

Stamatios Stamoulis #01790-1999
Richard C. Weinblatt #01571-2001
STAMOULIS & WEINBLATT LLC
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540
Facsimile: (302) 762-1688
stamoulis@swdelaw.com
weinblatt@swdelaw.com

*Attorneys for Plaintiff,
Adiona IP, LLC*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ADIONA IP, LLC,)	
)	
Plaintiff,)	
)	Civil Action No. 2:18-cv-9135
v.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA, INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

For its Complaint, Adiona IP, LLC ("Adiona"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. Adiona is a Texas limited liability company with a place of business located at 5068 West Plano Parkway, Suite 300, Plano, Texas 75093.
2. Defendant Samsung Electronics America, Inc. is a New York company with, upon information and belief, a place of business located at 85 Challenger Road, Ridgefield Park, New Jersey 07660.

3. Upon information and belief, Defendant has registered with the State of New Jersey to conduct business in New Jersey.

4. By having a physical presence in New Jersey and registering to conduct business in New Jersey, Defendant has a permanent and continuous presence in New Jersey.

JURISDICTION AND VENUE

5. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

6. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

7. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

8. Venue is proper in this district pursuant to § 1400(b).

THE PATENT-IN-SUIT

9. On March 20, 2007, U.S. Patent No. 7,194,520 (the "'520 patent"), entitled "Content Player for Broadcasting to Information Appliances," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '520 patent is attached hereto as Exhibit A.

10. Adiona is the assignee and owner of the right, title and interest in and to the '520 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,194,520

11. Adiona repeats and realleges the allegations of paragraphs 1 through 10 as if fully set forth herein.

12. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe at least claim 8 of the '520 patent by making, using, importing, offering for sale, and/or selling, methods of broadcasting media content to an information appliance from a personal computer that is linked to a network, including, but not limited to, Samsung Radiant360 R1 in combination with a Samsung smartphone with Bluetooth connectivity, such as, but notwithstanding, Samsung Galaxy S9 (the combination collectively referred to herein as the "Accused Instrumentality").

13. Upon information and belief, Defendant used the Accused Instrumentality via its internal use and testing in the United States, directly infringing one or more claims of the '520 patent.

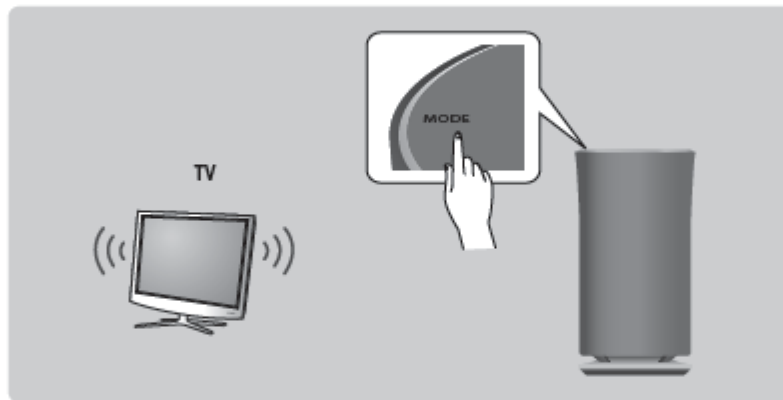
14. More specifically, the Samsung Radiant360 R1 is a speaker system (i.e., an information appliance) with Bluetooth connectivity which allows a user to connect with the speaker wirelessly using the Bluetooth-connectivity of the Samsung Galaxy S9 ("Galaxy S9"). The Galaxy S9 can access the Internet using Wi-Fi, and once connected, it can stream music to the Samsung Radiant360 R1 speaker. See <https://www.samsung.com/us/audio/wireless-speakers/home/radiant360-r1-wi-fi-bluetooth-speaker-wam1500-za/> ("Radiant360 Web") (last accessed Apr. 27, 2018); <http://www.samsung.com/global/galaxy/galaxy-s9/specs/> ("Galaxy S9 Specifications") (last accessed Apr. 27, 2018); User Manual ("Galaxy S9 User Manual") at p. 136 (available at http://downloadcenter.samsung.com/content/UM/201803/20180320052523252/GEN_G960U1_

G965U1_EN_UM_O_8.0_022718_FINAL_AC.pdf (last accessed Apr. 27, 2018)). To stream/play music on the Samsung Radiant360 R1 speaker, the Galaxy S9 is connected to the speaker over Bluetooth (i.e., a bi-directional communication link).

Connecting to Bluetooth Devices

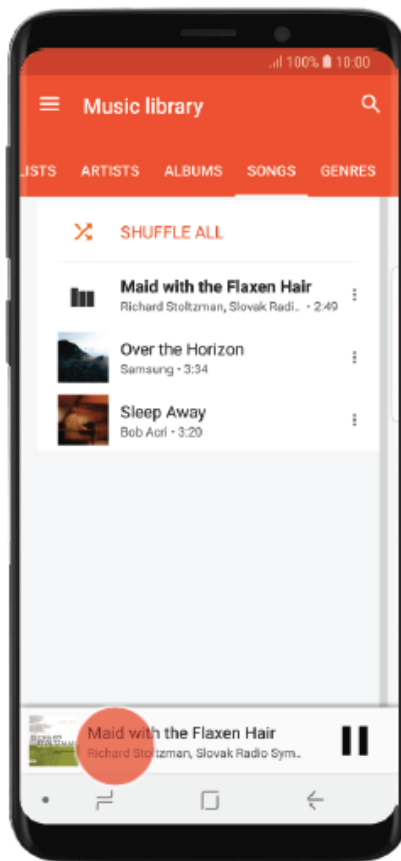
You can connect the WAM speaker to a Bluetooth device and listen to the music stored on the device.

- 1 Touch the **MODE** button on top of the speaker one or more times until you hear "Bluetooth is ready."



- 2 Turn on the Bluetooth function of your smart device, and then select **Search**.
- 3 Select the **[Samsung] R5**, **[Samsung] R3** or **[Samsung] R1**.
The Bluetooth connection between the smart device and the WAM speaker is made.
- 4 Without connection with **Samsung Multiroom** app, you might see **Samsung Wireless Audio** on the Bluetooth device list. Select it.

See Wireless Audio Radiant – 360 R5/R3/R1 User Manual ("Speaker User Manual") at p. 14 (available at http://downloadcenter.samsung.com/content/UM/201607/20160720221025720/WAM5500_WAM3500_WAM1500_ZA-User-20160720.pdf (last accessed Apr. 27, 2018); Galaxy S9 Specifications; <https://www.samsung.com/us/support/answer/ANS00079023/> (last accessed Apr. 27, 2018). Samsung Galaxy S9 can play music of various audio formats ("media content"). As seen below Samsung Galaxy S9 Music Player is currently playing "Maid with the Flaxen Hair."

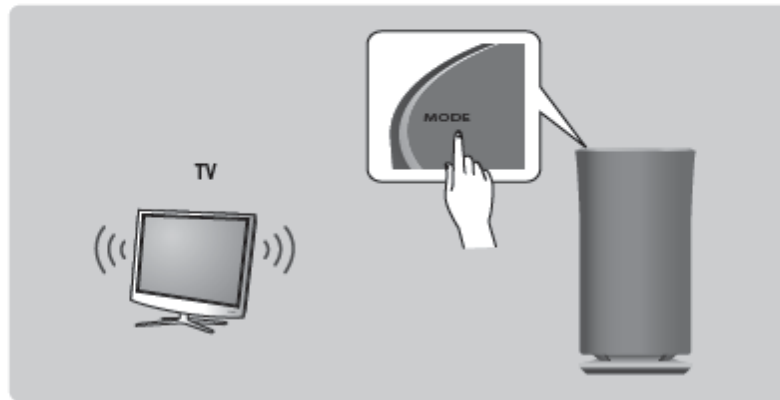


<https://devicehelp.singtel.com/samsung/galaxy-s9-android-8-0/apps-and-media/use-music-player/> (last accessed Apr. 27, 2018); *see also* Galaxy S9 User Guide at p. 19. Samsung Galaxy S9 can be in one room while wirelessly connected through Bluetooth to the Samsung Radiant360 R1 Speaker located in another room such that distance between them is less than 10 m.

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NOTES

- ✓ A Bluetooth device may cause noise or malfunction, depending on usage, if:
 - A part of your body is in contact with the receiving/transmitting system of the Bluetooth device or the speaker.
 - It is subject to electrical variation from obstructions caused by a wall, corner, or by office partitioning.
 - It is exposed to electrical interference from same frequency-band devices including medical equipment, microwave ovens, and wireless LANs.
- ✓ Pair the speaker with the Bluetooth device while they are close together.
- ✓ The Bluetooth connection will be lost if the distance between the speaker and the Bluetooth device exceeds 32 feet (10 m). Even within range, the sound quality may be degraded by obstacles such as walls or doors.

Speaker User Manual at p. 14.

Galaxy S9 can download music files using the Internet and store them either in the internal storage or MicroSD card storage included in the Galaxy S9.

Music

Downloaded music can be found in your default music app. Again, this applies to music downloaded through the internet, the Play Store or iTunes, or shared with you over Bluetooth and so on.

<http://www.samsung.com/uk/support/mobile-devices/where-can-i-find-downloaded-files-on-my-samsung-galaxy-smartphone/> (last accessed Apr. 27, 2018); *see also* Galaxy S9 Specifications.

The Samsung Radiant360 R1 speaker can control playback from the Galaxy S9, which means the Samsung Radiant 360 R1 speaker transmits control signals to the Galaxy S9.

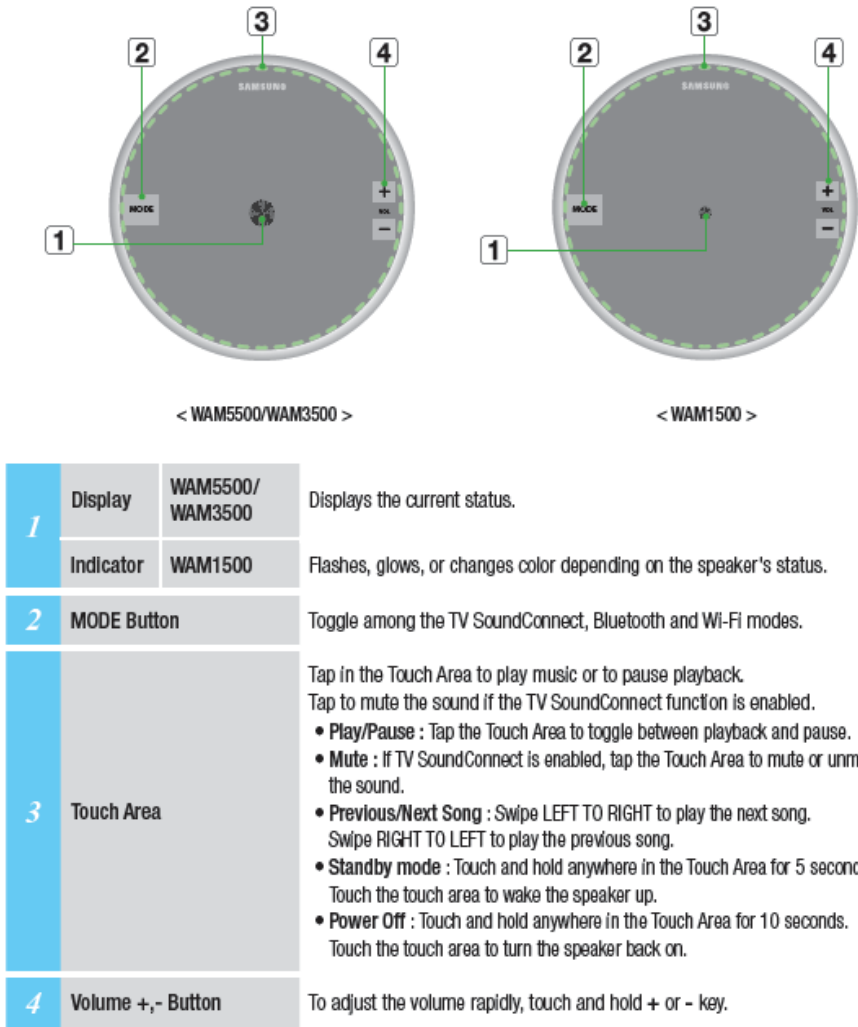
Easy Intuitive Control – Tap & Swipe

The intuitive top panel interface of the R1 allows you to navigate with ease. Simply tap to control playback, swipe to play the next/previous track and toggle between playmodes with ease.³

³ Next/previous track function may be limited according to content provider services.



Radiant360 Web.



Speaker User Manual at p. 9. For example, if the touch area on the Samsung Radiant360 R1 speaker is swiped from left to right to play the next song, a control signal will be generated and transmitted to the Galaxy S9 via Bluetooth and the Galaxy S9 will broadcast the next song to the Samsung Radiant360 R1 speaker, which will receive and playback the song.

✓ In Bluetooth mode, the Play/Pause/Next/Prev functions are available in Bluetooth devices supporting AVRCP.

Speaker User Manual at p. 15.

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Radiant360 Web.

Wi-Fi and Bluetooth

Use your mobile device to stream music wirelessly, connect up to ten R1 speakers over your home Wi-Fi network, or connect to a single speaker via Bluetooth. Pair your R1 device directly to your Samsung TV via Bluetooth using TV SoundConnect.⁵

⁵ Samsung 2015-2016 3D TVs.



Id. Samsung Radiant360 R1 is Bluetooth speaker that includes a radio which transmits data using frequency hopping spread spectrum signal (FHSS) carrier.

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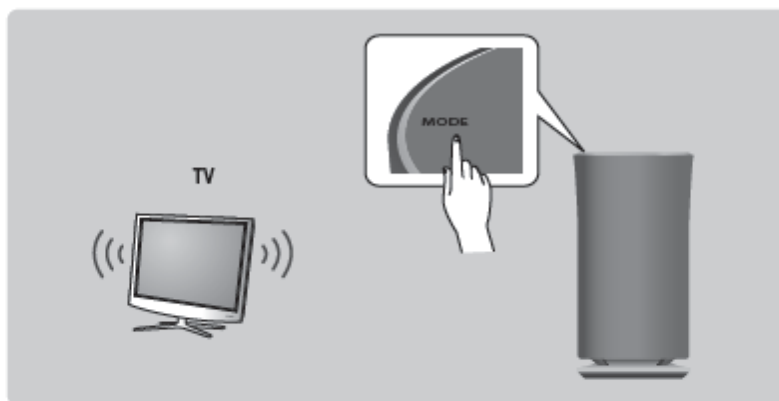


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Speaker User Manual at p. 14.

1.1 OVERVIEW OF BR/EDR OPERATION

The Basic Rate / Enhanced Data Rate (BR/EDR) radio (physical layer or PHY) operates in the unlicensed ISM band at 2.4 GHz. The system employs a frequency hopping transceiver to combat interference and fading and provides many FHSS carriers. Basic Rate radio operation uses a shaped, binary frequency modulation to minimize transceiver complexity. The symbol rate is 1 megasymbol per second (Msym/s) supporting the bit rate of 1 megabit per second (Mb/s) or, with Enhanced Data Rate, a gross air bit rate of 2 or 3Mb/s. These modes are known as Basic Rate and Enhanced Data Rate respectively.

Bluetooth Core Specification v 5.0 at p. 167 (available at https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=42104 (last accessed Apr. 27, 2018)).

15. The Galaxy S9 includes a controller, a memory, a network connection device, a display system, and an input/output system, the controller configured to communicate with the memory, the network connection device, the display system, and the input/output system with a system bus. *See* Galaxy S9 Specifications.

16. Adiona is entitled to recover from Defendant the damages sustained by Adiona as a result of Defendant's infringement of the '520 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Adiona hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Adiona requests that this Court enter judgment against Defendant as follows:

A. An adjudication that Defendant has infringed the '520 patent;

B. An award of damages to be paid by Defendant adequate to compensate Adiona for Defendant's past infringement of the '520 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Adiona's reasonable attorneys' fees; and

D. An award to Adiona of such further relief at law or in equity as the Court deems just and proper.

Respectfully submitted,

Dated: May 11, 2018

/s/ Richard C. Weinblatt
Stamatios Stamoulis #01790-1999
Richard C. Weinblatt #01571-2001
STAMOULIS & WEINBLATT LLC
Two Fox Point Centre
6 Denny Road, Suite 307
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*Attorneys for Plaintiff
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