

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

MLR, LLC,)	
)	
Plaintiff,)	Civil Action No. 1:14cv818
)	(GBL/TCB)
v.)	
)	The Hon. Gerald Bruce Lee
YIFANG USA, INC. d/b/a E-FUN, INC.,)	Mag. Judge Theresa Carroll Buchanan
)	
Defendant.)	JURY DEMANDED
)	

FIRST AMENDED COMPLAINT

Plaintiff MLR, LLC complains of Defendant Yifang USA Inc. 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 United States Patent Nos. 7,386,322, 6,934,558, 6,134,453, and 5,854,985 (“the MLR Patents”).

5. Yifang USA Inc. (“Yifang”) is a California corporation with its principal place of business at 136 North Grand Avenue, #148, West Covina, California 91791. Yifang 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. Yifang 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, which 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 designs, manufactures, and sells portable wireless devices, including portable computing devices, 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 computers. Infringing portable computers include without limitation those Yifang models listed in Exhibit A to this complaint.

10. Defendant's infringement, contributory infringement and/or inducement to infringe has injured MLR and it, therefore, is 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 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 Yifang'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.

Respectfully submitted,

Dated: June 23, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send a notification (NEF) to all counsel of record.

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Exhibit A

Yifang Infringing Portable Computers

Next 2

Next 3

Next 5

Next 6

Premium 7

Premium 7 Resistive

Premium 7SE

Premium 7SE Google Play Edition

Premium 7HD

Premium 8

Premium 8SE

Premium 8Hi

Premium 8HD

Premium 9

Premium 10SE

Premium 10Hi

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