

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TECHNOLOGY LICENSING CORPORATION,)	
)	
)	CIVIL ACTION NO. 11cv5920
Plaintiff,)	
)	
v.)	
)	JURY TRIAL DEMANDED
WESTINGHOUSE DIGITAL, LLC; ASUS)	
COMPUTER INTERNATIONAL; and)	
ASUSTEK COMPUTER, INC.,)	
)	
Defendants.)	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

In this action for patent infringement, Plaintiff Technology Licensing Corporation ("TLC") complains of Westinghouse Digital, LLC. ("Westinghouse"), Asus Computer International ("Asus Int'l"), and ASUSTeK Computer, Inc. ("ASUSTeK"), (collectively, "Defendants") as follows:

JURISDICTION AND VENUE

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code § 1 *et seq.* This Court has exclusive original jurisdiction over the subject matter of this Complaint under 28 U.S.C. §§ 1331 and 1338(a).

2. Venue is proper under 28 U.S.C. §§ 1391 and 1400(b) because Defendants are subject to personal jurisdiction, do business in this judicial district, and have committed acts of infringement in this judicial district.

PARTIES

3. TLC is a Nevada corporation and has its principal place of business at 711 South Carson Street, Suite 6, Carson City, NV 89701. TLC owns the full and exclusive right, title and

interest in and has standing to sue for infringement of United States Patent Nos. 6,870,964 (“the ‘964 Patent”), 7,382,929 (“the ‘929 Patent”), and 7,986,851 (“the ‘851 Patent”).

4. Westinghouse is a Delaware Corporation having a principal place of business at 500 N. State College Blvd., Suite 1300, Orange, CA 92868. Westinghouse designs, develops, offers for sale, and sells nationwide, including substantial business in this judicial district, products that are covered by at least claim 1 of the ‘964 Patent, including video display monitors such as television model no. LVM-37w3 and monitors incorporating Faroudja DCDi.

5. Asus Int’l is a California Corporation having a principal place of business at 800 Corporate Way, Fremont, CA 94539. Asus designs, develops, offers for sale, and sells nationwide, including substantial business in this judicial district, products that are covered by at least claim 1 of the ‘964 patent, claim 1 of the ‘929 patent and claim 1 of the ‘851 patent, including video display monitors such as Asus VK 266H and VW266HMonitors incorporating Faroudja DCDi.

6. ASUSTeK is an alien corporation organized and existing under the laws of Taiwan, and having its primary place of business at Nr. 15 Li-Te Rd., Peitou, Taipei 112, Taiwan. ASUSTeK designs, develops, offers for sale, and sells nationwide, including substantial business in this judicial district, products that are covered by at least claim 1 of the ‘964 patent, claim 1 of the ‘929 patent and claim 1 of the ‘851 patent, including video display monitors such as Asus VK 266H and VW266HMonitors incorporating Faroudja DCDi.

PATENT INFRINGEMENT

7. TLC owns all right, title, and interest in and has standing to sue for damages for any past, present and future infringement of the ‘964 Patent entitled “Spatial Scan Replication Circuit.” The ‘964 Patent issued on March 22, 2005. Further, the ‘964 Patent was reexamined

and reissued on August 4, 2009. A true and correct copy of the '964 Patent and reexamination certificate is attached as Exhibit A.

8. TLC owns all right, title and interest in and has standing to sue for damages for any past, present, and future infringement of the '929 Patent entitled "Spatial Scan Replication Circuit." The '929 Patent was issued on June 3, 2008. A true and correct copy of the '929 Patent is attached as Exhibit B.

9. TLC owns all right, title and interest in and has standing to sue for damages for any past, present, and future infringement of the '851 Patent entitled "Spatial Scan Replication Circuit." The '851 Patent was issued on July 26, 2011. A true and correct copy of the '851 Patent is attached as Exhibit C.

10. Upon information and belief, Westinghouse has made, used, offered for sale, sold, and/or imported products which possess video processing technology and methods, including but not limited to Directional Correctional Interlacing ("DCDi") on models including, but not limited to LVM-37w1, LVM-37w3, LVM-42w2. ("Westinghouse Devices"). These acts by Westinghouse have directly infringed at least independent method claim 1 of the '964 Patent within the meaning of 35 U.S.C. §271(a).

11. Upon information and belief, Westinghouse has also committed, and unless ceased upon filing of this Complaint, will continue to commit acts that constitute, with its knowledge of the '964 Patent, knowing and intentional inducement of infringement of at least independent method claim 1 of the '964 Patent by others within the meaning of 35 U.S.C. §271(b) through, among other things, its acts of providing technologies and methods in accordance with the inventive aspects of the '964 Patent through at least the Westinghouse Devices. Westinghouse has had this knowledge since, January 25, 2007. Mr. Richard Houn,

Chief Executive Officer was sent a letter explaining Westinghouse's potential infringement. Users of the Westinghouse Devices, in turn, who have used such products directly infringe at least independent method claim 1 of the '964 Patent within the meaning of 35 U.S.C. §271(a) through the use and operation of the Westinghouse Devices.

12. Westinghouse's direct infringement of and/or inducement to infringe the '964 Patent has injured TLC, and TLC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

13. Upon information and belief, Asus Int'l has made, used, offered for sale, sold, and/or imported products which possess video processing technology and methods in accordance with the inventive aspects of the '964, '929, and '851 Patents, including, including video display monitors such as Asus VK 266H and VW266HMonitors incorporating Faroudja DCDi ("Asus Devices"). These acts by Asus Int'l have directly infringed at least independent method claim 1 of the '964, '929, and '851 Patents within the meaning of 35 U.S.C. §271(a).

14. Asus Int'l's direct infringement of the '964, '929, and '851 Patents has injured TLC, and TLC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

15. Upon information and belief, ASUSTeK has made, used, offered for sale, sold, and/or imported products which possess video processing technology and methods in accordance with the inventive aspects of the '964, '929, and '851 Patents, including, including video display monitors such as Asus VK 266H and VW266HMonitors incorporating Faroudja DCDi ("ASUSTeK Devices"). These acts by Asus have directly infringed at least independent method claim 1 of the '964, '929, and '851 Patents within the meaning of 35 U.S.C. §271(a).

16. ASUSTeK's direct infringement of the '964, '929, and '851 Patents has injured TLC, and TLC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

RELIEF SOUGHT

WHEREFORE, TLC respectfully requests this Court enter judgment against each Defendant, and against their subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with them, as follows:

- A. The entry of final judgment in favor of TLC.
- B. An award to TLC of such damages as it shall prove at trial against Defendants Westinghouse, Asus International, and ASUSTeK that is adequate to compensate for their infringement of the '964, '929, and '851 Patents, said damages to be no less than a reasonable royalty, together with prejudgment interest from the date infringement of the '964, '929, and '851 Patents began;
- C. A determination that this case is exceptional pursuant to 35 U.S.C. § 285 and an award to TLC of the costs of this action and its reasonable attorneys' fees; and
- D. Such other relief as TLC is entitled to recover under any applicable law and as this Court and/or a jury may determine to be proper and just.

JURY DEMAND

TLC hereby demands a trial by jury on all issues triable to a jury in this case.

Dated: August 25, 2011

Respectfully submitted,

/s/ Raymond P. Niro

Raymond P. Niro

Christopher W. Niro

NIRO, HALLER & NIRO

181 W. Madison, Suite 4600

Chicago, Illinois 60602

Telephone: (312) 236-0733

Facsimile: (312) 236-3137

Attorneys for Plaintiff

Technology Licensing Corporation.