

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

AMERICAN NAVIGATION SYSTEMS,
INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS
AMERICA, INC., and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC,

Defendants.

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Case no. _____

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff American Navigation Systems, Inc. (“AmNav”) brings this case against Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, Inc. (“Samsung”) for infringing a global positioning system (“GPS”) patent that enables the most popular application on Samsung smartphones and tablets – Google Maps – and alleges the following:

Parties

1. AmNav, a Florida corporation, has its principal place of business in Tampa, Hillsborough County, Florida.
2. Samsung Electronics Co., Ltd., a Korean corporation, has its principal place of business at 416 Maetan-3dong, Yeongton-gu, Suwon-City, Gyeonggi-do, South Korea.

3. Samsung Electronics America, Inc., a New York corporation, has its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660-0511. It has registered C T Corporation System, 1200 South Pine Island Road, Plantation, FL 33324-4413, as its agent in Florida to receive service of process. It has filed annual reports with the Florida Secretary of State since 1995.

4. Samsung Telecommunications America, LLC, a Delaware limited liability company, has its principal place of business at 1301 East Lookout Drive, Richardson, Texas 75082.

Jurisdiction and Venue

5. This action arises under 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 1332 (diversity of citizenship), and 28 U.S.C. § 1338(a) (claims arising under patent laws).

6. Samsung has sold millions of infringing devices in the State of Florida, including the Middle District of Florida. AmNav's claims arise in part out of those Florida sales. Samsung's infringing conduct has its greatest effect on AmNav in Florida, under whose laws AmNav exists and where AmNav has its principal place of business. The contacts establish a more than sufficient link among Samsung, Florida, and AmNav to warrant the court's exercise of personal jurisdiction over Samsung in this case.

7. By virtue of Samsung's sales of infringing devices within the Middle District of Florida and AmNav's Florida citizenship, the court has venue of this case under 28 U.S.C. §§ 1391(b)(1) and (b)(2).

Background

GPS Technology

8. GPS technology lets users determine precise locations of objects on and near the Earth's surface. It works by using electronic signals to measure the distances between multiple GPS satellites (usually at least four) and particular sites. Small differences between the times at which the satellites beam a GPS signal and the moments when a receiver detects the signals allow the system to pinpoint the whereabouts of the receiver.

9. Google Maps uses global positioning to provide a visual report of the user's location on a map to within three to five feet of the user's actual location.

The Inventors and the Invention

10. In 1995, Doug Backman teamed up with Frank DeFalco, Gene Roe, and William Michalson on a GPS project. Backman, an entrepreneur who earned degrees from Cornell University and Boston University, saw that portable GPS devices would become widely popular. He also grasped the huge commercial appeal of a device that would allow people to see and follow their changing location on a map in real time.

11. DeFalco, Roe, and Michalson all had engineering degrees from the nearby Worcester Polytechnic Institute.

12. The four men together conceived a way to display GPS data in real time on a portable mapping device. They had many meetings together and developed a working prototype. In January 1996, they tested their prototype while driving around Worcester, Massachusetts. It worked splendidly.

13. On May 11, 1999, the United States Patent and Trademark Office (“PTO”) issued United States Patent No. 5,902,347 (the “‘347 Patent”) for a “Hand-Held GPS Mapping Device.”

14. Each of the inventors executed assignments of all rights relating to the patent to AmNav.

Samsung’s Infringement

15. Samsung has included Google Maps on all its smartphones, phablets, and tablets since it launched its Galaxy line of devices in June 2009. Samsung has sold many millions of devices that used Google Maps, earning billions of dollars in profit as a result of the immense popularity of that maps application.

16. The ability of Samsung’s smartphones, phablets, tablets, and Chromebooks to practice the inventions of the ‘347 Patent accounts for much of the value of those devices. A survey in August 2013, for instance, crowned Google Maps as the most popular smartphone application of all; the survey found that 54 percent of all global smartphone users used Google Maps at least once during a one-month period.

Claim

17. AmNav realleges and incorporates by reference the allegations in paragraphs 1-16.

18. Samsung has infringed and continues to infringe the ‘347 Patent making, selling, and using devices that embody the inventions that the patent covers, including but not limited to: Samsung Galaxy Exhibit, Samsung Replenish, Samsung Galaxy S Lightray, Samsung Galaxy S II, Samsung Galaxy Metrix 4G, Samsung Galaxy S Aviator,

Samsung Galaxy Proclaim, Samsung Fascinate, Samsung Captivate, Samsung Galaxy S 5, Samsung Galaxy S 4, Samsung Galaxy S III, Samsung Galaxy S 4 mini, Samsung Galaxy Ring/Prevail 2, Samsung Galaxy Discover, Samsung Galaxy Note 3, Samsung Galaxy S III mini, Samsung Galaxy S 4 zoom, Samsung Galaxy Mega, Samsung Galaxy Stratosphere II, Samsung Galaxy Reverb, Samsung Galaxy Note II, Samsung Galaxy Rush, Samsung Galaxy Centura, Samsung Galaxy Victory, Samsung Galaxy Amp, Samsung Galaxy Discover, Samsung Galaxy Note 3, Samsung Galaxy Admire 2, Samsung Galaxy S 4 Active, Samsung Galaxy Legend, Samsung Galaxy Express, Samsung Galaxy Nexus, Samsung Galaxy Stellar, Samsung Galaxy Rugby Pro, Samsung Galaxy Axiom, Samsung Galaxy S Relay, Samsung Galaxy Admire, Samsung Galaxy Appeal, Samsung Rugby, Samsung Galaxy S Blaze, Samsung Galaxy Exhilarate, Samsung Galaxy Light, Samsung Continuum i400, Galaxy Tab, Galaxy Tab 10.1, Galaxy Tab 7.0 Plus, Galaxy Tab 7.7, Galaxy Tab 8.9, Galaxy Tab 2 7.0, Galaxy Tab 2 10.1, Galaxy Note 10.1, GoogleNexus 10, Galaxy Note 8.0, Galaxy Tab 3 7.0, Galaxy Tab 3 8.0, Galaxy Tab 3 10.1, Galaxy Note 10.1 2014 Edition, Chromebook CR48, and Chromebook 550.

19. Samsung does not compensate AmNav for this infringement and will continue to wrongfully benefit from AmNav's invention until this case is heard.

Jury Demand

20. AmNav demands trial by jury of all issues so triable.

Conclusion

AmNav respectfully requests the court to summon Samsung to appear in this action and to award AmNav (a) an accounting for damages that equal no less than a reasonable royalty; (b) interest and costs; and (c) all other appropriate relief.

Date: May 12, 2014

FEE & JEFFRIES, P.A.

s/ Richard E. Fee _____

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Motion for Admission *Pro Hac Vice* filed

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