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ORIGINAL FILED

JUN 26 2013

Richard W. Wieking
Clerk, U.S. District Court
Northern District of California
San Jose

Attorneys for Plaintiff
LOGIC DEVICES INCORPORATED

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 13-02943 HRL
Case No. _____

LOGIC DEVICES INCORPORATED, a
California Corporation,

Plaintiff,

vs.

APPLE, INC., a California Corporation,

Defendant.

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff Logic Devices Incorporated ("Logic Devices"), for its Complaint
against Defendant Apple, Inc. ("Apple"), alleges as follows:

THE PARTIES

1. Plaintiff Logic Devices is a corporation organized and existing under the
laws of the State of California, and maintains its principal place of business at 1375
Geneva Drive, Sunnyvale, California 94089.

2. Upon information and belief, Defendant Apple is a corporation formed
under the laws of the State of California with a principal place of business at One

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2
3 **JURISDICTION**

4 3. This is an action for patent infringement arising under the patent laws of
5 the United States, Title 35, United States Code. This Court has exclusive subject
6 matter jurisdiction over this case for patent infringement under 28 U.S.C. § 1331
7 (federal question) and 28 U.S.C. § 1338(a) (any Act of Congress relating to patents or
8 trademarks).

9 4. This Court has personal jurisdiction over Defendant Apple. Apple is
10 incorporated and has its principal place of business in this District; has commenced
11 litigation in this District; has conducted and does conduct business within this District;
12 and has committed and continues to commit acts of infringement in violation of 35
13 U.S.C. § 271 and places products into the stream of commerce, with the knowledge or
14 understanding that such products are sold in the State of California, including in this
15 District.

16 5. Apple has infringed Logic Devices' patent by, among other things,
17 engaging in infringing conduct directly and indirectly, within and directed at this
18 District. As described below, Apple, directly and/or through subsidiaries,
19 intermediaries and/or agents, has purposefully and voluntarily designed and developed
20 software, including operating system software and other software, for its products
21 within this District in a manner that infringes Logic Devices' patent. Upon
22 information and belief, Apple derives substantial revenue from the sale of products
23 containing such software within this District, expects its actions to have consequences
24 within this District, and derives substantial revenue from interstate and international
25 commerce.

26 ///

1 10. The SPROC processor used a cutting-edge programmable digital signal
2 processing, or DSP, architecture that included a centralized shared memory, a host
3 processor, and multiple independent general signal processors. The innovative
4 SPROC architecture was developed by Star Semiconductor and was awarded the
5 “DSP Innovation of the Year” by Electronic Design Magazine in 1992.

6 11. Part of the SPROC architecture and intellectual property included novel
7 programming systems that utilized innovative techniques and methods to combine
8 single-chip programmability and parallel-processor efficiency, thereby making
9 programming the SPROC processor much easier, less costly and more efficient than
10 before.

11 12. Apple, through its development, programming, modifying, enhancement,
12 debugging, updating and compiling of its operating systems and other software used in
13 iPhone, iPod Touch, iPad, iPad Mini, and Apple TV devices (collectively, the “Apple
14 Products”), has used these patented programming systems to develop its operating
15 systems and other software for these Apple Products. Apple’s use of these patented
16 programming systems has allowed it to rapidly develop, program, modify, enhance,
17 debug, update and compile the operating systems and other software for these Apple
18 Products using only a fraction of the man-hours that otherwise would be required
19 without these patented systems. Even with these savings, Apple has reported spending
20 more than \$10.8 billion from 2007-2012 in research and development costs, a large
21 portion of which is directed to the development, programming, modification,
22 enhancement, debugging, updating and compiling of operating systems and other
23 software for use in the Apple Products.

24 13. By this action, Logic Devices seeks to obtain compensation for Apple’s
25 unlicensed use of Logic Devices’ patent.

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1 Products. According to Apple, 400 million Apple Products using an iOS were sold
2 through June 2012.

3 20. By developing, programming, modifying, enhancing, updating,
4 debugging and/or compiling each version of iOS and/or other software or portions
5 thereof, Apple has infringed one or more claims of the '244 Patent.

6 21. Upon information and belief, Apple indirectly infringes the '244 Patent
7 by inducing infringement by others, such as programmers and developers, in
8 accordance with 35 U.S.C. § 271(b) because Apple actively induces infringement of
9 the '244 Patent by others by their developing, programming, modifying, enhancing,
10 updating, debugging and/or compiling versions of iOS and/or other software or
11 portions thereof for Apple.

12 22. Apple's acts of infringement have caused damage to Logic Devices.
13 Logic Devices is entitled to recover from Apple the damages sustained by Logic
14 Devices as a result of Apple's direct and indirect infringing acts in an amount subject
15 to proof at trial.

16
17 **PRAYER FOR RELIEF**

18 WHEREFORE, Logic Devices prays for the following relief:

19 1. A judgment that Apple has directly infringed one or more of the claims of
20 the '244 Patent, contributorily infringed one or more of the claims of the '244 Patent,
21 and/or induced the infringement of one or more of the claims of the '244 Patent;

22 2. A judgment that Apple's infringement of the '244 Patent has been willful;

23 3. A ruling that this case be found to be exceptional under 35 U.S.C. § 285,
24 and a judgment awarding Logic Devices its attorneys' fees incurred in prosecuting this
25 action;

26 4. A judgment and order requiring Apple to pay Logic Devices all damages
27 under 35 U.S.C. § 284, an accounting, as needed, and treble damages for willful
28 infringement as provided by 35 U.S.C. § 284;

1 5. A judgment and order requiring Apple to pay Logic Devices the costs of
2 this action (including all disbursements);

3 6. A judgment and order requiring Apple to pay Logic Devices pre-
4 judgment and post judgment interest on the damages awarded; and

5 7. Such other and further relief as the Court may deem just and proper.
6

7 DATED: June 25, 2013

LAW OFFICES OF RICHARD D. FARKAS

8
9 By: _____

Richard D. Farkas

RICHARD D. FARKAS,

Attorneys for Plaintiff

LOGIC DEVICES INCORPORATED
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Logic Devices hereby demands a jury on all issues raised by the Complaint.

DATED: June 25, 2013

LAW OFFICES OF RICHARD D. FARKAS

By: *Richard D. Farkas*
RICHARD D. FARKAS,
Attorneys for Plaintiff
LOGIC DEVICES, INCORPORATED