

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**TECHNOLOGY PROPERTIES LIMITED
LLC and MCM PORTFOLIO LLC,**

Plaintiffs,

v.

SHUTTLE INC.

and

SHUTTLE COMPUTER GROUP INC.,

Defendants.

CASE NO: 6:12 -cv -202-MHS

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Technology Properties Limited LLC and MCM Portfolio LLC (collectively “Plaintiffs”) file this Amended Complaint against Shuttle Inc. and Shuttle Computer Group Inc. for infringement of U.S. Patent Nos. 7,295,443, 7,522,424, and 7,719,847 (collectively, “the Patents-in-Suit”).

THE PARTIES

1. Technology Properties Limited LLC (“TPL”) is a California limited liability company with a principal place of business at 20883 Stevens Creek Blvd., Suite 100, Cupertino, California 95014.

2. MCM Portfolio LLC (“MCM”) is a Delaware limited liability company with a principal place of business at 20883 Stevens Creek Blvd., Suite 100, Cupertino, California 95014.

3. Defendant Shuttle Inc. is a Taiwanese corporation with a principal place of business at No. 30, Lane 76, Rei Kuang Rd., Nei-Hu Dist., Taipei, Taiwan.

4. Defendant Shuttle Computer Group Inc. is a California corporation with its principal place of business at 17068 Evergreen Place, City of Industry, California 91745.

5. Shuttle Inc. and Shuttle Computer Group Inc. will be referred to herein individually and collectively as “Defendants.”

JURISDICTION AND VENUE

6. This action arises under the patent laws of the United States, Title 35 of the United States Code, §§ 271 and 281, *et seq.* because Defendants have committed acts of patent infringement within the United States and this judicial district. Accordingly, this Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. Personal jurisdiction and venue are proper in this Court pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b), in that Defendants are subject to personal jurisdiction in this district. At a minimum, Defendants have delivered infringing products into the stream of commerce with the expectation that they will be purchased by consumers in Texas, including consumers in the Eastern District of Texas.

COUNT I **(INFRINGEMENT OF U.S. PATENT NO. 7,295,443)**

8. Plaintiffs incorporate paragraphs 1 through 7 as though fully set forth herein.

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

10. On November 13, 2007, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,295,443 (“the ‘443 Patent”) entitled “Smartconnect Universal Flash Media Card Adapters,” to Sreenath Mambakkam, et al. A copy of the ‘443 Patent is attached to the Complaint as Exhibit A.

11. The '443 Patent discloses a multi-media memory adapter. The adapter has a first planar element or portion and a second planar element or portion that define a slot between them for receiving multiple types of flash memory cards. The planar elements or portions comprise molded plastic. The patent further discloses contact pins that extend or protrude from either the top or the bottom of the port (or both); these contact pins allow the port to receive electrical signals from a flash memory card. The patent also discloses a controller chip that maps a set of signal lines to a subset of the contact pins based on the type of flash memory card inserted into the reader.

12. MCM is the owner of the '443 Patent.

13. TPL is the exclusive licensee of the '443 Patent, with ownership of all substantial rights in the '443 Patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringement.

14. The '443 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

15. Without a license or permission from Plaintiffs, Defendants have infringed literally or under the doctrine of equivalents, at least claims 9, 11, 12, and 14 of the '443 Patent as explained in TPL's Local Patent Rule 3-1/3-2 Disclosures. Defendants did so by importing, making, using, offering to sell, and/or selling products and devices that embody and/or practice the patented invention.

16. Shuttle, Inc. was provided notice of the '443 Patent on December 21, 2007.

17. Without limitation, Defendants' infringing products include the products listed below:

DS437
DS47

DS61
DS61 V1.1

Facial Recognition Access Control System - HR70
KD20
KD21
KD22
NVR Solution - DS61
SN26P
X50 V2+ All-In-One
X50V2 Plus
X50V2 Plus
X50V3
X50V3L
X50V3L
X70
X70 Series
XS35 V2
XS35 V3
XS35GS V3
XS35GS V3L
XS35GS V3L

XS35GT V2
XS35V3L
XS35V3L
XS36V
XS36VL
XS36VL
M2000
SD01XD
SD02XC
SD02XD
SH55J2
SX58J3
X200
X50 V2
XS35
XS35GT
X350 V2
X350 V3
X50

18. Defendants’ infringement of the ‘443 Patent has caused substantial damage to Plaintiffs.

COUNT II
(INFRINGEMENT OF U.S. PATENT NO. 7,522,424)

19. Plaintiffs incorporate paragraphs 1 through 18 as though fully set forth herein.

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

21. On April 21, 2009, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,522,424 (“the ‘424 Patent”) entitled “Smartconnect Universal Flash Media Card Adapters,” to Sreenath Mambakkam, et al. A copy of the ‘424 Patent is attached to the Complaint as Exhibit B.

22. The '424 Patent discloses an apparatus with a port that has a number of sets of contact pins mounted at locations adapted to interface with the electrical contacts of different types of flash memory cards. The patent also discloses a set of interconnection pins. A component, such as a controller, maps power, ground and/or data signals between the interconnection pins and the proper contact pins, depending on the type of card in the slot.

23. MCM is the owner of the '424 Patent.

24. TPL is the exclusive licensee of the '424 Patent, with ownership of all substantial rights in the '424 patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringement.

25. The '424 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

26. Without a license or permission from Plaintiffs, Defendants have infringed literally or under the doctrine of equivalents, at least claims 25, 26, 28, and 29 of the '424 Patent as explained in TPL's Local Patent Rule 3-1/3-2 Disclosures. Defendants did so by importing, making, using, offering to sell, and/or selling products and devices that embody and/or practice the patented invention.

27. Shuttle, Inc. was provided notice of the '424 Patent on May 12, 2009.

28. Without limitation, Defendants' infringing products include the products listed below:

DS437
DS47
DS61
DS61 V1.1
Facial Recognition Access Control System - HR70
KD20

KD21
KD22
NVR Solution - DS61
SN26P
X50 V2+ All-In-One
X50V2 Plus
X50V2 Plus

X50V3
X50V3L
X50V3L
X70
X70 Series
XS35 V2
XS35 V3
XS35GS V3
XS35GS V3L
XS35GS V3L
XS35GT V2
XS35V3L
XS35V3L
XS36V
XS36VL

XS36VL
M2000
SD01XD
SD02XC
SD02XD
SH55J2
SX58J3
X200
X50 V2
XS35
XS35GT
X350 V2
X350 V3
X50

29. Defendants’ infringement of the ‘424 Patent has caused substantial damage to Plaintiffs.

COUNT III
(INFRINGEMENT OF U.S. PATENT NO. 7,719,847)

30. Plaintiffs incorporate paragraphs 1 through 29 as though fully set forth herein.

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

32. On May 18, 2010, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,719,847 (“the ‘847 Patent”) entitled “Smartconnect Flash Card Adapter,” to Sreenath Mambakkam, et al. A copy of the ‘847 Patent is attached to the Complaint as Exhibit C.

33. The ‘847 Patent discloses an apparatus with a port and a surface with multiple sets of contact pins to interface with different types of flash cards. The apparatus includes signal lines between a controller and an interconnection means. The number of signal lines is fewer

than the number of contact pins. The controller maps signals between the signal lines and contact pins depending upon the type of flash card inserted into the port.

34. MCM is the owner of the '847 Patent.

35. TPL is the exclusive licensee of the '847 Patent, with ownership of all substantial rights in the '847 Patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringement.

36. The '847 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

37. Without a license or permission from Plaintiffs, Defendants have infringed literally or under the doctrine of equivalents, at least claims 1, 2 and 3 of the '847 Patent as explained in TPL's Local Patent Rule 3-1/3-2 Disclosures. Defendants did so by importing, making, using, offering to sell, and/or selling products and devices that embody and/or practice the patented invention.

38. Shuttle, Inc. was provided notice of the '847 Patent on September 12, 2011.

39. Without limitation, Defendants' infringing products include the products listed below:

XS35 V2
M2000
SD01XD
SD02XC
SD02XD
SH55J2
SX58J3

X200
X50 V2
XS35
XS35GT
X350 V2
X350 V3
X50

40. Defendants' infringement of the '847 Patent has caused substantial damage to Plaintiffs.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs Technology Properties Limited LLC and MCM Portfolio LLC demand a trial by jury of this action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Technology Properties Limited LLC and MCM Portfolio LLC pray for relief as follows:

- a. Judgment that one or more claims of the Patents-in-Suit have been infringed, either literally and/or under the doctrine of equivalents, by Defendants;
- b. Enter a permanent injunction enjoining Defendants and their offices, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with them, from infringing or inducing infringement of each Patent-in-Suit, or, in the alternative, judgment that Defendants account for and pay to Plaintiffs a reasonable royalty and an ongoing post judgment royalty because of Defendants' past, present and future infringing activities and other conduct complained of herein;
- c. Judgment that Defendants account for and pay to Plaintiffs all damages to and costs incurred by Plaintiffs because of Defendants' infringing activities and other conduct complained of herein;
- d. Judgment that Defendants account for and pay to TPL and MCM a reasonable, on-going, post judgment royalty because of Defendants' infringing activities and other conduct complained of herein;
- e. That Plaintiffs be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;
- f. That this Court declare this an exceptional case and award Plaintiffs their reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and
- g. That Plaintiffs be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: April 25, 2014

Respectfully submitted,

/s/ Benjamin R. Askew

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*ATTORNEYS FOR PLAINTIFFS
TECHNOLOGY PROPERTIES LIMITED LLC and
MCM PORTFOLIO LLC*

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on this 25th day of April, 2014, a copy of the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Benjamin R. Askew
Benjamin R. Askew