

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

SCRAMOGE TECHNOLOGY LTD.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 6:21-cv-00902-ADA

JURY TRIAL DEMANDED

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT
AGAINST SAMSUNG ELECTRONICS CO., LTD AND
SAMSUNG ELECTRONICS AMERICA, INC.**

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.*, in which Plaintiff Scramoge Technology Limited (“Plaintiff” or “Scramoge”) makes the following allegations against Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Defendants” or “Samsung”):

INTRODUCTION

1. This complaint arises from Samsung’s unlawful infringement of the following United States patents owned by Plaintiff, which relate to improvements in wireless charging of mobile devices: United States Patent Nos. 9,490,652 (“the ’652 Patent”), 10,199,876 (“the ’876 Patent”), 10,193,392 (“the ’392 Patent”), and 7,825,537 (“the ’537 Patent”) (collectively, the “Asserted Patents”).

PARTIES

2. Plaintiff Scramoge Technology Limited is a limited liability company organized and existing under the law of Ireland, with its principal place of business at The Hyde Building,

Suite 23, The Park, Carrickmines, Dublin 18, Ireland. Scramoge is the sole owner by assignment of all right, title, and interest in the Asserted Patents, including the right to recover damages for past, present, and future infringement.

3. On information and belief, Defendant Samsung Electronics Co., Ltd. is a corporation organized under the laws of South Korea, with its principal place of business at 129 Samsung-ro, Maetan-dong, Yeongtong-gu, Suwon-si, Gyeonggi-do, 443-742, South Korea.

4. On information and belief, Defendant Samsung Electronics America, Inc., a wholly owned subsidiary of Samsung Electronics Co., Ltd., is a corporation organized under the laws of the State of New York, with its principal place of business at 85 Challenger Rd., Ridgefield Park, New Jersey 07660.

JURISDICTION AND VENUE

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

6. This Court has personal jurisdiction over Samsung in this action because Samsung has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Samsung would not offend traditional notions of fair play and substantial justice. Samsung, directly and through subsidiaries or intermediaries, has committed and continues to commit acts of infringement in this District by, among other things, importing, offering to sell, and selling products that infringe the Asserted Patents.

7. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b). Defendant Samsung Electronics America, Inc. is registered to do business in Texas. Additionally, upon

information and belief, Defendants have transacted business in this District and have committed acts of direct and indirect infringement in this District by, among other things, making, using, offering to sell, selling, and importing products that infringe the Asserted Patents. Defendants have regular and established places of businesses in this District, including at 12100 Samsung Boulevard, Austin, Texas 78754; 7300 Ranch Road 2222, Austin, Texas 78730; and 1700 Scenic Loop, Round Rock, Texas 78681. *See* Exhibits 1-3. Additionally, venue is proper as to a foreign defendant in any district. 28 U.S.C. § 1391(c)(3); *In re HTC Corp.*, 889 F.3d 1349 (Fed. Cir. 2018). Defendant Samsung Electronics Co., Ltd. is a foreign corporation organized under the laws of Korea, with a principal place of business in Korea.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 9,490,652

8. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

9. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 9,490,652, entitled “Wireless charger equipped with auxiliary power supply and auxiliary power device.” The ’652 Patent was duly and legally issued by the United States Patent and Trademark Office on November 8, 2016. A true and correct copy of the ’652 Patent is attached as Exhibit 4.

10. On information and belief, Samsung makes, uses, offers for sale, sells, and/or imports certain products, including without limitation the Samsung Wireless Charger Portable Battery 10,000 mAh (EB-U1200) and 25W Wireless Portable Battery (EB-U3300) (“Accused Products”), that directly infringe, literally and/or under the doctrine of equivalents, one or more

claims of the '652 Patent. Identification of the accused products will be provided in Plaintiff's infringement contentions pursuant to the Court's scheduling order.

11. The Accused Products satisfy all claim limitations of one or more claims of the '652 Patent. A claim chart comparing exemplary independent claim 1 of the '652 Patent to representative Accused Products is attached as Exhibit 5.

12. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Samsung has injured Plaintiff and is liable for infringement of the '652 Patent pursuant to 35 U.S.C. § 271.

13. As a result of Samsung's infringement of the '652 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an amount adequate to compensate for Samsung's infringement, but in no event less than a reasonable royalty for the use made of the invention by Samsung, together with interest and costs as fixed by the Court.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 10,199,876

14. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

15. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 10,199,876, entitled "Wireless power transmitter." The '876 Patent was duly and legally issued by the United States Patent and Trademark Office on February 5, 2019. A true and correct copy of the '876 Patent is attached as Exhibit 6.

16. On information and belief, Samsung makes, uses, offers for sale, sells, and/or imports certain products, including without limitation Samsung Wireless Charger (EP-NG930),

Fast Charge Wireless Charging Pad (EP-PN920), Fast Charge Wireless Charging Convertible (EP-PG950), Fast Charge Wireless Charger Stand (EP-N5100), Wireless Charger Stand 9W (EP-N5105), Wireless Charger Stand 15W (EP-N5200), and Duo Charger (EP-N6100) (“Accused Products”), that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ’876 Patent. Identification of the accused products will be provided in Plaintiff’s infringement contentions pursuant to the Court’s scheduling order.

17. The Accused Products satisfy all claim limitations of one or more claims of the ’876 Patent. A claim chart comparing exemplary independent claim 1 of the ’876 Patent to representative Accused Products is attached as Exhibit 7.

18. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Samsung has injured Plaintiff and is liable for infringement of the ’876 Patent pursuant to 35 U.S.C. § 271.

19. As a result of Samsung’s infringement of the ’876 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an amount adequate to compensate for Samsung’s infringement, but in no event less than a reasonable royalty for the use made of the invention by Samsung, together with interest and costs as fixed by the Court.

COUNT III

INFRINGEMENT OF U.S. PATENT NO. 10,193,392

20. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

21. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 10,193,392, entitled “Wireless power transfer device and wireless power transfer system.” The ’392 Patent was duly

and legally issued by the United States Patent and Trademark Office on January 29, 2019. A true and correct copy of the '392 Patent is attached as Exhibit 8.

22. On information and belief, Samsung makes, uses, offers for sale, sells, and/or imports certain products, including without limitation the Samsung Wireless Charger Stand (EP-NG930, EP-N5100, EP-N5105), Samsung Wireless Charger (EP-PA510, EP-PG920I, EP-PN920, EP-P3100, EP-P1100, EP-P1300), Wireless Charger Pad 9W (EP-P3105), Fast Charge Wireless Charging Convertible (EP-PG950), Wireless Charger Stand 15W (EP-N5200), Convertible Wireless Charging Stand (EP-N3300), Wireless Charging Duo Pad (EP-P5200), Wireless Charger Duo (EP-N6100, EP-P4300), Wireless Charger Tray (EP-PA710), Wireless Charger Trio (EP-P6300), Wireless Charging Vehicle Dock (EP-HN910I), UV Sanitizer With Wireless Charging (GP-TOU020) and all Samsung Wireless Chargers and Charging Docks for the Galaxy Watch (including but not limited to any chargers sold with or as an accessory to the Galaxy Watch, Galaxy Watch 3, Galaxy Watch 4, Galaxy Watch Active, Galaxy Active 2, EP-OR825, and EP-Y0805) ("Accused Products"), that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the '392 Patent. Identification of the accused products will be provided in Plaintiff's infringement contentions pursuant to the Court's scheduling order.

23. The Accused Products satisfy all claim limitations of one or more claims of the '392 Patent. A claim chart comparing exemplary independent claim 1 of the '392 Patent to representative Accused Products is attached as Exhibit 9.

24. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Samsung has injured Plaintiff and is liable for infringement of the '392 Patent pursuant to 35 U.S.C. § 271.

25. As a result of Samsung's infringement of the '392 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an amount adequate to compensate for Samsung's infringement, but in no event less than a reasonable royalty for the use made of the invention by Samsung, together with interest and costs as fixed by the Court.

COUNT IV

INFRINGEMENT OF U.S. PATENT NO. 7,825,537

26. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

27. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 7,825,537, entitled "Inductive power transfer system and method." The '537 Patent was duly and legally issued by the United States Patent and Trademark Office on November 2, 2010. A true and correct copy of the '537 Patent is attached as Exhibit 10.

28. On information and belief, Samsung makes, uses, offers for sale, sells, and/or imports certain products, including without limitation the Wireless Charger Portable Battery 10,000 mAh (EB-U1200), 25W Wireless Portable Battery (EB-U3300), Wireless Charger Stand (EP-NG930, EP-N5100, EP-N5105), Samsung Wireless Charger (EP-PA510, EP-PG920I, EP-PN920, EP-P3100, EP-P1100, EP-P1300), Wireless Charger Pad 9W (EP-P3105), Fast Charge Wireless Charging Convertible (EP-PG950), Wireless Charger Stand 15W (EP-N5200), Convertible Wireless Charging Stand (EP-N3300), Wireless Charging Duo Pad (EP-P5200), Wireless Charger Duo (EP-N6100, EP-P4300), Wireless Charger Tray (EP-PA710), Wireless Charger Trio (EP-P6300), Wireless Charging Vehicle Dock (EP-HN910I), UV Sanitizer With Wireless Charging (GP-TOU020), Samsung Watches sold with a wireless charger (including but

not limited to Galaxy Watch, Galaxy Watch 3, Galaxy Watch 4, Galaxy Watch Active, Galaxy Active 2), and all Samsung Wireless Chargers and Charging Docks for the Galaxy Watch (including but not limited to any chargers sold with or as an accessory to the Galaxy Watch, Galaxy Watch 3, Galaxy Watch 4, Galaxy Watch Active, Galaxy Active 2, EP-OR825, and EP-Y0805) (“Accused Products”), that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ’537 Patent, including through Samsung’s sale of infringing systems, own use, and/or testing of the Accused Products. Identification of the accused products will be provided in Plaintiff’s infringement contentions pursuant to the Court’s scheduling order.

29. The Accused Products satisfy all claim limitations of one or more claims of the ’537 Patent. A claim chart comparing exemplary independent claim 1 of the ’537 Patent to representative Accused Products is attached as Exhibit 11.

30. Samsung also knowingly and intentionally induces infringement of one or more claims of the ’537 Patent in violation of 35 U.S.C. § 271(b). As of at least the filing and service of this complaint, Samsung has knowledge of the ’537 Patent and the infringing nature of the Accused Products. Despite this knowledge of the ’537 Patent, Samsung continues to actively encourage and instruct its customers and end users (for example, through user manuals and online instruction materials on its website) to use the Accused Products in ways that directly infringe the ’537 Patent. For example, Samsung demonstrates how to use the exemplary Samsung Wireless Charger Convertible (EP-N3300) to inductively charge a target unit, *i.e.*, smartphone, in a manner that infringes one or more claims of the ’537 Patent:

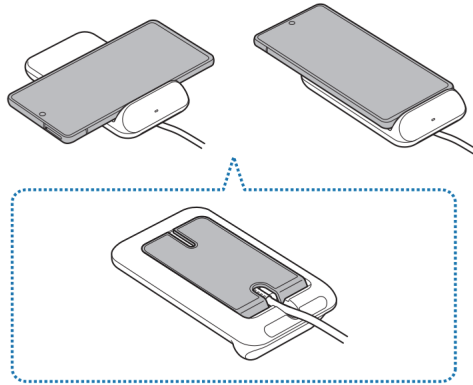
Place it down, charge up fast

Get back to your work or playtime quickly with the Fast Wireless Charging capability. Harnessing a maximum of 9W of power, it helps ensure you don't have to wait too long to get back to 100% battery.



See <https://www.samsung.com/us/mobile/mobile-accessories/phones/wireless-charger-convertible-black-ep-n3300tbegus/#specs>. Samsung also provides user manuals on its website that include step-by-step instructions on how to use the exemplary Samsung Wireless Charger Convertible (EP-N3300) to inductively transfer power to a target unit, *i.e.*, a smartphone, in an infringing manner:

- 2 Place a supported mobile device on the phone stand.
 - Charging will begin when the wireless charging surface comes into contact with the mobile device's wireless charging coil.
 - Check the charging icon displayed on the mobile device's screen for the charging status.
 - To begin fast wireless charging, place a mobile device that supports fast wireless charging on the wireless charger. For more information, refer to the mobile device's user manual.



- 3 When the mobile device is fully charged, remove the mobile device from the wireless charger.

See <https://www.samsung.com/ca/support/model/EP-N3300TBEGCA/>. Samsung provides similar instructions and user manuals on its website that depict how to use the Accused Products in an infringing manner. See, e.g., <https://www.samsung.com/us/mobile/mobile-accessories/phones/wireless-charger-duo-pad-white-ep-p4300twegus/> (Wireless Charger Duo (EP-P4300) User Instructions); <https://www.samsung.com/ca/support/model/EP-P6300TBEGCA/> (Wireless Charger Trio (EP-P6300) User Manual). Samsung provides these instructions, user manuals, and other materials knowing and intending (or with willful blindness to the fact) that its customers and end users will commit these infringing acts. Samsung also continues to make, use, offer for sale, sell, and/or import the Accused Products, despite its knowledge of the '537 Patent, thereby specifically intending for and inducing its customers to infringe the '537 Patent through the customers' normal and customary use of the Accused Products.

31. Samsung has also infringed, and continues to infringe, one or more claims of the '537 Patent by selling, offering for sale, or importing into the United States, the Accused

Products, knowing that the Accused Products constitute a material part of the inventions claimed in the '537 Patent, are especially made or adapted to infringe the '537 Patent, and are not staple articles or commodities of commerce suitable for non-infringing use. As of at least the filing and service of this complaint, Samsung has knowledge of the '537 Patent and the infringing nature of the Accused Products. Samsung has been, and currently is, contributorily infringing the '537 Patent in violation of 35 U.S.C. §§ 271(c) and/or (f). For example, Samsung advertises that the Accused Products, including the exemplary Wireless Charger, are designed to transfer power to compatible devices:

Works well with others

The Wireless Charger Duo is compatible with a wide range of devices. Easily charge a variety of your favorites from your phone to your watch.



See <https://www.samsung.com/us/mobile/mobile-accessories/phones/wireless-charger-duo-pad-white-ep-p4300twegus/#overview> (“Supports charging for Qi-enabled smartphones, Galaxy Buds, Galaxy Buds Pro, AirPods 2, and AirPods Pro earbuds, and Galaxy Watch3, Active2, and Active smartwatches.”). Samsung’s wireless chargers and power banks are base units that constitute a material part of the inventions claimed in the ’537 Patent, are especially made or adapted to infringe the ’537 Patent, and are not staple articles or commodities of commerce suitable for non-infringing use. For example, there are no non-infringing uses for the accused functionality in the Accused Products other than to inductively transfer power to a target unit in an infringing manner.

32. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Samsung has injured Plaintiff and is liable for infringement of the ’537 Patent pursuant to 35 U.S.C. § 271(a), (b), (c), and/or (f).

33. As a result of Samsung’s infringement of the ’537 Patent, Plaintiff is entitled to monetary damages (past, present, and future) in an amount adequate to compensate for Samsung’s infringement, but in no event less than a reasonable royalty for the use made of the invention by Samsung, together with interest and costs as fixed by the Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

a. A judgment in favor of Plaintiff that Samsung has infringed, either literally and/or under the doctrine of equivalents, the ’652, ’876, ’392, and ’537 Patents;

b. A judgment and order requiring Samsung to pay Plaintiff its damages (past, present, and future), costs, expenses, and pre-judgment and post-judgment interest for Samsung’s infringement of the ’652, ’876, ’392, and ’537 Patents;

c. A judgment and order requiring Samsung to pay Plaintiff compulsory ongoing

licensing fees, as determined by the Court in equity.

d. A judgment and order requiring Samsung to provide an accounting and to pay supplemental damages to Plaintiff, including without limitation, pre-judgment and post-judgment interest and compensation for infringing products released after the filing of this case that are not colorably different from the accused products;

e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees against Samsung; and

f. Any and all other relief as the Court may deem appropriate and just under the circumstances.

DEMAND FOR JURY TRIAL

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

Dated: October 14, 2021

Respectfully submitted,

/s/ Reza Mirzaie

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*Attorneys for Plaintiff Scramoge Technology
Limited*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing was served upon all counsel of record via the Court's ECF system on October 14, 2021.

Dated: October 14, 2021

/s/ Reza Mirzaie
Reza Mirzaie