

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<p><b>Sockeye Licensing TX LLC,</b>  Plaintiff,  v.  <b>Shenzen MTC Co., Ltd.,</b>  Defendant.</p>	<p>Case No. _____  Patent Case  Jury Trial Demanded</p>
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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Sockeye Licensing TX LLC (“Sockeye”), through its attorney, Isaac Rabicoff, complains against Shenzen MTC Co., Ltd. (“Shenzen”) and alleges the following:

**PARTIES**

1. Plaintiff Sockeye Licensing TX LLC is a limited liability company organized and existing under the laws of Texas with its principal place of business at 320 Wilmette Avenue, Glenview, IL 60025.

2. Defendant Shenzen MTC Co., Ltd. is a foreign corporation with its principal place of business at Siu Chi Innovation Industrial Park, Xiali Street, Nanwan Street, No. 1, Lilang Road, Longgang District, Shenzen, 518112.

**JURISDICTION**

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Shenzhen because it has engaged in systematic and continuous business activities in the Northern District of Illinois. Specifically, Shenzhen provides its full range of services to residents in this District. As described below, Shenzhen has committed acts of patent infringement giving rise to this action within this District.

#### VENUE

6. Venue is proper in this District under 28 U.S.C. § 1400(b) because Shenzhen has sold infringing products in this District. In addition, Sockeye has suffered harm in this District.

#### PATENTS-IN-SUIT

7. Sockeye is the assignee of all right, title, and interest in United States Patent Nos. 9,547,981 (the “’981 Patent”) and 8,135,342 (the “’342 Patent”) (collectively, the “Patents-in-Suit”), including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the Patents-in-Suit. Accordingly, Sockeye possesses the exclusive right and standing to prosecute the present action for infringement of the Patents-in-Suit by Fujitsu.

8. On January 17, 2017, the United States Patent and Trademark Office issued the ’981 Patent. The ’981 Patent is titled “System, Method and Apparatus for Using a Wireless Device to Control Other Devices.” A true and correct copy of the ’981 Patent is attached hereto as Exhibit A and incorporated herein by reference. A true and correct copy of the parent patent, the ’342 Patent, is attached hereto as Exhibit B and incorporated herein by reference.

#### **The ’981 Patent**

9. The USPTO issued the ’981 patent on January 17, 2017, without ever having rejected any of the claims under 35 U.S.C. § 101 during prosecution.

10. The ’981 Patent is valid and enforceable.

11. The '981 Patent describes a need to provide an improved paradigm for using a wireless cell phone or other such communications device as a central component of a desktop or other such computing environment. Ex. A, 2:61-64.

12. The '981 Patent describes a system, method and apparatus in which the user of a wireless cell phone device establishes a direct connection with a desktop computer monitor, keyboard, mouse or other component using wireless connections. *Id.* at 1:30-36.

13. In the application leading to the '981 Patent, the Examiner expressly considered all of the IPR petitions filed against the '342 Patent, *see* ¶ 17 *infra*, and allowed the '981 Patent to issue over all the prior art cited in those IPR petitions.

#### **The '342 Patent**

14. The '342 Patent is valid and enforceable.

15. The '342 Patent describes a need to provide an improved paradigm for using a wireless cell phone or other such communications device as a central component of a desktop or other such computing environment. Ex. B, 2:51-54.

16. The '342 Patent describes a system, method and apparatus in which the user of a wireless cell phone device establishes a direct connection with a desktop computer monitor, keyboard, mouse or other component using any combination of wireline connections and wireless connections. *Id.* at 1:10-16.

17. The PTAB declined to institute an IPR against the asserted claim 21 of the '342 Patent in IPR2016-00989, and therefore determined that there was not a reasonable likelihood of unpatentability on the given grounds. *See RPX Corp. v. Sockeye Licensing TX, LLC*, IPR2016-00989 (P.T.A.B. 2016) (declining to institute an IPR as to claims 21, 22, 25 and 26). In IPR2016-01052, the Petitioner did not seek to institute an IPR of claim 21. *See RPX Corp. v. Sockeye*

*Licensing TX, LLC*, IPR2016-01052 (P.T.A.B. 2016) (requesting an IPR for claims 11-19 and 58-76 and denying institution of an IPR for claims 60-61 and 69).

**COUNT I: INFRINGEMENT OF THE '981 Patent**

18. Sockeye incorporates the above paragraphs herein by reference.

19. **Direct Infringement.** Shenzen has been and continues to directly infringe at least claim 1 of the '981 Patent in this District and elsewhere in the United States by making the mainboard wireless display, found in the Shenzen MTC TV, which performs the steps found in the preamble of claim 1. The Shenzen MTC TV allows a Netflix movie to be downloaded from a Netflix server to the user's smartphone, and then wirelessly cast from the smartphone to the casting circuitry for display on the TV.

20. The Shenzen product performs the steps of all other claim elements of at least claim 1 of the '981 patent.

21. **Induced Infringement.** Shenzen has also actively induced, and continues to induce, the infringement of at least claim 1 of the '981 Patent by actively inducing its customers, including merchants and end-users, to use the Shenzen product in an infringing manner as described above. Upon information and belief, Shenzen has specifically intended that its customers use the Shenzen product that infringes at least claim 1 of the '981 Patent by, at a minimum, providing access to, support for, training and instructions for its website to its customers to enable them to infringe at least claim 1 of the '981 Patent, as described above. Even where performance of the steps required to infringe at least claim 1 of the '981 Patent is accomplished by Shenzen and a Shenzen customer jointly, Shenzen is responsible for the actions that cause each of the steps of at least claim 1 of the '981 Patent to be performed.

22. As of 2015, Shenzen manufactures and sells JVC brand televisions. *See* James K. Willcox, *TV Brands Aren't Always What They Seem*, CONSUMER REPORTS (July 9, 2018),

<https://www.consumerreports.org/lcd-led-oled-tvs/tv-brands-arent-always-what-they-seem/>. Each JVC television has Chromecast as a built-in feature.

23. Sockeye is entitled to recover damages adequate to compensate it for such infringement in an amount no less than a reasonable royalty under 35 U.S.C. § 284.

#### **COUNT II: INFRINGEMENT OF THE '342 Patent**

24. Sockeye incorporates the above paragraphs herein by reference.

25. **Direct Infringement.** Shenzen has been and continues to directly infringe at least claim 21 of the '342 Patent in this District and elsewhere in the United States by making the Shenzen mainboard wireless display found in the preamble of claim 21 “[t]he peripheral device control system according to claim 20.” For example, the Shenzen MTC TV works in combination with a casting function. Upon information and belief, Shenzen MTC directly also directly infringes both by using and internally testing the Shenzen MTC Smartcast.

26. The Shenzen product performs the steps of all elements of at least claim 21 of the '342 patent.

27. **Induced Infringement.** Shenzen has also actively induced, and continues to induce, the infringement of at least claim 21 of the '342 Patent by actively inducing its customers, including merchants and end-users, to use the Shenzen product in an infringing manner as described above. Upon information and belief, Shenzen has specifically intended that its customers use the Shenzen product that infringes at least claim 21 of the '342 Patent by, at a minimum, providing access to, support for, training and instructions for its website to its customers to enable them to infringe at least claim 21 of the '342 Patent, as described above. Even where performance of the steps required to infringe at least claim 21 of the '342 Patent is accomplished by Shenzen and a Shenzen customer jointly, Shenzen is responsible for the actions that cause each of the steps of at least claim 21 of the '342 Patent to be performed.

28. As of 2015, Shenzen manufactures and sells JVC brand televisions. *See* James K. Willcox, *TV Brands Aren't Always What They Seem*, CONSUMER REPORTS (July 9, 2018), <https://www.consumerreports.org/lcd-led-oled-tvs/tv-brands-arent-always-what-they-seem/>. Each JVC television has Chromecast as a built-in feature.

29. Sockeye is entitled to recover damages adequate to compensate it for such infringement in an amount no less than a reasonable royalty under 35 U.S.C. § 284.

#### **JURY DEMAND**

30. Under Rule 38(b) of the Federal Rules of Civil Procedure, Sockeye respectfully requests a trial by jury on all issues so triable.

#### **PRAYER FOR RELIEF**

WHEREFORE, Sockeye asks this Court to enter judgment against Fujitsu, granting the following relief:

- A. A declaration that Shenzen has infringed the Patent-in-Suit;
- B. An award of damages to compensate Sockeye for Fujitsu's direct infringement of the Patent-in-Suit;
- C. An award of damages, including trebling of all damages, sufficient to remedy Fujitsu's infringement of the Patent-in-Suit under 35 U.S.C. § 284;
- D. An accounting of all damages not presented at trial;
- E. A declaration that this case is exceptional, and an award to Sockeye of reasonable attorneys' fees, expenses and costs under 35 U.S.C. § 285;
- F. An award of prejudgment and post-judgment interest; and
- G. Such other relief as this Court or jury may deem proper and just.

Dated: February 21, 2019

Respectfully submitted,

/s/ Isaac Rabicoff  
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