

3. SEA is a New York corporation having a principal place of business in Ridgefield Park, New Jersey. SEA may be served with process through its registered agent for service in Texas: CT Corporation System, 1999 Bryant Street, Suite 900, Dallas, Texas 75201.

4. SEC is a South Korean corporation having a principal place of business in Seoul, Republic of Korea.

5. Samsung offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas and in the judicial Eastern District of Texas.

JURISDICTION AND VENUE

6. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1332(a), and 1338(a).

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b). Samsung has committed acts of infringement in this judicial district and has regular and established places of business in this district, as set forth above.

COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 6,993,049)

8. Uniloc incorporates paragraphs 1-7 above by reference.

9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,993,049 (“the ’049 Patent”), entitled COMMUNICATION SYSTEM, which issued on January 31, 2006. A copy of the ’049 Patent is attached as Exhibit A.

10. Uniloc USA is the exclusive licensee of the ’049 Patent, with ownership of all substantial rights, including the right to grant sublicenses, to exclude others, and to enforce and recover past damages for infringement.

11. The '049 Patent describes in detail and claims in various ways inventions in systems and devices developed by Koninklijke Philips Electronics N.V. for improved communication of data there between using polling of secondary devices by a primary device.

12. The '049 Patent describes problems and shortcomings in the then-existing field of communications between devices and describes and claims novel and inventive technological improvements and solutions to such problems and shortcomings. The technological improvements and solutions described and claimed in the '049 Patent were not conventional or generic at the time of their respective inventions but involved novel and non-obvious approaches to the problems and shortcomings prevalent in the art at the time.

13. The inventions claimed in the '049 Patent involve and cover more than just the performance of well-understood, routine and/or conventional activities known to the industry prior to the invention of such novel and non-obvious systems and devices by the '049 Patent inventor.

14. The inventions claimed in the '049 Patent represent technological solutions to technological problems. The written description of the '049 Patent describes in technical detail each of the limitations of the claims, allowing a person of ordinary skill in the art to understand what the limitations cover and how the non-conventional and non-generic combination of claim elements differ markedly from and improved upon what may have been considered conventional or generic.

15. Samsung imports, uses, offers for sale, and sells in the United States electronic devices that utilize Bluetooth Low Energy version 4.0 and above. Such devices include: Galaxy J3, Galaxy S5, Galaxy Grand Prime, Galaxy Note 3, Galaxy A5, Galaxy J1, Galaxy A3, Galaxy Core II, Galaxy Grand Neo, Galaxy V, Galaxy Core Prime, Galaxy E5, Galaxy Alpha, Galaxy

E7, Galaxy V Plus, Galaxy Ace 4, Galaxy Note 3 Neo, Galaxy Young 2, Galaxy S5 mini, Galaxy Mega 2, Galaxy S3 Neo, Galaxy S5 Active, Galaxy K zoom, Galaxy J Max, Galaxy S5 LTE-A, Galaxy J1 Nxt, Galaxy Grand Max, Galaxy S5 (octacore), Galaxy A5 Duos, Galaxy Xcover 3, Galaxy S4 mini, Galaxy J1 4G, Galaxy Ace 4 LTE, Galaxy A3 Duos, Galaxy Tab J, Galaxy S Duos 3, Galaxy A7 Duos, Galaxy S5 Duos, Galaxy Ace Style, Galaxy Star 2 Plus, Galaxy S III mini VE, Galaxy S5 Plus, Galaxy Ace NXT, Galaxy Core LTE, Galaxy Avant, Galaxy Beam2, Galaxy Grand Prime Duos TV, Galaxy Star 2, Galaxy Note 3 Neo Duos, Galaxy S5 Sport, Galaxy S5 mini Duos, Galaxy W, Galaxy Core lite LTE, Galaxy Pocket 2, Samsung Gear Live, Galaxy Star Trios, Galaxy S3 Slim, Galaxy Camera 2, Galaxy S4, Galaxy S III, Galaxy Grand 2, Galaxy Note II, Galaxy Ace 3, Galaxy Grand, Galaxy Mega 5.8, Galaxy S III mini, Galaxy S Duos w, Galaxy Fame, Galaxy Mega 6.3, Galaxy Star, Galaxy J, Galaxy Star Pro, Galaxy S4 zoom, Galaxy Camera, Galaxy Pocket Neo, Galaxy S4 Active, Galaxy Express, Galaxy Pocket plus, Galaxy Fresh, Galaxy Xcover 2, Galaxy Express 2, Galaxy Golden, Galaxy Fame Lite, Galaxy Win Pro, Galaxy Premier, Galaxy Round, Galaxy Rugby, Galaxy Pop, Galaxy Y Plus, Galaxy Core Advance, Galaxy Victory, Galaxy Stratosphere II, Galaxy Prevail 2, Galaxy Stellar, Galaxy Fame Lite Duos, Galaxy Axiom, Galaxy Rush, Galaxy S II TV, Galaxy S 5, Galaxy S Duos 2, Galaxy J7 Pro, Galaxy J7 Prime, Galaxy J5, Galaxy J7, Galaxy S6, Galaxy J3, Galaxy Note 4, Galaxy S6 edge, Galaxy J3 Pro, Galaxy A8, Galaxy A5, Galaxy J7 Nxt, Galaxy J2, Galaxy A7, Galaxy A3, Galaxy J1, Galaxy Note Edge, Galaxy A9, Galaxy On7, Galaxy On5, Galaxy On7 Pro, Galaxy J2 Pro, Galaxy S5 Neo, Galaxy On8, Galaxy On5 Pro, Galaxy A8 Duos, Galaxy S6 active , Galaxy Folder, Galaxy Note 4 Duos, Galaxy S6 Duos, Galaxy Express Prime, Galaxy Xcover 3, Galaxy A8+, Galaxy Note8, Galaxy S8, Galaxy S8+, Galaxy S7 edge, Galaxy J2 Prime, Galaxy J5 Prime, Galaxy Note5, Galaxy J7 Max , Galaxy C9 Pro, Galaxy Note

FE, Galaxy C7 Pro, Galaxy Grand Prime Plus, Galaxy A9 Pro, Galaxy S6 edge+, Galaxy C5, Galaxy C7, Galaxy C5 Pro, Galaxy Note7, Galaxy J7 V, Galaxy Note5 Duos, Galaxy J3 Emerge, Galaxy Xcover 4, Galaxy S7 active, Galaxy S6 edge+ Duos, Galaxy Tab A 7.0, Galaxy Tab A 10.1, Galaxy Tab A 8.0, Galaxy Tab S3 9.7, Galaxy Tab E 9.6, Galaxy Tab 4 7.0, Galaxy Tab Active 2, Galaxy Tab S2 9.7, Galaxy Tab S2 8.0, Galaxy Tab 3 V, Galaxy Tab S 8.4, Galaxy Note 10.1, Galaxy Note 8.0, Galaxy Tab 3 Lite 7.0, Galaxy Tab A 9.7, Galaxy Tab S 10.5, Galaxy Tab E 8.0, Galaxy Tab 4 10.1, Galaxy Tab 3 8.0, Galaxy Tab 3 10.1, Galaxy Tab A 8.0 & S Pen, Galaxy Tab A 9.7 & S Pen, Galaxy View, Galaxy Note Pro 12.2, Galaxy Tab 4 8.0, Galaxy Tab 3 10.1 , Galaxy Tab Pro 8.4, Galaxy Tab 4 10.1 , Galaxy Tab 3 Lite 7.0 VE, Galaxy Tab Pro 10.1 , Galaxy Tab Active, Galaxy Note Pro 12.2 , Galaxy Tab Pro 12.2, Galaxy Note LTE 10.1, Ativ Tab , Galaxy Tab 2 7.0, Galaxy Tab Pro 12.2 , Galaxy Tab 2 10.1, Notebook 9 Pro 13.3”, Notebook 9 Pro 15”, Notebook Odyssey 15.6”, Notebook 9 15”, Notebook 9 13.3”, Notebook 7 spin 15.6”, Notebook 5 15.6”, Notebook 9 spin 13.3”, Chromebook Pro, Chromebook Plus, and Chromebook 3 11.6 (collectively “Accused Infringing Devices”).

16. The Accused Infringing Devices are electronic devices that implement communications systems wherein a first or primary device broadcasts messages including data to a second or secondary device to poll the second or secondary device that responds to the first or primary device when the second or secondary device has data to transmit to the first or primary device.

17. Samsung has infringed, and continues to infringe, claims of the '049 Patent in the United States, including claims 1-2, 4-6, 8-9 and 11, by making, using, offering for sale, selling and/or importing the Accused Infringing Devices in violation of 35 U.S.C. § 271(a).

18. Samsung has also infringed, and continues to infringe, claims 1-2, 4-6, 8-9 and 11 of the '049 Patent by actively inducing others to use, offer for sale, and sell the Accused Infringing Devices. Samsung's customers who use those devices in accordance with Samsung's instructions infringe claims 1-2, 4-6, 8-9 and 11 of the '049 Patent, in violation of 35 U.S.C. § 271(a). Samsung intentionally instructs its customers to infringe through training videos, demonstrations, brochures, installation and user guides, such as those located at:

- www.Samsung.com
- <https://developer.android.com/guide/topics/connectivity/bluetooth-le.html>
- http://downloadcenter.samsung.com/content/UM/201703/20170318053520314/A TT_SM-G891A_GS7-Active_EN_UM_N_7.0_031017_FINAL.pdf (p. 117).
- http://downloadcenter.samsung.com/content/UM/201708/20170822042936979/U NL_SM-G950U1_GS8_EN_UM_N_7.0_051817_FINAL_AC.PDF (p.123).
- <https://www.samsung.com/us/support/downloads/>

Samsung is thereby liable for infringement of the '049 Patent under 35 U.S.C. § 271(b).

19. Samsung has also infringed, and continues to infringe, claims 1-2, 4-6, 8-9 and 11 of the '049 patent by offering to commercially distribute, commercially distributing, or importing the Accused Infringing Devices which devices are used in practicing the processes, or using the systems, of the '049 patent, and constitute a material part of the invention. Samsung knows portions of the Accused Devices to be especially made or especially adapted for use in infringement of the '049 patent, not a staple article, and not a commodity of commerce suitable for substantial noninfringing use.

20. Samsung will have been on notice of the '049 Patent since, at the latest, the service of this complaint upon it. By the time of trial, Samsung will have known and intended

(since receiving such notice) that its continued actions would actively induce and contribute to the infringement of claims 1-2, 4-6, 8-9 and 11 of the '049 Patent.

21. Samsung may have infringed the '049 Patent through other software and devices utilizing the same or reasonably similar functionality, including other versions of the Accused Infringing Devices.

22. Uniloc has been damaged by Samsung's infringement of the '049 Patent.

PRAYER FOR RELIEF

Uniloc requests that the Court enter judgment against Samsung:

- (A) declaring that Samsung has infringed the '049 Patent;
- (B) awarding Uniloc its damages suffered as a result of Samsung's infringement of the '049 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court finds appropriate.

DEMAND FOR JURY TRIAL

Uniloc demands trial by jury, under Fed. R. Civ. P. 38.

Date: February 23, 2018

Respectfully submitted,

/s/ Edward R. Nelson, III

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