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Attorneys for Plaintiff NXP USA, Inc.

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 13
 14 **UNITED STATES DISTRICT COURT**
 15 **CENTRAL DISTRICT OF CALIFORNIA**

16 NXP USA, INC.,

17
 18 Plaintiff,

19 v.

20 MEDIATEK, INC.,
 21 MEDIATEK USA INC.,
 22 AMAZON.COM, INC.,
 23 BELKIN INTERNATIONAL, INC.,
 and LINKSYS USA, INC.

24 Defendants.
 25

CASE NO: 21-cv-01810

**COMPLAINT FOR PATENT
 INFRINGEMENT**

JURY TRIAL DEMANDED

1 30078, Taiwan.

2 8. On information and belief, MediaTek USA Inc. is a Delaware
3 corporation with offices at 1 Ada Parkway, Suite 200, Irvine, CA 92618. On
4 information and belief, MediaTek USA Inc., is a wholly-owned subsidiary of
5 MediaTek Inc.

6 9. On information and belief, Amazon.com, Inc. is a Delaware
7 corporation with offices at 40 Pacifica Suite 100, Irvine, CA 92618.

8 10. On information and belief, Belkin International, Inc. is a Delaware
9 corporation with offices at 12045 E. Waterfront Drive, Playa Vista, CA 90084.

10 11. On information and belief, Linksys USA, Inc. is a Delaware
11 corporation with offices at 121 Theory Drive, Irvine, CA 92617.

12 **JURISDICTION AND VENUE**

13 12. This Court has subject matter jurisdiction over this case under 28
14 U.S.C. §§ 1331 and 1338(a), because the claims arise under the patent laws of the
15 United States, 35 U.S.C. §§ 1, et seq.

16 **MediaTek**

17 13. Venue in this District is proper under 28 U.S.C. § 1391 and 28 U.S.C.
18 § 1400(b) with respect to MediaTek. On information and belief, MediaTek, Inc.
19 and MediaTek USA Inc. have committed acts of infringement in this District,
20 directly, and/or through intermediaries, by, among other things, making, using,
21 offering to sell, selling, and/or importing products and/or services that infringe the
22 Asserted Patents, as alleged herein. MediaTek Inc. is a foreign corporation and
23 venue is proper as to a foreign defendant in any district. MediaTek, USA Inc. has a
24 regular and established place of business in this District. MediaTek, USA Inc.
25 maintains corporate offices in this district, including at 1 Ada Parkway, Suite 200,
26 Irvine, CA 92618.

27 14. This Court has personal jurisdiction over MediaTek, Inc. and
28 MediaTek USA Inc. On information and belief, both entities have conducted and

1 continue to conduct business in the State of California, including in this District.
2 Further, both entities, directly and through subsidiaries and intermediaries
3 (including distributors, retailers, franchisees and others), have committed and
4 continue to commit acts of patent infringement and/or contributed to or induced
5 acts of patent infringement by others in this District and elsewhere in California and
6 the United States. As such, both entities have purposefully availed themselves of
7 the privilege of conducting business within this District; have established sufficient
8 minimum contacts with this District such that they should reasonably and fairly
9 anticipate being haled into court in this District; have purposefully directed
10 activities at residents of this State; and at least a portion of the patent infringement
11 claims alleged herein arise out of or are related to one or more of the foregoing
12 activities.

13 Amazon

14 15. Venue in this District is proper under 28 U.S.C. § 1391 and 28 U.S.C.
15 § 1400(b) with respect to Amazon. On information and belief, Amazon has
16 committed acts of infringement in this District, directly, and/or through
17 intermediaries, by, among other things, making, using, offering to sell, selling,
18 and/or importing products and/or services that infringe the Asserted Patents, as
19 alleged herein. Amazon has a regular and established place of business in this
20 District. Amazon maintains corporate offices in this district, including at 40
21 Pacifica Suite 100, Irvine, CA 92618.

22 16. This Court has personal jurisdiction over Amazon. On information
23 and belief, Amazon has conducted and continues to conduct business in the State of
24 California, including in this District. Further, Amazon, directly and through
25 subsidiaries and intermediaries (including distributors, retailers, franchisees and
26 others), has committed and continues to commit acts of patent infringement and/or
27 contributed to or induced acts of patent infringement by others in this District and
28 elsewhere in California and the United States. As such, Amazon has purposefully

1 availed itself of the privilege of conducting business within this District; have
2 established sufficient minimum contacts with this District such that it should
3 reasonably and fairly anticipate being haled into court in this District; has
4 purposefully directed activities at residents of this State; and at least a portion of the
5 patent infringement claims alleged herein arise out of or are related to one or more
6 of the foregoing activities.

7 Belkin

8 17. Venue in this District is proper under 28 U.S.C. § 1391 and 28 U.S.C.
9 § 1400(b) with respect to Belkin. On information and belief, Belkin has committed
10 acts of infringement in this District, directly, and/or through intermediaries, by,
11 among other things, making, using, offering to sell, selling, and/or importing
12 products and/or services that infringe the Asserted Patents, as alleged herein.
13 Belkin has a regular and established place of business in this District. Belkin
14 maintains corporate offices in this district, including at 12045 E. Waterfront Drive,
15 Playa Vista, CA 90084.

16 18. This Court has personal jurisdiction over Belkin. On information and
17 belief, Belkin has conducted and continues to conduct business in the State of
18 California, including in this District. Further, Belkin, directly and through
19 subsidiaries and intermediaries (including distributors, retailers, franchisees and
20 others), has committed and continues to commit acts of patent infringement and/or
21 contributed to or induced acts of patent infringement by others in this District and
22 elsewhere in California and the United States. As such, Belkin has purposefully
23 availed itself of the privilege of conducting business within this District; has
24 established sufficient minimum contacts with this District such that it should
25 reasonably and fairly anticipate being haled into court in this District; has
26 purposefully directed activities at residents of this State; and at least a portion of the
27 patent infringement claims alleged herein arise out of or are related to one or more
28 of the foregoing activities.

1 Linksys

2 19. Venue in this District is proper under 28 U.S.C. § 1391 and 28 U.S.C.
3 § 1400(b) with respect to Linksys. On information and belief, Linksys has
4 committed acts of infringement in this District, directly, and/or through
5 intermediaries, by, among other things, making, using, offering to sell, selling,
6 and/or importing products and/or services that infringe the Asserted Patents, as
7 alleged herein. Linksys has a regular and established place of business in this
8 District. Linksys maintains corporate offices in this district, including at 121
9 Theory Drive, Irvine, CA 92617.

10 20. This Court has personal jurisdiction over Linksys. On information and
11 belief, Linksys has conducted and continues to conduct business in the State of
12 California, including in this District. Further, Linksys, directly and through
13 subsidiaries and intermediaries (including distributors, retailers, franchisees and
14 others), has committed and continues to commit acts of patent infringement and/or
15 contributed to or induced acts of patent infringement by others in this District and
16 elsewhere in California and the United States. As such, Linksys has purposefully
17 availed itself of the privilege of conducting business within this District; has
18 established sufficient minimum contacts with this District such that it should
19 reasonably and fairly anticipate being haled into court in this District; has
20 purposefully directed activities at residents of this State; and at least a portion of the
21 patent infringement claims alleged herein arise out of or are related to one or more
22 of the foregoing activities.

23 **THE NXP ASSERTED PATENTS**

24 21. The '202 patent, entitled "Electrostatic Discharge (ESD) Protection
25 Circuit for Multiple Power Domain Integrated Circuit," was duly and lawfully
26 issued on September 22, 2009 by the U.S. Patent and Trademark Office. A true and
27 correct copy of the '202 patent is attached hereto as Exhibit 1. The '202 patent
28 names Michael G. Khazhinsky, Martin J. Bayer, James W. Miller, and Bryan D.

1 Preble as inventors.

2 22. The '202 patent generally concerns an integrated circuit that includes a
3 first and second power domain. A bank of input/output cells are coupled to the
4 first and second power domains. A first plurality of active clamps for the first
5 power domain and a second plurality of active clamps for the second domain
6 overlap along the bank of input output cells. The active clamps may operate to
7 dissipate an electrostatic discharge event.

8 23. The '136 patent, entitled "Fan-Out Chip Scale Package," was duly
9 lawfully issued on July 9, 2013 by the U.S. Patent and Trademark Office. A true
10 and correct copy of the '136 patent is attached hereto as Exhibit 2. The '136 patent
11 names Jan Gulpen, Tonny Kamphuis, Pieter Hochstenbach, Leo van Gemert, Eric
12 van Grunsvan, and Marc de Samber as inventors.

13 24. The '136 patent generally concerns a chip scale package that includes
14 a semiconductor die with a plurality of first bond pads. The chip scale package also
15 includes a bond pad spacing interface structure with a plurality of second bond pads
16 and a plurality of electrical conductors connecting a corresponding one of the first
17 bond pads to a corresponding one of the second bond pads. The first bond pads are
18 arranged with a first average density and the second bond pads are arranged with a
19 second average density that is lower than the first density.

20 25. The '591 patent, entitled "Phase Locked Loop with Power Supply
21 Control," was duly and lawfully issued on October 15, 2013 by the U.S. Patent and
22 Trademark Office. A true and correct copy of the '591 patent is attached hereto as
23 Exhibit 3. The '591 patent names Hector Sanchez, Xinghai Tang, and Gayathri A.
24 Bhagavatheeswaran as inventors.

25 26. The '591 patent generally concerns a phase locked loop comprising a
26 phase frequency detector powered by a first power supply, a charge pump powered
27 by a second power supply, and a voltage controlled oscillator coupled to the charge
28 pump and powered by a third power supply. The frequency of the voltage

1 controlled oscillator is controlled by a control voltage and a current compensator
2 provides a variable current draw based on the control voltage.

3 27. The '214 patent, entitled "Group Acknowledgement for Multiple User
4 Communication in a Wireless Local Area Network," was duly and lawfully issued
5 on August 8, 2017 by the U.S. Patent and Trademark Office. A true and correct
6 copy of the '214 patent is attached hereto as Exhibit 4. The '214 patent names
7 Liwen Chu, Lei Wang, JinJing Jian, Hongyuan Zhang, and Hui-Ling Lou as
8 inventors

9 28. The '214 patent generally concerns a method for simultaneously
10 communicating with multiple devices that includes receiving, at a first
11 communication device, a plurality of uplink data units simultaneously transmitted
12 by multiple second communication devices, generating an acknowledgement, and
13 transmitting the acknowledgement to the multiple second communication devices.

14 29. The '058 patent, entitled "Padding for Orthogonal Frequency Division
15 Multiplexing (OFDM) Symbols in a Wireless Communication System," was duly
16 and lawfully issued on January 26, 2021 by the U.S. Patent and Trademark Office.
17 A true and correct copy of the '136 patent is attached hereto as Exhibit 5. The '058
18 patent names Hongyuan Zhang, Xiayu Zheng, Rui Cao, Mingguang Xu, Sudhir
19 Srinivasa, and Jie Huang as inventors

20 30. The '058 patent generally concerns a method for generating a physical
21 layer (PHY) data unit that includes generating the PHY data unit to include a PHY
22 preamble, a PHY data portion that follows the PHY preamble, and an extension
23 field that follows the PHY data portion. The method includes generating a plurality
24 of orthogonal frequency division multiplexing (OFDM) symbols corresponding to
25 the PHY data portion of the PHY data unit. A last occurring OFDM symbol in the
26 plurality of OFDM symbols includes padding bits starting from a boundary within
27 the last occurring OFDM symbol. The method further includes determining a
28 duration of the extension field using a position of the boundary within the last

1 occurring OFDM symbol, and generating the extension field to have the determined
2 duration.

3 31. NXP is the owner of all right, title, and interest in and to each of the
4 Asserted Patents with full and exclusive right to bring suit to enforce the Asserted
5 Patents, including the right to recover for past damages and/or royalties up until the
6 expiration of the each Asserted Patent.

7 32. The Asserted patents are valid and enforceable.

8 **DEFENDANTS' INFRINGEMENT**

9 33. MediaTek manufactures, uses, imports, offers for sale, and/or sells
10 semiconductor devices specifically including, but not limited to, the MT8516,
11 MT8695, and MT5833 (the "Accused '202 Products"); the MT 6358 (the "Accused
12 '136 Products"); the MT8516 (the "Accused '591 Products"); and the MT7915 (the
13 "Accused '214 Products"); and the MT7915 and MT7921(the "Accused '058
14 Products").

15 34. Amazon uses, imports, offers for sale, and/or sells at least one of the
16 Accused '202 Products, the Accused '136 Products, the Accused '591 Products,
17 and Accused '058 Products at least by selling and offering to sell the Accused '202
18 Products, the Accused '136 Products, the Accused '591 Products, and Accused
19 '058 Products as part of their own products in the United States, including, but not
20 limited to the Echo Dot D9N29T, Fire Stick 4k E9L29Y, Fire Stick 4k Max
21 K2R2TE, and Echo Show A8H3N2.

22 35. Belkin uses, imports, offers for sale, and/or sells at least one of the
23 Accused '214 Products and Accused '058 Products at least by selling and offering
24 to sell the Accused '214 Products and Accused '058 Products as part of their own
25 products in the United States, including, but not limited to the RT1800 and
26 RT3200.

27 36. Linksys uses, imports, offers for sale, and/or sells at least one of the
28 Accused '214 Products and Accused '058 Products at least by selling and offering

1 to sell the Accused '214 Products and Accused '058 Products as part of their own
2 products in the United States, including, but not limited to the E8450.

3 **COUNT I**

4 **Infringement of the '202 Patent**

5 37. NXP re-alleges and incorporates by reference the allegations of the
6 preceding paragraphs of this Complaint as if fully set forth herein.

7 38. In violation of 35 U.S.C. § 271(a), Defendants MediaTek and Amazon
8 have infringed the '202 patent by making, using, selling, offering for sale, and/or
9 importing into the United States, without authority, the Accused '202 Products
10 which practice each and every limitation of at least claims 1 and 2 of the '202
11 patent. Defendants MediaTek and Amazon have infringed literally and/or under the
12 doctrine of equivalents. *See* Exhibits 6 and 7. The exhibits are based on publicly
13 available information, are preliminary examples, and are non-limiting.

14 39. Defendants MediaTek and Amazon have had knowledge of the '202
15 patent and its infringement of the '202 patent at least since the service of this
16 complaint.

17 40. Defendants MediaTek and Amazon are not licensed or otherwise
18 authorized to practice the claims of the '202 patent.

19 41. By reason of Defendants MediaTek's and Amazon's infringement,
20 NXP has suffered substantial damages.

21 42. NXP is entitled to recover the damages sustained as a result of
22 Defendants MediaTek's and Amazon's wrongful acts in an amount subject to proof
23 at trial.

24 43. NXP has complied with the requirements of 35 U.S.C. § 287(a) at least
25 because NXP provided actual notice of its infringement allegation to Defendants
26 MediaTek and Amazon through the filing of this Complaint.

27 44. On information and belief, Defendants MediaTek and Amazon
28 indirectly infringe the '202 patent pursuant to 35 U.S.C. § 271(b) and/or (c) by

1 knowingly and intentionally inducing infringement and/or contributing to the
2 infringement of the '202 patent by, among other things, selling in the United States
3 the Accused '202 Products to direct infringers, that include, without limitation,
4 customers and/or end users of those products. Those customers and/or end users of
5 the Accused '202 Products directly infringe one or more claims of one or more of
6 the '202 patent.

7 45. On information and belief, Defendants MediaTek and Amazon are
8 aware of the '202 patent at least as of the date they were served with this
9 Complaint.

10 46. On information and belief, MediaTek induces other users of the
11 Accused '202 Products, including, for example, the Downstream Product
12 Defendant Amazon, to infringe one or more claims of the '202 patent with the
13 specific intent to encourage their infringement by, among other things, marketing
14 its integrated circuits, chipsets, and electronic devices and by creating datasheets
15 and/or similar materials with instructions on using or rendering operable the
16 Downstream Products Defendant Amazon's products that incorporate the integrated
17 circuits, chipsets, and electronic devices. *See Exhibit 19.*

18 47. On information and belief, Amazon induces other users of the Accused
19 '202 Products, including, for example, end-users of its products to infringe one or
20 more claims of the '202 patent with the specific intent to encourage their
21 infringement by, among other things, marketing its downstream products that
22 include the MediaTek integrated circuits, chipsets, and electronic devices and by
23 creating specifications, marketing materials, and/or similar materials with
24 instructions on using or rendering operable the downstream products that
25 incorporate the infringing integrated circuits, chipsets, and electronic devices. *See*
26 *Exhibits 20 and 21.*

27 48. On information and belief, MediaTek contributes to the infringement
28 of one or more claims of the '202 patent by, among others, the Downstream

1 Product Defendant Amazon, because it knows that the Accused '202 Products,
2 including, specifically, its infringing integrated circuits, chipsets, and electronic
3 devices, embody a material part of the claimed inventions of the '202 patent, that
4 they are specially made or specially adapted for use in an infringement of the
5 claims, and that they are not staple articles of commerce suitable for substantial
6 non-infringing use. *See* Exhibit 19.

7 49. On information and belief, Amazon contributes to the infringement of
8 one or more claims of the '202 patent by, among others, end-users, because it
9 knows that the Accused '202 Products, including, specifically, its downstream
10 products that incorporate the infringing integrated circuits, chipsets, and electronic
11 devices, embody a material part of the claimed inventions of the '202 patent, that
12 they are specially made or specially adapted for use in an infringement of the
13 claims, and that they are not staple articles of commerce suitable for substantial
14 non-infringing use. *See* Exhibits 20 and 21.

15 50. Defendants MediaTek's and Amazon's infringement of the '202 patent
16 is exceptional and entitles NXP to attorneys' fees and costs incurred in prosecuting
17 this action under 35 U.S.C. § 285.

18 **COUNT II**

19 **Infringement of the '136 Patent**

20 51. NXP re-alleges and incorporates by reference the allegations of the
21 preceding paragraphs of this Complaint as if fully set forth herein.

22 52. In violation of 35 U.S.C. § 271(a), Defendants MediaTek and Amazon
23 have infringed the '136 patent by making, using, selling, offering for sale, and/or
24 importing into the United States, without authority, the Accused '136 Products
25 which practice each and every limitation of at least claims 1-6, 11, 18, 19, 21, and
26 22 of the '136 patent. Defendants MediaTek and Amazon have infringed literally
27 and/or under the doctrine of equivalents. *See* Exhibits 8 and 9. The exhibits are
28

1 based on publicly available information, are preliminary examples, and are non-
2 limiting.

3 53. Defendants MediaTek and Amazon have had knowledge of the '136
4 patent and its infringement of the '136 patent at least since the service of this
5 complaint.

6 54. Defendants MediaTek and Amazon are not licensed or otherwise
7 authorized to practice the claims of the '136 patent.

8 55. By reason of Defendants MediaTek's and Amazon's infringement,
9 NXP has suffered substantial damages.

10 56. NXP is entitled to recover the damages sustained as a result of
11 Defendants MediaTek's and Amazon's wrongful acts in an amount subject to proof
12 at trial.

13 57. NXP has complied with the requirements of 35 U.S.C. § 287(a) at least
14 because NXP provided actual notice of its infringement allegation to Defendants
15 MediaTek and Amazon through the filing of this complaint.

16 58. On information and belief, Defendants MediaTek and Amazon
17 indirectly infringe the '136 patent pursuant to 35 U.S.C. § 271(b) and/or (c) by
18 knowingly and intentionally inducing infringement and/or contributing to the
19 infringement of the '136 patent by, among other things, selling in the United States
20 the Accused '136 Products to direct infringers, that include, without limitation,
21 customers and/or end users of those products. Those customers and/or end users of
22 the Accused '136 Products directly infringe one or more claims of one or more of
23 the '136 patent.

24 59. On information and belief, Defendants MediaTek and Amazon are
25 aware of the '136 patent at least as of the date they were served with this
26 Complaint.

27 60. On information and belief, MediaTek induces other users of the
28 Accused '136 Products, including, for example, the Downstream Products

1 Defendant Amazon, to infringe one or more claims of the '136 patent with the
2 specific intent to encourage their infringement by, among other things, marketing
3 its integrated circuits, chipsets, and electronic devices and by creating datasheets
4 and/or similar materials with instructions on using or rendering operable the
5 Downstream Products Defendant Amazon's products that incorporate the integrated
6 circuits, chipsets, and electronic devices. *See Exhibit 19.*

7 61. On information and belief, Amazon induces other users of the Accused
8 '136 Products, including, for example, end-users of its products to infringe one or
9 more claims of the '136 patent with the specific intent to encourage their
10 infringement by, among other things, marketing its downstream products that
11 include the MediaTek integrated circuits, chipsets, and electronic devices and by
12 creating specifications, marketing materials, and/or similar materials with
13 instructions on using or rendering operable the downstream products that
14 incorporate the infringing integrated circuits, chipsets, and electronic devices. *See*
15 *Exhibits 20 and 21.*

16 62. On information and belief, MediaTek contributes to the infringement
17 of one or more claims of the '136 patent by, among others, the Downstream
18 Product Defendant Amazon, because it knows that the Accused '136 Products,
19 including, specifically, its infringing integrated circuits, chipsets, and electronic
20 devices, embody a material part of the claimed inventions of the '136 patent, that
21 they are specially made or specially adapted for use in an infringement of the
22 claims, and that they are not staple articles of commerce suitable for substantial
23 non-infringing use. *See Exhibit 19.*

24 63. On information and belief, Amazon contributes to the infringement of
25 one or more claims of the '136 patent by, among others, end-users, because it
26 knows that the Accused '136 Products, including, specifically, its downstream
27 products that incorporate the infringing integrated circuits, chipsets, and electronic
28 devices, embody a material part of the claimed inventions of the '136 patent, that

1 they are specially made or specially adapted for use in an infringement of the
2 claims, and that they are not staple articles of commerce suitable for substantial
3 non-infringing use. *See* Exhibits 20 and 21.

4 64. Defendants MediaTek's and Amazon's infringement of the '136 patent
5 is exceptional and entitles NXP to attorneys' fees and costs incurred in prosecuting
6 this action under 35 U.S.C. § 285.

7 **COUNT III**

8 **Infringement of the '591 Patent**

9 65. NXP re-alleges and incorporates by reference the allegations of the
10 preceding paragraphs of this Complaint as if fully set forth herein.

11 66. In violation of 35 U.S.C. § 271(a), Defendants MediaTek and Amazon
12 have infringed the '591 patent by making, using, selling, offering for sale, and/or
13 importing into the United States, without authority, the Accused '591 Products
14 which practice each and every limitation of at least claims 1, 3, 10, and 11 of the
15 '591 patent. Defendants MediaTek and Amazon have infringed literally and/or
16 under the doctrine of equivalents. *See* Exhibits 10 and 11. The exhibits are based
17 on publicly available information, are preliminary examples, and are non-limiting.

18 67. Defendants MediaTek and Amazon have had knowledge of the '591
19 patent and its infringement of the '591 patent at least since the service of this
20 complaint.

21 68. Defendants MediaTek and Amazon are not licensed or otherwise
22 authorized to practice the claims of the '591 patent.

23 69. By reason of Defendants MediaTek's and Amazon's infringement,
24 NXP has suffered substantial damages.

25 70. NXP is entitled to recover the damages sustained as a result of
26 Defendants MediaTek's and Amazon's wrongful acts in an amount subject to proof
27 at trial.

28

1 71. NXP has complied with the requirements of 35 U.S.C. § 287(a) at least
2 because NXP provided actual notice of its infringement allegation to Defendants
3 MediaTek and Amazon through the filing of this complaint.

4 72. On information and belief, Defendants MediaTek and Amazon
5 indirectly infringe the '591 patent pursuant to 35 U.S.C. § 271(b) and/or (c) by
6 knowingly and intentionally inducing infringement and/or contributing to the
7 infringement of the '591 patent by, among other things, selling in the United States
8 the Accused '591 Products to direct infringers, that include, without limitation,
9 customers and/or end users of those products. Those customers and/or end users of
10 the Accused '591 Products directly infringe one or more claims of one or more of
11 the '591 patent.

12 73. On information and belief, Defendants MediaTek and Amazon are
13 aware of the '591 patent at least as of the date they were served with this
14 Complaint.

15 74. On information and belief, MediaTek induces other users of the
16 Accused '591 Products, including, for example, the Downstream Product
17 Defendant Amazon, to infringe one or more claims of the '591 patent with the
18 specific intent to encourage their infringement by, among other things, marketing
19 its integrated circuits, chipsets, and electronic devices and by creating datasheets
20 and/or similar materials with instructions on using or rendering operable the
21 Downstream Products Defendant Amazon's products that incorporate the integrated
22 circuits, chipsets, and electronic devices. *See Exhibit 19.*

23 75. On information and belief, Amazon induces other users of the Accused
24 '591 Products, including, for example, end-users of its products to infringe one or
25 more claims of the '591 patent with the specific intent to encourage their
26 infringement by, among other things, marketing its downstream products that
27 include the MediaTek integrated circuits, chipsets, and electronic devices and by
28 creating specifications, marketing materials, and/or similar materials with

1 instructions on using or rendering operable the downstream products that
2 incorporate the infringing integrated circuits, chipsets, and electronic devices. *See*
3 Exhibits 20 and 21.

4 76. On information and belief, MediaTek contributes to the infringement
5 of one or more claims of the '591 patent by, among others, the Downstream
6 Product Defendant Amazon, because it knows that the Accused '591 Products,
7 including, specifically, its infringing integrated circuits, chipsets, and electronic
8 devices, embody a material part of the claimed inventions of the '591 patent, that
9 they are specially made or specially adapted for use in an infringement of the
10 claims, and that they are not staple articles of commerce suitable for substantial
11 non-infringing use. *See* Exhibit 19.

12 77. On information and belief, Amazon contributes to the infringement of
13 one or more claims of the '591 patent by, among others, end-users, because it
14 knows that the Accused '591 Products, including, specifically, its downstream
15 products that incorporate the infringing integrated circuits, chipsets, and electronic
16 devices, embody a material part of the claimed inventions of the '591 patent, that
17 they are specially made or specially adapted for use in an infringement of the
18 claims, and that they are not staple articles of commerce suitable for substantial
19 non-infringing use. *See* Exhibits 20 and 21.

20 78. Defendants MediaTek's and Amazon's infringement of the '591 patent
21 is exceptional and entitles NXP to attorneys' fees and costs incurred in prosecuting
22 this action under 35 U.S.C. § 285.

23 **COUNT IV**

24 **Infringement of the '214 Patent**

25 79. NXP re-alleges and incorporates by reference the allegations of the
26 preceding paragraphs of this Complaint as if fully set forth herein.

27 80. In violation of 35 U.S.C. § 271(a), Defendants MediaTek, Belkin, and
28 Linksys have infringed the '214 patent by making, using, selling, offering for sale,

1 and/or importing into the United States, without authority, the Accused '214
2 Products which practice each and every limitation of at least claims 1 and 10 of the
3 '214 patent. Defendants MediaTek, Belkin, and Linksys have infringed literally
4 and/or under the doctrine of equivalents. *See* Exhibits 12-14. The exhibits are
5 based on publicly available information, are preliminary examples, and are non-
6 limiting.

7 81. Defendants MediaTek, Belkin, and Linksys have had knowledge of the
8 '214 patent and its infringement of the '214 patent at least since the service of this
9 complaint.

10 82. Defendants MediaTek, Belkin, and Linksys are not licensed or
11 otherwise authorized to practice the claims of the '214 patent.

12 83. By reason of Defendants MediaTek's, Belkin's, and Linksys'
13 infringement, NXP has suffered substantial damages.

14 84. NXP is entitled to recover the damages sustained as a result of
15 Defendants MediaTek's, Belkin's, and Linksys' wrongful acts in an amount subject
16 to proof at trial.

17 85. NXP has complied with the requirements of 35 U.S.C. § 287(a) at least
18 because NXP provided actual notice of its infringement allegation to Defendants
19 MediaTek, Belkin, and Linksys through the filing of this Complaint.

20 86. On information and belief, Defendants MediaTek, Belkin, and Linksys
21 indirectly infringe the '214 patent pursuant to 35 U.S.C. § 271(b) and/or (c) by
22 knowingly and intentionally inducing infringement and/or contributing to the
23 infringement of the '214 patent by, among other things, selling in the United States
24 the Accused '214 Products to direct infringers, that include, without limitation,
25 customers and/or end users of those products. Those customers and/or end users of
26 the Accused '214 Products directly infringe one or more claims of one or more of
27 the '214 patent.

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1 87. On information and belief, Defendants MediaTek, Belkin, and Linksys
2 are aware of the '214 patent at least as of the date they were served with this
3 Complaint.

4 88. On information and belief, MediaTek induces other users of the
5 Accused '214 Products, including, for example, the Downstream Product
6 Defendants Belkin and Linksys, to infringe one or more claims of the '214 patent
7 with the specific intent to encourage their infringement by, among other things,
8 marketing its integrated circuits, chipsets, and electronic devices and by creating
9 datasheets and/or similar materials with instructions on using or rendering operable
10 the Downstream Products Defendants Belkin's and Linksys' products that
11 incorporate the integrated circuits, chipsets, and electronic devices. *See* Exhibit 19.

12 89. On information and belief, Belkin and Linksys induce other users of
13 the Accused '214 Products, including, for example, end-users of their products to
14 infringe one or more claims of the '214 patent with the specific intent to encourage
15 their infringement by, among other things, marketing their downstream products
16 that include the MediaTek integrated circuits, chipsets, and electronic devices and
17 by creating specifications, marketing materials, and/or similar materials with
18 instructions on using or rendering operable the downstream products that
19 incorporate the infringing integrated circuits, chipsets, and electronic devices. *See*
20 Exhibits 20 and 21.

21 90. On information and belief, MediaTek contributes to the infringement
22 of one or more claims of the '214 patent by, among others, the Downstream
23 Product Defendants Belkin and Linksys, because it knows that the Accused '214
24 Products, including, specifically, its infringing integrated circuits, chipsets, and
25 electronic devices, embody a material part of the claimed inventions of the '214
26 patent, that they are specially made or specially adapted for use in an infringement
27 of the claims, and that they are not staple articles of commerce suitable for
28 substantial non-infringing use. *See* Exhibit 19.

1 97. By reason of Defendants MediaTek's, Amazon's, Belkin's, and
2 Linksys' infringement, NXP has suffered substantial damages.

3 98. NXP is entitled to recover the damages sustained as a result of
4 Defendants MediaTek's, Amazon's, Belkin's, and Linksys' wrongful acts in an
5 amount subject to proof at trial.

6 99. NXP has complied with the requirements of 35 U.S.C. § 287(a) at least
7 because NXP provided actual notice of its infringement allegation to Defendants
8 MediaTek, Amazon, Belkin, and Linksys through the filing of this Complaint.

9 100. On information and belief, Defendants MediaTek, Amazon, Belkin,
10 and Linksys indirectly infringe the '058 patent pursuant to 35 U.S.C. § 271(b)
11 and/or (c) by knowingly and intentionally inducing infringement and/or
12 contributing to the infringement of the '058 patent by, among other things, selling
13 in the United States the Accused '058 Products to direct infringers, that include,
14 without limitation, customers and/or end users of those products. Those customers
15 and/or end users of the Accused '058 Products directly infringe one or more claims
16 of one or more of the '058 patent.

17 101. On information and belief, Defendants MediaTek, Amazon, Belkin,
18 and Linksys are aware of the '058 patent at least as of the date they were served
19 with this Complaint.

20 102. On information and belief, MediaTek induces other users of the
21 Accused '058 Products, including, for example, the Downstream Product
22 Defendants Amazon, Belkin, and Linksys, to infringe one or more claims of the
23 '058 patent with the specific intent to encourage their infringement by, among other
24 things, marketing its integrated circuits, chipsets, and electronic devices and by
25 creating datasheets and/or similar materials with instructions on using or rendering
26 operable the Downstream Products Defendants Amazon's, Belkin's, and Linksys'
27 products that incorporate the integrated circuits, chipsets, and electronic devices.
28 *See Exhibit 19.*

1 103. On information and belief, Amazon, Belkin, and Linksys induce other
2 users of the Accused '058 Products, including, for example, end-users of their
3 products to infringe one or more claims of the '058 patent with the specific intent to
4 encourage their infringement by, among other things, marketing their downstream
5 products that include the MediaTek integrated circuits, chipsets, and electronic
6 devices and by creating specifications, marketing materials, and/or similar materials
7 with instructions on using or rendering operable the downstream products that
8 incorporate the infringing integrated circuits, chipsets, and electronic devices. *See*
9 Exhibits 20 and 21.

10 104. On information and belief, MediaTek contributes to the infringement
11 of one or more claims of the '058 patent by, among others, the Downstream
12 Product Defendants Amazon, Belkin, and Linksys, because it knows that the
13 Accused '058 Products, including, specifically, its infringing integrated circuits,
14 chipsets, and electronic devices, embody a material part of the claimed inventions
15 of the '058 patent, that they are specially made or specially adapted for use in an
16 infringement of the claims, and that they are not staple articles of commerce
17 suitable for substantial non-infringing use. *See* Exhibit 19.

18 105. On information and belief, Amazon, Belkin, and Linksys contribute to
19 the infringement of one or more claims of the '058 patent by, among others, end-
20 users, because they know that the Accused '058 Products, including, specifically,
21 their downstream products that incorporate the infringing integrated circuits,
22 chipsets, and electronic devices, embody a material part of the claimed inventions
23 of the '058 patent, that they are specially made or specially adapted for use in an
24 infringement of the claims, and that they are not staple articles of commerce
25 suitable for substantial non-infringing use. *See* Exhibits 20 and 21.

26 106. Defendants MediaTek's, Amazon's, Belkin's, and Linksys'
27 infringement of the '058 patent is exceptional and entitles NXP to attorneys' fees
28 and costs incurred in prosecuting this action under 35 U.S.C. § 285.

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, NXP hereby demands a trial by jury as to all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, NXP respectfully prays for the following relief:

(a) A judgment that the corresponding Defendants have infringed each and every one of the Asserted Patents;

(b) Damages adequate to compensate NXP for the corresponding Defendants' infringement of the Asserted Patents pursuant to 35 U.S.C. § 284;

(d) Pre-judgment interest;

(e) Post-judgment interest;

(f) A declaration that this action is exceptional pursuant to 35 U.S.C. § 285, and an award to NXP of its attorneys' fees, costs, and expenses incurred in connection with this action; and

(g) Such other relief as the Court deems just and equitable.

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Dated: November 1, 2021

Respectfully submitted,

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DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure and Local Rule 38-1 of this Court, Plaintiff NXP USA, Inc. hereby demands a trial by jury as to all issues so triable.

Dated: November 1, 2021

Respectfully submitted,

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