

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

**VENADIUM LLC,**

**Plaintiff,**

**v.**

**ZTE USA INC.,**

**Defendant.**

**Civil Action No. 5:15-cv-\_\_\_\_**

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Venadium LLC files its Original Complaint for Patent Infringement based on its knowledge as to itself and based on information and belief as to all other matters as follows:

**THE PARTIES**

1. Venadium LLC is a Texas limited liability company with a principal office at 3000 Custer Road, Suite 270-219, Plano, Texas 75075.
2. On information and belief, Defendant ZTE USA Inc. is a New Jersey corporation with a principal office at 2425 North Central Expressway, Richardson, Texas 75080. Defendant's registered agent is Jing Li, 2425 North Central Expressway, Suite 323, Richardson, Texas 75080.

**JURISDICTION AND VENUE**

3. This action arises under the Patent Act, 35 U.S.C. § 1, *et seq.*
4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
5. This Court has personal jurisdiction over Defendant because at least a portion of the infringements alleged herein occurred in this District, and Defendant regularly does or solicits business, engages in other persistent courses of conduct, or derives revenue from goods and services provided to individuals in this District.
6. Venue is proper in this District under §§ 1391(b), (c), and 1400(b).

**THE PATENT-IN-SUIT**

7. On December 11, 2001, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,330,549 (the “549 patent”), entitled “Protected Shareware.” *See* Exhibit A.

8. Venadium is the owner and assignee of all right, title, and interest in and to the 549 patent.

**COUNT I**

**DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,330,549 UNDER 35 U.S.C. § 271(a)**

9. Venadium incorporates by reference each of its allegations in paragraphs 1 to 8.

10. Without license or authorization, Defendant has directly infringed and continues to directly infringe, literally or under the doctrine of equivalents, one or more claims of the 549 patent under 35 U.S.C. § 271(a) by, among other things, making, using, offering for sale, or selling products that use the Bluetooth 4.0 standard within this District and elsewhere in the United States that perform at least a method for protecting a computer program from unauthorized use independently of any methodology for distributing the computer program to prospective users, the computer program including an embedded protective code, the method comprising the steps of: (a) inhibiting via the embedded protective code at least one functional feature of the computer program from running on a user computer until the user computer receives an authorization message that is digitally signed by an authorized party using a secret signing key, the secret signing key being associated with a public checking key; (b) providing the embedded protective code with access to the public checking key; (c) running an integrity self-check over the computer program to confirm that the computer program is in an anticipated state, the integrity self-check being embedded in the computer program; (d) communicating the authorization message to the user computer; (e) applying the public checking key to the authorization message for authenticating it; and (f) enabling said functional feature to run on the user computer if the authorization message is authenticated and if the integrity self-check result confirms that the computer program is in the anticipated state.

9. The Bluetooth 4.0 standard and the accused method is an integral part of

Defendant's products:

ZTE Awe  
ZTE Blade C  
ZTE Blade Q Mini  
ZTE Blade S6  
ZTE Blade S6 Plus  
ZTE Blade Vec 4G  
ZTE Blade Veg 3G  
ZTE Compel  
ZTE Concord 2  
ZTE Fanfare  
ZTE Flash  
ZTE Geek  
ZTE Grand Era  
ZTE Grand Memo  
ZTE Grand Memo II LTE  
ZTE Grand S  
ZTE Grand S II  
ZTE Grand S Pro  
ZTE Grand S3  
ZTE Grand X LTE  
ZTE Grand X Max  
ZTE Grand X Max+  
ZTE Grand X Pro  
ZTE Grand X Quad  
ZTE Grand XMax+  
ZTE Imperial  
ZTE Imperial II  
ZTE Lever LTE  
ZTE Max  
ZTE N800  
ZTE Nubia 5  
ZTE nubia 5S mini  
ZTE Nubia X6  
ZTE Nubia Z5S  
ZTE nubia Z7  
ZTE Nubia Z7 Max  
ZTE nubia Z7 mini  
ZTE Nubia Z9 mini  
ZTE Optik 2  
ZTE Overture  
ZTE Overture 2  
ZTE Paragon

ZTE Prelude 2  
ZTE Quartz  
ZTE Rapido LTE  
ZTE Reef  
ZTE Savvy  
ZTE Source  
ZTE Speed  
ZTE Sprint Force  
ZTE Spro 2  
ZTE Star II  
ZTE Supreme  
ZTE Unicolte  
ZTE V98  
ZTE Vital  
ZTE Warp 4G  
ZTE Warp Sequent  
ZTE Warp Sync  
ZTE Z667  
ZTE Zephyr  
ZTE Zinger  
ZTE ZMAX

**PRAYER FOR RELIEF**

Venadium seeks the following relief from this Court:

- A. Judgment that Defendant has directly infringed the 549 patent literally or under the doctrine of equivalents;
- B. An accounting of sales of all infringing products through the time of judgment;
- C. An award of damages in the form of at least a reasonable royalty for Defendant's past and future infringement of the 549 patent through the time of judgment, together with pre- and post-judgment interest and costs under 35 U.S.C. § 284;
- D. Judgement that this case is exceptional and an award of Venadium's reasonable attorneys' fees and costs under 35 U.S.C. § 285; and
- E. An award to Venadium of such further relief at law or in equity that this Court deems just and proper.

**JURY TRIAL DEMAND**

Plaintiff Venadium demands a trial by jury on all claims and issues so triable.

Dated: July 16, 2015

Respectfully submitted,



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