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7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
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11 SIGNAL IP, INC., a California
corporation

12 Plaintiff,

13 vs.

14 HYUNDAI MOTOR AMERICA, a
15 California corporation,

16 Defendant.
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Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

1 Plaintiff Signal IP, Inc. (“Signal IP” or “Plaintiff”) brings this Complaint
2 against Hyundai Motor America (“Defendant” or “Hyundai”), alleging as follows:

3 **PARTIES**

4 1. Plaintiff Signal IP is a California corporation with its principal place of
5 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.

6 2. On information and belief, Defendant is a California corporation with
7 its principal place of business in this District at 10550 Talbert Ave, Fountain Valley,
8 CA, 92708.

9 **JURISDICTION, VENUE AND JOINDER**

10 3. This action arises under the patent laws of the United States, Title 35 of
11 the United States Code. This Court has subject matter jurisdiction pursuant to 28
12 U.S.C. §§ 1331 and 1338(a).

13 4. This Court has personal jurisdiction over Defendant. Defendant has
14 conducted extensive commercial activities and continues to conduct extensive
15 commercial activities within the State of California. Defendant is a California
16 corporation with its headquarters in this District. Additionally, on information and
17 belief, Defendant, directly and/or through intermediaries (including Defendant’s
18 entities, subsidiaries, distributors, sales agents, partners and others), distributes,
19 offers for sale, sells, and/or advertises its products (including but not limited to the
20 products and services that are accused of infringement in this lawsuit) in the United
21 States, in the State of California, and in this judicial district, under the “Hyundai”
22 brand name. Defendant has purposefully and voluntarily placed one or more of its
23 infringing products and services into the stream of commerce with the expectation
24 that the products and services will be purchased or used by customers in California
25 and within this judicial district. Accordingly, Defendant has infringed Signal IP’s
26 patents within the State of California and in this judicial district as alleged in more
27 detail below.

28 5. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

BACKGROUND

6. Signal IP, Inc. is a California corporation with a principal place of business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927; 6,434,486; and 6,012,007 (the “Patents-in-Suit”).

7. On information and belief, Defendant is a direct or indirect subsidiary of Hyundai Motor Company (“HMC”) and Hyundai Motor Group (“HMG”), which are headquartered in Seoul, South Korea. HMC and HMG manufacture and distribute cars under “Hyundai,” “Kia” and other brand names.

8. In the action styled *Signal IP, Inc. v. Kia Motors America, Inc.*, Case No. 2:14-cv-02457 (C.D. Cal., filed April 1, 2014) (the “Kia Action”), Signal previously asserted the Patents-in-Suit against Kia Motors America, Inc. (“KMA”), which on information and belief is also a direct or indirect subsidiary of HMC and HMG. Signal alleges on information and belief that Defendant has pre-suit knowledge of the Patents-in-Suit based at least on the Kia Action.

FIRST CLAIM FOR RELIEF

(Infringement of the ‘927 Patent)

9. Plaintiff incorporates the above paragraphs of this complaint as if set forth in full herein.

10. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 5,714,927 (the ‘927 Patent), entitled “Method of Improving Zone of Coverage Response of Automotive Radar.” The ‘927 Patent was duly and legally issued by the U.S. Patent and Trademark Office on February 3, 1998. A true and correct copy of the ‘927 Patent is attached as Exhibit A.

11. Defendant has directly infringed and continues to infringe, literally and/or under the doctrine of equivalents, the ‘927 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the ‘927 Patent, including but not limited to the Blind Spot Detection

1 system, used in products including but not limited to the Hyundai Azera, Elantra,
2 Equus, Genesis, Sonata, and Santa Fe.

3 12. Defendant has contributorily infringed and is currently contributorily
4 infringing the '927 Patent by making, using, offering for sale, and/or selling in the
5 United States certain methods or systems disclosed and claimed in the '927 Patent,
6 including but not limited to the Blind Spot Detection system, used in products
7 including but not limited to the Hyundai Azera, Elantra, Equus, Genesis, Sonata,
8 and Santa Fe.

9 13. Defendant has actively induced and is actively inducing the
10 infringement of the '927 Patent by making, using, offering for sale, and/or selling in
11 the United States certain methods or systems disclosed and claimed in the '927
12 Patent, including but not limited to the Blind Spot Detection system, used in
13 products including but not limited to the Hyundai Azera, Elantra, Equus, Genesis,
14 Sonata, and Santa Fe.

15 14. Defendant's infringement of the '927 Patent has been and continues to
16 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

17 15. Unless enjoined by this Court, Defendant will continue to infringe the
18 '927 Patent.

19 16. As a direct and proximate result of the Defendant's conduct, Plaintiff
20 has suffered, and will continue to suffer, irreparable injury for which it has no
21 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
22 issues, will continue to be damaged in an amount yet to be determined.

23 **SECOND CLAIM FOR RELIEF**

24 (Infringement of the '486 Patent)

25 17. Plaintiff incorporates the above paragraphs of this complaint as if set
26 forth in full herein.

27 18. Signal IP is the owner of the entire right, title, and interest in and to
28 U.S. Patent No. 6,434,486 (the '486 Patent), entitled "Technique for Limiting the

1 Range of an Object Sensing System in a Vehicle.” The ‘486 Patent duly and legally
2 issued by the U.S. Patent and Trademark Office on August 13, 2002. A true and
3 correct copy of the ‘486 Patent is attached as Exhibit B.

4 19. Defendant has directly infringed and continues to infringe, literally
5 and/or under the doctrine of equivalents, the ‘486 Patent by making, using, offering
6 for sale, and/or selling in the United States certain methods or systems disclosed and
7 claimed in the ‘486 Patent, including but not limited to the Rear Parking Assist
8 Technology, used in products including but not limited to the Hyundai Azera,
9 Equus, Sonata, and Veloster.

10 20. Defendant has contributorily infringed and is currently contributorily
11 infringing the ‘486 Patent by making, using, offering for sale, and/or selling in the
12 United States certain methods or systems disclosed and claimed in the ‘486 Patent,
13 including but not limited to the Rear Parking Assist Technology, used in products
14 including but not limited to the Hyundai Azera, Equus, Sonata, and Veloster.

15 21. Defendant has actively induced and is actively inducing the
16 infringement of the ‘486 Patent by making, using, offering for sale, and/or selling in
17 the United States certain methods or systems disclosed and claimed in the ‘486
18 Patent, including but not limited to the Rear Parking Assist Technology, used in
19 products including but not limited to the Hyundai Azera, Equus, Sonata, and
20 Veloster.

21 22. Defendant’s infringement of the ‘486 Patent has been and continues to
22 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

23 23. Unless enjoined by this Court, Defendant will continue to infringe the
24 ‘486 Patent.

25 24. As a direct and proximate result of the Defendant’s conduct, Plaintiff
26 has suffered, and will continue to suffer, irreparable injury for which it has no
27 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
28 issues, will continue to be damaged in an amount yet to be determined.

THIRD CLAIM FOR RELIEF

(Infringement of the '007 Patent)

25. Plaintiff incorporates the above paragraphs of this complaint as if set forth in full herein.

26. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 6,012,007 (the '007 Patent), entitled "Occupant Detection Method and Apparatus for Air Bag System." The '007 Patent was duly and legally issued by the U.S. Patent and Trademark Office on January 4, 2000. A true and correct copy of the '007 Patent is attached as Exhibit C.

27. Defendant has directly infringed and continues to infringe, literally and/or under the doctrine of equivalents, the '007 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '007 Patent, including but not limited to the Passenger Occupant Detection system or Occupant Classification System, used in products including but not limited to the Hyundai Azera, Elantra, Equus, Genesis, Santa Fe, Sonata, and Tucson.

28. Defendant has contributorily infringed and is currently contributorily infringing the '007 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '007 Patent, including but not limited to the Passenger Occupant Detection system or Occupant Classification System, used in products including but not limited to the Hyundai Azera, Elantra, Equus, Genesis, Santa Fe, Sonata, and Tucson.

29. Defendant has actively induced and is actively inducing the infringement of the '007 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '007 Patent, including but not limited to the Passenger Occupant Detection system or Occupant Classification System, used in products including but not limited to the Hyundai Azera, Elantra, Equus, Genesis, Santa Fe, Sonata, and Tucson.

JURY DEMAND

Pursuant to Federal Rules of Civil Procedure Rule 38(b), Plaintiff Signal IP, Inc. respectfully demands a jury trial on any and all issues triable as of right by a jury in this action.

Dated: July 8, 2015

LINER LLP

By: /s/ Ryan E. Hatch
Ryan E. Hatch
Attorneys for Plaintiff SIGNAL IP, INC.