

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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WINET LABS LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA, INC.,

Defendant.

Case No.

COMPLAINT

JURY TRIAL DEMANDED

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WiNet Labs LLC (hereinafter, “WiNet Labs”) brings this patent-infringement action against Samsung Electronics America, Inc. (hereinafter, “Samsung”).

Parties

1. Plaintiff WiNet Labs is a Wyoming company with its principal place of business in Newtown, Pennsylvania.
2. Samsung is a New York company, having its principal place of business in New Jersey.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Samsung. Samsung conducts

continuous and systematic business in New York and in this District. Samsung maintains corporate offices in this District. This patent-infringement case arises directly from Samsung's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Samsung would be consistent with traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b).

Infringement of U.S. Patent No. 7,593,374 (the “374 patent”)

7. WiNet Labs hereby realleges and incorporates by reference, as if fully set forth herein, the allegations of paragraphs 1-6 above.

8. WiNet Labs is the exclusive owner of the '374 patent, which is attached hereto as “Exhibit A.”

9. The '374 patent is valid and enforceable.

10. Samsung has and is directly infringing claims of the '374 patent. Samsung practices the methods embodied in the claims of the '374 patent. Without limiting the claims that may be asserted or the services that may be accused of infringement in this action, Samsung is infringing claim 1 of the '374 patent when Samsung makes, uses, and sells its “Group Play” service.

11. Claim 1 is, “A method for forming an ad-hoc network with a plurality of nodes, the method comprising” (Ex. A, col. 8:50-51.) The “Group Play” service practices Claim 1's method of forming an ad-hoc network with a plurality of nodes. For example, the “Group Play” service on two S4 telephones could form an ad-hoc network.

12. Claim 1 includes “electing a coordinating node from the plurality of nodes” (Ex. A, col. 8:52.) The S4 telephones include “nodes,” which allow these devices to send and receive data among other devices. Based on the “Group Play” service on the S4 telephone initiating

the shared connection with the other S4 telephone and the initiating S4 telephone's serial number, the initiating S4 telephone is elected the coordinating node.

13. Claim 1 continues, "the coordinating node then: assigning an ad-hoc network address to each of the other nodes with the ad-hoc address recognizing participation of a respective node in the network" (Ex. A, col 8:53-55.) The initiating S4 telephone assigns the name "Group Play -- A" as an ad-hoc network address and with this ad-hoc address recognizes the participation of the other S4 telephone in the network. Each S4 telephone is also assigned the same local address: 192.168.43.1.

14. Claim 1 includes "assigning a local address to each of the other nodes with the local address setting a position of a respective node in the network" (Ex. A, col. 8:56-58.) The "Group Play" service uses each device's MAC address as the unique element that sets that device's position within the ad-hoc network. For example, the initiating S4 telephone's MAC address is cc:3a:61:0d:d3:ba. The other S4 telephone's MAC address is cc:3a:61:82:52:28.

15. In claim 1, "the electing step comprises . . . emitting pings from each of the nodes to locate nodes within a radio range; broadcasting a tag from each of the located nodes to identify each of the located nodes; sending out an election-ballot packet by each of the identified nodes to each of the other identified nodes" (Ex. A, 8:59-64.) To elect the initiating S4 telephone as the coordinating node, pings are emitted from the initiating S4 telephone and the other S4 telephone to locate the other S4 telephone as within a radio range. In addition, to elect the initiating S4 telephone as the coordinating node, a tag is broadcast from each of the initiating S4 telephone and the other S4 telephone to identify each device. Also, to elect the initiating S4 telephone as the coordinating node, an election-ballot packet is sent by and among the initiating S4 telephone and

the other S4 telephone—i.e, a block of data is sent that governs the election of the initiating S4 telephone as the coordinating node.

16. Claim 1 continues, “wherein the electing step further comprises electing the coordinating node based on information in the tags, wherein each of the tags includes a serial number, the electing step further comprises electing the coordinating node based on its serial number.” (Ex. A, col. 8:65-9:3.) The tag associated with the initiating S4 telephone includes the telephone’s serial number. The initiating S4 telephone is elected the coordinating node based on its serial number.

17. Claim 2 of the ‘374 patent adds to Claim 1, “wherein the coordinating node further allocates bandwidth to each of the nodes on a rotating, collision-free basis.” (Ex. A, col. 9:4-6.) Through operation of the “Group Play” service, the initiating S4 telephone allocates bandwidth to the other S4 telephone on a rotating, collision-free basis.

18. Claim 3 of the ‘374 patent adds to Claim 2, “wherein the coordinating node allocates bandwidth based on an amount of bandwidth requested by all of the nodes in the network.” (Ex. A, col. 9:7-9.) Through operation of the “Group Play” service, the initiating S4 telephone allocates bandwidth to the other S4 telephone based on an amount of bandwidth requested by the two S4 telephones.

19. Claim 4 of the ‘374 patent adds to Claim 1, “communicating data among each of the nodes in the network in a sequential cycle.” (Ex. A, col. 9:10-12.) Through operation of the “Group Play” service, the initiating S4 telephone communicates data between itself and the other S4 telephone in a sequential cycle.

20. Claim 12 of the ‘374 patent adds to Claim 1, “wherein the coordinating node further

recognizes that a node is leaving the network.” (Ex. A, col. 10:3-4.) Claim 13 of the ‘374 patent adds to Claim 1, “wherein the coordinating node further recognizes that a node wants to join the network.” (Ex. A, col. 10:5-6.) Through operation of the “Group Play” service, the initiating S4 telephone recognizes that devices, such as the other S4 telephone, leave or desire to join the ad-hoc network.

Prayer for Relief

WHEREFORE, WiNet Labs prays for the following relief against Samsung:

- (a) Judgment that Samsung has directly infringed claims 1, 2, 3, 4, 12, and 13 of the ‘374 patent;
- (b) A reasonable royalty;
- (c) Pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) Post-judgment injunction; and
- (e) Such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

WiNet Labs demands a trial by jury on all matters and issues so triable.

Date: May 1, 2019

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