

1 J. Curtis Edmondson (SBN 236105)
 2 Kiren Rockenstein (SBN 312301)
 3 Law Offices of J. Curtis Edmondson
 3699 NE John Olsen Ave.
 4 Hillsboro OR 97124
 5 Tel: (503) 336-3749
 6 Fax: (503) 482-7418
 7 Email: jcedmondson@edmolaw.com
 Email: kirenr@edmolaw.com

8 Todd Y. Brandt (TX SB # 24027051) (*pro hac vice* pending)
 9 BRANDT LAW FIRM
 222 North Fredonia St.
 10 Longview, Texas 75601
 11 Tel: (903) 212-3130
 12 Fax: (903) 753-6761
 Email: tbrandt@thebrandtlawfirm.com

13 *Attorneys for Plaintiff*
 14 *Lightwire, LLC*

15
 16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

| | | | |
|----|------------------------------|---|-----------------------------------|
| 19 | Lightwire, LLC, a California |) | Case No. <u>'18CV0370 LAB AGS</u> |
| 20 | limited liability company, |) | |
| 21 | Plaintiff, |) | COMPLAINT FOR |
| 22 | v. |) | INFINGEMENT OF U.S. |
| 23 | |) | PATENT 6,335,678 |
| 24 | LG Electronics, U.S.A. Inc., |) | DEMAND FOR JURY TRIAL |
| 25 | Defendants. |) | |
| 26 | _____ |) | |

1 This is an action for patent infringement in which Lightwire, LLC (“Plaintiff”)
2 makes the following allegations against LG Electronics U.S.A Inc (“Defendant”).

3
4 **NATURE OF THE ACTION**

5 1. This is an action against Defendant for infringement of one or more
6 claims of United States Patent No. 6,335,678 (“the ‘678 Patent”).

7 2. This patent infringement action arises under the patent laws of the
8 United States, including 35 U.S.C. §§ 271, et seq.

9
10 **PARTIES**

11 3. Plaintiff is a California limited liability company with its principal
12 place of business at 177 East Colorado Boulevard, Suite 200, Pasadena, CA 91101.

13 4. On information and belief, Defendant is a corporation, with a principle
14 place of business located at 10225 Willow Creek Rd, San Diego, CA 92131.

15
16 **JURISDICTION AND VENUE**

17 5. This Court has subject-matter jurisdiction over this action pursuant to
18 28 U.S.C. §§ 1331 and 1338(a).

19 6. The Court has personal jurisdiction over Defendant because it (either
20 directly or through their subsidiaries, divisions or groups) has sufficient minimum
21 contacts with the forum as a result of business conducted within the State of
22 California and this district; and/or specifically over Defendant (either directly or
23 through their subsidiaries, divisions, groups or distributors) because of its infringing
24 conduct within or directed at the State of California and this district.

25 7. More specifically, Defendant, directly and/or through its
26 intermediaries, makes, distributes, imports, offers for sale, sells, advertises and/or
27 uses the accused products identified herein that include the claimed device of the
28 ‘678 Patent in the State of California. Defendant has committed patent infringement

1 in the State of California and solicits customers in the State of California. Defendant
2 has paying customers who are residents of the State of California and who purchase
3 and/or use Defendant’s infringing products in the State of California. Further,
4 Defendant has an interactive website that is accessible from the State of California.

5 8. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b).
6 On information and belief, Defendant has transacted business in this district, and has
7 committed acts of patent infringement in this district.

8 9. More specifically, Defendant, directly and/or through its
9 intermediaries, makes, distributes, imports, offers for sale, sells, advertises and/or
10 uses, devices including the Accused Devices identified herein, that practice the
11 claimed method of the ‘678 Patent in the State of California. Defendant has
12 committed patent infringement in the State of California and solicits customers in
13 the State of California. Defendant has paying customers who are residents of the
14 State of California and who purchase and/or use Defendant’s infringing products in
15 the State of California.

16 **FACTS**

17 10. Plaintiff is the owner, by assignment, of the ‘678’ Patent, entitled
18 “Electronic Device, Preferably an Electronic Book” – including all rights to recover
19 for past and future acts of infringement – which was duly issued on January 1st, 2002
20 by the United States Patent and Trademark Office.

21 11. A true and correct copy of the ‘678 Patent is attached as **Exhibit A**.

22 12. The claims of the ‘678 Patent are valid and enforceable.

23
24 **COUNT I: CLAIM FOR PATENT INFRINGEMENT**

25 **UNDER 35 U.S.C. § 271(b)**

26 13. Plaintiff hereby incorporates by reference the allegations of paragraphs
27 1 through 12 of this complaint as if fully set forth herein.
28

1 14. Infringement by Defendant includes, without limitation, making,
2 distributing, importing, offering for sale, selling, advertising, and/or using, without
3 limitation electronic devices (collectively referred to hereinafter as “Accused
4 Devices”) infringing at least claim 1 of the ‘678 Patent. The Accused Devices
5 include electronic devices used for reading. Electronic reading devices, like the
6 Accused Devices, enable the user to comfortably read electronic books, store data,
7 and communicate data with peripheral devices.

8 15. The Accused Devices include, for example and without limitation,
9 Defendant’s LG G Pad X® II 10.1” U.S. Cellular, LG G Pad X® II 10.1” Unlocked,
10 and LG G Pad II™ 10.1” Full HD Display WI-FI. A detailed claim chart is
11 incorporated herein by reference and attached at Exhibit B.

12 16. Each of the Accused Devices include a display encased in a housing.
13 (See Exhibit B, pages 1-2).

14 17. Each of the Accused Devices include a touch screen. (See Exhibit B,
15 page 3).

16 18. Each of the Accused Devices include a Qualcomm Snapdragon™
17 MSM8952 1.5 GHz + 1.2 GHz Octa-Core processor. (See Exhibit B, page 4).

18 19. Each of the Accused Devices allows the user to vary the view shown
19 on the display. (See Exhibit B, page 5).

20 20. Each of the Accused Devices includes 16 GB of internal memory, a
21 microSD card, and random access memory. (See Exhibit B, page 6).

22 21. Each of the Accused Devices includes a front-facing camera and
23 camcorder. (See Exhibit B, pages 7 - 8).

24 22. Each of the Accused Devices includes a 6,000 mAh embedded battery
25 power source. (See Exhibit B, page 9).

26 23. Each of the Accused Devices exchanges data with peripheral devices
27 wirelessly via at least SmartShareBeam, Bluetooth, Wi-Fi, USB, and Bluetooth
28 tethering interfaces. (See Exhibit B, page 10).

1 24. Each of the Accused Devices operates in a reader mode that displays e-
2 books in book-sized dimensions. (See Exhibit B, page 11).

3 25. Each of the Accused Devices includes a unitary flat housing that frames
4 the display and includes a video camera integrated in the housing. (See Exhibit B,
5 page 12).

6 26. Each of the Accused Devices includes a touch-screen display. (See
7 Exhibit B, page 13).

8 27. Each of the Accused Devices allows for data transmission via LTE,
9 UMTS, HSPA+, and HSPA. (See Exhibit B, page 14).

10 28. Each of the Accused Devices includes a card tray to receive a
11 SIM/microSD card. (See Exhibit B, page 15).

12 29. Each of the Accused Devices protects the SIM card with a PIN. (See
13 Exhibit B, page 16).

14 30. Each of the Accused Devices includes a module to support receiving
15 data via at least 4G connectivity. (See Exhibit B, page 17).

16 31. Each of the Accused Devices is capable of exchanging signals via at
17 least Bluetooth. (See Exhibit B, page 18).

18 32. Each of Accused Devices permits Internet access at least via Bluetooth,
19 where video data can be exchanged on the display via Internet access. (See Exhibit
20 B, page 19).

21 33. Upon information and belief, the video camera is connected to the SIM
22 chip via hardwired data bus so as to store video data. (See Exhibit B, page 20).

23 34. Defendant is thus liable for infringement of the '678 Patent under 35
24 U.S.C. §271.

25 35. Each of Defendant's aforesaid activities has been without authority
26 and/or license from Plaintiff.

27 36. Plaintiff is entitled to recover from Defendant the damages as a result
28 of Defendant's wrongful acts in an amount subject to proof at trial, which by law

1 cannot be less than a reasonable royalty, together with interest and costs as fixed by
2 this court under 35 U.S.C. § 284.

3
4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff respectfully requests that this Court enter a
6 judgment:

- 7 1. In favor of Plaintiff that Defendant has infringed the ‘678 Patent;
- 8 2. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and
9 pre-judgment and post-judgment interest for Defendant’s infringement of the ‘678
10 Patent as provided under 35 U.S.C. § 284; and
- 11 3. Granting Plaintiff any and all other relief to which Plaintiff may show
12 itself to be entitled.

13
14 **DEMAND FOR TRIAL BY JURY**

15 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby
16 demands a jury trial on all issues and causes of action triable to a jury.

17
18
19 Dated: February 16, 2018

Respectfully submitted,
LAW OFFICE OF J. CURTIS EDMONDSON
By: *s/ Kiren Rockenstein*
Kiren Rockenstein

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21
22 Attorney for Lightwire LLC
23 Email:kiren@edmolaw.com
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