

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

MLR, LLC,	)	1:13 CV 469 GBL/TCB
	)	
v.	)	The Hon. Gerald Bruce Lee
	)	Mag. Judge Theresa C. Buchanan
FUJITSU AMERICA, INC.,	)	
	)	AMENDED COMPLAINT
Defendant.	)	
	)	<b>JURY DEMANDED</b>

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Plaintiff MLR, LLC complains of Defendant Fujitsu America, Inc. as follows:

JURISDICTION AND VENUE

1. Title 28 of the United States Code Section 1338(a) confers subject matter jurisdiction on this Court because Defendant has infringed plaintiff’s patents. The Patent Act of 1952, as amended, 35 U.S.C. § 271, *et seq.*, makes patent infringement illegal and actionable through a private cause of action.

2. Defendant has transacted business in this judicial district by making, using, selling, or offering to sell and distributing products that violate MLR’s patents either in this judicial district or in the United States.

3. Venue is proper in the Eastern District of Virginia under the general federal venue statute, 28 U.S.C. § 1391(d), and under the specific venue provision relating to patent-infringement cases, 28 U.S.C. § 1400(b).

PARTIES

4. MLR is a Virginia limited liability company with offices at 6190 Hardy Drive, McLean, Virginia 22101. MLR is the assignee and owns all right, title and interest in and

has standing to sue for infringement of United States Patent Nos. 7,343,173, 7,386,322, 6,134,453, 6,934,558, 6,961,584, and 5,854,985 (“the MLR Patents”).

5. Non-party Fujitsu Limited is a Japanese multinational company with its principal place of business at Shidome City Center, 1-5-2 Higashi-Shimbashi, Minato-ku, Tokyo 105-7123, Japan.

6. Fujitsu America, Inc. is a subsidiary of Fujitsu Limited and has its principal place of business at 1250 East Arques Avenue, Sunnyvale, CA 94085-3470. Fujitsu America has previously and is presently making, using, selling, offering for sale, and/or importing into the United States portable wireless products that infringe one or more claims of the MLR Patents. Fujitsu America has infringed the MLR Patents either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

7. Fujitsu America is fully funded and legally recognized as a corporate entity, separate from Fujitsu Limited. Fujitsu America is responsible for all U.S. sales of Fujitsu mobile computing products (including laptops, netbooks, ultrabooks, notebooks, e-readers, tablets, and any cellular handsets) made or otherwise distributed by Fujitsu Limited and other Fujitsu subsidiaries, including those accused of infringing the MLR patents in the above-referenced litigation.

#### BACKGROUND

8. MLR is the owner of patent rights, which cover commercially significant technologies related to the control of multi-mode, multi-frequency, and multi-protocol networks for electronic communications devices. The MLR patents, for example, cover portable wireless devices, such as laptops and portable tablet computers, which can

access different cellular or wireless networks to facilitate wireless voice and/or data communications.

9. Defendant designs, manufactures, inputs, and/or sells portable wireless devices, including portable computing devices, which infringe the MLR Patents.

#### PATENT INFRINGEMENT

10. Defendant has infringed and continues to infringe the MLR Patents directly and indirectly (through acts of contributory infringement or inducement) in violation of 35 U.S.C. § 271.

11. Defendant's infringing products include Wi-Fi capable, broadband ready and broadband capable portable computers, including laptops, tablets, and notebook computers. Infringing portable computers include without limitation those Fujitsu models listed in Exhibit A to this complaint.

12. Defendant's infringement, contributory infringement and/or inducement to infringe has injured MLR and it, therefore, is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

13. Defendant's infringement, contributory infringement and/or inducement to infringe has been willful and deliberate because it has been given notice of or knew of the MLR Patents and has nonetheless injured and will continue to injure MLR, unless and until this Court enters an injunction, which prohibits further infringement and specifically enjoins further manufacture, use, sale and/or offer for sale of products or services that come within the scope of the MLR Patents.

#### JURY DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, MLR demands a trial by jury on all issues presented that can properly be tried to a jury.

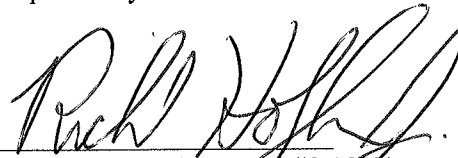
REQUEST FOR RELIEF

THEREFORE, MLR asks this Court to enter judgment against Defendant and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate MLR for the infringement that has occurred, together with prejudgment interest from the date infringement began;
- B. All other damages permitted by 35 U.S.C. § 284;
- C. A finding that Fujitsu America's infringement has been willful;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the MLR Patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

August 14, 2013

Respectfully submitted



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*Of Counsel*

ATTORNEYS FOR PLAINTIFF, MLR,  
LLC

**Exhibit A**

## Fujitsu Infringing Portable Computers

<b>Fujitsu Portable Computers:</b>		
AH530	AH532	AH550
E752	E780	E8420
LH530	LH532	LIFEBOOK® Series
M532	NH532	NH570
P1610	P1630	P3110
P702	P770	P772
PH520	Q2010 with HSDPA	Q532
Q552	Q702	S710
S752	S760	S762
STYLISTIC® Series	T1010	T2020
T2020	T4310	T4410
T5010	T730	T732
T900	T902	TH700
U772	U820	UH572
UH900		