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10 *Attorneys for Plaintiffs*
11 *Philips North America LLC and Koninklijke Philips N.V.*

12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 PHILIPS NORTH AMERICA LLC, and
15 KONINKLIJKE PHILIPS N.V.

16 Plaintiffs,

17 v.

18 HISENSE CO. LTD, HISENSE
19 VISUAL TECHNOLOGY CO., LTD.,
HISENSE ELECTRONICS
20 MANUFACTURING COMPANY OF
21 AMERICA CORPORATION,
22 HISENSE USA CORPORATION,
HISENSE IMPORT & EXPORT CO.
23 LTD., HISENSE INTERNATIONAL
CO., LTD., HISENSE
24 INTERNATIONAL (HK) CO., LTD.,
25 and HISENSE INTERNATIONAL
26 (HONG KONG) AMERICA
INVESTMENTS

27 Defendants.
28

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

1 Plaintiffs Philips North America LLC and Koninklijke Philips N.V.
2 (collectively, “Philips” or “Plaintiffs”) bring this action for patent infringement under
3 35 U.S.C. § 271 against Hisense Co. Ltd, Hisense Visual Technology Co. Ltd. (f/k/a
4 Qingdao Hisense Electronics Co. Ltd.), Hisense Electronics Manufacturing Company
5 of America Corporation, Hisense USA Corporation, Hisense Import & Export Co.
6 Ltd., Hisense International Co., Ltd., Hisense International (HK) Co., Ltd., and
7 Hisense International (Hong Kong) America Investments (collectively, “Hisense” or
8 “Defendants”), and, and allege as follows:

9 **THE PARTIES**

10 1. Plaintiff Philips North America LLC (formerly known as Philips
11 Electronics North America Corporation) (“Philips North America”) is a limited
12 liability company duly organized and existing under the laws of the State of Delaware
13 with its principal place of business at 222 Jacobs Street, Cambridge, MA 02141.
14 Philips N.V. is the parent of Philips North America.

15 2. Plaintiff Koninklijke Philips N.V. (formerly known as Koninklijke
16 Philips Electronics N.V.) (“Philips N.V.”) is a corporation duly organized and
17 existing under the laws of The Netherlands, with its principal place of business at
18 High Tech Campus 5, 5656 AE Eindhoven, The Netherlands.

19 3. Defendant Hisense Co. Ltd. is a corporation duly organized and existing
20 under the laws of the People’s Republic of China, with a principal place of business
21 at Hisense Tower, No. 17 Donghaixi Road, Qingdao, Shandong Province, 266071,
22 P.R. China. Hisense Co. Ltd. is the ultimate parent of all the other named Defendants
23 in this action.

24 4. Defendant Hisense Visual Technology Co., Ltd. is a corporation duly
25 organized and existing under the laws of the People’s Republic of China, with a
26 principal place of business at No. 218, Qianwangang Road, Economic and
27 Technological Development Zone, Qingdao, Shandong Province, 266555, P.R.
28 China. Hisense Visual Technology Co., Ltd. formerly did business under the names

1 Qingdao Hisense Electronics Co. Ltd. and Hisense Electric Co., Ltd. Hisense Visual
2 Technology Co., Ltd. engages in the manufacture and distribution of televisions
3 which it distributes in overseas markets such as in the United States.

4 5. Defendant Hisense Electronics Manufacturing Company of America
5 Corporation (“Hisense Mfg.”) is a corporation duly organized and existing under the
6 laws of the State of Georgia with an office at 7310 McGinnis Road, Suwanee,
7 Georgia, 30024. Hisense Mfg. is registered to do business in California, with a
8 business office at 11081 Tacoma Drive Unit B, Rancho Cucamonga, CA 91730.

9 6. Defendant Hisense USA Corporation (“Hisense USA”) is a corporation
10 duly organized and existing under the laws of the State of Georgia with an office at
11 7310 McGinnis Ferry Road, Suwanee, Georgia, 30024 and 17005 Evergreen Place,
12 City of Industry, CA 91745.

13 7. Defendant Hisense Import & Export Co. Ltd. is a corporation duly
14 organized and existing under the laws of the People’s Republic of China with a
15 principal place of business at Hisense Tower No. 17, Donghaixi Road, Qingdao,
16 Shandong Province, 266071, P.R. China.

17 8. Defendant Hisense International Co., Ltd., is a corporation duly organized
18 and existing under the laws of the People’s Republic of China with a principal place
19 of business at Hisense Tower, No. 17, Floor 22, Donghaixi Road, Qingdao, Shandong
20 Province, 266071, P.R. China.

21 9. Defendant Hisense International (HK) Co., Ltd. is a corporation duly
22 organized and existing under the laws of Hong Kong, China, with a principal place of
23 business at Rooms 3101-3105 Singga Commercial Centre, No. 148 Connaught Road
24 West, Hong Kong, SAR.

25 10. Defendant Hisense International (Hong Kong) America Investments is a
26 corporation duly organized and existing under the laws of Hong Kong with a principal
27 place of business at Room 3101-3105 Singga Commercial Centre, No. 148 Connaught
28 Road West, Hong Kong, SAR.

1 11. Defendants act in concert to make, use, sell, offer for sale, and/or import
2 products, such as televisions and projectors, accused of infringement throughout the
3 United States, including within the Central District of California (this “District”).
4 Defendants, either themselves and/or through the activities of their subsidiaries or
5 intermediaries (including distributors, retailers, and others), make, use, sell, offer for
6 sale, and/or import throughout the United States, including within this District,
7 products, such as digital video-capable devices and components thereof, that infringe
8 the Asserted Patents, defined below. Defendants order and purchase components,
9 such as digital video capable integrated circuits and associated firmware, that they
10 incorporate into digital video-capable devices that are made, used, sold, offered for
11 sale, and/or imported throughout the United States, including within this District.
12 These digital video-capable devices may include, but are not limited to, televisions
13 and projectors.

14 12. Hisense Mfg. and Hisense USA are Defendants’ distributors in the United
15 States including in the State of California and provide Defendants the benefit and
16 business advantages of conducting business in the State of California and in this
17 District. Hisense Mfg. and Hisense USA, individually and/or together, act as
18 Defendants’ general manager in the State of California.

19 **THE ASSERTED PATENTS**

20 **U.S. Patent No. 9,590,977**

21 13. United States Patent No. 9,590,977 (the “’977 Patent”) is entitled “Secure
22 Authenticated Distance Measurement” and issued on March 7, 2017 to inventor
23 Franciscus L. A. J. Kamperman. The ’977 Patent issued from United States Patent
24 Application No. 15/229,207 filed on August 5, 2016. A copy of the ’977 Patent is
25 attached hereto as Exhibit A.

26 **U.S. Patent No. 10,298,564**

27 14. United States Patent No. 10,298,564 (the “’564 Patent”) is entitled
28 “Secure Authenticated Distance Measurement” and issued on May 21, 2019 to

1 inventor Franciscus L. A. J. Kamperman. The '564 Patent issued from United States
2 Patent Application No. 16/117,019 filed on August 30, 2018. A copy of the '564
3 Patent is attached hereto as Exhibit B.

4 15. By way of assignment, Philips N.V. owns all rights, title, and interest to
5 the '977 Patent and the '564 Patent (collectively, the "Asserted Patents").

6 16. The Asserted Patents are each valid and enforceable.

7 **JURISDICTION AND VENUE**

8 17. This is a civil action for patent infringement arising under the Patent Act,
9 35 U.S.C. § 1 *et seq.*

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

12 19. Venue in this District is proper pursuant to 28 U.S.C. §§ 1391(b), (c)
13 and 1400(b) because Defendants have committed acts of infringement in this District
14 and have a regular and established place of business in this District at 11081 Tacoma
15 Drive, Unit B, Rancho Cucamonga, California 91730. On information and belief,
16 Defendants occupy commercial office space at that address and employ numerous
17 employees at that address.

18 20. This Court has personal jurisdiction over Defendants. Defendants have
19 committed acts of infringement and conduct business within the State of California
20 including this District. Defendants, directly or through subsidiaries, affiliates or
21 intermediaries (including distributors, retailers, and others), ship, distribute, make,
22 use, offer for sale, import and/or advertise (including by providing an interactive web
23 page) their products and/or services in the United States and this District, and/or
24 contribute to and actively induce their customers to ship, distribute, make, use, offer
25 for sale, sell, import, and/or advertise (including the provision of interactive web
26 pages) infringing products and/or services in the United States and this District.
27 Defendants, directly or through subsidiaries or intermediaries (including distributors,
28 retailers, and others), have purposefully and voluntarily placed one or more of their

1 infringing products, as described below, into the stream of commerce with the
2 expectation that those products will be purchased and used by customers and/or
3 consumers in this District.

4 **BACKGROUND**

5 21. Philips incorporates the allegations of all of the foregoing paragraphs as
6 if fully restated herein.

7 22. Philips is a world-renowned company that engages in research and
8 development in numerous fields. One of these fields pertains to digital video-capable
9 devices for delivering and displaying content to users. Exemplary products in this
10 field include laptops, desktops, all-in-one PCs, thin clients, smartphones, tablets,
11 convertible PCs, workstations, servers, monitors, displays, projectors, video adapters,
12 and/or video hubs. The Asserted Patents derive from Philips's efforts in this field and
13 claim protection for, among other things, delivering and displaying content to users.

14 23. Defendants made, used, sold, offered for sale, imported, tested, designed,
15 and/or marketed in the United States digital video-capable devices for delivering and
16 displaying content to users that infringe the Asserted Patents.

17 24. Defendants have actual notice of the Asserted Patents. Defendants
18 received actual notice of the Asserted Patents at least as early as September 24, 2014
19 by way of a letter to Defendants dated September 24, 2014. That letter included
20 references to U.S. Patent No. 8,543,819 and U.S. Pat. App. No. 10/521,858.
21 Defendants received a second letter dated September 16, 2020 that included
22 allegations of infringement of the Asserted Patents. Additionally, the filing of this
23 Complaint also constitutes notice in accordance with 35 U.S.C. § 287.

24 25. With actual notice of the Asserted Patents, Defendants have directly
25 infringed, and continue to directly infringe the Asserted Patents under 35 U.S.C. §
26 271(a) and (g) by one or more of making, using, selling and/or offering to sell, in this
27 District and elsewhere in the United States, and importing into this District and
28 elsewhere in the United States, certain infringing digital video-capable devices that

1 infringe the Asserted Patents (the “Accused Products”), as further described in detail
2 in Counts I & II *infra*.

3 26. The Accused Products include, but are not limited to, all digital video-
4 capable devices, including but not limited to, televisions and projectors, and other
5 products that support the HDCP 2.0 protocol and above that Defendants, either
6 themselves and/or through the activities of their subsidiaries or intermediaries
7 (including distributors, retailers, and others), make, use, sell, offer for sale, and/or
8 import throughout the United States, such as: L10 and L5 4K UHD Hisense Smart
9 Laser TVs/projectors with HDR and Wide Color Gamut; H9G Quantum Series
10 Quantum 4K Premium ULED Hisense Android Smart TVs; H9 Series 4K Premium
11 ULED Hisense Android Smart TVs; H8G Quantum Series 4K ULED Hisense
12 Android Smart TVs; H8 Series 4K ULED Hisense Android Smart TVs; R8 Series 4K
13 ULED Hisense Roku Smart TVs; R7 Series 4K UHD Hisense Roku TV with HDR;
14 R7050/R7070 Series 4K UHD Hisense Roku TVs with HDR; R6E3 4K UHD Hisense
15 Roku TV with HDR; R6070/R6270/R6290 Series 4K UHD Hisense Smart Roku TVs
16 R6 Series 4K UHD Hisense Roku TV; R6 Series 4K UHD Hisense Roku TVs with
17 HDR; H65G 4K UHD Hisense Android Smart TVs; and H6570 Series 4K UHD
18 Hisense Android Smart TVs. This list of Defendants’ currently known digital video-
19 capable devices is exemplary and, on information and belief, many other of
20 Defendants’ digital video-capable devices infringe the Asserted Patents.

21 27. Defendants have also indirectly infringed, and continue to indirectly
22 infringe the Asserted Patents under 35 U.S.C. § 271(b) and (c). Defendants knew and
23 intended to induce and contribute to the infringement of the Asserted Patents. The
24 Accused Products have no substantial non-infringing use, are a material part of the
25 invention of each Asserted Patent, especially made or especially adapted for use in an
26 infringement of each Asserted Patent, and not a staple article or commodity of
27 commerce suitable for substantial non-infringing use.

1 28. After receiving actual notice of the Asserted Patents, Defendants
2 continued to actively induce, and materially contribute to, their customers'
3 infringement of the Asserted Patents by making, using, selling, offering for sale,
4 marketing, advertising, and/or importing digital video-capable devices that infringe
5 the Asserted Patents, and instructing customers to infringe the Asserted Patents.

6 29. Defendants specifically intended their customers, consumers,
7 manufacturers, retailers, and resellers perform acts that constitute direct infringement
8 of the Asserted Patents. For example, Defendants designed the Accused Products to
9 support HDMI and HDCP 2.0 and above such that their customers, consumers,
10 manufacturers, retailers, and resellers would each infringe the Asserted Patents if the
11 Accused Products were made, used, sold, offered for sale, or imported into the United
12 States. Defendants provided, directly or indirectly, the Accused Products to others,
13 such as, but not limited to customers and end users, knowing and intending that they
14 would use, sell, offer for sale, and/or import the Accused Products in and/or into the
15 United States.

16 30. Defendants contribute to infringement of the Asserted Patents by others,
17 such as, but not limited to customers and end users, by encouraging them to, manually
18 or automatically, download certain software updates to the digital video-capable
19 devices via the Internet – “As soon as the TV is able to connect to the Internet, it
20 downloads and installs its first software updated, and then restarts.”¹ On information
21 and belief, such software updates include updates to the firmware associated with
22 digital video-capable integrated circuit(s) found within the Accused Products.

23 31. Thus, Defendants have indirectly infringed, and continue to indirectly
24 infringe, the Asserted Patents under 35 U.S.C. § 271(b) by actively inducing their
25 customers to infringe the Asserted Patents by making, using, selling, offering for sale,
26 marketing, advertising, and/or importing the Accused Products to their customers and
27

28 ¹ See, e.g., Roku TV User Guide, Version 8.0, https://assets.hisense-usa.com/assets/ProductDownloads/52/a706f3eee8/Roku-TV-User-Guide-US-CA_Doc-Version-8-v2.0_1.pdf.

1 by instructing customers to infringe the Asserted Patents, as described in detail in
2 Counts I-II *infra*.

3 32. Additionally, Defendants have indirectly infringed, and continue to
4 indirectly infringe the Asserted Patents under 35 U.S.C. § 271(c) by materially
5 contributing to their own customers' infringement of the Asserted Patents by making,
6 using, selling, offering for sale, advertising, marketing, and/or importing the Accused
7 Products to their customers and instructing customers to infringe the Asserted Patents,
8 as described in detail in Counts I & II *infra*.

9 33. Defendants' acts of infringement have caused damage to Philips. Philips
10 is entitled to recover from Defendants the damages incurred by Philips as a result of
11 Defendants' wrongful acts.

12 **COUNT I**

13 **Defendants' Infringement of the '977 Patent**

14 34. Philips incorporates the allegations of all of the foregoing paragraphs as
15 if fully restated herein.

16 35. Defendants have directly infringed, and continue to directly infringe, the
17 '977 Patent by making, using, selling, offering for sale, or importing throughout the
18 United States products and/or methods covered by one or more claims of the '977
19 Patent including, but not limited to, digital video-capable devices. The products that
20 infringe one or more claims of the '977 Patent include, but are not limited to, at least
21 the Accused Products. Further discovery may reveal additional infringing products
22 and/or models.

23 36. For example and without limitation, the Accused Products infringe claims
24 1 and 11 of the '977 Patent.

25 37. Attached hereto as Exhibit C, and incorporated into this Complaint, is a
26 claim chart showing where in the Hisense H65G Series 4K UHD Android Smart TV,
27 Model No. 43H6570G each limitation of claims 1 and 11 are met. This claim chart is
28 exemplary and, on information and belief, many other products provided by

1 Defendants infringe the '977 Patent.

2 38. Defendants have, and continue to, indirectly infringe the '977 Patent by
3 actively inducing and contributing to the infringement of the '977 Patent by others,
4 such as customers, resellers, and retailers. These others include, but are not limited
5 to, Best Buy Co., Inc. and its affiliates, who, for example, sell, offer for sale, and/or
6 import throughout the United States, including within this District, the Accused
7 Products.²

8 39. Defendants specifically intended others, such as customers, resellers, and
9 retailers, to infringe the '977 Patent and knew that these others perform acts that
10 constituted direct infringement. For example, Exhibit C shows that an exemplary
11 product, the Hisense H65G Series 4K UHD Android Smart TV, Model No.
12 43H6570G, which is sold by Best Buy Co., Inc., infringes the '977 Patent. Defendants
13 designed the Accused Products such that they would each infringe the '977 Patent as
14 described in Exhibit C if made, used, sold, offered for sale, or imported throughout
15 the United States. Defendants provided, directly or indirectly, Accused Products to
16 others, such as, but not limited to, customers, knowing and intending that those others
17 would use, sell, offer for sale, and/or import the Accused Products throughout the
18 United States, thereby directly infringing one or more claims of the '977 Patent.

19 40. In addition, upon information and belief, Defendants provide instructions,
20 user guides, and/or other documentation to the infringing others regarding the use and
21 operation of the Accused Products. When others follow such instructions, user guides,
22 and/or other documentation, they directly infringe one or more claims of the '977
23 Patent. By providing such instructions, user guides, and/or other documentation,
24 Defendants know and intend that others will follow those instructions, user guides,
25 and other documentation, and thereby directly infringe one or more claims of the '977
26 Patent. Thus, Defendants know that their actions actively induce infringement.

27
28 ² <https://www.bestbuy.com/site/hisense-43-class-h65-series-led-4k-uhd-smart-android-tv/6404056.p?skuId=6404056>.

1 41. The Accused Products have no substantial non-infringing uses and are a
2 material part of the invention. As described in Exhibit C, any manufacture, use, sale
3 offer for sale or importation throughout the United States of an Accused Product
4 infringes the '977 Patent. Thus, the Accused Products have no substantial non-
5 infringing uses.

6 42. Philips has been and continues to be damaged and irreparably harmed by
7 Defendants' infringement of the '977 Patent. This irreparable harm will continue
8 unless this Court enjoins Defendants from further infringement of the '977 Patent.

9 43. Philips is entitled to recover damages under 35 U.S.C. § 284 to adequately
10 compensate for Defendants' infringement of the '977 Patent.

11 COUNT II

12 **Defendants' Infringement of the '564 Patent**

13 44. Philips incorporates the allegations of all of the foregoing paragraphs as
14 if fully restated herein.

15 45. Defendants have directly infringed, and continue to directly infringe, the
16 '564 Patent by making, using, selling, offering for sale, or importing throughout the
17 United States products and/or methods covered by one or more claims of the '564
18 Patent including, but not limited to, digital video-capable devices. The products that
19 infringe one or more claims of the '564 Patent include, but are not limited to, at least
20 the Accused Products. Further discovery may reveal additional infringing products
21 and/or models.

22 46. For example and without limitation, the Accused Products infringe claim
23 1 of the '564 Patent.

24 47. Attached hereto as Exhibit D, and incorporated into this Complaint, is a
25 claim chart showing where in the Hisense H65G Series 4K UHD Android Smart TV,
26 Model No. 43H6570G each limitation of claim 1 is met. This claim chart is exemplary
27 and, on information and belief, many other products provided by Defendants infringe
28 the '564 Patent.

1 48. Defendants have, and continue to, indirectly infringe the '564 Patent by
2 actively inducing and contributing to the infringement of the '564 Patent by others,
3 such as customers, resellers, and retailers. These others include, but are not limited
4 to, Best Buy Co., Inc. and its affiliates, who, for example, sell, offer for sale, and/or
5 import throughout the United States, including within this District, the Accused
6 Products.

7 49. Defendants specifically intended others, such as customers, resellers, and
8 retailers, to infringe the '564 Patent and knew that these others perform acts that
9 constituted direct infringement. For example, Exhibit D shows that an exemplary
10 product, the Hisense H65G Series 4K UHD Android Smart TV, Model No.
11 43H6570G, which is sold by Best Buy Co., Inc., infringes the '564 Patent. Defendants
12 designed the Accused Products such that they would each infringe the '564 Patent as
13 described in Exhibit D if made, used, sold, offered for sale, or imported throughout
14 the United States. Defendants provided, directly or indirectly, Accused Products to
15 others, such as, but not limited to, customers, knowing and intending that those others
16 would use, sell, offer for sale, and/or import the Accused Products throughout the
17 United States, thereby directly infringing one or more claims of the '564 Patent.

18 50. In addition, upon information and belief, Defendants provide instructions,
19 user guides, and/or other documentation to the infringing others regarding the use and
20 operation of the Accused Products. When others follow such instructions, user guides,
21 and/or other documentation, they directly infringe one or more claims of the '564
22 Patent. By providing such instructions, user guides, and/or other documentation,
23 Defendants know and intend that others will follow those instructions, user guides,
24 and other documentation, and thereby directly infringe one or more claims of the '564
25 Patent. Thus, Defendants know that their actions actively induce infringement.

26 51. The Accused Products have no substantial non-infringing uses and are a
27 material part of the invention. As described in Exhibit D, any manufacture, use, sale
28 offer for sale or importation throughout the United States of an Accused Product

1 infringes the '564 Patent. Thus, the Accused Products have no substantial non-
2 infringing uses.

3 52. Philips has been and continues to be damaged and irreparably harmed by
4 Defendants' infringement of the '564 Patent. This irreparable harm will continue
5 unless this Court enjoins Defendants from further infringement of the '564 Patent.

6 53. Philips is entitled to recover damages under 35 U.S.C. § 284 to adequately
7 compensate for Defendants' infringement of the '564 Patent.

8 **DAMAGES**

9 54. Defendants have refused to compensate Philips for their infringement of
10 the Asserted Patents. Philips is entitled to monetary damages adequate to compensate
11 Philips for Defendants' infringement in an amount no less than a reasonable royalty
12 for the use made of the patented inventions by Defendants. The precise amount of
13 damages will be determined through discovery in this action and proven at trial.

14 **MARKING**

15 55. Philips and its licensees of the Asserted Patents have complied with 35
16 U.S.C. § 287, and relative to its licensees, Philips has taken reasonable steps to ensure
17 compliance with marking.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Philips respectfully asks the Court for an order granting the
20 following relief:

- 21 a) A judgment that the Asserted Patents are valid and enforceable;
22 b) A judgment that Defendants have infringed, directly and indirectly, either
23 literally or under the Doctrine of Equivalents, one or more claims of the
24 '977 Patent;
25 c) A judgment that Defendants have infringed, directly and indirectly, either
26 literally or under the Doctrine of Equivalents, one or more claims of the
27 '564 Patent;
28 d) An injunction against Defendants, their officers, agents, servants,

1 employees, all parent and subsidiary entities, all assignees and successors
2 in interest, and those persons or entities acting in concert or participation
3 with Defendants, including distributors, retailers, and others, enjoining
4 them from further infringement of the Asserted Patents;

- 5 e) A judgment awarding Philips all appropriate damages under 35 U.S.C. §
6 284 for Defendants' past infringement, and any continuing or future
7 infringement of the Asserted Patents, including pre and post judgment
8 interest, costs, and disbursements pursuant to 35 U.S.C. § 284;
- 9 f) An accounting for infringing sales not presented at trial and an award by
10 the Court of additional damages for any such infringing sales;
- 11 g) A finding that this case is exceptional within the meaning of 35 U.S.C. §
12 285 and that Philips be awarded its reasonable attorneys' fees against
13 Defendants incurred in prosecuting this action;
- 14 h) An award of reasonable attorneys' fees, costs, and expenses incurred by
15 Philips in connection with prosecuting this action; and
- 16 i) Any and all other relief as the Court finds just, equitable, and proper under
17 the circumstances.

18 Dated: September 17, 2020

Respectfully submitted,

19 /s/ Nada I. Shamonki

20 Nada I. Shamonki (Bar No. 205359)

21 Michael T. Renaud

22 (*pro hac vice* to be filed)

23 Adam S. Rizk

24 (*pro hac vice* to be filed)

25 Andrew H. DeVoogd

(*pro hac vice* to be filed)

26 *Attorneys for Plaintiffs*

27 *Philips North America LLC and*

28 *Koninklijke Philips N.V.*

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38, Philips hereby respectfully demands trial by jury on all claims and issues so triable.

Dated: September 17, 2020

Respectfully submitted,

/s/ Nada I. Shamonki

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Michael T. Renaud

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Attorneys for Plaintiffs

Philips North America LLC and

Koninklijke Philips N.V.