

**NOVEMBER 16, 2007**  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**07 C 6511**

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8 **IN THE UNITED STATES DISTRICT COURT** **JUDGE GUZMAN**  
9 **FOR THE NORTHERN DISTRICT OF ILLINOIS** **MAGISTRATE JUDGE DENLOW**  
10 **EASTERN DIVISION**

**LI**

11 CAMBRIDGE TECHNOLOGY )  
12 DEVELOPMENT, INC., ) No. \_\_\_\_\_  
13 a Massachusetts Corporation, )  
14 Plaintiff, ) **COMPLAINT**  
15 ) (Jury Trial Demanded)  
16 vs. )  
17 )  
18 )  
19 MICROSOFT CORPORATION, )  
20 a Washington Corporation, )  
21 Defendant. )

22 Plaintiff, Cambridge Technology Development, Inc. ("Cambridge"), complains  
23 against defendant, Microsoft Corporation ("Microsoft"), as follows:

- 24 1. This action arises under the Patent Laws of the United States, 35 United  
25 States Code. This Court has jurisdiction of this action under 28 U.S.C. § 1338(a).
2. Cambridge Technology Development, Inc. is a Massachusetts corporation  
to which U.S. Patent 6,172,665 (the "Asserted Patent") has been assigned, and which is  
entitled to sue for and recover the relief requested below, including all past damages.
3. Defendant Microsoft is a corporation incorporated under the laws of the  
State of Washington, having its headquarters at One Microsoft Way; Redmond,

1 Washington; 98052-6399. Microsoft manufactures and sells software and devices,  
2 including selling or offering to sell within the last six years trackballs (including the  
3 accused devices) within this judicial district and by conducting other business within this  
4 judicial district or elsewhere in the United States that impacts this jurisdiction.

5 4. The Asserted Patent issued on January 9, 2001, and was duly and legally  
6 issued to Dr. Edward T. Bullister for the inventions claimed therein. In 2003, Dr.  
7 Bullister assigned all right, title and interest in the Asserted Patent to Cambridge,  
8 including the right to sue for past damages.

9 5. In an Official Action dated September 18, 2007, the United States Patent  
10 and Trademark Office (“USPTO”) confirmed the novelty, validity, and patentability of  
11 claim 13 of the Asserted Patent as part of a reexamination of the Asserted Patent  
12 (reexamination number 90/007,471).

13 6. Microsoft has manufactured, used, sold and offered for sale devices  
14 covered by at least claim 13 of the Asserted Patent, including the computer trackball  
15 devices identified as the Microsoft Trackball Optical and Microsoft Trackball Explorer.  
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17 7. In the six-year period preceding the filing of this action, Microsoft has  
18 infringed the Asserted Patent in violation of 35 U.S.C. § 271 with resultant damage to  
19 Cambridge, in an amount to be proven at trial. Cambridge and Dr. Bullister gave written  
20 notice to Microsoft of the Asserted Patent after issuance and Microsoft’s infringement  
21 thereof.  
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23 8. Thus, Defendant, with actual knowledge of the Asserted Patent and without  
24 lawful justification, willfully and deliberately infringed the Asserted Patent.

1 **WHEREFORE, CAMBRIDGE PRAYS FOR:**

2 (a) Judgment on the Complaint that Defendant has infringed, contributed to the  
3 infringement of, or actively induced others to infringe U.S. Patent No. 6,172,665;

4 (b) A permanent injunction to be issued enjoining and restraining Defendant,  
5 and its officers, directors, agents, servants, employees, attorneys, licensees, successors,  
6 assigns, and those in active concert and participation with them, and each of them, from  
7 making, using, selling, offering for sale, or importing any products which fall within the  
8 scope of any or all claims of the Asserted Patent, and from inducing or contributing to the  
9 infringement of any such claims by others;

10 (c) An award of damages against Defendant adequate to compensate  
11 Cambridge for past infringement of the Asserted Patent, together with interest and costs  
12 as fixed by the Court, such damages to be trebled because of the willful and deliberate  
13 character of the infringement;

14 (d) Judgment that this case is “exceptional” in the sense of 35 U.S.C. § 285,  
15 and that Cambridge is entitled to an award of its reasonable attorneys’ fees in the  
16 prosecution of this action; and  
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18 (e) Such other and further relief as the Court may deem just and proper.

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**DEMAND FOR JURY TRIAL**

Plaintiff hereby makes a demand for a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedures as to all issues in this lawsuit.

RESPECTFULLY SUBMITTED this 16th day of November, 2007.

STEVEN G. LISA, LTD.

By: s/Steven G. Lisa

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