

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

2015 MAY 22 A 11: 51

MLR, LLC,)
)
Plaintiff,)
)
v.)
)
TCL COMMUNICATION TECHNOLOGY)
HOLDINGS LIMITED,)
)
Defendant.)

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

Civil Action No. 2:15CV223

JURY DEMANDED HCM/LRL

COMPLAINT

Plaintiff MLR, LLC complains of Defendant TCL Communication Technology Holdings Limited (“TCL”) as follows:

JURISDICTION AND VENUE

1. Title 28 of the United States Code Section 1338(a) confers subject-matter jurisdiction on this Court because Defendant has infringed Plaintiff’s patents. The Patent Act of 1952, as amended, 35 U.S.C. § 271, *et seq.*, makes patent infringement illegal and actionable through a private cause of action.

2. Defendant has transacted business in this judicial district by making, using, selling, or offering to sell and distributing products that infringe MLR’s patents either in this judicial district or in the United States.

3. Venue is proper in the Eastern District of Virginia under the general federal venue statute, 28 U.S.C. § 1391(d), and under the specific venue provision relating to patent-infringement cases, 28 U.S.C. § 1400(b).

PARTIES

4. MLR is a Virginia limited liability company with offices at 6190 Hardy Drive, McLean, Virginia 22101. MLR is the assignee and owns all right, title and interest in and has standing to sue for infringement of U.S. Patent Nos. 7,386,322, 6,934,558, 6,134,453, and 5,854,985 (“the MLR Patents”).

5. TCL is a Chinese multinational corporation with its principal place of business at 15/F, TCL Tower, Gaoxin Nan Yi Road, Nanshan District, Shenzhen, Guangdong, P.R.C, Postal Code 518057. TCL has previously made, used, sold, offered for sale, and/or imported into the United States portable wireless products that infringe one or more claims of the MLR Patents. TCL has infringed the MLR Patents either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

BACKGROUND

6. MLR is the owner of patent rights that cover commercially significant technologies related to the control of multi-mode, multi-frequency, and multi-protocol networks for electronic communications devices. The MLR patents, for example, cover portable wireless devices, such as cellular handsets and portable computers, which can access different cellular or wireless networks to facilitate wireless voice and/or data communications.

7. Defendant designed, manufactured, and sold portable wireless devices, including portable handsets, which infringed the MLR Patents.

PATENT INFRINGEMENT

8. Defendant has infringed the MLR Patents both directly and indirectly (through acts of contributory infringement or inducement).

9. Defendant's infringing products include Wi-Fi enabled, broadband-capable portable handsets. Infringing portable handsets include without limitation those models listed in Exhibit A to this complaint.

10. Defendant's infringement, contributory infringement and/or inducement to infringe has injured MLR and it is therefore entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

11. Defendant's infringement, contributory infringement and/or inducement to infringe has been willful because it has known of the MLR Patents and has nonetheless injured MLR.

JURY DEMAND

MLR demands a trial by jury on all issues presented that can properly be tried to a jury.

REQUEST FOR RELIEF

MLR asks this Court to enter judgment against Defendant and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with Defendant, granting the following relief:

- A. An award of damages adequate to compensate MLR for the infringement that has occurred, together with prejudgment interest from the date infringement began;
- B. All other damages permitted by 35 U.S.C. § 284;
- C. A finding that TCL's infringement has been willful;
- D. A finding that this case is exceptional and an award to MLR of its attorneys' fees and costs as provided by 35 U.S.C. § 285; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

Dated: May 22, 2015

Respectfully submitted,



James W. Hundley (VSB 30723)
jhundley@brigliahundley.com
Kristin A. Zech (VSB 68826)
kzech@brigliahundley.com
Nicholas V. Cumings (VSB 82022)
ncumings@brigliahundley.com
BrigliaHundley, PC
1921 Gallows Road, Suite 750
Tysons Corner, VA 22182
Phone: (703) 883-0880
Fax: (703) 883-0899

William Flachsbart wwf@fg-law.com
Michael R. La Porte mrl@fg-law.com
Flachsbart & Greenspoon LLC
333 N. Michigan Ave., Suite 2700
Chicago, IL 60601-3901
Phone: (312) 551-9500
Fax: (312) 551-9501

ATTORNEYS FOR PLAINTIFF, MLR, LLC

Exhibit A

TCL Infringing Portable Devices

392G	One Touch 918D	One Touch T10	OT-222
510A	One Touch 922	One Touch T20	OT-223
871	One Touch 922D	One Touch T60	OT-228
871A	One Touch 985D	One Touch Tab 7	OT-252
A382	One Touch 993D	One Touch Tab 7 HD	OT-255
A383g	One Touch Evo 7 HD	One Touch Tab 8 HD	OT-280
CHAT	One Touch Evo 8HD	One Touch X'Pop One	OT-282
Crystal	One Touch Evo7	OT-102	OT-292
ELLE GlamPhone	One Touch Evolve	OT-103	OT-300
Fire C 2G	One Touch Explore	OT-105	OT-301
Hero	One Touch Fierce	OT-106	OT-303
Hero 2	One Touch Fire	OT-108	OT-305
Hero 8	One Touch Idol 6030D	OT-109	OT-306
Hero 8020D	One Touch Idol Ultra	OT-111	OT-308
Idol Alpha	One Touch M'Pop	OT-112	OT-310
Idol Mini	One Touch Pixi	OT-113	OT-317D
Idol S	One Touch Pixi 2	OT-117	OT-318D
IDOL S 6035	One Touch S'Pop	OT-1650 PRO	OT-330
Idol X	One Touch Scribe Easy	OT-1650 SPORT	OT-355
Mandarina Duck	One Touch Scribe HD	OT-202	OT-358
Mandarina Duck Moon	One Touch Scribe HD-LTE	OT-203	OT-361
Miss Sixty	One Touch Scribe X	OT-206	OT-363
Miss Sixty 2009	One Touch Snap	OT-208	OT-380
Net	One Touch Snap 7025	OT-209	OT-383
One Touch 602D	One Touch Snap LTE	OT-213	OT-385
One Touch 6034	One Touch Star	OT-216	OT-505
One Touch 828	One Touch T'Pop	OT-217	OT-506

OT-508A	OT-838	OT-995	Pop C5
OT-565	OT-870	OT-997	POP C5 5036D
OT-585	OT-871A	OT-997D	POP C5 5036X
OT-595	OT-880 One Touch XTRA	OT-S107	Pop C7
OT-600	OT-888	OT-S120	Pop D1
OT-602	OT-890	OT-S121	Pop D3
OT-605	OT-890D	OT-S210	Pop D5
OT-606 One Touch	OT-891 Soul	OT-S211	Pop Icon
OT-660	OT-900	OT-S215A	Roadsign
OT-665	OT-902	OT-S218	S720
OT-668	OT-903	OT-S319	S720T
OT-690	OT-905	OT-S320	S725T
OT-706	OT-906	OT-S520	S860
OT-708 One Touch MINI	OT-908	OT-S521A	S960
OT-710	OT-908F	OT-S621	Sparq II
OT-720	OT-909 One Touch MAX	OT-S626A	Touch Idol
OT-799 Play	OT-910	OT-S920	View
OT-800 One Touch	OT-915	OT-V212	
CHROME	OT-916	OT-V270	
OT-800 One Touch Tribe	OT-918	OT-V570	
OT-802 Wave	OT-918D	OT-V607A	
OT-803	OT-978	OT-V670	
OT-806	OT-980	OT-V770	
OT-807	OT-983	Pop 2 (4.5)	
OT-808	OT-985	Pop 2 (4.5) Dual SIM	
OT-810	OT-986	Pop 2 (4)	
OT-810D	OT-988 Shockwave	Pop 2 (5)	
OT-813D	OT-990	POP 8S	
OT-813F	OT-991	Pop C1	
OT-818	OT-992D	Pop C2	
OT-819 Soul	OT-993	Pop C3	