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13 *Attorneys for Plaintiff DigiMedia Tech, LLC*

14 **UNITED STATES DISTRICT COURT**

15 **CENTRAL DISTRICT OF CALIFORNIA**

16)	
17)	Case No. 2:20-cv-5595
18)	
19)	COMPLAINT FOR PATENT
20)	INFRINGEMENT
21)	JURY TRIAL DEMANDED
22)	
23)	

DIGIMEDIA TECH, LLC,

Plaintiff,

v.

JK IMAGING LTD.,

Defendant.

1 **COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff DigiMedia Tech, LLC (“Plaintiff”) files this Complaint for Patent
3 Infringement against Defendant, and states as follows:
4

5 **THE PARTIES**

6 1. Plaintiff is a limited liability company organized and existing under the
7 laws of the State of Georgia, having its principal office at 44 Milton Ave., Suite 254,
8 Alpharetta, GA 30009.

9 2. Defendant JK Imaging Ltd. (“Defendant”) is a corporation organized and
10 existing under the laws of the State of California, with a principal office located at
11 17239 S Main St, Gardena, CA 90248, where Defendant also maintains a regular and
12 established place of business in this judicial district.
13

14 **JURISDICTION AND VENUE**

15 3. This Court has exclusive subject matter jurisdiction over this case
16 pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises under
17 the Patent Laws of the United States, 35 U.S.C. § 1 et seq., including, without
18 limitation, 35 U.S.C. §§ 271, 281, 284, and 285.

19 4. This Court has personal jurisdiction over Defendant because Defendant
20 is a California corporation with its principle place of business in this judicial district,
21 has minimum contacts with the State of California, and has purposefully availed itself
22 of the privileges of conducting business in the State of California. For example, on
23 information and belief, Defendant has sold or offered to sell infringing products in the
24 State of California and in this Judicial District, or has manufactured accused products
25 and provided them to intermediaries for distribution throughout the country, including
26 in the State of California and this Judicial District, with knowledge of this distribution.

27 5. Venue is proper in this Court as to Defendant pursuant to 28 U.S.C.
28 § 1391 and 28 U.S.C. § 1400(b) on the grounds that Defendant incorporated in the

1 State of California and maintains its registered and principal offices in this Judicial
2 District, and has committed acts of infringement in and maintains a regular and
3 established place of business in this Judicial District.

4 5 **FACTUAL BACKGROUND**

6 ***The '635 Patent***

7 6. Plaintiff is the owner by assignment of all right, title, and interest in and
8 to United States Patent No. 6,914,635, entitled “Microminiature Zoom System for
9 Digital Camera” (“the '635 patent”), including the right to sue for all past, present,
10 and future infringement, which assignment was duly recorded in the United States
11 Patent and Trademark Office (“USPTO”).

12 7. A true and correct copy of the '635 patent is attached hereto as Exhibit
13 A. The '635 patent is incorporated herein by reference.

14 8. The application that became the '635 patent was filed on February 8,
15 2001.

16 9. The '635 patent issued on July 5, 2005, after a full and fair examination
17 by the USPTO.

18 10. The '635 patent is valid and enforceable and directed to eligible subject
19 matter.

20 11. The elements recited in the asserted claims of the '635 patent were not
21 well-understood, routine, or conventional when the application that became the '635
22 patent was filed.

23 12. The claims of the '635 patent are directed to technical solutions to the
24 technical problem of providing zoom, autofocus, and other specific features to
25 increasingly compact digital cameras. Other features the claimed invention enables
26 include such things as anti-shake and image stabilization. The '635 patent discloses
27 and claims technical solutions to providing such features in increasingly compact
28 digital cameras through, for example, a micro-electromechanical system support

1 mechanism with at least two positions of movement. The claims of the '635 patent
2 thus allow features like zoom, autofocus, anti-shake, and image stabilization to be
3 provided even in increasingly compact digital cameras. The inventions claimed in the
4 '635 patent therefore provide technical solutions to this technical problem, are not
5 abstract, and claim patentable subject matter.

6
7 ***The '706 Patent***

8 13. Plaintiff is the owner by assignment of all right, title, and interest in and
9 to United States Patent No. 6,545,706, entitled "System, Method and Article of
10 Manufacture for Tracking a Head of a Camera-Generated Image of a Person" ("the
11 '706 patent"), including the right to sue for all past, present, and future infringement,
12 which assignment was duly recorded in the USPTO.

13 14. A true and correct copy of the '706 patent is attached hereto as Exhibit
14 B. The '706 patent is incorporated herein by reference.

15 15. The application that became the '706 patent was filed on July 30, 1999.

16 16. The '706 patent issued on April 8, 2008, after a full and fair examination
17 by the USPTO.

18 17. The '706 patent is valid and enforceable and directed to eligible subject
19 matter.

20 18. The elements recited in the asserted claims of the '706 patent were not
21 well-understood, routine, or conventional when the application that became the '706
22 patent was filed.

23 19. The claims of the '706 patent are directed to technical solutions to the
24 technical problem of how to identify a head in an image. One of various reasons this
25 is important is to assist in focusing a digital camera. Since many camera users are not
26 trained in how to properly focus a camera, and because many photographs are candid
27 shots of moving subjects, the problem calls for technical solutions. The '706 patent
28 discloses and claims such technical solutions. For example, the '706 patent

1 recognized that while a number of different techniques could be used to identify a
2 head portion of a subject in an image, no single technique is foolproof. Thus, the '706
3 patent discloses applying at least two techniques to identify a head portion and basing
4 the detection of heads on the results of the two techniques. This approach overcomes
5 a problem that any particular technique may be fooled by or rendered inapplicable by
6 particular circumstances (e.g., lighting conditions, orientation of the subject to the
7 camera, etc.). The inventions claimed in the '706 patent therefore provide technical
8 solutions to this technical problem, are not abstract, and claim patentable subject
9 matter.

11 ***The '476 Patent***

12 20. Plaintiff is the owner by assignment of all right, title, and interest in and
13 to United States Patent No. 7,715,476, entitled "System, Method and Article of
14 Manufacture for Tracking a Head of a Camera-Generated Image of a Person" ("the
15 '476 patent"), including the right to sue for all past, present, and future infringement,
16 which assignment was duly recorded in the USPTO.

17 21. A true and correct copy of the '476 patent is attached hereto as Exhibit
18 C. The '635 patent is incorporated herein by reference.

19 22. The application that became the '476 patent was filed on April 21, 2005.

20 23. The '476 patent claims priority to the application that became the '706
21 patent, filed on July 30, 1999.

22 24. The '476 patent issued on May 11, 2010, after a full and fair examination
23 by the USPTO.

24 25. The '476 patent is valid and enforceable and directed to eligible subject
25 matter.

26 26. The elements recited in the asserted claims of the '476 patent were not
27 well-understood, routine, or conventional when the application that became the '476
28 patent was filed.

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