

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

UNIVERSAL CIPHER, LLC,

Plaintiff,

vs.

TARGET CORPORATION,

Defendant.

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Case No:

**PATENT CASE**

**COMPLAINT**

Plaintiff Universal Cipher, LLC (“Plaintiff” or “UC”) files this Complaint against Target Corporation (“Defendant” or “Target”) for infringement of United States Patent No. 7,721,222 (hereinafter “the ‘222 Patent”).

**PARTIES AND JURISDICTION**

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Delaware limited liability company with an address of 16192 Coastal Hwy., Lewes, DE 19958.

4. Upon information and belief, Defendant is a Minnesota corporation with a principal place of business at 1000 Nicollet Mall, Minneapolis, MN 55403. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to

commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

5. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

### **VENUE**

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1400(b) because acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

### **COUNT I** **(INFRINGEMENT OF UNITED STATES PATENT NO. 7,721,222)**

7. Plaintiff incorporates paragraphs 1 through 6 herein by reference.

8. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

9. Plaintiff is the owner by assignment of the '551 Patent with sole rights to enforce the '222 Patent and sue infringers.

10. A copy of the '222 Patent, titled "Dynamic Language Text Generation System and Method," is attached hereto as Exhibit A.

11. The '222 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

12. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 1, 2, 4, 5, and 6 of the '222 patent, by selling smartphones and tablets covered by one or more claims of the '222 Patent.

13. Defendant sells at least LG Android smartphones, Motorola Android

smartphones, and Nokia Android smartphones. See for example, sales indicated at:

<https://www.target.com/p/at-t-prepaid-lg-phenix-plus-16gb-smartphone-black/-/A-53679219>

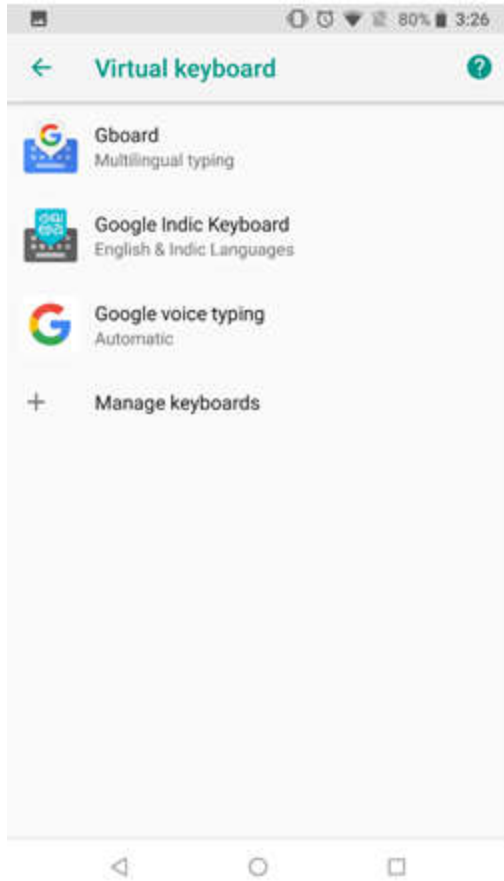
<https://www.target.com/p/motorola-g6-32gb-smartphone-universal-unlocked-black/-/A-53513846>

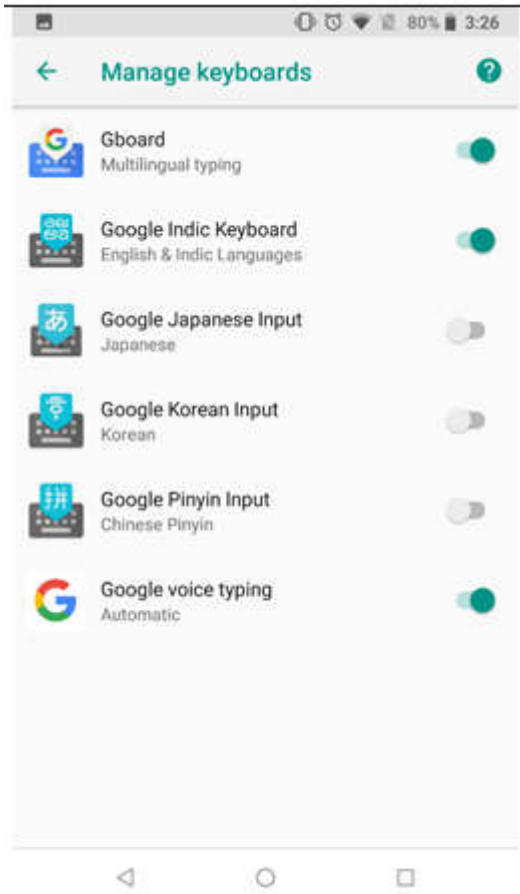
<https://www.target.com/p/nokia-3-1-gsm-unlocked-16gb-black/-/A-53855781>

The details of Plaintiff's infringement allegations, as to each of these example products, are set forth below. On information and belief, Defendant sells other smartphones and tablets that infringe the '222 Patent in the same manner as these specific example products. Collectively, all infringing smartphones and tablets are referred to herein as "Product."

14. Defendant has infringed and continues to infringe the '222 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

15. As to the LG Android smartphones, and regarding Claim 1, the Product practices displaying on a computer monitor a first plurality of character menu items. For example, LG Electronics' Android smartphones and tablets (including but not limited to LG Nexus 5X used as an example below) execute Android OS which includes several non-English keyboards (such as the Hindi keyboard(s) used as an example below). At least some of these non-English keyboards comprise consonant characters arranged in rows and columns (first plurality of character menu items). Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.

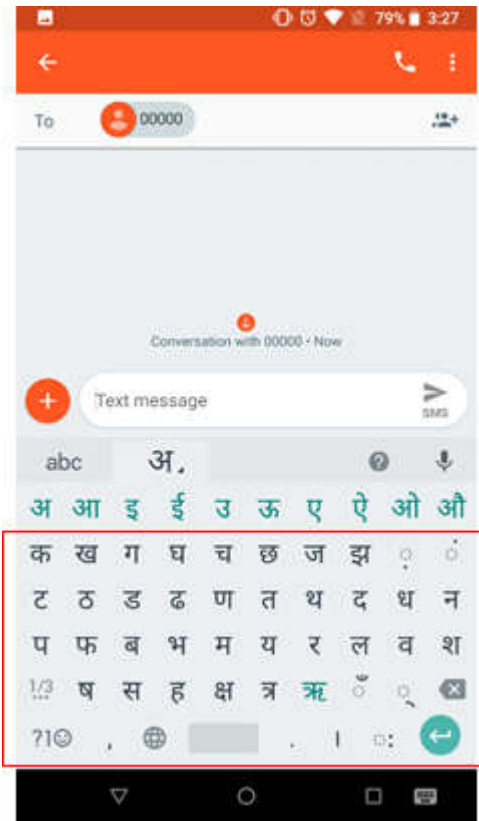






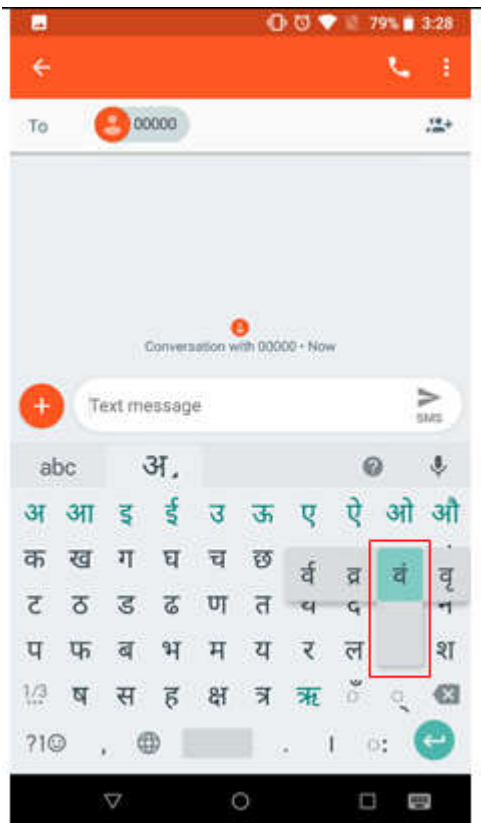
16. Each character menu item of the first plurality of character menu items has only one individually selectable character of a language. For example, each consonant letter on the non-English keyboard has only one selectable character of the selected language.

17. Each character menu item of the first plurality of character menu items is displayed in a first location on the computer monitor. For example, each button on the non-English keyboard is displayed as part of the rectangular keyboard towards the bottom of the screen. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



18. Each character of each character menu item of the first plurality of character menu items is a consonant character of the language. For example, each consonant button on the non-English keyboard is a consonant character of the language (Hindi used as an example below).

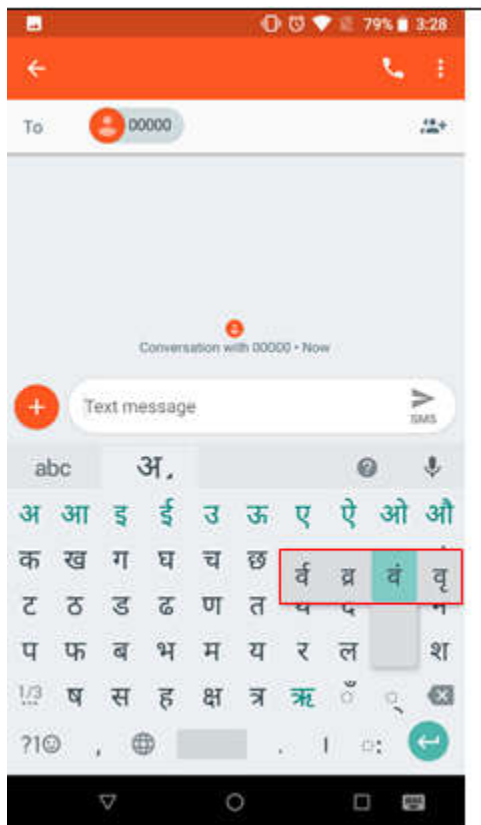
19. The Product practices receiving a first user selection of a first character menu item of the first plurality of character menu items, wherein the first user selection is received via a computer interactive device. For example, LG Electronics' Android smartphones and tablets receive user's selection of a consonant button on the keyboard via a "long press" on the smartphone's touchscreen. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



20. The Product practices displaying on the computer monitor during a first state a first overall plurality of character menu items which consists of the first plurality of character menu items, a second plurality of character menu items, and any first further character menu items, so that no character menu items are displayed on the computer monitor during the first state other than the first overall plurality of character menu items, and wherein the second plurality of character menu items is displayed on the computer monitor during the first state in

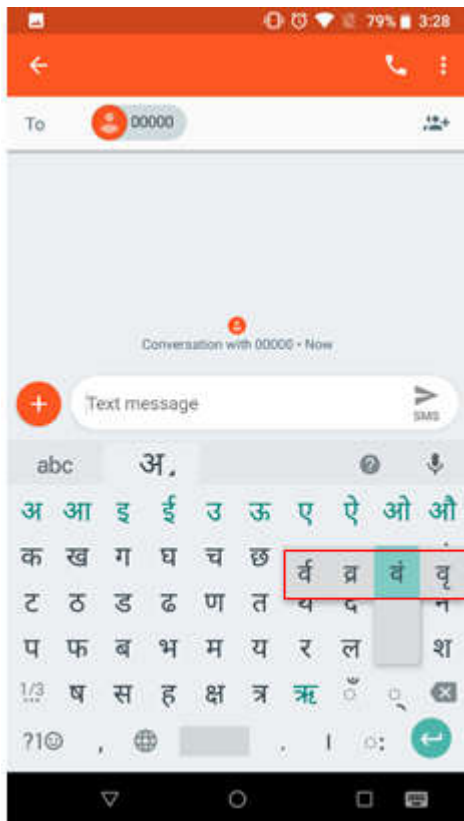


response to the first user selection of the first character menu item. For example, in response to user “long pressing” a consonant button on the non-English keyboard (first character menu item), LG Electronics’ Android smartphones and tablets display a plurality of related characters (second plurality of character menu items) above the selected consonant button. The smartphone in this state only displays the first plurality of character menu items, the second plurality of character menu items, and any first further character menu items. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



21. Each character menu item of the second plurality of character menu items has only one individually selectable character of the language. For example, each character button on the shown plurality of related characters (second plurality of character menu items) has only one individually selectable character of the non-English language (Hindi used in the example).

22. Each character menu item of the second plurality of character menu items is displayed in a second location on the computer monitor. For example, each character button on the shown plurality of related characters (second plurality of character menu items) is shown in rows and columns directly above the selected first character menu item (second location on the computer monitor). Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



23. Each character of each of the second plurality of character menu items is a vowel derivative of the character of the first character menu item. For example, at least some of the related characters shown on LG Electronics' smartphones and tablets in response to the user long pressing on a consonant button are vowel derivatives of the consonant character. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.

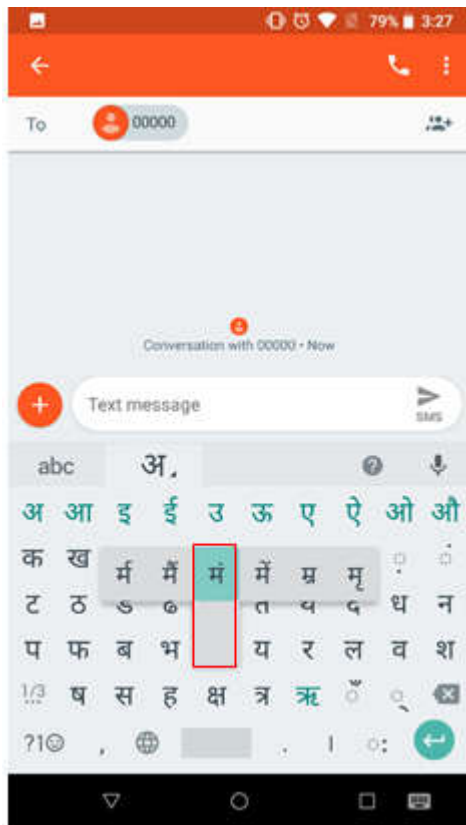


24. The second plurality of character menu items is displayed substantially and directly connected to the first character menu item, and the second plurality of character menu items is not displayed substantially and directly connected to any character menu item of the first overall plurality of character menu items, disregarding the second plurality of character menu items themselves, other than the first character menu item. For example, the related characters are displayed directed connected and just above the selected consonant button and only the selected consonant button.

25. The second location is separate and apart from the first location and the second location is adjacent the first character menu item. For example, the related characters are displayed directed connected and just above the selected consonant button (second location) and only the selected consonant button.

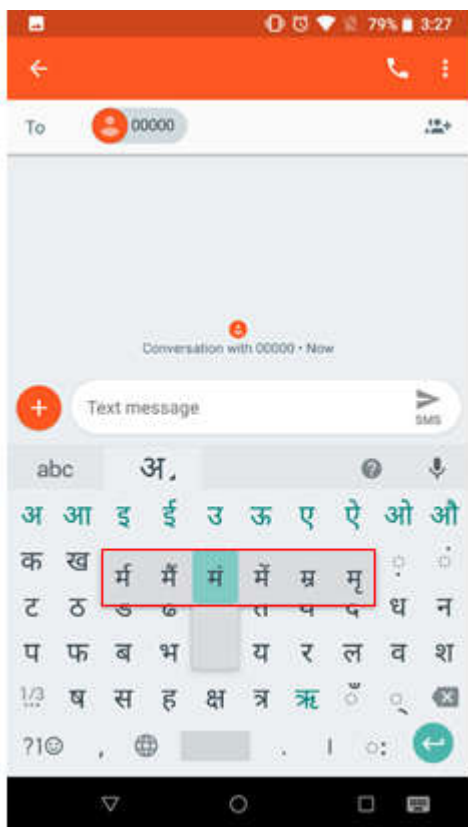
26. The Product practices receiving a second user selection of a second character

menu item of the first plurality of character menu items, wherein the second user selection is received via the computer interactive device. For example, LG Electronics' Android smartphones and tablets receive user's selection of a second consonant button on the keyboard via a "long press" on the smartphone's touchscreen. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



27. The Product practices displaying on the computer monitor during a second state, a second overall plurality of character menu items which consists of the first plurality of character menu items, a third plurality of character menu items, and any second further character menu items, so that no character menu items are displayed on the computer monitor during the second state other than the second overall plurality of character menu items, and wherein the third plurality of character menu items is displayed on the computer monitor

during the second state in response to the second user selection of the second character menu item. For example, in response to user “long pressing” a second consonant button on the non-English keyboard (second character menu item), LG Electronics’ Android smartphones and tablets display a different plurality of related characters (third plurality of character menu items) above the selected consonant button. The smartphone in this state only displays the first plurality of character menu items, the third plurality of character menu items, and any second further character menu items. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



28. Each character menu item of the third plurality of character menu items has only one individually selectable a character of the language. For example, each character button on the shown plurality of related characters (third plurality of character menu items) has only one individually selectable character of the non-English language (Hindi used as an

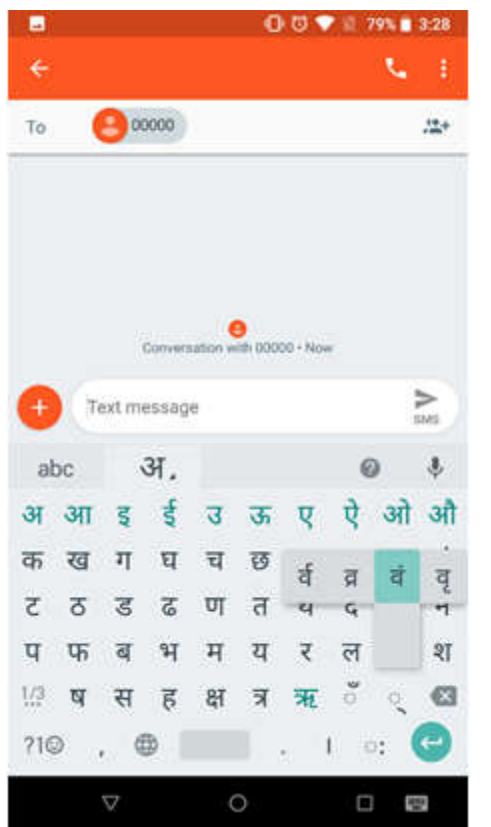
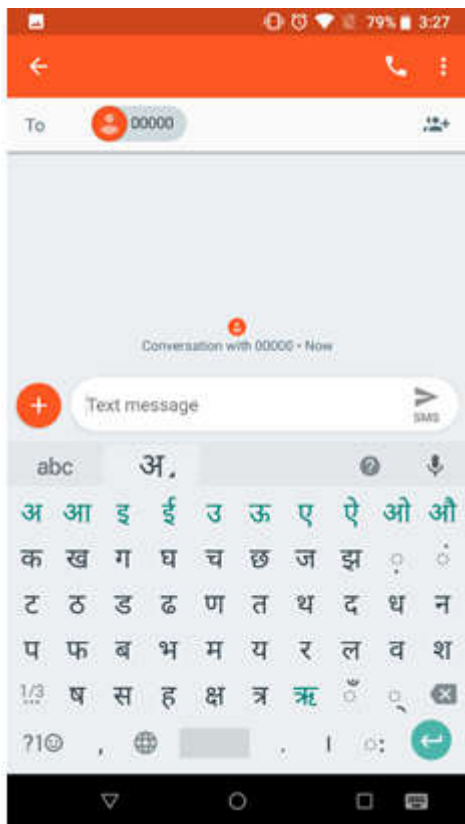
example).

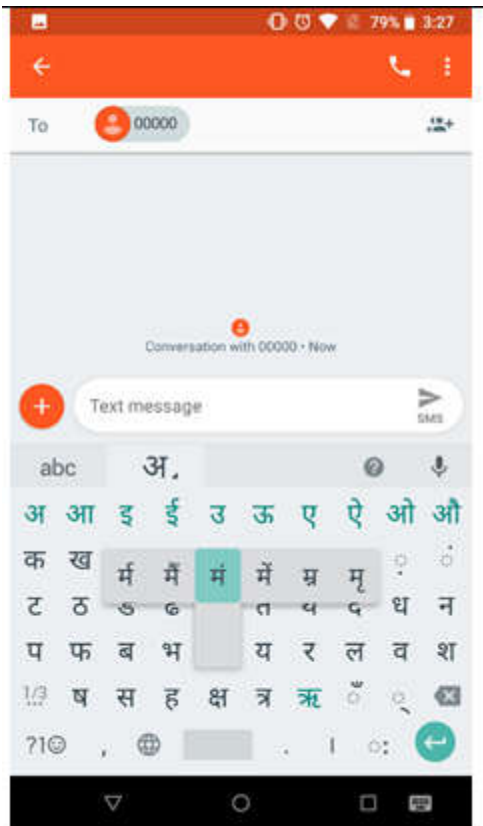
29. Each character of each character menu item of the third plurality of character menu items is a vowel derivative of the character of the second character menu item. For example, at least some of the related characters shown on the Product in response to the user long pressing on a consonant button are vowel derivatives of the consonant character.

30. The third plurality of character menu items is displayed substantially and directly connected to the second character menu item, and the third plurality of character menu items is not displayed substantially and directly connected to any character menu item of the second overall plurality of character menu items, disregarding the third plurality of character menu items themselves, other than the second character menu item. For example, the related characters are displayed directed connected and just above the selected consonant button and only the selected consonant button.

31. Each character menu item of the third plurality of character menu items is displayed in a third location on the computer monitor. For example, the related characters are displayed directed connected and just above the selected consonant button and only the selected consonant button (third location on the computer monitor).

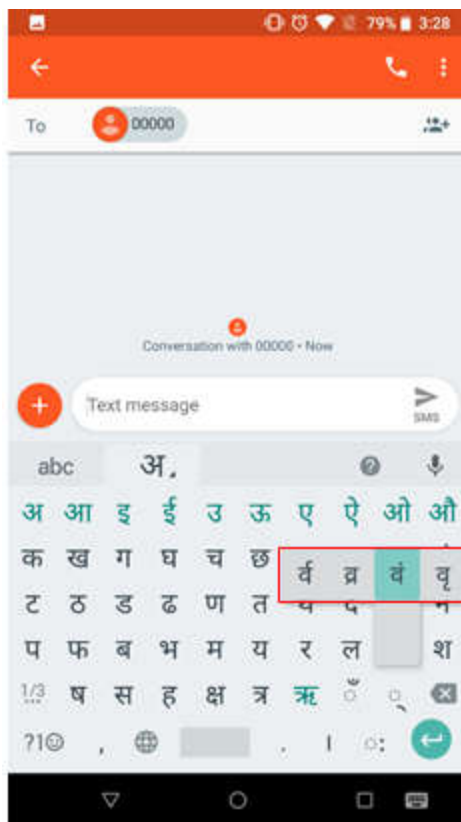
32. The first, second, and the third locations are separate and apart from each other and the third location is adjacent the second character menu item. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



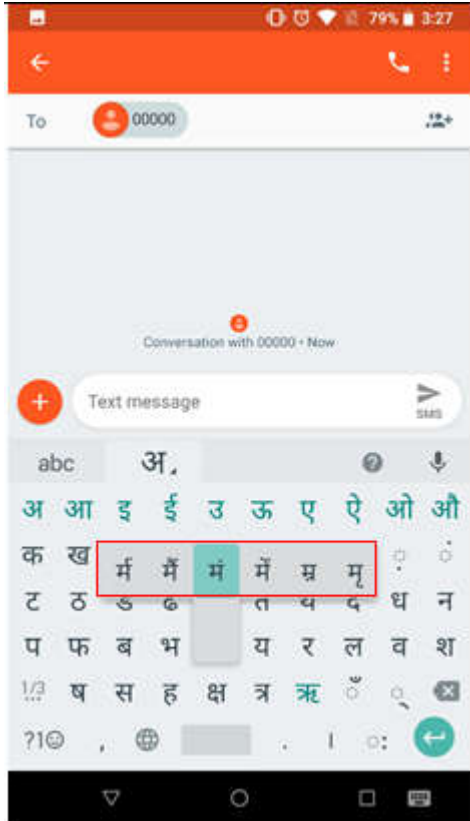


33. Regarding Claim 2, the second plurality of character menu items is displayed on the computer monitor in a substantially straight line along with the first character menu item in response to the first user selection. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



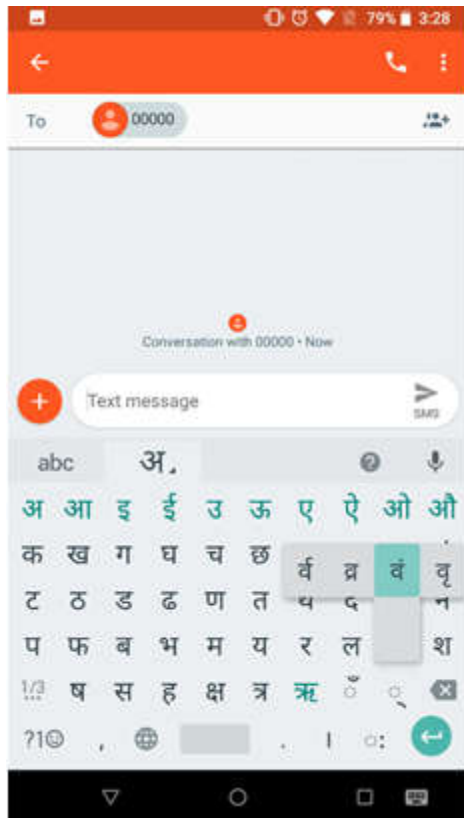
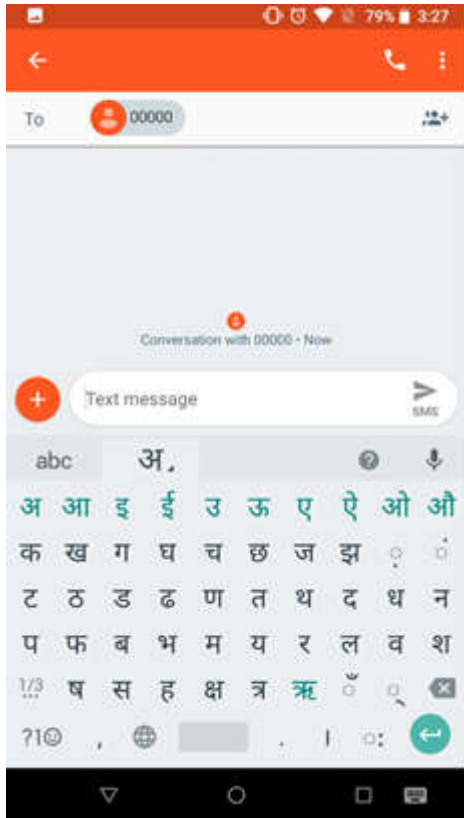


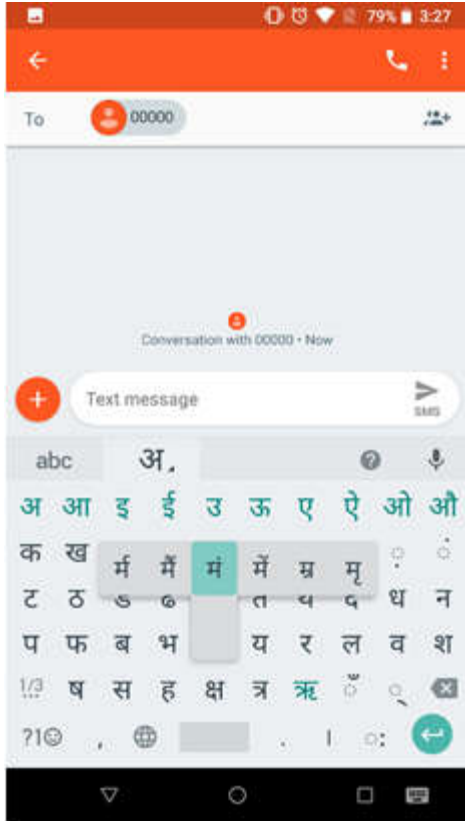
34. The third plurality of character menu items is displayed on the computer monitor in a substantially straight line along with the second character menu item in response to the second user selection. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.



35. Regarding Claim 4, the language is a non-English language.

36. Regarding Claim 5, the Product practices receiving a third user selection of a particular character menu item of the first plurality, second plurality, and third plurality of character menu items and causing a character of the particular character menu item to be displayed in a fourth location on the computer monitor. For example, LG Electronics' Android smartphones and tablets receive user selection of a character on the non-English keyboard and cause the corresponding character to be displayed in a text box or equivalent on the smartphone screen. Certain aspects of this element are illustrated in the screen shot(s) below and/or in those provided in connection with other allegations herein.





37. The fourth location is separate and apart from the first, second, and third locations.

38. Regarding Claim 6, each of the character menu items of the first, second, and third plurality of character menu items is any one of a hypertext markup language (html) table cell, a button, and a graphic user interface component. For example, in case of LG Electronics' Android smartphones and tablets, each of the character menu items is a button and/or a graphic user interface component.

39. The first user selection is received via any one of a computer mouse, finger pad of a computer laptop, computer touch screen, a button, and a computer stylus on a computer mobile device. For example, in case of LG Electronics' Android smartphones and tablets, the first user selection is received via at least one of smartphone touch screen, a button, and a computer stylus on a smartphone.

40. Infringement of the '222 Patent by LG Android smartphones is further illustrated in the claim chart attached as Exhibit B.

41. The Motorola Android smartphones sold by Defendant infringe the '222 Patent in a similar manner as set for the above with respect to the LG Android smartphones. The details of the infringement allegations on an element by element basis are illustrated in the claim chart attached as Exhibit C.

42. The Nokia Android smartphones sold by Defendant infringe the '222 Patent in a similar manner as set for the above with respect to the LG Android smartphones. The details of the infringement allegations on an element by element basis are illustrated in the claim chart attached as Exhibit D.

43. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

44. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendants are enjoined and restrained by this Court.

45. Plaintiff is in compliance with 35 U.S.C. § 287.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 7,721,222 (or, in the

alternative, awarding Plaintiff running royalties from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: May 7, 2019

Respectfully submitted,

*/s/Jay Johnson*

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**ATTORNEYS FOR PLAINTIFF**

**EXHIBIT A**

**EXHIBIT B**



**EXHIBIT C**

**EXHIBIT D**