

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

ILLINOIS COMPUTER RESEARCH, LLC	)	
	)	
Plaintiff,	)	
	)	Civil Action No.
vs.	)	
	)	
BEST BUY CO., INC., and	)	
ROCKETFISH	)	
Defendants.	)	JURY TRIAL DEMANDED
	)	
	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Illinois Computer Research, LLC ("ICR") complains of defendants, Best Buy Co., Inc. and Rocketfish (collectively, "Defendants") as follows:

**NATURE OF ACTION**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, including 35 U.S.C. §§ 271 and 281. This Court has exclusive jurisdiction over the subject matter of this case under 28 U.S.C. § 1338(a).

**PARTIES, JURISDICTION, AND VENUE**

2. Plaintiff Illinois Computer Research, LLC ("ICR") is an Illinois corporation with its sole place of business at 1016 West Jackson Blvd., #502, Chicago, Ill 60607.

3. The patent-in-suit is U.S. Patent No. 7,154,819 entitled "Adaptive High Fidelity Reproduction System," which issued on December 26, 2006.

4. ICR owns and has all right, title and interest in the '819 Patent including all claims for damages by reason of past, present or future infringement, with the right

to sue for and collect damages for the same and therefore has standing to sue for infringement of the '819 Patent.

5. Best Buy Co., Inc. ("Best Buy") is a Minnesota corporation with its principal place of business at 7601 Penn Avenue South, Richfield, MN 55423. Best Buy operates and conducts business through the website BestBuy.com, as well as through retail stores located in this judicial district such as Best Buy in Schaumburg, Illinois and throughout the United States.

6. Upon information and belief, Rocketfish ("Rocketfish") is a subsidiary of Defendant Best Buy with its principal place of business at 7601 Penn Avenue South, Richfield, MN 55423. Rocketfish operates and conducts business through the website Rocketfish.com, as well as through retail stores located in this judicial district such as Best Buy in Schaumburg, Illinois and throughout the United States.

7. This Court has personal jurisdiction over Defendants Best Buy and Rocketfish because, among other things, each transacts business in this judicial district, at least by operating and/or conducting business through Best Buy retail stores and through their website BestBuy.com and Rocketfish.com in such a way as to reach customers in Illinois and this judicial district. Best Buy is registered to do business in Illinois and has specifically committed acts of infringement in this judicial district.

8. Defendants Best Buy and Rocketfish design, develop, offer for sale and sell the accused products, that are covered by the claims of the '819 Patent nationwide, including this judicial district.

9. On information and belief, Defendants Best Buy and Rocketfish design, develop, test, and then use, offer for sale, and sell, advertise, market and distribute the

accused “sound cards” (see by way of example, Exhibit A, a photograph of an example of an accused device) in the United States including here in the Northern District of Illinois.

10. Venue is proper in this district under 28 U.S.C. §1400(b) because Defendants Best Buy and Rocketfish are subject to personal jurisdiction, do business in and have committed acts of infringement in this judicial district.

**DEFENDANT BEST BUYS’ ACTS OF PATENT INFRINGEMENT**

11. Plaintiff reasserts paragraphs 1- 10 of the above allegations herein.

12. Defendant Best Buy has infringed, and is now infringing, at least claims 1, 2 and 3 of the '819 patent through, among other activities, the use, sale, offer for sale or import of at least Best Buy’s sound card and by knowingly and actively inducing others to infringe and by contributing to the infringement by others, located in this judicial district.

13. Despite receiving notice, Best Buy has infringed and continues to infringe at least Claims 1, 2 and 3 of the '819 Patent by knowingly and actively inducing others to infringe, contributing to the infringement of others and/or aiding and abetting users’ direct infringement through the use of the accused products. Best Buy had knowledge of the '819 patent at the time it committed these acts of infringement and acted with the specific intent to induce, contribute to and/or aid and abet users’ infringement.

14. Best Buys’ infringement has injured and will continue to injure ICR.

15. ICR is entitled to recover damages against Defendant Best Buy adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

**DEFENDANT ROCKETFISHS' ACTS OF PATENT INFRINGEMENT**

16. Plaintiff reasserts paragraphs 1-15 of the above allegations herein.

17. Defendant Rocketfish has infringed, and is now infringing, at least claims 1, 2 and 3 of the '819 patent through, among other activities, the use, sale, offer for sale or import of its sound card product (such as, by way of example, Exhibit A).

18. Despite receiving notice, Rocketfish has infringed and continues to infringe at least claims 1, 2 and 3 of the '819 patent by knowingly and actively inducing others to infringe, contributing to the infringement of others and/or aiding and abetting users' direct infringement through the use of the accused products. Rocketfish had knowledge of the '819 patent at the time it committed these acts of infringement and acted with the specific intent to induce, contribute to and/or aid and abet users' infringement.

19. Defendant Rocketfish's infringement has injured and will continue to injure ICR.

20. Plaintiff ICR is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

21. ICR has complied with the provisions of 35 U.S.C. § 287.

22. Each Defendants' infringement, contributory infringement and/or inducement to infringe the '819 patent has been willful, deliberate and objectively reckless.

23. Each Defendants' knowing and intentional inducement to infringe, contributory infringement, and aiding and abetting of users' direct infringement through the use of its respective website has injured ICR and ICR is entitled to recover

damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

WHEREFORE, plaintiff Illinois Computer Research, LLC ("ICR") respectfully requests this Court enter judgment against Defendants Best Buy and Co., and Rocketfish and against each Defendants' subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with it, granting the following relief:

- A. The entry of judgment in favor of ICR and against each Defendant;
- B. An award of damages adequate to compensate ICR for the infringement that has occurred (together with prejudgment interest from the date the infringement began), but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284;
- C. An award to ICR of all remedies available under 35 U.S.C. § 284;
- D. An award to ICR of all remedies available under 35 U.S.C. § 285;
- E. Such other relief that ICR is entitled to under law and any other relief that this Court or a jury may deem just and proper.

**Jury Demand**

ICR demands a trial by jury on all issues presented in this complaint.

Respectfully submitted,

/s/Sally Wiggins

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