

1 RUSS, AUGUST & KABAT
 Marc A. Fenster, State Bar No. 181067
 2 mfenster@raklaw.com
 Benjamin T. Wang, State Bar No. 228712
 3 bwang@raklaw.com
 Neil A. Rubin, State Bar No. 250761
 4 nrubin@raklaw.com
 James S. Tsuei (CA Bar No. 285530)
 5 jtsuei@raklaw.com
 12424 Wilshire Boulevard, 12th Floor
 6 Los Angeles, California 90025
 Telephone: (310) 826-7474
 7 Facsimile: (310) 826-6991

8 Attorneys for Plaintiff
 COREPHOTONICS, LTD.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

13 COREPHOTONICS, LTD.
 14 Plaintiff,

Civil Action No. 3:19-cv-4809

15 vs.

**COMPLAINT FOR PATENT
 INFRINGEMENT**

17 APPLE INC.
 18 Defendant.

DEMAND FOR JURY TRIAL

RUSS, AUGUST & KABAT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMPLAINT

1
2 1. Plaintiff Corephotonics, Ltd. (“Corephotonics”) hereby submits its Complaint
3 against Defendant Apple Inc. (“Apple”) and alleges as follows:

4 **NATURE OF THE ACTION**

5 2. This is a civil action for infringement under the patent laws of the United States, 35
6 U.S.C. § 1, *et seq.*

7 3. The United States Patent and Trademark Office duly and legally issued U.S. Patent
8 9,661,233 (the “’233 patent”), entitled “Dual Aperture Zoom Digital Camera,” on May 23, 2017.
9 Corephotonics is the legal owner of the ’233 patent by assignment. A true and correct copy of the
10 ’233 patent is attached hereto as Exhibit A.

11 4. The United States Patent and Trademark Office duly and legally issued U.S. Patent
12 10,230,898 (the “’898 patent”), entitled “Dual Aperture Zoom Camera With Video Support And
13 Switching / Non-Switching Dynamic Control,” on March 12, 2019. Corephotonics is the legal
14 owner of the ’898 patent by assignment. A true and correct copy of the ’898 patent is attached
15 hereto as Exhibit B.

16 5. The United States Patent and Trademark Office duly and legally issued U.S. Patent
17 10,288,840 (the “’840 patent”), entitled “Miniature Telephoto Lens Module And A Camera
18 Utilizing Such A Lens Module,” on May 14, 2019. Corephotonics is the legal owner of the ’840
19 patent by assignment. A true and correct copy of the ’840 patent is attached hereto as Exhibit C.

20 6. The United States Patent and Trademark Office duly and legally issued U.S. Patent
21 10,317,647 (the “’647 patent”), entitled “Miniature Telephoto Lens Assembly,” on June 11, 2019.
22 Corephotonics is the legal owner of the ’647 patent by assignment. A true and correct copy of the
23 ’647 patent is attached hereto as Exhibit D.

24 7. The United States Patent and Trademark Office duly and legally issued U.S. Patent
25 10,324,277 (the “’277 patent”), entitled “Miniature Telephoto Lens Assembly,” on June 18, 2019.
26 Corephotonics is the legal owner of the ’277 patent by assignment. A true and correct copy of the
27 ’277 patent is attached hereto as Exhibit E.
28

RUSS, AUGUST & KABAT

1 8. The United States Patent and Trademark Office duly and legally issued U.S. Patent
2 10,330,897 (the “’897 patent”), entitled “Miniature Telephoto Lens Assembly,” on June 25, 2019.
3 Corephotonics is the legal owner of the ’897 patent by assignment. A true and correct copy of the
4 ’897 patent as-issued, together with a certificate of correction dated July 23, 2019, is attached
5 hereto as Exhibit F.

6 9. The United States Patent and Trademark Office duly and legally issued U.S. Patent
7 10,225,479 (the “’479 patent”), entitled “Dual Aperture Zoom Digital Camera,” on March 5, 2019.
8 Corephotonics is the legal owner of the ’479 patent by assignment. A true and correct copy of the
9 ’479 patent is attached hereto as Exhibit G.

10 10. The United States Patent and Trademark Office duly and legally issued U.S. Patent
11 10,015,408 (the “’408 patent”), entitled “Dual Aperture Zoom Digital Camera,” on July 3, 2018.
12 Corephotonics is the legal owner of the ’408 patent by assignment. A true and correct copy of the
13 ’408 patent is attached hereto as Exhibit H.

14 11. The United States Patent and Trademark Office duly and legally issued U.S. Patent
15 10,356,332 (the “’332 patent”), entitled “Dual Aperture Zoom Camera With Video Support And
16 Switching / Non-Switching Dynamic Control,” on July 16, 2019. Corephotonics is the legal owner
17 of the ’332 patent by assignment. A true and correct copy of the ’332 patent is attached hereto as
18 Exhibit I.

19 12. The United States Patent and Trademark Office duly and legally issued U.S. Patent
20 10,326,942 (the “’942 patent”), entitled “Dual Aperture Zoom Digital Camera,” on June 18, 2019.
21 Corephotonics is the legal owner of the ’942 patent by assignment. A true and correct copy of the
22 ’942 patent is attached hereto as Exhibit J.

23 13. Apple has infringed and continues to infringe one or more claims of each of the
24 ’233 patent, the ’898 patent, the ’840 patent, the ’647 patent, the ’277 patent, the ’897 patent, the
25 ’479 patent, the ’408 patent, the ’332 patent, and the ’942 patent (collectively the “Asserted
26 Patents”), at least by importing, using, selling, and/or offering to sell the iPhone 7 Plus, iPhone 8
27 Plus, iPhone X, iPhone Xs, and/or iPhone Xs Max (the “Accused Products”), as set forth in detail
28 below. Corephotonics seeks, among other things, monetary damages and injunctive relief.

RUSS, AUGUST & KABAT

1 **THE PARTIES**

2 14. Plaintiff Corephotonics is a company organized and existing under the laws of the
3 State of Israel with its principal place of business at 25 HaBarzel St., Tel Aviv 6971035, Israel.

4 15. Defendant Apple is a corporation organized and existing under the laws of the State
5 of California with its principal place of business at 1 Infinite Loop, Cupertino, California.

6 **JURISDICTION AND VENUE**

7 16. This Court has subject matter jurisdiction over Corephotonics' claims for patent
8 infringement pursuant to the 28 U.S.C. §§ 1331 and 1338(a).

9 17. Apple is subject to this Court's personal jurisdiction because Apple resides and has
10 its primary place of business within this District. This Court also has personal jurisdiction over
11 Apple because Apple has committed and induced acts of patent infringement and has regularly
12 and systematically conducted and solicited business in this District by and through at least its sales
13 and offers for sale of Apple products and services, and other contractual arrangements with Apple
14 customers and third parties using such Apple products and services located in and/or doing
15 business in this District.

16 18. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and 1400(b) because
17 Apple resides in this District, has a regular and established place of business in this District, and
18 has committed acts of infringement in this District.

19 **INTRADISTRICT ASSIGNMENT**

20 19. This action for patent infringement is assigned on a district-wide basis under Civil
21 L.R. 3-2(c).

22 **FACTUAL ALLEGATIONS**

23 **A. Corephotonics' Dual Camera Technology Innovations**

24 20. Corephotonics is a pioneer in the development of dual camera technologies for
25 mobile devices. Corephotonics was founded in 2012 to develop the next generation of mobile
26 phone cameras. Its founders brought with them decades of experience in the fields of optics and
27 miniature digital cameras and were led by Dr. David Mendlovic, a Professor at Tel Aviv University
28 and former Chief Scientist of the Israeli Ministry of Science.

RUSS, AUGUST & KABAT

1 21. Corephotonics' dual-aperture camera technology changes the way smartphones
2 take pictures by using advanced lens design and sophisticated computational optics. The advanced
3 lens design is used to create a miniature telephoto lens that can fit within the confines of a modern,
4 thin smartphone but still provide the superior image quality and light sensitivity demanded by
5 smartphone consumers.

6 22. Corephotonics' innovative dual-aperture camera technology uses two fixed-focal
7 length lenses, a wide-angle lens as typically found in smartphones with single-aperture cameras,
8 and a miniature telephoto lens. Traditional optical zoom is accomplished by using a variable focal
9 length lens assembly. At the small formats required for smartphones, however, it is difficult to
10 reliably include movable components, so smartphones were stuck with small, fixed lenses. This
11 means that in a typical single-aperture smartphone camera, all zoom functionality is provided with
12 digital zoom, *i.e.*, a processor digitally modifies the image to create a magnified but poorer
13 resolution image. With Corephotonics' dual-aperture camera technology, by contrast, the second
14 camera with telephoto lens provides much higher optical resolution than the wide-angle camera.
15 Images from both of these cameras can also be processed by computational algorithms to create
16 an effectively greater level of zoom without degrading image quality by combining digital and
17 optical zoom.

18 23. For video, which captures thirty or more frames per second, Corephotonics
19 discovered that implementing image fusion for each frame demands higher than normal processing
20 resources and power. At the same time, the beneficial pixel finesse achieved by image fusion is
21 less observable at the rapid frame rate of HD video due to human perception limits. Corephotonics
22 thus developed technology for dual-aperture cameras where image fusion is only used when taking
23 still pictures, but not for video. In video, when zooming in, digital zoom is used first on the image
24 from the wide-angle camera only and then switched to the image from the telephoto camera only.
25 When zooming back out, a similar transition happens from using the telephoto camera only,
26 switching back to the wide-angle camera only. This approach conserves resources and power.
27 Because the two lenses are different and necessarily view the subject from different points of view,
28

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.