

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

SOMALTUS LLC

Plaintiff,

vs.

LENOVO GROUP, LTD, LENOVO
HOLDING COMPANY, INC., and
LENOVO (UNITED STATES), INC.,

Defendants.

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Case No:

PATENT CASE

COMPLAINT

Plaintiff Somaltus LLC (“Plaintiff” or “Somaltus”) files this Complaint against Lenovo Group, Ltd. (“LGL”); Lenovo Holding Company, Inc. (“LHCP”); and Lenovo (United States), Inc. (“LUSI”) (collectively “Defendants” or “Lenovo”) for infringement of United States Patent No. 7,657,386 (hereinafter “the ‘386 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 is a Texas limited liability company with its principal office located at 2591 Dallas Parkway, Suite 300, Frisco, Texas 75034.

4. On information and belief, Defendant LGL is a company organized and existing

under the laws of the People's Republic of China with its principal place of business at 23d Floor, Lincoln House, Taikoo Place, 979 King's Road, Quarry Bay, Hong Kong Special Administrative District, China. On information and belief, LHCI is a wholly owned subsidiary of Lenovo Group and is a corporation organized and existing under the laws of the state of Delaware with its principal place of business at 1009 Think Place, Morrisville, NC 27560. LHCI can be served with process through its agent Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, CE 19801. On information and belief, LUSI is a wholly owned subsidiary of Lenovo Group and is a corporation organized and existing under the laws of the state of Delaware with its principal place of business at 1009 Think Place, Morrisville, NC 27560. LUSI can be served with process through its agent Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, CE 19801.

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

VENUE

6. 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. 7,657,386)**

7. Plaintiff incorporates paragraphs 1 through 6 herein by reference.

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

9. Plaintiff is the owner by assignment of the '386 patent with sole rights to enforce the '386 patent and sue infringers.

10. A copy of the '386 Patent, titled "Integrated Battery Service System," is attached hereto as Exhibit A.

11. The '386 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

12. Upon information and belief, Defendants have infringed and continue to infringe one or more claims, including at least claim 1, of the '386 patent by making, using, importing, selling, and/or offering for sale portable computing products with a battery service system covered by one or more claims of the '386 patent.

13. Defendants sell, offer to sell, and/or use portable computing products including, without limitation, the Lenovo ThinkPad X1 Carbon Touch laptop computer (the "Product"), for example, and any similar devices, which infringe at least Claim 1 of the '386 Patent.

14. On information and belief, the Product includes a battery service system including a processor (e.g., the Intel Core), which is configured to receive signals from connectors coupled to a battery (e.g., the Product's rechargeable battery).

15. The Product also includes an input device (e.g., keyboard or touchscreen) coupled to the processor.

16. The Product also includes a display (e.g., the computer's screen) coupled to the processor.

17. The Product also includes a memory (e.g., 8 GB RAM). On information and

belief, the memory is configured to store control codes.

18. The Product includes an interface (e.g., USB interface) for communicating with other devices. The interface comprises one or more of a USB port, a serial port, and an IEEE-1394 port (e.g., the interface comprises a USB port).

19. On information and belief, the processor executes the control codes to continually adjust a charge level to the battery. The Product includes a function designed to increase battery lifespan, according to which the battery charge is set to threshold levels (e.g., start charging at 40% and stop charging at 50%). On information and belief, the battery charge functions at one level when the capacity is less than the start threshold and at a different charge level (or at a zero level) when the charging capacity is between the start and stop thresholds and/or when the charging capacity exceeds the stop threshold. Thus, the system adjusts the charging level applied to the battery and does so continuously as the battery charge capacity exceeds and drops below the thresholds.

20. Defendants' actions complained of herein will continue unless Defendants are enjoined by this court.

21. 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.

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining 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. 7,657,386 (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 pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: July 12, 2016

Respectfully submitted,

/s/Jay Johnson

JAY JOHNSON

State Bar No. 24067322

D. BRADLEY KIZZIA

State Bar No. 11547550

ANTHONY RICCIARDELLI

State Bar No. 24070493

KIZZIA JOHNSON, PLLC

1910 Pacific Ave., Suite 13000

Dallas, Texas 75201

(214) 451-0164

Fax: (214) 451-0165

jay@kjpllc.com

bkizzia@kjpllc.com

anthony@kjpllc.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT A