

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

VENADIUM LLC,

Plaintiff,

v.

LENOVO (UNITED STATES) 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. Defendant Lenovo (United States) Inc. is a Delaware corporation with a principal office at 1009 Think Place, Morrisville, NC 27560. Defendant's registered agent for service of process in Texas is C T Corporation System, 1999 Bryan Street, Suite 900, Dallas, TX 75201.

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:

Ideapad 100 (14")
Ideapad 100 (15")
Lenovo A5000
Lenovo A6000
Lenovo A606
Lenovo A7000
Lenovo A7-30 A3300
Lenovo A850
Lenovo Edge 15
Lenovo Flex 3 (11 inch)
Lenovo Flex 3 (14 inch)
Lenovo Flex 3 (15 inch)
Lenovo G40
Lenovo G50-70
Lenovo G50-80
Lenovo G50-80 80E501HXUS
Lenovo G50-80 80E501J4US
Lenovo G50-80 Touch
Lenovo G50-8080E501J1US
Lenovo G70
Lenovo G70
Lenovo IdeaPad MIIX 300
Lenovo IdeaTab Lynx K3011
Lenovo IdeaTab S2110
Lenovo IdeaTab S6000
Lenovo LaVie Z 360
Lenovo LaVie Z Laptop
Lenovo Miix
Lenovo Miix 2 10
Lenovo Miix 2 11
Lenovo Miix2
Lenovo P70
Lenovo S21e
Lenovo S5000
Lenovo S60
Lenovo S660
Lenovo S856

Lenovo TAB 2 A10-70
Lenovo TAB 2 A7-10
Lenovo TAB 2 A7-30
Lenovo TAB 2 A8
Lenovo Tab A10
Lenovo Tab A7-50
Lenovo Tab A8
Lenovo Tab S8-50
Lenovo ThinkPad Tablet 2
Lenovo U31
Lenovo U530 Touch
Lenovo VIBE Shot
Lenovo Vibe X
Lenovo VIBE X2 Pro
Lenovo Vibe Z
Lenovo Vibe Z2
Lenovo Vibe Z2 Pro
Lenovo Y40-80
Lenovo Y50
Lenovo Y50 Touch
Lenovo Y50 UHD
Lenovo Y50-70
Lenovo Y50-70 Touch
Lenovo Y50-70 UHD
Lenovo Y70 Touch
Lenovo Yoga 2 Pro
Lenovo Yoga 3 (11 inch)
Lenovo Yoga 3 (14 inch)
Lenovo Yoga 3 Pro
Lenovo Yoga Tablet 10
Lenovo Yoga Tablet 10 HD+
Lenovo YOGA Tablet 2 10-inch
Lenovo YOGA Tablet 2 8-inch
Lenovo YOGA Tablet 2 Pro
Lenovo Yoga Tablet 8
Lenovo Z40
Lenovo Z41
Lenovo Z50
Lenovo Z51
Lenovo Z70
ThinkPad 11e

ThinkPad 11e Chromebook
ThinkPad 11e Core M
ThinkPad 11e Laptop
ThinkPad 11e Laptop (AMD)
ThinkPad E450
ThinkPad E455
ThinkPad E550
ThinkPad E555
ThinkPad L440
ThinkPad L450
ThinkPad L540
ThinkPad T440p
ThinkPad T450
ThinkPad T540p
ThinkPad T550
ThinkPad W541 Mobile Workstation
ThinkPad W550s Ultrabook & Mobile Workstation
ThinkPad X1 Carbon Ultrabook™ (3rd Gen)
ThinkPad X250
ThinkPad Yoga 11e Convertible Laptop
ThinkPad Yoga 11e Core M
ThinkPad Yoga 11e Multimode Chromebook
ThinkPad Yoga 12" (2nd Gen)
ThinkPad Yoga 15
Yoga 3 Pro

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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