

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ENHANCED AUDIO SYSTEMS, LLC,

Plaintiff,

v.

HP INC.,

Defendant.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Enhanced Audio Systems, LLC (“Enhanced Audio” or “Plaintiff”), for its Complaint against HP Inc. (“Defendant” or “HP”) alleges the following:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Plaintiff is a limited liability company organized under the laws of the State of Delaware and can be served through its registered agent at 717 North Union Street, Wilmington, Delaware 19805.

3. Upon information and belief, HP is a corporation organized and existing under the laws of Delaware, with a place of business at 1501 Page Mill Road, Palo Alto, California 94304, and can be served through its registered agent, The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, Delaware 19801. Upon information and belief, HP sells and offers to sell products and services throughout the United States, including in this judicial district, and introduces products and services that into the stream of commerce and that

incorporate infringing technology knowing that they would be sold in this judicial district and elsewhere in the United States.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

5. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c), (d) and/or 1400(b). On information and belief, Defendant conducts business in this District, the claims alleged in this Complaint arise in this District, and the acts of infringement have taken place and are continuing to take place in this District.

7. On information and belief, Defendant is subject to this Court's general and specific personal jurisdiction because Defendant has sufficient minimum contacts within the State of Delaware, pursuant to due process and/or the Del. Code. Ann. Tit. 3, § 3104, because Defendant purposefully availed itself of the privileges of conducting business in the State of Delaware, because Defendant regularly conducts and solicits business within the State of Delaware, and because Plaintiff's causes of action arise directly from Defendant's business contacts and other activities in the State of Delaware. Further, this Court has personal jurisdiction over Defendant because Defendant is incorporated in Delaware and has purposely availed itself of the privileges and benefits of the laws of the State of Delaware.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,374,148

8. The allegations set forth in the foregoing paragraphs 1 through 7 are incorporated into this First Claim for Relief.

9. On April 16, 2002, U.S. Patent No. 6,374,148 ("the '148 patent"), entitled "Portable-PC Audio System with Digital-Audio Links to External Audio in a Docking Station,"

was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '148 patent is attached as Exhibit 1.

10. Plaintiff is the assignee and owner of the right, title and interest in and to the '148 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

11. Upon information and belief, Defendant has and continues to directly infringe at least claims 1 and 15 of the '148 patent by making, using, selling, importing and/or providing and causing to be used audio systems for portable personal computers within the scope of claims 1 and 15 of the '148 patent, including, but not limited to, the products with the following designations or trade names: HP Elite x2 1012 G1 Tablet with Travel Keyboard, HP Elite x2 1012 G1 PC - Customizable, HP EliteBook 725 G3 Notebook PC, HP EliteBook 745 G3 Notebook PC - Customizable, HP EliteBook 820 G3 Notebook PC - Customizable, HP EliteBook 840 G3 Notebook PC - Customizable, HP EliteBook 850 G3 Notebook PC - Customizable, HP EliteBook 755 G3 Notebook PC - Customizable, HP EliteBook 1040 G3 Notebook PC - Customizable, HP EliteBook 1030 G1 Notebook PC - Customizable, HP EliteBook Revolve 810 G3 - Customizable, HP EliteBook 820 G3 Notebook PC (ENERGY STAR), HP EliteBook 840 G3 Notebook PC (ENERGY STAR), HP EliteBook 850 G3 Notebook PC (ENERGY STAR), HP EliteBook 1030 G1 Notebook PC (ENERGY STAR), HP EliteBook 725 G3 Notebook PC (ENERGY STAR), HP EliteBook 745 G3 Notebook PC (ENERGY STAR), HP EliteBook 755 G3 Notebook PC (ENERGY STAR), HP EliteBook 1040 G3 Notebook PC (ENERGY STAR), HP EliteBook Revolve 810 G3 Tablet, HP EliteBook Revolve 810 G3 Tablet (ENERGY STAR), HP Pro x2 612 G1 Tablet with Keyboard, HP ProBook 650 G2 Notebook PC - Customizable, HP ProBook 640 G2 Notebook PC -

Customizable, HP ProBook 645 G2 Notebook PC - Customizable, HP ProBook 655 G2 Notebook PC - Customizable, HP Spectre Pro x360 G2 - Customizable, HP ProBook 640 G2 Notebook PC (ENERGY STAR), HP ProBook 645 G2 Notebook PC (ENERGY STAR), HP ProBook 650 G2 Notebook PC (ENERGY STAR), HP ProBook 655 G2 Notebook PC (ENERGY STAR), HP Dock Connector to Ethernet and VGA Adapter, Targus VersaLink Universal Dual Video Travel Dock, HP ElitePad Docking Station, Targus Docking Station, HP 90W Docking Station, HP UltraSlim Docking Station, Targus Docking Station, Kensington USB 3.0 Docking Station with Dual DVI/HDMI/VGA Video sd3500v, HP 230W Docking Station, Targus USB 3.0 SuperSpeed Dual Video Docking Station With Power, HP 230W Advanced Docking Station, IOGEAR Thunderbolt 2 Docking Station, IOGEAR Docking Station, Targus Universal USB 3.0 DV2K Docking Station with Power, HP Advanced Wireless Docking Station, (the “Infringing Instrumentalities”). Exemplary images of the Infringing Instrumentalities are provided below:

HP EliteBook 820 G3 Notebook PC





HP UltraSlim Docking Station





12. Claim 1 of the '148 patent generally recites an audio system for a portable personal computer (PC) comprising: an internal audio controller for generating internal digital audio; an internal analog-digital converter for converting internal digital audio from the internal audio controller to analog audio for playing on an internal speaker; a docking-station connector for connecting the portable PC to a docking station, the docking-station connector containing high-speed digital signals for communicating data, address, and control to an expansion bus in the docking station, the expansion bus for receiving expansion cards to expand functions performed by the portable PC when the portable PC is connected to the docking station through the docking-station connector; an external digital-audio link, using digital signals in the docking-station connector, for sending the internal digital audio generated by the internal audio controller to the docking station, and wherein digital-audio signals are sent over the external digital-audio

link through the docking-station connector, whereby digital audio is generated inside the portable PC and transmitted as digital audio signals to the docking station.

13. As demonstrated in the exemplary images below, the Infringing Instrumentalities infringe claim 1 of the '148 patent because they are audio systems for a portable personal computer (PC)

HP EliteBook 820 G3 Notebook PC





HP UltraSlim Docking Station





comprising: an internal audio controller for generating internal digital audio; an internal analog-digital converter for converting internal digital audio from the internal audio controller to analog audio for playing on an internal speaker;

HP EliteBook 820 G3 Notebook PC Specifications Table



| | |
|-----------------------------|--|
| Audio | Audio by Bang & Olufsen; Integrated dual array microphone; Integrated premium speakers; HP Noise Reduction Software; HP Clear Sound Amp |
| Expansion Slots | 1 media card reader; 1 external SIM (Supports SD, SDHC, SDXC.) |
| Ports and Connectors | 1 USB 3.0; 1 USB 3.0 charging; 1 USB Type-C™; 1 DisplayPort; 1 VGA; 1 headphone/microphone combo; 1 AC power; 1 RJ-45; 1 docking connector |

Datasheet

HP EliteBook 820 G3 Notebook PC



Designed for collaboration

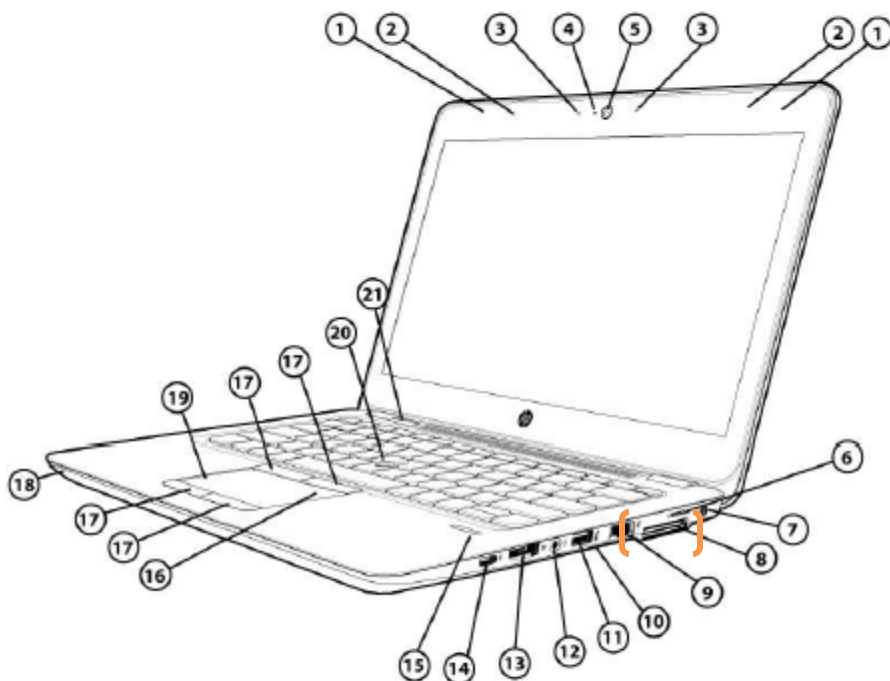
Replace your speaker phone with the HP EliteBook 820 with Audio by Bang & Olufsen plus HP Noise Reduction Software that provides a rich collaboration experience for applications like Skype for Business.³

Featuring

- Power through your day with Windows 10 Pro¹ and the powerful, sleek, thin, and light HP EliteBook 820.
- HP Sure Start with Dynamic Protection checks your BIOS every 15 minutes to detect attacks and corruption then self-heals the BIOS automatically.
- Enjoy a remarkable balance of comfort and feedback with the HP Premium Keyboard engineered for accuracy.
- Stand up to the workload with an EliteBook designed to pass MIL-STD 810G testing.⁴
- Expand your system's memory, battery, storage, and WWAN.⁵
- Experience the difference with HP Clear Sound AMP and the HP EliteBook 820 speakers.
- Suppress background noise including keyboard clicks with HP Noise Reduction Software.

a docking-station connector (shown in **orange** below) for connecting the portable PC to a docking station,

HP EliteBook 820 G3 Notebook PC



Front / Right

- | | |
|---------------------------------------|--|
| 1. WLAN antennas (2) | 13. Display Port |
| 2. WWAN antennas (2) (select models) | 14. USB-C™ port |
| 3. Internal microphones (2) | 15. Fingerprint reader (select models) |
| 4. Webcam LED (select models) | 16. Touchpad |
| 5. Webcam (select models) | 17. Touchpad buttons (4) |
| 6. SIM card slot | 18. Indicator LEDs: Wireless Light, Power Light, AC Adapter/Battery Light, Storage Usage Light |
| 7. Power connector | 19. NFC (select models) |
| 8. Docking connector | 20. Pointstick |
| 9. Ethernet port | 21. Power button |
| 10. SD Card Slot | |
| 11. USB 3.0 Port | |
| 12. Microphone/ headphones combo jack | |



the docking-station connector containing high-speed digital signals for communicating data, address, and control to an expansion bus in the docking station (shown in [aqua](#) below), the expansion bus for receiving expansion cards to expand functions performed by the portable PC when the portable PC is connected to the docking station through the docking-station connector;



(HDMI ports immediately above are, at minimum, equivalent to the recited claim element.)

an external digital-audio link (shown with dashed blue line below), using digital signals in the docking-station connector, for sending the internal digital audio generated by the internal audio controller to the docking station, and wherein digital-audio signals are sent over the external digital-audio link through the docking-station connector, whereby digital audio is generated inside the portable PC and transmitted as digital audio signals to the docking station:



14. Claim 15 of the '148 patent generally recites a portable audio system for a portable personal computer (PC) comprising: internal audio controller means for generating internal digital audio; internal analog-digital converter means for converting digital audio from the internal audio controller means to analog audio for playing on an internal speaker means;

docking-station connector means for connecting the portable PC to a docking station, the docking-station connector means containing high-speed digital signals for communicating data, address, and control to a bus in the docking station, the bus for expanding functions performed by the portable PC when the portable PC is connected to the docking station through the docking-station connector means; external digital-audio link means, using digital signals in the docking-station connector means, using digital signals in the docking-station connector means, for sending the digital audio generated by the internal audio controller means to the docking station, and wherein digital audio signals are sent over the external digital-audio link means through the docking-station connector means, whereby digital audio is generated inside the portable PC and transmitted as digital audio signals to the docking station.

15. As demonstrated in the exemplary images below, the Infringing Instrumentalities infringe claim 15 of the '148 patent because they are portable audio systems for a portable personal computer (PC)

HP EliteBook 820 G3 Notebook PC





HP UltraSlim Docking Station





comprising: an internal audio controller means for generating internal digital audio;
internal analog-digital converter means for converting digital audio from the internal audio
controller means to analog audio for playing on an internal speaker means;

HP EliteBook 820 G3 Notebook PC Specifications Table



Audio

Audio by Bang & Olufsen; Integrated dual array microphone; Integrated premium speakers; HP Noise Reduction Software; HP Clear Sound Amp

Expansion Slots

1 media card reader; 1 external SIM
(Supports SD, SDHC, SDXC.)

Ports and Connectors

1 USB 3.0; 1 USB 3.0 charging; 1 USB Type-C™; 1 DisplayPort; 1 VGA; 1 headphone/microphone combo; 1 AC power; 1 RJ-45; 1 docking connector

Datasheet

HP EliteBook 820 G3 Notebook PC



Designed for collaboration

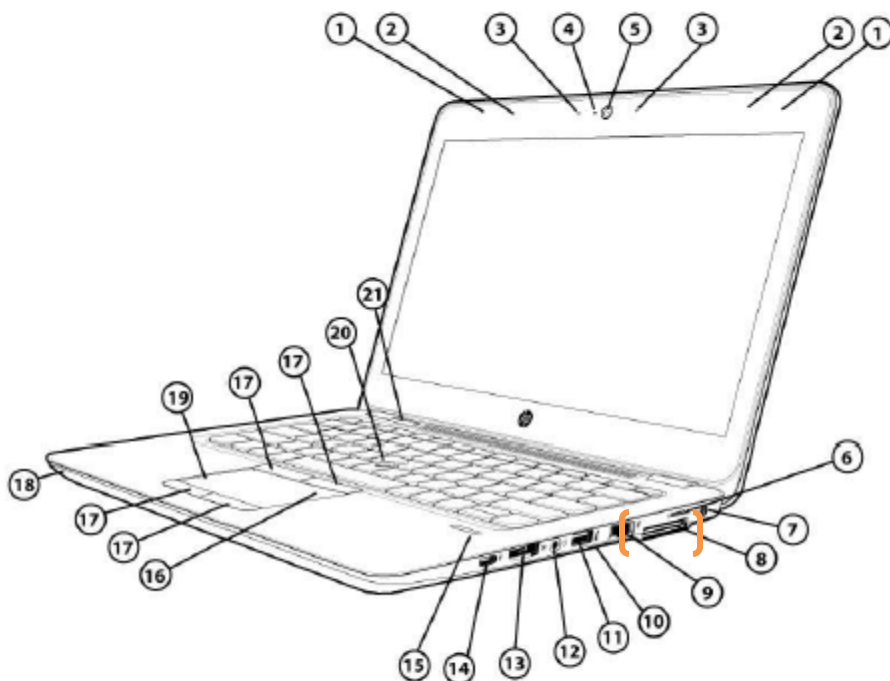
Replace your speaker phone with the HP EliteBook 820 with Audio by Bang & Olufsen plus HP Noise Reduction Software that provides a rich collaboration experience for applications like Skype for Business.³

Featuring

- Power through your day with Windows 10 Pro¹ and the powerful, sleek, thin, and light HP EliteBook 820.
- HP Sure Start with Dynamic Protection checks your BIOS every 15 minutes to detect attacks and corruption then self-heals the BIOS automatically.
- Enjoy a remarkable balance of comfort and feedback with the HP Premium Keyboard engineered for accuracy.
- Stand up to the workload with an EliteBook designed to pass MIL-STD 810G testing.⁴
- Expand your system's memory, battery, storage, and WWAN.⁵
- Experience the difference with HP Clear Sound AMP and the HP EliteBook 820 speakers.
- Suppress background noise including keyboard clicks with HP Noise Reduction Software.

a docking-station connector means (shown in orange below) for connecting the portable PC to a docking station,

HP EliteBook 820 G3 Notebook PC



Front / Right

- | | |
|---------------------------------------|--|
| 1. WLAN antennas (2) | 13. Display Port |
| 2. WWAN antennas (2) (select models) | 14. USB-C™ port |
| 3. Internal microphones (2) | 15. Fingerprint reader (select models) |
| 4. Webcam LED (select models) | 16. Touchpad |
| 5. Webcam (select models) | 17. Touchpad buttons (4) |
| 6. SIM card slot | 18. Indicator LEDs: Wireless Light, Power Light, AC Adapter/Battery Light, Storage Usage Light |
| 7. Power connector | 19. NFC (select models) |
| 8. Docking connector | 20. Pointstick |
| 9. Ethernet port | 21. Power button |
| 10. SD Card Slot | |
| 11. USB 3.0 Port | |
| 12. Microphone/ headphones combo jack | |



the docking-station connector means containing high-speed digital signals for communicating data, address, and control to a bus in the docking station (shown in aqua below), the bus for expanding functions performed by the portable PC when the portable PC is connected to the docking station through the docking-station connector means;



(HDMI ports immediately above are, at minimum, equivalent to the recited claim element.)

an external digital-audio link means (shown with dashed blue line below), using digital signals in the docking-station connector means, for sending the internal digital audio generated by the internal audio controller means to the docking station, and wherein digital-audio signals are sent over the external digital-audio link means through the docking-station connector means, whereby digital audio is generated inside the portable PC and transmitted as digital audio signals to the docking station:



16. Plaintiff has been harmed by Defendants' infringing activities.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment for itself and against Defendant as follows:

- A. An adjudication that Defendant has infringed the '148 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement of the '148 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 Plaintiff's reasonable attorneys' fees; and
- D. An award to Plaintiff of such further relief at law or in equity as the Court deems just and proper.

Dated: January 3, 2017

DEVLIN LAW FIRM LLC

/s/ Timothy Devlin

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