

2. Defendant BMW of North America, LLC is a Delaware limited liability company having a principal place of business at 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07675.

3. Defendant BMW Manufacturing Co., LLC is a Delaware limited liability company having a principal place of business at 1400 Highway 101 South, Greer, South Carolina 29651.

JURISDICTION AND VENUE

4. This action arises under the Patent Laws of the United States, 35 U.S.C. § 271 *et seq.*

5. This Court has subject matter jurisdiction over this case for Patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over BMW. On information and belief, BMW, either directly or through intermediaries, regularly sells products and services into this judicial district and manufactures products intended to be sold and in fact sold into and within this judicial district. Additionally, on information and belief, this Court has personal jurisdiction over BMW because BMW has committed and/or participated in the commission of acts within this judicial district giving rise to this action.

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

PATENTS IN SUIT

8. U.S. Patent No. 6,755,547 titled “Light Emitting Panel Assemblies” (“the ’547 Patent”) was duly and legally issued by the U.S. Patent & Trademark Office on June 29, 2004, after full and fair examination. Jeffery R. Parker is the named inventor of the ’547 Patent. IDT owns the ’547 Patent and holds the right to sue and recover damages for infringement thereof.

9. U.S. Patent No. 7,300,194 titled “Light Emitting Panel Assemblies” (“the ’194 Patent”) was duly and legally issued by the U.S. Patent & Trademark Office on November 27, 2007, after full and fair examination. Jeffery R. Parker is the named inventor of the ’194 Patent. IDT owns the ’194 Patent and holds the right to sue and recover damages for infringement thereof.

10. U.S. Patent No. 7,384,177 titled “Light Emitting Panel Assemblies” (“the ’177 Patent”) was duly and legally issued by the U.S. Patent & Trademark Office on June 10, 2008, after full and fair examination. Jeffery R. Parker is the named inventor of the ’177 Patent. IDT owns the ’177 Patent and holds the right to sue and recover damages for infringement thereof.

11. U.S. Patent No. 7,404,660 titled “Light Emitting Panel Assemblies” (“the ’660 Patent”) was duly and legally issued by the U.S. Patent & Trademark Office on July 29, 2008, after full and fair examination. Jeffery R. Parker is the named inventor of the ’660 Patent. IDT owns the ’660 Patent and holds the right to sue and recover damages for infringement thereof.

12. U.S. Patent No. 7,434,974 titled “Light Emitting Panel Assemblies” (“the ’974 Patent”) was duly and legally issued by the U.S. Patent & Trademark Office on October 14, 2008, after full and fair examination. Jeffery R. Parker is the named inventor of the ’974 Patent.

IDT owns the '974 Patent and holds the right to sue and recover damages for infringement thereof.

13. U.S. Patent No. 7,537,370 titled "Light Emitting Panel Assemblies" ("the '370 Patent") was duly and legally issued by the U.S. Patent & Trademark Office on May 26, 2009, after full and fair examination. Jeffery R. Parker is the named inventor of the '370 Patent. IDT owns the '370 Patent and holds the right to sue and recover damages for infringement thereof.

14. U.S. Patent No. 8,215,816 titled "Light Emitting Panel Assemblies" ("the '816 Patent") was duly and legally issued by the U.S. Patent & Trademark Office on July 10, 2012, after full and fair examination. Jeffery R. Parker is the named inventor of the '816 Patent. IDT owns the '816 Patent and holds the right to sue and recover damages for infringement thereof.

15. U.S. Patent No. 6,508,563 titled "Light Emitting Panel Assemblies for Use in Automotive Applications and the Like" ("the '563 Patent") was duly and legally issued by the U.S. Patent & Trademark Office on January 21, 2003, after full and fair examination. Jeffery R. Parker, Mark D. Miller and Thomas A. Hough are the named inventors of the '563 Patent. IDT owns the '563 Patent and holds the right to sue and recover damages for infringement thereof.

16. U.S. Patent No. 6,886,956 titled "Light Emitting Panel Assemblies for Use in Automotive Applications and the Like" ("the '956 Patent") was duly and legally issued by the U.S. Patent & Trademark Office on May 3, 2005, after full and fair examination. Jeffery R. Parker, Mark D. Miller and Thomas A. Hough are the named inventors of the '956 Patent. IDT owns the '956 Patent and holds the right to sue and recover damages for infringement thereof.

COUNT 1: Infringement of U.S. Patent No. 6,755,547

17. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-16 as though fully set forth herein

18. On information and belief, BMW has been and now is directly infringing the '547 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '547 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '547 Patent pursuant to 35 U.S.C. § 271.

19. As a result of BMW's infringement of the '547 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

20. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '547 Patent.

21. As a result of BMW's infringement of the '547 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 2: Infringement of U.S. Patent No. 7,300,194

22. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-21 as though fully set forth herein.

23. On information and belief, BMW has been and now is directly infringing the '194 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '194 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '194 Patent pursuant to 35 U.S.C. § 271.

24. As a result of BMW's infringement of the '194 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

25. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '194 Patent.

26. As a result of BMW's infringement of the '194 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 3: Infringement of U.S. Patent No. 7,384,177

27. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-27 as though fully set forth herein.

28. On information and belief, BMW has been and now is directly infringing the '177 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '177 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '177 Patent pursuant to 35 U.S.C. § 271.

29. As a result of BMW's infringement of the '177 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

30. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '177 Patent.

31. As a result of BMW's infringement of the '177 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 4: Infringement of U.S. Patent No. 7,404,660

32. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-31 as though fully set forth herein

33. On information and belief, BMW has been and now is directly infringing the '660 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '660 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '660 Patent pursuant to 35 U.S.C. § 271.

34. As a result of BMW's infringement of the '660 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

35. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '660 Patent.

36. As a result of BMW's infringement of the '660 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 5: Infringement of U.S. Patent No. 7,434,974

37. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-36 as though fully set forth herein

38. On information and belief, BMW has been and now is directly infringing the '974 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '974 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '974 Patent pursuant to 35 U.S.C. § 271.

39. As a result of BMW's infringement of the '974 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

40. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '974 Patent.

41. As a result of BMW's infringement of the '974 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 6: Infringement of U.S. Patent No. 7,537,370

42. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-41 as though fully set forth herein.

43. On information and belief, BMW has been and now is directly infringing the '370 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '370 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '370 Patent pursuant to 35 U.S.C. § 271.

44. As a result of BMW's infringement of the '370 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

45. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '370 Patent.

46. As a result of BMW's infringement of the '370 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 7: Infringement of U.S. Patent No. 8,215,816

47. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-46 as though fully set forth herein.

48. On information and belief, BMW has been and now is directly infringing the '816 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 3-series, 5-series and 6-series models) having displays (including but not limited to the 65829224346 navigation/driver information display) that infringe one or more claims of the '816 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '816 Patent pursuant to 35 U.S.C. § 271.

49. As a result of BMW's infringement of the '816 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

50. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '816 Patent.

51. As a result of BMW's infringement of the '816 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 8: Infringement of U.S. Patent No. 6,508,563

52. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-50 as though fully set forth herein.

53. On information and belief, BMW has been and now is directly infringing the '563 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 323i, 325i, 325xi, 328i, 328xi, 330i, 330xi, 335i, 335xi and M3 Sedans) having lights (including but not limited to the 63217161955 and 63217161956 tail lights) that infringe one or more claims of the '563 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '563 Patent pursuant to 35 U.S.C. § 271.

54. As a result of BMW's infringement of the '563 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

55. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '563 Patent.

56. As a result of BMW's infringement of the '563 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

COUNT 9: Infringement of U.S. Patent No. 6,886,956

57. Plaintiff repeats and re-alleges each and every allegation of paragraphs 1-56 as though fully set forth herein.

58. On information and belief, BMW has been and now is directly infringing the '956 Patent in the state of Texas, in this judicial district, and elsewhere within the United States by, among other things, making, using, offering for sale, selling, or importing vehicles (including but not limited to various model years of BMW's 323i, 325i, 325xi, 328i, 328xi, 330i, 330xi, 335i, 335xi and M3 Sedans) having lights (including but not limited to the 63217161955 and 63217161956 tail lights) that infringe one or more claims of the '956 Patent, all to the injury of IDT. BMW is thus liable for infringement of the '956 Patent pursuant to 35 U.S.C. § 271.

59. As a result of BMW's infringement of the '956 Patent, BMW has damaged IDT. BMW is liable to IDT in an amount to be determined at trial that adequately compensates IDT for the infringement, which by law can be no less than a reasonable royalty.

60. IDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding relative to pre-suit infringement and/or post-suit infringement of the '956 Patent.

61. As a result of BMW's infringement of the '956 Patent, IDT has suffered and will continue to suffer loss and injury unless BMW is enjoined by this Court.

JURY DEMAND

62. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

63. Plaintiff respectfully requests that the Court find in its favor and against BMW, and that the Court grant Plaintiff the following relief:

- A. A judgment that BMW has infringed the Patents-in-suit as alleged herein;
- B. A judgment for an accounting of all damages sustained by Plaintiff as a result of the acts of infringement by BMW;
- C. A judgment and order requiring BMW to pay Plaintiff damages under 35 U.S.C. § 284, including up to treble damages for willful infringement as provided by 35 U.S.C. § 284, and any royalties determined to be appropriate;
- D. A permanent injunction enjoining BMW and its officers, directors, agents, servants, employees, affiliates, divisions, branches, subsidiaries, parents and all others acting in concert or privity with them from infringement of the Patents-in-suit pursuant to 35 U.S.C. § 283;
- E. A judgment and order requiring BMW to pay Plaintiff pre-judgment and post-judgment interest on the damages awarded; and
- F. Such other and further relief as the Court deems just and equitable.

Dated: April 7, 2014

Respectfully submitted,

/s/ Demetrios Anaipakos

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