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15 FUJIFILM CORPORATION

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA

18  
19 FUJIFILM CORPORATION, a Japanese  
Corporation,

20 Plaintiff,

21 v.

22 MOTOROLA MOBILITY HOLDINGS,  
INC., a Delaware Corporation,  
23 MOTOROLA MOBILITY, INC., a  
Delaware Corporation, and MOTOROLA  
24 MOBILITY LLC, a Delaware Limited  
Liability Company,

25 Defendants.  
26

Case No. \_\_\_\_\_

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Fujifilm Corporation (“Fujifilm”) for its complaint against Defendants Motorola  
2 Mobility Holdings, Inc., Motorola Mobility, Inc., and Motorola Mobility LLC (collectively,  
3 “Motorola”) alleges as follows:

4 **PARTIES**

5 1. Plaintiff Fujifilm is organized under the laws of Japan with its principal place of  
6 business at Midtown West, 7-3, Akasaka 9-chome, Minato-ku, Tokyo 107-0052, Japan.

7 2. Fujifilm is a worldwide leader in photography. Fujifilm’s original business was in  
8 the area of photographic film. As technology progressed, Fujifilm was one of the earliest  
9 companies to expand its business into digital photography and image processing. In 1988,  
10 Fujifilm was the first company to develop, and then to market, a consumer digital camera. In the  
11 ensuing years, Fujifilm has become a recognized leader and innovator in the areas of digital  
12 cameras, digital photography, and digital image processing. Fujifilm holds more than 1,000  
13 United States patents related to digital imaging. Starting from that first digital camera in 1988,  
14 Fujifilm has developed and now sells an extensive line of digital cameras. The value of  
15 Fujifilm’s intellectual property has been recognized in the market through, among other things,  
16 the success of Fujifilm’s products and Fujifilm’s licensing of its technology to others in the field  
17 of digital imaging.

18 3. On information and belief, Motorola Mobility Holdings, Inc., Motorola Mobility,  
19 Inc., and Motorola Mobility LLC are organized under the laws of Delaware, with a principal  
20 place of business at 600 N. U.S. Highway 45, Libertyville, IL 60048-1296. Motorola has sold  
21 and sells mobile phones with digital cameras incorporated therein.

22 **JURISDICTION AND VENUE**

23 4. This action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et*  
24 *seq.*, for infringement by Motorola of United States patents owned by Fujifilm. This Court has  
25 jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338.

26 5. This Court has personal jurisdiction over Motorola because Motorola does  
27 business in the State of California. Motorola maintains a place of business in the Northern  
28 District of California at 809 Eleventh Avenue, Sunnyvale, CA 94089-4731, and engages in acts of

1 infringement within this District.

2 6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b)-(d) and  
3 1400(b).

4 **INTRADISTRICT ASSIGNMENT**

5 7. This action for patent infringement is assigned on a district-wide basis under Civil  
6 L.R. 3-2(c).

7 **COUNT I**

8 **(Infringement of U.S. Patent No. 6,144,763)**

9 8. Fujifilm realleges and incorporates by reference the allegations stated in  
10 Paragraphs 1 through 7.

11 9. Fujifilm is the owner of U.S. Patent No. 6,144,763 (“the ’763 patent”), entitled  
12 “Method and Apparatus for Compression Coding of Image Data Representative of a Color Image  
13 and Digital Camera Including the Same.” The ’763 patent was duly and legally issued by the  
14 U.S. Patent and Trademark Office on November 7, 2000. A true and correct copy of the ’763  
15 patent is attached as Exhibit 1. The patent is generally directed to converting captured color  
16 images to monochrome images.

17 10. On information and belief, Motorola directly infringes the ’763 patent under 35  
18 U.S.C. § 271(a) by making, using, offering to sell, and/or selling in the United States, or  
19 importing into the United States, products covered by at least claims 1-2 of the ’763 patent. The  
20 accused products include at least Motorola’s Droid X , Xyboard 10.1, Xyboard 8.2, Droid 4, Razz  
21 Maxx, Razz, Admiral, Droid Bionic, Atrix 2, Electrify, Droid 3, Photon 4G, Triumph, XPRT,  
22 Theory, Droid X2, Xoom, Atrix 4G, Droid 2-Global, Droid Pro, CLIQ, CLIQ XT, and DEFY  
23 mobile phones/tablets. On information and belief, these mobile phones/tablets have a  
24 monochrome feature wherein captured color images are converted into monochrome images as  
25 recited in the aforementioned patent claims.

26 11. On information and belief, Motorola has actively induced others to infringe the  
27 ’763 patent in violation of 35 U.S.C. § 271(b), including at least by promoting, advertising, and  
28 instructing others on the features and uses of at least the aforementioned mobile phones/tablets,

1 with knowledge of the '763 patent and knowledge that the encouraged activities infringed the  
2 patent. For example, the Droid X User's Guide [Verizon Wireless] on page 23 describes "Photo  
3 Options," which allows the user to "adjust the camera to optimize your shot," by providing  
4 "effects" including "black and white" operation or "normal," *i.e.*, color, operation.

5 12. Fujifilm gave Motorola written notice of its infringement at least as early as April  
6 2011. Fujifilm representatives also engaged in face-to-face meetings with Motorola  
7 representatives where the infringing activities were explained in detail to Motorola. Nonetheless,  
8 Motorola has continued to infringe. On information and belief, Motorola's infringement has been  
9 with knowledge of the '763 patent and without any valid defense and is, has been, and continues  
10 to be willful and deliberate.

11 13. Motorola's infringement has injured and damaged Fujifilm. Fujifilm is entitled to  
12 recover damages adequate to compensate Fujifilm for Motorola's infringing activities in an  
13 amount to be determined at trial, but in no event less than a reasonable royalty, together with  
14 interest and costs.

15 14. Unless and until enjoined by this Court, Motorola's acts of infringement will  
16 continue to damage Fujifilm irreparably.

## 17 COUNT II

### 18 **(Infringement of U.S. Patent No. 6,915,119)**

19 15. Fujifilm realleges and incorporates by reference the allegations stated in  
20 Paragraphs 1 through 7.

21 16. Fujifilm is the owner of U.S. Patent No. 6,915,119 ("the '119 patent"), entitled  
22 "Telephone and Data Transmitting Method for Telephone." The '119 patent was duly and legally  
23 issued by the U.S. Patent and Trademark Office on July 5, 2005. A true and correct copy of the  
24 '119 patent is attached as Exhibit 2. The patent is generally directed to a telephone that can  
25 communicate with other devices (*e.g.*, a computer) over a path other than the telephone network.

26 17. On information and belief, Motorola directly infringes the '119 patent under 35  
27 U.S.C. § 271(a) by making, using, offering to sell, and/or selling in the United States, or  
28 importing into the United States, products covered by at least claims 13 and 36 of the '119 patent.

1 The accused products include at least Motorola's i867, Xyboard 10.1, Xyboard 8.2, Droid 4,  
2 Razr Maxx, Razr, Admiral, Droid Bionic, Atrix 2, Electrify, Droid 3, Photon 4G, Triumph,  
3 XPRT, Titanium, Droid X2, Clutch, i412, Milestone X, Brute i686, Xoom, Atrix 4G, Droid 2-  
4 Global, Droid Pro, Droid X, CLIQ, CLIQ XT, and DEFY mobile phones/tablets. On information  
5 and belief, these mobile phones/tablets have Bluetooth and/or Wi-Fi capabilities that allow them  
6 to communicate with other devices, such as a computer, in the patented manner.

7 18. On information and belief, Motorola has actively induced others to infringe the  
8 '119 patent in violation of 35 U.S.C. § 271(b), including at least by promoting, advertising, and  
9 instructing others on the features and uses of at least the aforementioned mobile phones/tablets,  
10 with knowledge of the '119 patent and knowledge that the encouraged activities infringed the  
11 patent. For example, the Droid X User's Guide [Verizon Wireless] on page 41 describes "[y]ou  
12 can set up your phone as a Wi-Fi hotspot to provide portable, convenient internet access to other  
13 Wi-Fi enabled devices."

14 19. Fujifilm gave Motorola written notice of its infringement at least as early as April  
15 2011. Fujifilm representatives also engaged in face-to-face meetings with Motorola  
16 representatives where the infringing activities were explained in detail to Motorola. Nonetheless,  
17 Motorola has continued to infringe. On information and belief, Motorola's infringement has been  
18 with knowledge of the '119 patent and without any valid defense and is, has been, and continues  
19 to be willful and deliberate.

20 20. Motorola's infringement has injured and damaged Fujifilm. Fujifilm is entitled to  
21 recover damages adequate to compensate Fujifilm for Motorola's infringing activities in an  
22 amount to be determined at trial, but in no event less than a reasonable royalty, together with  
23 interest and costs.

24 21. Unless and until enjoined by this Court, Motorola's acts of infringement will  
25 continue to damage Fujifilm irreparably.

### 26 **COUNT III**

#### 27 **(Infringement of U.S. Patent No. 7,327,886)**

28 22. Fujifilm realleges and incorporates by reference the allegations stated in

1 Paragraphs 1 through 7.

2 23. Fujifilm is the owner of U.S. Patent No. 7,327,886 (“the ’886 patent”), entitled  
3 “Photographing Apparatus, Method and Program.” The ’886 patent was duly and legally issued  
4 by the U.S. Patent and Trademark Office on February 5, 2008. A true and correct copy of the  
5 ’886 patent is attached as Exhibit 3. The patent generally concerns face detection in digital  
6 photography.

7 24. On information and belief, Motorola directly infringes the ’886 patent under 35  
8 U.S.C. § 271(a) by making, using, offering to sell, and/or selling in the United States, or  
9 importing into the United States, products covered by at least claim 11 of the ’886 patent. The  
10 accused products include at least Motorola’s Droid 2 Global, Droid Bionic, Atrix 2, Electrify,  
11 Droid 3, Photon 4G, XPRT, Droid X2, Droid Pro, and Droid X mobile phones. On information  
12 and belief, these mobile phones incorporate cameras with the claimed face detection features.

13 25. On information and belief, Motorola has actively induced others to infringe the  
14 ’886 patent in violation of 35 U.S.C. § 271(b), including at least by promoting, advertising, and  
15 instructing others on the features and uses of at least the aforementioned mobile phones, with  
16 knowledge of the ’886 patent and knowledge that the encouraged activities infringed the patent.  
17 For example, the Droid X User’s Guide [Verizon Wireless] on page 25 describes various camera  
18 “settings,” including “Face Detection.”

19 26. Fujifilm gave Motorola written notice of its infringement at least as early as April  
20 2011. Fujifilm representatives also engaged in face-to-face meetings with Motorola  
21 representatives where the infringing activities were explained in detail to Motorola. Nonetheless,  
22 Motorola has continued to infringe. On information and belief, Motorola’s infringement has been  
23 with knowledge of the ’886 patent and without any valid defense and is, has been, and continues  
24 to be willful and deliberate.

25 27. Motorola’s infringement has injured and damaged Fujifilm. Fujifilm is entitled to  
26 recover damages adequate to compensate Fujifilm for Motorola’s infringing activities in an  
27 amount to be determined at trial, but in no event less than a reasonable royalty, together with  
28 interest and costs.

1 28. Unless and until enjoined by this Court, Motorola's acts of infringement will  
2 continue to damage Fujifilm irreparably.

3 **COUNT IV**

4 **(Infringement of U.S. Patent No. 5,734,427)**

5 29. Fujifilm realleges and incorporates by reference the allegations stated in  
6 Paragraphs 1 through 7.

7 30. Fujifilm is the owner of U.S. Patent No. 5,734,427 ("the '427 patent"), entitled  
8 "High Resolution Electronic Still Camera with an Electronic Viewfinder for Displaying a  
9 Reduced Image." The '427 patent was duly and legally issued by the U.S. Patent and Trademark  
10 Office on March 31, 1998. A true and correct copy of the '427 patent is attached as Exhibit 4.  
11 The patent generally concerns image processing that allows a high-resolution image captured by  
12 an image sensor to be displayed on a lower resolution viewfinder.

13 31. On information and belief, Motorola directly infringes the '427 patent under 35  
14 U.S.C. § 271(a) by making, using, offering to sell, and/or selling in the United States, or  
15 importing into the United States, products covered by at least claims 1 and 6 of the '427 patent.  
16 The accused products include at least Motorola's DEFY, CLIQ 2, Droid X2, Droid X, and Droid  
17 2 Global mobile phones. On information and belief, these mobile phones have a viewfinder that  
18 displays an image captured by a high-resolution image sensor as claimed in the patent.

19 32. On information and belief, Motorola has actively induced others to infringe the  
20 '427 patent in violation of 35 U.S.C. § 271(b), including at least by promoting, advertising, and  
21 instructing others on the features and uses of at least the aforementioned mobile phones, with  
22 knowledge of the '427 patent and knowledge that the encouraged activities infringed the patent.  
23 For example, the Droid X User's Guide [Verizon Wireless] on page 23 describes that "**Picture**  
24 **Resolution is Widescreen** or 6MP, unless you change it." 6 MP refers to 6 megapixels. As  
25 resolution of the viewfinder display is less than 0.5 MP, the captured image must be reduced for  
26 display on the viewfinder.

27 33. Fujifilm gave Motorola written notice of its infringement at least as early as April  
28 2011. Fujifilm representatives also engaged in face-to-face meetings with Motorola

1 representatives where the infringing activities were explained in detail to Motorola. Nonetheless,  
2 Motorola has continued to infringe. On information and belief, Motorola's infringement has been  
3 with knowledge of the '427 patent and without any valid defense and is, has been, and continues  
4 to be willful and deliberate.

5 34. Motorola's infringement has injured and damaged Fujifilm. Fujifilm is entitled to  
6 recover damages adequate to compensate Fujifilm for Motorola's infringing activities in an  
7 amount to be determined at trial, but in no event less than a reasonable royalty, together with  
8 interest and costs.

9 35. Unless and until enjoined by this Court, Motorola's acts of infringement will  
10 continue to damage Fujifilm irreparably.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Plaintiff Fujifilm requests that this Court enter judgment:

13 a. finding that Motorola has infringed and is infringing the '763, '119, '886,  
14 and '427 patents;

15 b. preliminarily and permanently enjoining Motorola and its officers,  
16 directors, agents, servants, employees, parents, subsidiaries, principals, and all other persons in  
17 active concert or participation with them from further infringement of the '763, '119, '886, and  
18 '427 patents;

19 c. requiring Motorola to pay damages pursuant to 35 U.S.C. § 284 in an  
20 amount to be determined at trial;

21 d. awarding increased damages, pursuant to 35 U.S.C. § 284, by reason of  
22 Motorola's willful infringement of the '763, '119, '886, and '427 patents;

23 e. ordering Motorola to pay damages for any post-trial, pre-judgment  
24 infringement in an amount determined by the Court;

25 f. ordering Motorola to pay pre-judgment interest, costs, and expenses to  
26 Fujifilm;

27 g. ordering Motorola to pay post-judgment interest until paid at the maximum  
28 lawful rate;

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h. declaring this case exceptional under 35 U.S.C. § 285 and awarding Fujifilm its reasonable attorneys fees, expenses and costs incurred; and  
i. granting Fujifilm such other and further relief as this Court may deem just and equitable, or that Fujifilm may be entitled to as a matter of law or equity.

Dated: July 10, 2012

Respectfully submitted,  
MORGAN, LEWIS & BOCKIUS LLP

By /s/ Daniel Johnson, Jr.  
DANIEL JOHNSON, JR.  
Attorneys for Plaintiff  
FUJIFILM CORPORATION

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**JURY DEMAND**

Plaintiff Fujifilm Corporation demands a trial by jury.

Dated: July 10, 2012

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Daniel Johnson, Jr.

DANIEL JOHNSON, JR.

Attorneys for Plaintiff

FUJIFILM CORPORATION