

1 M. ELIZABETH DAY (SBN 177125)
eday@feinday.com
2 DAVID ALBERTI (SBN 220265)
dalberti@feinday.com
3 MARC BELLOLI (SBN 244290)
mbelloli@feinday.com
4 FEINBERG DAY ALBERTI LIM &
BELLOLI LLP
5 1600 El Camino Real, Suite 280
Menlo Park, CA 94025
6 Tel: 650.618.4360
Fax: 650.618.4368
7

8 NI, WANG & MASSAND, PLLC
Hao Ni (pro hac vice to be filed)
9 hni@nilawfirm.com
8140 Walnut Hill Lane, Suite 500
10 Dallas, TX 75231
Telephone: (972) 331-4600
11 Facsimile: (972) 314-0900

12 *Attorneys for Plaintiff*
13 *PC Coma LLC*

14
15 **IN THE UNITED STATES DISTRICT COURT**
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

17 **PC COMA LLC,**

18 Plaintiff,

19 v.
20

21 **HP INC.,**

22 Defendant.
23
24

CASE NO. 3:19-cv-00989

DEMAND FOR JURY TRIAL

25 **ORIGINAL COMPLAINT**

26 This is an action for patent infringement in which PC Coma LLC (“Plaintiff”) makes the
27 following allegations against HP Inc. (“Defendant”):
28

PARTIES

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

4 2. Upon information and belief, HP Inc. is a corporation formed under the laws of the State
5 of Delaware that has its principal place of business located at 1501 Page Mill Road, Palo Alto, CA
6 94304. On information and belief, Defendant may be served with process through its registered agent,
7 Helen Park, 400 Glenullen Dr., Pasadena, CA 91105.
8

9 **JURISDICTION AND VENUE**

10 3. This is an action for infringement of a United States patent arising under 35 U.S.C. §§
11 271(a), 281, and 284 - 85. This Court has subject matter jurisdiction over this action under 28 U.S.C.
12 §1331 and §1338(a).

13 4. Venue is proper in this district under 28 U.S.C. § 1400(b). Upon information and belief,
14 Defendant has a regular and established place of business and has committed acts of patent
15 infringement in this district.
16

17 5. Upon information and belief, Defendant is subject to this Court’s specific and general
18 personal jurisdiction pursuant to due process and/or the California Long Arm Statute, due at least to its
19 substantial business in this forum, including: (i) at least a portion of the infringements alleged herein;
20 and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or
21 deriving substantial revenue from goods and services provided to individuals in California and in this
22 Judicial District.
23

24 **INTRADISTRICT ASSIGNMENT**

25 6. Pursuant to Local Rule 3-2(c), this case is subject to district-wide assignment because
26 it is an Intellectual Property Action.

27 **U.S. PATENT NO. 6,972,950**

1 7. On December 6, 2005, United States Patent No. 6,972,950 (the “’950 Patent”) was
2 duly and legally issued by the United States Patent and Trademark Office for an invention titled
3 “Method and Apparatus for Cooling a Portable Computer.” A true and correct copy of the ’950 Patent
4 is attached hereto as Exhibit A.

5 8. Plaintiff is the owner of the ’950 Patent with all rights in and to the ’950 Patent.

6 9. Upon information and belief, to the extent any marking was required by 35 U.S.C.
7 § 287 with regards to the ’950 Patent, Plaintiff has complied with such requirements.
8

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

11 10. Defendant directly or through their intermediaries has been and is now infringing claim
12 1, 8, 15, 16, and 17 of the ’950 Patent in the State of California, in this Judicial District, and elsewhere
13 in the United States, by, among other things, directly or through intermediaries, making, using,
14 importing, providing, selling and/or offering for sale products and/or systems (HP Probook 470 G4
15 (the “Accused Instrumentality”)), covered by one or more claims of the ’950 Patent to the injury of
16 Plaintiff. Defendant is directly infringing, literally infringing, and/or infringing the ’950 Patent under
17 the doctrine of equivalents. Defendant is thus liable for infringement of the ’950 Patent pursuant to 35
18 U.S.C. § 271(a).

19 11. The Accused Instrumentality infringes claim 1 of the ’950 Patent. The Accused
20 Instrumentality is a portable computer which includes: a housing; circuitry disposed within said
21 housing and having a component; and a temperature adjusting arrangement thermally coupled to said
22 component, said temperature adjusting arrangement including: a thermally conductive section having
23 a side which faces in a direction approximately parallel to an axis, and which is thermally coupled to
24 said component; and a fluid supply section disposed on a side of said thermally conductive section
25 opposite from said component and operable to direct a fluid flow along said axis toward said thermally
26 conductive section, said thermally conductive section causing said fluid flow to split into a plurality of
27
28

1 flow portions which each flow through said thermally conductive section in a direction approximately
2 parallel to a plane perpendicular to said axis, said flow portions exiting said thermally conductive
3 section at a plurality of respective locations which are disposed along a substantial portion of the
4 periphery of said thermally conductive section. *See* Ex. A-1, Figs. 1-14.

5 12. The Accused Instrumentality infringes claim 8 of the '950 Patent. It meets the
6 limitations of claim 1, and further, wherein said housing has first and second ports therethrough, said
7 fluid supply section being in fluid communication with said first port for drawing into said housing
8 through said first port from externally of said housing a flow of air, said fluid flow including said flow
9 of air, and wherein at least part of the air in said flow portions, after leaving said thermally conductive
10 section, travels to and exits said housing through said second port. *See* Ex. A-1, Figs. 1-15.

11 13. The Accused Instrumentality infringes claim 15 of the '950 Patent. It meets the
12 limitations of claim 1, and further, wherein said circuitry includes a further component; and including
13 a heatpipe disposed within said housing, said heatpipe having a first portion which is thermally coupled
14 to said further component, and having a second portion which is spaced from said first portion and
15 which is thermally coupled to said thermally conductive section. *See* Ex. A-1, Figs. 1-15.

16 14. The Accused Instrumentality infringes claim 16 of the '950 Patent. It meets the
17 limitations of claim 1, and further, wherein said fluid supply section includes a fan that effects an air
18 flow which is said fluid flow. *See* Ex. A-1, Figs. 1-15.

19 15. The Accused Instrumentality infringes claim 17 of the '950 Patent. It meets the
20 limitations of claim 1, and further, wherein said component contains a processor. *See* Ex. A-1, Figs.
21 1-15.

22 16. As a result of Defendant's infringement of the '950 Patent, Plaintiff has suffered
23 monetary damages and is entitled to a money judgment in an amount adequate to compensate for
24
25
26
27
28

1 Defendant's infringement, but in no event less than a reasonable royalty for the use made of the
2 invention by Defendant, together with interest and costs as fixed by the court.

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

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully requests that this Court enter:
8

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

11 b. Judgment that Defendant account for and pay to Plaintiff all damages and costs
12 incurred by Plaintiff, caused by Defendant's infringing activities and other conduct complained of
13 herein;

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

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

18 e. That Plaintiff be granted such other and further relief as the Court may deem just and
19 proper under the circumstances.
20

21 DATED February 22, 2019.

Respectfully submitted,

22 By: /s/ Marc Belloli
23 Marc Belloli

24 **ATTORNEYS FOR PLAINTIFF**
25 **PC COMA LLC**

DEMAND FOR JURY TRIAL

1
2 Plaintiff demands trial by jury for all issues so triable pursuant to Fed. R. Civ. Pro. 38(b) and
3 Civil L.R. 3-6(a).

4 DATED February 22, 2019.

Respectfully submitted,

5
6 By: /s/ Marc Belloli
Marc Belloli

7 **ATTORNEYS FOR PLAINTIFF**
8 **PC COMA LLC**

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28