

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

INNOMEMORY, LLC,

Plaintiff,

v.

**KYOCERA DOCUMENT SOLUTIONS
AMERICA, INC.,**

Defendant.

Case No. 3:22-cv-1061

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff InnoMemory, LLC (“Plaintiff” or “InnoMemory”) files this original complaint against Defendant Kyocera Document Solutions America, Inc. (“Defendant” or “Kyocera”) for infringement of U.S. Patent No 6,240,046 (“the ’046 Patent”) and alleges as follows:

PARTIES

1. Plaintiff InnoMemory is a Texas limited liability company with a principal place of business at 106 E 6th St., Suite 900, Austin, TX 78701. Plaintiff is the owner of a large portfolio of memory patents including the ’046 Patent.

2. Upon information and belief, Defendant Kyocera is a California corporation with a principal place of business at 225 Sand Road, Fairfield, NJ 07004. Defendant has registered to conduct business in the State of Texas since at least 1982. Defendant may be served through its registered agent: Corporation Service Company d/b/a CSC – Lawyers Inco., 211 E. 7th Street, Suite 620, Austin, TX 78701.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under 35 U.S.C. § 271, *et seq.* This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

4. This Court has specific personal jurisdiction over Defendant for the following reasons: (1) Defendant is present within and has minimum contacts within the State of Texas; (2) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas; (3) Defendant has sought protection and benefit from the laws of the State of Texas; and (4) Defendant has engaged in substantial and regular business activities within the State of Texas, and has committed specific acts of patent infringement here, thereby giving rise to this action.

5. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b). Defendant has committed acts of infringement in this District and has a regular and established place of business in this District at 2825 West Story Road, Irving, TX 75038.

U.S. PATENT NO. 6,240,046

6. U.S. Patent No. 6,240,046, titled “INTEGRATED CIRCUIT RANDOM ACCESS MEMORY CAPABLE OF READING EITHER ONE OR MORE THAN ONE DATA WORD IN A SINGLE CLOCK CYCLE,” teaches a high performance random access memory integrated circuit, along with various embodiments of associated supporting circuitry, which offers significant power savings in read operations. The integrated circuit is capable of retrieving data words from a memory array either one data word in a single clock cycle or more than one data word in a single clock cycle. For random memory reads, retrieving one data word from the memory array in a clock cycle where the memory array is accessed in response to each read request saves power over retrieving more than one data word from the memory array in the clock cycle. Conversely, if read requests are burst requests (i.e., a first read request immediately followed by

advance requests), power is saved by retrieving more than one data word in a clock cycle where the memory array is accessed. *See* the '046 Patent, attached hereto as Exhibit A.

7. On May 29, 2001, the '046 Patent was duly issued by the USPTO.

8. Plaintiff is the current assignee of the '046 Patent with all substantive rights in and to the '046 Patent, including the sole and exclusive right to prosecute this action and enforce the '046 Patent against infringers, and to collect damages for all relevant times.

COUNT I – DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,240,046

9. Defendant, in violation of 35 U.S.C. § 271(a), has directly infringed, literally or under the doctrine of equivalents, and continues to infringe claims of the '046 Patent by making, using, offering to sell, and/or selling various printer models, including but not limited to the ECOSYS P2040dw, which comprise Nanya Technology Corporation DDR3(L) 2Gb SDRAM memory modules based on the JEDEC DDR3 SDRAM Standard (collectively, the “Accused Products”). Specifically, Defendant has directly infringed at least claim 1 of the '046 Patent by making, using, offering to sell, and/or selling the Accused Products. *See* Exemplary Infringement Chart, attached as Exhibit B.

10. As shown in the Exemplary Infringement Chart of Exhibit B, Defendant makes, uses, offers to sell, and/or sells a random access memory circuit (*e.g.*, various printer models, including but not limited to the ECOSYS P2040dw which comprise Nanya Technology Corporation DDR3(L) 2Gb SDRAM memory modules), comprising: a memory array capable of storing a plurality of data words (*e.g.*, Nanya Technology Corporation DDR3(L) 2Gb SDRAM is a high-speed dynamic random-access memory configured as an eight-bank DRAM); and a data bus coupled to the memory array, the data bus having a width of more than one data word (*e.g.*, an 8n prefetch architecture with an interface designed to transfer two data words per clock cycle at

the I/O pins); wherein the random access memory integrated circuit is capable of retrieving a first data word from the memory array in a first clock cycle and a second data word from the memory array in a second clock cycle immediately following the first clock cycle, the first data word and the second data word each being any of the plurality of data words (*e.g.*, the SDRAM are burst-oriented such that the SDRAM retrieves data words in the burst length of 8 or 4 starting from an address location given along with the READ command and two data words are retrieved in a clock cycle, one at the positive edge of clock and other at the negative edge of clock, in the next clock cycle the subsequent data word of the burst are retrieved in the pair of two data words per clock cycle, one at the positive edge of clock and other at the negative edge of clock).

11. Infringement of claim 1 of the '046 Patent is exemplary and Plaintiff maintains that Defendant further infringes claims 9 and 10 of the '046 Patent.

12. Plaintiff has been damaged by the infringing conduct by Defendant in an amount to be determined at trial. Thus, Defendant is liable to Plaintiff in an amount that adequately compensates Plaintiff for such infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter:

- a. A judgment in favor of Plaintiff that Defendant has infringed the '046 Patent;
- b. a judgment and order requiring Defendant to pay to Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '046 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and

- c. any and all other relief, at law or equity, to which Plaintiff may show itself to be entitled.

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: May 12, 2022

Respectfully submitted,

By: /s/ Neal Massand
Neal G. Massand
Texas Bar No. 24039038
nmassand@nilawfirm.com
Stevenson Moore V
Texas Bar No. 24076573
smoore@nilawfirm.com

NI, WANG & MASSAND, PLLC
8140 Walnut Hill Ln., Ste. 500
Dallas, TX 75231
Tel: (972) 331-4600
Fax: (972) 314-0900

*ATTORNEY FOR PLAINTIFF
INNOMEMORY, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2022, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Dallas Division using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Neal Massand
Neal Massand