

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

OPTICAL TECH IP, LLC,)	
)	
Plaintiff,)	
)	Civil Action No. _____
v.)	
)	JURY TRIAL DEMANDED
JUNIPER NETWORKS, INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

For its Complaint, Plaintiff Optical Tech, LLC ("Optical Tech"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. Optical Tech is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 475, Plano, Texas 75093.
2. Defendant Juniper Networks, Inc. is a Delaware corporation with, upon information and belief, a place of business located at 1194 North Mathilda Avenue, Sunnyvale, California 94089.
3. Upon information and belief, Defendant has registered with the Texas Secretary of State to conduct business in Texas.

JURISDICTION AND VENUE

4. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
5. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
6. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, 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 this district.

7. Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

THE PATENT-IN-SUIT

8. On June 29, 2010, United States Patent No. 7,747,172 (the "'172 patent"), entitled "Optical Communication System Having Enhanced Spectral Efficiency Using Electronic Signal Processing" was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '172 patent is attached hereto as Exhibit A.

9. Optical Tech is the assignee and owner of the right, title and interest in and to the '172 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,747,172

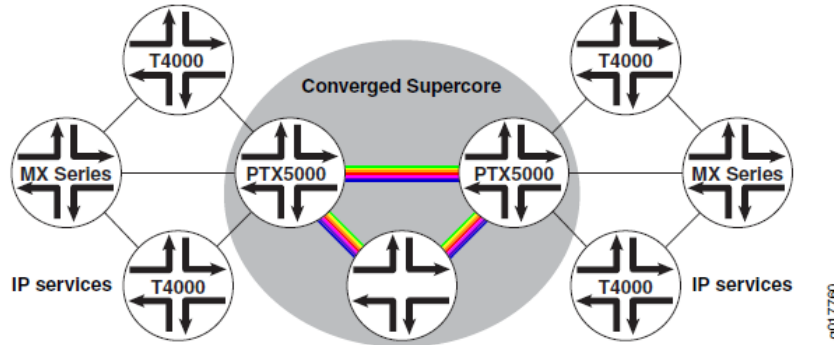
10. Optical Tech repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

11. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe the '172 patent by making, using, importing, offering for sale, and/or selling optical communication systems, including, but not limited to PTX5000 Packet Transport Routers, covered by one or more claims of the '172 patent.

12. More specifically and upon information and belief, the PTX5000 Packet Transport Router includes optical transport capabilities and a transmitter for each fiber optic connection. It performs optical transmissions over a series of different channels

each with a given wavelength regime by filtering to differentiate each channel, and each filtered channel contains a limited bandwidth. The optical transmission combines together the pre-filtered channels and multiple channels are handled by the PTX5000 "Converged Supercore":

Figure 1: PTX5000 in a Juniper Networks Environment



See PTX Series Packet Transport Switch Software Documentation (Publ. May 16, 2014) at 11. Commands to dynamically control the pre-filtering according to a set of desired channel spacings and bandwidths is provided in the Junos software as enabled to control this function in the PTX series router:

wavelength

Syntax `wavelength nm;`

Hierarchy Level `[edit interfaces interface-name optics-options]`

Release Information Statement introduced before Junos OS Release 7.4.
Statement introduced in Junos OS Release 12.1 for EX Series switches.
Statement introduced in Junos OS Release 13.2 for PTX Series routers.

Description For 10-Gigabit or 100-Gigabit Ethernet DWDM interfaces only, configure full C-band ITU-Grid tunable optics.

Options `nm`—Wavelength value. It can be one of the following:



NOTE: All values are displayed. However, if you configure a value that is not supported by the device, an error message is displayed and the device is not tuned to the specified wavelength.

- 1528.38—1528.38 nanometers (nm), corresponds to a 50-GHz grid
- 1528.77—1528.77 nm, corresponds to 50-GHz and 100-GHz grids
- 1529.16—1529.16 nm, corresponds to a 50-GHz grid
- 1529.55—1529.55 nm, corresponds to 50-GHz and 100-GHz grids
- 1529.94—1529.94 nm, corresponds to a 50-GHz grid
- 1530.33—1530.33 nm, corresponds to 50-GHz and 100-GHz grids
- 1530.72—1530.72 nm, corresponds to a 50-GHz grid
- 1531.12—1531.12 nm, corresponds to 50-GHz and 100-GHz grids

See Junos OS Physical Interfaces (Publ. May 15, 2014) at 370. Equalization of the pre-filtered signal is configured so the shaping of the channels on transmission is compensated for upon receipt so each channel can be received and not mingled with other channels causing confusion and interference. The optical receiver monitors and reports if the optics signal in a given channel falls to a given threshold and requires additional transmit power or receive gain. The signal equalization is modified for the channel and warnings are sent should inadequate correction be seen.

13. Optical Tech is entitled to recover from Defendant the damages sustained by Optical Tech as a result of Defendant's infringement of the '172 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Optical Tech hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Optical Tech requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '172 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Optical Tech for Defendant's past infringement of the '172 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Optical Tech's reasonable attorneys' fees; and

D. An award to Optical Tech of such further relief at law or in equity as the Court deems just and proper.

Dated: November 11, 2014

/s/ Andrew W. Spangler

Andrew W. Spangler TX SB #24041960
Spangler Law P.C.
208 N. Green Street, Suite 300
Longview, TX 75601
Telephone: (903) 753-9300
Facsimile: (903) 553-0403
spangler@spanglerlawpc.com

Stamatios Stamoulis DE SB #4606
Richard C. Weinblatt DE SB #5080
Stamoulis & Weinblatt LLC
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540
Facsimile: (302) 762-1688
stamoulis@swdelaw.com
weinblatt@swdelaw.com

*Attorneys for Plaintiff
Optical Tech IP, LLC*