

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SYTE-VISUAL CONCEPTION LTD.,)	
)	
)	
Plaintiff,)	
)	C.A. No. _____
v.)	
)	JURY TRIAL DEMANDED
HOME DEPOT U.S.A., INC. and)	
SLYCE ACQUISITION INC.,)	
)	
Defendants.)	

COMPLAINT

Plaintiff Syte-Visual Conception Ltd. (“Plaintiff” or “Syte”), by and through its undersigned counsel, files this Complaint for patent infringement against Defendants Slyce Acquisition Inc. (“Slyce”) and Home Depot U.S.A., Inc. (“Home Depot”, collectively with Slyce, “Defendants”), alleging as follows:

NATURE OF THE ACTION

1. 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.* to stop Defendants’ infringement of Plaintiff’s intellectual property, including United States Patent No. 9,710,928 entitled “*System and process for automatically finding objects of a*

specific color” (“the ‘928 patent”), and United States Patent No. 10,127,688 entitled “*System and process for automatically finding objects of a specific color*” (“the ‘688 patent” and collectively with the ‘928 patent, the “Patents-in-Suit”), copies of which are attached hereto as Exhibits A and B, respectively.

PARTIES

2. Plaintiff Syte is an Israeli corporation and maintains its principal place of business at 3 Rothschild Blvd., Tel Aviv-Yafo, 6688106, Israel.

3. Syte is a visual artificial intelligence (“AI”) company that has spent years developing its unique and innovative platform in creating a visual AI marketplace. Syte’s visual AI marketplace allows customers to visually search for products (e.g., using a picture taken with a mobile device camera) while also allowing retailers to offer their products based on the visual search. Syte’s technology includes advancements in camera searching, deep tagging, AI engines, and in-store smart solutions.

4. On information and belief, Slyce is a Delaware Corporation with its principal place of business at 109 South 13th Street, Suite 3S, Philadelphia, Pennsylvania 19107.

5. Slyce purports to be a visual search technology company that provides retail customers (e.g., chain stores) with technology for visual search to be used or embedded in their software and applications.

6. On information and belief, Home Depot is a Delaware Corporation with its principal place of business at 2455 Paces Ferry Road, Atlanta, Georgia, 30339-4024, and may be served with process upon its registered agent, CSC of Cobb County, Inc., 192 Anderson Street S.E., Suite 125, Marietta, GA, 30060.

7. On information and belief, Home Depot offers for sale and sells a wide variety of home improvement products and equipment, through various channels, including a mobile application for use with smartphones. On information and belief, Home Depot's mobile apps utilize, include, redirect to, or otherwise incorporate, visual search technology provided by Slyce, as described further below.

JURISDICTION AND VENUE

8. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1, *et seq.*

9. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§1331 and 1338(a).

10. On information and belief, Defendant Slyce is subject to at least this Court's specific personal jurisdiction, based on its engaging in the acts of infringement set forth below in this district.

11. On information and belief, Defendant Home Depot is subject to this Court's specific and general personal jurisdiction. As this district includes Home Depot's principal place of business, it is at home here, and subject to this court's general jurisdiction. Moreover, Home Depot is subject to specific jurisdiction based on engaging in the acts of infringement set forth below in this district.

12. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b). On information and belief, each of Defendants resides in this Judicial District pursuant to 28 U.S.C. § 1391 and engages in activities including transacting business in this Judicial District and engaging in acts of infringement in this Judicial District.

THE PATENTS-IN-SUIT

13. The '928 patent was duly and legally issued after full and fair examination by the United States Patent and Trademark Office on July 18, 2017, from U.S. Patent Application No. 15/230,433 ("the '433 Application") filed on August 7, 2016. The '928 patent is a continuation of Application No. 14/833,099, filed on August 23, 2015, now U.S. Pat. No. 9,412,182, which is a continuation of

Application No. 14/292,914, filed on June 1, 2014, now U.S. Pat. No. 9,117,143, which is a continuation of Application No. 13/356,815, filed on January 24, 2012, now Pat. No. 8,744,180. The '180 patent claims the benefit of priority under 35 USC §119(e) of U.S. Provisional Patent Application Nos. 61/438,993 filed on February 3, 2011 and 61/435,358 filed on January 24, 2011.

14. Plaintiff is the owner by assignment of the '928 patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '928 patent against infringers, and to collect damages for all relevant times.

15. The '688 patent was duly and legally issued after full and fair examination by the United States Patent and Trademark Office on November 13, 2018, from U.S. Patent Application No. 15/650,993 ("the '993 Application") filed on July 17, 2017, and which is a continuation of the '928 patent.

16. Plaintiff is the owner by assignment of the '688 patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '688 patent against infringers, and to collect damages for all relevant times.

17. The Patents-in-Suit are valid and enforceable.

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