

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

KT IMAGING USA, LLC,

Plaintiff,

-against-

DELL TECHNOLOGIES INC. and DELL
INC.

Defendants.

Civil Action No.: 6:21-cv-01004

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff KT Imaging USA, LLC (“KTI” or “Plaintiff”), by way of this Complaint against Defendants Dell Technologies Inc. and Dell Inc. (collectively, “Dell” or “Defendants”), alleges as follows:

PARTIES

1. Plaintiff KT Imaging USA, LLC is a limited liability company organized and existing under the laws of the State of Texas, having its principal place of business at 106 E 6th Street, Suite 900, Austin, TX 78701.
2. On information and belief, defendant Dell Technologies Inc. is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at One Dell Way, Round Rock, Texas 78682.
3. On information and belief, defendant Dell Inc. is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at One Dell Way, Round Rock, Texas 78682. Dell Technologies Inc. maintains a regular and established place of business in this Judicial District at One Dell Way, Round Rock, Texas 78682, and other office

locations (*see* 1404 Park Center Dr., Austin, Texas, 701 E. Parmer Lane, Bldg. PS2, Austin, Texas, 12500 Tech Ridge Road, Austin, Texas, 9715 Burnet Road, Austin, Texas, and 4309 Emma Browning Avenue, Austin, Texas). Dell Inc. may be served with process through its registered agent, the Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company, at 211 East 7th Street, Suite 620, Austin, Texas 78701. Dell Inc. is registered to do business in the State of Texas and has been since at least October 27, 1987.

4. On information and belief, Dell, either itself and/or through the activities of its subsidiaries, makes, uses, sells, offers for sale, and/or imports throughout the United States, including within this District, products that infringe the Patents-in-Suit, defined below.

JURISDICTION AND VENUE

5. This is an action under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*, for infringement by Dell of claims of U.S. Patent No. 6,876,544, U.S. Patent No. 7,196,322, and U.S. Patent No. 8,004,602 (collectively “the Patents-in-Suit”).

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

7. Dell is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) Dell maintains a regular and established place of business in this Judicial District located at One Dell Way, Round Rock, Texas 78682, and other office locations (*see* 1404 Park Center Dr., Austin, Texas, 701 E. Parmer Lane, Bldg. PS2, Austin, Texas, 12500 Tech Ridge Road, Austin, Texas, 9715 Burnet Road, Austin, Texas, and 4309 Emma Browning Avenue, Austin, Texas); (ii) Dell sells products and services to customers in this Judicial District; (iii) the patent infringement claims arise directly from Dell’s continuous and systematic activity in this Judicial District; and (iv) actively employs and seeks the services of Texas residents in this Judicial District.

8. Venue is proper as to Dell in this Judicial District under 28 U.S.C. § 1400(b) because, *inter alia*, on information and belief, Dell has a regular and established place of business in this Judicial District located at One Dell Way, Round Rock, Texas 78682 (*see also* 1404 Park Center Dr., Austin, Texas, 701 E. Parmer Lane, Bldg. PS2, Austin, Texas, 12500 Tech Ridge Road, Austin, Texas, 9715 Burnet Road, Austin, Texas, and 4309 Emma Browning Avenue, Austin, Texas), and has committed acts of patent infringement in this Judicial District and/or has contributed to or induced acts of patent infringement by others in this Judicial District.

BACKGROUND

9. On April 5, 2005, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,876,544 (“the ’544 Patent”), entitled “Image Sensor Module and Method for Manufacturing the Same.”

10. On March 27, 2007, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 7,196,322 (“the ’322 Patent”), entitled “Image Sensor Package.”

11. On August 23, 2011, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,004,602 (“the ’602 Patent”), entitled “Image Sensor Structure and Integrated Lens Module Thereof.”

12. KTI is the assignee and owner of the right, title, and interest in and to the Patents-in-Suit, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

13. Dell has infringed and continues to infringe the Patents-in-Suit by making, using, selling, or offering for sale in the United States, or importing into the United States mobile devices, such as smartphones, tablets, and laptops with front and/or rear image sensors. Attachment A to this Complaint provides a non-exhaustive listing of Accused Products. Attachment B to this

Complaint provides a listing of Exhibits comprising exemplary teardown images for certain Accused Products.

COUNT I: INFRINGEMENT OF THE '544 PATENT BY DELL

14. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

15. On information and belief, Dell has infringed the '544 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States or importing into the United States the Accused Products and all other products with substantially similar imaging sensors.

16. For example, on information and belief, Dell has infringed and continues to infringe at least claim 1 of the '544 Patent by including an image sensor module to be mounted to a printed circuit board in the Dell Latitude 7200 product. *See* Exs. 1 and 2 (Dell Latitude 7200 front facing image sensor). The image sensor module in the Accused Products comprises a substrate having an upper surface formed with a plurality of first connection points and a lower surface formed with a plurality of second connection points, which is electrically connected to the printed circuit board. *See* Exs. 1-4 (Dell Latitude 7200 front facing image sensor). The image sensor module further comprises a photosensitive chip mounted to the upper surface of the substrate. *See* Ex. 1 (cross-sectional image of the Dell Latitude 7200 front facing image sensor). The image sensor module further comprises a plurality of wires for electrically connecting the photosensitive chip to the first connection points on the upper surface of the substrate. *See* Ex. 2 (Dell Latitude 7200 front facing image sensor). The image sensor module further comprises a frame layer mounted to the upper surface of the substrate to surround the photosensitive chip, an inner edge of the frame layer being formed with an internal thread from top to bottom, and a transparent layer being fixed by the frame layer such that the photosensitive chip may receive optical signals passing through the transparent layer. *See* Exs. 1 and 5 (Dell Latitude 7200 front

facing image sensor). The image sensor module further comprises a lens barrel formed with a chamber at a center thereof and an external thread at an outer edge thereof, the external thread being screwed to the internal thread of the frame layer, wherein the lens barrel has a through hole and an aspheric lens from top to bottom. *See* Ex. 1 (cross-sectional image of the Dell Latitude 7200 front facing image sensor).

17. On information and belief, Dell has induced infringement of the '544 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

18. On information and belief, Dell has committed the foregoing infringing activities without a license.

COUNT II: INFRINGEMENT OF THE '322 PATENT BY DELL

19. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

20. On information and belief, Dell has infringed the '322 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States or importing into the United States the Accused Products and all other products with substantially similar imaging sensors.

21. For example, on information and belief, Dell has infringed and continues to infringe at least claim 1 of the '322 Patent by including an image sensor module in the Dell Latitude 7210 product. *See* Ex. 6 (cross-sectional image of the Dell Latitude 7210 front facing image sensor).

The image sensor module structure in the Accused Products comprises a substrate having an upper surface, and a lower surface on which second electrodes are formed. *See* Ex. 6 (cross-sectional image of the Dell Latitude 7210 front facing image sensor). The image sensor module structure in the Accused Products further comprises a frame layer arranged on the upper surface of the substrate, a cavity formed between the frame layer and substrate, and a plurality of first electrodes are formed on the frame layer. *See* Ex. 7 (Dell Latitude 7210 front facing image sensor). The image sensor module structure in the Accused Products further comprises a photosensitive chip mounted on the upper surface of the substrate and located within the cavity, and electrically connected to the first electrodes of the frame layer. *See* Exs. 6 ad 7 (Dell Latitude 7210 front facing image sensor). The image sensor module structure in the Accused Products further comprises a lens holder having an upper end face, a lower end face, and an opening penetrating through the lens holder from the upper end face to the lower end face, the upper end of the opening formed with an internal thread and the lower end of the opening formed with a breach, so that the internal diameter of the upper end of the opening is smaller than the lower end of the opening, the lens holder adhered on the upper surface of the substrate by glue, wherein, the frame layer is located within the breach of the lens holder. *See* Exs. 6 and 7 (Dell Latitude 7210 front facing image sensor). The image sensor module structure of the Accused Products further comprises a lens barrel having an upper end face, a lower end face, and an external thread screwed to the internal thread of the lens holder. *See* Ex. 6 (cross-sectional image of the Dell Latitude 7210 front facing image sensor).

22. On information and belief, Dell has induced infringement of the '322 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users,

to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

23. On information and belief, Dell has committed the foregoing infringing activities without a license.

COUNT III: INFRINGEMENT OF THE '602 PATENT BY DELL

24. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

25. On information and belief, Dell has infringed the '602 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products and all other products with substantially similar imaging sensors.

26. For example, on information and belief, Dell has infringed and continues to infringe at least claim 1 of the '602 Patent by including an image sensor structure with an integrated lens module in the Dell Vostro 3400 Laptop product. *See* Ex. 8 (cross-sectional image of the Dell Vostro 3400 Laptop image sensor). The image sensor structure in the Accused Products comprises a chip having a plurality of light-sensing elements arranged on a light sensing area of a first surface of the chip, a plurality of first conducting pads arranged around the light-sensing area and electrically connected to the light-sensing elements, and at least one conducting channel passing through the chip and electrically connected to the first conducting pads at one end as well as extending along with a second surface of the chip. *See* Exs. 8 and 9 (Dell Vostro 3400 Laptop image sensor). The image sensor structure in the Accused Products comprises a lens module comprising a holder having a through hole and a contact surface on a bottom of the

holder, wherein the contact surface is combined with the first surface, and at least one lens completely embedded inside the through hole and integrated with the holder. *See* Ex. 8 (cross-sectional image of the Dell Vostro 3400 Laptop image sensor).

27. On information and belief, Dell has induced infringement of the '602 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

28. On information and belief, Dell has committed the foregoing infringing activities without a license.

PRAYER FOR RELIEF

WHEREFORE, KTI prays for judgment in its favor against Dell for the following relief:

- A. Entry of judgment in favor of KTI against Dell on all counts;
- B. Entry of judgment that Dell has infringed the Patents-in-Suit;
- C. An order permanently enjoining Dell from infringing the Patents-in-Suit;
- D. Award of compensatory damages adequate to compensate KTI for Dell's infringement of the Patents-in-Suit, in no event less than a reasonable royalty as provided by 35 U.S.C. § 284;
- E. Award of reasonable attorneys' fees and expenses against Dell pursuant to 35 U.S.C. § 285;

- F. KTI's costs;
- G. Pre-judgment and post-judgment interest on KTI's award; and
- H. All such other and further relief as the Court deems just or equitable.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Fed. R. Civ. Proc., Plaintiff hereby demands trial by jury in this action of all claims so triable.

Dated: September 28, 2021

Respectfully submitted,

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