

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GRAPHICS PROPERTIES HOLDINGS, INC.,)	
A Delaware Corporation,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	JURY TRIAL DEMANDED
)	
DELL INC.,)	
A Delaware Corporation,)	
)	
Defendant,)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Graphics Properties Holdings, Inc. (“GPH”) alleges against Defendant Dell Inc. (“Defendant”) as follows:

JURISDICTION

1. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and § 1338(a).

2. This Court has personal jurisdiction over Defendant in that Defendant has, directly or indirectly through intermediaries, committed acts in Delaware giving rise to this action and/or has established minimum contacts with Delaware such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

VENUE

3. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), (c), and/or (d) and 28 U.S.C. § 1400(b).

THE PARTIES

4. Plaintiff GPH is a Delaware corporation with its principal place of business at 56 Harrison Street, Suite 305C, New Rochelle, NY 10801.

5. On information and belief, Defendant Dell Inc. is a Delaware Corporation with its principal place of business at One Dell Way, Round Rock, Texas 78682. Dell's agent for service of process is the Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

6. Defendant is in the business of making, offering for sale, and selling a variety of computer components, including monitors.

COUNT I (Infringement of U.S. Patent No. 6,816,145)

7. On November 9, 2004, United States Patent No. 6,816,145 (the '145 Patent), for an invention entitled "Large area wide aspect ratio flat panel monitor having high resolution for high information content display," was duly and legally issued by the United States Patent Office (a copy of the '145 Patent is attached as Exhibit A). GPH is the owner and assignee of the '145 Patent.

8. On information and belief, Defendant is selling computer monitors, including at least the S2209W and P2411, that infringe at certain claims of the '145 Patent and will continue to do so unless enjoined by this Court.

9. On information and belief, Defendant makes, uses, sells, offers for sale, exports, imports, supplies, and/or distributes to, within and from the United States these products and thus directly infringes certain claims of the '145 Patent.

10. On information and belief, Defendant provides its products to at least computer monitor manufacturers, sellers, resellers and end-user customers in the United States who, in turn, use these products to infringe certain claims of the '145 Patent.

11. On information and belief, Defendant actively, knowingly, and intentionally induced, and continues to actively, knowingly, and intentionally induce, infringement of the '145 Patent by making, using, offering for sale, importing, and selling computer monitors, including at least the S2209W and P2411, as well as by contracting with others to use, market, sell, offer to sell, and import computer monitors, including at least the S2209W and P2411, all with knowledge of the '145 Patent and its claims; with knowledge that its customers and end users will use, market, sell, offer to sell, and import the computer monitors, including at least the S2209W and P2411; and with the knowledge and the specific intent to encourage and facilitate those infringing sales and uses of the computer monitors, including at least the S2209W and P2411, through the creation and dissemination of promotional and marketing materials, instructional materials, product manuals, and technical materials.

12. On information and belief, Defendant has also contributed to the infringement by others, including the end users of Defendant's computer monitors, including at least the S2209W and P2411, and continues to contribute to infringement by others, by selling, offering to sell, and importing computer monitors, including at least the S2209W and P2411, into the United States, knowing that those products constitute a material part of the inventions of the '145 Patent, knowing those products to be especially made or adapted to infringe the '145 Patent, and

knowing that those products are not staple articles or commodities of commerce suitable for substantial non-infringing use.

13. Defendant had knowledge of and notice of the '145 Patent and its infringement since at least, and through, the filing and service of the Complaint and despite this knowledge continues to commit tortious conduct by way of patent infringement.

14. Defendant's computer monitors infringe certain claims of the '145 patent.

15. Plaintiff has been damaged by Defendant's infringement, which will continue unless enjoined by this Court.

WHEREFORE, Plaintiff prays for judgment and relief as follows:

A. A preliminary and permanent injunction against Defendant's continued infringement, inducing of infringement, and contributing to infringement of the '145 Patent;

B. An award of damages in favor of Plaintiff and against Defendant sufficient to compensate Plaintiff for Defendant's infringement of the patents in suit, and an assessment of prejudgment interest and post-judgment interest;

C. A finding by the Court that this case is exceptional under 35 U.S.C. § 285;

D. An award to Plaintiff of its reasonable expenses, including attorneys' fees, and costs of this action; and

E. Such other and further relief as the Court finds just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a trial by jury on all issues so triable.

Date: November 5, 2012

Respectfully submitted,

FARNAN LLP

/s/ Brian E. Farnan

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