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*ATTORNEYS FOR PLAINTIFF TRANS VIDEO ELECTRONICS, LTD.*  
 [Additional Counsel for Plaintiff appears on Signature Page]

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

TRANS VIDEO ELECTRONICS, LTD.,  
 4115 Wisconsin Ave., NW, Suite 208  
 Washington, DC 20016  
 an Indiana Corporation, and

Plaintiff,

v.

GOOGLE, INC.,  
 a Delaware Corporation,

and

YOUTUBE, LLC,  
 a Delaware Corporation.

Defendants.

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

**COMPLAINT FOR PATENT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

**PLAINTIFF TRANS VIDEO ELECTRONICS, LTD.'s  
 COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Trans Video Electronics, Ltd. ("Trans Video"), by and for their Complaint against defendants Google, Inc. and its wholly owned subsidiary YouTube, LLC (together "Google") allege as follows:

1 **NATURE OF THE CASE**

2 1. This is an action for patent infringement arising under the patent laws of the United  
3 States. Trans Video holds the rights in U.S. Patent No. 5,991,801 (“the ’801 patent”) and U.S.  
4 Patent No. 5,594,936 (“the ’936 patent”). The United States patent laws grant the holder of a patent  
5 the right to exclude infringers from making, using, selling or importing the invention claimed in a  
6 patent, and to recover damages for the infringer’s violations of these rights, and to recover treble  
7 damages where the infringer willingly infringed the patent. Trans Video is suing Google for  
8 infringing its patents, and doing so willfully. Trans Video seeks to recover damages from Google,  
9 including treble damages for willful infringement, as well as injunctive relief to end Google’s further  
10 infringement.  
11

12 **THE PARTIES**

13  
14 2. Plaintiff Trans Video is a corporation incorporated under the laws of the State of  
15 Indiana and has its principal place of business at 4115 Wisconsin Ave., NW, Suite 208, Washington,  
16 DC 20016.

17 3. Upon information and belief, Defendant Google, Inc. is a corporation organized under  
18 the laws of the State of Delaware with its principal place of business at 1600 Amphitheatre Parkway,  
19 Mountain View, California 94043. Google does business in the District of Columbia.  
20

21 4. Upon information and belief, Defendant YouTube, LLC is a corporation organized  
22 under the laws of the State of Delaware with its principal place of business at 901 Cherry Avenue,  
23 San Bruno, California 94066. YouTube, LLC is a wholly owned subsidiary of Google, Inc. and does  
24 business in the District of Columbia.

25 5. The entities referred to above in paragraphs 3 and 4 are hereinafter referred to as  
26 “Google” and/or “Defendants.”  
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1 marketing, supporting and advertising certain of its products and services used in connection with its  
2 YouTube service for video distribution, including downloading, streaming and/or storing that  
3 embody and/or practice the inventions claimed in the '801 patent. Google is thus liable to Trans  
4 Video for infringement of the '801 patent pursuant to 35 U.S.C. § 271.

5  
6 11. Google actively and knowingly has infringed and is infringing the '801 patent with  
7 knowledge of Trans Video's patent rights and without reasonable basis for believing that Google's  
8 conduct is lawful. Google has also induced and contributed to the infringement of the '801 patent by  
9 purchasers, licensees, and users of the YouTube products and services.

10 12. On information and belief, Google's infringement of the '801 patent has been and is  
11 willful and will continue unless enjoined by this Court. Google has been, or should have been, on  
12 notice of the '801 patent and its infringement, and has not ceased its infringing activities.

13  
14 13. Trans Video has suffered irreparable harm by Google's acts of infringement of the  
15 '801 patent, and will continue to suffer harm unless and until Google's acts of infringement are  
16 enjoined and restrained by order of this Court.

17 14. As a result of Google's acts of infringement, Trans Video has suffered and will  
18 continue to suffer damages in an amount to be proven at trial.

19 **COUNT 2: INFRINGEMENT OF U.S. PATENT NO. 5,594,936**

20  
21 15. Trans Video incorporates by reference the allegations set forth in the preceding  
22 paragraphs.

23 16. On January 14, 1997, the '936 patent was duly and legally issued. A true and correct  
24 copy of the '936 patent is attached hereto as Exhibit C. Trans Video is the assignee and the owner of  
25 all right, title and interest in and to the '936 patent. The '936 patent is entitled to a presumption of  
26 validity.

1           17.     On information and belief, Google has been, and currently is directly, literally and/or  
2 upon information and belief, jointly, equivalently, and/or indirectly infringing (by way of inducing  
3 infringement by others, and/or contributing to the infringement by others) the '936 patent in the  
4 District of Columbia, in this judicial district, and elsewhere in the United States by, among other  
5 things, making, using, operating, distributing, offering for sale or license, selling or licensing, and  
6 marketing, supporting and advertising certain of its products and services used in connection with its  
7 YouTube service for video distribution, including downloading, streaming and/or storing that  
8 embody and/or practice the inventions claimed in the '936 patent. Google is thus liable to Trans  
9 Video for infringement of the '936 patent pursuant to 35 U.S.C. § 271.

11           18.     Google actively and knowingly has infringed and is infringing the '936 patent with  
12 knowledge of Trans Video's patent rights and without reasonable basis for believing that Google's  
13 conduct is lawful. Google has also induced and contributed to the infringement of the '936 patent  
14 by purchasers, licensees, and users of the YouTube products and services.

16           19.     On information and belief, Google's infringement of the '936 patent has been and is  
17 willful and will continue unless enjoined by this Court. Google has been, or should have been, on  
18 notice of the '936 patent and its infringement, and has not ceased its infringing activities.

19           20.     Trans Video has suffered irreparable harm by Google's acts of infringement of the  
20 '936 patent, and will continue to suffer harm unless and until Google's acts of infringement are  
21 enjoined and restrained by order of this Court.

23           21.     As a result of Google's acts of infringement, Trans Video has suffered and will  
24 continue to suffer damages in an amount to be proven at trial.

25                                   **PRAYER FOR RELIEF**

26           WHEREFORE, Trans Video requests this Court enter judgment as follows:  
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1           A.     That Google has infringed, directly and/or through acts of contributory  
2 infringement, and/or to have induced infringement under 35 U.S.C. § 271 of the '801 patent and the  
3 '936 patent;

4           B.     That such infringement has been willful;

5           C.     That Google accounts for and pays to Trans Video all damages pursuant to  
6 35 U.S.C. § 284 to adequately compensate Trans Video for Google's direct, contributory and/or  
7 inducement of infringement of the '801 patent and the '936 patent;

8           D.     That Trans Video receives enhanced damages, in the form of treble damages,  
9 pursuant to 35 U.S.C. § 284;

10          E.     That this is an exceptional case under 35 U.S.C. § 285;

11          F.     That Google pays Trans Video all of Trans Video's reasonable attorneys' fees  
12 and expenses, including for all appeals, pursuant to 35 U.S.C. § 285;

13          G.     That Trans Video be granted pre-judgment and post-judgment interest in  
14 accordance with 35 U.S.C. § 284 on the damages caused to it by reason of Google's infringement of  
15 the '801 patent and the '936 patent, including pre-judgment and post-judgment interest on any  
16 enhanced damages or attorneys' fees award;

17          H.     That costs be awarded in accordance with 35 U.S.C. § 284 to Trans Video;

18          I.     That Google, its officers, agents, employees, representatives, successors and  
19 assigns, and those acting in privity or in concert with any of them, be preliminarily and permanently  
20 enjoined under 35 U.S.C. § 283 from infringing in any manner the '801 patent and the '936 patent;  
21 and  
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23          J.     That Trans Video be granted such other and further relief as the Court may  
24 deem just and proper under the circumstances.  
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2 **DEMAND FOR JURY TRIAL**

3 Trans Video hereby demands a trial by jury on all issues so triable in this action.

4 Dated: March 15, 2012

LOCKE LORD LLP

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7 By:

  
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