

FUJIFILM HOLDINGS, <https://holdings.fujifilm.com/en/about/companyprofile> (last visited Feb. 20, 2020). Fujifilm Holdings develops, produces, sells, and services products in the fields of “imaging solutions,” “healthcare & material solutions,” and “document solutions.” *Id.* Fujifilm Holdings is a publicly-traded company on the Tokyo Stock Exchange.

3. Upon information and belief, Fujifilm Corp. was established under the laws of Japan in 2006 taking over the business of its predecessor Fuji Photo Film Corporation. *See Company Overview, FUJIFILM CORPORATION*, <https://www.fujifilm.co.jp/corporate/aboutus/outline/index.html> (last visited Feb. 20, 2020). As a wholly-owned subsidiary of Fujifilm Holdings, Fujifilm Corp. engages in “imaging solutions,” including the manufacture, sale, and servicing of digital cameras and other products that include TFT-LCD (thin-film transistor – liquid crystal display) panels. *Id.*

4. Upon information and belief, Fujifilm Holdings and Fujifilm Corp. share the same headquarters located at 7-3, Akasaka 9-chome, Minato-ku, Tokyo 107-0052, Japan.

5. Defendants own and control U.S.-based subsidiaries that conduct business in the U.S. on behalf of Defendants. *See List of Affiliated Companies, FUJIFILM CORPORATION*, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (last visited Feb. 20, 2020). For example, Fujifilm North America Corporation (“Fujifilm N.A.”) is a marketing subsidiary of Fujifilm Holdings America Corporation (“Fujifilm America”), which are both subsidiaries of Defendants. *See id.*; *See also About Fujifilm, FUJIFILM HOLDINGS AMERICA CORPORATION*, <http://www.fujifilmusa.com/northamerica/> (last visited Feb. 20, 2020). Of the five operating divisions of Fujifilm N.A., “[t]he Electronic Imaging Division markets consumer digital cameras.” *Id.*

6. Upon information and belief, Defendants maintain a corporate presence in the U.S. via their wholly-owned, U.S.-based subsidiaries. For example, Fujifilm America oversees the operation and invests in “Fujifilm’s business in the United States.” *See List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas>. Fujifilm N.A. engages in “sales of imaging and graphic system-related products and optical devices” in the U.S. *Id.* Each of Fujifilm America (a corporation formed in New York) and Fujifilm N.A. (a corporation formed in Delaware) maintain offices in the U.S., including at 200 Summit Lake Drive, Valhalla, NY 10595-1356, USA, and at 1100 King Georges Post Road Edison, NJ 08837. *See id.*; *see also Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (last visited Feb. 20, 2020).

7. Upon information and belief, Defendants, along with their subsidiaries Fujifilm America and Fujifilm N.A., as part of global network of overseas sales, marketing, and manufacturing subsidiaries, have operated as agents of one another and vicariously as parts of the same business group to work in concert together and enter into agreements that are nearer than arm’s length. Defendants, via at least Fujifilm America and Fujifilm N.A.’s activities, conduct business in the United States, including in Texas and this judicial district. *See Trois v. Apple Tree Auction Center, Incorporated*, 882 F.3d 485, 490 (5th Cir. 2018) (“A defendant may be subject to personal jurisdiction because of the activities of its agent within the forum state....”); *see also Cephalon, Inc. v. Watson Pharmaceuticals, Inc.*, 629 F.Supp.2d 338, 348 (D. Del. 2009) (“The agency theory may be applied not only to parents and subsidiaries, but also to companies that are

‘two arms of the same business group,’ operate in concert with each other, and enter into agreements with each other that are nearer than arm's length.”).

JURISDICTION AND VENUE

8. This action arises under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others.

9. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. Upon information and belief, Fujifilm Holdings is subject to this Court’s specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this State and this judicial district, including: (A) at least part of its infringing activities alleged herein which purposefully avail the Defendant of the privilege of conducting those activities in this state and this judicial district and, thus, submits itself to the jurisdiction of this court; and (B) regularly doing or soliciting business, engaging in other persistent conduct targeting residents of Texas and this judicial district, and/or deriving substantial revenue from infringing goods offered for sale, sold, and imported and services provided to and targeting Texas residents and residents of this judicial district vicariously through and/or in concert with its alter egos, intermediaries, agents, distributors, importers, customers, subsidiaries, and/or consumers.

11. This Court has personal jurisdiction over Fujifilm Holdings, directly and/or through intermediaries, distributors, importers, customers, subsidiaries, and/or consumers including its U.S.- based, wholly-owned subsidiary (and Defendant in this action) Fujifilm Corp. and its U.S.- based, wholly-owned subsidiaries, Fujifilm America and Fujifilm N.A. Through direction and control of these subsidiaries, Fujifilm Holdings has committed acts of direct and/or indirect patent infringement within Texas, and elsewhere within the United States, giving rise to this action and/or

has established minimum contacts with Texas such that personal jurisdiction over Fujifilm Holdings would not offend traditional notions of fair play and substantial justice. For example, Fujifilm Holding's U.S.-based subsidiaries confirm, via their website, that Fujifilm N.A. is the company's "regional headquarters for the Americas" and that it "manufactures, markets, and provides service for a broad spectrum of industries," in the U.S. including the "photographic" industry. *See About FUJIFILM Holdings America Corporation*, FUJIFILM NORTH AMERICA CORPORATION, available at <https://www.fujifilmusa.com/about/holdings/index.html> (last visited Feb. 20, 2020). Fujifilm N.A. also, for the benefit of Fujifilm Holdings and its subsidiary Fujifilm Corp. warrants all Fujifilm-branded digital cameras. *See LIMITED U.S. PRODUCT WARRANTY*, FUJIFILM NORTH AMERICA CORPORATION, available at <https://www.fujifilmusa.com/shared/bin/FUJIFILM-1-Year-Limited-Warranty.pdf>.

12. Upon information and belief, Fujifilm Holdings controls or otherwise directs and authorizes all activities of its subsidiaries and intermediaries, including, but not limited to Fujifilm Corp., Fujifilm America, and Fujifilm N.A. Via at least these subsidiaries and intermediaries, Fujifilm Holdings has placed and continues to place infringing TFT-LCD panels into the U.S. stream of commerce via established distribution channels, by distributing, marketing, offering for sale, selling, servicing, and warranting Fujifilm-branded products.

13. Upon information and belief, Fujifilm Holdings has "grown to become a global corporation with 279 consolidated subsidiaries and an overseas sales weighting of about 59% (overseas sales of JPY 1,425 billion) in fiscal 2018" and claims 32 subsidiaries in North America. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 4, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (follow *Integrated Report 2019 Download Entire Report links for .pdf document*). Fujifilm Holdings maintains a corporate

presence in the United States that “play[s] a major role in Fujifilm’s global manufacturing system.” See *Product Lineup*, FUJIFILM HOLDINGS AMERICA CORPORATION, https://www.fujifilmusa.com/about/corporate_profile/fujifilm_companies/manufacturing/products_services/page_01.html (last visited Feb. 20, 2020). Fujifilm Holdings, via its subsidiaries, ships product to “30 Fujifilm locations in the United States, as well as other ‘direct to US customer’ shipments.” See *id.* (follow “Distribution Center” tab). Fujifilm Holdings, via its subsidiaries, also “imports products from other worldwide Fujifilm locations for distribution into the US market place” and “provides storage for some of the raw materials required for manufacturing Fujifilm products” in the U.S. See *id.*

14. Upon information and belief, the corporate presence in the United States of Fujifilm Holding’s subsidiaries and intermediaries give Fujifilm Holdings substantially the business advantages that it would have enjoyed if it conducted its business through its own offices or paid agents in the state of Texas. In 2019, Fujifilm Holdings reported nearly \$4.2 billion U.S. dollars in revenue from primarily U.S. customers. See *Consolidated Financial Statements with Report of Independent Auditors* FUJIFILM HOLDINGS, at p. 75, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (follow link for .pdf document). Worldwide, the “Electronic Imaging” division, which includes digital cameras sold in the U.S., generated \$816 million U.S. dollars of revenue in 2019. *Id.*

15. Via its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers maintaining a business presence, operating in, and/or residing in the U.S., Fujifilm Holdings’ TFT-LCD panels, including products accused in this action are or have been widely distributed and sold in retail stores, both brick and mortar and online, in the U.S., including in Texas and within this judicial district. See *Litecubes, LLC v. Northern Light Products*,

Inc., 523 F.3d 1353, 1369-70 (Fed. Cir. 2008) (“[T]he sale [for purposes of § 271] occurred at the location of the buyer.”); *see also Semcon IP Inc. v. Kyocera Corporation*, No. 2:18-cv-00197-JRG, 2019 WL 1979930, at *3 (E.D. Tex. May 3, 2019) (denying accused infringer’s motion to dismiss because plaintiff sufficiently plead that purchases of infringing products outside of the United States for importation into and sales to end users in the U.S. may constitute an offer to sell under § 271(a)). For example, Fujifilm Holdings’ Fujifilm digital cameras, including Finepix X-T100, Finepix AX330, and XP80, are marketed, sold, and serviced via Defendants’ websites including www.fujifilm-x.com and www.fujifilmusa.com, via social media (e.g., Facebook, Twitter, Instagram, and YouTube), via authorized dealers, and in various retail stores which target U.S. consumers in this judicial district. *See, e.g., Support and Contact Center, FUJIFILM HOLDINGS AMERICA CORPORATION*, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644>.

16. Upon information and belief, Fujifilm Holdings, in concert with and/or by controlling Fujifilm Corp., researches, designs, develops, and manufactures the products incorporating infringing TFT-LCD panels and then directs its U.S.-based subsidiaries to import, offer for sale, and sell the accused products in the United States. *See, e.g., United States v. Hui Hsiung*, 778 F.3d 738, 743 (9th Cir. 2015) (finding that the sale of infringing TFT-LCD panels to third parties rather than for direct import into the U.S. did not “place [defendants’] conduct beyond the reach of United States law [or] escape culpability under the rubric of extraterritoriality”).

17. Upon information and belief, Fujifilm Holdings along with its subsidiaries also purchases infringing TFT-LCD panels from foreign-based third-party manufactures, such as Japan Display Inc. (“JDI”) and Wintek Corporation (“Wintek”). Fujifilm Holdings incorporates these

TFT-LCD panels into end-user products, such as digital cameras. These end-user products are then distributed, offered for sale, sold or used in the United States and/or imported into the United States by Fujifilm Holdings or its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, or consumers. For example, Fujifilm digital camera model no. X-T100 incorporates JDI LCD panel model no. LPM030M369. These end user products are then offered for sale and sold alongside other Fujifilm products, and used in the U.S. by consumers via a network of authorized dealers, including within Texas and this judicial district. *See Shop*, FUJIFILM CORPORATION, <https://fujifilm-x.com/en-us/shop/> (last visited Feb. 20, 2020). As a result, Fujifilm Holdings has, vicariously through and/or in concert with its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers, placed products incorporating infringing TFT-LCD panels into the stream of commerce via established distribution channels with the knowledge and/or intent that those products were sold and continue to be sold in the United States and Texas, including in this judicial district.

18. In the alternative, the Court has personal jurisdiction over Fujifilm Holdings under Federal Rule of Civil Procedure 4(k)(2), because the claims for patent infringement in this action arise under federal law, Fujifilm Holdings is not subject to the jurisdiction of the courts of general jurisdiction of any state, and exercising jurisdiction over Fujifilm Holdings is consistent with the U.S. Constitution.

19. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because, among other things, Fujifilm Holdings is not a resident in the United States, and thus may be sued in any judicial district, including this one, pursuant to 28 U.S.C. § 1391(c)(3). *See also In re HTC Corporation*, 889 F.3d 1349, 1357 (Fed. Cir. 2018) (“The Court’s recent decision in *TC Heartland* does not alter” the alien-venue rule.).

20. Upon information and belief, Fujifilm Corp. is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this State and this judicial district, including: (A) at least part of its infringing activities alleged herein which purposefully avail the Defendant of the privilege of conducting those activities in this state and this judicial district and, thus, submits itself to the jurisdiction of this court; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from infringing goods offered for sale, sold, and imported and services provided to and targeting Texas residents and residents of this judicial district vicariously through and/or in concert with its alter egos, intermediaries, agents, distributors, importers, customers, subsidiaries, and/or consumers.

21. This Court has personal jurisdiction over Fujifilm Corp., directly and/or through intermediaries, distributors, importers, customers, subsidiaries, and/or consumers including its U.S.-based, wholly-owned subsidiaries Fujifilm America, and Fujifilm N.A. Through direction and control of these subsidiaries, Fujifilm Corp. has committed acts within Texas giving rise to this action and/or has established minimum contacts with Texas such that personal jurisdiction over Fujifilm Corp. would not offend traditional notions of fair play and substantial justice. For example, Fujifilm Corp.'s U.S.-based subsidiaries confirm, via their website, that Fujifilm N.A. is Fujifilm Corp.'s "regional headquarters for the Americas" and that it "manufactures, markets, and provides service for a broad spectrum of industries," in the U.S. including the "photographic" industry. *See About FUJIFILM Holdings America Corporation, FUJIFILM NORTH AMERICA CORPORATION, available at <https://www.fujifilmusa.com/about/holdings/index.html>.* Fujifilm N.A. also, for the benefit of Fujifilm Corp., warrants all Fujifilm-branded digital cameras

which are manufactured by Fujifilm Corporation or its suppliers, which at the time of manufacture were intended by Fujifilm Corporation for retail sale or distribution

within the market of the United States of America and its territories (the “U.S.”), and which are distributed through Fujifilm North America Corporation and its authorized dealers to the original end user within the U.S.

See LIMITED U.S. PRODUCT WARRANTY, FUJIFILM NORTH AMERICA CORPORATION, available at <https://www.fujifilmusa.com/shared/bin/FUJIFILM-1-Year-Limited-Warranty.pdf>.

22. Upon information and belief, Fujifilm Corp. controls or otherwise directs its subsidiaries and intermediaries, including, but not limited to Fujifilm America and Fujifilm N.A. Fujifilm Corp., via these U.S.-based subsidiaries, has placed and continues to place infringing TFT-LCD panels into the U.S. stream of commerce via established distribution channels, by distributing, marketing, offering for sale, selling, servicing, and warranting Fujifilm-branded products.

23. Upon information and belief, Fujifilm Corp., as part of the Fujifilm group, has “grown to become a global corporation with 279 consolidated subsidiaries and an overseas sales weighting of about 59% (overseas sales of JPY 1,425 billion) in fiscal 2018” and claims 32 subsidiaries in North America. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 4, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html>. Fujifilm Corp. along with its parent Fujifilm Holdings, maintains a corporate presence in the United States that “play[s] a major role in Fujifilm’s global manufacturing system.” *See Product Lineup*, FUJIFILM HOLDINGS AMERICA CORPORATION, https://www.fujifilmusa.com/about/corporate_profile/fujifilm_companies/manufacturing/products_services/page_01.html. Fujifilm Corp., via its subsidiaries, ships product to “30 Fujifilm locations in the United States, as well as other ‘direct to US customer’ shipments.” *See id.* (follow “Distribution Center” tab). Fujifilm Corp., via its subsidiaries, also “imports products from other worldwide Fujifilm locations for distribution into the US market place” and “provides storage for some of the raw materials required for manufacturing Fujifilm products” in the U.S. *See id.*

24. Upon information and belief, these subsidiaries and intermediaries give Fujifilm Corp. substantially the business advantages that it would have enjoyed if it conducted its business through its own offices or paid agents in the state of Texas. In 2019, Fujifilm Holdings, the parent Fujifilm Corp., reported nearly \$4.2 billion U.S. dollars in revenue from primarily U.S. customers. *See Consolidated Financial Statements with Report of Independent Auditors FUJIFILM HOLDINGS*, at p. 75, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (follow link for .pdf document). Worldwide, the “Electronic Imaging” division, which includes digital cameras sold by Fujifilm Corp. in the U.S., generated \$816 million U.S. dollars of revenue in 2019. *Id.*

25. Via its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers maintaining a business presence, operating in, and/or residing in the U.S., Fujifilm Holdings’ TFT-LCD panels, including products accused in this action are or have been widely distributed and sold in retail stores, both brick and mortar and online, in the U.S., including in Texas and within this judicial district. For example, Fujifilm Corp.’s digital cameras, including Finepix X-T100, Finepix AX330, and XP80, are marketed, sold, and serviced via Defendants’ Fujifilm websites including www.fujifilm-x.com and www.fujifilmusa.com, via social media (e.g., Facebook, Twitter, Instagram, and YouTube), via authorized dealers, and in various retail stores which target U.S. consumers in this judicial district. *See, e.g., Support and Contact Center, FUJIFILM HOLDINGS AMERICA CORPORATION*, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644>.

26. Fujifilm Corp., in concert with and/or at the control of Fujifilm Holdings, researches, designs, develops, and manufactures the products incorporating infringing TFT-LCD

panels and then directs its U.S.-based subsidiaries to import, offer for sale, and sell the accused products in the United States.

27. Upon information and belief, Fujifilm Corp. along with its parent and subsidiaries also purchases infringing TFT-LCD panels and related microprocessors from foreign-based third-party manufactures, such as JDI and Wintek. Fujifilm Corp. incorporates these TFT-LCD panels into end-user products, such as digital cameras. These end-user products are then distributed, offered for sale, sold or used in the United States and/or imported into the United States by Fujifilm Corp. or its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, or consumers. For example, Fujifilm digital camera model no. X-T100 incorporates JDI LCD panel model no. LPM030M369. These end user products are then offered for sale and sold alongside other Fujifilm products, and used in the U.S. by consumers via a network of authorized dealers, including consumers and authorized dealers within Texas and this judicial district. *See Shop, FUJIFILM CORPORATION*, <https://fujifilm-x.com/en-us/shop/>. As a result, Fujifilm Corp. has, vicariously through and/or in concert with its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers, placed products incorporating infringing TFT-LCD panels into the stream of commerce via established distribution channels with the knowledge and/or intent that those products were sold and continue to be sold in the United States and Texas, including in this judicial district.

28. In the alternative, the Court has personal jurisdiction over Fujifilm Corp. under Federal Rule of Civil Procedure 4(k)(2), because the claims for patent infringement in this action arise under federal law, Fujifilm Corp. is not subject to the jurisdiction of the courts of general jurisdiction of any state, and exercising jurisdiction over Fujifilm Corp. is consistent with the U.S. Constitution.

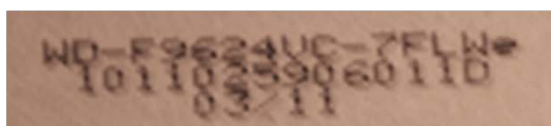
29. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 because, among other things, Fujifilm Corp. is not a resident in the United States, and thus may be sued in any judicial district, including this one, pursuant to 28 U.S.C. § 1391(c)(3).

30. Upon information and belief, Fujifilm Holdings and Fujifilm Corp. have significant ties to, and presence in, the State of Texas and the Eastern District of Texas, making venue in this judicial district both proper and convenient for this action.

THE ASSERTED PATENTS AND TECHNOLOGY

31. Upon information and belief, a significant portion of Defendants' sales is derived from the manufacture and sale of TFT-LCD panels and/or products incorporating same, including, for example, digital cameras. For example, Defendants continue to develop digital cameras that "show[] [Defendants'] commitment to image quality and design." *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, AT P. 9, *available at* <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (follow link for pdf. document). Defendants have introduced "premium compact digital camera[s]" to the consumer market, which have been "very well received." *Id.*

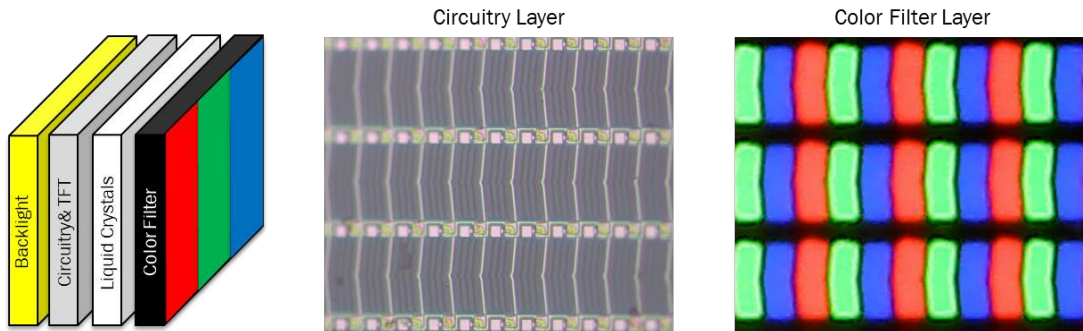
32. The Asserted Patents cover Defendants' TFT-LCD panels, their components and processes related to the same (referred to herein collectively as the "Accused Panel(s)"). The Accused Panels are incorporated and utilized in various consumer devices, including Fujifilm-branded digital cameras. One example is the LCD panel model no. WD-F9624VC-7FLWe (manufactured by Wintek Corporation for Defendants). This LCD panel is incorporated into at least Fujifilm's digital camera FinePix AX330 model. That digital camera and its labeling listing the LCD panel model no. are shown below:



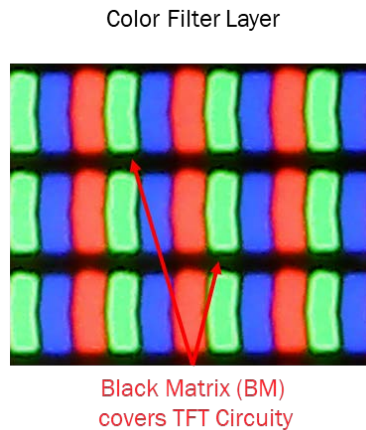
33. Also, the Fujifilm X-T100 model utilizes TFT-LCD panel model no. LPM030M369H (manufactured by JDI for Defendants), as shown below.



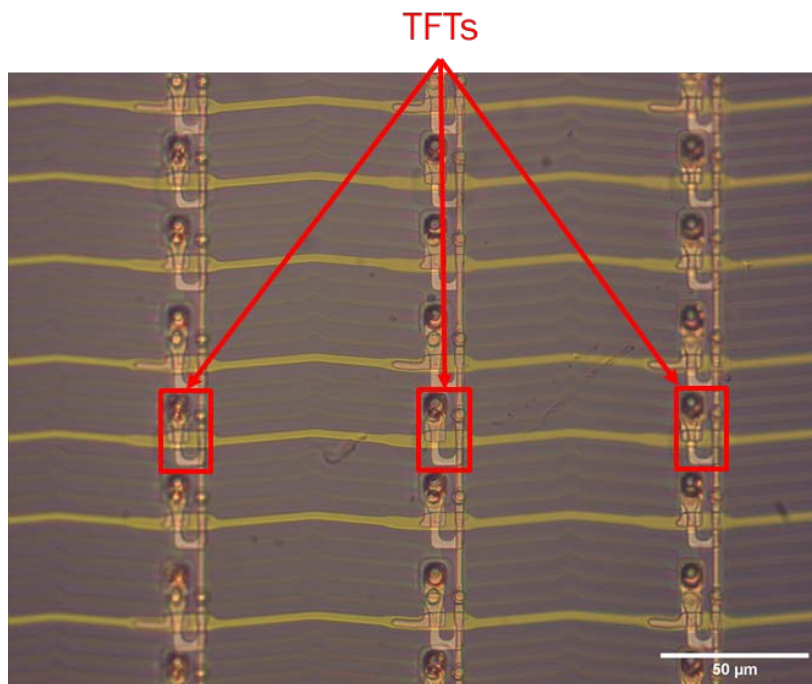
34. Defendants' TFT-LCD panels have the following structure shown below, comprising of a backlight, a TFT/circuitry layer (bottom and top illumination of an Accused Panel), a liquid crystal layer, and a color filter:



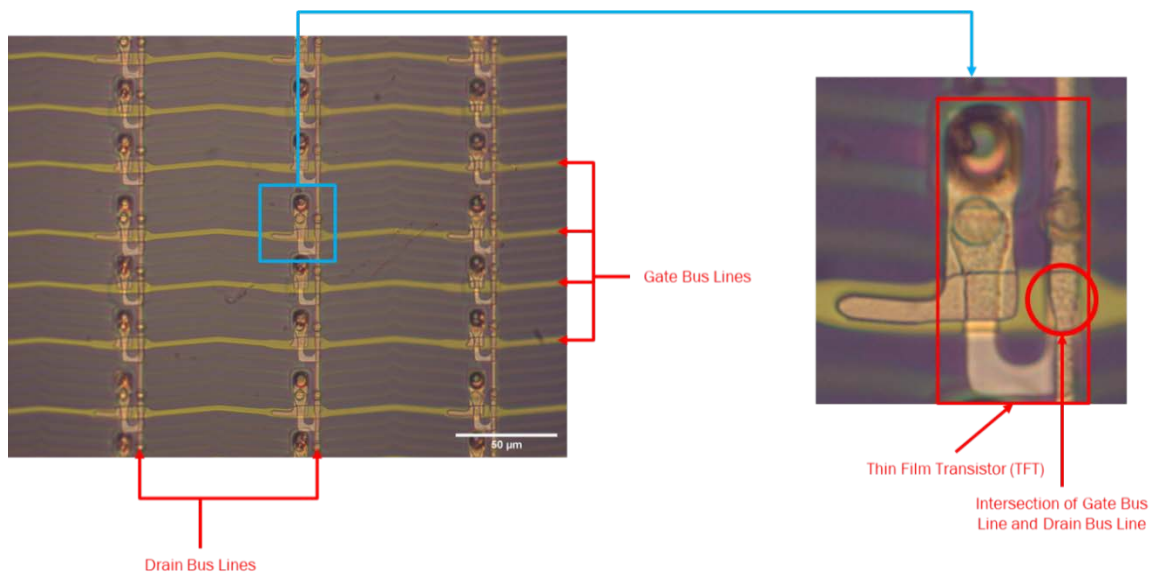
35. A thin-film transistor (TFT) acts as a switch that operates its respective individual pixel using circuitry lines. Using the TFT, each pixel can be turned on and off to create an image on a liquid panel display (LCD) by allowing or preventing light to pass through. The individual pixels are more apparent when a color filter layer overlays the circuits as illustrated in the image below.



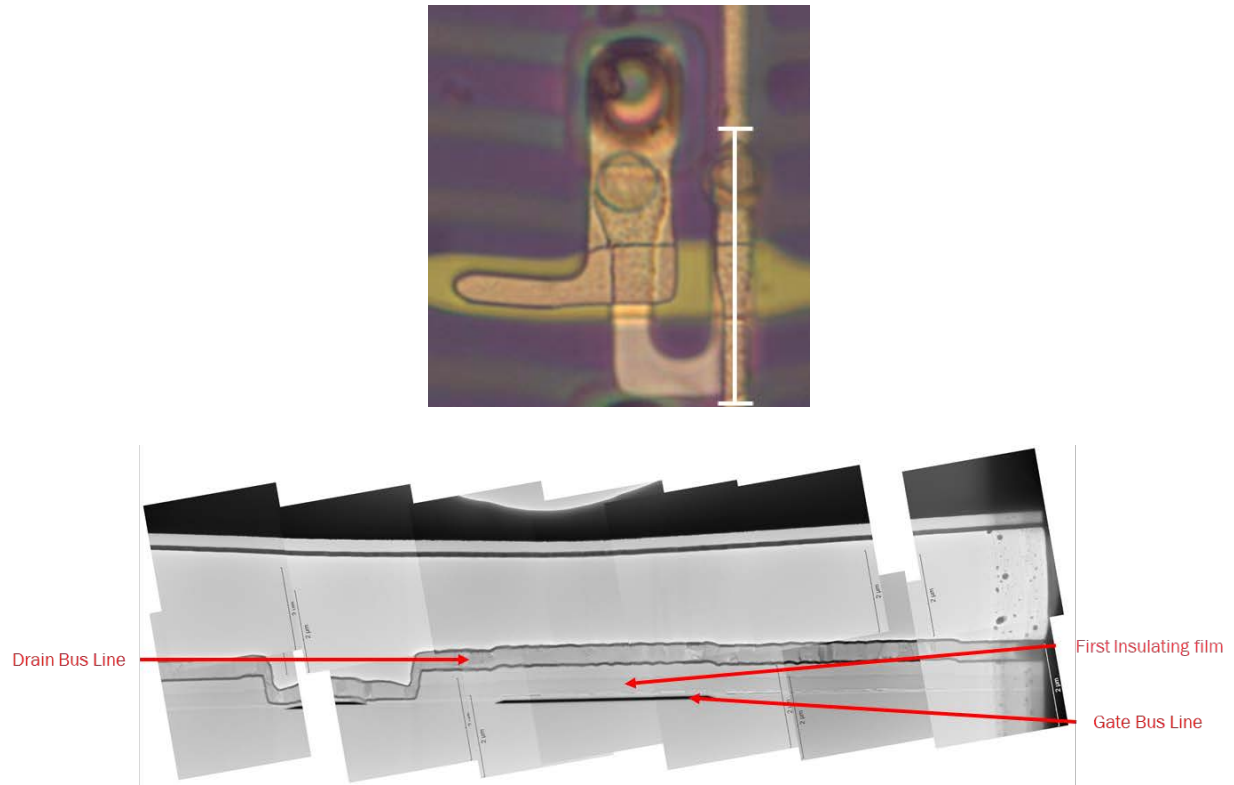
36. The Asserted Patents also cover Defendants' TFT-LCD panels and related fabrication processes. As shown below, the Accused Panel (JDI model no. LPM030M369H) has a substrate containing an active matrix of TFTs.



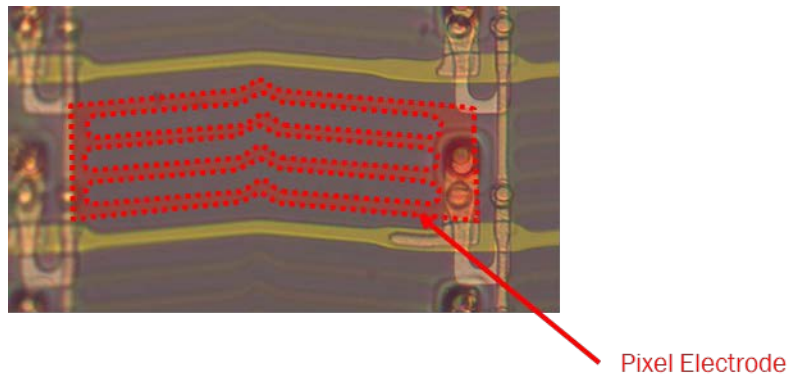
37. Each TFT is arranged near an intersection of gate and drain bus lines.



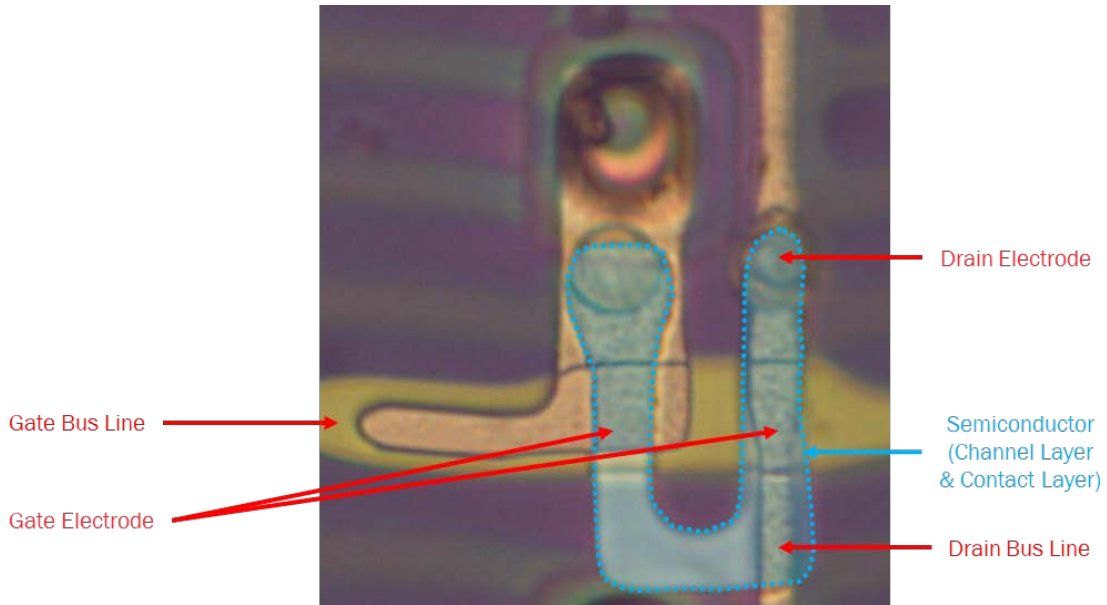
38. The plurality of drain lines is arranged perpendicularly to the plurality of gate bus lines and, as shown below, are electrically isolated from each other via a first insulating film.



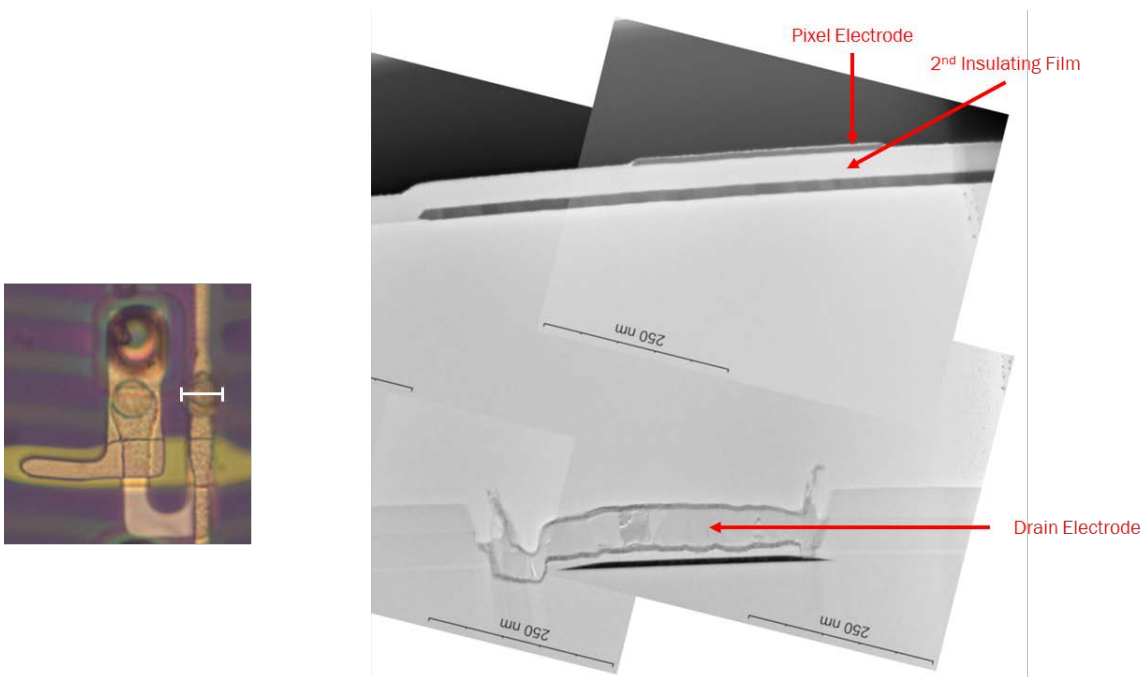
39. A pixel electrode is arranged in a region surrounded by the gate and drain bus lines and made of transparent conductive film.



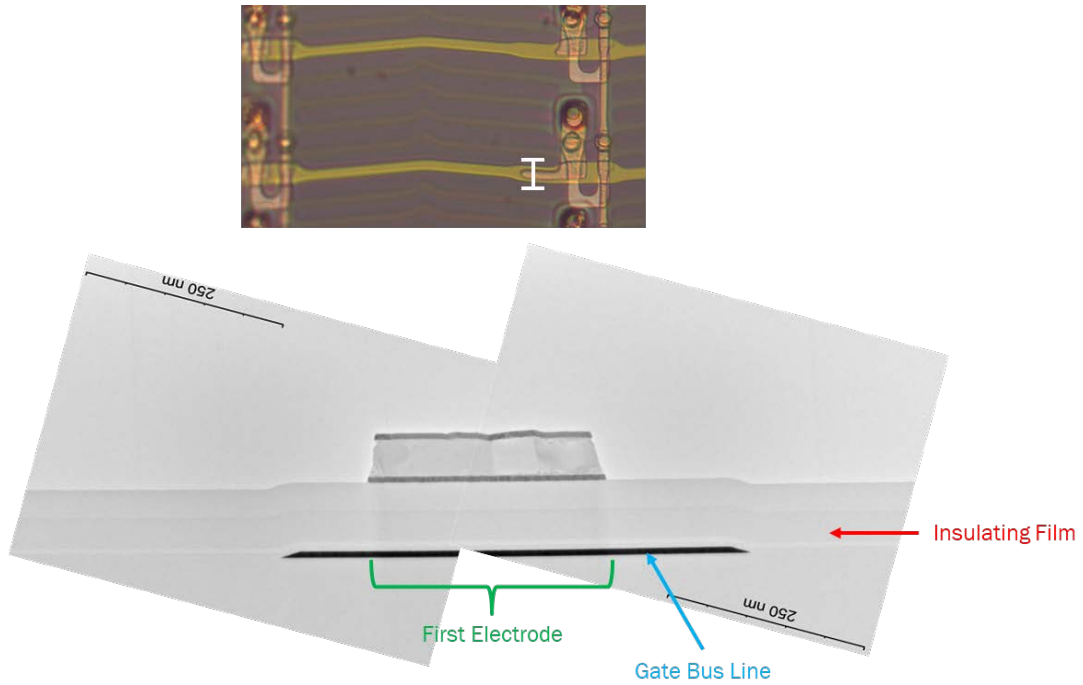
40. As shown below, each TFT in the array comprises a 1) gate electrode formed on a transparent insulating substrate and electrically connected to the gate bus line, 2) a drain electrode, 3) a channel layer, and 4) a contact layer, and is electrically connected to the drain bus line.



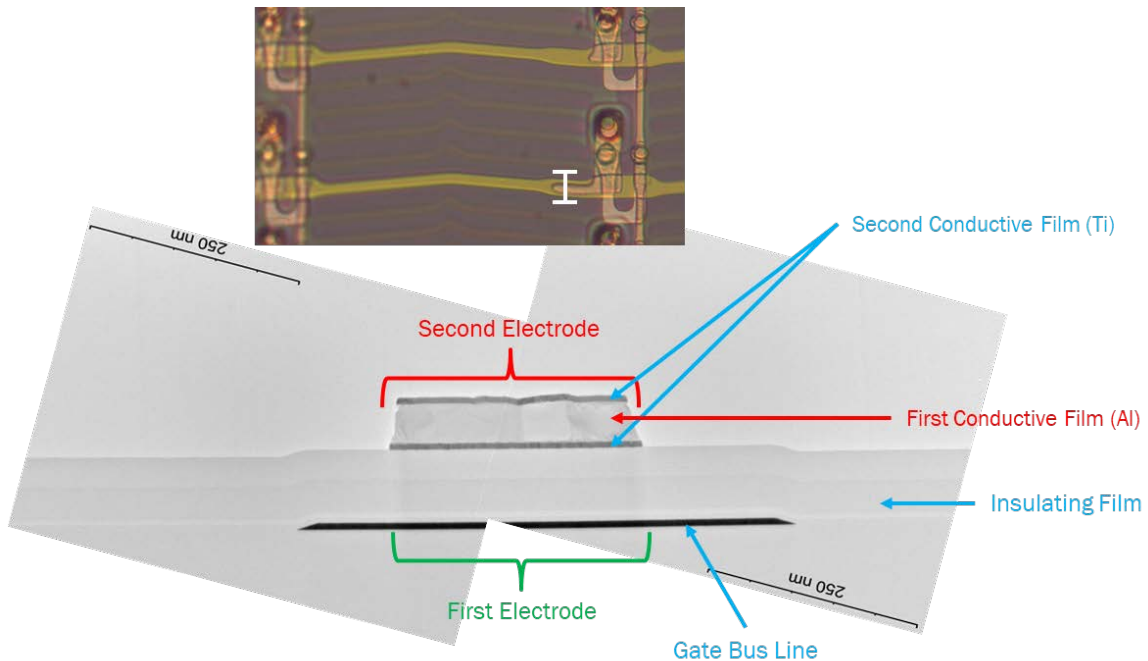
41. As shown below, a source electrode is connected to the pixel electrode and is electrically isolated from the drain electrode and bus lines via a second insulating film.



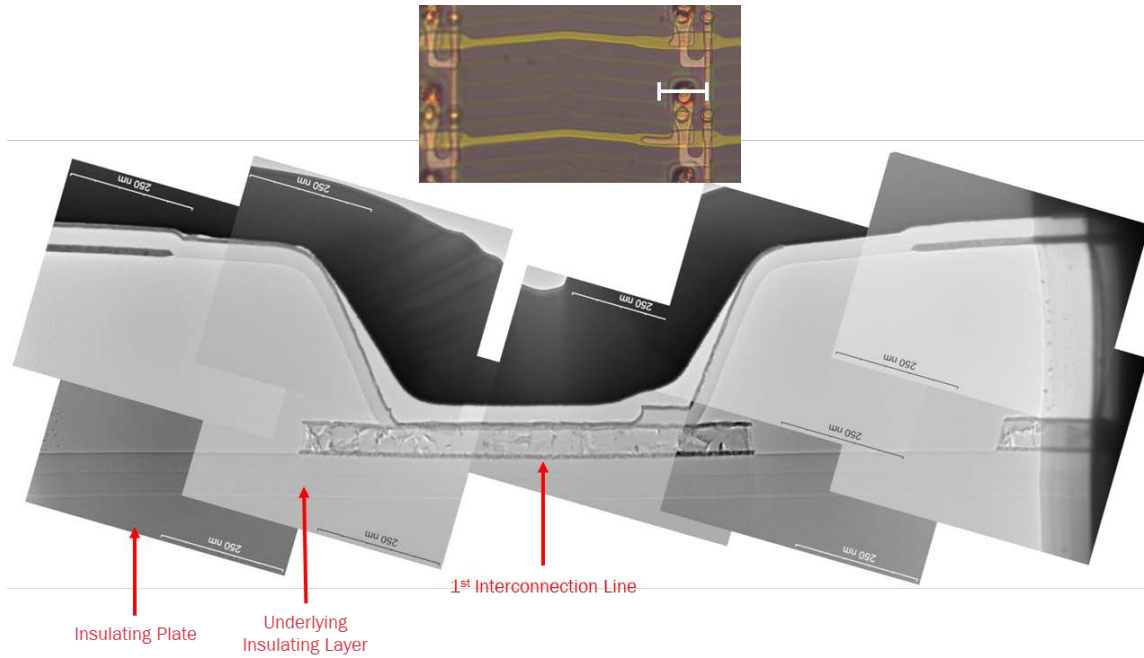
42. As shown below, a first electrode on a substrate forms one of two electrodes of an accumulation capacitor. And a first insulating film covers the first electrode.



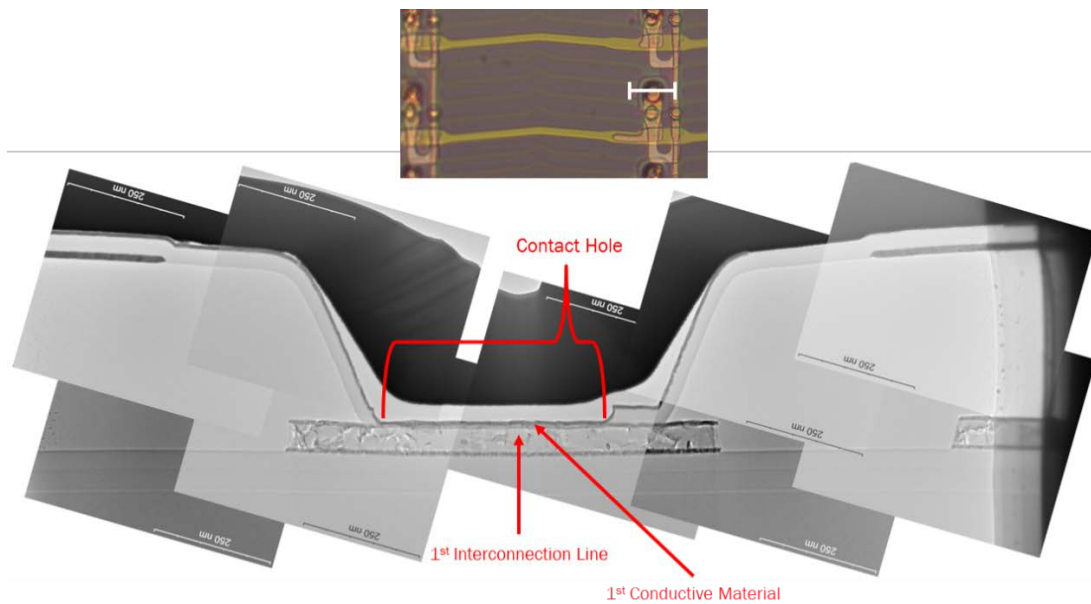
43. As shown below, each TFT has a second electrode with conductive films (e.g., Al and Ti) that completes the accumulation capacitor with the first electrode.



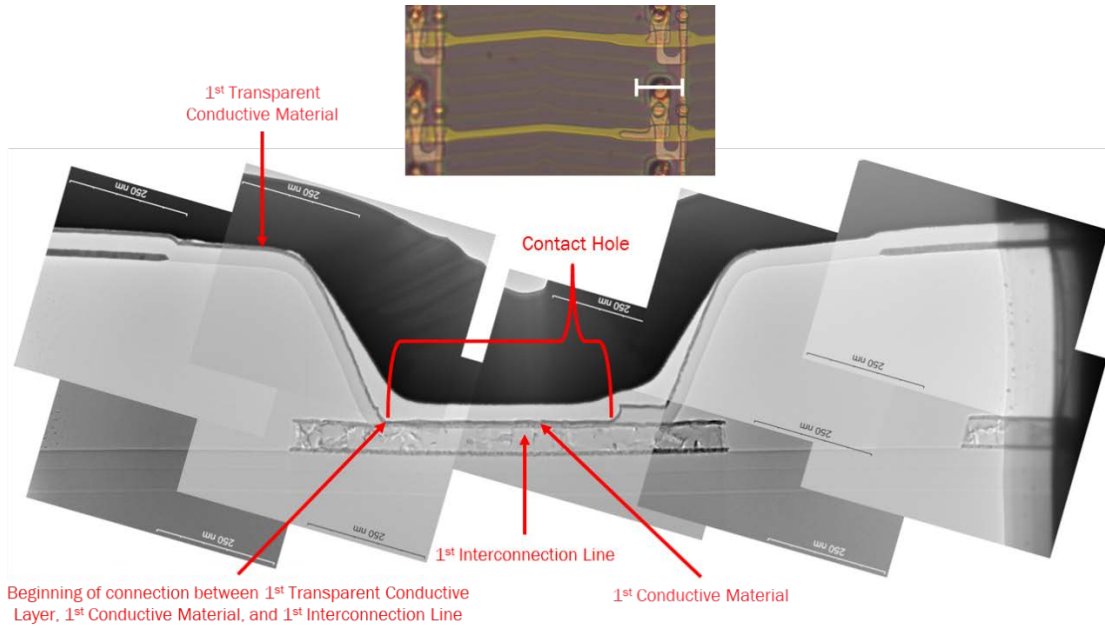
44. The LCD device shown below has a patterned Al or Al alloy interconnection line disposed on an insulating plate by way of an insulating layer.



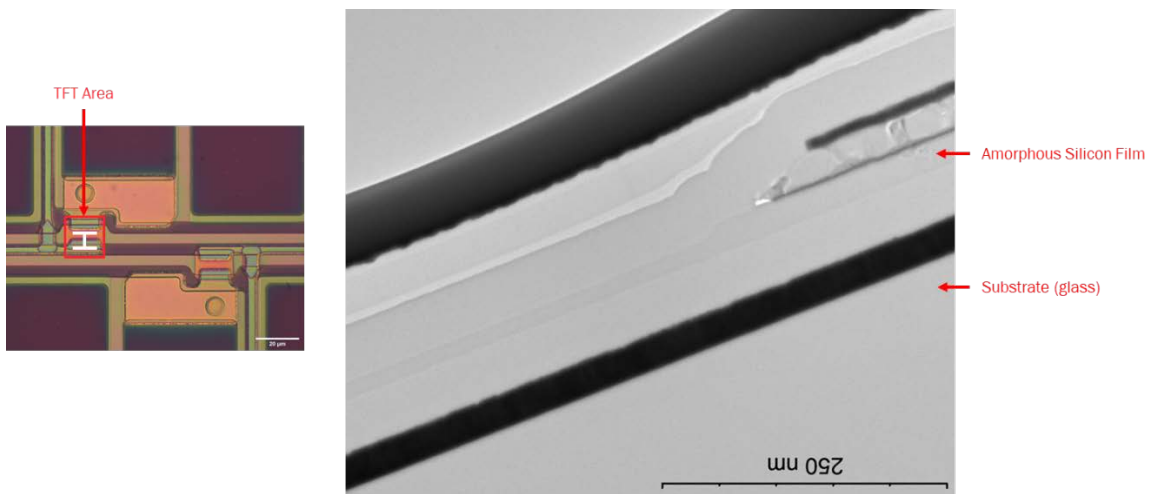
45. A first conductive material is made of a plated metal in the contact hole and is in contact with the exposed part of the interconnection line to cover the whole exposed part.



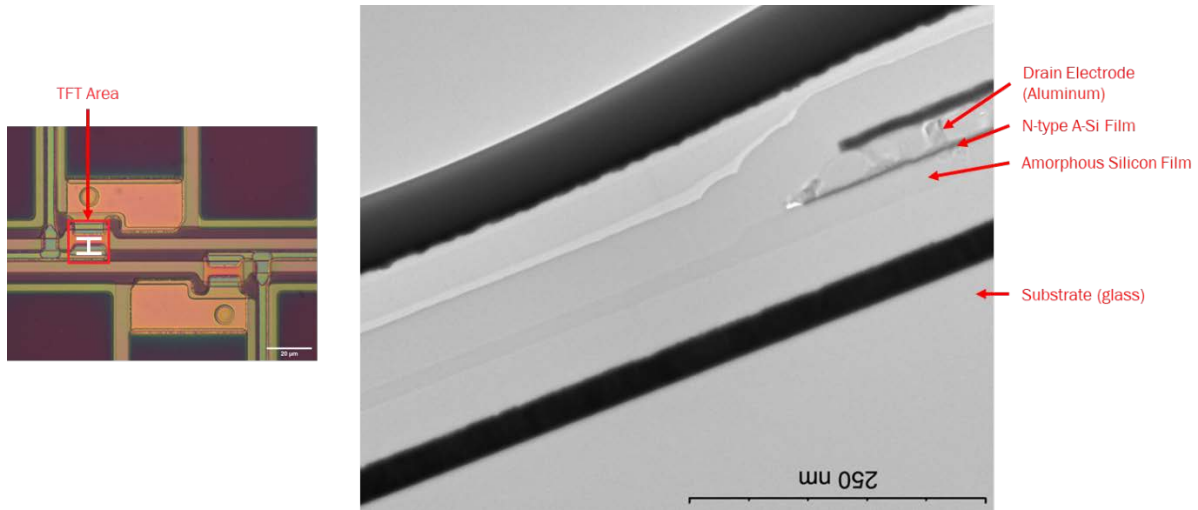
46. The LCD device shown below also has a transparent conductive layer (e.g., pixel electrode) in contact with the first conductive material and thereby connected to the first interconnection line.



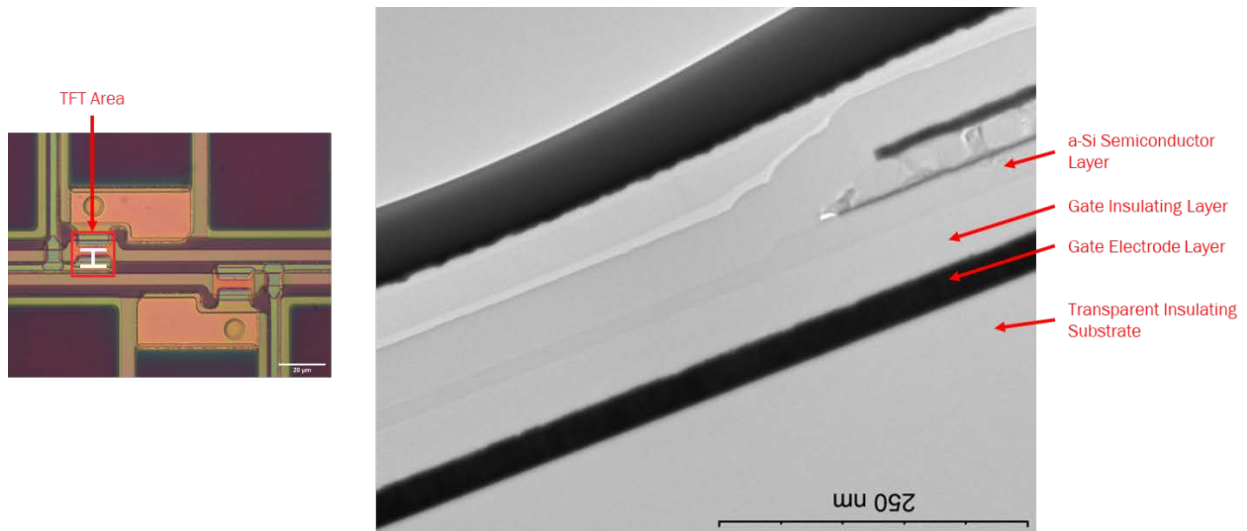
47. The Asserted Patents cover Defendants’ processes for making TFT-LCD panels. Below is a schematic cross-sectional view of Defendants’ TFT-LCD model no. WD-F9624VC-7FLWe, which is incorporated into the Fujifilm FinePix AX330. The images show an amorphous silicon film formed on a substrate with an n-type region in the top surface of the amorphous silicon film.



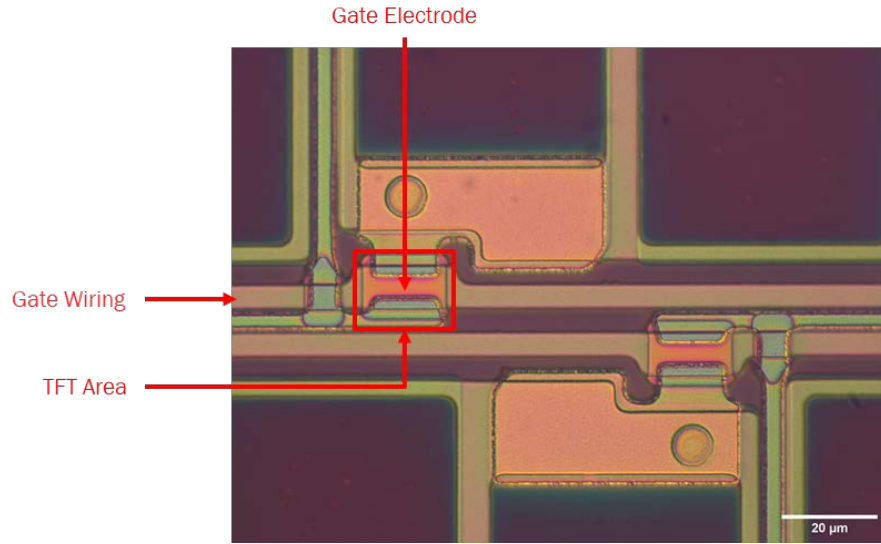
48. Furthermore, an n-type region on the top surface is provided on a top surface of the amorphous silicon film, and a metal film is formed on the amorphous silicon film (e.g., to create source and drain electrodes).



49. As shown below, model no. WD-F9624VC-7FLWe further has an active matrix substrate with a gate electrode layer, a gate insulating layer, and an amorphous silicon layer stacked on a transparent insulating substrate.



50. The layers described above form a layered structure that includes a gate electrode, a gate wiring, and a TFT area.



COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 5,929,947)

51. Plaintiff incorporates paragraphs 1 through 50 herein by reference.

52. VPV is the assignee of the '947 patent, entitled "Liquid Crystal Display Thin Film Transistor Array with Redundant Film Formed Over a Contact Hole and Method of Fabricating the Same," with ownership of all substantial rights in the '947 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements.

53. The '947 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '947 patent issued from U.S. Patent Application No. 09/168,085.

54. Defendants have and continue to directly and/or indirectly infringe (by inducing infringement) one or more claims of the '947 patent in this judicial district and elsewhere in Texas and the United States.

55. Upon information and belief, Defendants engage in the research, development, design, manufacture, and sales of imaging solutions products incorporating TFT-LCD panels,

including digital cameras sold to U.S. consumers. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 9, *available at* <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (“Establishment of our unique position in the digital camera market.”).

56. Defendants directly infringe the '947 patent via 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels, their components, and/or products containing same that incorporate the fundamental technologies covered by the '947 patent to, for example, its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers. Furthermore, upon information and belief, Defendants sell and make Accused Panels (including using third parties that manufacture Accused Panels for Defendants) and end user products incorporating the Accused Panels, outside of the United States. Defendants deliver those products to their customers, distributors, and/or subsidiaries in the United States. Or, in the case that Defendants deliver the Accused Panels outside of the United States, they do so intending and/or knowing that those panels are destined for the United States and/or they design those products for sale in the United States, thereby directly infringing the '947 patent. *See, e.g., Lake Cherokee Hard Drive Techs., L.L.C. v. Marvell Semiconductor, Inc.*, 964 F. Supp. 2d 653, 658 (E.D. Tex. 2013). Furthermore, Defendants directly infringe the '947 patent through their direct involvement in the activities of their subsidiaries, including Fujifilm America and Fujifilm N.A., by selling and offering for sale the Accused Panels or products incorporating same directly to Fujifilm America and Fujifilm N.A. and importing the Accused Panels or products incorporating same into the United States for Fujifilm America and Fujifilm N.A. Upon information and belief, Fujifilm America and Fujifilm N.A. conduct activities that constitute direct infringement of the '947 patent under 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels or products incorporating same. Defendants, therefore, are

vicariously liable for this infringing conduct of Fujifilm America and Fujifilm N.A. (under both the alter ego and agency theories) because, as an example and upon information and belief, Defendants, Fujifilm America, and Fujifilm N.A. are essentially the same company, and Defendants have the right and ability to control Fujifilm America and Fujifilm N.A.'s infringing acts and receive a direct financial benefit from Fujifilm America and Fujifilm N.A.'s infringement.

57. For example, Defendants infringe claim 1 of the '947 patent via Defendants' Accused Panels such as model no. LPM030M369H utilized in Fujifilm X-T100 and model no. WD-F9624VC-7FLWe utilized in the Fujifilm AX330. Those Accused Panels include "[a] liquid crystal display thin film transistor array comprising" each of the limitations of claim 1. The technology discussion above and the example Accused Panels provide context for Plaintiff's allegations that each of those limitations are met. For example, the Accused Panels include a plurality of parallel gate bus lines arranged on a transparent insulating substrate; a plurality of drain bus lines arranged perpendicularly to said gate bus lines and electrically isolated from said gate bus lines by a first insulating film; a thin film transistor arranged near an intersection of said gate bus line and said drain bus line; and a pixel electrode arranged in a region surrounded by said gate bus lines and said drain bus lines and made of a transparent conductive film, said thin film transistor comprising a gate electrode formed on said transparent insulating substrate and electrically connected to said gate bus line, a drain electrode formed via said first insulating film, a channel layer, and a contact layer and electrically connected to said drain bus line, and a source electrode formed via said first insulating film, said channel layer, and said contact layer and electrically connected to said pixel electrode, and said pixel electrode being electrically isolated from said drain electrode and said drain bus line by a second insulating film, wherein a contact hole which is to be electrically connected to said drain bus line is formed in said second insulating

film stacked on said drain bus line in a region including the intersection of said gate bus line and said drain bus line, and an interconnection redundant film made of the same transparent conductive film as said pixel electrode is formed on said second insulating film so as to cover said contact hole.

58. Defendants further infringe the '947 patent via 35 U.S.C. § 271(g) by using, selling, offering to sell, and/or importing Accused Panels, their components, and/or products containing same, that are made by a process covered by the '947 patent. Upon information and belief, the infringing Accused Panels, their components, and/or products containing same are not materially changed by subsequent processes, and they are neither trivial nor nonessential components of another product.

59. At a minimum, Defendants have known of the '947 patent at least as early as the filing date of the complaint. In addition, JDI has known of the '947 patent since at least June 15, 2019, when Defendants were provided access to a data room containing claim charts, including for the '947 patent.

60. Upon information and belief, since at least the above-mentioned date when Defendants were on notice of its infringement, Defendants have actively induced, under U.S.C. § 271(b), distributors, customers, subsidiaries, importers, and/or consumers that import, purchase, or sell the Accused Panels that include or are made using all of the limitations of one or more claims of the '947 patent to directly infringe one or more claims of the '947 patent by using, offering for sale, selling, and/or importing the Accused Panels or products that incorporate the Accused Panels, such as Fujifilm-branded digital cameras. Since at least the notice provided on the above-mentioned date, Defendants do so with knowledge, or with willful blindness of the fact, that the induced acts constitute infringement of the '947 patent. Upon information and belief,

Defendants intend to cause, and have taken affirmative steps to induce infringement by distributors, importers (including inducement to import in violation of § 271(g)), customers, subsidiaries, and/or consumers by, *inter alia*, creating advertisements that promote the infringing use of the Accused Panels, including as incorporated into end-user products, creating established distribution channels for the Accused Panels into and within the United States, manufacturing the Accused Panels in conformity with U.S. laws and regulations, distributing or making available instructions or manuals for these products to purchasers and prospective buyers, and/or providing technical support, replacement parts, or services for these products to these purchasers in the United States. See *List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (listing Fujifilm subsidiaries located and operating in the United States); see also *Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (web page listing product support information for U.S. customers).

61. Upon information and belief, despite having knowledge of the '947 patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '947 patent, Defendants have nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Defendants' infringing activities relative to the '947 patent have been, and continue to be, willful, wanton, malicious, in bad-faith, deliberate, consciously wrongful, flagrant, characteristic of a pirate, and an egregious case of misconduct beyond typical infringement such that Plaintiff is entitled under 35 U.S.C. § 284 to enhanced damages up to three times the amount found or assessed.

62. VPV has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to VPV in an amount that adequately compensates VPV for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II

(INFRINGEMENT OF U.S. PATENT NO. 6,579,749)

63. Plaintiff incorporates paragraphs 1 through 62 herein by reference.

64. VPV is the assignee of the '749 patent, entitled "Fabrication Method and Fabrication Apparatus for Thin Film Transistor," with ownership of all substantial rights in the '749 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements.

65. The '749 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '749 patent issued from U.S. Patent Application No. 09/440,615.

66. Defendants have and continue to directly and/or indirectly infringe (by inducing infringement) one or more claims of the '749 patent in this judicial district and elsewhere in Texas and the United States.

67. Upon information and belief, Defendants engage in the research, development, design, manufacture, and sales of imaging solutions products incorporating TFT-LCD panels, including digital cameras sold to U.S. consumers. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 9, *available at* <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> ("Establishment of our unique position in the digital camera market.").

68. Defendants directly infringe the '749 patent via 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels, their components, and/or

products containing same that incorporate the fundamental technologies covered by the '749 patent to, for example, its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers. Furthermore, upon information and belief, Defendants sell and make Accused Panels (including using third parties that manufacture Accused Panels for Defendants) and end user products incorporating the Accused Panels, outside of the United States. Defendants deliver those products to their customers, distributors, and/or subsidiaries in the United States. Or, in the case that Defendants deliver the Accused Panels outside of the United States, they do so intending and/or knowing that those panels are destined for the United States and/or they design those products for sale in the United States, thereby directly infringing the '749 patent. *See, e.g., Lake Cherokee Hard Drive Techs., L.L.C. v. Marvell Semiconductor, Inc.*, 964 F. Supp. 2d 653, 658 (E.D. Tex. 2013). Furthermore, Defendants directly infringe the '749 patent through their direct involvement in the activities of their subsidiaries, including Fujifilm America and Fujifilm N.A., by selling and offering for sale the Accused Panels or products incorporating same directly to Fujifilm America and Fujifilm N.A. and importing the Accused Panels or products incorporating same into the United States for Fujifilm America and Fujifilm N.A. Upon information and belief, Fujifilm America and Fujifilm N.A. conduct activities that constitute direct infringement of the '749 patent under 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels or products incorporating same. Defendants, therefore, are vicariously liable for this infringing conduct of Fujifilm America and Fujifilm N.A. (under both the alter ego and agency theories) because, as an example and upon information and belief, Defendants, Fujifilm America, and Fujifilm N.A. are essentially the same company, and Defendants have the right and ability to control Fujifilm America and Fujifilm N.A.'s infringing acts and receive a direct financial benefit from Fujifilm America and Fujifilm N.A.'s infringement.

69. For example, Defendants infringe claim 13 of the '749 patent via Defendants' Accused Panels such as model no. WD-F9624VC-7FLWe utilized in the Fujifilm AX330. That product is made by Fujifilm pursuant to a "method for fabricating a semiconductor device, comprising the steps of" each of the limitations of claim 13. The technology discussion above and the example Accused Panel provide context for Plaintiff's allegations that each of those limitations are met. For example, the Accused Panel includes semiconductor devices made pursuant to a first step of forming an amorphous silicon film on a substrate; and a second step of performing plasma processing with respect to said substrate having said amorphous silicon film formed thereon, said plasma containing an n-type impurity element selected from group V of a periodic table to provide an n-type region in the top surface of the amorphous silicon film; and a third step of forming a metal film on said amorphous silicon film to form an n-type amorphous silicon film there between, wherein a least one of said second and third steps are performed successively after the previous step and without exposing said substrate to an oxidizing atmosphere in the successive steps.

70. Defendants further infringe the '749 patent via 35 U.S.C. § 271(g) by using, selling, offering to sell, and/or importing Accused Panels, their components, and/or products containing same, that are made by a process covered by the '749 patent. Upon information and belief, the infringing Accused Panels, their components, and/or products containing same are not materially changed by subsequent processes, and they are neither trivial nor nonessential components of another product.

71. At a minimum, Defendants have known of the '749 patent at least as early as the filing date of the complaint. In addition, JDI has known of the '749 patent since at least June 15, 2019, when Defendants were provided access to a data room containing claim charts, including for the '749 patent.

72. Upon information and belief, since at least the above-mentioned date when Defendants were on notice of its infringement, Defendants have actively induced, under U.S.C. § 271(b), distributors, customers, subsidiaries, importers, and/or consumers that import, purchase, or sell the Accused Panels that include or are made using all of the limitations of one or more claims of the '749 patent to directly infringe one or more claims of the '749 patent by using, offering for sale, selling, and/or importing the Accused Panels or products that incorporate the Accused Panels, such as Fujifilm-branded digital cameras. Since at least the notice provided on the above-mentioned date, Defendants do so with knowledge, or with willful blindness of the fact, that the induced acts constitute infringement of the '749 patent. Upon information and belief, Defendants intend to cause, and have taken affirmative steps to induce infringement by distributors, importers (including inducement to import in violation of § 271(g)), customers, subsidiaries, and/or consumers by, *inter alia*, creating advertisements that promote the infringing use of the Accused Panels, including as incorporated into end-user products, creating established distribution channels for the Accused Panels into and within the United States, manufacturing the Accused Panels in conformity with U.S. laws and regulations, distributing or making available instructions or manuals for these products to purchasers and prospective buyers, and/or providing technical support, replacement parts, or services for these products to these purchasers in the United States. *See List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (listing Fujifilm subsidiaries located and operating in the United States); *see also Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (web page listing product support information for U.S. customers).

73. Upon information and belief, despite having knowledge of the '749 patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '749 patent, Defendants have nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Defendants' infringing activities relative to the '749 patent have been, and continue to be, willful, wanton, malicious, in bad-faith, deliberate, consciously wrongful, flagrant, characteristic of a pirate, and an egregious case of misconduct beyond typical infringement such that Plaintiff is entitled under 35 U.S.C. § 284 to enhanced damages up to three times the amount found or assessed.

74. VPV has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to VPV in an amount that adequately compensates VPV for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT III

(INFRINGEMENT OF U.S. PATENT NO. 6,674,093)

75. Plaintiff incorporates paragraphs 1 through 74 herein by reference.

76. VPV is the assignee of the '093 patent, entitled "Active Matrix Substrate and Manufacturing Method Therefor," with ownership of all substantial rights in the '093 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements.

77. The '093 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '093 patent issued from U.S. Patent Application No. 09/695,321.

78. Defendants have and continue to directly and/or indirectly infringe (by inducing infringement) one or more claims of the '093 patent in this judicial district and elsewhere in Texas and the United States.

79. Upon information and belief, Defendants engage in the research, development, design, manufacture, and sales of imaging solutions products incorporating TFT-LCD panels, including digital cameras sold to U.S. consumers. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 9, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (“Establishment of our unique position in the digital camera market.”).

80. Defendants directly infringe the '093 patent via 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels, their components, and/or products containing same that incorporate the fundamental technologies covered by the '093 patent to, for example, its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers. Furthermore, upon information and belief, Defendants sell and make Accused Panels (including using third parties that manufacture Accused Panels for Defendants) and end user products incorporating the Accused Panels, outside of the United States. Defendants deliver those products to their customers, distributors, and/or subsidiaries in the United States. Or, in the case that Defendants deliver the Accused Panels outside of the United States, they do so intending and/or knowing that those panels are destined for the United States and/or they design those products for sale in the United States, thereby directly infringing the '093 patent. *See, e.g., Lake Cherokee Hard Drive Techs., L.L.C. v. Marvell Semiconductor, Inc.*, 964 F. Supp. 2d 653, 658 (E.D. Tex. 2013). Furthermore, Defendants directly infringe the '093 patent through their direct involvement in the activities of their subsidiaries, including Fujifilm America and Fujifilm N.A., by selling and offering for sale the Accused Panels or products incorporating same

directly to Fujifilm America and Fujifilm N.A. and importing the Accused Panels or products incorporating same into the United States for Fujifilm America and Fujifilm N.A. Upon information and belief, Fujifilm America and Fujifilm N.A. conduct activities that constitute direct infringement of the '093 patent under 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels or products incorporating same. Defendants, therefore, are vicariously liable for this infringing conduct of Fujifilm America and Fujifilm N.A. (under both the alter ego and agency theories) because, as an example and upon information and belief, Defendants, Fujifilm America, and Fujifilm N.A. are essentially the same company, and Defendants have the right and ability to control Fujifilm America and Fujifilm N.A.'s infringing acts and receive a direct financial benefit from Fujifilm America and Fujifilm N.A.'s infringement.

81. For example, Defendants infringe claim 1 of the '093 patent via Defendants' Accused Panels including the Fujifilm FinePix AX330 which incorporates Wintek panel model no. WD-F9624VC-7FLWe. That Accused Panel includes an "active matrix substrate comprising" each of the limitations of claim 1. The technology discussion above and the example Accused Panel provide context for Plaintiff's allegations that each of those limitations are met. For example, the Accused Panel includes (a) a gate electrode layer, a gate insulating layer and an amorphous silicon semiconductor layer deposited in a substantially stacked fashion on a transparent insulating substrate, viewed from a direction normal to said transparent insulating substrate, to form a layered structure including a gate electrode, a gate wiring and a thin-film transistor area; (b) a drain wiring formed on a first passivation film disposed on said substrate so as to cover said layered structure; (c) a second passivation film formed as a layer overlying said drain wiring and said first passivation film; (d) source/drain openings passing through said first passivation film and said second passivation film to reach said amorphous silicon semiconductor layer; (e) an opening passing

through said second passivation film to reach said drain wiring; and (f) a wiring layer formed by a pixel electrode film disposed on said second passivation film, said wiring layer extending through said opening and openings for connection.

82. Defendants further infringe the '093 patent via 35 U.S.C. § 271(g) by using, selling, offering to sell, and/or importing Accused Panels, their components, and/or products containing same, that are made by a process covered by the '093 patent. Upon information and belief, the infringing Accused Panels, their components, and/or products containing same are not materially changed by subsequent processes, and they are neither trivial nor nonessential components of another product.

83. At a minimum, Defendants have known of the '093 patent at least as early as the filing date of the complaint. In addition, Defendants have known of the '093 patent since at least June 15, 2019, when Defendants were provided access to a data room containing claim charts, including for the '093 patent.

84. Upon information and belief, since at least the above-mentioned date when Defendants were on notice of its infringement, Defendants have actively induced, under U.S.C. § 271(b), distributors, customers, subsidiaries, importers, and/or consumers that import, purchase, or sell the Accused Panels that include or are made using all of the limitations of one or more claims of the '093 patent to directly infringe one or more claims of the '093 patent by using, offering for sale, selling, and/or importing the Accused Panels or products that incorporate the Accused Panels, such as Fujifilm-branded digital cameras. Since at least the notice provided on the above-mentioned date, Defendants do so with knowledge, or with willful blindness of the fact, that the induced acts constitute infringement of the '093 patent. Upon information and belief, Defendants intend to cause, and have taken affirmative steps to induce infringement by

distributors, importers (including inducement to import in violation of § 271(g)), customers, subsidiaries, and/or consumers by, *inter alia*, creating advertisements that promote the infringing use of the Accused Panels, including as incorporated into end-user products, creating established distribution channels for the Accused Panels into and within the United States, manufacturing the Accused Panels in conformity with U.S. laws and regulations, distributing or making available instructions or manuals for these products to purchasers and prospective buyers, and/or providing technical support, replacement parts, or services for these products to these purchasers in the United States. See *List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (listing Fujifilm subsidiaries located and operating in the United States); see also *Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (web page listing product support information for U.S. customers).

85. Upon information and belief, despite having knowledge of the '093 patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '093 patent, Defendants have nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Defendants' infringing activities relative to the '093 patent have been, and continue to be, willful, wanton, malicious, in bad-faith, deliberate, consciously wrongful, flagrant, characteristic of a pirate, and an egregious case of misconduct beyond typical infringement such that Plaintiff is entitled under 35 U.S.C. § 284 to enhanced damages up to three times the amount found or assessed.

86. VPV has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to VPV in an amount that adequately compensates VPV

for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT IV

(INFRINGEMENT OF U.S. PATENT NO. 7,088,401)

87. Plaintiff incorporates paragraphs 1 through 86 herein by reference.

88. VPV is the assignee of the '401 patent, entitled "Liquid crystal display device with less pixel error and method of manufacturing the same," with ownership of all substantial rights in the '401 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements.

89. The '401 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '401 patent issued from U.S. Patent Application No. 09/609,169.

90. Defendants have and continue to directly and/or indirectly infringe (by inducing infringement) one or more claims of the '401 patent in this judicial district and elsewhere in Texas and the United States.

91. Upon information and belief, Defendants engage in the research, development, design, manufacture, and sales of imaging solutions products incorporating TFT-LCD panels, including digital cameras sold to U.S. consumers. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 9, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> ("Establishment of our unique position in the digital camera market.").

92. Defendants directly infringe the '401 patent via 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels, their components, and/or products containing same that incorporate the fundamental technologies covered by the '401 patent to, for example, its alter egos, agents, intermediaries, distributors, importers, customers,

subsidiaries, and/or consumers. Furthermore, upon information and belief, Defendants sell and make Accused Panels (including using third parties that manufacture Accused Panels for Defendants) and end user products incorporating the Accused Panels, outside of the United States. Defendants deliver those products to their customers, distributors, and/or subsidiaries in the United States. Or, in the case that Defendants deliver the Accused Panels outside of the United States, they do so intending and/or knowing that those panels are destined for the United States and/or they design those products for sale in the United States, thereby directly infringing the '401 patent. *See, e.g., Lake Cherokee Hard Drive Techs., L.L.C. v. Marvell Semiconductor, Inc.*, 964 F. Supp. 2d 653, 658 (E.D. Tex. 2013). Furthermore, Defendants directly infringe the '401 patent through their direct involvement in the activities of their subsidiaries, including Fujifilm America and Fujifilm N.A., by selling and offering for sale the Accused Panels or products incorporating same directly to Fujifilm America and Fujifilm N.A. and importing the Accused Panels or products incorporating same into the United States for Fujifilm America and Fujifilm N.A. Upon information and belief, Fujifilm America and Fujifilm N.A. conduct activities that constitute direct infringement of the '401 patent under 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels or products incorporating same. Defendants, therefore, are vicariously liable for this infringing conduct of Fujifilm America and Fujifilm N.A. (under both the alter ego and agency theories) because, as an example and upon information and belief, Defendants, Fujifilm America, and Fujifilm N.A. are essentially the same company, and Defendants have the right and ability to control Fujifilm America and Fujifilm N.A.'s infringing acts and receive a direct financial benefit from Fujifilm America and Fujifilm N.A.'s infringement.

93. For example, JDI infringes claim 1 of the '401 patent via Defendants' Accused Panels such as model no. LPM030M369H utilized in Fujifilm X-T100. That Accused Panel

includes include a “liquid crystal display device, comprising” each of the limitations of claim 1. The technology discussion above and the example Accused Panels provide context for Plaintiff’s allegations that each of those limitations are met. For example, the Accused Panels each include a first electrode formed on a substrate as one of two electrodes of an accumulation capacitor, said first electrode comprising a portion of a gate bus line pattern of said liquid crystal display device; an insulating film formed on said first electrode to cover said first electrode; a second electrode formed on said first electrode via said insulating film as the other electrode of said accumulation capacitor and including a first conductive film and a second conductive film formed on said first conductive film; a protective insulating layer formed on said second electrode and having a contact hole which is formed over said first and second electrodes, a bottom of said contact hole being defined by said second conductive film; and a thin film transistor comprising source and drain electrodes which are formed on said insulating film and comprise said second conductive film, wherein one of said first conductive film and said second conductive film comprises a layer formed of a material selected from the group consisting of Al (Aluminum), W (Tungsten), Cu (Copper), Ta (Tantalum) and TaN (Tantalum Nitride).

94. Defendants further infringe the ’401 patent via 35 U.S.C. § 271(g) by using, selling, offering to sell, and/or importing Accused Panels, their components, and/or products containing same, that are made by a process covered by the ’401 patent. Upon information and belief, the infringing Accused Panels, their components, and/or products containing same are not materially changed by subsequent processes, and they are neither trivial nor nonessential components of another product.

95. At a minimum, Defendants have known of the ’401 patent at least as early as the filing date of the complaint. In addition, Defendants have known of the ’401 patent since at least

June 15, 2019, when Defendants were provided access to a data room containing claim charts, including for the '401 patent.

96. Upon information and belief, since at least the above-mentioned date when Defendants were on notice of its infringement, Defendants have actively induced, under U.S.C. § 271(b), distributors, customers, subsidiaries, importers, and/or consumers that import, purchase, or sell the Accused Panels that include or are made using all of the limitations of one or more claims of the '401 patent to directly infringe one or more claims of the '401 patent by using, offering for sale, selling, and/or importing the Accused Panels or products that incorporate the Accused Panels, such as Fujifilm-branded digital cameras. Since at least the notice provided on the above-mentioned date, Defendants do so with knowledge, or with willful blindness of the fact, that the induced acts constitute infringement of the '401 patent. Upon information and belief, Defendants intend to cause, and have taken affirmative steps to induce infringement by distributors, importers (including inducement to import in violation of § 271(g)), customers, subsidiaries, and/or consumers by, *inter alia*, creating advertisements that promote the infringing use of the Accused Panels, including as incorporated into end-user products, creating established distribution channels for the Accused Panels into and within the United States, manufacturing the Accused Panels in conformity with U.S. laws and regulations, distributing or making available instructions or manuals for these products to purchasers and prospective buyers, and/or providing technical support, replacement parts, or services for these products to these purchasers in the United States. *See List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (listing Fujifilm subsidiaries located and operating in the United States); *see also Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION,

<https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (web page listing product support information for U.S. customers).

97. Upon information and belief, despite having knowledge of the '401 patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '401 patent, Defendants have nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Defendants' infringing activities relative to the '401 patent have been, and continue to be, willful, wanton, malicious, in bad-faith, deliberate, consciously wrongful, flagrant, characteristic of a pirate, and an egregious case of misconduct beyond typical infringement such that Plaintiff is entitled under 35 U.S.C. § 284 to enhanced damages up to three times the amount found or assessed.

98. VPV has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to VPV in an amount that adequately compensates VPV for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT V

(INFRINGEMENT OF U.S. PATENT NO. 7,499,119)

99. Plaintiff incorporates paragraphs 1 through 98 herein by reference.

100. VPV is the assignee of the '119 patent, entitled "Liquid crystal display device with thin-film transistors and method of fabricating the same," with ownership of all substantial rights in the '119 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements.

101. The '119 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '119 patent issued from U.S. Patent Application No. 11/582,315.

102. Defendants have and continue to directly and/or indirectly infringe (by inducing infringement) one or more claims of the '119 patent in this judicial district and elsewhere in Texas and the United States.

103. Upon information and belief, Defendants engage in the research, development, design, manufacture, and sales of imaging solutions products incorporating TFT-LCD panels, including digital cameras sold to U.S. consumers. *See Integrated Report 2019*, FUJIFILM HOLDINGS CORPORATION, at p. 9, available at <https://ir.fujifilm.com/en/investors/ir-materials/integrated-report.html> (“Establishment of our unique position in the digital camera market.”).

104. Defendants directly infringe the '119 patent via 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels, their components, and/or products containing same that incorporate the fundamental technologies covered by the '119 patent to, for example, its alter egos, agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers. Furthermore, upon information and belief, Defendants sell and make Accused Panels (including using third parties that manufacture Accused Panels for Defendants) and end user products incorporating the Accused Panels, outside of the United States. Defendants deliver those products to their customers, distributors, and/or subsidiaries in the United States. Or, in the case that Defendants deliver the Accused Panels outside of the United States, they do so intending and/or knowing that those panels are destined for the United States and/or they design those products for sale in the United States, thereby directly infringing the '119 patent. *See, e.g., Lake Cherokee Hard Drive Techs., L.L.C. v. Marvell Semiconductor, Inc.*, 964 F. Supp. 2d 653, 658 (E.D. Tex. 2013). Furthermore, Defendants directly infringe the '119 patent through their direct involvement in the activities of their subsidiaries, including Fujifilm America and Fujifilm N.A., by selling and offering for sale the Accused Panels or products incorporating same

directly to Fujifilm America and Fujifilm N.A. and importing the Accused Panels or products incorporating same into the United States for Fujifilm America and Fujifilm N.A. Upon information and belief, Fujifilm America and Fujifilm N.A. conduct activities that constitute direct infringement of the '119 patent under 35 U.S.C. § 271(a) by making, offering for sale, selling, and/or importing those Accused Panels or products incorporating same. Defendants, therefore, are vicariously liable for this infringing conduct of Fujifilm America and Fujifilm N.A. (under both the alter ego and agency theories) because, as an example and upon information and belief, Defendants, Fujifilm America, and Fujifilm N.A. are essentially the same company, and Defendants have the right and ability to control Fujifilm America and Fujifilm N.A.'s infringing acts and receive a direct financial benefit from Fujifilm America and Fujifilm N.A.'s infringement.

105. For example, Defendants infringe claim 1 of the '119 patent via Defendants' Accused Panels such as model no. LPM030M369H utilized in Fujifilm X-T100 and model no. WD-F9624VC-7FLWe utilized in the Fujifilm FinePix AX330. Those Accused Panels include a "liquid-crystal display device comprising" each of the limitations of claim 1. The technology discussion above and the example Accused Panel provide context for Plaintiff's allegations that each of those limitations are met. For example, the Accused Panel includes a first interconnection line comprising a patterned Al or Al alloy layer, disposed directly on an insulating plate or over the plate by way of an underlying insulating layer: a first insulating layer formed on the plate to cover the first interconnection line, the first insulating layer having a contact hole that exposes a part of the first interconnection line; a first conductive material made of a plated metal, the first conductive material being in contact with the exposed part of the first interconnection line in the contact hole in such a way as to cover the whole exposed part thereof; and a first transparent conductive layer in contact with the first conductive material; wherein the first transparent

conductive layer is electrically connected to the first interconnection line by way of the first conductive material.

106. Defendants further infringe the '119 patent via 35 U.S.C. § 271(g) by using, selling, offering to sell, and/or importing Accused Panels, their components, and/or products containing same, that are made by a process covered by the '119 patent. Upon information and belief, the infringing Accused Panels, their components, and/or products containing same are not materially changed by subsequent processes, and they are neither trivial nor nonessential components of another product.

107. At a minimum, Defendants have known of the '119 patent at least as early as the filing date of the complaint. In addition, Defendants have known of the '119 patent since at least June 15, 2019 when Defendants were provided access to a data room containing claim charts, including for the '119 patent.

108. Upon information and belief, since at least the above-mentioned date when Defendants were on notice of its infringement, Defendants have actively induced, under U.S.C. § 271(b), distributors, customers, subsidiaries, importers, and/or consumers that import, purchase, or sell the Accused Panels that include or are made using all of the limitations of one or more claims of the '119 patent to directly infringe one or more claims of the '119 patent by using, offering for sale, selling, and/or importing the Accused Panels or products that incorporate the Accused Panels, such as Fujifilm-branded digital cameras. Since at least the notice provided on the above-mentioned date, Defendants do so with knowledge, or with willful blindness of the fact, that the induced acts constitute infringement of the '119 patent. Upon information and belief, Defendants intend to cause, and have taken affirmative steps to induce infringement by distributors, importers (including inducement to import in violation of § 271(g)), customers,

subsidiaries, and/or consumers by, *inter alia*, creating advertisements that promote the infringing use of the Accused Panels, including as incorporated into end-user products, creating established distribution channels for the Accused Panels into and within the United States, manufacturing the Accused Panels in conformity with U.S. laws and regulations, distributing or making available instructions or manuals for these products to purchasers and prospective buyers, and/or providing technical support, replacement parts, or services for these products to these purchasers in the United States. See *List of Affiliated Companies*, FUJIFILM CORPORATION, <https://www.fujifilm.com/jp/ja/about/corporate/affiliates/americas> (listing Fujifilm subsidiaries located and operating in the United States); see also *Support and Contact Center*, FUJIFILM HOLDINGS AMERICA CORPORATION, <https://www.fujifilmusa.com/support/ServiceSupportContactInfo.do?catid=464128&prodcats=234644> (web page listing product support information for U.S. customers).

109. Upon information and belief, despite having knowledge of the '119 patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '119 patent, Defendants have nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Defendants' infringing activities relative to the '119 patent have been, and continue to be, willful, wanton, malicious, in bad-faith, deliberate, consciously wrongful, flagrant, characteristic of a pirate, and an egregious case of misconduct beyond typical infringement such that Plaintiff is entitled under 35 U.S.C. § 284 to enhanced damages up to three times the amount found or assessed.

110. VPV has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to VPV in an amount that adequately compensates VPV

for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

CONCLUSION

111. Plaintiff is entitled to recover from Defendants the damages sustained by Plaintiff as a result of Defendants' wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court.

112. Plaintiff has incurred and will incur attorneys' fees, costs, and expenses in the prosecution of this action. The circumstances of this dispute may give rise to an exceptional case within the meaning of 35 U.S.C. § 285, and Plaintiff is entitled to recover its reasonable and necessary attorneys' fees, costs, and expenses.

JURY DEMAND

113. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

114. Plaintiff respectfully requests that the Court find in its favor and against Defendants, and that the Court grant Plaintiff the following relief:

- A. A judgment that Defendants have infringed the Asserted Patents as alleged herein, directly and/or indirectly by way of inducing infringement of such patents;
- B. A judgment for an accounting of all damages sustained by Plaintiff as a result of the acts of infringement by Defendants;
- C. A judgment and order requiring Defendants to pay Plaintiff damages under 35 U.S.C. § 284, including up to treble damages as provided by 35 U.S.C. § 284, and any royalties determined to be appropriate;

- D. A judgment and order requiring Defendants to pay Plaintiff pre-judgment and post-judgment interest on the damages awarded;
- E. A judgment and order finding this to be an exceptional case and requiring Defendants to pay the costs of this action (including all disbursements) and attorneys' fees as provided by 35 U.S.C. § 285; and
- F. Such other and further relief as the Court deems just and equitable.

Dated: March 2, 2020

Respectfully submitted,

/s/Patrick J. Conroy

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