

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

<p>UNILOC 2017 LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG ELECTRONICS CO. LTD.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No.</p> <p>PATENT CASE</p> <p>JURY TRIAL DEMANDED</p>
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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Uniloc 2017 LLC (“Uniloc”), for its complaint against defendants, Samsung Electronics America, Inc. and Samsung Electronics Co. Ltd. (together, “Samsung”), alleges:

**THE PARTIES**

1. Uniloc 2017 LLC is a Delaware limited liability company, having addresses at 1209 Orange Street, Wilmington, Delaware 19801; 620 Newport Center Drive, Newport Beach, California 92660; and 102 N. College Avenue, Suite 303, Tyler, Texas 75702.

2. Samsung Electronics America, Inc. (“SEA”) is a New York corporation, having a principal place of business in Ridgefield Park, New Jersey, and may be served with process through its registered agent for service in Texas: CT Corporation System, 1999 Bryant Street, Suite 900, Dallas, Texas 75201.

3. Samsung Electronics Co. Ltd. is a South Korean corporation having a principal place of business in Seoul, Republic of Korea.

4. Samsung offers its products and services, including those accused of infringement, to customers and potential customers located in the Eastern District of Texas.

### **JURISDICTION**

5. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

### **CLAIM FOR PATENT INFRINGEMENT**

6. Uniloc is the owner, by assignment, of U.S. Patent No. 6,980,522 (“the ’522 Patent”), which issued on December 27, 2005. A copy of the ’522 Patent is attached as Exhibit A.

7. The ’522 Patent describes in detail, and claims in various ways, an ad-hoc wireless communication system, where stations form a master/slave network using a ranking designation.

8. The written description of the ’522 Patent describes in technical detail each of the limitations of the claims, allowing a person of ordinary skill in the art to understand what the limitations cover and how the combination of claim elements differed markedly from and improved upon what may have been considered conventional or generic.

9. Samsung imports, uses, offers for sale, and sells in the United States Outdoor Mesh Access Points and SmartThings WiFi Mesh Hubs that operate in ad-hoc wireless communications systems (the “Accused Products”). See, e.g., <https://samsung-networks.com/products/outdoor-mesh-access-points>.

10. For example, Samsung’s WEA463e series access points and ET-WV525 mesh hubs are stations providing multi-root mesh access points that can each connect to multiple other mesh access points. In addition, one such multi-root mesh point, designated the “parent node” or “PN,” is a master node and can connect with multiple children mesh access points, designated

the “child nodes” or “CNs,” to form a mesh network, i.e., an ad hoc radio communication system.

11. The access points and hubs support the 5 GHz and 2.4 GHz bands. Data is transmitted at the rate of 1.3 Gbps in the 5GHz band. The master/slave rank of each station in the network is determined by antenna performance characteristics of each station, in view of the antenna’s local environment, with the station having the highest rank designated as the master station. Such performance characteristics include signal quality.

12. In the absence of a master/slave network having already been established, a station will scan on all channels on its channel list to compose a neighbor list. If such a network exists, the station will continue to scan and will compare the characteristics of detected neighbors to determine the candidates for designation as the master, as described above.

13. Once a master has been designated, the stations continue to scan and compare results, as described above, to determine if a new master should be established.

14. Samsung has infringed, and continues to infringe, at least claim 6 of the ’522 Patent, by making, using, offering for sale, selling, and importing the Accused Products.

15. Samsung knowingly and intentionally incorporates into the Accused Products components and software that enable the devices to function as described above to infringe the ’522 Patent.

16. In its marketing, promotional, and instructional materials, including those identified below, Samsung intentionally instructs its customers to use the Accused Products in an infringing manner, as described above.

17. Samsung has infringed, and continues to infringe, at least claim 6 of the ’522 Patent by actively inducing others to use the Accused Products. Samsung’s customers who use

those devices in accordance with Samsung's instructions infringe at least claim 6 of the '522 Patent. Samsung intentionally instructs its customers to use the Accused Products in an infringing manner as described above through training videos, demonstrations, brochures, installation, and user guides, such as those located at:

- [www.samsung.com](http://www.samsung.com)
- [www.samsung.com/us/business/products/networking/wireless-lan/s/products-access\\_points/](http://www.samsung.com/us/business/products/networking/wireless-lan/s/products-access_points/)
- [www.samsung.com/us/business/products/networking/wireless-lan/s/products-communication\\_platforms-access\\_points/](http://www.samsung.com/us/business/products/networking/wireless-lan/s/products-communication_platforms-access_points/)
- [www.samsung.com/us/business/solutions/samsung-wlan-solution](http://www.samsung.com/us/business/solutions/samsung-wlan-solution)
- [www.samsung.com/global/business/networks/enterprise-wireless-lan/all-enterprise-wireless-lan/](http://www.samsung.com/global/business/networks/enterprise-wireless-lan/all-enterprise-wireless-lan/)
- [www.samsung.com/global/business/networks/enterprise-wireless-lan/access-point /](http://www.samsung.com/global/business/networks/enterprise-wireless-lan/access-point/)
- <https://samsung-networks.com//wp-content/uploads/sites/3/2017/03/WEA463e-Data-Sheet.pdf>
- <https://samsung-networks.com/products/outdoor-mesh-access-points>
- [www.youtube.com/user/samsung](http://www.youtube.com/user/samsung)
- [www.youtube.com/watch?v=tsOLIsW08QM](http://www.youtube.com/watch?v=tsOLIsW08QM)
- [www.youtube.com/watch?v=gy4nIK6iUmU](http://www.youtube.com/watch?v=gy4nIK6iUmU)
- [www.youtube.com/watch?v=z6e7b5Mafz4](http://www.youtube.com/watch?v=z6e7b5Mafz4)

18. Samsung has also infringed, and continues to infringe the '522 patent by offering to sell, selling, and importing the Accused Products, knowing that the devices include components that constitute a material part of the invention of the '522 patent. Samsung knows those components to be especially made or especially adapted for use in infringement of the '522

Patent, and not a staple article, or a commodity of commerce suitable for substantial noninfringing use.

19. Samsung will have been on notice of the '522 Patent since, at the latest, the service of the complaint upon it in 2:18-cv-00427. Samsung has also been on notice of Uniloc's infringement allegations and theory of infringement since that date, and thus has known and intended (since receiving such notice) that its continued actions would actively induce and contribute to the infringement of at least claim 6 of the '522 Patent by others, including its customers. Despite that knowledge, and as further evidence of its intent, Samsung has refused to discontinue its infringing acts, to remove the infringing functionality from the Accused Products, or otherwise place a non-infringing limit on its use.

20. Samsung may have infringed the '522 Patent through other software and devices utilizing the same or reasonably similar functionality as described above, including other versions of the Accused Products.

21. Uniloc has been damaged by Samsung's infringement of the '522 Patent.

**PRAYER FOR RELIEF**

Uniloc requests that the Court enter judgment against Samsung:

- (A) declaring that Samsung has infringed the '522 Patent;
- (B) awarding Uniloc its damages suffered as a result of Samsung's infringement of the '522 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court finds appropriate.

**DEMAND FOR JURY TRIAL**

Uniloc demands trial by jury, under Fed. R. Civ. P. 38.

Date: November 17, 2018

Respectfully submitted,

/s/ Paul J. Hayes

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Paul J. Hayes  
Massachusetts State Bar No. 227000  
Kevin Gannon  
Massachusetts State Bar No. 640931  
Aaron Jacobs  
Massachusetts State Bar No. 677545  
**PRINCE LOBEL TYE LLP**  
One International Place, Suite 3700  
Boston, MA 02110  
Tel: (617) 456-8000  
Fax: (617) 456-8100  
Email: phayes@princelobel.com  
Email: kgannon@princelobel.com  
Email: ajacobs@princelobel.com

Edward R. Nelson III  
ed@nbafirm.com  
Texas State Bar No. 00797142  
**NELSON BUMGARDNER ALBRITTON P.C.**  
3131 West 7th Street, Suite 300  
Fort Worth, TX 76107  
Tel: (817) 377-9111

Shawn Latchford  
shawn@nbafirm.com  
Texas State Bar No. 24066603  
**NELSON BUMGARDNER ALBRITTON P.C.**  
111 West Tyler Street  
Longview, Texas 75601  
Tel: (903) 757-8449  
Fax: (903) 758-7397

**ATTORNEYS FOR THE PLAINTIFF**