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2012 OCT -2 PM 1:25

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

BY \_\_\_\_\_

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8 **DIGITECH IMAGE TECHNOLOGIES, LLC**

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11  
12 DIGITECH IMAGE TECHNOLOGIES,  
13 LLC,

14 Plaintiff,  
15 v.

16 CDW LLC

17 Defendant.  
18  
19

SACV12 - 01695 JST (ANx)  
CASE NO.

**ORIGINAL COMPLAINT FOR  
INFRINGEMENT OF U.S. PATENT  
NO. 6,128,415**

**DEMAND FOR JURY TRIAL**

Complaint Filed: October 2, 2012

20  
21 **ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

22 This is an action for patent infringement in which DIGITECH IMAGE  
23 TECHNOLOGIES, LLC submits this Original Complaint against Defendant named  
24 herein, namely CDW LLC; (hereinafter "Defendant"), as follows:  
25

26 **THE PARTIES**  
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COPY



1 substantial revenue from goods and services provided to persons and/or entities in  
2 California.

3  
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, CDW has been and now is infringing the ‘415  
21 patent by actions comprising making, using, importing, selling and/or offering to sell  
22 products comprising a device profile for describing properties of a device in a digital  
23 image reproduction system to capture, transform or render an image, said device  
24 profile comprising: first data for describing a device dependent transformation of  
25 color information content of the image to a device independent color space; and  
26  
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1 second data for describing a device dependent transformation of spatial information  
2 content of the image in said device independent color space.

3  
4 10. Moreover, on information and belief, CDW 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, CDW's infringing products  
13 comprise at least the following accused products: CANON: EOS-1D X, EOS-1D  
14 Mark IV, EOS 5D Mark II, EOS 5D Mark III, EOS 7D, EOS Rebel T3i, EOS Rebel  
15 T2i, EOS Rebel T3, PowerShot G12, PowerShot S100, PowerShot SX40 HS,  
16 PowerShot SX260 HS, PowerShot SX230 HS, PowerShot SX150 IS, PowerShot  
17 SX130 IS, PowerShot D20, PowerShot ELPH 530 HS, PowerShot ELPH 520 HS,  
18 PowerShot ELPH 320 HS, PowerShot ELPH 110 HS, PowerShot ELPH 100 HS,  
19 PowerShot A4000 IS, PowerShot A3400 IS, PowerShot A2400 IS, PowerShot A2300,  
20 PowerShot A2200, PowerShot A1300 and PowerShot A810; NIKON: Nikon 1 J1,  
21 Nikon 1 V1, D800, D7000, D3100, D3200, D90, D5100, COOLPIX P310, COOLPIX  
22 S30, COOLPIX L810, COOLPIX AW100, COOLPIX S4300, COOLPIX L26,  
23 COOLPIX P510, COOLPIX P7100, COOLPIX S100, COOLPIX S1200pj,  
24  
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1 COOLPIX S9300, COOLPIX S6300, COOLPIX S3300 and COOLPIX L24; SONY:  
2 alpha NEX-7, alpha NEX-5N, alpha NEX-F3, alpha a77, alpha a65, alpha a57, alpha  
3 a37, Cyber-shot HX200V, Cyber-shot HX30V, Cyber-shot TX66, Cyber-shot W650,  
4 Cyber-shot TX200V, Cyber-shot TX20, Cyber-shot HX10V, Cyber-shot H90, Cyber-  
5 shot WX150, Cyber-shot WX70, Cyber-shot W690, Cyber-shot W620, Cyber-shot  
6 W610and Cyber-shot WX50; PANASONIC: LUMIX DMC-TS4, LUMIX DMC-  
7 ZS20, LUMIX DMC-ZS15, LUMIX DMC-TS20, LUMIX DMC-SZ1, LUMIX  
8 DMC-FH8, LUMIX DMC-FH6, LUMIX FZ47, LUMIX ZS10, LUMIX GX1and  
9 LUMIX GF3; OLYMPUS: VR-340, VG-160, VR-320, VG-120, Tough TG-1 iHS,  
10 Tough TG-820 iHS, Tough TG-320, Tough TG-810, SZ-31MR iHS, SP-620UZ, SZ-  
11 12, SP-810UZ, SZ-10, XZ-1, E-P3, E-PL3, E-PM1 and E-PL1; PENTAX: OPTIO  
12 WG-2, OPTIO WG-1 and K-R; FUJIFILM: FinePix X10, FinePix W3 3D, FinePix  
13 S4500, FinePix F500EXR, FinePix F660EXR, FinePix XP30, FinePix XP50, FinePix  
14 JX500 and FinePix AX550.

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20 12. CDW is thus liable for infringement of the '415 patent pursuant to 35  
21 U.S.C. § 271.

22  
23 13. As a result of Defendant's infringing conduct, Defendant has damaged  
24 DIGITECH. Defendant is liable to DIGITECH in an amount that adequately  
25 compensates DIGITECH for their infringement, which, by law, can be no less than a  
26 reasonable royalty.  
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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).

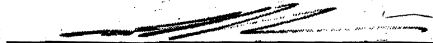
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	CDW LLC (ILLINOIS)

(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 10-2-2012

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:

JOHN J. EDMONDS (STATE BAR NO. 274200)  
COLLINS, EDMONDS, POGORZELSKI,  
SCHLATER & TOWER, PLLC  
1851 EAST FIRST STREET, SUITE 900  
SANTA ANA, CA 92705

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DIGITECH IMAGE TECHNOLOGIES, LLC

PLAINTIFF(S)

v.

CDW LLC

DEFENDANT(S).

CASE NUMBER

SACV12 - 01695 JST (ANx)

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.

Dated: OCT - 2 2012

Clerk, U.S. District Court

*Lori Wagers*

**LORI WAGERS**

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)].

Name & Address:  
JOHN J. EDMONDS (STATE BAR NO. 274200)  
COLLINS, EDMONDS, POGORZELSKI,  
SCHLATER & TOWER, PLLC  
1851 EAST FIRST STREET, SUITE 900  
SANTA ANA, CA 92705

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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Clerk, U.S. District Court

Dated: OCT 2 2012

By: LORI 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)].

**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 Josephine Tucker and the assigned discovery Magistrate Judge is Arthur Nakazato.

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

**SACV12- 1695 JST (ANx)**

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

=====

**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.