

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

**IRIS CONNEX, LLC,**

Plaintiff,

v.

**TCT MOBILE, INC., and TCT MOBILE  
(US) INC.,**

Defendants.

Case No. 2:15-cv-1910

**PATENT CASE**

**JURY TRIAL DEMANDED**

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**AMENDED COMPLAINT**

Plaintiff Iris Connex, LLC, files this Amended Complaint against TCT Mobile, Inc., and TCT Mobile (US) Inc., for infringement of United States Patent No. 6,177,950 (the “950 Patent”).

**PARTIES AND JURISDICTION**

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff Iris Connex, LLC (“Plaintiff” or “Iris Connex”), is a Texas limited liability company with its principal office located in the Eastern District of Texas, at 211 E. Tyler Street, Suite 600-A, Longview, Texas 75601.

4. Upon information and belief, Defendants TCT Mobile, Inc., and TCT Mobile (US) Inc. (“Defendants”), each are Delaware corporations with a principal office located at 25 Edelman, Irvine, California 92618. Upon information and belief, Defendants are directly involved in the sale of mobile devices under the “Alcatel OneTouch” brand in the United States.

5. This Court has personal jurisdiction over Defendants because Defendants have committed, and continue to commit, acts of infringement in the state of Texas, have conducted business in the state of Texas, and/or have engaged in continuous and systematic activities in the state of Texas.

6. Upon information and belief, Defendants' instrumentalities that are alleged herein to infringe were and/or continue to be sold, offered for sale, and/or used in the Eastern District of Texas.

7. Upon information and belief, Defendants are related companies that are both part of a common corporate family and have jointly committed infringing acts as described herein, and therefore their joinder as co-defendants is proper in this case.

#### **VENUE**

8. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because Defendants are deemed to reside in this district. In addition, and in the alternative, Defendants have committed acts of infringement in this district.

#### **COUNT I** **(INFRINGEMENT OF UNITED STATES PATENT NO. 6,177,950)**

9. Plaintiff incorporates paragraphs 1 through 8 herein by reference.

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

11. Plaintiff is the owner by assignment of the '950 Patent with sole rights to enforce the '950 Patent and sue infringers. Plaintiff obtained its rights in the '950 Patent by way of an assignment from the original assignee, AVT Audio Visual. The inventor of the '950 Patent, Garry Robb, is the CEO of AVT Audio Visual. For many years, AVT Audio Visual has been an operating company in the cellphone technology space, specializing in video and audio compression

technology. See AVT Audio Visual's website, at <http://www.avt.net/company/index.html>. Generally, AVT Audio Visual's technology is used to conduct real-time video over existing wireless and satellite networks. AVT Audio Visual contracted with Plaintiff to attempt to license the '950 Patent, and AVT Audio Visual has a financial interest in the proceeds of this case by way of a contract with Plaintiff.

12. A copy of the '950 Patent, titled "Multifunctional Portable Telephone," is attached hereto as Exhibit A.

13. The '950 Patent is valid and enforceable, and it was duly issued in full compliance with Title 35 of the United States Code.

14. The '950 Patent is a prominent, pioneering patent in the field of multifunctional portable telephones, *i.e.*, smartphones, and related devices such as tablets. This is evidenced in part by the extent to which the '950 Patent has been forward-cited as prior art in connection with the examination of subsequently-issued U.S. patents. The '950 Patent has been forward-cited in at least 99 subsequently-issued U.S. patents to date, including patents obtained by such prominent companies as Apple, Blackberry, Bloomberg, Brother, Casio, Ericsson, Fujifilm, Honeywell, Intel, Kyocera, Lucent, Microsoft, Mitsubishi, National Instruments, NEC, Nikon, Nokia, Nortel, Panasonic, Qualcomm, Quanta Computer, Samsung, Sharp, Sony, Texas Instruments. The '950 Patent has also been forward-cited in numerous other published U.S. patent applications. Notwithstanding the fact that the application for the '950 Patent was filed in 1997 and the '950 Patent issued in early 2001, it continues to be relevant today, as evidenced by the fact that the '950 Patent was forward-cited in connection with approximately 14 U.S. patents that issued in 2013, 10 U.S. patents that issued in 2014, and 12 U.S. patents that have issued in 2015 to date.

**(Direct Infringement)**

15. Upon information and belief, Defendants have infringed and continue to directly infringe one or more claims of the '950 Patent, including at least claims 1, 2, 19, 22, 30 and 32, by making, having made, selling, offering for sale, using, and/or importing certain smartphones and/or tablets with a front-facing camera and a rear-facing camera, including without limitation the Hero, Idol, Pop, Pixi, Star, Fire, and Scribe lines of smartphones, and the Hero, Pop, Pixi, One Touch Evo, and One Touch Tab lines of tablets (the "Accused Instrumentalities").

16. Defendants' actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendants are enjoined and restrained by this Court.

17. Plaintiff is in compliance with 35 U.S.C. § 287.

**DEMAND FOR JURY TRIAL**

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of all issues so triable by right.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests the Court to:

- a) Enter judgment for Plaintiff on this Amended Complaint on all causes of action asserted herein;
- b) Enjoin Defendants, their agents, officers, servants, employees, attorneys and all persons in active concert or participation with Defendants who receive notice of the order from further infringement of United States Patent No. 6,177,950 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

- c) Award Plaintiff damages resulting from Defendants' infringement in accordance with 35 U.S.C. § 284;
- d) Award Plaintiff enhanced damages as provided under 35 U.S.C. § 284;
- e) Declare this an "exceptional case" pursuant to 35 U.S.C. § 285 and award Plaintiff its attorney's fees and any other appropriate relief;
- f) Award Plaintiff pre-judgment and post-judgment interest and costs; and
- g) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: February 5, 2016

Respectfully submitted,

/s/ Craig Tadlock  
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**CERTIFICATE OF SERVICE**

I hereby certify that this Amended Complaint will be served on Defendants in accordance with Fed. R. Civ. P. 4.

/s/ Craig Tadlock  
Craig Tadlock