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**KINGLITE HOLDINGS INC.**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

KINGLITE HOLDINGS INC., a  
Seychelles Company,

Plaintiff,

v.

MICRO-STAR INTERNATIONAL  
CO., LTD., a Taiwan Corporation, and  
MSI COMPUTER CORP., a California  
Corporation.

Defendants.

Case No.: 2:15-cv-09612

**COMPLAINT**

**[JURY TRIAL DEMANDED]**

1 Plaintiff, Kinglite Holdings Inc. (“Kinglite”) alleges by way of complaint  
 2 against Defendants, Micro-Star International Co., Ltd. and MSI Computer Corp.  
 3 (“Defendants”) as follows:

#### 4 **FACTUAL BACKGROUND**

##### 5 **Plaintiff**

6 1. Kinglite is a company incorporated under the laws of the Republic of  
 7 the Seychelles with its principal place of business at 7 Temasek Boulevard, #15-  
 8 01A Suntec Tower One, Singapore 038987.

9 2. Kinglite is the owner of the following United States patents that are  
 10 being asserted in this action (“Asserted Patents”):

11 <b>U.S. Patent No.</b>	<b>Title</b>	<b>Application Date</b>	<b>Issue Date</b>	<b>Exhibit No.</b>
12 6,791,572 (“572”)	Generating Media Output During Bios Boot-Up	Dec. 10, 1999	Sep. 14, 2004	A
13 6,892,304 (“304”)	System And Method For Securely Utilizing Basic Input And Output System (Bios) Services	Oct. 3, 2000	May 10, 2005	B
14 5,732,268 (“268”)	Extended Bios Adapted To Establish Remote Communication For Diagnostics And Repair	Feb. 26, 1996	Mar. 24, 1998	C
15 6,487,656 (“656”)	System And Method For Providing Functionalities To System Bios	Dec. 10, 1999	Nov. 26, 2002	D
16 6,401,202 (“202”)	Multitasking During Bios Boot-Up	Jun. 18, 1999	June 4, 2002	E
17 6,519,659 (“659”)	Method And System For Transferring An Application Program From System Firmware To A Storage Device	Jun. 18, 1999	Feb. 11, 2003	F

1	5,836,013 ("013")	Method And Apparatus For Compressing System Read Only Memory In A Computing System	Aug. 11, 1994	Nov. 10, 1998	G
2					
3	8,095,783 ("783")	Media Boot Loader	May 11, 2004	Jan. 10, 2012	H
4	5,987,604 ("604")	Method And Apparatus For Providing Execution Of System Management Mode Services In Virtual Mode	Oct. 7, 1997	Nov. 16, 1999	I
5					
6					
7	6,263,412 ("412")	Method And Apparatus For RAM Emulation Using A Processor Register Set	Jun. 24, 1998	Jul. 17, 2001	J
8					
9	6,633,976 ("976")	Method Of Storing BIOS Modules And Transferring Them To Memory For Execution	Aug. 10, 2000	Oct. 14, 2003	K
10					
11	7,185,189 ("189")	Method Of Storing BIOS Modules And Transferring Them To Memory For Execution	Jul. 28, 2003	Feb. 27, 2007	L
12					
13	6,502,184 ("184")	Method And Apparatus For Providing A General Purpose Stack	Sep. 2, 1998	Dec. 31, 2002	M
14					
15	5,978,912 ("912")	Network Enhanced BIOS Enabling Remote Management Of A Computer Without A Functioning System	Mar. 20, 1997	Nov. 2, 1999	N
16					
17					
18	6,308,265 ("265")	Protection Of Boot Block Code While Allowing Write Access To The Boot Block	Sep. 30, 1998	Oct. 23, 2001	O
19					
20	6,222,562 ("562")	Fast Processed Screen Image	Jun. 23, 1998	Apr. 24, 2001	P
21					

## Defendants

3. Micro-Star International Co., Ltd. ("MSI Taiwan") is a Taiwanese corporation with its principal place of business at No. 69, Lide Street, Zhonghe District, New Taipei City 235, Taiwan. It is one of the world's largest motherboard and graphics card manufacturers. MSI Taiwan also manufactures laptops, all-in-one computers, servers, industrial computers, and multimedia devices.

1           4.     MSI Computer Corp. (“MSI USA”) is a California corporation with  
2 its principal place of business at 901 Canada Court, City of Industry, California  
3 91748. On information and belief, it is a subsidiary of MSI Taiwan and provides  
4 technical, sales, customer service, and marketing support to MSI Taiwan and its  
5 customers in the United States.

6           5.     According to its website, [www.msi.com](http://www.msi.com), MSI Taiwan is doing  
7 business in the United State through MSI USA.

8           6.     Defendants import, offer for sale, and/or sell MSI Z170A XPower  
9 Gaming Titanium Edition motherboards equipped with Intel Z170 chipset and  
10 loaded with American Megatrends, Inc. (“AMI”) UEFI T.ON BIOS (dated august  
11 4, 2015) that practice the inventions of the patents in-suit (“Accused Products”).  
12 Such products were introduced in August 2015.

### 13 **Unified Extensible Firmware Interface**

14           7.     The Unified Extensible Firmware Interface (“UEFI”) is a specification  
15 that defines a software interface between an operating system and platform  
16 firmware, also referred to in the industry as a Basic Input/Output System  
17 (“BIOS”).

18           8.     UEFI, which has been updated over the years in a series of releases,  
19 was developed under the aegis of the UEFI Forum, an alliance between several  
20 leading technology companies to modernize the booting process. The board of  
21 directors includes representatives from eleven “Promoter” companies: AMD,  
22 American Megatrends, Apple, Dell, HP, IBM, Insyde Software, Intel, Lenovo,  
23 Microsoft, and Phoenix Technologies.

24           9.     The inventions of the following patents (“Phoenix UEFI patents”) are  
25 contained in each version of UEFI: ‘304, ‘202, ‘659, ‘013, ‘783, ‘604, ‘412, ‘976,  
26 ‘189, ‘184, and ‘562.

27           10.    The Accused Products loaded with the 2x128 Mbit flash AMI UEFI  
28 BIOS comply with the UEFI standards, and thus practice the inventions of the

1 Phoenix UEFI patents.

2 **JURISDICTION AND VENUE**

3 11. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§  
4 1331 and 1338(a).

5 12. Venue is proper in this Judicial District pursuant to 28 U.S.C. §  
6 1400(b).

7 13. At all relevant times, Defendants have conducted business through  
8 MSI USA and sold or offered to sell the Accused Products in this Judicial District  
9 through its network of distributors, a number of which are based or have retail  
10 outlets in this Judicial District.

11 **COUNT I – DIRECT INFRINGEMENT OF THE ‘572 PATENT**

12 14. Kinglite incorporates by reference the allegations contained in  
13 paragraphs 1-13, above.

14 15. Defendants’ importation, sale and/or offer to sell the Accused  
15 Products constitute direct infringement of claims 23 and 51 of the ‘572 Patent  
16 pursuant to 35 U.S.C. § 271(a), as such products detect and display parameter  
17 values, *e.g.*, CPU speed, frequency, or temperature, in, *.e.g.*, a dashboard template.

18 16. Kinglite has been injured by such infringement.

19 **COUNT II – INDIRECT INFRINGEMENT OF THE ‘572 PATENT**

20 17. Users directly infringe claims 23 and 51 of the ‘572 Patent through  
21 operation of the Accused Products, as described in paragraph 15. When the  
22 Accused Products are used, they practice each limitation of claims 23 and 51 of the  
23 ‘572 Patent.

24 18. Defendants have had knowledge of the ‘572 Patent and its  
25 infringement thereof as a result of ongoing litigation between the parties, and their  
26 efforts to familiarize themselves with such patent.

27 19. Defendants have induced and continue to induce infringement of  
28 claims 23 and 51 of the ‘572 Patent pursuant to 35 U.S.C. § 271(b) by selling the

1 Accused Products to users who directly infringe the patent, and instructing such  
2 users on the use of such products.

3 20. Defendants have contributed to and continue to contribute to the  
4 infringement of claims 23 and 51 of the '572 Patent pursuant to 35 U.S.C. § 271(c)  
5 by providing substantially all of the instrumentality for direct infringement in the  
6 form of the Accused Products to the users of such products.

7 21. Kinglite has been injured by such infringement.

8 **COUNT III – DIRECT INFRINGEMENT OF THE '304 PATENT**

9 22. Kinglite incorporates by reference the allegations contained in  
10 paragraphs 1-21, above.

11 23. Defendants' importation, sale and/or offer to sell the Accused  
12 Products constitute direct infringement of claim 8 of the '304 Patent pursuant to 35  
13 U.S.C. § 271(a), insofar as the Accused Products used cryptographic key pairs to  
14 encrypt a service request signature digitally.

15 24. Kinglite has been injured by such infringement.

16 **COUNT IV – INDIRECT INFRINGEMENT OF THE '304 PATENT**

17 25. Kinglite incorporates by reference the allegations contained in  
18 paragraphs 1-24 above.

19 26. Users directly infringe claim 12 of the '304 Patent through operation  
20 of the Accused Products. When the Accused Products are used, they practice each  
21 limitation of claim 12 of the '304 Patent insofar as the Accused Products used  
22 cryptographic key pairs to encrypt a service request signature digitally.

23 27. Defendants have had knowledge of the '304 Patent and its  
24 infringement thereof as a result of ongoing litigation between the parties, and their  
25 efforts to familiarize themselves with such patent.

26 28. Defendants have induced and continue to induce infringement of  
27 claim 12 of the '304 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
28 Products to users who directly infringe the patent, and instructing such users on the

1 use of such products.

2 29. Defendants have contributed to and continue to contribute to the  
3 infringement of claim 12 of the '304 Patent pursuant to 35 U.S.C. § 271(c) by  
4 providing the entire instrumentality for direct infringement in the form of the  
5 Accused Products to the users of such products.

6 30. Kinglite has been injured by such infringement.

7 **COUNT V – DIRECT INFRINGEMENT OF THE '268 PATENT**

8 31. Kinglite incorporates by reference the allegations contained in  
9 paragraphs 1-30, above.

10 32. Defendants' importation, sale and/or offer to sell the Accused  
11 Products constitute direct infringement of claim 6 of the '268 Patent pursuant to 35  
12 U.S.C. § 271(a), insofar as the Accused Products have a first code portion in the  
13 UEFI BIOS loaded thereon to initiate POST and boot operations, and a second  
14 code portion to communicate with a separate computer in the event that there is a  
15 failure to complete boot operations.

16 33. Kinglite has been injured by such infringement.

17 **COUNT VI – INDIRECT INFRINGEMENT OF THE '268 PATENT**

18 34. Kinglite incorporates by reference the allegations contained in  
19 paragraphs 1-33 above.

20 35. Users directly infringe claim 6 of the '268 Patent through operation of  
21 the Accused Products, as explained in paragraph 32, above. When the Accused  
22 Products are used, they practice each limitation of claim 6 of the '268 Patent.

23 36. Defendants have had knowledge of the '268 Patent and its  
24 infringement thereof as a result of ongoing litigation between the parties, and their  
25 efforts to familiarize themselves with such patent.

26 37. Defendants have induced and continue to induce infringement of  
27 claim 6 of the '268 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
28 Products to users who directly infringe the patent, and instructing such users on the

1 use of such products.

2 38. Defendants have contributed to and continue to contribute to the  
3 infringement of claim 6 of the '268 Patent pursuant to 35 U.S.C. § 271(c) by  
4 providing the entire instrumentality for direct infringement in the form of the  
5 Accused Products to the users of such products.

6 39. Kinglite has been injured by such infringement.

7 **COUNT VII – DIRECT INFRINGEMENT OF THE '656 PATENT**

8 40. Kinglite incorporates by reference the allegations contained in  
9 paragraphs 1-39, above.

10 41. Defendants' importation, sale and/or offer to sell the Accused  
11 Products constitute direct infringement of claim 19 of the '656 Patent pursuant to  
12 35 U.S.C. § 271 insofar as the processors of such products interface a module to  
13 the BIOS to receive a BIOS service request, receive device information, translate  
14 the device information, and translate and transfer such information to a separate  
15 module.

16 42. Kinglite has been injured by such infringement.

17 **COUNT VIII – INDIRECT INFRINGEMENT OF THE '656 PATENT**

18 43. Kinglite incorporates by reference the allegations contained in  
19 paragraphs 1-42 above.

20 44. Users directly infringe claim 19 of the '656 Patent through operation  
21 of the Accused Products, as explained in paragraph 41, above. When the Accused  
22 Products are used, they practice each limitation of claim 19 of the '656 Patent.

23 45. Defendants have had knowledge of the '656 Patent and its  
24 infringement thereof as a result of ongoing litigation between the parties, and their  
25 efforts to familiarize themselves with such patent.

26 46. Defendants have induced and continue to induce infringement of  
27 claim 19 of the '656 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
28 Products to users who directly infringe the patent, and instructing such users on the



1 use of such products.

2 47. Defendants have contributed to and continue to contribute to the  
3 infringement of claim 19 of the '656 Patent pursuant to 35 U.S.C. § 271(c) by  
4 providing the entire instrumentality for direct infringement in the form of the  
5 Accused Products to the users of such products.

6 48. Kinglite has been injured by such infringement.

7 **COUNT IX – DIRECT INFRINGEMENT OF THE '202 PATENT**

8 49. Kinglite incorporates by reference the allegations contained in  
9 paragraphs 1-48, above.

10 50. Defendants' importation, sale and/or offer to sell the Accused  
11 Products constitute direct infringement of claim 31 of the '202 Patent pursuant to  
12 35 U.S.C. § 271(a) insofar as the processor of such products enables interrupt  
13 signals in response to which the processor performs a task, and, thereafter,  
14 performs a second task in advance of the next interrupt signal.

15 51. Kinglite has been injured by such infringement.

16 **COUNT X – INDIRECT INFRINGEMENT OF THE '202 PATENT**

17 52. Kinglite incorporates by reference the allegations contained in  
18 paragraphs 1-51 above.

19 53. Users directly infringe claim 31 of the '202 Patent through operation  
20 of the Accused Products, as shown in paragraph 50. When the Accused Products  
21 are used, they practice each limitation of claim 31 of the '202 Patent.

22 54. Defendants have had knowledge of the '202 Patent and its  
23 infringement thereof as a result of ongoing litigation between the parties, and their  
24 efforts to familiarize themselves with such patent.

25 55. Defendants have induced and continue to induce infringement of  
26 claim 31 of the '202 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
27 Products to users who directly infringe the patent, and instructing such users on the  
28 use of such products.

1 56. Defendants have contributed to and continue to contribute to the  
2 infringement of claim 31 of the '202 Patent pursuant to 35 U.S.C. § 271(c) by  
3 providing the entire instrumentality for direct infringement in the form of the  
4 Accused Products to the users of such products.

5 57. Kinglite has been injured by such infringement.

6 **COUNT XI – DIRECT INFRINGEMENT OF THE '659 PATENT**

7 58. Kinglite incorporates by reference the allegations contained in  
8 paragraphs 1-57, above.

9 59. Defendants' importation, sale and/or offer to sell the Accused  
10 Products constitute direct infringement of claim 1 of the '659 Patent pursuant to 35  
11 U.S.C. § 271(a) insofar as the processor of such products executes stored  
12 instructions wherein such instructions cause the processor to write the contents of  
13 the storage element to a storage device independent of an OS application.

14 60. Kinglite has been injured by such infringement.

15 **COUNT XII – INDIRECT INFRINGEMENT OF THE '659 PATENT**

16 61. Kinglite incorporates by reference the allegations contained in  
17 paragraphs 1-60 above.

18 62. Users directly infringe claim 1 of the '659 Patent through operation of  
19 the Accused Products as shown in paragraph 52. When the Accused Products are  
20 used, they practice each limitation of claim 1 of the '659 Patent.

21 63. Defendants have had knowledge of the '659 Patent and its  
22 infringement thereof as a result of ongoing litigation between the parties, and their  
23 efforts to familiarize themselves with such patent.

24 57. Defendants have induced and continue to induce infringement of  
25 claim 1 of the '659 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
26 Products to users who directly infringe the patent, and instructing such users on the  
27 use of such products.

28 58. Defendants have contributed to and continue to contribute to the

1 infringement of claim 1 of the '659 Patent pursuant to 35 U.S.C. § 271(c) by  
2 providing the entire instrumentality for direct infringement in the form of the  
3 Accused Products to the users of such products.

4 59. Kinglite has been injured by such infringement.

5 **COUNT XIII – DIRECT INFRINGEMENT OF THE '013 PATENT**

6 60. Kinglite incorporates by reference the allegations contained in  
7 paragraphs 1-59, above.

8 61. Defendants' importation, sale and/or offer to sell the Accused  
9 Products constitute direct infringement of claim 23 of the '013 Patent pursuant to  
10 35 U.S.C. § 271(a), insofar as the processor of the Accused Products executes  
11 instructions in a decompression program copying a compressed system ROM file  
12 from ROM to RAM, and decompresses the compressed data from the RAM to an  
13 associated memory location.

14 62. Kinglite has been injured by such infringement.

15 **COUNT XIV – INDIRECT INFRINGEMENT OF THE '013 PATENT**

16 63. Kinglite incorporates by reference the allegations contained in  
17 paragraphs 1-62 above.

18 64. Users directly infringe claim 23 of the '013 Patent through operation  
19 of the Accused Products as shown in paragraph 61. When the Accused Products  
20 are used, they practice each limitation of claim 23 of the '013 Patent.

21 65. Defendants have had knowledge of the '013 Patent and its  
22 infringement thereof as a result of ongoing litigation between the parties, and their  
23 efforts to familiarize themselves with such patent.

24 66. Defendants have induced and continue to induce infringement of  
25 claim 23 of the '013 Patent pursuant to 35 U.S.C. § 271(b) by selling the Accused  
26 Products to users who directly infringe the patent, and instructing such users on the  
27 use of such products.

28 67. Defendants have contributed to and continue to contribute to the

1 infringement of claim 23 of the '013 Patent pursuant to 35 U.S.C. § 271(c) by  
2 providing the entire instrumentality for direct infringement in the form of the  
3 Accused Products to the users of such products.

4 68. Kinglite has been injured by such infringement.

5 **COUNT XV – DIRECT INFRINGEMENT OF THE '783 PATENT**

6 69. Kinglite incorporates by reference the allegations contained in  
7 paragraphs 1-68, above.

8 70. Defendants' importation, sale and/or offer to sell the Accused  
9 Products loaded with the AMI compatibility support module ("CSM") constitute  
10 direct infringement of claims 11 and 20 of the '783 Patent pursuant to 35 U.S.C. §  
11 271(a) insofar as the CSM allows the processor to boot in Legacy or UEFI mode.

12 71. Kinglite has been injured by such infringement.

13 **COUNT XVI – INDIRECT INFRINGEMENT OF THE '783 PATENT**

14 72. Kinglite incorporates by reference the allegations contained in  
15 paragraphs 1-71, above.

16 73. Users directly infringe claims 11 and 20 of the '783 Patent through  
17 operation of the Accused Products as shown in paragraph 70 above. When the  
18 Accused Products are used, they practice each limitation of claims 11 and 20 of the  
19 '783 Patent.

20 74. Defendants have had knowledge of the '783 Patent and its  
21 infringement thereof as a result of ongoing litigation between the parties, and their  
22 efforts to familiarize themselves with such patent.

23 75. Defendants have induced and continue to induce infringement of  
24 claims 11 and 20 of the '783 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
25 Accused Products to users who directly infringe the patent, and instructing such  
26 users on the use of such products.

27 76. Defendants have contributed to and continue to contribute to the  
28 infringement of claims 11 and 20 of the '783 Patent pursuant to 35 U.S.C. § 271(c)

1 by providing substantially all of the instrumentality for direct infringement in the  
2 form of the Accused Products to the users of such products.

3 77. Kinglite has been injured by such infringement.

4 **COUNT XVII – DIRECT INFRINGEMENT OF THE ‘604 PATENT**

5 78. Kinglite incorporates by reference the allegations contained in  
6 paragraphs 1-77, above.

7 79. Defendants’ importation, sale and/or offer to sell the Accused  
8 Products constitute direct infringement of claim 1 of the ‘604 Patent pursuant to 35  
9 U.S.C. § 271(a) insofar as the accused products allow for the processor of such  
10 products to operate in protected mode while in system management mode.

11 80. Kinglite has been injured by such infringement.

12 **COUNT XVIII – INDIRECT INFRINGEMENT OF THE ‘604 PATENT**

13 81. Kinglite incorporates by reference the allegations contained in  
14 paragraphs 1-80 above.

15 82. Users directly infringe claims 1 and 11 of the ‘604 Patent through  
16 operation of the Accused Products for which the paging feature in system  
17 management mode has been activated. When these Accused Products are used,  
18 they practice each limitation of claims 1 and 11 of the ‘604 patent.

19 83. Defendants have had knowledge of the ‘604 Patent and its  
20 infringement thereof as a result of ongoing litigation between the parties, and their  
21 efforts to familiarize themselves with such patent.

22 84. Defendants have induced and continue to induce infringement of  
23 claims 1 and 11 of the ‘604 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
24 Accused Products to users who directly infringe the patent, and instructing such  
25 users on the use of such products.

26 85. Defendants have contributed and to continue to contribute to the  
27 infringement of claims 1 and 11 of the ‘604 Patent pursuant to 35 U.S.C. § 271(c)  
28 by providing the entire instrumentality for direct infringement in the form of the

1 Accused Products to the users of such products.

2 86. Kinglite has been injured by such infringement.

3 **COUNT XIX – DIRECT INFRINGEMENT OF THE ‘412 PATENT**

4 87. Kinglite incorporates by reference the allegations contained in  
5 paragraphs 1-86, above.

6 88. Defendants’ importation, sale and/or offer to sell the Accused  
7 Products constitute direct infringement of claims 1 and 9 of the ‘412 Patent  
8 pursuant to 35 U.S.C. § 271(a) insofar as the processors of such products redirect  
9 access to volatile memory.

10 89. Kinglite has been injured by such infringement.

11 **COUNT XX – INDIRECT INFRINGEMENT OF THE ‘412 PATENT**

12 90. Kinglite incorporates by reference the allegations contained in  
13 paragraphs 1-89, above.

14 91. Users directly infringe claims 1 and 9 of the ‘412 Patent through  
15 operation of the Accused Products as shown in paragraph 82 above. When the  
16 Accused Products are used, they practice each limitation of claims 1 and 9 of the  
17 ‘412 Patent.

18 92. Defendants have had knowledge of the ‘412 Patent and its  
19 infringement thereof as a result of ongoing litigation between the parties, and their  
20 efforts to familiarize themselves with such patent.

21 93. Defendants have induced and continue to induce infringement of  
22 claims 1 and 9 of the ‘412 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
23 Accused Products to users who directly infringe the patent, and instructing such  
24 users on the use of such products.

25 94. Defendants have contributed to and continue to contribute to the  
26 infringement of claims 1 and 9 of the ‘412 Patent pursuant to 35 U.S.C. § 271(c)  
27 by providing substantially all of the instrumentality for direct infringement in the  
28 form of the Accused Products to the users of such products.

1 95. Kinglite has been injured by such infringement.

2 **COUNT XXI – INDIRECT INFRINGEMENT OF THE ‘976 PATENT**

3 96. Kinglite incorporates by reference the allegations contained in  
4 paragraphs 1-95, above.

5 91. Users directly infringe claims 1 and 14 of the ‘976 Patent through  
6 operation of the Accused Products. When the Accused Products are used, they  
7 practice each limitation of claims 1 and 14 of the ‘976 Patent, as such products  
8 execute a portion of BIOS initialization code, copy the dispatch manager store in  
9 nonvolatile memory to system memory, and execute the dispatch manager to  
10 execute start up tasks.

11 92. Defendants have had knowledge of the ‘976 Patent and its  
12 infringement thereof as a result of ongoing litigation between the parties, and their  
13 efforts to familiarize themselves with such patent.

14 93. Defendants have induced and continue to induce infringement of  
15 claims 1 and 14 of the ‘976 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
16 Accused Products to users who directly infringe the patent, and instructing such  
17 users on the use of such products.

18 94. Defendants have contributed to and continue to contribute to the  
19 infringement of claims 1 and 14 of the ‘976 Patent pursuant to 35 U.S.C. § 271(c)  
20 by providing substantially all of the instrumentality for direct infringement in the  
21 form of the Accused Products to the users of such products.

22 95. Kinglite has been injured by such infringement.

23 **COUNT XXII – DIRECT INFRINGEMENT OF THE ‘189 PATENT**

24 96. Kinglite incorporates by reference the allegations contained in  
25 paragraphs 1-95, above.

26 97. Defendants’ importation, sale and/or offer to sell the Accused  
27 Products constitute direct infringement of claims 14 and 39 of the ‘189 Patent  
28 pursuant to 35 U.S.C. § 271(a) insofar as such products execute a portion of BIOS

1 initialization code, copy the dispatch manager store in nonvolatile memory to  
2 system memory, and execute the dispatch manager to execute start up tasks.

3 98. Kinglite has been injured by such infringement.

4 **COUNT XXIII – INDIRECT INFRINGEMENT OF THE ‘189**  
5 **PATENT**

6 96. Kinglite incorporates by reference the allegations contained in  
7 paragraphs 1-97, above.

8 97. Users directly infringe claims 14, 27 and 39 of the ‘189 Patent  
9 through operation of the Accused Products. When the Accused Products are used,  
10 they practice each limitation of such claims, as such products execute a portion of  
11 BIOS initialization code, copy the dispatch manager store in nonvolatile memory  
12 to system memory, and execute the dispatch manager to execute start up tasks.

13 98. Defendants have had knowledge of the ‘189 Patent and its  
14 infringement thereof as a result of ongoing litigation between the parties, and their  
15 efforts to familiarize themselves with such patent.

16 99. Defendants have induced and continue to induce infringement of  
17 claims 14, 27 and 39 of the ‘189 Patent pursuant to 35 U.S.C. § 271(b) by selling  
18 the Accused Products to users who directly infringe the patent, and instructing such  
19 users on the use of such products.

20 100. Defendants have contributed to and continue to contribute to the  
21 infringement of claims 14, 27 and 39 of the ‘189 Patent pursuant to 35 U.S.C. §  
22 271(c) by providing substantially all of the instrumentality for direct infringement  
23 in the form of the Accused Products to the users of such products.

24 101. Kinglite has been injured by such infringement.

25 **COUNT XXIV – DIRECT INFRINGEMENT OF THE ‘184 PATENT**

26 102. Kinglite incorporates by reference the allegations contained in  
27 paragraphs 1-101, above.

28 103. Defendants’ importation, sale and/or offer to sell the Accused



1 Products constitute direct infringement of claims 1 and 12 of the '184 Patent  
2 pursuant to 35 U.S.C. § 271(a) insofar as such products have one or more internal  
3 registers operating as a stack, and controlled by a processor, which, based upon the  
4 condition of such registers, arranges the contents of such registers.

5 104. Kinglite has been injured by such infringement.

6 **COUNT XXV – INDIRECT INFRINGEMENT OF THE '184 PATENT**

7 105. Kinglite incorporates by reference the allegations contained in  
8 paragraphs 1-104, above.

9 106. Users directly infringe claims 1, 12 and 25 of the '184 Patent through  
10 operation of the Accused Products. When the Accused Products are used, they  
11 practice each limitation of such claims, as such products have one or more internal  
12 registers operating as a stack, and controlled by a processor, which, based upon the  
13 condition of such registers, arranges the contents of such registers.

14 107. Defendants have had knowledge of the '184 Patent and its  
15 infringement thereof as a result of ongoing litigation between the parties, and their  
16 efforts to familiarize themselves with such patent.

17 108. Defendants have induced and continue to induce infringement of  
18 claims 1, 12 and 25 of the '184 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
19 Accused Products to users who directly infringe the patent, and instructing such  
20 users on the use of such products.

21 109. Defendants have contributed to and continue to contribute to the  
22 infringement of claims 1, 12 and 25 of the '184 Patent pursuant to 35 U.S.C. §  
23 271(c) by providing substantially all of the instrumentality for direct infringement  
24 in the form of the Accused Products to the users of such products.

25 110. Kinglite has been injured by such infringement.

26 **COUNT XXVI – DIRECT INFRINGEMENT OF THE '912 PATENT**

27 111. Kinglite incorporates by reference the allegations contained in  
28 paragraphs 1-110, above.

1 112. Defendants' importation, sale and/or offer to sell the Accused  
2 Products constitute direct infringement of claims 38 and 52 of the '912 Patent  
3 pursuant to 35 U.S.C. § 271(a) insofar as such products have network-enhanced  
4 software that executes during boot up, such software supporting communication  
5 with an external communicator, and having operating system software loaded after  
6 such network-enhanced software.

7 113. Kinglite has been injured by such infringement.

8 **COUNT XXVII – INDIRECT INFRINGEMENT OF THE '912 PATENT**

9 114. Kinglite incorporates by reference the allegations contained in  
10 paragraphs 1-113, above.

11 115. Users directly infringe claims 1, 38 and 52 of the '912 Patent through  
12 operation of the Accused Products. When the Accused Products are used, they  
13 practice each limitation of such claims, as such products have network-enhanced  
14 software that executes during boot up, such software supporting communication  
15 with an external communicator, and having operating system software loaded after  
16 such network-enhanced software.

17 116. Defendants have had knowledge of the '912 Patent and its  
18 infringement thereof as a result of ongoing litigation between the parties, and their  
19 efforts to familiarize themselves with such patent.

20 117. Defendants have induced and continue to induce infringement of  
21 claims 1, 38 and 52 of the '912 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
22 Accused Products to users who directly infringe the patent, and instructing such  
23 users on the use of such products.

24 118. Defendants have contributed to and continue to contribute to the  
25 infringement of claims 1, 38 and 52 of the '912 Patent pursuant to 35 U.S.C. §  
26 271(c) by providing substantially all of the instrumentality for direct infringement  
27 in the form of the Accused Products to the users of such products.

28 119. Kinglite has been injured by such infringement.

1           **COUNT XXVIII – DIRECT INFRINGEMENT OF THE ‘265 PATENT**

2           120. Kinglite incorporates by reference the allegations contained in  
3 paragraphs 1-119, above.

4           121. Defendants’ importation, sale and/or offer to sell the Accused  
5 Products constitute direct infringement of claim 9 of the ‘265 Patent pursuant to 35  
6 U.S.C. § 271(a) insofar as such products have identical copies of boot block code  
7 stored in separate segments in volatile memory capable of being simultaneously  
8 updated.

9           122. Kinglite has been injured by such infringement.

10           **COUNT XXIX – INDIRECT INFRINGEMENT OF THE ‘265 PATENT**

11           123. Kinglite incorporates by reference the allegations contained in  
12 paragraphs 1-122, above.

13           124. Users directly infringe claims 1 and 9 of the ‘265 Patent through  
14 operation of the Accused Products. When the Accused Products are used, they  
15 practice each limitation of such claims, as such products have identical copies of  
16 boot block code stored in separate segments in volatile memory capable of being  
17 simultaneously updated.

18           125. Defendants have had knowledge of the ‘265 Patent and its  
19 infringement thereof as a result of ongoing litigation between the parties, and their  
20 efforts to familiarize themselves with such patent.

21           126. Defendants have induced and continue to induce infringement of  
22 claims 1 and 9 of the ‘265 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
23 Accused Products to users who directly infringe the patent, and instructing such  
24 users on the use of such products.

25           127. Defendants have contributed to and continue to contribute to the  
26 infringement of claims 1 and 9 of the ‘265 Patent pursuant to 35 U.S.C. § 271(c)  
27 by providing substantially all of the instrumentality for direct infringement in the  
28 form of the Accused Products to the users of such products.

1 128. Kinglite has been injured by such infringement.

2 **COUNT XX – INDIRECT INFRINGEMENT OF THE ‘562 PATENT**

3 129. Kinglite incorporates by reference the allegations contained in  
4 paragraphs 1-128, above.

5 130. Users directly infringe claims 1 and 12 of the ‘562 Patent through  
6 operation of the Accused Products. When the Accused Products are used, they  
7 practice every limitation of claims 1 and 12 of the ‘562 Patent, insofar as such  
8 products write contents of fast memory to a non-visible portion of video memory  
9 to display images on a computer.

10 131. Defendants have had knowledge of the ‘562 Patent and its  
11 infringement thereof as a result of ongoing litigation between the parties, and their  
12 efforts to familiarize themselves with such patent.

13 132. Defendants have induced and continue to induce infringement of  
14 claims 1 and 12 of the ‘562 Patent pursuant to 35 U.S.C. § 271(b) by selling the  
15 Accused Products to users who directly infringe the patent, and instructing such  
16 users on the use of such products.

17 133. Defendants have contributed to and continue to contribute to the  
18 infringement of claims 1 and 12 of the ‘562 Patent 35 U.S.C. § 271(c) by providing  
19 substantially all of the instrumentality for direct infringement in the form of the  
20 Accused Products to the users of such products.

21 134. Kinglite has been injured by such infringement.

22 **PRAYERS FOR RELIEF**

23 WHEREFORE, Kinglite respectfully requests that this Court:

- 24 a) Find that Defendants infringe the Kinglite patents;
- 25 b) Order Defendants to pay Kinglite damages equal to no less than a  
26 reasonable royalty to compensate for the infringement of the Kinglite patents  
27 pursuant to 35 U.S.C. § 284;
- 28 c) Order Defendants to pay Kinglite prejudgment interest;

- 1           d)     Enjoin Defendants from further infringement of the Kinglite patents;  
2 and  
3           e)     Award such other relief the Court finds just and equitable.  
4

5 DATED: December 14, 2015

Respectfully Submitted,

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/s/Scott Vick

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28

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all claims so triable pursuant to Fed. R. Civ. Proc. § 38(b).

DATED: December 14, 2015

Respectfully Submitted,

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