AO 120 (Rev. 08/10)

| TO: Mail Stop 8<br>Director of the U.S. Patent and Trademark Office<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | **REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK** |
|---|---|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court USDC Northern District of California on the following

☐ Trademarks or ☑ Patents. ( ☐ the patent action involves 35 U.S.C. § 292.):

| DOCKET NO. | DATE FILED 8/9/2012 | U.S. DISTRICT COURT USDC Northern District of California |
|---|---|---|
| PLAINTIFF<br>Rovi Solutions Corporation, a Delaware corporation | | DEFENDANT<br>Lenovo (United States) Inc., a Delaware corporation<br>CV 12 4209 |

| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
|---|---|---|
| 1 5,583,936 | 12/10/1996 | Rovi Solutions Corporation, Sunnyvale, CA |
| 2 6,381,747 | 4/30/2002 | Rovi Solutions Corporation, Sunnyvale, CA |
| 3 | | |
| 4 | | |
| 5 | | |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED | INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading | |
|---|---|---|
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 | | |
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In the above—entitled case, the following decision has been rendered or judgement issued:

| DECISION/JUDGEMENT |
|---|
| |

| CLERK | (BY) DEPUTY CLERK | DATE |
|---|---|---|
| | | |

**Copy 1—Upon initiation of action, mail this copy to Director** **Copy 3—Upon termination of action, mail this copy to Director**
**Copy 2—Upon filing document adding patent(s), mail this copy to Director** **Copy 4—Case file copy**

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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MOUNTAIN VIEW

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CV 12 4209

| | |
|---|---|
| ROVI SOLUTIONS CORPORATION, a Delaware corporation<br><br>Plaintiff,<br><br>v.<br><br>LENOVO (UNITED STATES) INC., a Delaware corporation,<br><br>Defendant. | Case No.<br><br>**COMPLAINT FOR PATENT INFRINGEMENT**<br><br>**DEMAND FOR JURY TRIAL** |

Plaintiff Rovi Solutions Corporation ("Rovi") hereby alleges as follows:

## NATURE OF THE ACTION

1. This is a civil action for patent infringement of United States Patents Nos. 5,583,936 ("the '936 Patent"), and 6,381,747 ("the '747 Patent") (collectively, the "patents-in-suit").

2. This action arises under the Patent Laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

## THE PARTIES

3. Plaintiff Rovi Solutions Corporation is a corporation organized under the laws of Delaware having its principal office located at 2830 De La Cruz Boulevard, Santa Clara, California 95050.

4. Plaintiff is informed and believes that defendant Lenovo (United States) Inc. ("Lenovo") is a Delaware corporation with its principal place of business 1009 Think Place, Morrisville, North Carolina 27560.

## JURISDICTION AND VENUE

5. This Court has personal jurisdiction over Defendant because Lenovo has engaged in continuous and systematic activities and/or business in California, including without limitation entering into contracts and/or business relationships with California businesses and/or residents and seeking the protections of the courts in this District.

6. Lenovo has also committed intentional acts in or expressly aimed at the State of California concerning the subject matter of this action. On information and belief, Lenovo regularly transacts business within this District, including using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use, sell, and/or offer for sale the accused Lenovo Notebooks and Personal Computers, including Lenovo ThinkPad computers, throughout this District.

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7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b), (c), (d), and 1400(b).

**FIRST CLAIM FOR RELIEF**
**(Infringement of the '936 Patent)**

8. This claim is made under the provisions of the patent laws of the United States, 35 U.S.C. §§ 271 *et seq.* Rovi incorporates by reference the allegations of Paragraphs 1 through 7 above.

9. On December 10, 1996, the United States Patent and Trademark Office duly and legally issued the '936 Patent, entitled "Video copy protection process enhancement to introduce horizontal and vertical picture distortions" to Peter Wonfor, Alistair J. Knox, Jeremy J. Corcoran, John O. Ryan, and Ronald Quan. Rovi is the owner, by valid assignment, of all right, title and interest in the '936 Patent.

10. Defendant has been, and currently is, directly and/or indirectly infringing the '936 Patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use, sell, and/or offer for sale Rovi-enabled chips and components, including without limitation the GeForce Go 7300 G72, 945GM, G72MV, M56, C51M, 302LV, 910GML, 915GMS, Mobility Radeon 7500-9000, and Radeon X600 integrated chips among others, in the Lenovo Notebooks and Personal Computers, including Lenovo ThinkPad computers, in less-than-real-time applications to play back content downloaded from a network source through an analog output port, without a license.

11. Defendant's acts of infringement are willful. Rovi notified Lenovo of its infringement of the '936 patent at least as of October 2011. Defendant, therefore, knew of the '936 Patent and that the Rovi-enabled chips and components practice the '936 Patent, yet nevertheless continued its infringing activities.

12. As a direct and proximate consequence of Defendant's infringement of the '936 Patent, Rovi has suffered and will continue to suffer irreparable injury and damages in an amount not yet determined for which Rovi is entitled to relief. Pursuant to 35 U.S.C. § 284, Rovi is



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entitled to damages for infringement and treble damages. Rovi is also entitled to recover reasonable attorneys' fees.

**SECOND CLAIM FOR RELIEF**
**(Infringement of the '747 Patent)**

13. This claim is made under the provisions of the patent laws of the United States, 35 U.S.C. §§ 271 *et seq.* Rovi incorporates by reference the allegations of Paragraphs 1 through 7 above.

14. On April 30, 2002, the United States Patent and Trademark Office duly and legally issued the '747 Patent, entitled "Method for controlling copy protection in digital video networks," to Peter J. Wonfor and Derek T. Nelson. Rovi is the owner, by valid assignment, of all right, title and interest in the '747 Patent.

15. Defendant has been, and currently is, directly and/or indirectly infringing the '747 Patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use, sell, and/or offer for sale Rovi-enabled chips and components, including without limitation the GeForce Go 7300 G72, 945GM, G72MV, M56, C51M, 302LV, 910GML, 915GMS, Mobility Radeon 7500-9000, and Radeon X600 integrated chips among others, in the Lenovo Notebooks and Personal Computers, including Lenovo ThinkPad computers, in less-than-real-time applications to play back content downloaded from a network source through an analog output port, without a license.

16. Defendant's acts of infringement are willful. Rovi notified Lenovo of its infringement of the '747 patent at least as of October 2011. Defendant, therefore, knew of the '747 Patent and that the Rovi-enabled chips and components practice the '747 Patent, yet nevertheless continued its infringing activities.

17. As a direct and proximate consequence of Defendant's infringement of the '747 Patent, Rovi has suffered and will continue to suffer irreparable injury and damages in an amount not yet determined for which Rovi is entitled to relief. Pursuant to 35 U.S.C. § 284, Rovi is

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entitled to damages for infringement and treble damages. Rovi is also entitled to recover reasonable attorney's fees.

## PRAYER FOR RELIEF

WHEREFORE, Rovi respectfully requests that this Court enter an order granting Rovi the following relief:

a) An award to Rovi for the damage caused by Defendant's infringement of the '936 Patent under 35 U.S.C. § 284;

b) An award to Rovi for the damage Defendant's infringement of the '747 patent under 35 U.S.C. § 284;

c) Enhanced damages under 35 U.S.C. § 284 for Defendant's infringement of the '936 and '747 patents;

d) Attorneys' fees under 33 U.S.C. § 285 for prosecution and defense of all patent counts herein;

e) An award to Rovi of compensatory damages;

f) An award to Rovi of exemplary damages;

g) An award to Rovi of its costs and expenses;

h) An award to Rovi of prejudgment and post-judgment interest; and

i) Such other and further relief as this Court deems proper.

Dated: August 9, 2012

Fenwick & West LLP

By: _____
Bryan A. Kohm
Attorneys for Plaintiff
Rovi Solutions Corporation

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## DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues triable of right by a jury.

Dated: August 9, 2012

Fenwick & West LLP

By: _____
Bryan A. Kohm
Attorneys for Plaintiff
Rovi Solutions Corporation

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