

Audio, Inc., is a Corporation incorporated under the laws of the State of California and has an office and principal place of business at 1550 S. Maple Ave. Montebello, CA 90640.

JURISDICTION AND VENUE

4. This patent infringement action arises under the patent laws of the United States, including 35 U.S.C. §§ 271, et seq.

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because it arises under United States Patent law.

6. This Court has personal jurisdiction over the Defendant because they (either directly or through their subsidiaries, divisions, groups or distributors) have sufficient minimum contacts with the forum as a result of business conducted within the State of Texas and this district; and/or specifically over the Defendant (either directly or through their subsidiaries, divisions, groups or distributors) because of their infringing conduct within or directed at the State of Texas and this district. At a minimum, upon information and belief, Defendant have offered for sale, both over the internet and/or at various retail stores such as Best Buy and WalMart in this district, consumer electronic products that infringe on one or more claims of the '223 Patent.

7. Venue is proper in this district pursuant to 28 U.S.C. §1391(c) and 1400(b) because Defendant is deemed to reside in this district. In addition, at a minimum, Defendant is subject to this Court's personal jurisdiction in that the acts and transactions including the sale of consumer electronic products, which incorporate the technology covered by the patents identified herein through the State of Texas and this district.

FACTS

8. Plaintiff is the owner, by assignment, of U.S. Patent No. 6,047,223 ("the '223 Patent"), entitled "Electronic computer having a magneto-optic unit," which was duly and legally issued on April 4, 2000, by the United States Patent

and Trademark Office.

9. A copy of the '223 Patent is attached to this Complaint as **Exhibit A**.
10. The claims of the '223 Patent are valid and enforceable.

**COUNT I: CLAIM FOR PATENT INFRINGEMENT
UNDER 35 U.S.C. § 271 ('223 PATENT)**

11. Plaintiff hereby incorporates by reference the allegations of paragraphs 1 through 10 of this Complaint as if fully set forth herein.

12. Defendant makes, has made, sells, offers for sale, use and/or imports into the United States consumer electronic products, namely digital disc playback devices, including without limitation the products having the following model numbers: Power Acoustik: PMD-143H, PMD-112CMX, PMD-104X, PMD-102X - Ceiling Mount DVD System; HDVD-71HD, HDVD-9, HDVD-91CC, HDVD-71CC, PHAD-7 - Universal Headrest Mount DVD Players; PADVD-390 DVD Player; Precision Power: PVI.265Bi, PVI.170Bi, PVI.134, PVI.134B - Source Units; and Farenheit: MD-1560CMM, MD-1430X, MD-1210CMX, MD-1120CMX, CM-103D, MD-1150CMM, MD-1020X, MD-920CM, MD-900CM –

Ceiling DVD Players; HRD-9, HRD-91CC, HRD-71CC – Headrest DVD Players, SPL Audio Company: SD-710, SID-8902 - Source Units and DM-9000CM DVD Entertainment System (the "Accused product(s)"). An exemplary manual of Power Acoustik PMD 143H, is attached as **Exhibit B**.

13. Each of the Accused Product(s) is a consumer electronics device with the following elements: a central processing unit (CPU), memory connected to the CPU for storing data and programs, a compact disk (CD) reading unit connected to the CPU for reading data pre-recorded on a removable disk of different types (e.g. CD, DVD, Blu-Ray, etc.), an input port (e.g. USB, IrDA, etc.) for receiving inputs from an external input unit, AV output port (e.g. HDMI, RCA), a physical console and console control (e.g. play and fast forward buttons on unit, remote control unit, etc.), wherein the CPU is able to recognize the type of removable disk inserted into the CD reading unit by comparing the data read from the removable disk with the data stored in

memory and configuring the console control appropriately for the type of removable disk.

14. For example, the exemplary DVD player implements menu options including displaying on screen displays during setup, which requires a central processing unit. The same feature requires a memory connected to the CPU for storing data on the on screen display options and programs to evaluate to display the on screen display. Additionally, based on user response there are programs to perform further actions. *See* Page 18 of Exhibit B.

15. The product specifications provide for DVD, VCD, SVCD, Audio CD, and MP3 discs playback. These features require a CD reading unit connected to the CPU for reading data pre-recorded on a removable disk of different types. *See* Page 29 of Exhibit B

16. The product manual of the exemplary device illustrates at least one input means connected to the said CPU for receiving input, namely the remote. *See* Page 8 of Exhibit B.

17. The product manual of the exemplary device also describes a means for connecting an external video unit to said CPU, namely AV output. *See* Page 27 of Exhibit B.

18. The exemplary device further includes a physical console with actuating elements that are selectively usable to generate command signals for the functions of the disc reading unit, namely at least power, stop, mode, menu/setup, prev, next and open buttons. These console control means are further connected to the said actuating elements and to the CPU to process the button presses. *See* Page 6 of Exhibit B.

19. Finally, according to the specifications of the product can read at least Video CD and Audio CD. The DVD player uses the standardized headers of an inserted Video CD or Audio CD to recognize the type of removal disk inserted into the said CD reading unit, by comparing it with the header information stored in the memory means of the DVD player. *See* Page 29 of Exhibit B.

20. Based on the removable disk inserted and recognized by the CPU and generated I/O signal, the console control means controls the actuating elements to generate signals, to enable control of the Video CD or Audio CD using the actuating element. For example, an actuating element may perform the function of pausing video or pausing Audio depending on the identified removable disk. *See generally*, pages 18 to 25 of Exhibit B.

21. Each one of the elements of the Accused Product, itemized in paragraph 14 above, is an element in Claim 1 of the '223 patent.

22. Thus, each of Accused Products infringes on Claim 1 of the '223 patent.

23. Each accused product in paragraph 12 has similar elements as those set forth in paragraphs 13 to 22.

24. Plaintiff has been, and will continue to be, irreparably harmed by Defendant's ongoing infringement of the '223 patent.

25. As a direct and proximate result of Defendant's infringement of the '223 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be determined, including but not limited to Plaintiff's lost profits and/or a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendant as follows:

A. In favor of Plaintiff that Defendant has infringed one or more claims of the '223 Patent;

B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '223 Patent as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

C. For such other and further relief as may be just and equitable.

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DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury.

DATED: November 27, 2015

Respectfully submitted,

/s/ Rasheed M. McWilliams

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