

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WILLIAM GRECIA,

Plaintiff,

vs.

**SAMSUNG AUSTIN
SEMICONDUCTOR, LLC, SAMSUNG
ELECTRONICS AMERICA, INC., and
SAMSUNG ELECTRONICS CO. LTD.**

Defendants.

Civil Action File No.: 6:21-cv-00131-ADA

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR WILLFUL PATENT INFRINGEMENT

William Grecia brings this patent-infringement action against Samsung Austin Semiconductor, LLC, Samsung Electronics America, Inc., and Samsung Electronics Co. Ltd. (“Samsung”).

Nature of the Action

William Grecia built a product that monitors access to digital content. His product is called “Digital Debit,” and Mr. Grecia’s company has registered the “Digital Debit” trademark.

Mr. Grecia also patented his product. Since 2014, Mr. Grecia has been trying, through litigation and otherwise, to license his patents to Samsung.

This case is about a computer product called Samsung Knox.

Samsung Knox monitors access to digital content stored in Samsung customers’ accounts.

Samsung has willfully infringed Mr. Grecia’s patent for years and owes Mr. Grecia a reasonable royalty.

Parties

1. Plaintiff William Grecia is an individual residing in Downingtown, Pennsylvania.
2. Defendant Samsung Austin Semiconductor, LLC is a Delaware limited liability company with its principal place of business at 12100 Samsung Boulevard, Austin, Texas 78754.
3. Samsung Electronics America, Inc. is a New York corporation with its principal place of business located at 85 Challenger Road, Ridgefield Park, New Jersey 07660.
4. Samsung Electronics Co., Ltd. is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business at 129 Samsung-ro, Maetan-3dong, Yeongton-gu, Suwon-si, Gyeonggi-do, 443-742, Republic of Korea.

Jurisdiction and Venue

5. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
6. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
7. This Court may exercise personal jurisdiction over Samsung. Samsung conducts continuous and systematic business in this District; and this patent-infringement case arises directly from Samsung's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Samsung would be consistent with the Texas long-arm statute and traditional notions of fair play and substantial justice.
8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

Infringement of U.S. Patent No. 8,402,555

7. William Grecia is the exclusive owner of United States Patent No. 8,402,555 (the “’555 patent”), attached hereto as “Exhibit A.”

8. The ’555 patent is valid and enforceable.

9. Samsung infringes claim 17 of the ’555 patent. Samsung makes, uses, and sells the Samsung Knox computer product. This product associates customer account’s with a Knox service account identifier.

10. Attached hereto as “Exhibit B” and incorporated into this complaint as if alleged herein is a claim chart setting forth the language of claim 17 and the accused Knox computer product that Samsung makes, uses, and sells.

11. Independent claim 15 of the ’555 patent is a computer product: “A computer program product for use with a computer, the computer program product comprising a non-transitory computer usable medium having a computer readable program code stored therein for monitoring access to an encrypted digital media, the method facilitating interoperability between a plurality of data processing devices, the computer program product performing the steps of” (’555 patent, col. 16:46-52.)

12. Claim 17 depends from independent claim 15 and recites “the computer program product of claim 15, wherein the computer program product facilitates access rights authentication for the encrypted digital media, the branding request is an access request, and wherein the read or write request of metadata is performed in connection with a combination of a memory, CPU, server, database, and cloud system; the access request is generated by either a human user, a machine, or a human programmed computerized device; the access request further comprises a membership verification token and a rights token; wherein the rights token is a flag indicating the

verification token is successfully verified.” The Samsung Knox computer program product is capable of facilitating access to Knox Enabled Apps (KEA). The Samsung Knox computer program product is capable of requesting KEA app access request generated by a machine (e.g., “Knox Platform is anchored in the actual chipset of the device... Samsung phones, tablets, and wearables”). The Samsung Knox computer program product is capable of a read or write request of KEA app metadata (required to operate, see evidence to the right) that can be performed in connection with a combination of: Knox device CPU; Knox device memory; Knox License Manager; Knox user database, and Knox Cloud Solutions. The Samsung Knox computer program product is capable of recognizing a Samsung Knox account (membership verification token) and a Access Token (rights token). The Access Token is a flag for the Knox computer program product that the Samsung Knox is successfully verified.

13. Claim 17’s product has the capacity for “authenticating the membership verification token, the authentication being performed in connection with a token database” (’555 patent, col. 16:60-62.) The Samsung Knox computer program product is capable of authenticating the Knox Account (membership verification token) with a Knox Account database (e.g., “If you enter your password incorrectly 5 consecutive times, your account will be locked for 10 minutes”).

14. Samsung Knox is a computer program product for use with Samsung devices (e.g., computers) that is “tied” to operating system code stored in Samsung device storage (see page 1 “chipset” admission evidence). The Samsung Knox computer program product is capable of receiving an access read or write request of Knox encrypted data associated metadata comprising a Knox Account (membership verification token) from at least one communication console of a Knox device of a plurality of over 286 Knox devices.

15. Claim language: “establishing a connection with the at least one communications console wherein the communications console is a combination of a graphic user interface (GUI) and an Application Programmable Interface (API) protocol wherein the API is related to a verified web service, the verified web service capable of facilitating a two way data exchange to complete a verification process” (’555 patent, cols. 16:63-17:2.)

16. The Samsung Knox computer program product communications console comprises a GUI (e.g., Android Knox UI) and a Knox API protocol which is related to and capable of establishing a connection to the Knox Web Services.

17. Claim 17 is a product with the capacity of “requesting at least one electronic identification reference from the at least one communications console wherein the electronic identification reference comprises a verified web service account identifier of the first user; receiving the at least one electronic identification reference from the at least one communications console” (’555 patent, col. 17:3-8.)

18. The Samsung Knox computer program product is capable of requesting and receiving a Knox Web Service account identifier (IMEI/MEID).

19. Claim 17’s product includes the capacity for “branding metadata of the encrypted digital media by writing the membership verification token and the electronic identification reference into the metadata.” Samsung Knox computer program product is capable of writing the Knox Account (membership verification token) and the Knox Web Service web service account identifier (IMEI/MEID) into the Knox metadata (e.g., “metadata collected for every flow that is created on the device for sending and receiving application data).

20. Samsung's infringement of the '555 patent is willful. Attached hereto as "Exhibit C," "Exhibit D," and "Exhibit E," is correspondence regarding Samsung's need for a license under the William Grecia patents, including the '555 patent.

Prayer for Relief

WHEREFORE, William Grecia prays for the following relief against Samsung:

- (a) Judgment that Samsung has directly infringed claim 17 of the '555 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) For injunctive relief, including a preliminary injunction; and
- (e) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

William Grecia demands a trial by jury on all matters and issues triable by jury.

Respectfully Submitted,

Date: March 22, 2021

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5 on March 22, 2021, and it was served via CM/ECF on all counsel who are deemed to have consented to electronic service.

/s/Artoush Ohanian
H. Artoush Ohanian