

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

**VENADIUM LLC,**

**Plaintiff,**

**v.**

**SONY CORPORATION OF AMERICA,  
SONY ELECTRONICS INC., AND SONY  
MOBILE COMMUNICATIONS (USA)  
INC.,**

**Defendants.**

**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 Sony Corporation of America (“Sony America”) is a New York corporation with a principal office at 500 Madison Avenue, New York, New York 10022-3211. Sony America’s registered agent is Corporation Service Company, 80 State Street, Albany, New York 12207-2543.
3. On information and belief, Defendant Sony Electronics Inc. (“Sony Electronics”) is a California corporation with a principal office at 16530 Via Esprillo, San Diego, CA 92127. Sony Electronics’ registered agent in Texas is Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company located at 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.
4. On information and belief, Defendant Sony Mobile Communications (USA) Inc. (“Sony Mobile”) is a Delaware corporation with a principal office at 3333 Piedmont Road, Suite

600, Atlanta, GA, 30305. Sony Mobile's registered agent is Capitol Services, Inc., 1675 S State St., Suite B, Dover, Delaware 19901.

5. On information and belief, Defendants Sony Electronics and Sony Mobile are subsidiaries of Defendant Sony America.

6. Defendants Sony America, Sony Electronics, and Sony Mobile are collectively referred to as "Defendants".

### **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 Defendants because at least a portion of the infringements alleged herein occurred in this District, and Defendants regularly do or solicit 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, Defendants have directly infringed and continue 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 Defendants' products:

- Sony Vaio Z
- Sony Vaio Tap 11
- Sony Xperia C
- Sony Xperia C3
- Sony Xperia C4
- Sony Xperia E1
- Sony Xperia E3
- Sony Xperia E4
- Sony Xperia E4g
- Sony Xperia L
- Sony Xperia M
- Sony Xperia M2
- Sony Xperia M2 Aqua
- Sony Xperia M4 Aqua
- Sony Xperia SP

Sony Xperia T2 Ultra  
Sony Xperia T3  
Sony Xperia Tablet Z  
Sony Xperia V  
Sony Xperia Z  
Sony Xperia Z Ultra  
Sony Xperia Z1  
Sony Xperia Z1 Compact  
Sony Xperia Z2  
Sony Xperia Z2 Tablet  
Sony Xperia Z2a  
Sony Xperia Z3  
Sony Xperia Z3 Compact  
Sony Xperia Z3 Tablet Compact  
Sony Xperia Z3+  
Sony Xperia Z3v  
Sony Xperia Z4 Tablet  
Sony Xperia Z4v  
Sony Xperia ZL  
Sony Xperia ZR  
VAIO Duo 11  
Vaio Duo 13  
Vaio Fit 13A  
Vaio Fit 14  
Vaio Fit 14E  
Vaio Fit 15

**PRAYER FOR RELIEF**

Venadium seeks the following relief from this Court:

- A. Judgment that Defendants have 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 Defendants' 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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