

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

PC COMA LLC,

Plaintiff,

v.

**PANASONIC CORPORATION OF
NORTH AMERICA,**

Defendant.

CIVIL ACTION NO: 2:19-cv-34

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT

This is an action for patent infringement in which PC Coma LLC (“Plaintiff”) makes the following allegations against Defendant Panasonic Corporation of North America (“Panasonic” or “Defendant”):

PARTIES

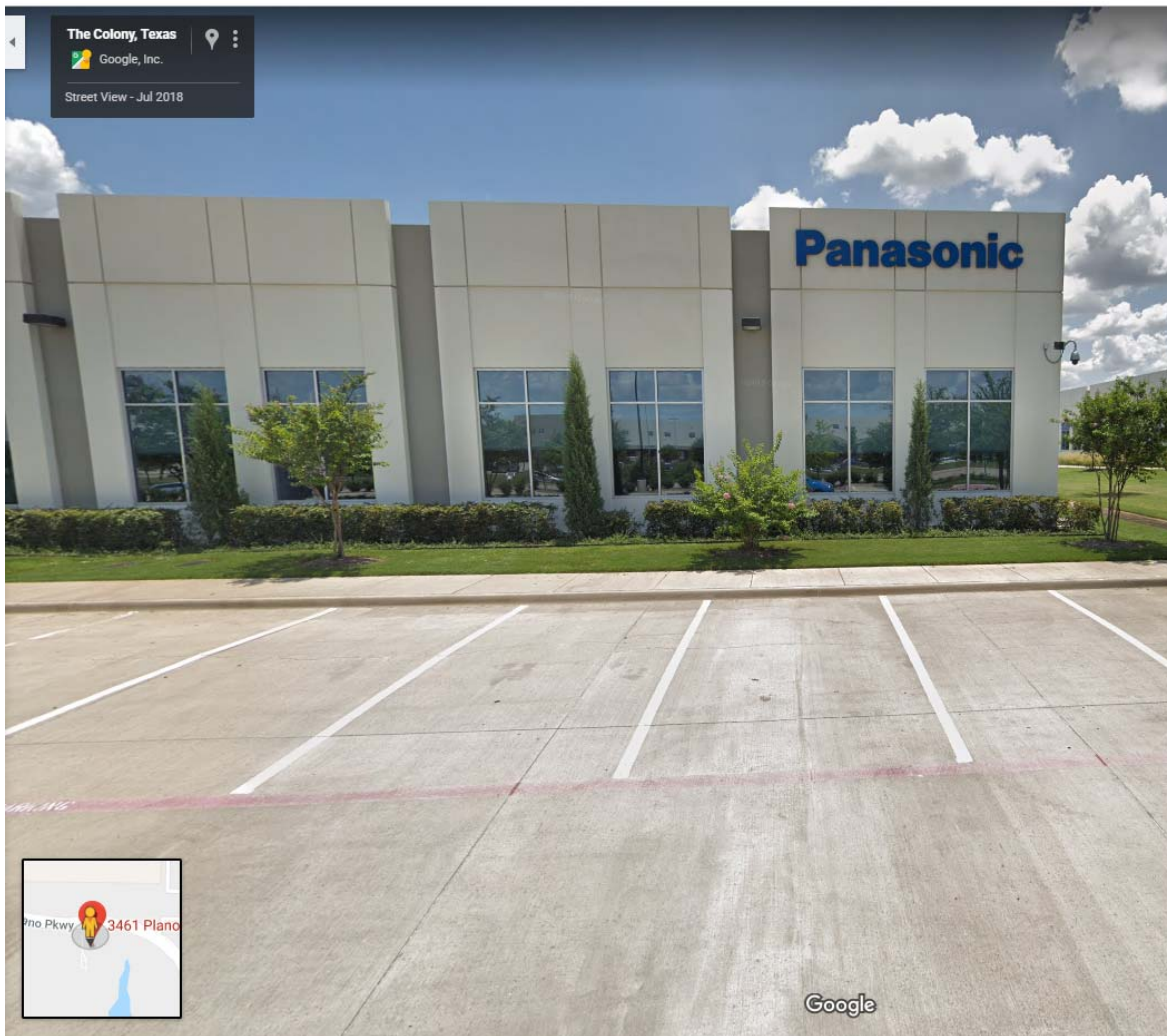
1. PC Coma LLC is a Texas limited liability company with a principle place of business located at 17330 Preston Rd, Suite 200D, Dallas, Texas 75252.

2. Upon information and belief, Panasonic Corporation of North America is a corporation duly organized and existing under the laws of Delaware. Panasonic Corporation of North America may be served through its registered agent, CT Corporation System, at 1999 Bryan St., Suite 900, Dallas, TX 75201

JURISDICTION AND VENUE

3. 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).

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b). Panasonic committed acts of infringement and has regular and established places of business within this judicial district at 3461 Plano Pkwy, The Colony, TX 75056 (depicted below).



5. Defendant is 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 Defendant's 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

6. 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

7. Defendant directly or through its intermediaries has been and is now infringing claims 1, 2, 18, 19, 20 and 30, 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 Panasonic Toughbook CF-C1 (the “Accused Instrumentality”)), covered by one or more claims of the ’950 Patent to the injury of Plaintiff. Defendant is directly infringing, literally infringing, and/or infringing the ’338 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the ’338 Patent pursuant to 35 U.S.C. § 271(a).

8. Defendant directly or through its 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. 1-10.

9. Defendant directly or through its 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. 1-10.

10. Defendant directly or through its 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 is a portable computer which includes a housing having therein circuitry with a component, comprising the steps of: thermally coupling to said component a temperature adjusting arrangement, said temperature adjusting arrangement including a thermally conductive section having a side which faces in a direction approximately parallel to an axis and which is thermally coupled to said component; and directing a fluid flow along said axis toward a side of said thermally conductive section opposite from said component, said thermally conductive section causing said 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 said axis, said flow portions exiting said thermally conductive section at a plurality of respective locations which are disposed along a substantial portion of the periphery of said thermally conductive section. *See* Ex. A-1, Figs. 1-6.

11. Defendant directly or through its 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, Figs. 6-7.

12. Defendant directly or through its 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. 6-8.

13. Defendant directly or through its intermediaries, make, use, import, sell, and/or offer for sale products and/or systems, *i.e.*, the Accused Instrumentality, that infringes claim 30 of the '950 Patent. The Accused Instrumentality performs the step of thermally coupling a first portion of a heat pipe to a further component of said circuitry; and thermally coupling a second portion of the heat pipe which is spaced from the first portion thereof to the thermally conductive section. *See* Ex. A-1, Figs. 9-10.

14. As a result of Defendant's 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.

15. Unless a permanent injunction is issued enjoining Defendant and its 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 Defendant, 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 Defendant;
- b. Judgment that Defendant accounts for and pay to Plaintiff all damages and costs incurred by Plaintiff, caused by Defendant's infringing activities and other conduct complained of herein;
- c. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's 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,

By: /s/ Hao Ni
Hao Ni
Texas Bar No. 24047205
hni@nilawfirm.com
Timothy T. Wang
Texas Bar No. 24067927
twang@nilawfirm.com
Neal G. Massand
Texas Bar No. 24039038
nmassand@nilawfirm.com
Stevenson Moore V
Texas Bar No. 24076573
smoore@nilawfirm.com
Krystal L. McCool
Texas Bar No. 24082185
kmccool@nilawfirm.com

NI, WANG & MASSAND, PLLC

8140 Walnut Hill Ln., Ste. 500

Dallas, TX 75231

Tel: (972) 331-4600

Fax: (972) 314-0900

ATTORNEYS FOR PLAINTIFF

PC COMA LLC