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15
16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**

18 CLEAR IMAGING RESEARCH LLC,
19 Plaintiff,
20 v.
21 GOOGLE LLC,
22 Defendant.

Case No. '25CV0221 GPC AHG

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

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1 This is an action for patent infringement arising under the patent laws of the
2 United States of America, 35 U.S.C. § 1 *et seq.*, in which Plaintiff Clear Imaging
3 Research LLC (“Plaintiff” or “Clear Imaging”) makes the following allegations
4 against Defendant Google LLC (“Defendant” or “Google”):

5 **INTRODUCTION**

6 1. This complaint arises from Google’s unlawful infringement of the
7 following United States patents owned by Plaintiff concerning improvements in
8 digital imaging processing: U.S. Patent Nos. 9,800,788 (“the ’788 Patent”), 9,860,450
9 (“the ’450 Patent”), 9,013,587 (“the ’587 Patent”), 11,595,583 (“the ’583 Patent”),
10 10,171,740 (“the ’740 Patent”), 11,165,961 (“the ’961 Patent”), and 11,457,149
11 (“the ’149 Patent”) (collectively, the “Asserted Patents”).

12 **PARTIES**

13 2. Plaintiff Clear Imaging Research LLC is a Delaware limited liability
14 company with its principal place of business at 5 Hilldale Lane, Sands Point, NY
15 11050. Clear Imaging is the sole owner by assignment of all right, title, and interest
16 in the Asserted Patents, including the right to recover for past, present, and future
17 infringement.

18 3. Defendant Google LLC is a wholly owned subsidiary of Alphabet,
19 Inc. and a Delaware limited liability company with a principal place of business at
20 1600 Amphitheatre Parkway, Mountain View, CA 94043. Google may be served
21 with process through its registered agent, 1505 Corporation Service Company d/b/a
22 CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Suite 150N,
23 Sacramento, CA 95833.

24 **BACKGROUND**

25 **A. Clear Imaging**

26 4. Clear Imaging was founded by Fatih Ozluturk, a Ph.D. in Electrical
27 Engineering, the sole inventor on each of the patents in the portfolio, and an
28 accomplished innovator. Indeed, Dr. Ozluturk is an inventor on nearly 500 issued

1 U.S. patents and pending patent applications, making him one of the most prolific
2 patentees living in the United States. Dr. Ozluturk has a history of inventing solutions
3 that have proved to be significant beyond camera technology and include multiple
4 generations of wireless technologies, including 3G and 4G LTE.

5 5. After receiving his Ph.D. in Electrical Engineering from the University
6 of Massachusetts, Amherst, Dr. Ozluturk went to work as an engineer at InterDigital,
7 a well-known mobile technology research and development company based in
8 Delaware. Dr. Ozluturk worked at InterDigital for seventeen years and became one of
9 the key technology inventors. Dr. Ozluturk received a number of awards for his
10 technical leadership and innovation, including the “Outstanding Young Engineer”
11 award from the Long Island Chapter of the IEEE in 2001 and the “Chairman’s
12 Award” from InterDigital in 2011. “Fatih’s groundbreaking inventions span multiple
13 generations of wireless technology and directly benefit the entire wireless ecosystem
14 and billions of consumers globally.” Ex. 1, available at [https://www.businesswire.com/news/home/20110418006517/en/%20InterDigital-Honors-Dr.-Fatih-Ozluturk-](https://www.businesswire.com/news/home/20110418006517/en/%20InterDigital-Honors-Dr.-Fatih-Ozluturk-Inventor-Named)
15 [Inventor-Named](https://www.businesswire.com/news/home/20110418006517/en/%20InterDigital-Honors-Dr.-Fatih-Ozluturk-Inventor-Named)).

16
17 6. Dr. Ozluturk is also an avid photographer. In the early 2000s, he began
18 selling some of his photographs. He worked out of a photography studio in
19 Manhattan and, before the days of digital photography, had a dark room for
20 developing photos and producing his own prints. As an early adopter of digital
21 cameras and with his understanding of signal processing, he recognized that the
22 digital cameras that were available at the time produced blurry images—not the high-
23 quality images that could be printed into beautiful photographs—and lacked dynamic
24 range.

25 7. By combining his background in electrical engineering and signal
26 processing with his knowledge of photography, Dr. Ozluturk developed a number of
27 patented inventions that enable a digital camera to produce high-quality photos and
28 videos. For example, Dr. Ozluturk invented a way for a digital camera to remove or

1 avoid blur in photos and video by combining multiple consecutive images (or bursts)
2 obtained though the device’s image sensor. Dr. Ozluturk also invented various means
3 to provide digital image stabilization that provides for smoother videos. Other
4 inventions in the Clear Imaging portfolio include being able to differentiate the
5 foreground and background of images and processing them differently, as is widely
6 used in Portrait mode on smartphones and digital cameras now. Dr. Ozluturk filed his
7 first provisional patent application on March 25, 2004 and the initial utility
8 application on March 24, 2005—well before the announcement, much less the release
9 of any smartphones, including Google Pixel smartphones. Clear Imaging’s patent
10 portfolio currently has 40 issued U.S. patents and open applications.

11 8. Clear Imaging has successfully licensed its patents to a majority of
12 large smartphone and/or camera manufacturers and currently has 13 licensees,
13 including from industry giants such as Samsung. *See, e.g.*, Ex. 2, available at
14 [https://www.prweb.com/releases/Clear_Imaging_Research_Signs_Patent_License_A](https://www.prweb.com/releases/Clear_Imaging_Research_Signs_Patent_License_Agreement_With_Samsung/prweb17939795.htm)
15 [greement_With_Samsung/prweb17939795.htm](https://www.prweb.com/releases/Clear_Imaging_Research_Signs_Patent_License_Agreement_With_Samsung/prweb17939795.htm). Google, however, still has not taken
16 a license to Clear Imaging’s technology and instead has continued to sell millions of
17 infringing devices in the U.S.

18 **B. Clear Imaging’s Pre-Suit Communications with Google**

19 9. On July 20 and December 18, 2017, Dr. Ozluturk sent two notice letters
20 to Google identifying the Google Pixel and Pixel XL as infringing three of Clear
21 Imaging’s patents, including the ’788 Patent. Exs. 3, 4.

22 10. Later, on January 4, 2019, Dr. Ozluturk sent an additional notice letter to
23 Google, which identified more Google products (including the accused Pixel 3) and
24 infringed patents, including the ’740 Patent and the ’587 Patent. Ex. 5. Google did not
25 respond to any of these letters.

26 11. Dr. Ozluturk sent another notice letter on February 22, 2021, identifying
27 yet more infringing Google products and infringed patents, including the ’450 Patent”.
28 Ex. 6. On November 15, 2021, Clear Imaging held a call with Google, where Clear

1 Imaging presented a slide presentation detailing its patents and relevance to Google's
2 accused products. Thereafter, on November 17, 2021, Clear Imaging sent Google five
3 exemplary claim charts detailing Google's infringement of Clear Imaging's patents—
4 including claim charts for the '450 and '587 Patents. On November 23, 2021, Clear
5 Imaging held another call with Google, where Clear Imaging presented a slide
6 presentation further detailing Google's infringement along with a financial model
7 detailing the licensing fee Google owed its sale of infringing products as of that date
8 in 2021. Google and Clear Imaging held follow-up calls on March 7 and May 24,
9 2022.

10 12. During the May 24, 2022 call, Google agreed that it needed a license to
11 Clear Imaging patents but refused to take a license, signaling that Google believed
12 Clear Imaging lacked the resources to litigate and that Google's immense resources
13 provided an advantage if Clear Imaging initiated litigation. Google further stated that
14 it was ending the licensing discussion without giving any reason for its position.

15 13. On January 10, 2023, Clear Imaging sent Google an updated notice letter
16 that included five additional claim charts, including an updated claim chart for
17 the '740 Patent. Ex. 7. In that correspondence, Dr. Ozluturk identified the '961 Patent
18 and the '149 Patent as additional infringed patents. Clear Imaging also indicated that
19 the claims in U.S. Patent App. No. 17/952,934 were also infringed, which issued as
20 the '583 Patent. Clear Imaging then sent additional letters on October 6 and 17, 2023.
21 Exs. 8, 9. Google responded on October 17 indicating that it would reach out to
22 discuss Clear Imaging's patents further.

23 14. On November 20, 2023, Clear Imaging sent an email identifying
24 additional infringing Google products with two additional claim charts, bringing the
25 total to 12 exemplary claim charts.

26 15. Google and Clear Imaging exchanged additional emails, including on
27 November 21, 2023, February 29, 2024, March 5, 2024, and March 12, 2024.
28

1 16. On March 12, 2024, outside counsel for Google contacted Clear Imaging
 2 to continue discussions. The parties continued exchanging emails and phone calls
 3 through the fall of 2024. At Google’s request, Clear Imaging re-sent its prior claim
 4 charts on the ’740, ’587, and ’450 Patents. On November 11, 2024, Clear Imaging
 5 provided additional information to Google, including claim charts for the ’961 Patents
 6 and ’149 Patents. Clear Imaging also provided Google with the financial analysis
 7 Clear Imaging previously provided in 2021 because Google stated it lost or was
 8 unable to find those materials.

9 17. On November 13, 2024, the parties held a call where Clear Imaging
 10 updated its requested licensing fee, which followed the prior licensing framework
 11 Clear Imaging articulated to Google in November 2021. That same day, Clear Imaging
 12 also sent Google a claim chart for the ’961 Patent and updated details on the
 13 calculation of the proposed licensing fee. Thereafter, the parties continued exchanging
 14 communications throughout the end of 2024 and into early 2025, including a video
 15 conference on December 20, 2024.

16 18. Despite years of discussions (including substantive presentations and
 17 claim charts), Google never challenged its infringement of Clear Imaging’s patents or
 18 the validity of those patents. Google continues to refuse to take a license to Clear
 19 Imaging’s patents, necessitating the instant action.

JURISDICTION AND VENUE

20
 21 19. This action arises under the patent laws of the United States, Title 35 of
 22 the United States Code. This Court has original subject matter jurisdiction under 28
 23 U.S.C. §§ 1331 and 1338(a).

24 20. This Court has personal jurisdiction over Google in this action because
 25 Google has committed acts within this District giving rise to this action and has
 26 established minimum contacts with this forum such that the exercise of jurisdiction
 27 over Google would not offend traditional notions of fair play and substantial justice.
 28 Google, directly and through subsidiaries or intermediaries, has committed and

1 continue to commit acts of infringement in this District by, among other things,
2 making, using, importing, offering to sell, and/or selling products that infringe the
3 Asserted Patents.

4 21. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).
5 On information and belief, Google has transacted business in this District and has
6 committed acts of direct infringement in this District by, among other things, making,
7 using, offering to sell, selling, and importing products that infringe the Asserted
8 Patents. For example, Google has a regular and established place of business in this
9 District, including at 6420 Sequence Dr., San Diego, CA 92121. As of January 2025,
10 Google currently has over 50 job postings for San Diego, CA,¹ including jobs
11 concerning the accused image processing technology.²

12 **COUNT I**

13 **INFRINGEMENT OF U.S. PATENT NO. 9,800,788**

14 22. Plaintiff realleges and incorporates by reference the foregoing
15 paragraphs as if fully set forth herein.

16 23. Plaintiff owns by assignment all rights, title, and interest, including the
17 right to recover damages for past, present, and future infringement, in the '788
18 Patent, titled "Method and apparatus for using motion information and image data to
19 correct blurred images." The '788 Patent was duly and legally issued by the United
20 States Patent and Trademark Office ("USPTO") on October 24, 2017. A true and
21 correct copy of the '788 Patent is attached as Exhibit 10.

22 24. On information and belief, Google has and continues to make, use,
23 offer for sale, sell, and/or import certain products and services, including without
24 limitation Google's Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
25 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, Pixel 6a, Pixel 6 Pro,

26 ¹ [https://www.google.com/about/careers/applications/jobs/results?location=](https://www.google.com/about/careers/applications/jobs/results?location=San%20Diego%2C%20CA%2C%20USA)
27 [San%20Diego%2C%20CA%2C%20USA.](https://www.google.com/about/careers/applications/jobs/results?location=San%20Diego%2C%20CA%2C%20USA)

28 ² [https://www.google.com/about/careers/applications/jobs/results/74059969904681670-hardware-](https://www.google.com/about/careers/applications/jobs/results/74059969904681670-hardware-architect-core-ip-silicon?location=San+Diego,+CA,+USA&q=Camera)
[architect-core-ip-silicon?location=San+Diego,+CA,+USA&q=Camera.](https://www.google.com/about/careers/applications/jobs/results/74059969904681670-hardware-architect-core-ip-silicon?location=San+Diego,+CA,+USA&q=Camera)

1 Pixel 5a, Pixel 5, Pixel 4a, Pixel 4, Pixel 4 XL, Pixel 3a, Pixel 3a XL, Pixel 3, Pixel
2 3XL, Pixel 2, and Pixel 2 XL (“’788 Accused Products”), that directly infringe,
3 literally and/or under the doctrine of equivalents, one or more claims of the ’788
4 Patent. Identification of the ’788 Accused Products will be provided in Plaintiff’s
5 infringement contentions disclosed under the Court’s scheduling order.

6 25. The ’788 Accused Products satisfy all claim limitations of one or more
7 claims of the ’788 Patent. A claim chart comparing exemplary independent claim 8
8 of the ’788 Patent to representative ’788 Accused Products is attached as Exhibit 11.

9 26. Google has notice of the ’788 Patent since at least July 20, 2017, when
10 Clear Imaging sent Google a notice letter indicating that certain Google products
11 required a license to Clear Imaging’s patents (including the ’788 Patent). Clear
12 Imaging and Google held calls and exchanged various communications thereafter.

13 27. Google knowingly and intentionally induces infringement of one or
14 more claims of the ’788 Patent in violation of 35 U.S.C. § 271(b). As of July 20,
15 2017 (or at least as of the time of the filing and service of this complaint), Google
16 obtained knowledge of the ’788 Patent and the infringing nature of the ’788 Accused
17 Products. Despite this knowledge of the ’788 Patent, Google continues to actively
18 encourage and instruct its customers and end users (e.g., through online instruction
19 and other online publications cited in Exhibit 11) to use the ’788 Accused Products in
20 ways that directly infringe the ’788 Patent. For example, Google advertises that
21 the ’788 Accused Products, such as the Pixel 9 Pro, include video stabilization
22 functionality, such as “Fused Video Stabilization,” “Cinematic Pan Video
23 Stabilization,” “Locked Video Stabilization,” “Active Video Stabilization,” and
24 “Motion Photo” technology. Ex. 12, available at [https://support.google.com/
25 pixelphone/answer/7158570?hl=en#zippy=%2Cpixel-pro](https://support.google.com/pixelphone/answer/7158570?hl=en#zippy=%2Cpixel-pro). Google also instructs its
26 customers and end users on how to configure and use the ’788 Accused Products in
27 an infringing manner, including through instructions on how to record videos with
28 video stabilization on Google Pixel smartphones. Ex. 13, available at

1 <https://support.google.com/pixelcamera/answer/7064897?hl=en#zippy>
2 [=%2Cuse-video-effects](#). Google provides these instructions and materials knowing
3 and intending (or with willful blindness to the fact) that its customers and end users
4 will commit these infringing acts. Google also continues to make, use, offer for sale,
5 sell, and/or import the '788 Accused Products, despite its knowledge of the '788
6 Patent, thereby specifically intending for and inducing its customers to infringe
7 the '788 Patent through the customers' normal and customary use of the '788
8 Accused Products.

9 28. Google has also infringed, and continues to infringe, one or more
10 claims of the '788 Patent by selling, offering for sale, or importing into the United
11 States, the '788 Accused Products, knowing that the '788 Accused Products
12 constitute a material part of the inventions claimed in the '788 Patent, are especially
13 made or adapted to infringe the '788 Patent, and are not staple articles or
14 commodities of commerce suitable for non-infringing use. As of July 20, 2017 (or at
15 least as of the time of filing and service of this complaint), Google obtained
16 knowledge of the '788 Patent and the infringing nature of the '788 Accused Products.
17 Google has been, and currently is, contributorily infringing the '788 Patent in
18 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
19 and/or software components and functionality in Google's Pixel smartphones with
20 video stabilization, including "Fused Video Stabilization" and "Motion Photos"
21 technology, constitute a material part of the inventions claimed in the '788 Patent, are
22 especially made or adapted to infringe the '788 Patent, and are not staple articles or
23 commodities of commerce suitable for non-infringing use, as demonstrated by the
24 evidence cited above and in Exhibit 11.

25 29. By making, using, offering for sale, selling, and/or importing into the
26 United States the '788 Accused Products, Google has injured Plaintiff and is liable
27 for infringement of the '788 Patent under 35 U.S.C. § 271.
28

1 30. On information and belief, Plaintiff (including its predecessors and any
2 licensees) complied with 35 U.S.C. § 287 during the relevant time period because
3 Plaintiff, any predecessor assignees to the ’788 Patent, and any licensees did not
4 make, offer for sale, or sell products that practice(d) the ’788 Patent during the
5 relevant time period or were not required to mark during the relevant time period.

6 31. As described above, Google obtained knowledge of Clear Imaging’s
7 patent portfolio and that certain Google products infringe Clear Imaging’s patents as
8 of at least July 20, 2017, but has not ceased its infringing activities. Google’s
9 infringement of the ’788 Patent has been and continues to be willful and deliberate.
10 Google also has knowledge of the ’788 Patent by way of this complaint and, to the
11 extent it does not cease its infringing activities, its infringement is and continues to be
12 willful and deliberate.

13 32. As a result of Google’s direct and indirect infringement of the ’788
14 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
15 amount adequate to compensate for Google’s infringement, but in no event less than
16 a reasonable royalty for the use made of the invention by Google, together with
17 interest and costs as fixed by the Court.

18 **COUNT II**

19 **INFRINGEMENT OF U.S. PATENT NO. 9,860,450**

20 33. Plaintiff realleges and incorporates by reference the foregoing
21 paragraphs as if fully set forth herein.

22 34. Plaintiff owns by assignment all rights, title, and interest, including the
23 right to recover damages for past, present, and future infringement, in the ’450
24 Patent, titled “Method and apparatus to correct digital video to counteract effect of
25 camera shake.” The ’450 Patent was duly and legally issued by the USPTO on
26 January 2, 2018. A true and correct copy of the ’450 Patent is attached as Exhibit 14.

27 35. On information and belief, Google has and continues to make, use,
28 offer for sale, sell, and/or import certain products and services, including without

1 limitation Google’s Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
2 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, Pixel 6a, Pixel 6 Pro,
3 Pixel 5a, Pixel 5, Pixel 4a, Pixel 4, Pixel 4 XL, Pixel 3a, Pixel 3a XL, Pixel 3, Pixel
4 3XL, Pixel 2, and Pixel 2 XL (“’450 Accused Products”), that directly infringe,
5 literally and/or under the doctrine of equivalents, one or more claims of the ’450
6 Patent. Identification of the ’450 Accused Products will be provided in Plaintiff’s
7 infringement contentions disclosed under the Court’s scheduling order.

8 36. The ’450 Accused Products satisfy all claim limitations of one or more
9 claims of the ’450 Patent. A claim chart comparing exemplary independent claim 14
10 of the ’450 Patent to representative ’450 Accused Products is attached as Exhibit 15.

11 37. Google has notice of the ’450 Patent since at least February 22, 2021,
12 when Clear Imaging sent Google a notice letter indicating that certain Google
13 products required a license to Clear Imaging’s patents (including the ’450 Patent).
14 Clear Imaging and Google held calls and exchanged various communications
15 thereafter.

16 38. Google knowingly and intentionally induces infringement of one or
17 more claims of the ’450 Patent in violation of 35 U.S.C. § 271(b). As of February 22,
18 2021 (or at least as of the time of the filing and service of this complaint), Google
19 obtained knowledge of the ’450 Patent and the infringing nature of the ’450 Accused
20 Products. Despite this knowledge of the ’450 Patent, Google continues to actively
21 encourage and instruct its customers and end users (e.g., through online instruction
22 and other online publications cited in Exhibit 15) to use the ’450 Accused Products in
23 ways that directly infringe the ’450 Patent. For example, Google advertises that
24 the ’450 Accused Products, such as the Pixel 9 Pro, include video stabilization
25 functionality, such as “Fused Video Stabilization,” “Cinematic Pan Video
26 Stabilization,” “Locked Video Stabilization,” and “Active Video Stabilization.”
27 Ex. 12. Google also instructs its customers and end users on how to configure and use
28 the ’450 Accused Products in an infringing manner, including through instructions on

1 how to record videos with video stabilization on Google Pixel smartphones. Ex. 13.
2 Google provides these instructions and materials knowing and intending (or with
3 willful blindness to the fact) that its customers and end users will commit these
4 infringing acts. Google also continues to make, use, offer for sale, sell, and/or import
5 the '450 Accused Products, despite its knowledge of the '450 Patent, thereby
6 specifically intending for and inducing its customers to infringe the '450 Patent
7 through the customers' normal and customary use of the '450 Accused Products.

8 39. Google has also infringed, and continues to infringe, one or more
9 claims of the '450 Patent by selling, offering for sale, or importing into the United
10 States, the '450 Accused Products, knowing that the '450 Accused Products
11 constitute a material part of the inventions claimed in the '450 Patent, are especially
12 made or adapted to infringe the '450 Patent, and are not staple articles or
13 commodities of commerce suitable for non-infringing use. As of February 22, 2021
14 (or at least as of the time of filing and service of this complaint), Google obtained
15 knowledge of the '450 Patent and the infringing nature of the '450 Accused Products.
16 Google has been, and currently is, contributorily infringing the '450 Patent in
17 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
18 and/or software components and functionality in Google's Pixel smartphones with
19 video stabilization, including "Fused Video Stabilization," constitute a material part
20 of the inventions claimed in the '450 Patent, are especially made or adapted to
21 infringe the '450 Patent, and are not staple articles or commodities of commerce
22 suitable for non-infringing use, as demonstrated by the evidence cited above and in
23 Exhibit 15.

24 40. By making, using, offering for sale, selling, and/or importing into the
25 United States the '450 Accused Products, Google has injured Plaintiff and is liable
26 for infringement of the '450 Patent under 35 U.S.C. § 271.

27 41. On information and belief, Plaintiff (including its predecessors and any
28 licensees) complied with 35 U.S.C. § 287 during the relevant time period because

1 Plaintiff, any predecessor assignees to the '450 Patent, and any licensees did not
2 make, offer for sale, or sell products that practice(d) the '450 Patent during the
3 relevant time period or were not required to mark during the relevant time period.

4 42. As described above, Google obtained knowledge of Clear Imaging's
5 patent portfolio and that certain Google products infringe Clear Imaging's patents as
6 of at least February 22, 2021, but has not ceased its infringing activities. Google's
7 infringement of the '450 Patent has been and continues to be willful and deliberate.
8 Google also has knowledge of the '450 Patent by way of this complaint and, to the
9 extent it does not cease its infringing activities, its infringement is and continues to be
10 willful and deliberate.

11 43. As a result of Google's direct and indirect infringement of the '450
12 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
13 amount adequate to compensate for Google's infringement, but in no event less than
14 a reasonable royalty for the use made of the invention by Google, together with
15 interest and costs as fixed by the Court.

16 **COUNT III**

17 **INFRINGEMENT OF U.S. PATENT NO. 9,013,587**

18 44. Plaintiff realleges and incorporates by reference the foregoing
19 paragraphs as if fully set forth herein.

20 45. Plaintiff owns by assignment all rights, title, and interest, including the
21 right to recover damages for past, present, and future infringement, in the '587
22 Patent, titled "Method and apparatus to correct digital image blur by combining
23 multiple images." The '587 Patent was duly and legally issued by the USPTO on
24 April 21, 2015. A true and correct copy of the '587 Patent is attached as Exhibit 16.

25 46. On information and belief, Google has and continues to make, use,
26 offer for sale, sell, and/or import certain products and services, including without
27 limitation Google's Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
28 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, Pixel 6a, Pixel 6 Pro,

1 Pixel 5a, Pixel 5, Pixel 4a, Pixel 4, Pixel 4 XL, Pixel 3a, Pixel 3a XL, Pixel 3, Pixel
2 3XL and Pixel Tablet (“’587 Accused Products”), that directly infringe, literally
3 and/or under the doctrine of equivalents, one or more claims of the ’587 Patent.
4 Identification of the ’587 Accused Products will be provided in Plaintiff’s
5 infringement contentions disclosed under the Court’s scheduling order.

6 47. The ’587 Accused Products satisfy all claim limitations of one or more
7 claims of the ’587 Patent. A claim chart comparing exemplary independent claim 15
8 of the ’587 Patent to representative ’587 Accused Products is attached as Exhibit 17.

9 48. Google has notice of the ’587 Patent since at least January 4, 2019,
10 when Clear Imaging sent Google a notice letter indicating that certain Google
11 products required a license to Clear Imaging’s patents (including the ’587 Patent).
12 Clear Imaging and Google held calls and exchanged various communications
13 thereafter.

14 49. Google knowingly and intentionally induces infringement of one or
15 more claims of the ’587 Patent in violation of 35 U.S.C. § 271(b). As of January 4,
16 2019 (or at least as of the time of the filing and service of this complaint), Google
17 obtained knowledge of the ’587 Patent and the infringing nature of the ’587 Accused
18 Products. Despite this knowledge of the ’587 Patent, Google continues to actively
19 encourage and instruct its customers and end users (e.g., through online instruction
20 and other online publications cited in Exhibit 17) to use the ’587 Accused Products in
21 ways that directly infringe the ’587 Patent. For example, Google advertises that its
22 Pixel smartphones and tablets, such as the Pixel 9, include “Super Res Zoom” and
23 “Night Sight” digital camera functionality. Ex. 18, available at
24 https://store.google.com/us/product/pixel_9_specs?hl=en-US); *see also* Ex. 19,
25 available at [https://blog.google/products/pixel/super-res-zoom-google-](https://blog.google/products/pixel/super-res-zoom-google-pixel/#:~:text=%E2%80%9CPixel's%20approach%20to%20zoom%20is,to%20make%20Super%20Res%20Zoom)
26 [pixel/#:~:text=%E2%80%9CPixel's%20approach%20to%20zoom%20is,to](https://blog.google/products/pixel/super-res-zoom-google-pixel/#:~:text=%E2%80%9CPixel's%20approach%20to%20zoom%20is,to%20make%20Super%20Res%20Zoom)
27 [%20make%20Super%20Res%20Zoom](https://blog.google/products/pixel/super-res-zoom-google-pixel/#:~:text=%E2%80%9CPixel's%20approach%20to%20zoom%20is,to%20make%20Super%20Res%20Zoom). Google also instructs its customers and end
28 users on how to configure and use the ’587 Accused Products in an infringing

1 manner, including through instructions on how to use the “Super Res Zoom” and
2 “Night Sight” camera functionality on Google Pixel smartphones and tablets. Ex. 20,
3 available at [https://support.google.com/pixelcamera/answer/9708795?hl=en#](https://support.google.com/pixelcamera/answer/9708795?hl=en#zippy=%2Ctake-photos-in-low-light-with-night-sight)
4 [zippy=%2Ctake-photos-in-low-light-with-night-sight](https://support.google.com/pixelcamera/answer/9708795?hl=en#zippy=%2Ctake-photos-in-low-light-with-night-sight)); Ex. 21, available at
5 [https://support.google.com/pixelcamera/answer/14106982?hl=en#zippy=%2Ctake-a-](https://support.google.com/pixelcamera/answer/14106982?hl=en#zippy=%2Ctake-a-photo-or-video-from-far-away)
6 [photo-or-video-from-far-away](https://support.google.com/pixelcamera/answer/14106982?hl=en#zippy=%2Ctake-a-photo-or-video-from-far-away)). Google provides these instructions and materials
7 knowing and intending (or with willful blindness to the fact) that its customers and
8 end users will commit these infringing acts. Google also continues to make, use, offer
9 for sale, sell, and/or import the ’587 Accused Products, despite its knowledge of
10 the ’587 Patent, thereby specifically intending for and inducing its customers to
11 infringe the ’587 Patent through the customers’ normal and customary use of the ’587
12 Accused Products.

13 50. Google has also infringed, and continues to infringe, one or more
14 claims of the ’587 Patent by selling, offering for sale, or importing into the United
15 States, the ’587 Accused Products, knowing that the ’587 Accused Products
16 constitute a material part of the inventions claimed in the ’587 Patent, are especially
17 made or adapted to infringe the ’587 Patent, and are not staple articles or
18 commodities of commerce suitable for non-infringing use. As of January 4, 2019 (or
19 at least as of the time of filing and service of this complaint), Google obtained
20 knowledge of the ’587 Patent and the infringing nature of the ’587 Accused Products.
21 Google has been, and currently is, contributorily infringing the ’587 Patent in
22 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
23 and/or software components and functionality in Google’s Pixel smartphones and
24 tables with “HDR+,” “Live HDR+,” “Night Sight,” and/or “Super Res Zoom” modes
25 constitute a material part of the inventions claimed in the ’587 Patent, are especially
26 made or adapted to infringe the ’587 Patent, and are not staple articles or
27 commodities of commerce suitable for non-infringing use, as demonstrated by the
28 evidence cited above and in Exhibit 17.

1 51. By making, using, offering for sale, selling, and/or importing into the
2 United States the '587 Accused Products, Google has injured Plaintiff and is liable
3 for infringement of the '587 Patent under 35 U.S.C. § 271.

4 52. On information and belief, Plaintiff (including its predecessors and any
5 licensees) complied with 35 U.S.C. § 287 during the relevant time period because
6 Plaintiff, any predecessor assignees to the '587 Patent, and any licensees did not
7 make, offer for sale, or sell products that practice(d) the '587 Patent during the
8 relevant time period or were not required to mark during the relevant time period.

9 53. As described above, Google obtained knowledge of Clear Imaging's
10 patent portfolio and that certain Google products infringe Clear Imaging's patents as
11 of at least January 4, 2019, but has not ceased its infringing activities. Google's
12 infringement of the '587 Patent has been and continues to be willful and deliberate.
13 Google also has knowledge of the '587 Patent by way of this complaint and, to the
14 extent it does not cease its infringing activities, its infringement is and continues to be
15 willful and deliberate.

16 54. As a result of Google's direct and indirect infringement of the '587
17 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
18 amount adequate to compensate for Google's infringement, but in no event less than
19 a reasonable royalty for the use made of the invention by Google, together with
20 interest and costs as fixed by the Court.

21 **COUNT IV**

22 **INFRINGEMENT OF U.S. PATENT NO. 11,595,583**

23 55. Plaintiff realleges and incorporates by reference the foregoing
24 paragraphs as if fully set forth herein.

25 56. Plaintiff owns by assignment all rights, title, and interest, including the
26 right to recover damages for past, present, and future infringement, in the '583
27 Patent, titled "Method and apparatus for capturing digital video." The '583 Patent
28

1 was duly and legally issued by the USPTO on February 28, 2023. A true and correct
2 copy of the '583 Patent is attached as Exhibit 22.

3 57. On information and belief, Google has and continues to make, use,
4 offer for sale, sell, and/or import certain products and services, including without
5 limitation Google's Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
6 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, and Pixel Tablet
7 ("583 Accused Products"), that directly infringe, literally and/or under the doctrine
8 of equivalents, one or more claims of the '583 Patent. Identification of the '583
9 Accused Products will be provided in Plaintiff's infringement contentions disclosed
10 under the Court's scheduling order.

11 58. The '583 Accused Products satisfy all claim limitations of one or more
12 claims of the '583 Patent. A claim chart comparing exemplary independent claim 15
13 of the '583 Patent to representative '583 Accused Products is attached as Exhibit 23.

14 59. Google has notice of the '583 Patent since at least January 10, 2023,
15 when Clear Imaging sent Google a notice letter indicating that certain Google
16 products required a license to Clear Imaging's patents (including the allowed
17 application that would issue as the '583 Patent in February 2023). Clear Imaging and
18 Google held calls and exchanged various communications thereafter.

19 60. Google knowingly and intentionally induces infringement of one or
20 more claims of the '583 Patent in violation of 35 U.S.C. § 271(b). As of January 10,
21 2023 (or at least as of the time of the filing and service of this complaint), Google
22 obtained knowledge of the '583 Patent and the infringing nature of the '583 Accused
23 Products. Despite this knowledge of the '583 Patent, Google continues to actively
24 encourage and instruct its customers and end users (e.g., through online instruction
25 and other online publications cited in Exhibit 23) to use the '583 Accused Products in
26 ways that directly infringe the '583 Patent. For example, Google advertises that its
27 Pixel smartphones and tablets, such as the Pixel 9, include "Super Res Zoom" and
28 "Night Sight" digital camera functionality. Ex. 18; *see also* Ex. 19. Google also

1 instructs its customers and end users on how to configure and use the '583 Accused
2 Products in an infringing manner, including through instructions on how to use the
3 “Super Res Zoom” and “Night Sight” camera functionality on Google Pixel
4 smartphones and tablets. Ex. 20. Google provides these instructions and materials
5 knowing and intending (or with willful blindness to the fact) that its customers and
6 end users will commit these infringing acts. Google also continues to make, use, offer
7 for sale, sell, and/or import the '583 Accused Products, despite its knowledge of
8 the '583 Patent, thereby specifically intending for and inducing its customers to
9 infringe the '583 Patent through the customers' normal and customary use of the '583
10 Accused Products.

11 61. Google has also infringed, and continues to infringe, one or more
12 claims of the '583 Patent by selling, offering for sale, or importing into the United
13 States, the '583 Accused Products, knowing that the '583 Accused Products
14 constitute a material part of the inventions claimed in the '583 Patent, are especially
15 made or adapted to infringe the '583 Patent, and are not staple articles or
16 commodities of commerce suitable for non-infringing use. As of January 10, 2023 (or
17 at least as of the time of filing and service of this complaint), Google obtained
18 knowledge of the '583 Patent and the infringing nature of the '583 Accused Products.
19 Google has been, and currently is, contributorily infringing the '583 Patent in
20 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
21 and/or software components and functionality in Google's Pixel smartphones and
22 tables with “HDR+,” “Live HDR+,” “Night Sight,” and/or “Super Res Zoom” modes
23 constitute a material part of the inventions claimed in the '583 Patent, are especially
24 made or adapted to infringe the '583 Patent, and are not staple articles or
25 commodities of commerce suitable for non-infringing use, as demonstrated by the
26 evidence cited above and in Exhibit 23.

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1 62. By making, using, offering for sale, selling, and/or importing into the
2 United States the '583 Accused Products, Google has injured Plaintiff and is liable
3 for infringement of the '583 Patent under 35 U.S.C. § 271.

4 63. On information and belief, Plaintiff (including its predecessors and any
5 licensees) complied with 35 U.S.C. § 287 during the relevant time period because
6 Plaintiff, any predecessor assignees to the '583 Patent, and any licensees did not
7 make, offer for sale, or sell products that practice(d) the '583 Patent during the
8 relevant time period or were not required to mark during the relevant time period.

9 64. As described above, Google obtained knowledge of Clear Imaging's
10 patent portfolio and that certain Google products infringe Clear Imaging's patents as
11 of at least January 10, 2023, but has not ceased its infringing activities. Google's
12 infringement of the '583 Patent has been and continues to be willful and deliberate.
13 Google also has knowledge of the '583 Patent by way of this complaint and, to the
14 extent it does not cease its infringing activities, its infringement is and continues to be
15 willful and deliberate.

16 65. As a result of Google's direct and indirect infringement of the '583
17 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
18 amount adequate to compensate for Google's infringement, but in no event less than
19 a reasonable royalty for the use made of the invention by Google, together with
20 interest and costs as fixed by the Court.

21 **COUNT V**

22 **INFRINGEMENT OF U.S. PATENT NO. 10,171,740**

23 66. Plaintiff realleges and incorporates by reference the foregoing
24 paragraphs as if fully set forth herein.

25 67. Plaintiff owns by assignment all rights, title, and interest, including the
26 right to recover damages for past, present, and future infringement, in the '740
27 Patent, titled "Method and apparatus to correct blur in all or part of a digital image by
28 combining plurality of images." The '740 Patent was duly and legally issued by the

1 USPTO on January 1, 2019. A true and correct copy of the '740 Patent is attached as
2 Exhibit 24.

3 68. On information and belief, Google has and continues to make, use,
4 offer for sale, sell, and/or import certain products and services, including without
5 limitation Google's Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
6 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, Pixel 6a, Pixel 6 Pro,
7 Pixel 5a, Pixel 5, Pixel 4a, Pixel 4, Pixel 4 XL, Pixel 3a, Pixel 3a XL, Pixel 3, Pixel
8 3XL, Pixel 2, Pixel 2 XL and Pixel Tablet ("740 Accused Products"), that directly
9 infringe, literally and/or under the doctrine of equivalents, one or more claims of
10 the '740 Patent. Identification of the '740 Accused Products will be provided in
11 Plaintiff's infringement contentions disclosed under the Court's scheduling order.

12 69. The '740 Accused Products satisfy all claim limitations of one or more
13 claims of the '740 Patent. A claim chart comparing exemplary independent claim 20
14 of the '740 Patent to representative '740 Accused Products is attached as Exhibit 25.

15 70. Google has notice of the '740 Patent since at least January 4, 2019,
16 when Clear Imaging sent Google a notice letter indicating that certain Google
17 products required a license to Clear Imaging's patents (including the '740 Patent).
18 Clear Imaging and Google held calls and exchanged various communications
19 thereafter.

20 71. Google knowingly and intentionally induces infringement of one or
21 more claims of the '740 Patent in violation of 35 U.S.C. § 271(b). As of January 4,
22 2019 (or at least as of the time of the filing and service of this complaint), Google
23 obtained knowledge of the '740 Patent and the infringing nature of the '740 Accused
24 Products. Despite this knowledge of the '740 Patent, Google continues to actively
25 encourage and instruct its customers and end users (e.g., through online instruction
26 and other online publications cited in Exhibit 25) to use the '740 Accused Products in
27 ways that directly infringe the '740 Patent. For example, Google advertises that its
28 Pixel smartphones and tablets, such as the Pixel 9, include "Portrait Mode" digital

1 camera functionality. Ex. 18. Google also instructs its customers and end users on
2 how to configure and use the '740 Accused Products in an infringing manner,
3 including through instructions on how to use "Portrait Mode" on Google Pixel
4 smartphones and tablets. Ex. 26, available at [https://support.google.com/google
5 pixeltablet/answer/9940184?hl=en-AU#zippy=%2Ctake-portrait-style-photos](https://support.google.com/google-pixeltablet/answer/9940184?hl=en-AU#zippy=%2Ctake-portrait-style-photos).
6 Google provides these instructions and materials knowing and intending (or with
7 willful blindness to the fact) that its customers and end users will commit these
8 infringing acts. Google also continues to make, use, offer for sale, sell, and/or import
9 the '740 Accused Products, despite its knowledge of the '740 Patent, thereby
10 specifically intending for and inducing its customers to infringe the '740 Patent
11 through the customers' normal and customary use of the '740 Accused Products.

12 72. Google has also infringed, and continues to infringe, one or more
13 claims of the '740 Patent by selling, offering for sale, or importing into the United
14 States, the '740 Accused Products, knowing that the '740 Accused Products
15 constitute a material part of the inventions claimed in the '740 Patent, are especially
16 made or adapted to infringe the '740 Patent, and are not staple articles or
17 commodities of commerce suitable for non-infringing use. As of January 4, 2019 (or
18 at least as of the time of filing and service of this complaint), Google obtained
19 knowledge of the '740 Patent and the infringing nature of the '740 Accused Products.
20 Google has been, and currently is, contributorily infringing the '740 Patent in
21 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
22 and/or software components and functionality in Google's Pixel smartphones and
23 tablets with "Portrait Mode" constitute a material part of the inventions claimed in
24 the '740 Patent, are especially made or adapted to infringe the '740 Patent, and are
25 not staple articles or commodities of commerce suitable for non-infringing use, as
26 demonstrated by the evidence cited above and in Exhibit 25.

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73. By making, using, offering for sale, selling, and/or importing into the United States the '740 Accused Products, Google has injured Plaintiff and is liable for infringement of the '740 Patent under 35 U.S.C. § 271.

74. On information and belief, Plaintiff (including its predecessors and any licensees) complied with 35 U.S.C. § 287 during the relevant time period because Plaintiff, any predecessor assignees to the '740 Patent, and any licensees did not make, offer for sale, or sell products that practice(d) the '740 Patent during the relevant time period or were not required to mark during the relevant time period.

75. As described above, Google obtained knowledge of Clear Imaging's patent portfolio and that certain Google products infringe Clear Imaging's patents as of at least January 4, 2019, but has not ceased its infringing activities. Google's infringement of the '740 Patent has been and continues to be willful and deliberate. Google also has knowledge of the '740 Patent by way of this complaint and, to the extent it does not cease its infringing activities, its infringement is and continues to be willful and deliberate.

76. As a result of Google's direct and indirect infringement of the '740 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an amount adequate to compensate for Google's infringement, but in no event less than a reasonable royalty for the use made of the invention by Google, together with interest and costs as fixed by the Court.

COUNT VI

INFRINGEMENT OF U.S. PATENT NO. 11,165,961

77. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

78. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in the '961 Patent, titled "Method and apparatus for capturing digital video." The '961 Patent

1 was duly and legally issued by the USPTO on November 2, 2021. A true and correct
2 copy of the '961 Patent is attached as Exhibit 27.

3 79. On information and belief, Google has and continues to make, use,
4 offer for sale, sell, and/or import certain products and services, including without
5 limitation Google's Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
6 Pro, Pixel 8, Pixel 7, Pixel 7 Pro ("961 Accused Products"), that directly infringe,
7 literally and/or under the doctrine of equivalents, one or more claims of the '961
8 Patent. Identification of the '961 Accused Products will be provided in Plaintiff's
9 infringement contentions disclosed under the Court's scheduling order.

10 80. The '961 Accused Products satisfy all claim limitations of one or more
11 claims of the '961 Patent. A claim chart comparing exemplary independent claim 8
12 of the '961 Patent to representative '961 Accused Products is attached as Exhibit 28.

13 81. Google has notice of the '961 Patent since at least January 10, 2023,
14 when Clear Imaging sent Google a notice letter indicating that certain Google
15 products required a license to Clear Imaging's patents (including the '961 Patent).
16 Clear Imaging and Google held calls and exchanged various communications
17 thereafter.

18 82. Google knowingly and intentionally induces infringement of one or
19 more claims of the '961 Patent in violation of 35 U.S.C. § 271(b). As of January 10,
20 2023 (or at least as of the time of the filing and service of this complaint), Google
21 obtained knowledge of the '961 Patent and the infringing nature of the '961 Accused
22 Products. Despite this knowledge of the '961 Patent, Google continues to actively
23 encourage and instruct its customers and end users (e.g., through online instruction
24 and other online publications cited in Exhibit 28) to use the '961 Accused Products in
25 ways that directly infringe the '961 Patent. For example, Google advertises that its
26 smartphones, including the Pixel 9, include "Cinematic Blur" digital video
27 functionality. Ex. 29, available at [https://store.google.com/product/pixel_9_pro_specs](https://store.google.com/product/pixel_9_pro_specs?hl=en-US)
28 [?hl=en-US](https://store.google.com/product/pixel_9_pro_specs?hl=en-US). Google also instructs its customers and end users on how to configure

1 and use the '961 Accused Products in an infringing manner, including through
2 instructions on how to use the “Cinematic Blur” functionality on Google Pixel
3 smartphones. Ex. 30, available at [https://support.google.com/pixelcamera/
4 answer/7064897?hl=en#zippy=%2Cuse-video-effects](https://support.google.com/pixelcamera/answer/7064897?hl=en#zippy=%2Cuse-video-effects). Google provides these
5 instructions and materials knowing and intending (or with willful blindness to the
6 fact) that its customers and end users will commit these infringing acts. Google also
7 continues to make, use, offer for sale, sell, and/or import the '961 Accused Products,
8 despite its knowledge of the '961 Patent, thereby specifically intending for and
9 inducing its customers to infringe the '961 Patent through the customers' normal and
10 customary use of the '961 Accused Products.

11 83. Google has also infringed, and continues to infringe, one or more
12 claims of the '961 Patent by selling, offering for sale, or importing into the United
13 States, the '961 Accused Products, knowing that the '961 Accused Products
14 constitute a material part of the inventions claimed in the '961 Patent, are especially
15 made or adapted to infringe the '961 Patent, and are not staple articles or
16 commodities of commerce suitable for non-infringing use. As of January 10, 2023 (or
17 at least as of the time of filing and service of this complaint), Google obtained
18 knowledge of the '961 Patent and the infringing nature of the '961 Accused Products.
19 Google has been, and currently is, contributorily infringing the '961 Patent in
20 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
21 and/or software components and functionality in Google's Pixel smartphones with
22 “Cinematic Blur” mode constitute a material part of the inventions claimed in
23 the '961 Patent, are especially made or adapted to infringe the '961 Patent, and are
24 not staple articles or commodities of commerce suitable for non-infringing use, as
25 demonstrated by the evidence cited above and in Exhibit 28.

26 84. By making, using, offering for sale, selling, and/or importing into the
27 United States the '961 Accused Products, Google has injured Plaintiff and is liable
28 for infringement of the '961 Patent under 35 U.S.C. § 271.

1 85. On information and belief, Plaintiff (including its predecessors and any
2 licensees) complied with 35 U.S.C. § 287 because Plaintiff, any predecessor
3 assignees to the '961 Patent, and any licensees did not make, offer for sale, or sell
4 products that practice(d) the '961 Patent during the relevant time period or were not
5 required to mark during the relevant time period.

6 86. As described above, Google obtained knowledge of Clear Imaging's
7 patent portfolio and that certain Google products infringe Clear Imaging's patents as
8 of at least January 10, 2023, but has not ceased its infringing activities. Google's
9 infringement of the '961 Patent has been and continues to be willful and deliberate.
10 Google also has knowledge of the '961 Patent by way of this complaint and, to the
11 extent it does not cease its infringing activities, its infringement is and continues to be
12 willful and deliberate.

13 87. As a result of Google's direct and indirect infringement of the '961
14 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
15 amount adequate to compensate for Google's infringement, but in no event less than
16 a reasonable royalty for the use made of the invention by Google, together with
17 interest and costs as fixed by the Court.

18 **COUNT VII**

19 **INFRINGEMENT OF U.S. PATENT NO. 11,457,149**

20 88. Plaintiff realleges and incorporates by reference the foregoing
21 paragraphs as if fully set forth herein.

22 89. Plaintiff owns by assignment all rights, title, and interest, including the
23 right to recover damages for past, present, and future infringement, in the '149
24 Patent, titled "Method and apparatus for capturing digital video." The '149 Patent
25 was duly and legally issued by the USPTO on September 27, 2022. A true and
26 correct copy of the '149 Patent is attached as Exhibit 31.

27 90. On information and belief, Google has and continues to make, use,
28 offer for sale, sell, and/or import certain products and services, including without

1 limitation Google’s Pixel 9 Pro Fold, Pixel 9 Pro, Pixel 9, Pixel 9 Pro XL, Pixel 8
2 Pro, Pixel 8, Pixel 8a, Pixel 7a, Pixel 7, Pixel 7 Pro, Pixel Fold, Pixel 6a, Pixel 6 Pro,
3 and Pixel Tablet (“’149 Accused Products”), that directly infringe, literally and/or
4 under the doctrine of equivalents, one or more claims of the ’149 Patent.
5 Identification of the ’149 Accused Products will be provided in Plaintiff’s
6 infringement contentions disclosed pursuant to the Court’s scheduling order.

7 91. The ’149 Accused Products satisfy all claim limitations of one or more
8 claims of the ’149 Patent. A claim chart comparing exemplary independent claim 21
9 of the ’149 Patent to representative ’149 Accused Products is attached as Exhibit 32.

10 92. Google has notice of the ’149 Patent since at least January 10, 2023,
11 when Clear Imaging sent Google a notice letter indicating that certain Google
12 products required a license to Clear Imaging’s patents (including the ’149 Patent).
13 Clear Imaging and Google held calls and exchanged various communications
14 thereafter.

15 93. Google knowingly and intentionally induces infringement of one or
16 more claims of the ’149 Patent in violation of 35 U.S.C. § 271(b). As of January 10,
17 2023 (or at least as of the time of the filing and service of this complaint), Google
18 obtained knowledge of the ’149 Patent and the infringing nature of the ’149 Accused
19 Products. Despite this knowledge of the ’149 Patent, Google continues to actively
20 encourage and instruct its customers and end users (e.g., through online instruction
21 and other online publications cited in Exhibit 32) to use the ’149 Accused Products in
22 ways that directly infringe the ’149 Patent. For example, Google advertises that its
23 Pixel smartphones and tablets, such as the Pixel 9, include “Portrait Mode” digital
24 camera functionality. Ex. 18. Google also instructs its customers and end users on
25 how to configure and use the ’149 Accused Products in an infringing manner,
26 including through instructions on how to use “Portrait Mode” on Google Pixel
27 smartphones and tablets. Ex. 33, available at [https://support.google.com/
28 googlepixeltablet/answer/9940184?hl=en-AU#zippy=%2Ctake-portrait-style-photos](https://support.google.com/googlepixeltablet/answer/9940184?hl=en-AU#zippy=%2Ctake-portrait-style-photos).

1 Google provides these instructions and materials knowing and intending (or with
2 willful blindness to the fact) that its customers and end users will commit these
3 infringing acts. Google also continues to make, use, offer for sale, sell, and/or import
4 the '149 Accused Products, despite its knowledge of the '149 Patent, thereby
5 specifically intending for and inducing its customers to infringe the '149 Patent
6 through the customers' normal and customary use of the '149 Accused Products.

7 94. Google has also infringed, and continues to infringe, one or more
8 claims of the '149 Patent by selling, offering for sale, or importing into the United
9 States, the '149 Accused Products, knowing that the '149 Accused Products
10 constitute a material part of the inventions claimed in the '149 Patent, are specially
11 made or adapted to infringe the '149 Patent, and are not staple articles or
12 commodities of commerce suitable for non-infringing use. As of January 10, 2023 (or
13 at least as of the time of filing and service of this complaint), Google obtained
14 knowledge of the '149 Patent and the infringing nature of the '149 Accused Products.
15 Google has been, and currently is, contributorily infringing the '149 Patent in
16 violation of 35 U.S.C. §§ 271(c) and/or (f). For example, the identified hardware
17 and/or software components and functionality in Google's Pixel smartphones and
18 tablets with "Portrait Mode" constitute a material part of the inventions claimed in
19 the '149 Patent, are specially made or adapted to infringe the '149 Patent, and are not
20 staple articles or commodities of commerce suitable for non-infringing use, as
21 demonstrated by the evidence cited above and in Exhibit 32.

22 95. By making, using, offering for sale, selling, and/or importing into the
23 United States the '149 Accused Products, Google has injured Plaintiff and is liable
24 for infringement of the '149 Patent under 35 U.S.C. § 271.

25 96. On information and belief, Plaintiff (including its predecessors and any
26 licensees) complied with 35 U.S.C. § 287 during the relevant time period because
27 Plaintiff, any predecessor assignees to the '149 Patent, and any licensees did not
28

1 make, offer for sale, or sell products that practice(d) the '149 Patent during the
2 relevant time period or were not required to mark during the relevant time period.

3 97. As described above, Google obtained knowledge of Clear Imaging's
4 patent portfolio and that certain Google products infringe Clear Imaging's patents as
5 of at least January 10, 2023, but has not ceased its infringing activities. Google's
6 infringement of the '149 Patent has been and continues to be willful and deliberate.
7 Google also has knowledge of the '149 Patent by way of this complaint and, to the
8 extent it does not cease its infringing activities, its infringement is and continues to be
9 willful and deliberate.

10 98. As a result of Google's direct and indirect infringement of the '149
11 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an
12 amount adequate to compensate for Google's infringement, but in no event less than
13 a reasonable royalty for the use made of the invention by Google, together with
14 interest and costs as fixed by the Court.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff respectfully requests that this Court enter:

- 17 a. A judgment in favor of Plaintiff that Google has infringed, either
18 literally and/or under the doctrine of equivalents, the '788, '450, '587, '583, '740,
19 '961, and '149 Patents;
- 20 b. A judgment and order requiring Google to pay Plaintiff its damages
21 (past, present, and future), costs, expenses, and pre- and post-judgment interest for
22 Google's infringement of the '788, '450, '587, '583, '740, '961, and '149 Patents;
- 23 c. A judgment that Google's infringement of the '788, '450, '587, '583,
24 '740, '961, and '149 Patents has been willful and order requiring Google to pay treble
25 damages for willful infringement;
- 26 d. A judgment and order requiring Google to pay Plaintiff compulsory
27 ongoing licensing fees, as determined by the Court;
- 28 e. A judgment and order requiring Google to provide an accounting and to

1 pay supplemental damages to Plaintiff, including without limitation, pre- and post-
2 judgment interest and compensation for infringing products released after the filing of
3 this case that are not colorably different from the '788, '450, '587, '583,
4 '740, '961, and '149 Accused Products;

5 f. A judgment and order finding that this is an exceptional case within the
6 meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees
7 against Google; and

8 g. Any and all other relief as the Court may deem appropriate and just
9 under the circumstances.

10 **DEMAND FOR JURY TRIAL**

11 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a
12 trial by jury of any issues so triable by right.

13 Dated: January 30, 2025

Respectfully submitted,

14 /s/ Jennifer M. French
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