

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

CORYDORAS TECHNOLOGIES, LLC

Plaintiff,

vs.

ZTE CORPORATION and
ZTE USA INC.,

Defendants.

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Case No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Corydoras Technologies, LLC (“Corydoras”) brings this action against defendant ZTE Corporation and ZTE USA Inc. (“ZTE USA”) (collectively “ZTE”) and alleges:

THE PARTIES

1. Corydoras is a corporation organized and existing under the laws of Texas. Corydoras owns the entire right, title, and interest in the patents at issue in this case.

2. On information and belief, ZTE Corporation is a Chinese corporation with a principal place of business located at ZTE Plaza, Keji Road South, Hi-Tech Industrial Park, Nanshan District, Shenzhen, Guangdong Province, P.R. China 518057, and is doing business in this judicial district.

3. On information and belief, ZTE USA Inc. is a New Jersey corporation with a principal place of business located at 2425 N. Central Expy., Ste. 323, Richardson, Texas 75080, and is doing business in this judicial district.

4. On information and belief, ZTE USA Inc. is in the business of supplying mobile devices, such as smartphones, in the United States.

JURISDICTION AND VENUE

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

6. Subject-matter jurisdiction over Corydoras' claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

7. ZTE has solicited business in the State of Texas, transacted business within the State of Texas and attempted to derive financial benefit from residents of the State of Texas, including benefits directly related to the instant patent infringement cause of action set forth herein.

8. ZTE has made, used, sold, offered for sale, and/or imported mobile phones and/or have placed such phones into the stream of commerce, which phones have been offered for sale, sold, and/or used in the State of Texas and this District.

9. At the time of filing of this Complaint, ZTE's mobile phones are available for purchase by consumers in Texas, including within this District.

10. On information and belief, ZTE has made, used, sold, offered for sale, and/or imported wireless mobile communication devices that are alleged herein to infringe one or more of the patents set forth herein, and/or have placed such devices into the stream of commerce, which devices have been made, offered for sale, sold, and/or used in the State of Texas.

11. On information and belief, ZTE USA established a call center in Plano, Texas which is located in this District.

12. On information and belief, ZTE USA established the call center in Plano with iQor in 2016.

13. On information and belief, the call center that ZTE USA established is staffed with over 60 ZTE dedicated customer service representatives that receive calls related to ZTE phones.

14. The call center that ZTE USA established is a place of business in which business activities are carried out for and/or on behalf of ZTE.

15. On information and belief, the ZTE customer service representatives' objective is to build brand loyalty with exceptional customer experience.

16. On information and belief, ZTE employees visit the call center regularly to work with iQor representatives.

17. On information and belief, ZTE has at least two full-time employees on site at the call center.

18. On information and belief, ZTE's website seamlessly integrates with customer support provided by IQor such that customers are unaware whether they are being assisted by an IQor employee or a ZTE employee.

19. On information and belief, callers to the call center are seeking assistance with, and the iQor representatives provide advice about, ZTE products.

20. ZTE sell products in this District that are accused of infringement in this Complaint.

21. This Court has personal jurisdiction over ZTE.

22. ZTE is subject to personal jurisdiction in Texas and this judicial district, and is doing business in this judicial district.

23. Venue as to ZTE Corporation, a foreign corporation, is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c), and/or (d) and 1400(b).

24. Venue as to ZTE USA Inc. is proper in this judicial district under 28 U.S.C. § 1400(b) at least because it has committed acts of infringement in this District and in view of a call center located in this District which is a regular and established place of business in which business on behalf of ZTE is conducted.

SUMMARY

25. The facts set forth in this Complaint preceding the seven Counts of infringement are incorporated into each Count.

26. Corydoras is the owner of over 100 U.S. Patents, including numerous patents related to smartphone technology.

27. ZTE manufactures, has sold and/or sells mobile phones that include a front camera. The front camera is depicted in User Manuals and User Guides that describe and instruct the use and operation of ZTE mobile phones.

28. ZTE's mobile phones with a front camera are capable of displaying a mirror image of an object in the view of the front camera.

29. ZTE phones with a front facing camera are capable of storing an image of an object in the view of the front camera.

30. ZTE mobile phones, such as the Axon 7, are capable of storing a mirror image of an object in the view of the front camera by activating the "selfie photo mirror."

31. ZTE makes, uses, sells, offers for sale and/or imports in the United States mobile phones that include a front camera that display a mirror image of an object in the view of the front camera and that include a second camera, sound caller ID (such as a personal ringtone), voice dialing of a phone number, email, capability to display the phone's location, caller

rejection, and/or video phone capability. Such mobile phones are accused of infringement in this action (collectively “Accused Phones”). Examples of ZTE’s phones that are alleged to infringe one or more claims of one or more of the patents identified in this Complaint include ZTE’s Axon series of phones (such as the Axon 7 and Axon 7 Mini), ZTE’s Grand X Series of phones (such as the Grand X4 and Grand X Max2), Sonata 3, ZTE’s Maven series of phones (such as the Maven 2) ZTE’s Prestige Series of phones (such as the Prestige 2), ZTE’s Blade series of phones (such as the Blade Spark and Blade V8 Pro) and all reasonably similar phones of ZTE.

32. On information and belief, ZTE has made, used, sold, offered for sale, and/or imported phones reasonably similar to the specifically identified examples of Accused Phones in paragraph 31 within the 6 years preceding the filing of this Complaint.

33. On information and belief, ZTE is designing and/or manufacturing phones reasonably similar in capability, structure and function to the Accused Phones specifically identified in paragraph 31. On information and belief, ZTE will release such reasonably similar phones in the future.

34. Corydoras will rely on a reasonable opportunity for discovery of information regarding reasonably similar phones of ZTE that ZTE made, used, sold, offered for sale, and/or imported in the U.S. within 6 years preceding the filing of this Complaint.

35. Corydoras will rely on a reasonable opportunity for discovery of information regarding reasonably similar phones of ZTE that ZTE makes, uses, sells, offers for sale, and/or imports in the U.S. subsequent to the filing of the Complaint.

36. ZTE’s Accused Phones are capable of being used for voice communication.

37. ZTE’s Accused Phones are capable of being used for audiovisual communication.

38. ZTE’s Accused Phones have two or more cameras.

39. ZTE's Accused Phones have a camera and display on the same side of the phone.

40. ZTE's Accused Phones have a second camera with a lens located on the side of the phone that is opposite of the display.

41. ZTE refers to the camera located on the same side of the display as the "front camera".

42. ZTE's Accused Phones include a "front camera" to display a mirror image of an object in the view of the front camera. At least some of the ZTE Accused Phones include a setting, referred to as "mirror," that enables a picture taken by the front camera to be saved as a mirror image.

43. An Accused Phone can be used in an audiovisual call. During such a call, the Accused Phone is capable of displaying a mirror image of the user of the Accused Phone and is capable of wirelessly transmitting an image of the user that is not a mirror image of the user.

44. ZTE's Accused Phones include a microphone and speaker for use during voice communication.

45. One or more of ZTE's Accused Phones include capability to block an incoming telephone call. For example, by enabling "All calls to voicemail" or "call blocking" in ZTE's Accused Phones an incoming telephone call will be blocked.

46. ZTE's "All calls to voicemail" or "call blocking" when activated on such Accused Phone prevents an incoming caller from conducting a voice communication with said Accused Phone.

47. An Accused Phone is capable of displaying its location on its display.

48. ZTE's Accused Phones include capability for authoring and transmitting email.

49. ZTE's Accused Phones include voice dialing capability.

50. ZTE's Accused Phones include capability to identify an incoming call with a specifically designated ringtone.

51. ZTE's Accused Phones are wireless communication devices.

COUNT I – INFRINGEMENT OF THE '664 PATENT

52. On August 17, 2010, U.S. Patent No. 7,778,664 ("the '664 patent"), entitled "Communication Device" was duly and legally issued to the inventor, Iwao Fujisaki. The '664 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the '664 patent, including the right to sue for and recover all past, present and future damages for infringement of the '664 patent.

53. The '664 patent is presumed valid.

54. ZTE's Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

55. ZTE's Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the "front camera." ZTE's Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

56. On information and belief, the ZTE Accused Phones and/or their use are covered by one or more of the following claims of the '664 patent: 1, 3, 6-10, and/or 15-18.

57. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1, 3, 6-10, and/or 15-18 of the '664 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the '664 patent.

58. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones to infringe one or more claims of the '664 patent.

59. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use the Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '664 patent.

60. On information and belief, ZTE indirectly infringes one or more claims of the '664 patent in violation of 35 U.S.C. 271(b) by inducing consumers of the Accused Phones to directly infringe one or more claims of the '664 patent through their use of such Accused Phones in accordance with ZTE's instructions.

61. For example, on information and belief, ZTE induces direct infringement of the '664 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '664 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '664 patent.

62. ZTE is liable for infringement of the '664 patent pursuant to 35 U.S.C. § 271.

63. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

COUNT II – INFRINGEMENT OF THE ‘236 PATENT

64. On May 17, 2011, U.S. Patent No. 7,945,236 (“the ‘236 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The ‘236 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the ‘236 patent, including the right to sue for and recover all past, present and future damages for infringement of the ‘236 patent.

65. The ‘236 patent is presumed valid.

66. ZTE’s Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls

67. ZTE’s Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE’s Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

68. Each of ZTE’s Accused Phones is capable of displaying its geographic location on its display. Each of ZTE’s Accused Phones is capable of displaying its geographic location on its display based, at least in part, on GPS data.

69. On information and belief, the ZTE Accused Phones and/or their use are covered by one or more of the following claims of the ‘236 patent: 1-3, 5, 8-11, and/or 16-18.

70. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the ‘236 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the ‘236 patent.

71. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones and to perform methods that infringe one or more claims of the '236 patent.

72. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE's Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '236 patent.

73. On information and belief, ZTE indirectly infringes one or more claims of the '236 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE's Accused Phones to directly infringe one or more claims of the '236 patent through their use of such Accused Phones in accordance with ZTE's instructions.

74. For example, on information and belief, ZTE induces direct infringement of the '236 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '236 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '236 patent.

75. ZTE is liable for infringement of the '236 patent pursuant to 35 U.S.C. § 271.

76. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

COUNT III – INFRINGEMENT OF THE ‘287 PATENT

77. On May 17, 2011, U.S. Patent No. 7,945,287 (“the ‘287 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The ‘287 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the ‘287 patent, including the right to sue for and recover all past, present and future damages for infringement of the ‘287 patent.

78. The ‘287 patent is presumed valid.

79. ZTE’s Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

80. ZTE’s Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE’s Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

81. ZTE’s Accused Phones are manufactured and sold with multiple ringtones preloaded on each Accused Phone. Based on user input, each Accused Phone is capable of associating an incoming call with a preloaded ringtone designated by the user input.

82. On information and belief, the ZTE’s Accused Phones and/or their use are covered by one or more of the following claims of the ‘287 patent: 1-3, 5, 8-11, and/or 16-18.

83. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the ‘287 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the ‘287 patent.

84. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones and to perform methods that infringe one or more claims of the '287 patent.

85. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE's Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '287 patent.

86. On information and belief, ZTE indirectly infringes one or more claims of the '287 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE's Accused Phones to directly infringe one or more claims of the '287 patent through their use of such Accused Phones in accordance with ZTE's instructions.

87. For example, on information and belief, ZTE induces direct infringement of the '287 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '287 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '287 patent.

88. ZTE is liable for infringement of the '287 patent pursuant to 35 U.S.C. § 271.

89. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

COUNT IV – INFRINGEMENT OF THE ‘037 PATENT

90. On August 9, 2011, U.S. Patent No. 7,996,037 (“the ‘037 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The ‘037 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the ‘037 patent, including the right to sue for and recover all past, present and future damages for infringement of the ‘037 patent.

91. The ‘037 patent is presumed valid.

92. ZTE’s Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

93. ZTE’s Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE’s Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

94. ZTE’s Accused Phones are capable of initiating a phone call using voice commands. ZTE’s Accused Phones provide the capability to initiate a phone call in response to a voice command.

95. On information and belief, the Accused Phones and/or their use are covered by one or more of the following claims of the ‘037 patent: 1-3, 5, 8-11, and/or 16-18.

96. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the ‘037 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the ‘037 patent.

97. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones and to perform methods that infringe one or more claims of the '037 patent.

98. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE's Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones devices in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '037 patent.

99. On information and belief, ZTE indirectly infringes one or more claims of the '037 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE's Accused Phones to directly infringe one or more claims of the '037 patent through their use of such Accused Phones in accordance with ZTE's instructions.

100. For example, on information and belief, ZTE induces direct infringement of the '037 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '037 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '037 patent.

101. ZTE is liable for infringement of the '037 patent pursuant to 35 U.S.C. § 271.

102. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

COUNT V – INFRINGEMENT OF THE ‘009 PATENT

103. On September 20, 2011, U.S. Patent No. 8,024,009 (“the ‘009 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The ‘009 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the ‘009 patent, including the right to sue for and recover all past, present and future damages for infringement of the ‘009 patent.

104. The ‘009 patent is presumed valid.

105. ZTE’s Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

106. ZTE’s Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE’s Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

107. One or more of ZTE’s Accused Phones include capability to reject an unwanted caller. Examples of ZTE’s phones that are alleged to infringe one or more claims of the ‘009 patent include ZTE’s Grand series (including the Grand X4 and Grand X Max 2), Sonata 3, Axon series (including the Axon 7 and Axon 7 Mini), ZTE’s Maven series (including the Maven 2), the Prestige series (including the Prestige 2), and the Blade series (including the Blade Spark) and all reasonably similar phones of ZTE. Such capability provided by ZTE, for example, is identified as “All calls to voicemail” and “call blocking.” If “All calls to voicemail” or “call blocking” is enabled on an Accused Phone, an incoming call from a caller that has been designated as “All calls to voicemail” or “call blocking” will be rejected and it will not be connected to conduct a voice communication with the Accused Phone.

108. On information and belief, the Accused Phones and/or their use are covered by one or more of the following claims of the '009 patent: 1-3, 5, 8-11, and/or 16-18.

109. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1-3, 5, 8-11, and/or 16-18 of the '009 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the '009 patent.

110. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones and to perform methods that infringe one or more claims of the '009 patent.

111. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE's Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '009 patent.

112. On information and belief, ZTE indirectly infringes one or more claims of the '009 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE's Accused Phones to directly infringe one or more claims of the '009 patent through their use of such Accused Phones in accordance with ZTE's instructions.

113. For example, on information and belief, ZTE induces direct infringement of the '009 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following

ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '009 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '009 patent.

114. ZTE is liable for infringement of the '009 patent pursuant to 35 U.S.C. § 271.

115. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

COUNT VI – INFRINGEMENT OF THE '540 PATENT

116. On May 20, 2014, U.S. Patent No. 8,731,540 (“the '540 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The '540 patent has been assigned to Corydoras. Corydoras owns all right, title and interest in the '540 patent, including the right to sue for and recover all past, present and future damages for infringement of the '540 patent.

117. The '540 patent is presumed valid.

118. ZTE's Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

119. ZTE's Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE's Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

120. ZTE's Accused Phones are capable of sending and receiving email. ZTE's Accused Phones are capable of authoring an email based on input from a user and wirelessly transmitting such email to a recipient.

121. On information and belief, the Accused Phones and/or their use are covered by one or more of the following claims of the ‘540 patent: 1-6, 8-11, 13-16 and/or 18.

122. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1-6, 8-11, 13-16 and/or 18 of the ‘540 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the ‘540 patent.

123. On information and belief, consumers purchase and use ZTE’s Accused Phones and are instructed by ZTE to use such Accused Phones and to perform methods that infringe one or more claims of the ‘540 patent.

124. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE’s Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the ‘540 patent.

125. On information and belief, ZTE indirectly infringes one or more claims of the ‘540 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE’s Accused Phones to directly infringe one or more claims of the ‘540 patent through their use of such Accused Phones in accordance with ZTE’s instructions.

126. For example, on information and belief, ZTE induces direct infringement of the ‘540 patent by providing User Manuals and User Guides and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE’s

instructions, the users of the Accused Phones directly infringe one or more claims of the ‘540 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the ‘540 patent.

127. ZTE is liable for infringement of the ‘540 patent pursuant to 35 U.S.C. § 271.

128. ZTE’s acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE’s wrongful acts in an amount subject to proof at trial.

COUNT VII – INFRINGEMENT OF THE ‘741 PATENT

129. On November 24, 2015, U.S. Patent No. 9,197,741 (“the ‘741 patent”), entitled “Communication Device” was duly and legally issued to the inventor, Iwao Fujisaki. The ‘741 patent has been assigned to Corydoras. Corydoras owns all right, title, and interest in the ‘741 patent, including the right to sue for and recover all past, present and future damages for infringement of the ‘741 patent.

130. The ‘741 patent is presumed valid.

131. ZTE’s Accused Phones are capable of voice communication. For example, the Accused Phones are made and sold with the capability to be used in telephone calls.

132. ZTE’s Accused Phones include a camera on the same side as the display. ZTE refers to this camera as the “front camera.” ZTE’s Accused Phones are capable of displaying a mirror image of the object, such as a person, that is in the view of this camera.

133. ZTE’s Accused Phones display a mirror image of an object in the view of the front camera. ZTE’s Accused Phones are capable of wirelessly transmitting video of that object during an audiovisual call.

134. ZTE's Accused Phones include a second camera that faces opposite the direction of the front camera.

135. Each of ZTE's Accused Phones are capable of associating a specific ringtone with a specific incoming phone number.

136. On information and belief, the Accused Phones and/or their use are covered by one or more of the following claims of the '741 patent: 1, 2, 4, and/or 9.

137. On information and belief, ZTE, either alone or in conjunction with others, has in the past and continues to infringe and/or induce infringement of at least claims 1, 2, 4, and/or 9 of the '741 patent by making, using, selling, offering to sell, and/or importing, and/or causing others to make, use, sell, or offer to sell, and/or import, in this judicial district and/or elsewhere in the United States, Accused Phones that alone or in use are covered by such claims of the '741 patent.

138. On information and belief, consumers purchase and use ZTE's Accused Phones and are instructed by ZTE to use such Accused Phones in a manner that infringes one or more claims of the '741 patent.

139. On information and belief, ZTE provides instructions, such as User Manuals and User Guides, that instruct consumers on how to use ZTE's Accused Phones in such infringing manner, specifically intending such consumers will operate these Accused Phones devices in such a manner, and knowing of such actions, which constitutes infringement of one or more claims of the '741 patent.

140. On information and belief, ZTE indirectly infringes one or more claims of the '741 patent in violation of 35 U.S.C. 271(b) by inducing consumers of ZTE's Accused Phones to

directly infringe one or more claims of the '741 patent through their use of such Accused Phones in accordance with ZTE's instructions.

141. For example, on information and belief, ZTE induces direct infringement of the '741 patent by providing User Manuals and User Guides, and instructions for the Accused Phones that instruct users how to use and operate the Accused Phones such that, by following ZTE's instructions, the users of the Accused Phones directly infringe one or more claims of the '741 patent. ZTE engages in such inducement knowingly and, at least from the time of receipt of the Complaint, has done so with knowledge that such activity encourages consumers of its Accused Phones to directly infringe the '741 patent.

142. ZTE is liable for infringement of the '741 patent pursuant to 35 U.S.C. § 271.

143. ZTE's acts of infringement have caused damage to Corydoras, and Corydoras is entitled to recover from ZTE the damages sustained by Corydoras as a result of ZTE's wrongful acts in an amount subject to proof at trial.

PRAYER FOR RELIEF

WHEREFORE, Corydoras prays for entry of judgment that:

A. ZTE has directly infringed and/or induced infringement of the '664, '236, '287, '037, '009, '540 and '741 patents;

B. ZTE accounts for and pays to Corydoras all damages caused by ZTE's infringement of the '664, '236, '287, '037, '009, '540 and '741 patents;

C. Corydoras be granted pre-judgment and post-judgment interest on the damages caused to it by reason of ZTE's patent infringement;

D. Corydoras be granted its reasonable attorneys' fees;

E. Costs be awarded to Corydoras; and,

G. Corydoras be granted such other and further relief as the Court may deem just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Corydoras demands trial by jury on all claims and issues so triable.

Respectfully submitted,

Dated: April 2, 2018

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