

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

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MESA DIGITAL, LLC,

Plaintiff,

v.

COMPLAINT

SAMSUNG ELECTRONICS AMERICA, INC.,

JURY TRIAL DEMANDED

Defendant.

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Mesa Digital, LLC brings this patent-infringement action against Samsung Electronics America, Inc.

Parties

1. Plaintiff Mesa Digital, LLC (hereinafter, “Mesa”) is a limited liability company organized under the laws of New Mexico with a principal place of business located in Albuquerque, New Mexico.

2. Defendant Samsung Electronics America, Inc. (hereinafter, “Samsung”) is a corporation organized under the laws of New York with a principal place of business located 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 resides in New York and 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).

Count 1 – Infringement of U.S. Patent No. 9,031,537

7. Mesa is the exclusive owner of United States Patent No. 9,031,537 (the “'537 patent”), which is attached hereto as “Exhibit A.”

8. The '537 patent is valid and enforceable.

9. Samsung has and is directly infringing at least one of the 37 claims of the '537 patent. Samsung has made and sold, and is making and selling, a series of Galaxy devices that embody claims of the '537 patent. Without limiting the claims that will be asserted or the products that will be accused of infringement in this action, Samsung infringes claim 27 of the '537 patent by making and selling the Galaxy S10.

a. The apparatus of claim 27 is an “electronic wireless hand held multimedia device[.]” (Ex. A, 18:5.) The Galaxy S10 is a handheld multimedia device.

b. The device of claim 27 includes “a wireless unit . . . supporting bi-directional data communications of data including video and text for the electronic wireless hand held multimedia device with remote data resources over cellular telecommunications

networks, over wireless local area networks and over a direct wireless connection with electronic devices located, within short range using Bluetooth communications after accepting a passcode from a user of the electronic wireless hand held multimedia device during the communications[.]” (Ex. A, 18:7-16.) The Galaxy S10 supports two-way data communication, including video over cellular and wireless local area networks. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/> (“Enhanced 4x4 MIMO, Up to 7CA, LAA, LTE Cat.20 Up to 2.0Gbps Download / Up to 150Mbps Upload”). The Galaxy S10 also permits two-way data communication via Bluetooth. *Id.* (“Bluetooth® v 5.0 (LE up to 2Mbps)”). The Galaxy S10 includes multiple forms of authentication, including a PIN, password, fingerprint sensor, and facial recognition. *Id.*

c. The claim 27 device includes “a touch sensitive display screen configured to display the data including video and text by selecting a particular data represented by a soft button on the touch sensitive display screen of the electronic wireless hand held multimedia device and to accept user input[.]” (Ex. A, 18:17-21.) The Galaxy S10 operates by means of a touch-sensitive GUI using software buttons appearing on the 6.1-inch display. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

d. The claim 27 device includes “a global positioning module configured to provide device location information[.]” (Ex. A, 18:22-23.) The Galaxy S10 includes global positioning software, including “GPS, Galileo, Glonass, [and] BeiDou” <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

e. The device of claim 27 includes “a cartridge reader configured to receive and communicate with an electronic cartridge[.]” (Ex. A, 18:24-25.) The Galaxy S10

comes in a “Single SIM” model (including one Nano subscriber identity module (“SIM”) slot and one MicroSD slot) and a “Dual SIM” model (including one Nano SIM slot and one Nano Sim or MicroSD slot. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

f. The claim 27 device includes “a microprocessor configured to facilitate operation of and communications by the electronic wireless hand held multimedia device.” (Ex. A, 18:26-28.) The Galaxy S10 includes a Qualcomm Snapdragon 855 chip. <https://www.samsung.com/us/mobile/galaxy-s10/compare/?device-1=samsung-galaxy-note8&device-2=samsung-galaxy-s7-edge>.

Count 2 – Infringement of U.S. Patent No. 9,646,444

10. Mesa is the exclusive owner of United States Patent No. 9,646,444 (the “‘444 patent”), which is attached hereto as “Exhibit B.”

11. The ‘444 patent is valid and enforceable.

12. Samsung has and is directly infringing at least one of the 20 claims of the ‘444 patent. Samsung has made and sold, and is making and selling, a series of Galaxy devices that embody claims of the ‘444 patent. Without limiting the claims that will be asserted or the products that will be accused of infringement in this action, Samsung infringes claim 15 of the ‘444 patent by making and selling the Galaxy S10.

a. The apparatus of claim 15 is an “electronic wireless hand held multimedia device[.]” (Ex. B, 17:12.) The Galaxy S10 is a handheld multimedia device.

b. The device of claim 15 includes “a wireless unit . . . supporting bi-directional data communications of data including video and text for the electronic wireless

hand held multimedia device with remote data resources over cellular telecommunications networks, over wireless local area networks and over a direct wireless connection with electronic devices located within short range using short range RF (Radio Frequency) communications after accepting a passcode from a user of the multimedia device during the communications[.]” (Ex. B, 17:14-23.) The Galaxy S10 supports two-way data communication, including video over cellular and wireless local area networks. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/> (“Enhanced 4x4 MIMO, Up to 7CA, LAA, LTE Cat.20 Up to 2.0Gbps Download / Up to 150Mbps Upload”). The Galaxy S10 also permits two-way data communication using short-range radio. *Id.* (“Credit & debit cards: supports MST or/and NFC.”) The Galaxy S10 includes multiple forms of authentication, including a PIN, password, fingerprint sensor, and facial recognition. *Id.*

c. The claim 15 device includes “a touch sensitive display screen configured to display the data including video and text by selecting a particular data represented by a soft button on the touch sensitive display screen of the electronic wireless hand held multimedia device and to accept user input[.]” (Ex. B, 17:24-28.) The Galaxy S10 operates by means of a touch-sensitive GUI using software buttons appearing on the 6.1-inch display. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

d. The claim 15 device includes “a microprocessor configured to facilitate operation of and communications by the electronic wireless hand held multimedia device.” (Ex. B, 18:29-31.) The Galaxy S10 includes a Qualcomm Snapdragon 855 chip. <https://www.samsung.com/us/mobile/galaxy-s10/compare/?device-1=samsung-galaxy-note8&device-2=samsung-galaxy-s7-edge>.

e. The device of claim 15 includes “a mobile payment module enabling the management of payment transactions wirelessly utilizing said electronic wireless hand held multimedia device.” (Ex. B, 18:1-3.) The Galaxy S10 is equipped with Samsung Pay, which “works in-store, in-app and online. Load your cards onto your devices and checkout with a tap.” <https://www.samsung.com/global/galaxy/samsung-pay/>.

Count 3 – Infringement of U.S. Patent No. 10,182,144

13. Mesa is the exclusive owner of United States Patent No. 10,182,144 (the “‘144 patent”), which is attached hereto as “Exhibit C.”

14. The ‘144 patent is valid and enforceable.

15. Samsung has and is directly infringing at least one of the 18 claims of the ‘144 patent. Samsung has made and sold, and is making and selling, a series of Galaxy devices that embody claims of the ‘144 patent. Without limiting the claims that will be asserted or the products that will be accused of infringement in this action, Samsung infringes claim 18 of the ‘144 patent by making and selling the Galaxy S10.

a. The apparatus of claim 18 is an “electronic wireless hand held multimedia device[.]” (Ex. C, 18:1.) The Galaxy S10 is a handheld multimedia device.

b. The device of claim 18 includes “a wireless unit supporting bi-directional data communications of data including video and text for the electronic wireless hand held multimedia device with remote data resources over cellular telecommunications networks, over wireless local area networks and over a direct wireless connection with electronic devices located within short range using short range RF (Radio Frequency)

communications[.]” (Ex. C, 18:3-10.) The Galaxy S10 supports two-way data communication, including video over cellular and wireless local area networks. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/> (“Enhanced 4x4 MIMO, Up to 7CA, LAA, LTE Cat.20 Up to 2.0Gbps Download / Up to 150Mbps Upload”). The Galaxy S10 also permits two-way data communication using short-range radio. *Id.* (“Credit & debit cards: supports MST or/and NFC.”)

c. The claim 18 device includes “a touch sensitive display screen configured to display the data including said video and text received by the electronic wireless hand held multimedia device by selecting a particular data represented by a soft button graphically displayed on the touch sensitive display screen of the multimedia device[.]” (Ex. C, 18:11-16.) The Galaxy S10 operates by means of a touch-sensitive GUI using software buttons appearing on the 6.1-inch display. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

d. The claim 18 device includes “a microprocessor configured to facilitate operation of and communications by the electronic wireless hand held multimedia device.” (Ex. C, 18:17-19.) The Galaxy S10 includes a Qualcomm Snapdragon 855 chip. <https://www.samsung.com/us/mobile/galaxy-s10/compare/?device-1=samsung-galaxy-note8&device-2=samsung-galaxy-s7-edge>.

e. The device of claim 18 includes “a video camera and an image processing unit, together with the microprocessor, enabling the capture, storage, processing, and transmission of video and pictures, and the display of captured video on the touch sensitive display screen[.]” (Ex. C, 18:20-24.) “Galaxy S10e, S10, and S10+ record like a pro-level

action camera utilizing their Ultra Wide Camera and predictive software. Super steady gives you smooth videos, even when your journey is on the bumpy side.” <https://www.samsung.com/us/mobile/galaxy-s10/camera/>. The Galaxy S10 includes an image signal processor and a 6.1-inch display screen for displaying captured video. *Id.*

f. The device of claim 18 includes a “GPS module configured to operate with mapping resources and provide location information and mapping information data for and/or with respect to the electronic wireless hand held multimedia device wherein the mapping information data is rendered on the touch sensitive display screen as GPS maps[.]” (Ex. C, 18:25-30.) The Galaxy S10 includes Google Maps software, which makes use of the included global positioning software, including “GPS, Galileo, Glonass, [and] BeiDou” <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>.

g. The claim 18 device includes “a security module accessible by the microprocessor to enable protected data access, management and communications security.” (Ex. C, 18:31-33.) The Galaxy S10 includes multiple forms of authentication, including a PIN, password, fingerprint sensor, and facial recognition. <https://www.samsung.com/global/galaxy/galaxy-s10/specs/>; <https://www.samsung.com/global/galaxy/galaxy-s10/> (“Simply touch the glass to unlock. We’ve moved security from the back of the phone to the front, fusing the Ultrasonic Fingerprint directly into the screen.”).

Prayer for Relief

WHEREFORE, Mesa prays for the following relief against Samsung:

(a) Judgment that Samsung has directly infringed the ‘537, ‘444, and ‘144 patents;

- (b) A fair and reasonable royalty;
- (c) Pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) A post-judgment injunction; and
- (e) Such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

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

Date: May 2, 2019

/s/ Matthew M. Wawrzyn

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