

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

ENCODITECH LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. _____
	)	
LVMH WATCH & JEWELRY USA, INC.,	)	<b>JURY TRIAL DEMANDED</b>
	)	
Defendant.	)	
_____	)	

**COMPLAINT**

For its Complaint, Plaintiff Encoditech ("Encoditech"), by and through the undersigned counsel, alleges as follows:

**THE PARTIES**

1. Encoditech is a Texas limited liability company with a place of business located at 3415 Custer Road, Suite 120-A, Plano, Texas 75023.
2. Defendant Lvmh Watch & Jewelry USA, Inc. ("Defendant") is a Delaware company with, upon information and belief, a place of business located at 960 S. Springfield Ave, Springfield Township, NJ 07081.

**JURISDICTION AND VENUE**

3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
5. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in

other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

6. Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

**THE PATENT-IN-SUIT**

7. On November 20, 2001, United States Patent No. 6,321,095 B1 (the "095 patent"), entitled "Wireless Communications Approach" was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '095 patent is attached hereto as Exhibit A.

8. Encoditech is the assignee and owner of the right, title and interest in and to the '095 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,442,095**

9. Encoditech repeats and realleges the allegations of paragraphs 1 through 8 as if fully set forth herein.

10. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe the '095 patent by making, using, offering for sale, and/or selling within this district and elsewhere in the United States and/or importing into this district and elsewhere in the United States, products or services embodying the encryption technologies claimed in the '095 patent.

11. More specifically and without limitation, Defendant infringed at least claim 7 of the '095 patent during the development of its TAG Heuer Connected watch product and the associated TAG Heuer Connected mobile application.

12. Encoditech is entitled to recover from Defendant the damages sustained by Encoditech as a result of Defendant's infringement of the '095 patent in an amount subject

to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**JURY DEMAND**

Encoditech hereby demands a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Encoditech requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '095 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Encoditech for Defendant's past infringement of the '095 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285 and an award of Encoditech's reasonable attorneys' fees; and
- D. An award to Encoditech of such further relief at law or in equity as the Court deems just and proper.

Dated: June 23, 2016

*/s/ Stamatios Stamoulis*

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