

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

FASTVDO LLC,

Plaintiff,

v.

LSI CORP.,

Defendant.

Civil Action No.

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiff FastVDO LLC (“FastVDO”) alleges as follows:

PARTIES

1. FastVDO is a Florida limited liability corporation with a principal place of business at 750 N. Atlantic Ave., Cocoa Beach, FL 32931.
2. On information and belief, LSI Corp. (“LSI”) is a Delaware corporation with a principal place of business at 1621 Barber Lane, Milipitas, California 95035.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States of America, 35 U.S.C. § 1, *et seq.*, including § 271. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
4. This Court has personal jurisdiction over LSI because, among other reasons, LSI is incorporated under the laws of the State of Delaware, and LSI has conducted and continues to conduct regular and ongoing business in Delaware. Additionally, on information and belief, LSI has committed and continues to commit acts of direct and indirect infringement in this District by making, using, importing, offering for sale, and/or selling infringing products, and inducing others to perform method steps claimed by FastVDO’s patent in Delaware.
5. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because, among other reasons, LSI is incorporated under the laws of the State of Delaware, and

LSI has conducted and continues to conduct regular and ongoing business in Delaware. Additionally, on information and belief, LSI has committed and continues to commit acts of direct and indirect infringement in this District by making, using, importing, offering for sale, and/or selling infringing products, and inducing others to perform method steps claimed by FastVDO's patent in Delaware.

COUNT I

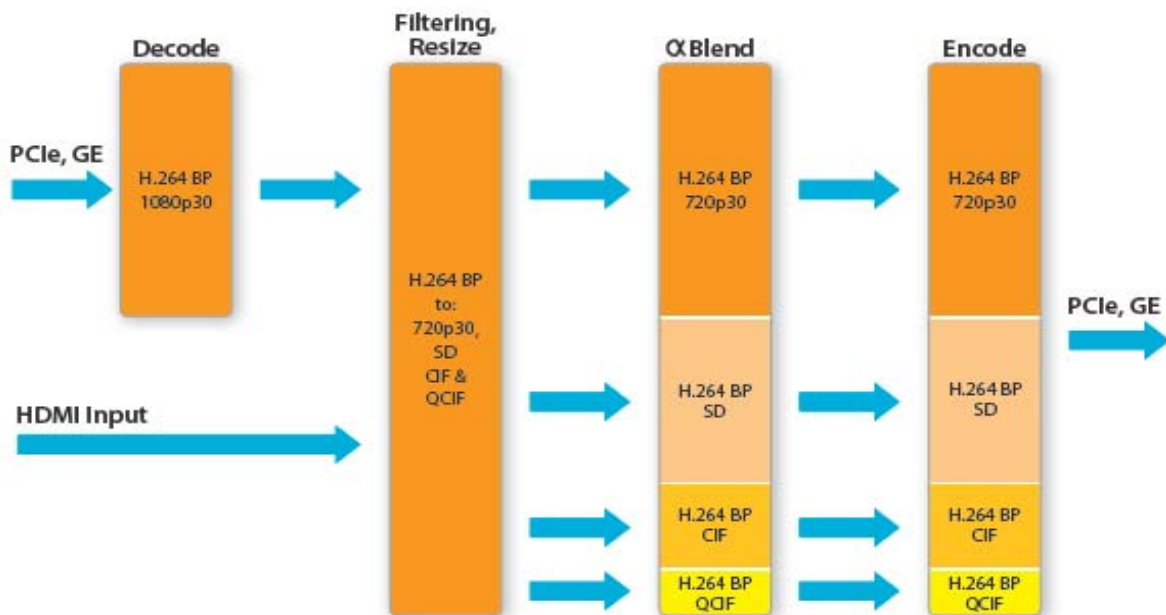
(Infringement of U.S. Patent No. RE 40,081)

6. FastVDO is the owner by assignment and merger of United States Patent No. RE 40,081 ("the '081 patent"), entitled "Fast Signal Transforms With Lifting Steps." The '081 patent reissued on February 19, 2008, based on an initial application filed December 16, 1998. A true and correct copy of the '081 patent is attached hereto as Exhibit A. The '081 patent enables digital video compression through the coding and decoding of blocks of digital image intensities with a block coder and transform coder that utilizes an invertible linear transform having a +/-1 butterfly step, a lifting step, and a scaling factor. International Telecommunications Union – Telecommunication Standardization Sector (ITU-T) H.264 (also known as MPEG-4 Part 10, Audio Video Coding or AVC) (herein "H.264" or "MPEG-4 AVC") is a video compression standard that performs digital image compression by coding and decoding blocks of digital image intensities with a block coder and with a transform coder that includes an invertible linear transform, which is representable as a cascade using at least one +/-1 butterfly step, at least one lifting step, and at least one scaling factor. The FastVDO patent is essential to the H.264 standard, and it was properly identified to the International Telecommunications Union on May 14, 2003, before the promulgation of the H.264 standard in March 2005.

7. On information and belief, in violation of one or more provisions of 35 U.S.C. § 271, LSI has infringed one or more claims of the '081 patent by making, using, importing, selling, or offering to sell processors, media solutions, and software that use H.264 to code and/or decode video, including, but not limited to, StarPro 2704, StarPro 2716, and Axxia Media Accelerator Solution. Additionally, LSI has had knowledge of the '081 patent since at least

November 8, 2012,¹ or alternatively since being served with this complaint, and LSI has induced its customers, and users of its costumers' products, to code and/or decode digital images with H.264 and practice the method steps of the '081 patent with its marketing materials, advertising materials, manuals and customer support services since at least this time. For example, LSI's website advertises that the StarPro 2704 and StarPro 2716 "deliver superior media transcoding capabilities" and "are shipped with a comprehensive software development environment and an industry-leading suite of proven DSP software, including audio, data, and video codecs that are compliant with the SVC, H.264, H.263, and MPEG-4 protocols."² The Axxia Media Accelerator Solution Product Brief on LSI's website³ also predominantly features its H.264 encoding solution:

LSI Axxia Media Accelerator: Transcoding Media Channel (TMC) Example



¹ See Exhibit B.

² See <http://www.lsi.com/solutions/Pages/Media-Transcoding.aspx> (attached hereto as Exhibit C).

³ See

http://www.lsi.com/downloads/Public/Media%20Processors/Media%20Processors%20Common%20Files/LSI_PB_Axxia_Media_Accelerator.pdf (attached hereto as Exhibit D).

Id. at 3. These representative marketing materials exemplify how LSI induces its customers, and users of its customers' products, to code and/or decode digital images with H.264 to perform the method steps of the '081 patent (e.g., coding and decoding blocks of digital image intensities with a block coder and coder that utilizes an invertible linear transform having a +/- butterfly step, a lifting step, and a scaling factor). By continuing the representative aforementioned activities with knowledge of the '081 patent and its essentiality to the H.264 standard, LSI has known, or should have known, that it was inducing infringement by causing the method steps of the '081 patent to be performed.

PRAYER FOR RELIEF

FastVDO prays for the following relief:

1. A judgment that LSI has directly infringed (either literally or under the doctrine of equivalents) one or more claims of the '081 patent;
2. A judgment that LSI has induced the infringement of one or more claims of the '081 patent;
3. A permanent injunction enjoining LSI and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with them, from infringing each of the '081 patent;
4. An award of damages resulting from LSI's acts of infringement in accordance with 35 U.S.C. § 284;
5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to FastVDO its reasonable attorneys' fees;
6. A judgment and order requiring LSI to provide an accounting and to pay supplemental damages to FastVDO, including without limitation, pre-judgment and post-judgment interest; and
7. Any and all other relief to which FastVDO may show itself to be entitled.

DEMAND FOR JURY TRIAL

FastVDO demands a trial by jury on all issues so triable.

Dated: November 9, 2012

FARNAN LLP

/s/ Brian E. Farnan

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