

1 Anthony G. Simon (*pro hac vice*)
 2 Michael P. Kella (*pro hac vice*)
 Benjamin R. Askew (*pro hac vice*)
 3 Timothy D. Krieger (*pro hac vice* forthcoming)
 THE SIMON LAW FIRM, P.C.
 4 800 Market Street, Suite 1700
 St. Louis, Missouri 63101
 5 P. 314.241.2929
 F. 314.241.2029
 6 asimon@simonlawpc.com
 mkella@simonlawpc.com
 7 baskew@simonlawpc.com
 tkrieger@simonlawpc.com

9 Henry C. Bunsow (SBN 60707)
 Denise De Mory (SBN 168076)
 Brian A.E. Smith (SBN 188147)
 11 BUNSOW DE MORY SMITH & ALLISON LLP
 351 California Street, Suite 200
 12 San Francisco, CA 94104
 T. (415) 426-4747
 13 F. (415) 426-4744
 hbunsow@bdiplaw.com
 14 ddemory@bdiplaw.com
 bsmith@bdiplaw.com

16 *Attorneys for Plaintiffs Technology Properties*
 17 *Limited LLC and MCM Portfolio LLC*

18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**
OAKLAND DIVISION

20 TECHNOLOGY PROPERTIES LIMITED)	Case Number: C 14-04616-CW
21 LLC, and MCM PORTFOLIO LLC)	
22 Plaintiffs,)	FIRST AMENDED COMPLAINT FOR
23 vs.)	PATENT INFRINGEMENT
24)	DEMAND FOR JURY TRIAL
25 SONY CORPORATION, and SONY)	Hon. Judge Claudia Wilken
26 CORPORATION OF AMERICA)	
27 Defendants.)	
28)	

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

1
2 Plaintiffs Technology Properties Limited LLC and MCM Portfolio LLC (collectively
3 “Plaintiffs”) file this amended complaint against Defendants Sony Corporation and Sony
4 Corporation of America (collectively “Defendants”) for infringement of U.S. Patent Nos.
5 7,295,443 and 7,552,424 (collectively, “the Patents-in-Suit”).
6

7
8 **THE PARTIES**

9 1. Technology Properties Limited LLC (“TPL”) is a California limited liability
10 company with a principal place of business at 3000 Scott Blvd., Suite 109, Santa Clara,
11 California 95054.

12 2. MCM Portfolio LLC (“MCM”) is a Delaware limited liability company with a
13 principal place of business at 4880 Stevens Creek Blvd., Suite 103, San Jose, California 95012.

14 3. On information and belief, Defendant Sony Corporation is a Japanese Corporation
15 with a principal place of business at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan.
16

17 4. On information and belief Defendant Sony Corporation of America is a New
18 York corporation with a principal place of business at 550 Madison Avenue, 27th Floor, New
19 York, New York 10022.
20

21 5. Sony Corporation and Sony Corporation of America will be referred to herein
22 individually and collectively as “Defendants.”
23

24 **JURISDICTION**

25 6. This action arises under the patent laws of the United States, Title 35 of the
26 United States Code, §§ 271 and 281, *et seq.* because Defendants have committed acts of patent
27
28

1 infringement within the United States and this judicial district. Accordingly, this Court has
2 subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

3 7. Personal Jurisdiction and venue are proper in this Court pursuant to 28 U.S.C. §§
4 1391(b), 1391(c) and 1400(b), in that Defendants are subject to personal jurisdiction in the
5 Northern District of California. At a minimum, Defendants have delivered infringing products
6 into the stream of commerce with the expectation that they will be purchased by consumers in
7 California, including consumers in the Northern District of California.
8

9 **INTRADISTRICT ASSIGNMENT**

10 8. In accordance with Civil Local Rule 3-2(c) and Northern District of California
11 General Order No. 44, assignment of this patent case is proper to any courthouse in this District.
12 The case has been assigned, by the clerk of the Court, to the Oakland Division; Hon. Judge
13 Claudia Wilken presiding.
14

15 **COUNT I**
16 **(INFRINGEMENT OF U.S. PATENT NO. 7,295,443)**

17 9. Plaintiffs incorporate paragraphs 1 through 8 as though fully set forth herein.

18 10. This cause of action arises under the patent laws of the United States, and in
19 particular, 35 U.S.C. § 271, *et seq.*

20 11. On November 13, 2007, the United States Patent and Trademark Office duly and
21 legally issued U.S. Patent No. 7,295,443 (“the ‘443 Patent”) entitled “Smartconnect Universal
22 Flash Media Card Adapters,” to Sreenath Mambakkam, et al. A copy of the ‘443 Patent is
23 attached to the Complaint as Exhibit A.
24

25 12. The ‘443 Patent discloses a multi-media memory adapter. The adapter has a first
26 planar element or portion and a second planar element or portion that define a slot between them
27 for receiving multiple types of flash memory cards. The planar elements or portions comprise
28

1 molded plastic. The patent further discloses contact pins that extend or protrude from either the
2 top or the bottom of the port (or both); these contact pins allow the port to receive electrical
3 signals from a flash memory card. The patent also discloses a controller chip that maps a set of
4 signal lines to a subset of the contact pins based on the type of flash memory card inserted into
5 the reader.

6
7 13. MCM is the owner of the '443 Patent.

8 14. TPL is the exclusive licensee of the '443 Patent with ownership of all substantial
9 rights in the '443 Patent including the right to exclude others and to enforce, sue, and recover
10 damages for past and future infringement.

11 15. The '443 Patent is valid, enforceable and was duly issued in full compliance with
12 Title 35 of the United States Code.

13
14 16. Without a license or permission from Plaintiffs, Defendants have infringed
15 literally or under the doctrine of equivalents, at least claims 1, 3, 4, 7, 9, 11, 12, and 14 of the
16 '443 Patent. Defendants did so by importing, making, using, offering to sell, and/or selling
17 products and devices that embody and/or practice the patented invention.

18
19 17. On information and belief, Defendants had notice of the '443 Patent as of
20 November 30, 2009.

21 18. Without limitation, an example of Defendants' infringing products is the DPF-
22 D710 and related families of products.

23 19. Defendants' infringement of the '443 Patent has caused substantial damage to
24 Plaintiffs.

25
26 **COUNT II**
27 **(INFRINGEMENT OF U.S. PATENT NO. 7,522,424)**

28 20. Plaintiffs incorporate paragraphs 1 through 19 as though fully set forth herein.

1 21. This cause of action arises under the patent laws of the United States, and in
2 particular 35 U.S.C. § 271, *et seq.*

3 22. On April 21, 2009, the United States Patent and Trademark Office duly and
4 legally issued U.S. Patent No. 7,522,424 (“the ‘424 Patent”) entitled “Smartconnect Universal
5 Flash Media Card Adapters,” to Sreenath Mambakkam, et al. A copy of the ‘424 patent is
6 attached to the Complaint as Exhibit B.

7 23. The ‘424 Patent discloses an apparatus with a port that has a number of sets of
8 contact pins mounted at locations adapted to interface with the electrical contacts of different
9 types of flash memory cards. The patent also discloses a set of interconnection pins. A
10 component, such as controller, maps power, ground and/or data signals between the
11 interconnection pins and the proper contact pins, depending on the type of card in the slot.

12 24. MCM is the owner of the ‘424 Patent.

13 25. TPL is the exclusive licensee of the ‘424 Patent with ownership of all substantial
14 rights in the ‘424 Patent, including the right to exclude others and to enforce, sue, and recover
15 damages for past and future infringement.

16 26. The ‘424 Patent is valid, enforceable and was duly issued in full compliance with
17 Title 35 of the United States Code.

18 27. Without a license or permission from Plaintiffs, Defendants have infringed,
19 literally or under the doctrine of equivalents, at least claims 25, 26, 28, and 29 of the ‘424 Patent.
20 Defendants did so by importing, making, using, offering to sell, and/or selling products and
21 devices that embody and/or practice the patented invention.

22 28. On information and belief, Defendants had notice of the ‘424 Patent at least as
23 early as November 30, 2009.
24
25
26
27
28

- 1 d. Judgment that Defendants account for and pay to Plaintiffs a reasonable, on-
2 going, post judgment royalty because of Defendants' infringing activities and
3 other conduct complained of herein;
- 4 e. That Plaintiffs be granted pre-judgment and post-judgment interest on the
5 damages caused by Defendants' infringing activities and other conduct
6 complained of herein;
- 7 f. That this Court declare this an exceptional case and award Plaintiffs their
8 reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and
- 9 g. That Plaintiffs be granted such other and further relief as the Court may deem just
10 and proper under the circumstances.
11
12

13
14 Dated: November 21, 2014

Respectfully Submitted,

/s/ Benjamin R. Askew

Anthony G. Simon (*pro hac vice*)

Michael P. Kella (*pro hac vice*)

Benjamin R. Askew (*pro hac vice*)

Timothy D. Krieger (*pro hac vice* forthcoming)

THE SIMON LAW FIRM, P.C.

800 Market Street, Suite 1700

St. Louis, Missouri 63101

P. 314.241.2929

F. 314.241.2029

asimon@simonlawpc.com

mkella@simonlawpc.com

baskew@simonlawpc.com

tkrieger@simonlawpc.com

and

Henry C. Bunsow (SBN 60707)

Denise De Mory (SBN 168076)

Brian A.E. Smith (SBN 188147)

BUNSOW DE MORY SMITH & ALLISON LLP

351 California Street, Suite 200

San Francisco, CA 94104
T. (415) 426-4747
F. (415) 426-4744
hbunsow@bdiplaw.com
ddemory@bdiplaw.com
bsmith@bdiplaw.com

*Attorneys for Plaintiffs Technology Properties
Limited LLC and MCM Portfolio LLC*

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on this 21st day of November, 2014, a copy of the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Benjamin R. Askew
Benjamin R. Askew