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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

<p><b>FORUTOME IP LLC,</b></p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p><b>ICOM AMERICA, INC.,</b></p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 2:20-cv-624</p> <p>COMPLAINT FOR PATENT INFRINGEMENT</p> <p>DEMAND FOR JURY TRIAL</p>
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Plaintiff Forutome IP LLC files this Original Complaint for Patent Infringement against Icom America, Inc. and would respectfully show the Court as follows:

**I. NATURE OF THE LAWSUIT**

1. This is an action for patent infringement under the Patent Laws of the United States, Title 35 United States Code (“U.S.C.”) resulting from Icom America, Inc. infringing, in an illegal and unauthorized manner and without authorization and/or consent from Forutome IP LLC, United States Patent No. 6,191,607 pursuant to 35 U.S.C. §271, and to recover damages, attorney’s fees, and costs.

**II. THE PARTIES**

2. Plaintiff Forutome IP LLC (“Forutome” or “Plaintiff”) is a Texas limited liability company having an address at 6009 W Parker Rd, Ste 149 – 1092, Plano, TX 75093-8121.

3. On information and belief, Defendant Icom America, Inc. (“Defendant”) is a corporation organized and existing under the laws of Washington, with a place of business

1 at 12421 Willows Road NE, Kirkland, WA 98034. Defendant's registered agent is Gloria  
2 Rasmussen, 12421 Willows Rd NE, Kirkland, WA, 98034.

3 **III. JURISDICTION AND VENUE**

4  
5 4. This action arises under the patent laws of the United States, Title 35 of the  
6 United States Code. This Court has subject matter jurisdiction of such action under 28  
7 U.S.C. §§ 1331 and 1338(a).

8 5. On information and belief, Defendant is subject to this Court's specific and  
9 general personal jurisdiction, pursuant to due process and the Washington Long-Arm  
10 Statute, due at least to its business in this forum, including at least a portion of the  
11 infringements alleged herein. Furthermore, Defendant is subject to this Court's specific and  
12 general personal jurisdiction because Defendant is a Washington corporation.

13  
14 6. Without limitation, on information and belief, within this State and this  
15 District, Defendant has used, sold, and/or offered for sale the patented inventions thereby  
16 committing, and continuing to commit, acts of patent infringement alleged herein. In  
17 addition, on information and belief, Defendant has derived revenues from its infringing acts  
18 occurring within Washington and the Western District of Washington. Further, on  
19 information and belief, Defendant is subject to the Court's general jurisdiction, including  
20 from regularly doing or soliciting business, engaging in other persistent courses of conduct,  
21 and deriving substantial revenue from goods and services provided to persons or entities in  
22 Washington and the Western District of Washington. Further, on information and belief,  
23 Defendant is subject to the Court's personal jurisdiction at least due to its sale of products  
24 and/or services within Washington and the Western District of Washington. Defendant has  
25 committed such purposeful acts and/or transactions in Washington and the Western District  
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1 of Washington such that it reasonably should know and expect that it could be haled into  
2 this Court as a consequence of such activity.

3 7. Venue is proper in this district under 28 U.S.C. § 1400(b). On information  
4 and belief, Defendant is incorporated in Washington. Under the patent laws, because  
5 Defendant was formed in Washington and the Western District of Washington, Washington.  
6 On information and belief, from and within this District Defendant has committed at least a  
7 portion of the infringements at issue in this case and has a business location within this  
8 District.  
9

10 8. For these reasons, personal jurisdiction exists and venue is proper in this  
11 Court under 28 U.S.C. § 1400(b).  
12

13 **IV. COUNT I**  
**(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 6,191,607)**

14 9. Plaintiff incorporates the above paragraphs herein by reference.

15 10. On February 20, 2001, United States Patent No. 6,191,607 (“the ‘607  
16 Patent”) was duly and legally issued by the United States Patent and Trademark Office.  
17 The ‘607 Patent is titled “Programmable Bus Hold Circuit and Method of Using the Same.”  
18 A true and correct copy of the ‘607 Patent is attached hereto as Exhibit A and incorporated  
19 herein by reference.  
20

21 11. Forutome is the assignee of all right, title and interest in the ‘607 patent,  
22 including all rights to enforce and prosecute actions for infringement and to collect damages  
23 for all relevant times against infringers of the ‘607 Patent. Accordingly, Forutome  
24 possesses the exclusive right and standing to prosecute the present action for infringement  
25 of the ‘607 Patent by Defendant.  
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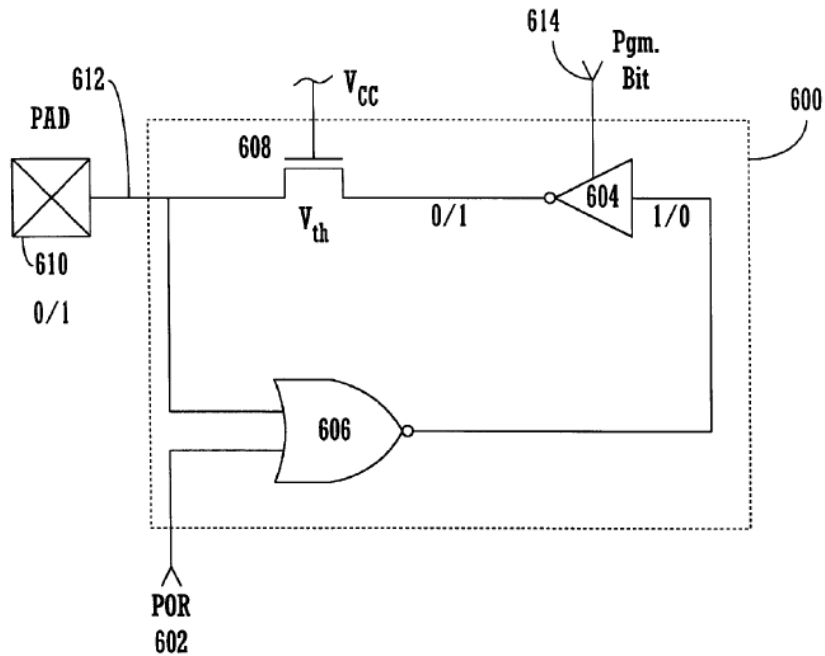
1           12.     The invention in the '607 Patent relates to the field of computer input/output  
2 devices and circuits that reduce input/output bus contention in such devices. (*Id.* at col. 1:5-  
3 8).

4           13.     The '607 patent explains the problems with conventional ways of preventing  
5 bus contention in input/output buses in conventional input/output ("I/O") devices in  
6 computer systems. The conventional I/O devices are often required to quickly drive I/O  
7 buses that are connected to I/O pins in order to meet various timing requirements. (*Id.* at  
8 col. 1:11-14). The I/O devices are typically equipped with output drivers that have high  
9 signal switching strengths in order to meet the various timing requirements. (*Id.* at col.  
10 1:14-16). When an output driver is turned off, there is a potential problem with the bus.  
11 (*Id.* at col. 1:16-17). A user may pull the bus either high or low with external circuitry that  
12 may cause excessive noise due to many outputs switching simultaneously. (*Id.* at col. 1:17-  
13 20). A conventional solution to this problem of preventing bus contention is to add a bus  
14 hold circuit, for example configured as a weak latch. (*Id.* at col. 1:20-22).

15           14.     Bus hold circuits reduce the bus noise level; however, bus hold circuits are  
16 not always needed or desirable. (*Id.* at col. 1:23-24). For example, if an application  
17 requires that multiple I/O pins be tied together, a number of individual bus hold circuits  
18 associated with these pins may consume a large amount of operating current. (*Id.* at col.  
19 1:25-28). As a result, a voltage level held by multiple bus hold circuits may tend to be more  
20 difficult to override. (*Id.* at col. 1:28-30). Some users may also wish to purchase I/O  
21 devices that are not constructed with bus hold circuits because of the expected cost savings  
22 which may result. (*Id.* at col. 1:30-32). In such a situation it would be cost prohibitive for a  
23 manufacturer to produce two identical devices with one version having bus hold circuits and  
24 another without such circuits. (*Id.* at col. 1:35-36). The inventors therefore invented an  
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1 improved bus hold circuit and methods for using the improved bus hold circuit such as a  
 2 programmable bus hold circuit including a tri-state buffer, for example, one that is under  
 3 control of a memory cell or other programmable bit capable of enabling or disabling the  
 4 programmable bus hold circuit. (*Id.* at col. 1:45-49).

6 15. Figure 1 of the '607 patent is a non-limiting example of a programmable bus  
 7 hold circuit (600) including a tri-state buffer (604):



19 **FIGURE 1**

21 (*Id.* at col. 2:36-37; Fig. 1). The tri-state buffer (604) is under the control of a  
 22 programmable bit (614), which is coupled to the control input of the buffer. (*Id.* at col.  
 23 2:44-46). The programmable bit may be used to activate or deactivate the buffer. (*Id.* at  
 24 col. 2:46-47). In Figure 1, the programmable bus circuit is arranged as a programmable  
 25 feedback path associated with an output of the circuit. (*Id.* at col. 2:55-57). Figure 2 of the

1 ‘607 patent is a non-limiting example of a tri-state buffer controlled by a programmable bit  
2 and suitable for use in a bus hold circuit. (*Id.* at col. 2:58-64; Fig. 2).

3  
4 16. **Direct Infringement.** Upon information and belief, Defendant has been  
5 directly infringing at least claim 12 of the ‘607 patent in Washington and within this  
6 District, and elsewhere in the United States, by performing actions comprising at least  
7 performing the method comprising programming a tri-state buffer included as part of a  
8 feedback path of a bus hold circuit to hold or tri-state a voltage at an input/output pad  
9 through using at least the IC-746PRO (“Accused Instrumentality”) (*e.g.*,  
10 <http://www.icomamerica.com/en/products/amateur/hf/746pro/options.aspx>;  
11 <https://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=21>;  
12 <http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=169>;  
13 <https://www.ti.com/lit/ds/symlink/tms320vc33.pdf>).

14  
15 17. The Accused Instrumentality practices the claimed method by using a bus  
16 keeper circuit in a processor that includes a programmable tri-state buffer that is included as  
17 part of the feedback path of the bus keeper circuit to hold or tri-state a voltage (*e.g.*, a high  
18 impedance state and values previously held by an I/O) at an input/output pad. (*e.g.*  
19 <https://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=21>;  
20 <http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=169>;  
21 <https://www.ti.com/lit/ds/symlink/tms320vc33.pdf>). For example, the Accused  
22 Instrumentality includes an TMS320VC33 processor as a DSP that includes a bus keeper  
23 circuit that contains a programmable tri-state buffer that can be programmed to enable or  
24 disable via the SHZ input to the buffer, wherein the enabled mode holds the voltage and  
25 when disabled puts the I/O pin in high-impedance state. (*E.g.*,  
26 <https://www.ti.com/lit/ds/symlink/tms320vc33.pdf>).

1 18. Plaintiff has been damaged as a result of Defendant’s infringing conduct.  
2 Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates  
3 Plaintiff for such Defendant’s infringement of the ‘607 patent, *i.e.*, in an amount that by law  
4 cannot be less than would constitute a reasonable royalty for the use of the patented  
5 technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.  
6

7 19. On information and belief, Defendant has had at least constructive notice of  
8 the ‘607 patent by operation of law, and there are no marking requirements that have not  
9 been complied with.

10 **IV. JURY DEMAND**

11 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by  
12 jury of any issues so triable by right.  
13

14 **V. PRAYER FOR RELIEF**

15 WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and  
16 against Defendant, and that the Court grant Plaintiff the following relief:

- 17 a. Judgment that one or more claims of United States Patent No. 6,191,607  
18 have been infringed, either literally and/or under the doctrine of equivalents,  
19 by Defendant;
- 20 b. Judgment that Defendant account for and pay to Plaintiff all damages to and  
21 costs incurred by Plaintiff because of Defendant’s infringing activities and  
22 other conduct complained of herein, and an accounting of all infringements  
23 and damages not presented at trial;
- 24 c. That Plaintiff be granted pre-judgment and post-judgment interest on the  
25 damages caused by Defendant’s infringing activities and other conduct  
26 complained of herein; and  
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d. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

April 24, 2020

Respectfully Submitted,

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