

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**LONG CORNER CONSUMER
ELECTRONICS LLC,**

Plaintiff,

v.

**BARNES & NOBLE, INC., and
BARNESANDNOBLE.COM, LLC,**

Defendants.

Case No. 2:13-cv-1002

PATENT CASE

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Long Corner Consumer Electronics LLC files this Complaint against Barnes & Noble, Inc. and Barnesandnoble.com, LLC, for infringement of United States Patent No. 7,808,483 (the “483 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff Long Corner Consumer Electronics LLC (“Plaintiff” or “Long Corner”) is a Texas limited liability company with its principal office located in the Eastern District of Texas, at 1002 Raintree Circle, Suite 100, Office #178, Allen, Texas 75013.

4. Upon information and belief, Defendant Barnes & Noble, Inc., is a Delaware corporation with a principal office located at 122 Fifth Avenue, New York, New York 10011. This Court has personal jurisdiction over this defendant because it has committed, and continues

to commit, acts of infringement in the state of Texas, has conducted business in the state of Texas, and/or has engaged in continuous and systematic activities in the state of Texas.

5. Upon information and belief, Defendant Barnesandnoble.com, LLC is a Delaware limited liability company with a principal office located at 76 Ninth Avenue, New York, New York 10011. This Court has personal jurisdiction over this defendant because it has committed, and continues to commit, acts of infringement in the state of Texas, has conducted business in the state of Texas, and/or has engaged in continuous and systematic activities in the state of Texas.

6. Barnes & Noble, Inc. and Barnesandnoble.com, LLC are collectively referred to as “Defendants.”

7. On information and belief, Defendants’ products that are alleged herein to infringe were and/or continue to be made, used, imported, offered for sale, and/or sold in the Eastern District of Texas.

VENUE

8. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because Defendants are deemed to reside in this district. In addition, and in the alternative, Defendants have committed acts of infringement in this district.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 7,808,483)**

9. Plaintiff incorporates paragraphs 1 through 8 herein by reference.

10. This cause of action arises under the patent laws of the United States, and in particular, 35 U.S.C. §§ 271, *et seq.*

11. Plaintiff is the owner by assignment of the ‘483 Patent with sole rights to enforce the ‘483 Patent and sue infringers.

12. A copy of the '483 Patent, titled "System, Device, and Method for Extending a Stroke of a Computer Pointing Device," is attached hereto as Exhibit A.

13. The '483 Patent is valid and enforceable, and it was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

14. Upon information and belief, Defendants have infringed and continue to directly infringe one or more claims of the '483 Patent, including at least claim 1, by making, using, importing, selling and/or offering for sale computer input devices (which may include, by way of example and without limitation, tablets and/or smartphones) covered by one or more claims of the '483 Patent, including without limitation the NOOK HD+ tablet (the "Accused Instrumentalities"). Generally for descriptive purposes, and without limitation in any way, characteristics of the Accused Instrumentalities include a sensor (for example, an accelerometer and/or a gyroscope), an input element (for example, a touch screen), and auto-rotation capability with the ability to inhibit such auto-rotation.

15. Defendants' actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendants are enjoined and restrained by this Court.

16. Plaintiff is in compliance with 35 U.S.C. § 287.

DEMAND FOR JURY TRIAL

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court to:

- a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;
- b) Enjoin Defendants, their agents, officers, servants, employees, attorneys and all persons in active concert or participation with Defendants who receive notice of the order from further infringement of United States Patent No. 7,808,483;
- c) Award Plaintiff damages resulting from Defendants' infringement in accordance with 35 U.S.C. § 284;
- d) Award Plaintiff pre-judgment and post-judgment interest and costs; and
- e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: November 26, 2013

Respectfully submitted,

/s/ Craig Tadlock

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