

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

**PC COMA LLC,**

Plaintiff,

v.

**FUITSU LTD. AND  
FUJITSU AMERICA, INC.,**

Defendant.

**CIVIL ACTION NO: 2:19-cv-33**

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT**

This is an action for patent infringement in which PC Coma LLC (“Plaintiff”) makes the following allegations against Defendants Fujitsu Ltd. (“Fujitsu”) and Fujitsu America, Inc. (“Fujitsu America”) (collectively “Fujitsu” or “Defendants”):

**PARTIES**

1. PC Coma LLC is a Texas limited liability company with a principle place of business located at 17330 Preston Rd, Suite 200D, Dallas, Texas 75252.

2. Upon information and belief, Defendant Fujitsu Ltd. is a corporation organized and existing under the laws of Japan, with its principal place of business located at Shidome City Center 1-5-2 Higashi-Shimbashi, Minato-ku Tokyo 105-7123, Japan, and may be served pursuant to the provisions of the Hague Convention.

3. Upon information and belief, Defendant Fujitsu America, Inc. is a California corporation with a regular and established place of business in Colin County, Texas at 2791 Telecom Parkway, Richardson, Texas 75082.

4. Fujitsu is a leading manufacturer and seller of computers and server equipment throughout the world and in the United States. Upon information and belief, Fujitsu does business in Texas and in the Eastern District of Texas, directly or through intermediaries.

**JURISDICTION AND VENUE**

5. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271(a), 281, and 284 - 85. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b) as to Fujitsu America. For example, Fujitsu America has committed acts of infringement and has a regular and established place of business within this judicial district at 2791 Telecom Parkway, Richardson, Texas 75082.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(c)(3) as to Fujitsu as Fujitsu is a Japanese entity and has committed acts of infringement within this judicial district.

8. Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to Defendants' substantial business in this forum, 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 Texas and in this district.

**THE 6,972,950 PATENT**

9. On January 27, 2004, United States Patent No. 6,972,950 (the "950 Patent") was duly and legally issued by the United States Patent and Trademark Office for an invention titled

“Method and Apparatus for Cooling a Portable Computer.” Plaintiff is the owner by assignment of the ’950 Patent. A true and correct copy of the ’950 Patent is attached hereto as Exhibit A.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 6,972,950**

10. Defendants directly or through their intermediaries have been and are now infringing claims 1, 2, 18, 19, and 20 of the ’950 Patent in the State of Texas, in this Judicial District, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, selling and/or offering for sale products and/or systems (*i.e.*, the Fujitsu Lifebook P727 (the “Accused Instrumentality”)), covered by one or more claims of the ’950 Patent to the injury of Plaintiff. Defendants are directly infringing, literally infringing, and/or infringing the ’950 Patent under the doctrine of equivalents. Defendants are thus liable for infringement of the ’950 Patent pursuant to 35 U.S.C. § 271(a).

11. Defendants directly or through their intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 1 of the ’950 Patent. Among other things, the Accused Instrumentality is a portable computer which includes a housing; circuitry disposed with the housing and having a component; a temperature adjusting arrangement couple to the component wherein the temperature adjusting arrangement includes a thermally conductive section coupled to the component and a fluid section disposed on a side of the thermally conductive section opposite from the component operable to direct a fluid flow along the axis towards the thermally conductive section. *See* Ex. A-1, Figs. 1-11.

12. Defendants directly or through their intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 2 of the ’950 Patent. Among other things, in the Accused Instrumentality the plural flow portions each

flow away from the axis through the thermally conductive section in a respective one of at least three directions that extend approximately radially of the axis. *See* Ex. A-1, Figs. 1-11.

13. Defendants directly or through their intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 18 of the '950 Patent. The Accused Instrumentality when placed into operation by Defendants or their end-users practices a method of cooling a portable computer which includes a housing therein with a component thermally coupled to the component a temperature adjustment arrangement (*e.g.*, fan and a thermally conductive section) which faces in a direction approximately parallel to an axis and by directing a fluid flow (*e.g.*, air flow) along the axis towards a side of the thermally conductive section opposite from the component; wherein the thermally conductive section causes the fluid flow to split into a plurality of flow portions which each flow through said thermally conductive section in a direction approximately parallel to a plane perpendicular to the axis, wherein the flow portions exiting the thermally conductive section at a plurality of respective locations which are disposed along a substantial portion of the periphery of the thermally conductive section. *See* Ex. A-1, Figs. 1-11.

14. Defendants directly or through their intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 19 of the '950 Patent. In the Accused Instrumentality, the step of directing the fluid flow includes the effecting the splitting of the fluid flow so that the flow portions each flow away from the axis through the thermally conductive section in a respective one of at least three directions that each extend approximately radially of the axis. *See* Ex. A-1, Fig. 11.

15. Defendants directly or through their intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 20 of

the '950 Patent. The Accused Instrumentality performs the step of configuring the thermally conductive section to have a block of a heat-conductive open-celled porous material which is thermally coupled to the component, and the flow portions each flowing away from said axis through the porous material in a respective direction that extends approximately radially of said axis. *See* Ex. A-1, Fig. 11.

16. As a result of Defendants' infringement of the '950 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendants' infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the court.

17. Unless a permanent injunction is issued enjoining Defendants and their agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '950 Patent, Plaintiff will be greatly and irreparably harmed.

**JURY DEMAND**

Plaintiff hereby requests a trial by jury on all issues so triable by right.

**PRAYER FOR RELIEF**

Plaintiff requests that the Court find in their favor and against Defendants, and that the Court grant Plaintiff the following relief:

a. Judgment that one or more claims of the '950 Patent have been infringed, either literally and/or under the doctrine of equivalents, by Defendants;

b. Judgment that Defendants accounts for and pay to Plaintiff all damages and costs incurred by Plaintiff, caused by Defendants' infringing activities and other conduct complained of herein;

c. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;

d. That this Court declare this an exceptional case and award Plaintiff reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

e. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

DATED January 30, 2019.

Respectfully submitted,

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