

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HUMANEYES TECHS., LTD.,)
)
Plaintiff,)
)
v.)
)
SONY ELECS., INC., SONY CORP., SONY)
CORP. OF AMERICA, SONY MOBILE)
COMMS. AB, SONY MOBILE COMMS.)
(USA), INC.,)
)
Defendants.)

C.A. No. 12 - 398

JURY TRIAL DEMANDED

FILED
U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2012 MAR 29 PM 2:37

COMPLAINT

Plaintiff HumanEyes Technologies, Ltd., by and through its attorneys, for its Complaint for Patent Infringement against Defendants Sony Electronics Inc., Sony Corporation, Sony Corporation of America, Sony Mobile Communications AB, and Sony Mobile Communications (USA) Inc., alleges as follows, upon personal knowledge with respect to its own acts, and upon information and belief with respect to the circumstances and fact of others:

PARTIES

1. HumanEyes Technologies, Ltd. ("HumanEyes") is a company organized under the laws of Israel having its principal place of business located at 1-4 High Tech Village, Edmond Safra Campus, The Hebrew University, Givat Ram, 91390 Jerusalem, Israel. HumanEyes Technologies, Inc. is controlled by and is a wholly-owned subsidiary of HumanEyes Technologies, Ltd. and is a corporation organized and existing under the laws of the State of Delaware, with its principle place of business at 366 North Broadway, Suite 410-C1, Jericho, New York, 11753.

2. On information and belief, Sony Corporation (“Sony Corp.”) is a corporation existing and organized under the laws of Japan with its principal place of business at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan.

3. On information and belief, Sony Corporation of America (“SCA”) is a subsidiary of Sony Corp. and is a corporation organized and existing under the laws of the State of New York, with its principal place of business at 550 Madison Avenue, 27th Floor, New York, NY 10022-3211. SCA is registered to do business in Delaware. Its registered agent for service of process in Delaware is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

4. On information and belief, Sony Electronics Inc. (“SEI”) is a wholly-owned subsidiary of SCA, is an indirect subsidiary of Sony Corp., and is a Delaware corporation with its principal place of business located at 16530 Via Esprillo, San Diego, CA 92127-1708. SEI’s registered agent for service of process is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

5. On information and belief, Sony Mobile Communications AB (“Sony Mobile AB”) is a subsidiary of Sony Corp. and is a company organized and existing under the laws of Sweden with its principal place of business at 202 Hammersmith Rd, London W6 7DN, United Kingdom.

6. On information and belief, Sony Mobile Communications (USA) Inc. (“Sony Mobile (USA)”) is an indirect subsidiary of Sony Corp. and is a Delaware corporation with its principal place of business located at 3333 Piedmont Road, Suite 600, Atlanta, Georgia 30305. Sony Mobile (USA)’s registered agent for service of process is Capitol Services, Inc., 1675 South State Street, Suite B, Dover, DE, 19901.

7. On information and belief, Sony Corp., SCA, SEI, Sony Mobile AB, and Sony Mobile (USA), (collectively, “Sony”) individually and/or collectively and in concert, are engaged in the design, manufacture, importation into the United States, sale for importation, and sale after importation of the Accused Products (defined below).

JURISDICTION AND VENUE

8. This civil action for patent infringement arises under the patent laws of the United States, 35 U.S.C. § 100 *et seq.*, including in particular under 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. Sony Corp. is subject to personal jurisdiction in this Court because, upon information and belief, Sony Corp. does and has done substantial business in this district, including both independently and through and with its subsidiaries and various commercial arrangements by placing its products, including those that infringe HumanEyes’ patents, into the stream of commerce, which stream is directed at the State of Delaware and this district, with the knowledge and/or understanding that such products would be sold in the State of Delaware and this district.

10. On information and belief, Sony Corp. has sufficient minimum contacts with the district that an exercise of personal jurisdiction over Sony Corp. would not offend traditional notions of fair play and substantial justice and would be appropriate under Delaware Code Title 10, Section 3104.

11. SCA is subject to personal jurisdiction in this Court because, upon information and belief, SCA does and has done substantial business in this district, including both independently and through and with its subsidiaries and various commercial arrangements by placing its products, including those that infringe HumanEyes’ patents, into the stream of

commerce, which stream is directed at the State of Delaware and this district, with the knowledge and/or understanding that such products would be sold in the State of Delaware and this district.

12. On information and belief, SCA has sufficient minimum contacts with the district that an exercise of personal jurisdiction over SCA would not offend traditional notions of fair play and substantial justice and would be appropriate under Delaware Code Title 10, Section 3104.

13. SEI is incorporated in Delaware and, therefore, resides in and is subject to personal jurisdiction in this judicial district.

14. Sony Mobile AB is subject to personal jurisdiction in this Court because, upon information and belief, Sony Mobile AB does and has done substantial business in this district, including both independently and in concert with Sony Corp. and its subsidiaries and through various commercial arrangements by placing its products, including those that infringe HumanEyes' patents, into the stream of commerce, which stream is directed at the State of Delaware and this district, with the knowledge and/or understanding that such products would be sold in the State of Delaware and this district.

15. On information and belief, Sony Mobile AB has sufficient minimum contacts with the district that an exercise of personal jurisdiction over Sony Mobile AB would not offend traditional notions of fair play and substantial justice and would be appropriate under Delaware Code Title 10, Section 3104.

16. Sony Mobile (USA) is incorporated in Delaware and, therefore, resides in and is subject to personal jurisdiction in this judicial district.

17. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and (c) and/or and 1400(b).

BACKGROUND AS TO ALL COUNTS

18. Conventional methods of generating 3D images require special, expensive double lens cameras. In 1998, Professor Shmuel Peleg, a world-renowned figure in Computer Vision, and members of his research team proposed an innovative, new method for generating 3D panoramic images by combining portions of multiple images recorded by an ordinary camera. This breakthrough has made it possible to bring inexpensive 3D photography to standard digital cameras and mobile devices. Professor Peleg and his co-inventors were awarded patent protection by the U.S. Patent and Trademark Office for that technology in U.S. Patent Nos. 6,665,003 and 7,477,284 (collectively, the “Asserted Patents”).

19. In 2000, HumanEyes Technologies, Ltd. (“HumanEyes”) was founded to further develop and commercialize products that realize the innovative potential of Professor Peleg and his team’s discoveries in generating and displaying 3D mosaic images and related technologies. HumanEyes, the exclusive licensee to Professor Peleg’s 3D stereo panoramic patents, applies that patented vision to provide a complete, end-to-end solution for creating and printing 3D photographic effects.

20. Inventor and HumanEyes co-founder Shmuel Peleg is widely recognized as a leading scholar and researcher in the field of Computer Vision, with over 127 publications and 16 U.S. Patents.

21. Professor Peleg’s prominence in the field of Computer Vision is well-known to Sony. Sony Corporation Research Engineer Dr. Kenji Tanaka has cited to Professor Peleg’s work in at least three of his own publications and described Professor Peleg as “one of the most

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