOGIES, LLC

PLAINTIFF(S)

v.

BUY.COM, INC.

DEFENDANT(S).

CASE NUMBER

SACV12 - 01668 CJC (MLGx)

SUMMONS

TO: DEFENDANT(S):

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, John J. Edmonds, whose address is 1851 East First Street, Suite 900, Santa Ana, California 92705. 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.

Clerk, U.S. District Court

Dated: OCT - 1 2012By: LOPI WAGERS

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)].