



elsewhere. Brightroom may be served with process by serving its President, Chief Executive Officer and Chairman, Sol Kanthack, at 1223 South Main Street, Suite 3, Fort Worth, Texas 76104, or, in the alternative, the Texas Secretary of State.

3. Island Photography is a New York corporation with its principal place of business at 44 Sea Cliff Ave., Glen Cove, New York 11542. Upon information and belief, Island Photography is doing business in the Eastern District of Texas and elsewhere. Island Photography may be served with process by serving its officer and director, Alex Ipiotis, 44 Sea Cliff Avenue, Glen Cove, New York 11542.

4. Kreutz is an individual doing business as Kreutz Photography with her principal place of business at 4425 S. Mo Pac Expressway, Suite 203, Austin, Texas 78735. Upon information and belief, Kreutz is doing business in the Eastern District of Texas and elsewhere. Kreutz may be served with process at 4425 South Mo Pac Expressway, Suite 203, Austin, Texas 78735.

5. BEV is a South Carolina corporation with its principal place of business at 116 Cedar Ridge Lane, Simpsonville, South Carolina 29681. Upon information and belief, BEV is doing business in the Eastern District of Texas and elsewhere. BEV may be served with process by serving its registered agent, Joseph Shrader, 116 Cedar Ridge Lane, Simpsonville, South Carolina 29681.

6. DigiLabs is a California corporation with its principal place of business at 1032 El Well Court, Palo Alto, California 94303. Upon information and belief, DigiLabs is doing business in the Eastern District of Texas and elsewhere. DigiLabs may be served with process by serving its registered agent, Hanan Steinllart, 1032 El Well Court, Palo Alto, California 94303.

7. Printroom is a Delaware corporation with its principal place of business at 2520 Mission College Boulevard, Suite 202, Santa Clara, California 95054. Upon information and belief, Printroom is doing business in the Eastern District of Texas and elsewhere. Printroom may be served with process by serving its registered agent, CT Corporation System, 818 West Seventh Street, Los Angeles, CA 90017.

8. SmugMug is a Delaware corporation with its principal place of business at 3347 Shady Spring Lane, Mountain View, CA 94040. Upon information and belief, SmugMug is doing business in the Eastern District of Texas and elsewhere. SmugMug may be served with process by serving its registered agent, National Registered Agents, Inc., 2030 Main Street, Suite 1030, Irvine, CA 92614.

9. Hour Photos is a Texas corporation doing business as MasterPhoto U.S.A. and has its principal place of business at 4151 Belt Line Road #106, Addison, Texas 75001. Upon information and belief, Hour Photos is doing business in the Eastern District of Texas and elsewhere. Master Photo may be served with process by serving its registered agent, Gregory J. Walter at 4151 Belt Line Road #106, Addison, Texas 75001.

#### **Jurisdiction and Venue**

10. This action arises under the patent laws of the United States, Title 35 United States Code, particularly §§ 271 and 281. This Court has jurisdiction over the claims for patent infringement under 28 U.S.C. §1338(a). Venue is proper in this Court under Title 28 United States Code §§ 1391(b) and (c) and 1400(b).

#### **Factual Background**

11. On May 16, 2006, U.S. Patent No. 7,047,214 (“the ‘214 patent”) was duly and legally issued for “Process for Providing Event Photographs for Inspection, Selection and Distribution Via a Computer Network”. A copy of the ‘214 patent is attached as Exhibit A and

is made a part hereof. Wolf is the sole named inventor and owner of the '214 patent, and at all relevant times has had the right to enforce the '214 patent.

12. The '214 patent, in general, relates to a process for providing event photographs for inspection, selection and distribution via a website on the internet, which generally includes the steps of taking event photographs, associating identifying data with each photograph taken, informing the event participants of the identifying data, transferring the photographs to a computer network server, and permitting access to the server for searching of a particular photograph using the identifying data.

#### **Claim for Patent Infringement**

13. Wolf realleges and incorporates by reference paragraphs 1 through 12.

14. Upon information and belief, Brightroom operates sports event photography services on the internet at [www.brightroom.com](http://www.brightroom.com) and [www.asiorders.com](http://www.asiorders.com). These services allow participants in sports events to access and purchase photographs taken of them during the events by Brightroom photographers. After being informed of the identifying data that Brightroom has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the Brightroom websites using the identifying data. By providing such services, Brightroom has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

15. Upon information and belief, Island Photography operates a sports event photography service on the internet at [www.islandphoto.com](http://www.islandphoto.com). This service allows participants in sports events to access and purchase photographs taken of them during the events by Island Photography photographers. After being informed of the identifying data that Island Photography has associated with their photographs, event participants are able to search for, locate, inspect

and order those photographs on the Island Photography website using the identifying data. By providing such a service, Island Photography has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

16. Upon information and belief, Kreutz operates a sports event photography service on the internet at [www.kreutzphotography.com](http://www.kreutzphotography.com). This service allows participants in sports events to access and purchase photographs taken of them during the events by Kreutz and other photographers employed by Kreutz. After being informed of the identifying data that Kreutz has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the Kreutz website using the identifying data. By providing such a service, Kreutz has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

17. Upon information and belief, BEV operates a sports event photography service on the internet at [www.birdseyeview.net](http://www.birdseyeview.net). This service allows participants in sports events to access and purchase photographs taken of them during the events by BEV photographers. After being informed of the identifying data that BEV has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the BEV website using the identifying data. By providing such a service, BEV has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of at least claims 1, 2, 5, 11, 12, 13, 17 and 18 of the '214 patent.

18. Upon information and belief, DigiLabs operates a sports event photography web hosting service on the internet at [www.digilabs.biz](http://www.digilabs.biz). This service allows photographers who take photographs of sports event participants to post those photographs on the DigiLabs website and

then allows the event participants to access and purchase those photographs. After being informed of the identifying data that DigiLabs has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the DigiLabs website using the identifying data. By providing such a service, DigiLabs has in the past and continues to infringe by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

19. Upon information and belief, Brightroom operates a sports event photography web hosting service on the internet at [www.backprint.com](http://www.backprint.com). This service allows photographers who take photographs of sports event participants to post those photographs on the [www.backprint.com](http://www.backprint.com) website and then allows the event participants to access and purchase those photographs. After being informed of the identifying data that Brightroom has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the [www.backprint.com](http://www.backprint.com) website using the identifying data. By providing such a service, Brightroom has in the past and continues to infringe by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

20. Upon information and belief, Printroom operates a sports event photography web hosting service on the internet at [www.printroom.com](http://www.printroom.com). This service allows photographers who take photographs of sports event participants to post those photographs on the Printroom website and then allows the event participants to access and purchase those photographs. After being informed of the identifying data that Printroom has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the Printroom website using the identifying data. By providing such a service, Printroom has in the past and

continues to infringe by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

21. Upon information and belief, SmugMug operates a sports event photography web hosting service on the internet at [www.smugmug.com](http://www.smugmug.com). This service allows photographers who take photographs of sports event participants to post those photographs on the SmugMug website and then allows the event participants to access and purchase those photographs. After being informed of the identifying data that SmugMug has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the SmugMug website using the identifying data. By providing such a service, SmugMug has in the past and continues to infringe by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

22. Upon information and belief, Hour Photos operates a sports event photography web hosting service on the internet at [www.orderpicture.com](http://www.orderpicture.com). This service allows photographers who take photographs of sports event participants to post those photographs on the Hour Photos website and then allows the event participants to access and purchase those photographs. After being informed of the identifying data that Hour Photos has associated with their photographs, event participants are able to search for, locate, inspect and order those photographs on the Hour Photos website using the identifying data. By providing such a service, Hour Photos has in the past and continues to infringe by inducement, or by contributing to the infringement of at least claims 1, 2, 17 and 18 of the '214 patent.

23. As a result of Defendants' infringing conduct, Defendants have damaged Wolf. Defendants are liable to Wolf in an amount that adequately compensates Wolf for their infringement, which, by law, can in no event be less than a reasonable royalty.

24. As a consequence of Defendants' infringement, Wolf has been irreparably damaged and such damage will continue without the issuance of an injunction by this Court.

**Demand for Jury Trial**

27. Wolf demands a jury trial on all claims and issues.

**Prayer For Relief**

WHEREFORE, Wolf prays for entry of judgment:

A. That U.S. Patent No. 7,047,214 has been infringed by Defendants and by others whose infringement has been contributed to and/or induced by Defendants;

B. That Defendants, and each of their officers, agents, employees, representatives, successors, assigns and those acting in privity or concert with them be permanently enjoined from further infringement of U.S. Patent No. 7,047,214;

C. That Defendants account for and pay to Wolf all damages and costs caused by Defendants' activities complained of herein;

D. That Wolf be granted pre-judgment and post-judgment interest on the damages caused by reason of Defendants' activities complained of herein;

E. That Wolf be granted his attorneys' fees in this action;

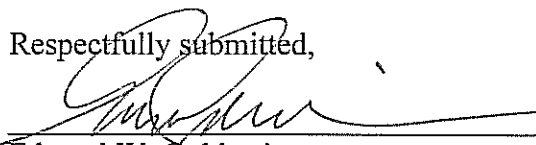
F. That costs be awarded to Wolf; and

G. That Wolf be granted such other and further relief that is just and proper under the circumstances.



Respectfully submitted,

Date: June 8, 2007

  
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