

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GRAPHICS PROPERTIES)	
HOLDINGS, INC.,)	
)	CIVIL ACTION NO.
Plaintiff,)	
)	
v.)	
)	
APPLE INC.)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiff Graphics Properties Holdings, Inc. (“GPH” or “Plaintiff”), by and through its attorneys, hereby demands a jury trial and complains of Defendant Apple Inc. (“Defendant” or “Apple”) as follows:

NATURE OF THE ACTION

2. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 271, *et seq.*, to enjoin infringement and obtain damages resulting from Defendant’s unauthorized manufacture, use, sale, offer to sell and/or importation into the United States for subsequent use or sale of products, methods, processes, services and/or systems that infringe one or more claims of United States Patent No. 8,144,158 (the “’158 Patent”), entitled “Display System Having Floating Point Rasterization and Floating Point Framebuffering.” The claims and specification, as issued, as well as the United States Patent Office Issue Notification, are attached as Exhibit A. Plaintiff seeks injunctive relief to prevent Defendant from infringing the ’158 Patent. In addition, Plaintiff seeks a recovery of monetary damages resulting from Defendant’s infringement of the ’158 Patent.

3. This action for patent infringement involves Defendant's manufacture, use, sale, offer for sale, and/or importation into the United States of infringing products, methods, processes, services and systems that are primarily used or primarily adapted for use in consumer electronics devices, including but not limited to Defendant's mobile phones and other consumer electronics devices.

THE PARTIES

4. Plaintiff GPH is a Delaware corporation with its principal place of business at 56 Harrison Street, Suite 505, New Rochelle, New York 10801.

5. Plaintiff GPH is the lawful assignee of all right, title and interest in and to the '158 Patent.

6. GPH was formerly named Silicon Graphics, Inc. ("Silicon Graphics"). As Silicon Graphics, GPH developed technology and intellectual property used in the graphics, computer processing, and display segments. GPH is owned by private investment funds and other institutional investors, since the bankruptcy of Silicon Graphics.

7. GPH continues to manage and license its intellectual property, including the '158 Patent.

8. Defendant Apple is a California corporation headquartered at 1 Infinite Loop, Cupertino, California 95014.

9. Apple is in the business of making, offering for sale, selling, and supporting a variety of consumer electronics and display devices and products containing same that are imported into the United States including, but not limited to, handheld computers, tablets, cellular telephones, and other consumer electronics and display devices.

10. Plaintiff will be irreparably harmed by the Defendant's infringements

of the '158 Patent. Moreover, Defendant's unauthorized and infringing uses of Plaintiff's patented systems and methods have threatened the value of this intellectual property because Defendant's conduct results in Plaintiff's loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and/or importing the patented inventions.

11. Defendant's disregard for Plaintiff's property rights threatens Plaintiff's relationships with existing licensees and potential licensees of Plaintiff's consumer electronics and display device patents, including the '158 Patent. The Defendant will derive a competitive advantage over any of Plaintiff's existing licensees and future licensees from infringing Plaintiff's patented technology. Accordingly, unless the Defendant's continued acts of infringement are enjoined, Plaintiff will suffer irreparable harm for which there is no adequate remedy at law.

JURISDICTION AND VENUE

12. This Court has jurisdiction over the subject matter of this patent infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

13. Defendant is subject to personal jurisdiction in the State of Delaware because it regularly transacts business in this judicial district and division by, among other things, offering its products and services to customers, business affiliates and partners located in this judicial district. In addition, the Defendant has committed acts of direct infringement of one or more of the claims of the '158 Patent in this judicial district.

14. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b) because the Defendant is subject to personal jurisdiction in this district, and has committed acts of infringement in this district.

INFRINGEMENT OF UNITED STATES PATENT NO. 8,144,158

15. Paragraphs 1 through 14 are incorporated by reference as if fully restated herein.

16. Plaintiff GPH is the assignee and lawful owner of all right, title and interest in and to the '158 Patent.

17. Defendant makes, uses, sells, offers to sell and/or imports into the United States for subsequent sale or use products, services, methods or processes that infringe, directly and/or indirectly, or which employ systems, components and/or steps that make use of systems or processes that infringe, directly and/or indirectly, one or more of the claims of the '158 Patent. Such devices are handheld computers, tablets, cellular telephones, and other consumer electronics and display devices and products containing the same, including Defendant's iPhone device and other substantially similar devices.

18. The Defendant infringes one or more of the claims of the '158 Patent through the aforesaid acts, and will continue to do so unless enjoined by this Court. Defendant's wrongful conduct has caused Plaintiff to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and importing the patented inventions.

19. Plaintiff is entitled to recover damages adequate to compensate for the infringement.

WHEREFORE, Plaintiff prays for judgment against the Defendant, granting Plaintiff the following relief:

A. That this Court adjudge and decree that Defendant has infringed the '158 Patent;

B. That this Court permanently enjoin the Defendant, and its parents, subsidiaries, affiliates, successors and assigns, and each of its officers, directors, employees, representatives, agents, and attorneys, and all persons acting in concert or active participation with, or on its behalf, or within its control, from making, using, selling, offering to sell, importing, or advertising products and/or services and/or employing systems, hardware, software and/or components and/or making use of systems or processes that infringe any of the claims of the '158 Patent, or otherwise engaging in acts of infringement of the '158 Patent, all as alleged herein;

C. That this Court order an accounting, including a post-verdict accounting, to determine the damages to be awarded to Plaintiff as a result of the Defendant's infringement;

D. That this Court, pursuant to 35 U.S.C. § 284, enter an award to Plaintiff of such damages as it shall prove at trial against the Defendant that is adequate to compensate Plaintiff for said infringement, said damages to be no less than a reasonable royalty together with interest and costs;

E. That this Court assess pre-judgment and post-judgment interest and costs against the Defendant, together with an award of such interest and costs, in accordance with 35 U.S.C. § 284;

F. Grant to Plaintiff such other, further, and different relief as may be just and proper.

JURY DEMAND

Plaintiff demands a trial by jury of all matters to which it is entitled to trial by jury pursuant to FED. R. CIV. P. 38.

Dated: March 27, 2012

/s/ Edmond D. Johnson

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