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9 Attorney for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 NEXUS DISPLAY  
13 TECHNOLOGIES LLC.,

14 Plaintiff,

15 v.

16 ACER INC. and ACER AMERICA  
17 CORPORATION,

18 Defendants.

Case No. 2:15-cv-02400-JVS(DFMx)

**NEXUS DISPLAY TECHNOLOGIES  
LLC'S AMENDED COMPLAINT  
FOR PATENT INFRINGEMENT**

1 Plaintiff Nexus Display Technologies LLC (“NDT” or “Plaintiff”) hereby  
2 submits this Amended Complaint against Acer Inc. and Acer America Corporation  
3 (collectively “Acer” or “Defendants”) and states as follows:  
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### 5 **THE PARTIES**

6 1. NDT is a Texas limited liability company, having a principal place of  
7 business at 2400 Dallas Parkway, Suite 200, Plano, Texas 75093.  
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9 2. On information and belief, Defendant Acer Inc. is a corporation  
10 organized and existing under the laws of Taiwan, having a principal place of business  
11 at 8F, 88, Sec. 1, Xintai 5<sup>th</sup> Road, Xizhi, New Taipei City 221, Taiwan.  
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13 3. On information and belief, Defendant Acer America Corporation is a  
14 corporation organized and existing under the laws of the state of California, having  
15 a principal place of business at 333 West San Carlos Street, Suite 1500, San Jose,  
16 California 95110.  
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### 18 **JURISDICTION AND VENUE**

19 4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331  
20 and 1338(a) because this action arises under the patent laws of the United States, 35  
21 U.S.C. §§ 101 *et seq.*  
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23 5. Venue is proper in this federal district pursuant to 28 U.S.C. §§1391(b)–  
24 (c) and 1400(b) in that Defendants have done business in this District, have  
25 committed acts of infringement in this District, and continue to commit acts of  
26 infringement in this District, and continue to commit acts of  
27 infringement in this District, entitling NDT to relief.  
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1                   **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,295,578**

2                   6.       On November 13, 2007, the United States Patent and Trademark Office  
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4                   (“USPTO”) duly and legally issued United States Patent No. 7,295,578 (“the ’578  
5                   Patent”), entitled “Method And Apparatus For Synchronizing Auxiliary Data And  
6                   Video Data Transmitted Over A TMDS-Like Link.” NDT holds all rights, title, and  
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8                   interest in and to the ’578 Patent. Acer is not licensed to the ’578 Patent, yet Acer  
9                   knowingly, actively, and lucratively practices the patents.

10                  7.       Upon information and belief, Acer has infringed directly and continues  
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12                 to infringe directly the ’578 Patent. The infringing acts include, but are not limited  
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14                 to, the manufacture, use, sale, importation, and/or offer for sale of products and/or  
15                 methods encompassed by the claims of the ’578 Patent. Acer’s infringing products  
16                 include, but are not limited to those products that incorporate DisplayPort, including  
17                 but not limited to at least the Acer XG series of monitors, the Acer XB series of  
18                 monitors, the Acer XBO series of monitors., the Acer T2 series of monitors, the Acer  
19                 K2 series of monitors, the Acer S7 series of monitors, the Acer CB series of monitors,  
20                 the Acer G7 series of monitors, the Acer H7 series of monitors, the Acer B6 series of  
21                 monitors, the Acer V6 series of monitors, the Acer Chromebox CXI line, the Veriton  
22                 N4620G series of desktops, the TA272 HUL Android AiO Series, the Acer Veriton  
23                 Z4810G series of desktops, the Veriton Z2660G AiO Series, and the V276HL  
24                 monitor.  
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1           8.     The acts of infringement by Acer have caused damage to NDT, and  
2 NDT is entitled to recover from Acer the damages sustained by NDT as a result of  
3 Acer's wrongful acts in an amount subject to proof at trial. The infringement of  
4 NDT's exclusive rights under the '578 Patent by Acer has damaged and will continue  
5 to damage Acer.  
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8           9.     At least as early as May 9, 2013, Acer has had knowledge of the '578  
9 Patent. On May 9, 2013, the '578 Patent was cited by the USPTO as a reference  
10 during the prosecution of U.S. Patent No. 8,631,313 ("the '313 Patent"), which is  
11 assigned to Acer Incorporated. On information and belief, based on Acer's  
12 sophistication and experience with the United States patent system and Acer's  
13 responsive papers to the USPTO during the prosecution of the '313 Patent, Acer has  
14 performed an analysis of the '578 Patent. On information and belief, due to this  
15 analysis of the '578 Patent, Acer knew, should have known, or was willfully blind to  
16 the fact that its making, using, licensing, selling, offering for sale, and/or importing  
17 of Acer's infringing products posed, at the very least, an objectively high likelihood  
18 of infringing the '578 Patent. As a result, Acer's infringement of the '578 Patent has  
19 been willful and NDT is entitled to increased damages under 35 U.S.C. § 284 and to  
20 attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.  
21 Additionally, at least as early as its receipt of this Complaint, Acer has had knowledge  
22 of the '498 Patent and written notice of the infringement.  
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28           **COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,143,328**

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2 10. On November 28, 2006, the United States Patent and Trademark Office  
3 (“USPTO”) duly and legally issued United States Patent No. 7,143,328 (“the ’328  
4 Patent”), entitled “Auxiliary Data Transmitted Within A Display’s Serialized Data  
5 Stream.” NDT holds all rights, title, and interest in and to the ’328 Patent. Acer is  
6 not licensed to the ’328 Patent, yet Acer knowingly, actively, and lucratively  
7 practices the patents.  
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10 11. Upon information and belief, Acer has infringed directly and continues  
11 to infringe directly the ’328 Patent. The infringing acts include, but are not limited  
12 to, the manufacture, use, sale, importation, and/or offer for sale of products and/or  
13 methods encompassed by the claims of the ’328 Patent. Acer’s infringing products  
14 include, but are not limited to, at least those products that incorporate DisplayPort,  
15 including at least the Acer XG series of monitors, the Acer XB series of monitors,  
16 the Acer XBO series of monitors., the Acer T2 series of monitors, the Acer K2 series  
17 of monitors, the Acer S7 series of monitors, the Acer CB series of monitors, the Acer  
18 G7 series of monitors, the Acer H7 series of monitors, the Acer B6 series of monitors,  
19 the Acer V6 series of monitors, the Acer Chromebox CXI line, the Veriton N4620G  
20 series of desktops, the TA272 HUL Android AiO Series, the Acer Veriton Z4810G  
21 series of desktops, the Veriton Z2660G AiO Series, and the V276HL monitor.  
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26 12. The acts of infringement by Acer have caused damage to NDT, and  
27 NDT is entitled to recover from Acer the damages sustained by NDT as a result of  
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1 Acer's wrongful acts in an amount subject to proof at trial. The infringement of  
2 NDT's exclusive rights under the '328 Patent by Acer has damaged and will continue  
3 to damage NDT.  
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5 13. At least as early as its receipt of this Complaint, Acer has had knowledge  
6 of the '328 Patent and written notice of the infringement. NDT intends to seek  
7 discovery on the issue of willfulness and reserves the right to seek a willfulness  
8 finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs  
9 incurred in prosecuting this action under 35 U.S.C. § 285.  
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12 **COUNT III: INFRINGEMENT OF U.S. PATENT NO. 5,835,498**

13 14. On November 10, 1998, the United States Patent and Trademark Office  
14 ("USPTO") duly and legally issued United States Patent No. 5,835,498 ("the '498  
15 Patent"), entitled "System and Method For Sending Multiple Data Signals Over a  
16 Serial Link." NDT holds all rights, title, and interest in and to the '498 Patent. Acer  
17 is not licensed to the '498 Patent, yet Acer knowingly, actively, and lucratively  
18 practices the patents.  
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21 15. Upon information and belief, Acer has infringed directly and continues  
22 to infringe directly the '498 Patent. The infringing acts include, but are not limited  
23 to, the manufacture, use, sale, importation, and/or offer for sale of products and/or  
24 methods encompassed by the claims of the '498 Patent. Acer's infringing products  
25 include, but are not limited to, at least those products that incorporate DisplayPort  
26 including but not limited to at least the Acer XG series of monitors, the Acer XB  
27  
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1 series of monitors, the Acer XBO series of monitors., the Acer T2 series of monitors,  
2 the Acer K2 series of monitors, the Acer S7 series of monitors, the Acer CB series of  
3 monitors, the Acer G7 series of monitors, the Acer H7 series of monitors, the Acer  
4 B6 series of monitors, the Acer V6 series of monitors, the Acer Chromebox CXI line,  
5 the Veriton N4620G series of desktops, the TA272 HUL Android AiO Series, the  
6 Acer Veriton Z4810G series of desktops, the Veriton Z2660G AiO Series, and the  
7 V276HL monitor.  
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10 16. The acts of infringement by Acer have caused damage to NDT, and  
11 NDT is entitled to recover from Acer the damages sustained by NDT as a result of  
12 Acer's wrongful acts in an amount subject to proof at trial. The infringement of  
13 NDT's exclusive rights under the '498 Patent by Acer has damaged and will continue  
14 to damage NDT.  
15

16  
17 17. At least as early as its receipt of this Complaint, Acer has had knowledge  
18 of the '498 Patent and written notice of the infringement. NDT intends to seek  
19 discovery on the issue of willfulness and reserves the right to seek a willfulness  
20 finding and increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs  
21 incurred in prosecuting this action under 35 U.S.C. § 285.  
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24 **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,599,439**

25 18. On October 6, 2009, the United States Patent and Trademark Office  
26 ("USPTO") duly and legally issued United States Patent No. 7,599,439 ("the '439  
27 Patent"), entitled "Method and System for Transmitting N-Bit Video Data Over a  
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1 Serial Link.” NDT holds all rights, title, and interest in and to the ’439 Patent. Acer  
2 is not licensed to the ’439 Patent, yet ACer knowingly, actively, and lucratively  
3 practices the patents.  
4

5 19. Upon information and belief, Acer has infringed directly and continues  
6 to infringe directly the ’439 Patent. The infringing acts include, but are not limited  
7 to, the manufacture, use, sale, importation, and/or offer for sale of products and/or  
8 methods encompassed by the claims of the ’439 Patent. Acer’s infringing products  
9 include, but are not limited to, at least the Acer Chromebox CXI line, the Veriton  
10 N4620G series of desktops, the TA272 HUL Android AiO Series, the Acer Veriton  
11 Z4810G series of desktops, and the Veriton Z2660G AiO Series.  
13

14 20. The acts of infringement by Acer have caused damage to NDT, and  
15 NDT is entitled to recover from Acer the damages sustained by NDT as a result of  
16 Acer’s wrongful acts in an amount subject to proof at trial. The infringement of  
17 NDT’s exclusive rights under the ’439 Patent by Acer has damaged and will continue  
18 to damage NDT.  
19

20 21. At least as early as its receipt of this Complaint, Acer has had knowledge  
21 of the ’439 Patent and written notice of the infringement. NDT intends to seek  
22 discovery on the issue of willfulness and reserves the right to seek a willfulness  
23 finding and increased damages under 35 U.S.C. § 284 and to attorneys’ fees and costs  
24 incurred in prosecuting this action under 35 U.S.C. § 285.  
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28 **JURY DEMAND**





1 Dated: September 8, 2015

Respectfully submitted,

2 /s/ Alisa Lipski

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4 California Bar No. 278710  
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10 **ATTORNEY FOR PLAINTIFF**  
11 **NEXUS DISPLAY**  
12 **TECHNOLOGIES LLC**

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14 **CERTIFICATE OF SERVICE**

15 I certify that the foregoing document was electronically filed with the Clerk  
16 of the Court using the Electronic Case Filing system which will send notification of  
17 such filing to the attorneys who have registered for electronic service and consented  
18 to receipt of notifications of such filings for this Case.

19 /s/ Alisa Lipski  
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