

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

	§	
UNILOC USA, INC. and	§	
UNILOC LUXEMBOURG, S.A.,	§	Civil Action No. 4:17-cv-00826-O
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
LG ELECTRONICS U.S.A., INC.,	§	
LG ELECTRONICS MOBILECOMM	§	
U.S.A., INC. and	§	
LG ELECTRONICS, INC.,	§	
	§	
Defendants.	§	
	§	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together, “Uniloc”), amend their earlier Complaint¹ against defendants, LG Electronics U.S.A., Inc.; LG Electronics Mobilecomm U.S.A., Inc.; and LG Electronics, Inc. (together, “LG”), to allege:

THE PARTIES

1. Uniloc USA, Inc. is a Texas corporation, having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano, Texas 75024.

2. Uniloc Luxembourg S.A. is a Luxembourg public limited liability company, having a principal place of business at 15, Rue Edward Steichen, 4th Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

¹ As this Amended Complaint supersedes the original Complaint in its entirety, it moots the pending Motion to Dismiss (Dkt. 10).

3. LG Electronics U.S.A., Inc. is a Delaware corporation, having a place of business at 2151-2155 Eagle Parkway, Fort Worth, Texas 76177.

4. LG Electronics Mobilecomm U.S.A., Inc. is a California corporation, having a place of business in San Diego, California.

5. LG Electronics, Inc. (“LG Korea”) is a corporation organized under the laws of Korea with a principal place of business at LG Twin Tower 128, Yeoui-daero, Yeoungdeungpogu, Seoul, Korea. LG Korea is in the business of manufacturing and selling electronic goods, including cellular telephones, tablets, laptops, and televisions.

JURISDICTION

6. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

PATENT INFRINGEMENT

7. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,161,134 (“the ’134 Patent”), entitled METHOD, APPARATUS AND COMMUNICATIONS SYSTEM FOR COMPANION INFORMATION AND NETWORK APPLIANCES, which issued December 12, 2000. (A copy of the ’134 Patent was attached as Exhibit A to the Complaint.)

8. Uniloc USA is the exclusive licensee of the ’134 Patent, with ownership of all substantial rights in that patent, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for infringement.

9. The ’134 Patent describes, in detail, and claims, in various ways and at different levels of specificity, an invention 3Com Corporation developed in 1998 as a way to link a portable device and telephone such that the telephone utilizes parameters from the portable device to execute communications. The invention improved upon previous telephony/portable device

interface methods by allowing the portable device to store and relay information to the telephone used for execution of networked communications.

10. The approach 3Com invented, and the methods, products, and systems the '134 patent claims, were not conventional or generic in the industry in 1998, but rather involved, or contained programming that represented, a novel, and not obvious, approach, which other companies in this field had not reduced to practice.

11. The invention represented a technological solution to a technological problem. The written description of the '134 patent describes, in technical detail, each of the limitations in the claims, allowing a person of skill in the art to understand what those limitations cover, and therefore what was claimed, and also understand how the nonconventional and non-generic ordered combination of the elements of the claims differs markedly from what had been conventional or generic in the industry in 1998.

12. LG manufactures, uses, sells, offers for sale, and imports electronic devices designated LG V30, Q6, G6, G5, G4, V20, V10, G3, K10, Nexus 5X, K10, Nexus 5, K8, Q8, Stylus 3, G2, K8, X power, Stylus 2, K4, K7, G4 Stylus, G5SE, Stylo 3 Plus, K20 plus, G3 Stylus, Magna, X power2, G Flex2, Stylo 2, Nexus 4, Stylus 2 Plus, X cam, X venture, X screen, L70 Dual, G Pro 2, G4 Dual, Leon, K5, G Flex, G3 S, K7, G2 mini, Spirit, Optimus G Pro, L Bello, Optimus G, G Pro Lite Dual, G4 Beat, G Stylo, L Fino, Optimus L7, G4c, L90, G Pro Lite, Zero, K3, L80 Dual, Optimus L5, U, Optimus L9, Optimus L3, L90 Dual, Optimus L1 II, X max, that can be paired with LG smart watches, such as LG Watch Sport, Watch Style, G Watch R, Watch Urbane, Watch Urbane 2nd Edition, Watch Urbane and G Watch, with AT&T NumberSync enabled that allows a user to make a telephone call from such watches (together, "Accused Infringing Devices").

13. LG has infringed, and continues to infringe, at least claims 39, 54, and 65 of the '134 Patent by making, using, offering for sale, selling, and importing the Accused Infringing Devices. (Attached as Exhibit 1 is a chart identifying, as specifically as possible without discovery, where each element of each of those asserted claims is found within the accused instrumentalities.)

14. LG has infringed, and continues to infringe, those same claims of the '134 Patent, as well as at least claim 1, by actively inducing others to use, offer for sale, or sell the Accused Infringing Devices. LG's customers who use these devices in accordance with LG's instructions infringe claims of the '134 Patent. LG intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and user guides, such as:

- www.lg.com, including:
 - www.lg.com/us/smart-watches/
 - www.lg.com/us/support-mobile/lg-LGW280A#
- www.youtube.com, including:
 - www.youtube.com/watch?v=4I0boQd8jM0
 - www.youtube.com/watch?v=6FtrTGbQTo
 - www.youtube.com/watch?v=RyCgfrOChE
 - www.youtube.com/user/LGMobileHQ

LG also induces infringement by failing to remove or diminish infringing features of the Accused Infringement Devices.

15. LG has infringed, and continues to infringe, claims of the '134 Patent by, among other things, contributing to the infringement by others, including customers who use the Accused Infringing Devices, by offering to sell, selling, and importing a component of a patented machine, manufacture, or combination, or of an apparatus for use in practicing a patented process,

constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '134 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

16. For example, the software that causes the Accused Infringing Devices to operate as described above is a component of a patented machine, manufacture, or combination, or of an apparatus for use in practicing a patented process. The software is a material part of the claimed inventions and is not a staple article or commodity of commerce suitable for substantial non-infringing use.

17. LG has been on notice of the '134 Patent since, at the latest, the service of the Complaint. By the time of trial, LG will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of claims of the '134 Patent.

18. LG may have infringed the '134 Patent through other devices and software utilizing the same or reasonably similar functionality.

19. Uniloc has been damaged by LG's infringement of the '134 Patent.

PRAYER FOR RELIEF

Uniloc requests that the Court enter judgment against LG as follows:

- (A) declaring that LG has infringed the '134 Patent;
- (B) awarding Uniloc its damages suffered as a result of LG's infringement of the '134 Patent;
- (C) awarding Uniloc its costs, attorneys fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court may decide is warranted.

Date: February 5, 2018

Respectfully submitted,

/s/ James J. Foster

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ATTORNEYS FOR THE PLAINTIFFS

CERTIFICATE OF SERVICE

On February 5, 2018, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I certify that I have served all counsel electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ James J. Foster
