

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BLACKBIRD TECH LLC d/b/a  
BLACKBIRD TECHNOLOGIES,

Plaintiff,

v.

LENOVO (UNITED STATES) INC.,

Defendant.

C.A. No. \_\_\_\_\_

JURY TRIAL DEMANDED

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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Blackbird Tech LLC d/b/a Blackbird Technologies (“Blackbird Technologies”) hereby alleges for its Complaint for Patent Infringement against the above-named Defendant, on personal knowledge as to its own activities and on information and belief as to all other matters, as follows:

**THE PARTIES**

1. Plaintiff Blackbird Technologies is a limited liability company organized under the laws of Delaware, with its principal place of business located at One Boston Place, Suite 2600, Boston, MA 02108.

2. On information and belief, Defendant Lenovo (United States) Inc. (“Lenovo”) is a corporation organized under the laws of Delaware, with its principal place of business located at 1009 Think Place, Morrisville, NC 27560.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code §§ 100, *et seq.*

4. Subject-matter jurisdiction over Blackbird Technologies' claims is conferred upon this Court by 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1338(a) (patent jurisdiction).

5. This Court has personal jurisdiction over Defendant because Defendant is subject to general and specific jurisdiction in the State of Delaware. Defendant has also established minimum contacts with this forum. Defendant has been incorporated in the State of Delaware at all relevant times. Defendant regularly conducts business in the State of Delaware, including by selling and/or offering to sell products, such as computer system products, in the State of Delaware. Defendant's actions constitute patent infringement in this District in violation of 35 U.S.C. § 271, and Defendant has placed infringing products into the stream of commerce, with the knowledge and understanding that such products are sold and/or offered for sale in this District. The acts by Defendant have caused injury to Blackbird Technologies within this District.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 (b) and (c) and § 1400(b) and because Defendant transacts business within this District and has sold and/or offered for sale in this District products that infringe U.S. Patent No. 7,129,931.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,129,931

7. Blackbird Technologies reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

8. On October 31, 2006, U.S. Patent No. 7,129,931 (the "931 Patent") entitled, "Multipurpose Computer Display System," a true and correct copy of which is attached hereto as "Exhibit 1," was duly and legally issued by the U.S. Patent and Trademark Office. Blackbird

Technologies is the owner by assignment of all right, title, and interest to the '931 Patent, including all right to recover for any and all infringement thereof.

9. The '931 Patent is valid and enforceable.

10. Lenovo has infringed literally and/or under the doctrine of equivalents one or more of the claims of the '931 Patent, including at least claim 1, by making, using, importing, selling and/or offering to sell, in this judicial district and/or elsewhere in the United States, the ThinkPad Twist S230u, which is covered by at least claim 1 of the '931 Patent. (See Exhibits 2-4). According to Lenovo, for example, the ThinkPad Twist S230u "transforms into a laptop when you need to type, a tablet when you're on the go, and a stand when you want to share presentations. When you're ready to browse, bend it backward into a tent for a close-up view." (See Exhibit 3 at 1). Defendant's infringing activities violate 35 U.S.C. § 271.

11. Blackbird Technologies is informed and believes, and on that basis alleges, that Defendant has gained profits by virtue of its infringement of the '931 Patent.

12. Blackbird Technologies has sustained damages as a direct and proximate result of Defendant's infringement of the '931 Patent.

13. As a consequence of Defendant's infringement of the '931 Patent, Blackbird Technologies is entitled to recovery of damages in the form of, at a minimum, a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Blackbird Technologies respectfully requests that this Court enter judgment against Lenovo, as follows:

A. Adjudging that the '931 Patent is valid and enforceable;

B. Adjudging that Lenovo has infringed one or more claims of the '931 Patent, including at least claim 1, literally and/or under the doctrine of equivalents, in violation of 35 U.S.C. § 271;

C. An award of damages to be paid by Lenovo adequate to compensate Blackbird Technologies for its past infringement and any continuing or future infringement up until the date such judgment is entered, and in no event less than a reasonable royalty, including interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary to adequately compensate Blackbird Technologies for Lenovo's infringement, an accounting of all infringing sales including, but not limited to, those sales not presented at trial;

D. Ordering Lenovo to continue to pay royalties to Blackbird Technologies for any continuing or future infringement of the '931 Patent on a going-forward basis;

E. This case be judged an Exceptional Case under 25 U.S.C. § 285, and costs and attorney's fees be awarded to Blackbird Technologies;

F. Awarding Blackbird Technologies pre-judgment and post-judgment interest at the maximum rate permitted by law on its damages; and

G. Blackbird Technologies be granted such further relief as this Court deems just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Blackbird Technologies demands a trial by jury on all claims and issues so triable.

Dated: March 7, 2016

STAMOULIS & WEINBLATT LLC

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