

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

-----X

MESA DIGITAL, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA, INC.,

Defendant.

Case No. 1:19-cv-3957 (WHP)

AMENDED COMPLAINT

JURY TRIAL DEMANDED

-----X

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).

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 claims 1, 3, 5, 7-8, 10-11, 13, 21, 23, 25, and 32 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 21 of the '537 patent by making and selling the Galaxy S10.

a. The apparatus of claim 21 is an "electronic wireless hand held multimedia device[.]" (Ex. A, 17:28-29.) The Galaxy S10 is a handheld multimedia device.

b. The device of claim 21 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, 17:30-39.) 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 21 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, 17:40-44.) 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 device of claim 21 includes “a cartridge reader configured to transfer data with an electronic cartridge[.]” (Ex. A, 17:45-46.) 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/>.

e. The claim 21 device includes “a microprocessor configured to facilitate

operation of and communications by the electronic wireless hand held multimedia device.”

(Ex. A, 17:47-49.) 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>.

Prayer for Relief

WHEREFORE, Mesa prays for the following relief against Samsung:

- (a) Judgment that Samsung has directly infringed claims 1, 3, 5, 7-8, 10-11, 13, 21, 23, 25, and 32 of the ‘537 patent;
- (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: September 3, 2019

/s/ Matthew M. Wawrzyn

Matthew M. Wawrzyn (*pro hac vice*)

matt@wawrzynlaw.com

Stephen C. Jarvis (*pro hac vice* pending)

stephen@wawrzynlaw.com

WAWRZYN & JARVIS LLC

2700 Patriot Blvd, Suite 250

Glenview, IL 60026

Telephone: 847.656.5848

Attorneys for Mesa Digital, LLC