

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

NEXUS DISPLAY TECHNOLOGIES LLC, §

Plaintiff, §

v. §

LENOVO (UNITED STATES) INC., §

Defendant. §

Case No.: 2:14-cv-00763

Jury Trial Requested

NEXUS DISPLAY TECHNOLOGIES LLC'S
COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Nexus Display Technologies LLC (“NDT” or “Plaintiff”) hereby submits this Complaint against Defendant Lenovo (United States) Inc. (“Lenovo” or “Defendant”) and states as follows:

THE PARTIES

1. NDT is a Texas limited liability company, having a principal place of business at 2400 Dallas Parkway, Suite 200, Plano, Texas 75093.

2. On information and belief, Defendant Lenovo (United States) Inc. is a corporation organized and existing under the laws of Delaware, having a principal place of business at 1009 Think Place, Morrisville, North Carolina 27560.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*

4. Venue is proper in this federal district pursuant to 28 U.S.C. §§1391(b)–(c) and 1400(b) in that Defendant has done business in this District, has committed acts of infringement in this District, and continues to commit acts of infringement in this District, entitling NDT to relief.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,295,578

5. On November 13, 2007, the United States Patent and Trademark Office (“USPTO”) duly and legally issued United States Patent No. 7,295,578 (“the ’578 Patent”), entitled “Method And Apparatus For Synchronizing Auxiliary Data And Video Data Transmitted Over A TMDS-Like Link.” NDT holds all rights, title, and interest in and to the ’578 Patent.

Lenovo is not licensed to the '578 Patent, yet Lenovo knowingly, actively, and lucratively practices the patents.

6. Upon information and belief, Lenovo has infringed directly and continues to infringe directly the '578 Patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of products and/or methods encompassed by the claims of the '578 Patent. Lenovo's infringing products include, but are not limited to, at least the Lenovo ThinkCentre, Lenovo ThinkStation, Lenovo ThinkPad, Lenovo Erazer, and Lenovo ThinkVision series of products, and Lenovo flat panel monitors.

7. The acts of infringement by Lenovo have caused damage to NDT, and NDT is entitled to recover from Lenovo the damages sustained by NDT as a result of Lenovo's wrongful acts in an amount subject to proof at trial. The infringement of NDT's exclusive rights under the '578 Patent by Lenovo has damaged and will continue to damage NDT, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

8. At least as early as its receipt of this Complaint, Lenovo has had knowledge of the '578 Patent and written notice of the infringement. NDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,599,439

9. On October 6, 2009, the United States Patent and Trademark Office ("USPTO") duly and legally issued United States Patent No. 7,599,439 ("the '439 Patent"), entitled "Method and System for Transmitting N-Bit Video Data Over a Serial Link." NDT holds all rights, title,

and interest in and to the '439 Patent. Lenovo is not licensed to the '439 Patent, yet Lenovo knowingly, actively, and lucratively practices the patents.

10. Upon information and belief, Lenovo has infringed directly and continues to infringe directly the '439 Patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of products and/or methods encompassed by the claims of the '439 Patent. Lenovo's infringing products include, but are not limited to, at least the Lenovo ThinkCentre, Lenovo ThinkStation, Lenovo ThinkPad, and Lenovo Erazer series of products, and Lenovo flat panel monitors.

11. The acts of infringement by Lenovo have caused damage to NDT, and NDT is entitled to recover from Lenovo the damages sustained by NDT as a result of Lenovo's wrongful acts in an amount subject to proof at trial. The infringement of NDT's exclusive rights under the '439 Patent by Lenovo has damaged and will continue to damage NDT, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

12. At least as early as its receipt of this Complaint, Lenovo has had knowledge of the '439 Patent and written notice of the infringement. NDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 5,835,498

13. On November 10, 1998, the United States Patent and Trademark Office ("USPTO") duly and legally issued United States Patent No. 5,835,498 ("the '498 Patent"), entitled "System and Method For Sending Multiple Data Signals Over a Serial Link." NDT

holds all rights, title, and interest in and to the '498 Patent. Lenovo is not licensed to the '498 Patent, yet Lenovo knowingly, actively, and lucratively practices the patents.

14. Upon information and belief, Lenovo has infringed directly and continues to infringe directly the '498 Patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of products and/or methods encompassed by the claims of the '498 Patent. Lenovo's infringing products include, but are not limited to, at least the Lenovo ThinkCentre, Lenovo ThinkStation, Lenovo ThinkPad, Lenovo Erazer, and Lenovo ThinkVision series of products, and Lenovo flat panel monitors.

15. The acts of infringement by Lenovo have caused damage to NDT, and NDT is entitled to recover from Lenovo the damages sustained by NDT as a result of Lenovo's wrongful acts in an amount subject to proof at trial. The infringement of NDT's exclusive rights under the '498 Patent by Lenovo has damaged and will continue to damage NDT, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

16. At least as early as its receipt of this Complaint, Lenovo has had knowledge of the '498 Patent and written notice of the infringement. NDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,143,328

17. On November 28, 2006, the United States Patent and Trademark Office ("USPTO") duly and legally issued United States Patent No. 7,143,328 ("the '328 Patent"), entitled "Auxiliary Data Transmitted Within A Display's Serialized Data Stream." NDT holds

all rights, title, and interest in and to the '328 Patent. Lenovo is not licensed to the '328 Patent, yet Lenovo knowingly, actively, and lucratively practices the patents.

18. Upon information and belief, Lenovo has infringed directly and continues to infringe directly the '328 Patent. The infringing acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of products and/or methods encompassed by the claims of the '328 Patent. Lenovo's infringing products include, but are not limited to, at least the Lenovo ThinkCentre, Lenovo ThinkStation, Lenovo ThinkPad, Lenovo Erazer, and Lenovo ThinkVision series of products, and Lenovo flat panel monitors.

19. The acts of infringement by Lenovo have caused damage to NDT, and NDT is entitled to recover from Lenovo the damages sustained by NDT as a result of Lenovo's wrongful acts in an amount subject to proof at trial. The infringement of NDT's exclusive rights under the '328 Patent by Lenovo has damaged and will continue to damage NDT, causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

20. At least as early as its receipt of this Complaint, Lenovo has had knowledge of the '328 Patent and written notice of the infringement. NDT intends to seek discovery on the issue of willfulness and reserves the right to seek a willfulness finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

JURY DEMAND

21. NDT hereby demands a trial by jury on all issues.

PRAYER FOR RELIEF

WHEREFORE, NDT requests entry of judgment in its favor and against Lenovo as follows:

- a. A declaration that Lenovo has infringed and is infringing the '578, '439, '498, and '328 Patents;
- b. An Order permanently enjoining Lenovo, its officers, agents, employees, and those acting in privity with it, from further direct and/or indirect infringement of the '578, '439, '498, and '328 Patents;
- c. An award of damages to NDT arising out of Lenovo's infringement of the '578, '439, '498, and '328 Patents, including enhanced damages pursuant to 35 U.S.C. § 284, together with prejudgment and post-judgment interest, in an amount according to proof;
- d. An award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and,
- e. Granting NDT its costs and further relief as the Court may deem just and proper.

Dated: July 11, 2014

Respectfully submitted,

/s/ Demetrios Anaipakos

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