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SIGNAL IP, INC.

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

11 SIGNAL IP, INC., a California
12 corporation,

13 Plaintiff,

14 vs.

15 CHRYSLER GROUP LLC, a Delaware
16 limited liability company,

17 Defendant.

Case No. 2:14-cv-03105-JAK (JEMx)

**FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

Hon. John A. Kronstadt

18 Plaintiff Signal IP, Inc. (“Signal IP” or “Plaintiff”) brings this First Amended
19 Complaint against Defendant Chrysler Group LLC (“Chrysler” or “Defendant”), as
20 permitted by Fed. R. Civ. P. 15(a)(2) and pursuant to written consent provided by
21 Defendants on June 9, 2014, alleging as follows:

22 **PARTIES**

23 1. Plaintiff Signal IP is a California corporation with its principal place of
24 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.

25 2. On information and belief, Defendant Chrysler Group LLC is a
26 Delaware limited liability company with its principal place of business at 1000
27 Chrysler Drive, Auburn Hills, Michigan 48326-2766.

28

JURISDICTION, VENUE AND JOINDER

1
 2 3. This action arises under the patent laws of the United States, Title 35 of
 3 the United States Code. This Court has subject matter jurisdiction pursuant to 28
 4 U.S.C. §§ 1331 and 1338(a).

5 4. This Court has personal jurisdiction over Defendant. Defendant has
 6 conducted extensive commercial activities and continues to conduct extensive
 7 commercial activities within the State of California. Additionally, on information
 8 and belief, Defendant, directly and/or through intermediaries (including Defendants'
 9 entities, subsidiaries, distributors, sales agents, partners and others), distributes,
 10 offers for sale, sells, and/or advertises its products (including but not limited to the
 11 products and services that are accused of infringement in this lawsuit) in the United
 12 States, in the State of California, and in this judicial district, under the "Chrysler",
 13 "Dodge", "Jeep" and "Maserati" brand names. Defendant has purposefully and
 14 voluntarily placed one or more of its infringing products and services into the stream
 15 of commerce with the expectation that the products and services will be purchased
 16 or used by customers in California and within this judicial district. Accordingly,
 17 Defendant has infringed Signal IP's patents within the State of California and in this
 18 judicial district as alleged in more detail below.

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

BACKGROUND

21 6. Signal IP, Inc. is a California corporation with a principal place of
 22 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the
 23 owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927;
 24 5,732,375; 6,434,486; 6,012,007; and 5,463,374 (the "Patents-in-Suit").

25 7. On information and belief, Defendant is a direct or indirect subsidiary
 26 of global car manufacturer and distributor Fiat S.p.A., which is headquartered in
 27 Italy. Fiat S.p.A. manufactures and distributes cars under the "Fiat", "Chrysler",
 28 "Dodge", "Jeep" and "Maserati" brand names.

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1 13. Defendants has actively induced and is actively inducing the
2 infringement of the ‘927 Patent by making, using, offering for sale, and/or selling in
3 the United States certain methods or systems disclosed and claimed in the ‘927
4 Patent, including but not limited to the Blind Spot Monitoring system, used in
5 products including but not limited to the Chrysler 200, 300, and Town & Country,
6 the Dodge Charger, Dart, Durango, Grand Caravan, and Ram Cargo Van, and the
7 Jeep Cherokee, and Grand Cherokee.

8 14. Defendant’s infringement of the ‘927 Patent has been and continues to
9 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

10 15. Unless enjoined by this Court, Defendant will continue to infringe the
11 ‘927 Patent.

12 16. As a direct and proximate result of the Defendant’s conduct, Plaintiff
13 has suffered, and will continue to suffer, irreparable injury for which it has no
14 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
15 issues, will continue to be damaged in an amount yet to be determined.

16 **SECOND CLAIM FOR RELIEF**

17 **(Infringement of the ‘375 Patent)**

18 17. Plaintiff incorporates paragraphs 1 through 16 of this complaint as if set
19 forth in full herein.

20 18. Signal IP is the owner of the entire right, title, and interest in and to
21 U.S. Patent No. 5,732,375 (the ‘375 Patent), entitled “Method of Inhibiting or
22 Allowing Airbag Deployment.” The ‘375 Patent was duly and legally issued by the
23 U.S. Patent and Trademark Office on March 24, 1998. A true and correct copy of
24 the ‘375 Patent is attached as Exhibit B.

25 19. Defendant has directly infringed and continues to infringe, literally
26 and/or under the doctrine of equivalents, the ‘375 Patent by making, using, offering
27 for sale, and/or selling in the United States certain methods or systems disclosed and
28 claimed in the ‘375 Patent, including but not limited to the Occupant Classification

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1 System, used in products including but not limited to the Chrysler 200, 300, Town
2 & Country, Sebring, Aspen, and PT Cruiser, the Dodge (SRT) Viper, Avenger,
3 Caliber, Challenger, Charger, Dart, Durango, Grand Caravan, Journey, Ram, Ram
4 Cargo Van, Ram Promaster, Dakota, Magnum, and Nitro, and the Jeep Cherokee,
5 Compass, Grand Cherokee, Liberty, Patriot, and Wrangler.

6 20. Defendant has contributorily infringed and is currently contributorily
7 infringing the ‘375 Patent by making, using, offering for sale, and/or selling in the
8 United States certain methods or systems disclosed and claimed in the ‘375 Patent,
9 including but not limited to the Occupant Classification System, used in products
10 including but not limited to the Chrysler 200, 300, Town & Country, Sebring,
11 Aspen, and PT Cruiser, the Dodge (SRT) Viper, Avenger, Caliber, Challenger,
12 Charger, Dart, Durango, Grand Caravan, Journey, Ram, Ram Cargo Van, Ram
13 Promaster, Dakota, Magnum, and Nitro, and the Jeep Cherokee, Compass, Grand
14 Cherokee, Liberty, Patriot, and Wrangler.

15 21. Defendant has actively induced and is actively inducing the
16 infringement of the ‘375 Patent by making, using, offering for sale, and/or selling in
17 the United States certain methods or systems disclosed and claimed in the ‘375
18 Patent, including but not limited to the Occupant Classification System, used in
19 products including but not limited to the Chrysler 200, 300, Town & Country,
20 Sebring, Aspen, and PT Cruiser, the Dodge (SRT) Viper, Avenger, Caliber,
21 Challenger, Charger, Dart, Durango, Grand Caravan, Journey, Ram, Ram Cargo
22 Van, Ram Promaster, Dakota, Magnum, and Nitro, and the Jeep Cherokee,
23 Compass, Grand Cherokee, Liberty, Patriot, and Wrangler.

24 22. Defendant’s infringement of the ‘375 Patent has been and continues to
25 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

26 23. Unless enjoined by this Court, Defendant will continue to infringe the
27 ‘375 Patent.

28 24. As a direct and proximate result of the Defendant’s conduct, Plaintiff

1 has suffered, and will continue to suffer, irreparable injury for which it has no
2 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
3 issues, will continue to be damaged in an amount yet to be determined.

4 **THIRD CLAIM FOR RELIEF**

5 **(Infringement of the ‘486 Patent)**

6 25. Plaintiff incorporates paragraphs 1 through 23 of this complaint as if set
7 forth in full herein.

8 26. Signal IP is the owner of the entire right, title, and interest in and to
9 U.S. Patent No. 6,434,486 (the ‘486 Patent), entitled “Technique for Limiting the
10 Range of an Object Sensing System in a Vehicle.” The ‘486 Patent duly and legally
11 issued by the U.S. Patent and Trademark Office on August 13, 2002. A true and
12 correct copy of the ‘486 Patent is attached as Exhibit C.

13 27. Defendant has directly infringed and continues to infringe, literally
14 and/or under the doctrine of equivalents, the ‘486 Patent by making, using, offering
15 for sale, and/or selling in the United States certain methods or systems disclosed and
16 claimed in the ‘486 Patent, including but not limited to collision prevention or
17 avoidance systems, including but not limited to the (1) Adaptive Cruise Control
18 system, used in products including but not limited to the Chrysler 200, 300, Town &
19 Country, Crossfire, Pacific, and PT Cruiser, and the Dodge Charger, Durango,
20 Grand Caravan, Journey, Dakota, and Nitro; and (2) the Forward Collision Warning
21 Plus system, used in products including but not limited to the Jeep Cherokee and
22 Grand Cherokee.

23 28. Defendant has contributorily infringed and is currently contributorily
24 infringing the ‘486 Patent by making, using, offering for sale, and/or selling in the
25 United States certain methods or systems disclosed and claimed in the ‘486 Patent,
26 including but not limited to collision prevention or avoidance systems, including but
27 not limited to the (1) Adaptive Cruise Control system, used in products including
28 but not limited to the Chrysler 200, 300, Town & Country, Crossfire, Pacific, and

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1 PT Cruiser, and the Dodge Charger, Durango, Grand Caravan, Journey, Dakota, and
 2 Nitro; and (2) the Forward Collision Warning Plus system, used in products
 3 including but not limited to the Jeep Cherokee and Grand Cherokee.

4 29. Defendant has actively induced and is actively inducing the
 5 infringement of the '486 Patent by making, using, offering for sale, and/or selling in
 6 the United States certain methods or systems disclosed and claimed in the '486
 7 Patent, including but not limited to collision prevention or avoidance systems,
 8 including but not limited to the (1) Adaptive Cruise Control system, used in
 9 products including but not limited to the Chrysler 200, 300, Town & Country,
 10 Crossfire, Pacific, and PT Cruiser, and the Dodge Charger, Durango, Grand
 11 Caravan, Journey, Dakota, and Nitro; and (2) the Forward Collision Warning Plus
 12 system, used in products including but not limited to the Jeep Cherokee and Grand
 13 Cherokee.

14 30. Defendant's infringement of the '486 Patent has been and continues to
 15 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

16 31. Unless enjoined by this Court, Defendant will continue to infringe the
 17 '486 Patent.

18 32. As a direct and proximate result of the Defendant's conduct, Plaintiff
 19 has suffered, and will continue to suffer, irreparable injury for which it has no
 20 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 21 issues, will continue to be damaged in an amount yet to be determined.

22 **FOURTH CLAIM FOR RELIEF**

23 **(Infringement of the '007 Patent)**

24 33. Plaintiff incorporates paragraphs 1 through 32 of this complaint as if set
 25 forth in full herein.

26 34. Signal IP is the owner of the entire right, title, and interest in and to
 27 U.S. Patent No. 6,012,007 (the '007 Patent), entitled "Occupant Detection Method
 28 and Apparatus for Air Bag System." The '007 Patent was duly and legally issued by

1 the U.S. Patent and Trademark Office on January 4, 2000. A true and correct copy
2 of the '007 Patent is attached as Exhibit D.

3 35. Defendant has directly infringed and continues to infringe, literally
4 and/or under the doctrine of equivalents, the '007 Patent by making, using, offering
5 for sale, and/or selling in the United States certain methods or systems disclosed and
6 claimed in the '007 Patent, including but not limited to the Occupant Classification
7 System, used in products including but not limited to the Chrysler 200, 300, Town
8 & Country, Sebring, Aspen, Crossfire, Pacific, and PT Cruiser, the Dodge (SRT)
9 Viper, Avenger, Caliber, Challenger, Charger, Dart, Durango, Grand Caravan,
10 Journey, Ram, Ram Cargo Van, Ram Promaster, Dakota, Magnum, and Nitro, and
11 Jeep Cherokee, Compass, Grand Cherokee, Liberty, Patriot, and Wrangler.

12 36. Defendant has contributorily infringed and is currently contributorily
13 infringing the '007 Patent by making, using, offering for sale, and/or selling in the
14 United States certain methods or systems disclosed and claimed in the '007 Patent,
15 including but not limited to the Occupant Classification System, used in products
16 including but not limited to the Chrysler 200, 300, Town & Country, Sebring,
17 Aspen, Crossfire, Pacific, and PT Cruiser, the Dodge (SRT) Viper, Avenger,
18 Caliber, Challenger, Charger, Dart, Durango, Grand Caravan, Journey, Ram, Ram
19 Cargo Van, Ram Promaster, Dakota, Magnum, and Nitro, and Jeep Cherokee,
20 Compass, Grand Cherokee, Liberty, Patriot, and Wrangler.

21 37. Defendant has actively induced and is actively inducing the
22 infringement of the '007 Patent by making, using, offering for sale, and/or selling in
23 the United States certain methods or systems disclosed and claimed in the '007
24 Patent, including but not limited to the Occupant Classification System, used in
25 products including but not limited to the Chrysler 200, 300, Town & Country,
26 Sebring, Aspen, Crossfire, Pacific, and PT Cruiser, the Dodge (SRT) Viper,
27 Avenger, Caliber, Challenger, Charger, Dart, Durango, Grand Caravan, Journey,
28 Ram, Ram Cargo Van, Ram Promaster, Dakota, Magnum, and Nitro, and Jeep

1 Cherokee, Compass, Grand Cherokee, Liberty, Patriot, and Wrangler.

2 38. Defendant's infringement of the '007 Patent has been and continues to
3 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

4 39. Unless enjoined by this Court, Defendant will continue to infringe on
5 the '007 Patent.

6 40. As a direct and proximate result of the Defendant's conduct, Plaintiff
7 has suffered, and will continue to suffer, irreparable injury for which it has no
8 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
9 issues, will continue to be damaged in an amount yet to be determined.

10 **FIFTH CLAIM FOR RELIEF**

11 **(Infringement of the '374 Patent)**

12 41. Plaintiff incorporates paragraphs 1 through 40 of this complaint as if set
13 forth in full herein.

14 42. Signal IP is the owner of the entire right, title, and interest in and to
15 U.S. Patent No. 5,463,374 (the '374 Patent), entitled "Method and Apparatus for
16 Tire Pressure Monitoring and for Shared Keyless Entry Control." The '374 Patent
17 was duly and legally issued by the U.S. Patent and Trademark Office on October 31,
18 1995. A true and correct copy of the '374 Patent is attached as Exhibit E.

19 43. Defendant has directly infringed, literally and/or under the doctrine of
20 equivalents, the '374 Patent by making, using, offering for sale, and/or selling in the
21 United States certain methods or systems for vehicles disclosed and claimed in the
22 '374 Patent, including but not limited to the integrated Remote Keyless Entry (RKE)
23 and Tire Pressure Monitor Systems (TPMS), used in products including but not
24 limited to the Chrysler 300, and Town & Country, the Dodge Challenger, Charger,
25 Durango, Grand Caravan, Journey, Ram, Ram Cargo Van, Ram Promaster, and
26 Magnum, and Jeep Grand Cherokee.

27 44. Defendant has contributorily infringed the '374 Patent by making,
28 using, offering for sale, and/or selling in the United States certain methods or

1 systems disclosed and claimed in the '374 Patent, including but not limited to the
 2 integrated Remote Keyless Entry (RKE) and Tire Pressure Monitor Systems
 3 (TPMS), used in products including but not limited to the Chrysler 300, and Town
 4 & Country, the Dodge Challenger, Charger, Durango, Grand Caravan, Journey,
 5 Ram, Ram Cargo Van, Ram Promaster, and Magnum, and Jeep Grand Cherokee.

6 45. Defendant has actively induced infringement of the '374 Patent by
 7 making, using, offering for sale, and/or selling in the United States certain methods
 8 or systems disclosed and claimed in the '374 Patent, including but not limited to the
 9 integrated Remote Keyless Entry (RKE) and Tire Pressure Monitor Systems
 10 (TPMS), used in products including but not limited to the Chrysler 300, and Town
 11 & Country, the Dodge Challenger, Charger, Durango, Grand Caravan, Journey,
 12 Ram, Ram Cargo Van, Ram Promaster, and Magnum, and Jeep Grand Cherokee.

13 46. As a direct and proximate result of Defendant's conduct, Plaintiff has
 14 suffered irreparable injury for which it has no adequate remedy at law. Plaintiff also
 15 has been damaged in an amount yet to be determined.

PRAYER FOR RELIEF

16
 17 Wherefore, Signal IP respectfully requests that the Court enter judgment
 18 against Defendant as follows:

- 19 1. That Defendant has directly infringed the Patents-in-Suit;
- 20 2. That Defendant has contributorily infringed the Patents-in-Suit;
- 21 3. That Defendant has induced the infringement of the Patents-in-Suit;
- 22 4. That Defendant's infringement be adjudged willful and deliberate;
- 23 5. That Defendant and its affiliates, subsidiaries, officers, directors,
 24 employees, agents, representatives, successors, assigns, and all those acting in
 25 concert, participation, or privity with them or on their behalf, including customers,
 26 be enjoined from infringing, inducing others to infringe or contributing to the
 27 infringement of the Patents-in-Suit;
- 28 6. For damages, according to proof, for Defendant's infringement,

1 together with pre-judgment and post-judgment interest, as allowed by law and that
2 such damages be trebled as provided by 35 U.S.C. § 284;

3 7. That this Court determine that this is an exceptional case under 35
4 U.S.C. § 285 and an award of attorneys' fees and costs to Signal IP is warranted;
5 and

6 8. For such other and further relief as the Court may deem just and proper.
7

8 Dated: June 11, 2014

LINER LLP

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10
11 By: /s/ Ryan E. Hatch

Randall J. Sunshine

Ryan E. Hatch

Jason L. Haas

Attorneys for Plaintiff SIGNAL IP, INC.

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JURY DEMAND

Pursuant to Federal Rules of Civil Procedure Rule 38(b), Plaintiff Signal IP, Inc. respectfully demands a jury trial on any and all issues triable as of right by a jury in this action.

Dated: June 11, 2014

LINER LLP

By: /s/ Ryan E. Hatch
Randall J. Sunshine
Ryan E. Hatch
Jason L. Haas
Attorneys for Plaintiff SIGNAL IP, INC.

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