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15 *Attorneys for Plaintiff*
16 *Lightwire, LLC*

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 Lightwire, LLC, a California limited liability company,) Case No. 3:18-cv-1159
20)
21 Plaintiff,) **COMPLAINT FOR**
22) **INFINGEMENT OF U.S.**
23 v.) **PATENT 6,335,678**
24) **DEMAND FOR JURY TRIAL**
25 Asus Computer International, Inc., a California Corporation.)
26 Defendant.)

1 This is an action for patent infringement in which Lightwire, LLC (“Plaintiff”)
2 makes the following allegations against Asus Computer International, Inc.
3 (“Defendant”).

4 **NATURE OF THE ACTION**

5 1. This is a patent infringement action to stop Defendant’s infringement of
6 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 place
12 of business at 177 East Colorado Boulevard, Suite 200, Pasadena, CA 91101.

13 4. On information and belief, Defendant is a California corporation, with a
14 principle place of business located at 800 Corporate Way, Fremont, California 94539.

15
16 **JURISDICTION AND VENUE**

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

19 6. The Court has personal jurisdiction over Defendant because it (either
20 directly or through its 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 its 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 intermediaries,
26 makes, distributes, imports, offers for sale, sells, advertises and/or uses the accused
27 products identified herein that include the claimed device of the ‘678 Patent in the
28 State of California. Defendant has committed patent infringement in the State of

1 California and solicits customers in the State of California. Defendant has paying
2 customers who are residents of the State of California and who purchase and/or use
3 Defendant’s infringing products in the State of California. Further, Defendant has an
4 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 intermediaries,
9 makes, distributes, imports, offers for sale, sells, advertises and/or uses, devices
10 including the accused devices identified herein, that practice the claimed method of
11 the ‘678 Patent in the State of California. Defendant has committed patent
12 infringement in the State of California and solicits customers in the State of
13 California. Defendant has paying customers who are residents of the State of
14 California and who purchase and/or use Defendant’s infringing products in the State
15 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 - INFRINGEMENT OF U.S. PATENT NO. 6,335,678**

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

27 14. Infringement by Defendant includes, without limitation, making,
28 distributing, importing, offering for sale, selling, advertising, and/or using, without

1 limitation electronic devices (collectively referred to hereinafter as “Accused
2 Devices”) infringing at least claim 1 of the ‘678 Patent. The Accused Devices include
3 electronic devices used for reading. Electronic reading devices, like the Accused
4 Devices, enable the user to comfortably read electronic books, store data, and
5 communicate data with peripheral devices.

6 15. The Accused Devices include, for example and without limitation,
7 Defendant’s PadFone Series and ZenPad Series. A detailed claim chart is
8 incorporated herein by reference and attached at **Exhibit B**.

9 16. Defendant is thus liable for infringement of the ‘678 Patent under 35
10 U.S.C. §271.

11 17. Each of Defendant’s aforesaid activities has been without authority
12 and/or license from Plaintiff.

13 18. Plaintiff is entitled to recover from Defendant the damages sustained by
14 Plaintiff as a result of Defendant’s wrongful acts in an amount subject to proof at
15 trial, which by law cannot be less than a reasonable royalty, together with interest and
16 costs as fixed by this court under 35 U.S.C. § 284.

17
18 **PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff respectfully requests that this Court enter a
20 judgment:

- 21 1. In favor of Plaintiff that Defendant has infringed the ‘678 Patent;
 - 22 2. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and
23 prejudgment and post-judgment interest for Defendant’s infringement of the ‘678
24 Patent as provided under 35 U.S.C. § 284; and
 - 25 3. Granting Plaintiff any and all other relief to which Plaintiff may show
26 itself to be entitled.
- 27
28

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: February 22, 2018

Respectfully submitted,

LAW OFFICE OF J. CURTIS EDMONDSON

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