

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

**RED.COM, INC., dba RED DIGITAL
CINEMA, a Washington corporation,**

Plaintiff,

VS.

SONY CORPORATION OF AMERICA, a New York corporation, and **SONY ELECTRONICS INC.**, a Delaware corporation,

Defendants.

Case No.: 2:16-cv-00937

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Red.com, Inc. dba Red Digital Cinema (hereinafter referred to as "RED") hereby complains of Sony Corporation of America and Sony Electronics Inc. (hereinafter collectively referred to as “Sony” or “Defendants”), and alleges as follows:

JURISDICTION AND VENUE

1. Jurisdiction over this action is founded upon 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331 and 1338.

2. Venue is proper under 28 U.S.C. §§ 1391(b) and (c) and 28 U.S.C. § 1400(b). Defendants have conduct business in Texas and within this judicial district and have made, used, offered for sale and/or sold infringing products in this judicial district.

THE PARTIES

3. Red.com, Inc. is a corporation organized and existing under the laws of the State of Washington, having its principal place of business at 34 Parker, Irvine, California 92618. RED has offices in Texas and does business within this judicial district.

4. RED is informed and believes, and thereupon alleges that Defendant Sony Corporation of America is a New York corporation having its principal place of business located at 550 Madison Avenue, 27th Floor, New York, New York 10022. RED is informed and believes, and thereupon alleges, that Sony Corporation of America also has offices, stores, employees, and/or bank accounts in Texas, and regularly conducts business in Texas. RED is informed and believes, and thereupon alleges, that Defendant has made, used, offered to sell, advertised and/or sold products, including the accused products identified below, directly and in the stream of commerce knowing such products would be sold in Texas and in this judicial district.

5. RED is informed and believes, and thereupon alleges that Defendant Sony Electronics, Inc. is a Delaware corporation having its principal place of business located at 16530 Via Esprillo, San Diego, California 92127. RED is informed and believes, and thereupon alleges, that Sony Electronics, Inc. also has offices, stores, employees, and/or bank accounts in Texas, and regularly conducts business in Texas. RED is informed and believes, and thereupon alleges, that Defendant has made, used, offered to sell, advertised and/or sold products, including the accused products identified below, directly and in the stream of commerce knowing such products would be sold in Texas and in this judicial district.

FACTUAL BACKGROUND

6. Since at least 2005, RED has been and continues to be actively engaged in the design, development, manufacture and sale of high performance digital still and motion cinematography cameras, video equipment and accessories, digital editing software, video players and generally, imaging format technology used in the dissemination, broadcast, or transmission of video. Since the introduction of its revolutionary RED ONE[®] camera, RED's products have been used to film blockbuster movies, as well as many other movies and television series. The RED cameras and products have revamped the movie making process and industry.

The Asserted Patents

7. RED is the owner by assignment of U.S. Patent No. 8,174,560 ("560 patent"), duly and lawfully issued on May 8, 2012, and for which Ex Parte Reexamination Certificate U.S. 8,174,560 C1 issued on May 16, 2014, entitled "Video Camera." True and correct copies of U.S.

Patent No. 8,174,560 and Ex Parte Reexamination Certificate U.S. 8,174,560 C1 are attached hereto as Exhibit 1.

8. RED is the owner by assignment of U.S. Patent No. 8,358,357 (“357 patent”), duly and lawfully issued on January 22, 2013, entitled “Video Camera.” A true and correct copy of U.S. Patent No. 8,358,357 is attached hereto as Exhibit 2.

9. RED is the owner by assignment of U.S. Patent No. 8,477,238 (“238 patent”), duly and lawfully issued on July 2, 2013, entitled “Modular Digital Camera.” A true and correct copy of U.S. Patent No. 8,477,238 is attached hereto as Exhibit 3.

10. RED is the owner by assignment of U.S. Patent No. 8,773,581 (“581 patent”), duly and lawfully issued on July 8, 2014, entitled “Modular Digital Camera.” A true and correct copy of U.S. Patent No. 8,773,581 is attached hereto as Exhibit 4.

11. RED is the owner by assignment of U.S. Patent No. 9,019,393 (“393 patent”), duly and lawfully issued on April 28, 2015, entitled “Video Processing System and Method.” A true and correct copy of U.S. Patent No. 9,019,393 is attached hereto and incorporated by reference as Exhibit 5.

12. RED is the owner by assignment of U.S. Patent No. 9,019,397 (“397 patent”), duly and lawfully issued on April 28, 2015, entitled “Modular Digital Camera.” A true and correct copy of U.S. Patent No. 9,019,397 is attached hereto and incorporated by reference as Exhibit 6.

13. RED is the owner by assignment of U.S. Patent No. 9,245,314 (“314 patent”), duly and lawfully issued on January 26, 2016 entitled “Video Camera.” A true and correct copy of U.S. Patent No. 9,245,314 is attached hereto and incorporated by reference as Exhibit 7.

The Patented Technology

14. The '560 patent describes among other things, a method of recording a motion video with a camera, the method comprising (i) guiding light onto a light sensitive device of a camera, (ii) converting the light received by the light sensitive device into raw digital mosaiced image data having a horizontal resolution of at least 2k at a rate of at least greater than twenty three frames per second, (iii) compressing the raw digital mosaiced image data into compressed digital image data such that the data remains substantially visually lossless upon decompression; and (iv) recording the compressed digital mosaiced image data at a rate of at least about 23 frames per second onto a storage device of the camera. At least RED's RED ONE, RED EPIC, SCARLET and WEAPON cameras are covered by one or more claims of the '560 patent.

15. The '357 patent describes among other things a video camera with (i) a portable housing having at least one handle configured to allow a user to manipulate the orientation of the camera with respect to at least one degree of movement during operation, (ii) an optics socket supported by the housing with an opening for light to enter the housing, (iii) an image sensor configured to covert the light at a frame rate of at least 23 frames per second into mosaiced image data with a horizontal resolution of at least 4k, (iv) a memory recorder removably mounted to the exterior of the portable housing and configured to store video image data, and (v) an image processing system configured to compress the mosaiced image data and store the data in the memory recorder at a rate of at least 23 frames per second (vi) wherein the compressed, mosaiced image data remains substantially visually lossless upon decompression and demosaicing and (vii) the memory recorder has the capacity to store compressed, mosaiced image data compressed at a compression ratio of about 6:1 and corresponding to at least about 30 minutes of video at 12 mega pixel resolution, 12-bit color resolution, and at 60 frames per second. At least RED's RED ONE, RED EPIC, and SCARLET cameras are covered by one or more claims of the '357 patent.

16. The '238 patent describes among other things a modular video camera having (i) a housing with a front face with an opening, a rear face on the back comprising a first interface configured to communicate power and motion picture image data with at least 4k horizontal

resolution and a frame rate of at least 23 frames per second, (ii) a second interface configured to electronically couple an electronic view finder, which is releasably attached to the camera and having an eyepiece and a display, (iii) a third interface configured to removably receive a synchronization module comprising one or more connectors for communicating camera synchronization signals, (iv) a fourth interface configured to removably receive an audio module, which is releasably connectable to the housing, (v) a first mount point for releasably connecting a top handle to the camera, such handle comprising a grip positioned on top of the camera, (vi) a second mount point to support a shoulder mount that is releasably connectable to the camera and comprises a contoured shoulder pad underneath the housing when mounted, (vii) an image sensor within the housing to convert at a rate of at least 23 frames per second light into raw digital image data with at least a horizontal resolution of 4k, (viii) a raw recorder module with (a) a front face releasably connected to the first interface (b) a receptacle to releasably accept a first memory device, (c) a recording bus configured to communicate raw digital image data for storage at a rate of at least 23 frames per second and horizontal resolution of at least 4k, and (d) a power bus, (ix) a memory device receptacle on the face of a housing configured to releasably accept a second memory device that is configured to record digital image data captured by the image sensor at a frame rate of at least 23 frames per second and a horizontal resolution of at least 2k, and (x) a power module with a rechargeable battery and a front face configured to releasably connect to a rear face of the raw recorder module (the camera having at least one operational mode where raw digital image data is compressed and recorded within the first memory device at a rate of at least 23 frames per second and a horizontal resolution of at least 4k), and where (xi) in an assembled configuration, the power module and raw recorder module form a stack extending rearward from the housing, and the power module delivers power from the battery to the raw recorder module and the image sensor via the power bus of the raw recorder module.

17. The '581 patent describes among other things a modular video camera having (i) a housing with a front portion through which light passes and a rear portion with a first interface, (ii) an image sensor within the housing configured to digitize light from the opening, (iii) a

second interface configured to electronically couple an electronic view finder to the camera, (iv) a third interface comprising an electrical connector configured to electrically couple with a removable camera synchronization connector module, (v) a fourth interface configured to electrically couple with a removable audio connector module, (vi) a memory device receptacle configured to releasably retain a persistent memory device, (vii) an image processing system configured in at least one operation mode, to deliver digital image data for recording onto a persistent memory device within the memory receptacle at a rate of at least 23 frames per second and a horizontal resolution of at least 2k, (viii) where the first interface of the housing comprises a engagement mechanism to connect an optional raw recorder module compatible with the camera to the camera wherein (ix) the engagement mechanism comprises (a) at least one multi-pin electrical connector positioned on a rear face of the housing, (b) a first slot formed in the rear face of the housing and shaped to accommodate a corresponding first hook provided on a front portion of the raw recorder module, (c) a first catch formed within the first slot and dimensioned to engage the first hook, (d) a second slot formed in the rear of the housing and shaped to accommodate a corresponding second hook on the front of the raw recorder module and (e) a second catch formed within the second slot and dimensioned to engage the second hook, (x) where the first and second hooks are movable from a fastening position where they engage with the first and second catches, securing the housing to the raw recorder module, to a release position, where the first and second hooks disengage from the first and second catches, permitting detachment, (xi) the first interface capable of supporting the weight of the raw recorder module and at least one power module, and the first interface comprises (a) a power signal portion to receive a power signal, (b) a recording signal portion capable of communicating raw digital image data for storage into a raw recorder module in compressed form at a rate of at least 23 frames per second and a horizontal resolution of at least 4k, and (xii) the power signal is received at the first interface after traveling from a power module attached to a rear portion of the raw recorder module through the raw recorder module.

18. The '393 patent describes among other things a method comprising (i) receiving first data comprising compressed mosaiced motion video image data having image frames with a

plurality of pixels, the compressed mosaiced video image data corresponding to a horizontal resolution of at least two thousand pixels and corresponding to a frame rate of at least about 23 frames per second, the compressed mosaiced motion video image data including at least one numerical data value for each of the plurality of pixels and less than three numerical data values for each of the plurality of pixels, (ii) with a video processor comprising computer hardware, decompressing the first data to generate first decompressed mosaiced motion video data including at least one numerical data value for each of the plurality of pixels and less than three numerical data values for each of the plurality of pixels, and (iii) with the video processor, demosaicing the first decompressed mosaiced motion video data into demosaiced motion video data having frames with a resolution of at least two thousand pixels and corresponding to a frame rate of at least about 23 frames per second, such that the demosaiced motion video data is substantially visually lossless, wherein the image frames of the compressed mosaiced motion video image data correspond to a horizontal resolution falling within a range between and inclusive of 2k and 4.5k and correspond to a frame rate falling within a range between and inclusive of 23 frames per second and 120 frames per second, and wherein the frames of the demosaiced motion video data have a resolution falling within a range between and inclusive of 2k and 4.5k and correspond to a frame rate falling within a range between and inclusive of 23 frames per second and 120 frames per second. At least RED's RED ONE, RED EPIC, SCARLET, and WEAPON cameras, and its REDCINE, REDCINE-X and REDCINE-X PRO software are covered by one or more claims of the '393 patent.

19. The '397 patent describes among other things a video camera comprising (i) a camera body comprising (a) a front portion comprising an opening, and (b) a rear portion including a first module interface, (ii) an image sensor within the camera body, configured to digitize light passing through the opening, (iii) a memory device receptacle configured to releasably retain a memory device, and (iv) an image processing system configured to provide digital image data derived from the digitized light for storage in a memory device retained within the memory device receptacle of the video camera, the digital image data stored in at least one operation mode of the video camera at a horizontal resolution that is one of 2k, 3k, 4k, 4.5k, and

5k and at a frame rate in the range of 23 to 120 frames per second, inclusive, wherein the first module interface of the camera body comprises (1) a power signal portion configured to receive a power signal from a corresponding interface type that is included on a type of recorder module that is compatible with the video camera, wherein the power signal is capable of powering the image sensor, (2) a recording signal portion configured to communicate digital image data derived from the digitized light to the corresponding interface type, the digital image data in at least one operation mode of the video camera communicated at a frame rate in the range of 23 to 120 frames per second, inclusive, and having a horizontal resolution that is one of 2k, 3k, 4k, 4.5k, and 5k, and (3) at least one engagement mechanism configured to physically fasten the camera body to the corresponding interface type, the engagement mechanism capable of supporting the weight of at least (a) a recorder module of the type that is compatible with the video camera and (b) a power module of a type that is compatible with the recorder module and that is also compatible with the video camera, the at least one engagement mechanism comprising (a) a multi-pin electrical connector, (b) an engagement feature shaped to mate with a corresponding feature provided on the corresponding interface type, the engagement feature having one of a female configuration or a male configuration, the corresponding feature having the other of the female configuration or the male configuration, wherein user actuation of a mechanism from a first position, in which the engagement feature and the corresponding feature provided on the corresponding interface type interact with one another to secure the corresponding interface type to the first module interface, to a second position, causes a change in the positional arrangement of the engagement feature and the corresponding feature provided on the corresponding interface type with respect to one another, allowing detachment of the first module interface and the corresponding interface type from one another. At least RED's RED EPIC and SCARLET cameras are covered by one or more claims of the '397 patent.

20. The '314 patent describes among other things a video camera having (i) a portable housing with an opening through which external light enters the housing, (ii) a memory device, (iii) an image sensor with first, second and third pluralities of light sensitive devices arranged on a plane of the image sensor such that each plurality of light sensitive devices are intermingled,

defining an intermingled pattern to detect different first, second and third colors, respectively. The image sensor is configured to convert light entering the housing into raw mosaiced image data. The image sensor is configured to output the raw mosaiced image data at a resolution of at least 2k and a frame rate of at least about 23 frames per second. An image processing module is connected between the image sensor and memory device, and configured to process the raw mosaiced image data from the sensor. The processed image data includes less than 3 data values for each of the light sensitive devices. A compression module is connected between the image sensor and the memory device, and is configured to compress the processed image data with a mathematically lossy compression technique into compressed processed image data. The compressed, processed image data can be decompressed and demosaiced into a substantially visually lossless image of at least 2k resolution. At least RED's RED ONE, RED EPIC, SCARLET and WEAPON cameras are covered by one or more claims of the '314 patent.

The Defendants' Products

21. Defendants cameras at issue include at least the following:

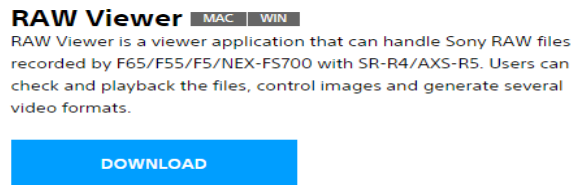
SONY F5	SONY F55	SONY F65
		

22. RED is informed and believes, and thereupon alleges, that Sony makes, uses, imports, offers to sell, and/or sells in the United States, and in this judicial district, cameras that shoot at video motion images with at least 2k of horizontal resolution at at least 23 frames per second, which images are compressed raw, mosaiced images, in a manner that unlawfully embodies one or more claims of the '560, '357 and '314 patents. These cameras are marketed and sold under the Sony brand, and include at least the F5, F55 and F65 cameras. Sony's own

publicly available literature, as well as test data, affirms that the F5, F55 and F65 cameras have at least 4k image sensors having at least 12 megapixel, 12-bit images that record at at least 23 frames per second. These cameras capture and compress the images as raw, mosaiced, images that are substantially visually lossless.

23. RED is also informed and believes, and thereupon alleges, that Sony makes, uses, imports, offers to sell and/or sells in the United States, and in this judicial district, modular cameras that unlawfully embody one or more claims of the ‘238, ‘581, and ‘397 patents. These cameras are marketed and sold under the Sony brand, and include at least the F5 and F55 cameras. These cameras include a portable housing, raw recorder (including a 4k raw recorder) (e.g., the Sony AXS-R5 and/or AXS-R7 recorders) with module fastener, and in various setups some or all of audio and sync modules, shoulder mount, etc.

24. RED is also informed and believes, and thereupon alleges, that Sony makes, uses, imports, offers to sell and/or sells in the United States, and in this judicial district, software for the processing, including decompression and demosaic, and display of recorded, compressed raw files, in a manner that unlawfully embodies one or more claims of the ‘393 patent. This software is marketed and/or sold under the Sony mark “RAW Viewer,” depicted below:



FIRST CLAIM FOR RELIEF Patent Infringement

25. RED repeats, realleges, and incorporated by reference the allegations set forth in paragraph 1 through 24 of this Complaint.

26. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

27. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the ‘560 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States cameras that capture images from a sensor, which are stored in the camera as compressed raw mosaiced image data at

a resolution of at least 2k and frame rate of at least about 23 frames per second such that the image data remains substantially visually lossless upon dcompression. Defendants' cameras include at least those marketed and sold as the Sony F5, F55 and F65 cameras.

28. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '560 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '560 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '560 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '560 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '560 patent and intend that their customers and end users directly infringe the '560 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

29. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '560 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '560 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '560 patent.

30. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 6 of the '560 patent because Defendants' F5, F55 and F65 cameras include all of the claim elements. As acknowledged by Sony in its publicly available literature, and/or confirmed in use and testing, the F5, F55 and F65 cameras perform a method of recording a motion video with a camera, the method comprising (i) guiding light onto a light sensitive device of a camera, (ii) converting the light received by the light sensitive device

into raw digital mosaiced image data having a horizontal resolution of at least 2k at a rate of at least greater than twenty three frames per second, (iii) compressing the raw digital mosaiced image data into compressed digital image data such that the data remains substantially visually lossless upon decompression; and (iv) recording the compressed digital mosaiced image data at a rate of at least about 23 frames per second onto a storage device of the camera.

31. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

32. Upon information and belief, Defendants' infringement of the '560 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5, F55 and F65 cameras.

33. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

34. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent

injunction enjoining Sony from making, using, offering to sell and selling its F5, F55 and F65 cameras.

SECOND CLAIM FOR RELIEF

Patent Infringement

35. RED repeats, realleges, and incorporated by reference the allegations set forth in paragraph 1 through 34 of this Complaint.

36. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

37. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '357 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States cameras that capture images from a sensor, which are processed, configured and stored in the camera as raw mosaiced image data at a resolution of about 4k and frame rate of at least about 23 frames per second such that the image data can be decompressed and demosaiced into substantially visually lossless image data of at least 4k resolution. Defendants' cameras include at least those marketed and sold as the Sony F5, F55 and F65 cameras.

38. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '357 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '357 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '357 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '357 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '357 patent and intend that their customers and end users directly infringe the '357 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

39. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '357 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States

the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '357 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '357 patent.

40. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 1 of the '357 patent because Defendants' F5, F55 and F65 cameras include all of the claim elements. The F5, F55 and F65 cameras include a portable housing having at least one handle configured to allow a user to manipulate the orientation of the camera with respect to at least one degree of movement during operation, an optics socket supported by the housing with an opening for light to enter the housing, an image sensor configured to convert the light at a frame rate of at least 23 frames per second into mosaiced image data with a horizontal resolution of at least 4k, a memory recorder removably mounted to the exterior of the portable housing and configured to store video image data, and an image processing system configured to compress the mosaiced image data and store the data in the memory recorder at a rate of at least 23 frames per second wherein the compressed, mosaiced image data remains substantially visually lossless upon decompression and demosaicing and the memory recorder has the capacity to store compressed, mosaiced image data at a compression ratio of about 6:1 and corresponding to at least about 30 minutes of video at 12 mega pixel resolution, 12-bit color resolution, and at 60 frames per second.

41. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

42. Upon information and belief, Defendants' infringement of the '357 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED

has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5, F55 and F65 cameras.

43. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

44. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its F5, F55 and F65 cameras.

THIRD CLAIM FOR RELIEF

Patent Infringement

45. RED repeats, realleges, and incorporated by reference the allegations set forth in paragraph 1 through 44 of this Complaint.

46. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

47. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '238 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States cameras that capture light images with an image sensor, which are stored on a 4k raw recorder module, as well as

including audio and sync modules, a shoulder mount, and raw recorder and battery modules. Defendants' cameras include at least those marketed and sold as the Sony F5 and F55 cameras.

48. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '238 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '238 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '238 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '238 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '238 patent and intend that their customers and end users directly infringe the '238 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

49. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '238 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '238 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '238 patent.

50. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 1 of the '238 patent because Defendants' F5 and F55 cameras include all of the claim elements. The F5 and F55 cameras are modular video cameras having a housing with a front face with an opening, a rear face on the back comprising a first interface configured to communicate power and motion picture image data with at least 4k horizontal resolution and a frame rate of at least 23 frames per second, a second interface configured to electronically couple an electronic view finder, which is releasably attached to the

camera and having an eyepiece and a display, a third interface configured to removably receive a synchronization module comprising one or more connectors for communicating camera synchronization signals, a fourth interface configured to removably receive an audio module, which is releasably connectable to the housing, a first mount point for releasably connecting a top handle to the camera, such handle comprising a grip positioned on top of the camera, a second mount point to support a shoulder mount that is releasably connectable to the camera and comprises a contoured shoulder pad underneath the housing when mounted, an image sensor within the housing to convert at a rate of at least 23 frames per second light into raw digital image data with at least a horizontal resolution of 4k, a raw recorder module with (a) a front face releasably connected to the first interface (b) a receptacle to releasably accept a first memory device, (c) a recording bus configured to communicate raw digital image data for storage at a rate of least 23 frames per second and horizontal resolution of at least 4k, and (d) a power bus, the camera further comprising a memory device receptacle on the face of a housing configured to releasably accept a second memory device that is configured to record digital image data captured by the image sensor at a frame rate of at least 23 frames per second and a horizontal resolution of at least 2k, and a power module with a rechargeable battery and a front face configured to releasably connect to a rear face of the raw recorder module (the camera having at least one operational mode where raw digital image data is compressed and recorded within the first memory device at a rate of at least 23 frames per second and a horizontal resolution of at least 4k), and where in an assembled configuration, the power module and raw recorder module form a stack extending rearward from the housing, and the power module delivers power from the battery to the raw recorder module and the image sensor via the power bus of the raw recorder module.

51. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

52. Upon information and belief, Defendants' infringement of the '238 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5 and F55 cameras.

53. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

54. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its F5 and F55 cameras.

FOURTH CLAIM FOR RELIEF

Patent Infringement

55. RED repeats, realleges, and incorporates by reference the allegations set forth in paragraph 1 through 54 of this Complaint.

56. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

57. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '581 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States cameras that have a 4k

raw recorder and power modules, audio and sync modules and module fasteners. Defendants' cameras include at least those marketed and sold as the Sony F5 and F55 cameras.

58. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '581 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '581 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '581 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '581 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '581 patent and intend that their customers and end users directly infringe the '581 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

59. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '581 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '581 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '581 patent.

60. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 1 of the '581 patent because Defendants' F5 and F55 cameras include all of the claim elements. The F5 and F55 cameras are modular video cameras having a housing with a front portion through which light passes and a rear portion with a first interface, an image sensor within the housing configured to digitize light from the opening, a second interface configured to electrically couple an electronic view finder to the camera, a third interface comprising an electrical connector configured to electrically couple

with a removable camera synchronization connector module, a fourth interface configured to electrically couple with a removable audio connector module, a memory device receptacle configured to releasably retain a persistent memory device, an image processing system configured in at least one operation mode, to deliver digital image data for recording onto a persistent memory device within the memory receptacle at a rate of at least 23 frames per second and a horizontal resolution of at least 2k, where the first interface of the housing comprises a engagement mechanism to connect an optional raw recorder module compatible with the camera to the camera wherein the engagement mechanism comprises (a) at least one multi-pin electrical connectors positioned on a rear face of the housing, (b) a first slot formed in the rear face of the housing and shaped to accommodate a corresponding first hook provided on a front portion of the raw recorder module, (c) a first catch formed within the first slot and dimensioned to engage the first hook, (d) a second slot formed in the rear of the housing and shaped to accommodate a corresponding second hook on the front of the raw recorder module and (e) a second catch formed within the second slot and dimensioned to engage the second hook, where the first and second hooks are movable from a fastening position where they engage with the first and second catches, securing the housing to the raw recorder module, to a release position, where the first and second hooks disengage from the first and second catches, permitting detachment, the first interface capable of supporting the weight of the raw recorder module and at least one power module, and the interface comprises (a) a power signal portion to receive a power signal, (b) a recording signal portion capable of communicating raw digital image data for storage into a raw recorder module in compressed form at a rate of at least 23 frames per second and a horizontal resolution of at least 4k, and the power signal is received at the first interface after traveling from a power module attached to a rear portion of the raw recorder module through the raw recorder module.

61. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement.

Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

62. Upon information and belief, Defendants' infringement of the '581 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5 and F55 cameras.

63. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

64. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its F5 and F55 cameras.

FIFTH CLAIM FOR RELIEF

Patent Infringement

65. RED repeats, realleges, and incorporates by reference the allegations set forth in paragraph 1 through 64 of this Complaint.

66. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

67. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '393 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States software that that decompress and demosaics compressedmosaiced motion video having a horizontal resolution of at least 2k and a frame rate of at least 23 frames per second in a substantially visually lossless manner.

68. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '393 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above software, knowing and intending that such software would be used by Defendants' customers and end users in a manner that infringes the '393 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the software can be used to infringe the '393 patent. As a result, Defendants' software has been used by their customers and end users in a manner that directly infringes the '393 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '393 patent and intend that their customers and end users directly infringe the '393 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing software.

69. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '393 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above video processors, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '393 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '393 patent.

70. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 14 of the '393 patent because Defendants' RAW Viewer includes all of the claim elements. According to publicly available statements from Sony,

the RAW Viewer decompresses and demosaics compressed mosaiced motion video image data. For example, in order to obtain color information, each of at least the F5, F55 and F65 cameras, which are admitted in Sony's publicly available literature to shoot at, for example, a frame rate of 30 frames per second, and a resolution level of 4k, includes a color filter array, and raw data is therefore mosaiced according to the color filter array. The RAW Viewer software allows for transcoding and processing including decompression and demosaic) and display of the recorded compressed raw files. Sony admits in publicly available information that its images are substantially visually lossless when decompressed, which is confirmed by further testing.

71. The RAW Viewer software includes a decompression component and a demosaicing component for receiving compressed mosaiced motion video with a horizontal resolution of at least 2k and a frame rate of 23 frames per second, and decompressing and demosaicing the video footage into a substantially visually lossless form of decompressed, demosaiced footage with a horizontal resolution between and inclusive of 2k and 4.5k and a frame rate between and inclusive of 23 and 120 frames per second.

72. Sony is on notice of RED's patents, as RED provides patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

73. Upon information and belief, Defendants' infringement of the '393 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its RAW Viewer software.

74. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing

activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

75. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony' unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its RAW Viewer software.

SIXTH CLAIM FOR RELIEF

Patent Infringement

76. RED repeats, realleges, and incorporated by reference the allegations set forth in paragraph 1 through 75 of this Complaint.

77. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

78. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '397 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States modular cameras including at least those marketed and sold as the Sony F5 and F55 cameras.

79. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '397 patent in violation of 35 U.S.C. § 271(b) by marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '397 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '397 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '397 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '397 patent and

intend that their customers and end users directly infringe the '397 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

80. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '397 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '397 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '397 patent.

81. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 12 of the '397 patent because Defendants' F5 and F55 cameras include all of the claim elements. The F5 and F55 cameras are video cameras comprising (i) a camera body comprising (a) a front portion comprising an opening, and (b) a rear portion including a first module interface, (ii) an image sensor within the camera body, configured to digitize light passing through the opening, (iii) a memory device receptacle configured to releasably retain a memory device, and (iv) an image processing system configured to provide digital image data derived from the digitized light for storage in a memory device retained within the memory device receptacle of the video camera, the digital image data stored in at least one operation mode of the video camera at a horizontal resolution that is one of 2k, 3k, 4k, 4.5k, and 5k and at a frame rate in the range of 23 to 120 frames per second, inclusive, wherein the first module interface of the camera body comprises (1) a power signal portion configured to receive a power signal from a corresponding interface type that is included on a type of recorder module that is compatible with the video camera, wherein the power signal is capable of powering the image sensor, (2) a recording signal portion configured to communicate digital image data derived from the digitized light to the corresponding interface type, the digital image data in at least one operation mode of the video camera communicated at a frame rate in

the range of 23 to 120 frames per second, inclusive, and having a horizontal resolution that is one of 2k, 3k, 4k, 4.5k, and 5k, and (3) at least one engagement mechanism configured to physically fasten the camera body to the corresponding interface type, the engagement mechanism capable of supporting the weight of at least (a) a recorder module of the type that is compatible with the video camera and (b) a power module of a type that is compatible with the recorder module and that is also compatible with the video camera, the at least one engagement mechanism comprising (a) a multi-pin electrical connector, (b) an engagement feature shaped to mate with a corresponding feature provided on the corresponding interface type, the engagement feature having one of a female configuration or a male configuration, the corresponding feature having the other of the female configuration or the male configuration, wherein user actuation of a mechanism from a first position, in which the engagement feature and the corresponding feature provided on the corresponding interface type interact with one another to secure the corresponding interface type to the first module interface, to a second position, causes a change in the positional arrangement of the engagement feature and the corresponding feature provided on the corresponding interface type with respect to one another, allowing detachment of the first module interface and the corresponding interface type from one another.

82. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

83. Upon information and belief, Defendants' infringement of the '397 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5 and F55 cameras.

84. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of

RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

85. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its F5 and F55 cameras.

SEVENTH CLAIM FOR RELIEF

Patent Infringement

86. RED repeats, realleges, and incorporated by reference the allegations set forth in paragraph 1 through 85 of this Complaint.

87. This is a claim for patent infringement, and arises under 35 U.S.C. § 271 *et seq.*

88. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '314 patent, in violation of 35 U.S.C. § 271(a) by making, using, importing, offering to sell and selling in the United States cameras that capture images from a sensor, which are stored in the camera as compressed raw mosaiced image data at a resolution of at least 2k and frame rate of at least about 23 frames per second such that the image data can be decompressed and demosaiced into a substantially visually lossless image of at least 2k resolution. Defendants' cameras include at least those marketed and sold as the Sony F5, F55 and F65 cameras.

89. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '314 patent in violation of 35 U.S.C. § 271(b) by

marketing and selling the above cameras, knowing and intending that such cameras would be used by Defendants' customers and end users in a manner that infringes the '314 patent. To that end, Defendants provide instructions and teachings to their customers and end users such that the cameras can be used to infringe the '314 patent. As a result, Defendants' cameras have been used by their customers and end users in a manner that directly infringes the '560 patent. RED is informed and believes, and thereupon alleges, that Defendants are aware of the '314 patent and intend that their customers and end users directly infringe the '314 patent. Defendants have also induced each other to make, import, offer to sell and sell the infringing cameras.

90. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing the '314 patent in violation of 35 U.S.C. § 271(c) because, among other things, Defendants have offered to sell and sold within the United States the above cameras, which are not staple articles or commodities of commerce suitable for substantial non-infringing use, which constitute a material part of the patented inventions, and which are known by Defendants to be especially made or especially adapted for use in an infringement of the '314 patent. As a result, Defendants' cameras have been used by their customers and end users to directly infringe the '314 patent.

91. RED is informed and believes, and thereupon alleges, that Defendants have in the past infringed and are currently infringing, both directly and indirectly and both literally and under the doctrine of equivalents, at least Claim 1 of the '314 patent because Defendants' F5, F55 and F65 cameras include all of the claim elements. The F5, F55 and F65 cameras include a portable housing and memory device, as acknowledged by Sony in its publicly available literature. Sony's own literature further affirms the cameras' use of at least 4k image sensors, recording at at least 23 frames per second, which convert light into raw mosaiced image data, which is compressed. Testing and Sony's own statements attest to the recorded image data being compressed according to a mathematically lossy compression technique, such that the compressed image data can be decompressed and demosaiced into a substantially visually lossless image of at least 2k resolution.

92. Sony is on notice of RED's patents via previous litigation and dispute proceedings, as well as RED's patent notice on its products, packaging, and/or at www.red.com/patent. Further, Sony has been provided written notice of its alleged infringement. Despite actual and/or constructive knowledge, Sony continues to infringe RED's patent rights. On information and belief, such infringement by Sony has been willful and wanton.

93. Upon information and belief, Defendants' infringement of the '314 patent will continue unless enjoined by this Court to the great and irreparable injury of RED, for which RED has no adequate remedy at law unless Sony is enjoined by this court. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, importing, offering to sell and/or selling its F5, F55 and F65 cameras.

94. RED is informed and believes and thereupon alleges that the sale of Sony's unauthorized, infringing cameras has resulted in lost sales, reduced the business and profit of RED, and greatly injured the general reputation of RED, all to RED's damage in an amount not yet fully determined. The exact amount of profits realized by Sony as a result of its infringing activities, are presently unknown to RED, as are the exact amount of damages suffered by RED as a result of said activities. These profits and damages cannot be accurately ascertained without an accounting. Pursuant to 35 U.S.C. § 284, RED is also entitled to an increase of damages up to three times the amount found or assessed at least due to Defendants' willful and deliberate infringement. And, because Defendants' infringement presents an exceptional case, RED is also entitled to an award of its attorneys' fees under 35 U.S.C. § 285.

95. Sony is a competitor of RED. Sony sells its cameras in the same channels as RED. Sony's unauthorized, infringing sales are likely to cause irreparable harm to RED, which cannot be compensated by damages. Accordingly, RED seeks a preliminary and permanent injunction enjoining Sony from making, using, offering to sell and selling its F5, F55 and F65 cameras.

DEMAND FOR JURY TRIAL

96. Plaintiff hereby demands a trial by jury on all issues so triable pursuant to Federal Rule of Civil Procedure 38.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Red.com, Inc. prays for judgment in its favor against the Defendants, and each of them, as follows:

- a) For an order adjudging Defendants to have infringed and willfully infringed the '560 patent;
- b) For an order adjudging Defendants to have infringed and willfully infringed the '357 patent;
- c) For an order adjudging Defendants to have infringed and willfully infringed the '238 patent;
- d) For an order adjudging Defendants to have infringed and willfully infringed the '581 patent;
- e) For an order adjudging Defendants to have infringed and willfully infringed the '393 patent;
- f) For an order adjudging Defendants to have infringed and willfully infringed the '397 patent;
- g) For an order adjudging Defendants to have infringed and willfully infringed the '314 patent;
- h) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '560 patent;
- i) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '357 patent;
- j) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '238 patent;

- k) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '581 patent;
- l) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '393 patent;
- m) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '397 patent;
- n) For an injunction enjoining Defendants, as well as their officers, agents, servants, employees, attorneys and those persons in active concert or participation with Defendants, from infringing the '314 patent;
- o) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '560 patent, and for damages adequate to compensate RED for such infringement of the '560 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- p) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '357 patent, and for damages adequate to compensate RED for such infringement of the '357 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- q) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '238 patent, and for damages adequate to compensate RED for such infringement of the '238 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- r) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '581 patent, and for damages adequate to compensate RED for such infringement of the '581 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;

- s) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '393 patent, and for damages adequate to compensate RED for such infringement of the '393 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- t) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '397 patent, and for damages adequate to compensate RED for such infringement of the '397 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- u) For an accounting of all gains, profits, and advantages Defendants derived by their infringement of the '314 patent, and for damages adequate to compensate RED for such infringement of the '314 patent through payment of not less than a reasonable royalty on sales of Sony's infringing products;
- v) For an award of treble damages and/or for exemplary damages under 35 U.S.C. § 284;
- w) For an order declaring this to be an exceptional case under 35 U.S.C. § 285;
- x) For an award to RED of its attorneys' fees under 35 U.S.C. § 285;
- y) For an award to RED of pre-judgment and post-judgment interests and costs;
- z) For an order requiring Defendants to deliver up and destroy all infringing cameras;
- aa) That Defendant be directed to file with this court and serve upon RED within 30 days after the service of the injunction, a report in writing under oath, setting forth in detail the manner and form in which Sony have complied with the injunction; and
- bb) For such other relief as the Court may deem appropriate at law or equity.

Dated: August 24, 2016

Respectfully submitted,

/s/ Trey Yarbrough

Trey Yarbrough

Bar No. 22133500

YARBROUGH WILCOX, PLLC

100 E. Ferguson, Suite 1015

Tyler, TX 75702

(903) 595-3111

Fax: (903) 595-0191

trey@yw-lawfirm.com