

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Lance Parker IP, LLC,)	
)	
Plaintiff,)	C.A. No: 6:15-cv-894
)	
v.)	
)	
Samsung Electronics America, Inc., and)	JURY TRIAL DEMANDED
Samsung Telecommunications America,)	
LLC,)	
Defendants.)	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Lance Parker IP, LLC (“Lance Parker”), by and through its undersigned counsel, for its Complaint for patent infringement against defendants Samsung Electronics America, Inc. and Samsung Telecommunications America, LLC (collectively “Samsung”), hereby states:

THE PARTIES

1. Plaintiff Lance Parker IP, LLC is a Delaware company with its principal place of business in Los Angeles, California.
2. Defendant Samsung Electronics America, Inc. is a corporation organized and existing under the laws of the state of New York, with its principal place of business located at 105 Challenger Road, Ridgefield Park, New Jersey 07660.
3. Defendant Samsung Telecommunications America, LLC is a limited liability company organized and existing under the laws of the state of Delaware, with its principal place of business located at 1301 Lookout Drive, Richardson, Texas 75082. Upon information and belief, Samsung Telecommunications America, LLC is a wholly-owned subsidiary of Samsung Electronics America, Inc.

JURISDICTION AND VENUE

4. This is a civil action for the infringement of United States Patent Numbers 8,494,560, 9,143,923, and 9,143,934 ("the '560 Patent," "the '923 Patent," "the '934 Patent," or "the Patents-in-Suit"), under the Patent Laws of the United States 35 U.S.C. § 1 *et seq.*
5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.*
6. This Court has specific and general personal jurisdiction over Samsung, which has conducted and continues to conduct business in the State of Texas and in this Judicial District. Samsung sells, offers for sale, and/or advertises products and services in the State of Texas and in this Judicial District. Samsung has committed acts of infringement in the State of Texas and

in this Judicial District, and elsewhere in the United States. Samsung also derives substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

7. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 and 1400(b).

THE PATENTS-IN-SUIT

8. On July 23, 2013, the '560 Patent entitled "System, Method and Program Product for Location Based Services, Asset Management and Tracking," was duly and lawfully issued by the United States Patent and Trademark Office ("USPTO").

9. On September 22, 2015, the '923 Patent entitled "System and Method for Remote Control of a Mobile Device," was duly and lawfully issued by the United States Patent and Trademark Office ("USPTO").

10. On September 22, 2015, the '934 Patent entitled "System and Method for Remote Control of a Mobile Device," was duly and lawfully issued by the United States Patent and Trademark Office ("USPTO").

11. The Patents-in-Suit relate to, among other things, determining the geographic location of mobile devices and remotely sending commands to them. Lance Parker is the owner of the Patents-in-Suit and has all rights to enforce them.

12. A copy of the '560 Patent is attached as Exhibit A to this Complaint.

13. A copy of the '923 Patent is attached as Exhibit B to this Complaint.

14. A copy of the '934 Patent is attached as Exhibit C to this Complaint.

COUNT ONE

15. Lance Parker incorporates by references each of the foregoing paragraphs of this Complaint as though fully set forth herein.

16. Samsung makes, uses, or sells a variety of electronic devices, including smartphones and tablets.

17. Samsung has directly infringed, and continues to directly infringe, at least one claim of the '560 Patent under 35 U.S.C. § 271, literally and/or under the doctrine of equivalents.

Defendant's infringing acts include, but are not limited to: making, using, selling, and offering to sell its electronic devices and software. These Samsung products, among other infringing features, provide the capability to determine the geographic location of mobile devices and remotely send commands to them.

18. As one example, Samsung currently makes, uses, and sells the Samsung Galaxy S6 in conjunction with its Find My Mobile service. These products infringe at least one claim of the '560 Patent, at least by providing the capability to determine the geographic location of the Galaxy S6 and remotely send commands to it.

19. Samsung has indirectly infringed at least one claim of the '560 Patent, through induced infringement under 35 U.S.C. § 271. Samsung is notified of its infringement of the '560 Patent as of the filing of this complaint. Nevertheless, Samsung continues its acts of indirect infringement by continuing to actively induce consumers to practice the invention claimed in the '560 Patent. Samsung instructs consumers to use Samsung devices with Find My Mobile, within the scope of the '560 Patent. For example, consumers are induced to use their Galaxy S6 with Find My Mobile to determine the geographic location of the Galaxy S6 and remotely send commands to it.

20. With knowledge of the '560 Patent, Samsung has indirectly infringed the '560 Patent by inducing the direct infringement by consumers, by enabling, instructing, and encouraging consumers to make and use the infringing apparatus described in at least one claim of the '560 Patent, while aware that their use is infringing.

21. Samsung's use of the technology claimed in the '560 Patent is without license or authorization from Lance Parker.

22. Lance Parker has been damaged by Samsung's infringement of the '560 Patent.

COUNT TWO

23. Lance Parker incorporates by references each of the foregoing paragraphs of this Complaint as though fully set forth herein.

24. Samsung makes, uses, or sells a variety of electronic devices, including smartphones and tablets.

25. Samsung has directly infringed, and continues to directly infringe, at least one claim of the '923 Patent under 35 U.S.C. § 271, literally and/or under the doctrine of equivalents.

Defendant's infringing acts include, but are not limited to: making, using, selling, and offering to sell its electronic devices and software. These Samsung products, among other infringing features, provide the capability to determine the geographic location of mobile devices and remotely send commands to them.

26. As one example, Samsung currently makes, uses, and sells the Samsung Galaxy S6 in conjunction with its Find My Mobile service. These products infringe at least one claim of the '923 Patent, at least by providing the capability to determine the geographic location of the Galaxy S6 and remotely send commands to it.

27. Samsung has indirectly infringed at least one claim of the '923 Patent, through induced infringement under 35 U.S.C. § 271. Samsung is notified of its infringement of the '923 Patent as of the filing of this complaint. Nevertheless, Samsung continues its acts of indirect infringement by continuing to actively induce consumers to practice the invention claimed in the '923 Patent. Samsung instructs consumers to use Samsung devices with Find My Mobile, within the scope of the '923 Patent. For example, consumers are induced to use their Galaxy S6 with Find My Mobile to determine the geographic location of the Galaxy S6 and remotely send commands to it.

28. With knowledge of the '923 Patent, Samsung has indirectly infringed the '923 Patent by inducing the direct infringement by consumers, by enabling, instructing, and encouraging consumers to make and use the infringing apparatus described in at least one claim of the '923 Patent, while aware that their use is infringing.

29. Samsung's use of the technology claimed in the '923 Patent is without license or authorization from Lance Parker.

30. Lance Parker has been damaged by Samsung's infringement of the '923 Patent.

COUNT THREE

31. Lance Parker incorporates by references each of the foregoing paragraphs of this Complaint as though fully set forth herein.

32. Samsung makes, uses, or sells a variety of electronic devices, including smartphones and tablets.

33. Samsung has directly infringed, and continues to directly infringe, at least one claim of the '934 Patent under 35 U.S.C. § 271, literally and/or under the doctrine of equivalents.

Defendant's infringing acts include, but are not limited to: making, using, selling, and offering to sell its electronic devices and software. These Samsung products, among other infringing features, provide the capability to determine the geographic location of mobile devices and remotely send commands to them.

34. As one example, Samsung currently makes, uses, and sells the Samsung Galaxy S6 in conjunction with its Find My Mobile service. These products infringe at least one claim of the '934 Patent, at least by providing the capability to determine the geographic location of the Galaxy S6 and remotely send commands to it.

35. Samsung has indirectly infringed at least one claim of the '934 Patent, through induced infringement under 35 U.S.C. § 271. Samsung is notified of its infringement of the '934 Patent as of the filing of this complaint. Nevertheless, Samsung continues its acts of indirect infringement by continuing to actively induce consumers to practice the invention claimed in the '934 Patent. Samsung instructs consumers to use Samsung devices with Find My Mobile, within the scope of the '934 Patent. For example, consumers are induced to use their Galaxy S6 with Find My Mobile to determine the geographic location of the Galaxy S6 and remotely send commands to it.

36. With knowledge of the '934 Patent, Samsung has indirectly infringed the '934 Patent by inducing the direct infringement by consumers, by enabling, instructing, and encouraging consumers to make and use the infringing apparatus described in at least one claim of the '934 Patent, while aware that their use is infringing.

37. Samsung's use of the technology claimed in the '934 Patent is without license or authorization from Lance Parker.

38. Lance Parker has been damaged by Samsung's infringement of the '934 Patent.

PRAYER FOR RELIEF

WHEREFORE, Lance Parker IP, LLC prays for entry of judgment as follows:

- a) Enter judgment for Lance Parker on this complaint and adjudging that the Defendant has infringed one or more of the claims of the Patent-in-Suit, either literally or under the doctrine of equivalents;
- b) Award Lance Parker all damages to which it is entitled under 35 U.S.C. § 284 resulting from Defendant's infringement, and ordering a full accounting of all damages adequate to compensate Lance Parker for the infringement of its patent rights;
- c) Award Lance Parker pre-judgment and post-judgment interest on its damages at the maximum rate permitted by law;
- d) Award costs and attorney's fees to Lance Parker, and finding that this case is exceptional, pursuant to 35 U.S.C. § 285; and
- e) Grant Lance Parker such further and additional relief as the Court deem as just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Lance Parker hereby demands a trial by jury on all claims and issues so triable.

Dated: October 9, 2015

Respectfully submitted,

/s/ Frank M. Washko

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