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**Attorneys for Plaintiff
Cedar Lane Technologies Inc.**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Cedar Lane Technologies, Inc.,

Plaintiff,

v.

AU Optronics Corp America,

Defendant.

Case No. _____

COMPLAINT FOR

(1) Infringement of the '805 Patent

DEMAND FOR JURY TRIAL

1 Plaintiff Cedar Lane Technologies Inc. ("Plaintiff"), through its attorneys,
2 complains of AU Optronics Corp America ("Defendant"), and alleges the following:
3

4 **PARTIES**

5 1. Plaintiff Cedar Lane Technologies Inc. is a corporation organized and
6 existing under the laws of Canada that maintains its principal place of business at 560
7 Baker Street, Suite 1, Nelson, BC V1L 4H9.
8

9 2. Defendant AU Optronics Corp America is a corporation organized and
10 existing under the laws of California that maintains an established place of business
11 at 1525 McCarthy Blvd. #218, Milpitas, CA 95035.
12

13 **JURISDICTION**

14 3. This is an action for patent infringement arising under the patent laws of
15 the United States, Title 35 of the United States Code.
16

17 4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§
18 1331 and 1338(a).
19

20 5. This Court has personal jurisdiction over Defendant because it has
21 engaged in systematic and continuous business activities in this District, and is
22 incorporated in this District's state. As described below, Defendant has committed
23 acts of patent infringement giving rise to this action within this District.
24

25 **VENUE**

26 6. Venue is proper in this District under 28 U.S.C. § 1400(b) because
27 Defendant has committed acts of patent infringement in this District, has an
28

1 established place of business in this District, and is incorporated in this District's
2 state. In addition, Plaintiff has suffered harm in this district.

3
4 **PATENT-IN-SUIT**

5 7. Plaintiff is the assignee of all right, title and interest in United States
6 Patent No. 6,566,805 (the "'805 Patent"); (the "Patent-in-Suit"); including all rights
7 to enforce and prosecute actions for infringement and to collect damages for all
8 relevant times against infringers of the Patent-in-Suit. Accordingly, Plaintiff
9 possesses the exclusive right and standing to prosecute the present action for
10 infringement of the Patent-in-Suit by Defendant.
11

12
13 **The '805 Patent**

14 8. The '805 Patent is entitled "Organic electro-luminescent device with
15 first and second composite layers," and issued 5/20/2003. The application leading to
16 the '805 Patent was filed on 9/28/2000. A true and correct copy of the '805 Patent is
17 attached hereto as Exhibit 1 and incorporated herein by reference.
18

19 9. The '805 Patent is valid and enforceable.
20

21 **COUNT 1: INFRINGEMENT OF THE '805 PATENT**

22 10. Plaintiff incorporates the above paragraphs herein by reference.

23 11. **Direct Infringement.** Defendant has been and continues to directly
24 infringe one or more claims of the '805 Patent in at least this District by making,
25 using, offering to sell, selling and/or importing, without limitation, at least the
26 Defendant products identified in the charts incorporated into this Count below
27
28

1 (among the “Exemplary Defendant Products”) that infringe at least the exemplary
2 claims of the ’805 Patent also identified in the charts incorporated into this Count
3 below (the “Exemplary ’805 Patent Claims”) literally or by the doctrine of
4 equivalents. On information and belief, numerous other devices that infringe the
5 claims of the ’805 Patent have been made, used, sold, imported, and offered for sale
6 by Defendant and/or its customers.
7

8
9 12. Defendant also has and continues to directly infringe, literally or under
10 the doctrine of equivalents, the Exemplary ’805 Patent Claims, by having its
11 employees internally test and use these Exemplary Products.
12

13 13. The service of this Complaint upon Defendant constitutes actual
14 knowledge of infringement as alleged here.
15

16 14. Despite such actual knowledge, Defendant continues to make, use, test,
17 sell, offer for sale, market, and/or import into the United States, products that infringe
18 the ’805 Patent. On information and belief, Defendant has also continued to sell the
19 Exemplary Defendant Products and distribute product literature and website materials
20 inducing end users and others to use its products in the customary and intended
21 manner that infringes the ’805 Patent. Thus, on information and belief, Defendant is
22 contributing to and/or inducing the infringement of the ’805 Patent.
23
24

25 15. **Induced Infringement.** Defendant actively, knowingly, and
26 intentionally has been and continues to induce infringement of the ’805 Patent,
27 literally or by the doctrine of equivalents, by selling Exemplary Defendant Products
28

1 to their customers for use in end-user products in a manner that infringes one or more
2 claims of the '805 Patent.

3 16. **Contributory Infringement.** Defendant actively, knowingly, and
4 intentionally has been and continues materially contribute to their own customers'
5 infringement of the '805 Patent, literally or by the doctrine of equivalents, by selling
6 Exemplary Defendant Products to their customers for use in end-user products in a
7 manner that infringes one or more claims of the '805 Patent. Moreover, the
8 Exemplary Defendant Products are not a staple article of commerce suitable for
9 substantial noninfringing use.

10 17. Exhibit 2 includes charts comparing the Exemplary '805 Patent Claims
11 to the Exemplary Defendant Products. As set forth in these charts, the Exemplary
12 Defendant Products practice the technology claimed by the '805 Patent.
13 Accordingly, the Exemplary Defendant Products incorporated in these charts satisfy
14 all elements of the Exemplary '805 Patent Claims.

15 18. Plaintiff therefore incorporates by reference in its allegations herein the
16 claim charts of Exhibit 2.

17 19. Plaintiff is entitled to recover damages adequate to compensate for
18 Defendant's infringement.

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25 **JURY DEMAND**

26 20. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff
27 respectfully requests a trial by jury on all issues so triable.
28

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- A. A judgment that the '805 Patent is valid and enforceable;
- B. A judgment that Defendant has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '805 Patent;
- C. An accounting of all damages not presented at trial;
- D. A judgment that awards Plaintiff all appropriate damages under 35 U.S.C. § 284 for Defendant's past infringement, and any continuing or future infringement of the Patent-in-Suit, up until the date such judgment is entered, including pre- or post-judgment interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Plaintiff for Defendant's infringement, an accounting:
 - i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Plaintiff be awarded its reasonable attorneys' fees against Defendant that it incurs in prosecuting this action;
 - ii. that Plaintiff be awarded costs, and expenses that it incurs in prosecuting this action; and
 - iii. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

1
2 Dated: September 29, 2020

Respectfully submitted,

3 /s/ Michael J. Glenn

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16 **Cedar Lane Technologies Inc.**