

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**CRESWELL HOLDINGS LLC,**

Plaintiff,

v.

**LENOVO (UNITED STATES) INC.,**

Defendant.

**Civil Action No. 4:15-cv-407**

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement of U.S. Patent Nos. 6,340,803, 6,194,677, and 6,318,695 (the “Patents-in-Suit”) in which Creswell Holdings LLC (“Creswell” or “Plaintiff”) makes the following allegations against Lenovo (United States) Inc. (“Lenovo” or “Defendant”):

**PARTIES**

1. Plaintiff Creswell is a Delaware limited liability company, having a principal place of business of 7005 Chase Oaks Blvd., Suite 180, Plano, TX 75025.

2. Defendant Lenovo is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 1009 Think Place, Morrisville, NC 27560. Lenovo may be served via its registered agent for service of process: The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, DE 19801.

**JURISDICTION AND VENUE**

3. 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).

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

5. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, 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.

**U.S. PATENT NO. 6,340,803**

6. Plaintiff is the owner by assignment of United States Patent No. 6,340,803 (the "'803 Patent") entitled "Computer Keyswitch." The '803 Patent issued on January 22, 2002. A true and correct copy of the '803 Patent is attached as Exhibit A.

7. Mr. Tung Hsueh Li is listed as the inventor on the '803 Patent.

8. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '803 Patent complied with such requirements.

**U.S. PATENT NO. 6,194,677**

9. Plaintiff is the owner by assignment of United States Patent No. 6,194,677 (the "'677 Patent") entitled "Structure of Keyswitch." The '677 Patent issued on February 27, 2001. A true and correct copy of the '677 Patent is attached as Exhibit B.

10. Mr. Tung Hsueh Li is listed as the inventor on the '677 Patent.

11. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '677 Patent complied with such requirements.

**U.S. PATENT NO. 6,318,695**

12. Plaintiff is the owner by assignment of United States Patent No. 6,318,695 (the "'695 Patent") entitled "Notebook Computer Key." The '695 Patent issued on November 20, 2001. A true and correct copy of the '695 Patent is attached as Exhibit C.

13. Mr. Gino Hu is listed as the inventor on the '695 Patent.

14. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '695 Patent complied with such requirements.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 6,340,803**

15. Upon information and belief, Defendant has been and is now infringing the '803 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, supplying, distributing, selling, and/or offering for sale apparatuses and systems (including, without limitation, at least the Lenovo IdeaPad GS505S, B570, B575, Z570, Z575, V570, ThinkPad Edge E420, X121 and X137 ) which include a bottom plate, a circuit membrane overlaying the bottom plate, a base overlaying the circuit membrane, a resilient body inside the base disposed against the circuit membrane, a keycap atop the resilient body, and a first and second level in a scissor arrangement pivotally connecting the keytop to the bottom plate, covered by one or more claims of the '803 Patent to the injury of Creswell. Defendant is directly infringing, literally infringing, and/or infringing the '803 Patent under the doctrine of

equivalents. Defendant is thus liable for infringement of the '803 Patent pursuant to 35 U.S.C. § 271.

16. As a result of Defendant's infringement of the '803 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiff will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

17. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '803 Patent, Plaintiff will be greatly and irreparably harmed.

**COUNT II**  
**INFRINGEMENT OF U.S. PATENT NO. 6,194,677**

18. Upon information and belief, Defendant has been and is now infringing the '677 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, supplying, distributing, selling, and/or offering for sale apparatuses and systems (including, without limitation, at least the Lenovo IdeaPad GS505S) which include a keytop, a circuit base, a resilient dome over the said circuit base, a supporting level assembly made up of a first and second lever coupled pivotally together, covered by one or more claims of the '677 Patent to the injury of Creswell. Defendant is directly infringing, literally infringing, and/or infringing the '677 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the '677 Patent pursuant to 35 U.S.C. § 271.

19. As a result of Defendant's infringement of the '677 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiff will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

20. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '677 Patent, Plaintiff will be greatly and irreparably harmed.

**COUNT III**  
**INFRINGEMENT OF U.S. PATENT NO. 6,318,695**

21. Upon information and belief, Defendant has been and is now infringing the '695 Patent in the State of Texas, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, supplying, distributing, selling, and/or offering for sale apparatuses and systems (including, without limitation, the Lenovo IdeaPad GS505S) which include a key hat, a seat, an elastic touch moving piece, a first supporting frame and a second supporting frame, covered by one or more claims of the '695 Patent to the injury of Creswell. Defendant is directly infringing, literally infringing, and/or infringing the '695 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the '695 Patent pursuant to 35 U.S.C. § 271.

22. As a result of Defendant's infringement of the '695 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiff will

continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

23. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '695 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 Defendant has infringed the Patents-in-Suit;
2. A permanent injunction enjoining Defendant and its officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement of the Patents-in-Suit, or such other equitable relief the Court determines is warranted;
3. A judgment and order requiring Defendant pay to Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the Patents-in-Suit 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**

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

DATED June 16, 2015.

Respectfully submitted,

By: /s/ Hao Ni

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**ATTORNEYS FOR PLAINTIFF  
CRESWELL HOLDINGS LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of June, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Hao Ni

Hao Ni