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Attorney for Plaintiff  
GLOBAL TOUCH SOLUTIONS, LLC

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

GLOBAL TOUCH SOLUTIONS, LLC

Plaintiff,

v.

VIZIO, INC.,

Defendant.

Case No. 3:15-cv-02747-JD

**PLAINTIFF’S SECOND AMENDED  
COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

This is an action for patent infringement in which Global Touch Solutions, LLC (“GTS” or “Plaintiff”) makes the following allegations against Vizio, Inc. (“Vizio” or “Defendant”).

**PARTIES**

1. Plaintiff GTS is a Delaware Limited Liability Company with its principal place of business at 8133 Leesburg Pike, Suite 310, Vienna, VA 22182.

2. On information and belief, Vizio, Inc. is a California corporation with its principal place of business at 39 Tesla, Irvine, CA 92618. On information and belief, Vizio, Inc. may be served with process by serving its registered agent, CT Corporation System at 818 West Seventh St. 2<sup>nd</sup> Floor, Los Angeles, CA 90017.

1 **JURISDICTION AND VENUE**

2 3. This action arises under the patent laws of the United States, Title 35 of the  
3 United States Code. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and  
4 1338(a).

5 4. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b). On  
6 information and belief, Defendant has transacted business in this judicial district, directly or  
7 through intermediaries, and has committed acts of direct patent infringement in this judicial  
8 district.

9 **COUNT I**

10 **INFRINGEMENT OF U.S. PATENT NO. 7,265,494**

11 5. GTS re-alleges and incorporates by reference the allegations set forth in  
12 paragraphs 1 through 4.

13 6. This cause of action arises under the patent laws of the United States, and in  
14 particular, 35 U.S.C. §§271 *et seq.*

15 7. GTS is the owner by assignment of United States Patent No. 7,265,494 (the “’494  
16 Patent”) entitled “Intelligent User Interface With Touch Sensor Technology.” The ’494 Patent  
17 was issued on September 4, 2007. GTS has all rights to recover for past and future acts of  
18 infringement of the ’494 Patent. A true and correct copy of the ’494 Patent is attached hereto as  
19 Exhibit A.

20 8. On information and belief, Vizio has been and now is infringing the ’494 Patent  
21 in this judicial district, and elsewhere in the United States, including at least claims 1, 10, and 13  
22 through, among other things, the manufacture, use, and sale, offers for sale within the United  
23 States, and importation of products into the United States, including, without limitation, Vizio  
24 E190MV, Vizio E220MV, Vizio E260MV, Vizio E260MV-B, Vizio M160MV, Vizio  
25 M160MV-B, Vizio 190MV, Vizio M220MV, Vizio M220MV-B, Vizio M260MV, Vizio  
26 VM190XVT, Vizio VM230XVT, and Vizio VM230XVT-B, which, at minimum, include every  
27  
28

1 element of claims 1, 10, and 13 of the '494 Patent. Vizio is thereby liable for infringement of  
2 the '494 Patent pursuant to 35 U.S.C. § 271.

3 9. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
4 but not limited to, its Vizio E190MV, Vizio E220MV, Vizio E260MV, Vizio E260MV-B, Vizio  
5 M160MV, Vizio M160MV-B, Vizio 190MV, Vizio M220MV, Vizio M220MV-B, Vizio  
6 M260MV, Vizio VM190XVT, Vizio VM230XVT, and Vizio VM230XVT-B that include touch  
7 control with illumination features. Vizio thereby has been and is presently directly and literally  
8 infringing the '494 Patent.

9 10. Should Vizio proffer an interpretation of any claim element that differs from  
10 GTS's, GTS intends to show direct infringement of those elements by demonstrating that there  
11 are no more than insubstantial differences between the element and the features of the accused  
12 products.

13 11. On information and belief, Vizio's instructions and marketing materials directed  
14 to end users of its products encourage use of the claimed features of the '494 Patent. After the  
15 date of this action, such actions will constitute inducement of infringement by others pursuant to  
16 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to touch-  
17 sensitive buttons which encourages the end user to use claimed features of the '494 Patent. More  
18 specifically, but not limited thereto, user manuals for the products listed in Count I, such as  
19 product model M160MV, describe how to use "touch-sensitive buttons that light when active,"  
20 and a "Power 'VIZIO' Light" that "lights white when powered on," thereby encouraging the end  
21 user to use claimed features of the '494 Patent.

22 12. GTS has been damaged as a result of Vizio's infringing conduct described in this  
23 Count. Vizio is thus liable to GTS in the amount that adequately compensates it for Vizio's  
24 infringement, which by law, cannot be less than a reasonable royalty, together with interest and  
25 costs as fixed by this Court under 35 U.S.C. § 284. Vizio has had constructive notice of the '494  
26 Patent since its date of issuance, and GTS seeks recovery for the period consistent with 35 U.S.C.  
27 §§ 286 and 287(a).

**COUNT II**

**INFRINGEMENT OF U.S. PATENT NO. 7,329,970**

13. GTS re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 4.

14. This cause of action arises under the patent laws of the United States, and in particular, 35 U.S.C. §§271 *et seq.*

15. GTS is the owner by assignment of United States Patent No. 7,329,970 (the “’970 Patent”) entitled “Touch Sensor and Location Indicator Circuits.” The ’970 Patent is valid and enforceable and was duly issued on February 12, 2008. Plaintiff has all rights to recover for past and future acts of infringement of the ’970 Patent. A true and correct copy of the ’970 Patent is attached hereto as Exhibit B.

16. On information and belief, Vizio has been and now is infringing the ’970 Patent in this judicial district, and elsewhere in the United States, including at least claims 1-6, 8, 10-14, 19, 47-49, 51, and 52 through, among other things, the manufacture, use, and sale, offers for sale within the United States, and importation of Vizio products into the United States.

17. Vizio manufactures, uses, sells, offers for sale, and imports products, including, but not limited to the following list of televisions that have power indication before screen illumination features that infringe at least claims 1 and 49 of the ’970 Patent. The Vizio televisions that have power indication before screen illumination features, include, without limitation, Vizio D320-B1, Vizio D390-B0, Vizio D500i-B1, Vizio D650i-B2, Vizio E190MV, Vizio E190VA, Vizio E190VA-B, Vizio E191VA, Vizio E220MV, Vizio E220VA-B, Vizio E221-A1, Vizio E221VA, Vizio E231-B1, Vizio E231i-B1, Vizio E240AR, Vizio E240AR-B, Vizio E241-A1, Vizio E241-A1B, Vizio E241-B1, Vizio E241iA1, Vizio E241iA1B, Vizio E241iA1W, Vizio E241i-B1, Vizio E260MV, Vizio E260MV-B, Vizio E260VA, Vizio E260VA-B, Vizio E260VP, Vizio E261VA, Vizio E261VA-B, Vizio E280-A1, Vizio E280-B1, Vizio E280i-A1, Vizio E280i-B1, Vizio E291-A1, Vizio E291-A1B, Vizio E291i-A1, Vizio E320AR, Vizio E320AR-B, Vizio E320-A1, Vizio E320-B0, Vizio E320-B0-B, Vizio E320-B0E,

1 Vizio E320-B1, Vizio E320-B2, Vizio E320fi-B2, Vizio E320i-A0, Vizio E320i-A2, Vizio  
2 E320i-B0, Vizio E320i-B1, Vizio E320i-B2, Vizio E320ME, Vizio E320VA, Vizio E320VA-B,  
3 Vizio E320VL, Vizio E320VL-B, Vizio E320VP, Vizio E320VP-B, Vizio E321ME, Vizio  
4 E321MV, Vizio E321VA, Vizio E321VL, Vizio E321VL-B, Vizio E320VL-NA, Vizio E322AR,  
5 Vizio E322AR-B, Vizio E322MV, Vizio E322VL, Vizio E370-A0, Vizio E370-A0-B, Vizio  
6 E370VA, Vizio E370VA-B, Vizio E370VL, Vizio E370VLE, Vizio E370VLE-B, Vizio  
7 E371VA, Vizio E371VA-B, Vizio E371VL, Vizio E371VL-B, Vizio E390A1, Vizio E390-A1B,  
8 Vizio E390-B0, Vizio E390-B1, Vizio E390-B1E, Vizio E390i-1A, Vizio E390i-A1B, Vizio  
9 E390i-B0, Vizio E390i-B1, Vizio E390i-B1E, Vizio E390VL, Vizio E390VL-B, Vizio E400-B2,  
10 Vizio E400i-B2, Vizio E401i-A2, Vizio E420-A0, Vizio E420-A0-B, Vizio E420AR, Vizio  
11 E420-B1, Vizio E420d-A0, Vizio E420d-A0-B, Vizio E420i-A0, Vizio E420i-A0-B, Vizio  
12 E420i-A1, Vizio E420i-A1B, Vizio E420i-B0, Vizio E420ME, Vizio E420VA, Vizio E-420VA-  
13 B, Vizio E420VL, Vizio E420VO, Vizio E420VO-B, Vizio E421VA, Vizio E421VL, Vizio  
14 E422VLE, Vizio E421ME, Vizio E461-A1, Vizio E470-A0, Vizio E470-A0-B, Vizio E470i-A0,  
15 Vizio E470i-A0-B, Vizio E470VA, Vizio E470VA-B, Vizio E470VA-B, Vizio E470VL, Vizio  
16 E470VL-B, Vizio E470VLE, Vizio E470VLE-B, Vizio E470VLE-NA, Vizio E471VLE, Vizio  
17 E471VLE-B, Vizio E472VL, Vizio E472VL-B, Vizio E472VLE, Vizio E472VLE-B, Vizio  
18 E480-B2, Vizio E480i-B2, Vizio E500AR, Vizio E500d-A0, Vizio E500i-A0, Vizio 500i-A1,  
19 Vizio E500i-B1, Vizio E500i-B1E, Vizio E500i-B1EB, Vizio E520AR, Vizio e550i-A0, Vizio  
20 e550i-A0B, Vizio e550i-A0E, Vizio e550i-B2, Vizio E550i-B2E, Vizio E550VA, Vizio  
21 E550VA-B, VizioE550VL, Vizio E550VL-B, Vizio E551d-A0, Vizio E551i-A2, Vizio E551VA,  
22 Vizio E551VL, Vizio E552VL, Vizio E552VL-B, Vizio E552VLE, E600i-B3, Vizio E601i-B3,  
23 Vizio E601i-A3B, Vizio E601i-A3E, Vizio E650i-A2, Vizio E650i-B2, Vizio E700i-B3, Vizio  
24 E701i-A3, Vizio E701i-A3E, Vizio M160MV, Vizio M160MV-B, Vizio M190VA, Vizio  
25 M190VA-B, Vizio M190VA-W, Vizio M190VA-W-B, Vizio M190MV, Vizio M220MV, Vizio  
26 M220MV-B, Vizio M220NV, Vizio M220VA, Vizio M220VA-B, Vizio M220VA-W, Vizio  
27 M220VA-W-B, Vizio M221NV, Vizio M260MV, Vizio M260VA-B, Vizio M260VA-W, Vizio  
28

1 M260VA-W-B, Vizio M260VP, Vizio M260VP-B, Vizio M261VP, Vizio M261VP-B, Vizio  
2 M320NV, Vizio M320SL, Vizio M320SR, Vizio M320VT, Vizio M320VT-B, Vizio M321i-A2,  
3 Vizio M322i-B1, Vizio M370NV, Vizio M370SL, Vizio M370SR, Vizio M370VT, Vizio  
4 M370VT-B, Vizio M3D420SR, Vizio M3D421SR, Vizio M3D460SR, Vizio M3D470KD, Vizio  
5 M3D470KDE, Vizio M3D550KD, Vizio M3D470KDE, Vizio M3D550KD-B, Vizio  
6 M3D550KDE, Vizio M3D550KDE-B, VizioM3D550SR, Vizio M3D650SV, Vizio M3D650SV-  
7 B, Vizio M3D651SV, Vizio M401i-A3, Vizio M420KD, Vizio M420NV, Vizio M420NV-B,  
8 Vizio M421NV, Vizio M421VT, Vizio M421VT-B, Vizio M422i-B1, Vizio M470NV, Vizio  
9 M470SL, Vizio M470SL-B, Vizio M470SV, Vizio M470VSE, Vizio M470VT, Vizio M470VT-  
10 B, Vizio M471i-A2, Vizio M492i-B2, Vizio 501d-A2, Vizio M501d-A2R, Vizio M502i-B1,  
11 Vizio M550NV, Vizio M550NV-B, Vizio M550SL, Vizio M550SL-B, Vizio M550SV, Vizio  
12 M550SV-B, Vizio M550SVE, Vizio M551d-A2, Vizio M551d-A2R, Vizio M552i-B2, Vizio  
13 M601d-A3, Vizio M601d-A3R, Vizio M602i-B3, Vizio M650VSE, Vizio M651d-A2, Vizio  
14 M651d-A2R, Vizio M652i-B2, Vizio M701d-A3, Vizio M701d-A3R, Vizio M702i-B3, Vizio  
15 M801d-A3, Vizio M801d-A3R, Vizio M801i-A3, Vizio P42HDTV20A, Vizio P50HDTV20A,  
16 Vizio VM190XVT, Vizio VM230XVT, Vizio VM230XVT-B, Vizio XVT323SV, Vizio  
17 XVT323SV-B, Vizio XVT37SSV-B, Vizio XVT3D424SV, Vizio XVT3D424SV-B, Vizio  
18 XVT3D474SV, Vizio XVT3D474SV-B, Vizio XVT3D554SV, Vizio XVT3D554SV-B, Vizio  
19 XVT3D580CM, Vizio XVTED650SV, Vizio XVT3D650SV-B, Vizio XVT423SV, Vizio  
20 XVT423SV-B, Vizio XVT472SV, Vizio XVT473SV, and Vizio XVT553SV, which, at  
21 minimum, include every element of claims 1 and 49 of the '970 Patent. Vizio thereby has been  
22 and is presently directly and literally infringing the '970 Patent. Vizio is thereby liable for  
23 infringement of the '970 Patent pursuant to 35 U.S.C. § 271.

24       18. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
25 but not limited to the following list of televisions that have touch control with illumination  
26 features that infringe at least claims 1-6, 8, 10, 11, 47, 49, and 52 of the '970 Patent. The Vizio  
27 televisions that have touch control with illumination features, include, without limitation, Vizio  
28

1 E190MV, Vizio E220MV, Vizio E260MV, Vizio E260MV-B, Vizio M160MV, Vizio  
2 M160MV-B, Vizio 190MV, Vizio M220MV, Vizio M220MV-B, Vizio M260MV, Vizio  
3 VM190XVT, Vizio VM230XVT, and Vizio VM230XVT-B, which, at minimum, include every  
4 element of claims 1-6, 8, 10, 11, 47, 49, and 52 of the '970 Patent. Vizio thereby has been and is  
5 presently directly and literally infringing the '970 Patent. Vizio is thereby liable for infringement  
6 of the '970 Patent pursuant to 35 U.S.C. § 271.

7 19. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
8 but not limited to the following list of tablets and laptops that have a lock screen coupled with  
9 display of radio status information features that infringe at least claims 1, 3-5, 10-14, 19, 48, 49,  
10 51, and 52 of the '970 Patent. The Vizio tablets and laptops that have a lock screen coupled with  
11 display of radio status information features, include, without limitation, Vizio VTAB1008, Vizio  
12 MT11X-A1, Vizio CT14T-B0, Vizio CT14T-B1, Vizio CT15T-B0, Vizio CT15T-B1, and Vizio  
13 CT15T-C1, which, at minimum, include every element of claims 1, 3-5, 10-14, 19, 48, 49, 51,  
14 and 52 of the '970 Patent. Vizio thereby has been and is presently directly and literally infringing  
15 the '970 Patent. Vizio is thereby liable for infringement of the '970 Patent pursuant to 35 U.S.C.  
16 § 271.

17 20. Should Vizio proffer an interpretation of any claim element that differs from  
18 GTS's, GTS intends to show direct infringement of those elements by demonstrating that there  
19 are no more than insubstantial differences between the element and the features of the accused  
20 products.

21 21. On information and belief, Vizio's instructions and marketing materials directed  
22 to end users of its products encourage use of the claimed features of the '970 Patent. After the  
23 date of this action, such actions will constitute inducement of infringement by others pursuant to  
24 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to a load that  
25 is automatically turned off and a switch that performs specific functions based on the duration of  
26 time it is activated, which encourages the end user to use claimed features of the '970 Patent.  
27 More specifically, but not limited thereto, user manuals for the products listed in Count II, such  
28

1 as product model VTAB1008, describe how to use a power button that can be pressed and held  
2 to turn on the device or pressed to put the device in “sleep mode,” displays the device as having a  
3 lock screen coupled with a display of radio status information, and describes how a load is  
4 “automatically turns off after 5 minutes if it is not being used,” thereby encouraging the end user  
5 to use claimed features of the ‘970 Patent.

6 22. GTS has been damaged as a result of Vizio’s infringing conduct described in this  
7 Count. Vizio is thus liable to GTS in the amount that adequately compensates it for Vizio’s  
8 infringement, which by law, cannot be less than a reasonable royalty, together with interest and  
9 costs as fixed by this Court under 35 U.S.C. § 284. Vizio has had constructive notice of the ‘970  
10 Patent since its date of issuance, and GTS seeks recovery for the period consistent with 35 U.S.C.  
11 §§ 286 and 287(a).

### 12 **COUNT III**

#### 13 **INFRINGEMENT OF U.S. PATENT NO. 7,498,749**

14 23. GTS re-alleges and incorporates by reference the allegations set forth in  
15 paragraphs 1 through 4.

16 24. This cause of action arises under the patent laws of the United States, and in  
17 particular, 35 U.S.C. §§271 *et seq.*

18 25. GTS is the owner by assignment of United States Patent No. 7,498,749 (the “’749  
19 Patent”) entitled “Intelligent Electrical Switching Device Including a Touch Sensor User  
20 Interface Switch.” The ’749 Patent was issued on March 3, 2009. Plaintiff has all rights to  
21 recover for past and future acts of infringement of the ’749 Patent. A true and correct copy of the  
22 ’749 Patent is attached hereto as Exhibit C.

23 26. On information and belief, Vizio has been and now is infringing the ’749 Patent  
24 in this judicial district, and elsewhere in the United States, including at least claims 1, 6, 14, 21,  
25 and 23 through, among other things, the manufacture, use, and sale, offers for sale within the  
26 United States, and importation of Vizio products into the United States.

1           27.     Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
2 but not limited to the following list of televisions that have touch control with illumination  
3 features that infringe at least claims 1, 16, 14, and 21 of the '749 Patent. The Vizio televisions  
4 that have touch control with illumination features, include, without limitation, Vizio E190MV,  
5 Vizio E220MV, Vizio E260MV, Vizio E260MV-B, Vizio M160MV, Vizio M160MV-B, Vizio  
6 190MV, Vizio M220MV, Vizio M220MV-B, Vizio M260MV, Vizio VM190XVT, Vizio  
7 VM230XVT, and Vizio VM230XVT-B, which, at minimum, include every element of at least  
8 claims 1, 16, 14, and 21 of the '749 Patent. Vizio thereby has been and is presently directly and  
9 literally infringing the '749 Patent. Vizio is thereby liable for infringement of the '749 Patent  
10 pursuant to 35 U.S.C. § 271.

11           28.     Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
12 but not limited to the following list of tablets and laptops that have a lock screen coupled with  
13 display of radio status information features that infringe at least claims 21 and 23 of the '749  
14 Patent. The Vizio tablets and laptops that have a lock screen coupled with display of radio status  
15 information features, include, without limitation, Vizio VTAB1008, Vizio MT11X-A1, Vizio  
16 CT14T-B0, Vizio CT14T-B1, Vizio CT15T-B0, Vizio CT15T-B1, and Vizio CT15T-C1 which,  
17 at minimum, include every element of claims 21 and 23 of the '749 Patent. Vizio thereby has  
18 been and is presently directly and literally infringing the '749 Patent. Vizio is thereby liable for  
19 infringement of the '749 Patent pursuant to 35 U.S.C. § 271.

20           29.     Should Vizio proffer an interpretation of any claim element of the '749 Patent that  
21 differs from GTS's, GTS intends to show direct infringement of those elements by demonstrating  
22 that there are no more than insubstantial differences between the element and the features of the  
23 accused products.

24           30.     On information and belief, Vizio's instructions and marketing materials directed  
25 to end users of its products encourage use of the claimed features of the '749 Patent. After the  
26 date of this action, such actions will constitute inducement of infringement by others pursuant to  
27 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to a load that  
28

1 is automatically turned off and a switch that performs specific functions based on the duration of  
2 time it is activated, which encourages the end user to use claimed features of the '749 Patent.  
3 More specifically, but not limited thereto, user manuals for the products listed in Count III, such  
4 as product model VTAB1008, describe how to use a power button that can be pressed and held  
5 to turn on the device or pressed to put the device in "sleep mode," displays the device as having a  
6 lock screen coupled with a display of radio status information, and describes how a load  
7 "automatically turns off" after a certain period of time if it is not being used, thereby  
8 encouraging the end user to use claimed features of the '749 Patent.

9 31. GTS has been damaged as a result of Vizio's infringing conduct described in this  
10 Count. Vizio is thus, liable to GTS in the amount that adequately compensates it for their  
11 infringement, which by law, cannot be less than a reasonable royalty, together with interest and  
12 costs as fixed by this Court under 35 U.S.C. § 284. Vizio has had constructive notice of the '749  
13 Patent since its date of issuance, and GTS seeks recovery for the period consistent with 35 U.S.C.  
14 §§ 286 and 287(a).

#### 15 **COUNT IV**

#### 16 **INFRINGEMENT OF U.S. PATENT NO. 7,781,980**

17 32. GTS re-alleges and incorporates by reference the allegations set forth in  
18 paragraphs 1 through 4

19 33. This cause of action arises under the patent laws of the United States, and in  
20 particular, 35 U.S.C. §§271 *et seq.*

21 34. GTS is the owner by assignment of United States Patent No. 7,781,980 (the "'980  
22 Patent") entitled "Intelligent User Interface Including a Touch Sensor Device." The '980 Patent  
23 was issued on August 24, 2010. Plaintiff has all rights to recover for past and future acts of  
24 infringement of the '980 Patent. A true and correct copy of the '980 Patent is attached hereto as  
25 Exhibit D.

26 35. On information and belief, Vizio has been and now is infringing the '980 Patent  
27 in this judicial district, and elsewhere in the United States, including at least claims 1, 3-5, and  
28

1 32 through, among other things, the manufacture, use, and sale, offers for sale within the United  
2 States, and importation of products into the United States, including, but not limited to, Vizio  
3 VTAB1008, Vizio MT11X-A1, Vizio CT14T-B0, Vizio CT14T-B1, Vizio CT15T-B0, Vizio  
4 CT15T-B1, and Vizio CT15T-C1 which, at minimum, include every element of at least claims 1,  
5 3-5, and 32 of the '980 Patent. Vizio is thereby liable for infringement of the '980 Patent  
6 pursuant to 35 U.S.C. § 271.

7 36. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
8 but not limited to its Vizio VTAB1008, Vizio MT11X-A1, Vizio CT14T-B0, Vizio CT14T-B1,  
9 Vizio CT15T-B0, Vizio CT15T-B1, and Vizio CT15T-C1 that have a lock screen coupled with  
10 display of radio status information features. Vizio thereby has been and is presently directly and  
11 literally infringing the '980 Patent.

12 37. Should Vizio proffer an interpretation of any claim element of the '980 Patent that  
13 differs from GTS's, GTS intends to show direct infringement of those elements by demonstrating  
14 that there are no more than insubstantial differences between the element and the features of the  
15 accused products.

16 38. On information and belief, Vizio's instructions and marketing materials directed  
17 to end users of its products encourage use of the claimed features of the '980 Patent. After the  
18 date of this action, such actions will constitute inducement of infringement by others pursuant to  
19 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to a load that  
20 is automatically turned off and a switch that performs specific functions based on the duration of  
21 time it is activated, which encourages the end user to use claimed features of the '980 Patent.  
22 More specifically, but not limited thereto, user manuals for the products listed in Count IV, such  
23 as product model VTAB1008, describe how to use a power button that can be pressed and held  
24 to turn on the device or pressed to put the device in "sleep mode," displays the device as having a  
25 lock screen coupled with a display of radio status information, and describes how a load  
26 "automatically turns off" after a certain period of time if it is not being used, thereby  
27 encouraging the end user to use claimed features of the '980 Patent.  
28



1 at minimum, include every element of claims 1, 3-10, 19, 20, and 27 of the '726 Patent. Vizio  
2 thereby has been and is presently directly and literally infringing the '726 Patent. Vizio is  
3 thereby liable for infringement of the '726 Patent pursuant to 35 U.S.C. § 271.

4 45. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
5 but not limited to the following list of products that have a lock screen coupled with display of  
6 radio status information features that infringe at least claims 1, 2, 4-7, 19, 20, and 27 of the '726  
7 Patent. The Vizio products that have a lock screen coupled with display of radio status  
8 information features, include, without limitation, Vizio CA24T-A3, Vizio CA24T-A4, Vizio  
9 CA24T-B0, Vizio CA24T-B1, Vizio CA24T-C1, Vizio CA27T-A5, and Vizio CA27T-B1,  
10 which, at minimum, include every element of claims 1, 2, 4-7, 19, 20, and 27 of the '726 Patent.  
11 Vizio thereby has been and is presently directly and literally infringing the '726 Patent. Vizio is  
12 thereby liable for infringement of the '726 Patent pursuant to 35 U.S.C. § 271.

13 46. Should Vizio proffer an interpretation of any claim element of the '726 Patent that  
14 differs from GTS's, GTS intends to show direct infringement of those elements by demonstrating  
15 that there are no more than insubstantial differences between the element and the features of the  
16 accused products.

17 47. On information and belief, Vizio's instructions and marketing materials directed  
18 to end users of its products encourage use of the claimed features of the '726 Patent. After the  
19 date of this action, such actions will constitute inducement of infringement by others pursuant to  
20 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to a load that  
21 is automatically turned off and a switch that performs specific functions based on the duration of  
22 time it is activated, which encourages the end user to use claimed features of the '726 Patent.  
23 More specifically, but not limited thereto, user manuals for the products listed in Count V, such  
24 as product model VTAB1008, describe how to use a power button that can be pressed and held  
25 to turn on the device or pressed to put the device in "sleep mode," displays the device as having a  
26 lock screen coupled with a display of radio status information, and describes how a  
27  
28

1 load“automatically turns off” after a certain period of time if it is not being used, thereby  
2 encouraging the end user to use claimed features of the ‘726 Patent.

3 48. GTS has been damaged as a result of Vizio’s infringing conduct described in this  
4 Count. Vizio is thus, liable to GTS in the amount that adequately compensates it for their  
5 infringement, which by law, cannot be less than a reasonable royalty, together with interest and  
6 costs as fixed by this Court under 35 U.S.C. § 284. Vizio has had constructive notice of the ‘726  
7 Patent since its date of issuance, and GTS seeks recovery for the period consistent with 35 U.S.C.  
8 §§ 286 and 287(a).

### 9 COUNT VI

#### 10 **INFRINGEMENT OF U.S. PATENT NO. 8,288,952**

11 49. GTS re-alleges and incorporates by reference the allegations set forth in  
12 paragraphs 1 through 4

13 50. This cause of action arises under the patent laws of the United States, and in  
14 particular, 35 U.S.C. §§271 *et seq.*

15 51. GTS is the owner by assignment of United States Patent No. 8,288,952 (the “’952  
16 Patent”) entitled “Intelligent User Interface Including a Touch Sensor Device.” The ’952 Patent  
17 was issued on October 15, 2012. Plaintiff has all rights to recover for past and future acts of  
18 infringement of the ’952 Patent. A true and correct copy of the ’952 Patent is attached hereto as  
19 Exhibit F.

20 52. On information and belief, Vizio has been and now is infringing the ’952 Patent  
21 in this judicial district, and elsewhere in the United States, including at least claims 1-4, 14, 16,  
22 17, 19, 22-24, 26, 27, and 38-40 through, among other things, the manufacture, use, and sale,  
23 offers for sale within the United States, and importation of Vizio products into the United States.

24 53. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
25 but not limited to the following list of products that have a lock screen coupled with display of  
26 radio status information features that infringe at least claims 1-4, 14, 16, 17, 19, 22-24, 26, 27,  
27 and 38-40 of the ’952 Patent. The Vizio products that have a lock screen coupled with display of  
28

1 radio status information features, include, without limitation, Vizio VTAB1008, Vizio MT11X-  
2 A1, Vizio CT14T-B0, Vizio CT14T-B1, Vizio CT15T-B0, Vizio CT15T-B1, and Vizio CT15T-  
3 C1, which, at minimum, include every element of claims 1-4, 14, 16, 17, 19, 22-24, 26, 27, and  
4 38-40 of the '952 Patent. Vizio thereby has been and is presently directly and literally infringing  
5 the '952 Patent. Vizio is thereby liable for infringement of the '952 Patent pursuant to 35 U.S.C.  
6 § 271.

7 54. Vizio manufactures, uses, sells, offers for sale, and imports products, including,  
8 but not limited to the following list of products that have a lock screen coupled with display of  
9 radio status information features that infringe at least claims 1-4, 14, 17, 22-24, 26, 27, 38, and  
10 39 of the '952 Patent. The Vizio products that have a lock screen coupled with display of radio  
11 status information features, include, without limitation, Vizio CA24T-A3, Vizio CA24T-A4,  
12 Vizio CA24T-B0, Vizio CA24T-B1, Vizio CA24T-C1, Vizio CA27T-A5, and Vizio CA27T-B1,  
13 which, at minimum, include every element of claims 1-4, 14, 17, 22-24, 26, 27, 38, and 39 of the  
14 '952 Patent. Vizio thereby has been and is presently directly and literally infringing the '952  
15 Patent. Vizio is thereby liable for infringement of the '952 Patent pursuant to 35 U.S.C. § 271

16 55. Should Vizio proffer an interpretation of any claim element of the '952 Patent that  
17 differs from GTS's, GTS intends to show direct infringement of those elements by demonstrating  
18 that there are no more than insubstantial differences between the element and the features of the  
19 accused products.

20 56. On information and belief, Vizio's instructions and marketing materials directed  
21 to end users of its products encourage use of the claimed features of the '952 Patent. After the  
22 date of this action, such actions will constitute inducement of infringement by others pursuant to  
23 35 U.S.C. § 271(b). For example, but not limited thereto, Vizio's user guides refer to a load that  
24 is automatically turned off and a switch that performs specific functions based on the duration of  
25 time it is activated, which encourages the end user to use claimed features of the '952 Patent.  
26 More specifically, but not limited thereto, user manuals for the products listed in Count VI, such  
27 as product model VTAB1008, describe how to use a power button that can be pressed and held  
28

1 to turn on the device or pressed to put the device in “sleep mode,” displays the device as having a  
2 lock screen coupled with a display of radio status information, and describes how a load  
3 “automatically turns off” after a certain period of time if it is not being used, thereby  
4 encouraging the end user to use claimed features of the ‘952 Patent.

5 57. GTS has been damaged as a result of Vizio’s infringing conduct described in this  
6 Count. Vizio is thus, liable to GTS in the amount that adequately compensates it for their  
7 infringement, which by law, cannot be less than a reasonable royalty, together with interest and  
8 costs as fixed by this Court under 35 U.S.C. § 284. Vizio has had constructive notice of the ‘952  
9 Patent since its date of issuance, and GTS seeks recovery for the period consistent with 35 U.S.C.  
10 §§ 286 and 287(a).

11 **CAUSE OF ACTION**

12 58. GTS repeats and re-alleges the allegations set forth in Paragraphs 1 through 57 as  
13 if those allegations had been set forth herein.

14 59. Defendant, without authorization or license and in violation of 35 U.S.C. § 271(a)  
15 and (b), has been and is infringing the ‘494, ‘970, ‘749, ‘980, ‘726 and ‘952 Patents literally or  
16 under the doctrine of equivalents, directly or indirectly, including by knowingly or specifically  
17 intending to induce infringement by others.

18 60. Defendant’s infringement occurring after the date of this action will constitute  
19 willful infringement.

20 61. Defendant’s unauthorized use of GTS’s patented-technology causes GTS harm.

21  
22 **PRAYER FOR RELIEF**

23 WHEREFORE, in consideration of the foregoing, GTS respectfully request that this  
24 Honorable Court enter judgment against Defendant, and in favor of GTS. GTS prays that this  
25 Court:

26 A. judgment in favor of GTS that Defendant has infringed the ‘494, ‘970, ‘749, ‘980,  
27 ‘726 and ‘952 Patents, directly and indirectly, as aforesaid;

1 B. award GTS all relief available under § 284 of the Patent Act, including monetary  
2 damages, for Defendant's infringement in an amount to be determined by the trier of fact;

3 C. award GTS all relief available under § 285 of the Patent Act, including the costs  
4 of this litigation as well as expert witness and attorneys' fees;

5 D. order payment of all applicable interests, including prejudgment interest; and

6 E. award GTS any equitable relief the Court may deem appropriate.

7  
8 **DEMAND FOR JURY TRIAL**

9 GTS demands a trial by jury of any and all issues triable of right before a jury pursuant to  
10 Fed. R. Civ. P. 38.

11  
12  
13 Dated: September 3, 2015

Respectfully submitted,

14  
15 /s/ Wilson W. Lin

Wilson W. Lin

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19  
20 ATTORNEYS FOR PLAINTIFF

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