

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

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

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

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

18	Lightwire, LLC, a California limited)	Case No. 3:18-cv-00409-WQH-
19	liability company,)	BLM
20)	
21	Plaintiff,)	FIRST AMENDED
22)	COMPLAINT FOR
22	v.)	INFINGEMENT OF U.S.
23)	PATENT 6,335,678
24	Sony Mobile Communications (USA))	
24	Inc. , a Delaware Corporation)	DEMAND FOR JURY TRIAL
25)	
25	Defendant.)	

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

4
5 **NATURE OF THE ACTION**

6 1. This is a patent infringement action to stop Defendant’s infringement of
7 United States Patent No. 6,335,678 (“the ‘678 Patent”).

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

10
11 **PARTIES**

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

14 4. On information and belief, Defendant is a corporation, with a principle
15 place of business located at 2207 Bridgepointe Pkwy, San Mateo, CA 94404.

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17 **JURISDICTION AND VENUE**

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

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

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

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

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

9 9. More specifically, Defendant, directly and/or through its intermediaries,
10 makes, distributes, imports, offers for sale, sells, advertises and/or uses, devices
11 including the accused devices identified herein, that infringe claims of the ‘678 Patent
12 in the State of California. Defendant has committed patent infringement in the State
13 of California and solicits customers in the State of California. Defendant has paying
14 customers who are residents of the State of California and who purchase and/or use
15 Defendant’s infringing products in 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 - 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 Xperia Z2 Tablet and Xperia Z4 Tablet. 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.

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PRAYER FOR RELIEF

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

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

Dated: April 8, 2018

Respectfully submitted,

By: s/ J. Curtis Edmondson
J. Curtis Edmondson
Attorneys for Lightwire LLC
Email: jcedmondson@edmolaw.com

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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: April 8, 2018

Respectfully submitted,

By: s/ J. Curtis Edmondson
J. Curtis Edmondson
Attorneys for Lightwire LLC
Email: jcedmondson@edmolaw.com