

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

**C Y WONG INTELLECTUAL
PROPERTY LLC,**

Plaintiff,

v.

**BULOVA CORPORATION; AND
BULOVA WATCH COMPANY, INC.,**

Defendant.

Civil Action No. 2:14-cv-804

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which C Y Wong Intellectual Property LLC (“CY Wong” or “Plaintiff”) makes the following allegations against Bulova Corporation and Bulova Watch Company, Inc. (collectively “Bulova” or “Defendants”):

PARTIES

1. Plaintiff CY Wong is a Texas limited liability company, having a principal place of business at 211 E. 7th Street, Suite 620 Austin, TX 78701.

2. Defendant Bulova Corporation is a corporation organized and existing under the laws of the State of New York, having its principal place of business at One Bulova Avenue, Woodside, New York, 11377. Upon information and belief, Bulova may be served via any officer, member, or managing agent at this address.

3. Defendant Bulova Watch Company, Inc. is a corporation organized and existing under the laws of the State of New York, having its principal place of business at One Bulova Avenue, Woodside, New York, 11377. Upon information and belief, Bulova may be served via any officer, member, or managing agent at this address.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this District under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendants have transacted business in this District, and has committed and/or induced acts of patent infringement in this District.

6. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statue, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 8,322,915

7. Plaintiff is the owner by assignment of United States Patent No. 8,322,915 ("the '915 Patent") titled "Compensation Adjustment Device for Mechanical Timepiece." The '915 Patent issued on December 4, 2012. A true and correct copy of the '915 Patent is hereto attached as **Exhibit A**.

8. Upon information and belief, Defendants have been and is now infringing the '915 Patent in the State of Texas, in this Judicial District, and elsewhere in the United States, by, among other things, making, using, offering to sell, and selling the Bulova Accutron Calibrator family of watches (including, but limited to, models 63B171, 63B172, 63B154), covered by one or more claims of the '915 Patent to the injury of CY Wong. Defendants are directly infringing,

literally infringing, and/or infringing the '915 Patent under the doctrine of equivalents. Defendants are thus liable for infringement of the '915 Patent pursuant to 35 U.S.C. § 271.

9. As a result of Defendants' infringement of the '915 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendants' infringement, but in no event less than a reasonable royalty, together with interest and costs as fixed by the Court, and Plaintiff will continue to suffer damages in the future unless Defendants' infringing activities are enjoined by this Court.

10. Unless a permanent injunction is issued enjoining Defendants and their agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '915 Patent, Plaintiff will be greatly and irreparably harmed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendants have infringed the '915 Patent;
2. A permanent injunction enjoining Defendants and their officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '915 Patent, or such other equitable relief the Court determines is warranted;
3. A judgment and order requiring Defendants to pay to Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '915 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and
4. Any and all other relief, at law or equity, to which Plaintiff may show itself to be entitled.

DEMAND FOR JURY TRIAL

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

DATED July 29, 2014.

Respectfully submitted,

By: \s\ Hao Ni

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