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Attorneys for Plaintiff Gary Odom

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CV '09-236-1 BR

GARY ODOM, an Oregon resident,

Plaintiff,

Civil Action No. _____

v.

AUTODESK, INC., a Delaware
corporation,

Defendant.

PLAINTIFF'S COMPLAINT FOR PATENT
INFRINGEMENT

I. NATURE OF THE ACTION

Plaintiff Gary Odom ("Odom") brings this action against Autodesk, Inc. ("Autodesk") for patent infringement under the laws of the United States, Title 35, United States Code.

#23564

II. JURISDICTION AND VENUE

1. This is an action under the laws of the United States, 35 U.S.C. § 101 et seq. This Court has subject matter jurisdiction of this action under 28 U.S.C. §§ 1331, 1337 and 1338(a).

2. Venue is proper in this judicial District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because Autodesk has done business in this District, has committed acts of infringement in this District, and continues to commit acts of infringement in this District, entitling Odom to relief.

III. PARTIES

3. Odom alleges all facts herein on information and belief, except those facts concerning the activities of Odom.

4. Odom is an individual, residing at 1223 NW 12th Avenue, #1545, Portland, Oregon 97209.

5. Odom is the sole inventor and owner of the patent at issue in this action, U.S. Patent No. 7,363,592 B1.

6. Autodesk is a Delaware Corporation with its principal place of business at 111 McInnis Parkway, San Rafael, California 94903. Autodesk may be served through its registered agent, National Registered Agents Inc., 3533 Fairview Industrial Drive SE, Salem, Oregon 97302.

IV. CAUSE OF ACTION

INFRINGEMENT OF U.S. PATENT NO. 7,363,592

7. On April 22, 2008, United States Patent No. 7,363,592 B1 ("the '592 patent") was duly and legally issued to Gary Odom for an invention entitled "Tool Group Manipulations." Odom is the sole inventor and owner of the '592 patent, and holds all rights and interest in the '592 patent. A true and correct copy of the '592 patent is attached hereto as Exhibit A.

8. Autodesk has infringed and continues to infringe at least claims 8, 10 and 14 of the '592 patent in this judicial district and elsewhere, directly, by inducement and/or

contributorily, by manufacturing, marketing, selling, distributing, importing, and/or using products, including Autodesk 2009 which includes the Ribbon user interface. Autodesk is liable for its infringement of the '592 patent pursuant to 35 U.S.C. § 271.

9. Autodesk's acts of infringement have caused damage to Odom, and Odom is entitled to recover from Autodesk the damages sustained by Odom as a result of Autodesk's wrongful acts in an amount subject to proof at trial, which in no event can be less than a reasonable royalty.

10. The filing of this action constitutes notice pursuant to 35 U.S.C. § 287.

V. JURY DEMAND

11. Odom hereby demands a trial by jury on all claims and issues.

PRAYER FOR RELIEF

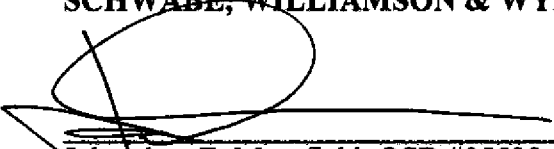
WHEREFORE, Plaintiff Odom, requests entry of judgment in its favor and against Autodesk as follows:

- a) Declaring that Autodesk has infringed U.S. Patent No. 7,363,592 B1;
- b) Awarding Odom damages arising from Autodesk's infringement of U.S. Patent No. 7,363,592 B1, which can be no less than a reasonable royalty.
- c) Awarding Odom prejudgment and post-judgment interest;
- d) Declaring this an exceptional case and awarding attorneys' fees and costs pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and
- e) Awarding such other costs and further relief as the Court may deem just and proper under the circumstances.

Dated: February 25, 2009

Respectfully submitted,

~~SCHWABE, WILLIAMSON & WYATT, P.C.~~



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