

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INNOBRILLIANCE, LLC,

Plaintiff,

v.

**LG ELECTRONICS, INC., and
LG ELECTRONICS U.S.A., INC.,**

Defendants.

Case No. 2:22-CV-00145

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff InnoBrilliance, LLC (“InnoBrilliance” or “Plaintiff”) files this Complaint for patent infringement against LG Electronics, Inc. and LG Electronics U.S.A., Inc. (“Defendants”), and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under 35 U.S.C. § 1 *et seq.*

PARTIES

2. InnoBrilliance is a limited liability company organized and existing under the laws of the State of Texas with its principal place of business in Waco, Texas.

3. Upon information and belief, LG Electronics, Inc. is a South Korean multinational electronics company organized and existing under the laws of the Republic of Korea, with its principal place of business at LG Twin Towers, 20 Yeouido-dong, Yeongdeungpo-gu, Seoul 150-721, Republic of Korea. Upon Information and belief, LG Electronics, Inc. does business in Texas directly or through intermediaries and offers its products or services, including the infringing

products, to customers and potential customers located in Texas, including in the Eastern District of Texas.

4. Upon information and belief, LG Electronics U.S.A., Inc. is a wholly-owned subsidiary of LG Electronics, Inc. Upon information and belief, LG Electronics U.S.A., Inc. is a company organized under the laws of the state of Delaware with its principal place of business at 920 Sylvan Avenue, Englewood Cliffs, NJ. Upon information and belief, LG Electronics U.S.A., Inc. has regular and established places of business in Texas, including at least at 1628 Valwood Parkway, Carrollton, Texas 75006, and in Plano, Texas, which is in the Eastern District of Texas.

JURISDICTION AND VENUE

5. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over LG Electronics, Inc., directly or through intermediaries, distributors, importers, customers, subsidiaries, and/or consumers including its wholly owned subsidiary, LG Electronics U.S.A., Inc. Through direction and control of this subsidiary or other subsidiaries, LG Electronics, Inc. has committed acts of direct or indirect patent infringement within the State of Texas, and elsewhere within the United States. Upon information and belief, LG Electronics, Inc. has placed and continues to place infringing products or products that practice infringing processes into the stream of commerce via established distribution channels comprising at least subsidiaries and distributors, such as LG Electronics U.S.A., Inc., with the knowledge or intent that those products are or will be imported, used, offered for sale, or sold, and continue to be sold in the United States and the State of Texas, including in this judicial district.

7. For example, LG Electronics, Inc. has authorized sellers and sales representatives that offer and sell products pertinent to this Complaint to sell such products through the State of

Texas, including in this judicial district, and has offered to sell and has sold and continues to sell such products to consumers throughout this judicial district, such as via retailer: Best Buy, 422 West TX-281 Loop, Suite 100, Longview, Texas 75605. Furthermore, LG Electronics, Inc. employs an Account Manager, HE, who is responsible for expanding its sales of TV and Audio, including those television and television systems accused of infringement herein, within a custom installation channel within a defined geographic territory, through a network of authorized distributors located within this judicial district.

8. This Court has personal jurisdiction over Defendants because each does business in the state of Texas and in this judicial district and has, among other things, committed, aided, abetted, contributed to or participated in the commission of patent infringement in violation of 35 U.S.C. § 271 in this judicial district and elsewhere that has led to harm and injury to Plaintiff. Defendants, directly or through their distribution network, place televisions and television systems within the stream of commerce, which stream is directed at this district, with the knowledge or understanding that those products will be sold and used in the State of Texas, including in the Eastern District of Texas. Jurisdiction over Defendants is also proper inasmuch as they have registered with the Texas Secretary of State's Office to do business in the State of Texas, and by LG Electronics U.S.A., Inc. appointing a registered agent. Therefore, Defendants have established minimum contacts with the Eastern District of Texas such that the exercise of jurisdiction over Defendants is appropriate under the applicable jurisdictional statutes and would not offend traditional notions of fair play or substantial justice.

9. Venue is proper in this district as to LG Electronics, Inc. pursuant to 28 U.S.C. § 1391. LG Electronics, Inc. is not a resident of the United States and, thus, "may be sued in any judicial district." 28 U.S.C. § 1391(c)(3). The Supreme Court's "decision in *TC Heartland* does

not alter” the rule that alien defendants are exempt from the patent venue statute. *See In re HTC Corp.*, 889 F.3d 1349, 1357 (Fed. Cir. 2018).

10. Venue is proper in this district as to LG Electronics U.S.A., Inc. under 28 U.S.C. §§ 1391 and 1400(b). LG Electronics U.S.A., Inc. has committed acts of infringement, directly or indirectly, in this district with respect to the asserted patent and has a regular and established place of business and employees in this judicial district. In particular, it has employees at 1628 Valwood Parkway, Carrollton, Texas 75006, and in Plano, Texas, which is within the Eastern District of Texas.

OVERVIEW OF THE ACCUSED PRODUCTS

11. Defendants have marketed, sold, distributed, and provided for their customers, and continue to do so, the LG multi-view software system for use on various series of LG television devices, including but not limited to the SIGNATURE series, OLED series, NANOCELL series, UHD 4K series, and Smart TV series, which includes or can be used with various monitors, including but not limited to the FHD monitors, QHD monitors, WQHD monitors, and UHD monitors (the “Accused Products”). *See generally* Ex. 1 (Claim Chart that provides evidence of exemplary Infringing Products by Defendants).

12. The following provides a general description of Defendants’ Accused Products:

Designed for the way you live, LG televisions (the world's most intelligent TVs), audio and video technology can truly make life good. And whether you love movies, sports, the latest TV shows, documentaries, indie films, music, or podcasts, creating the home theater that delivers your favorite entertainment flawlessly has never been easier.

From OLED and NanoCell TVs with amazing picture quality and super-smart LG ThinQ® AI, to sound bars that deliver the ultimate in surround audio, our home electronics collection gives you the power to create a cinematic experience in your living room, your den, or wherever you like to kick back and watch your favorite entertainment. Discover some of the ways that LG home theater technology will transform your space.

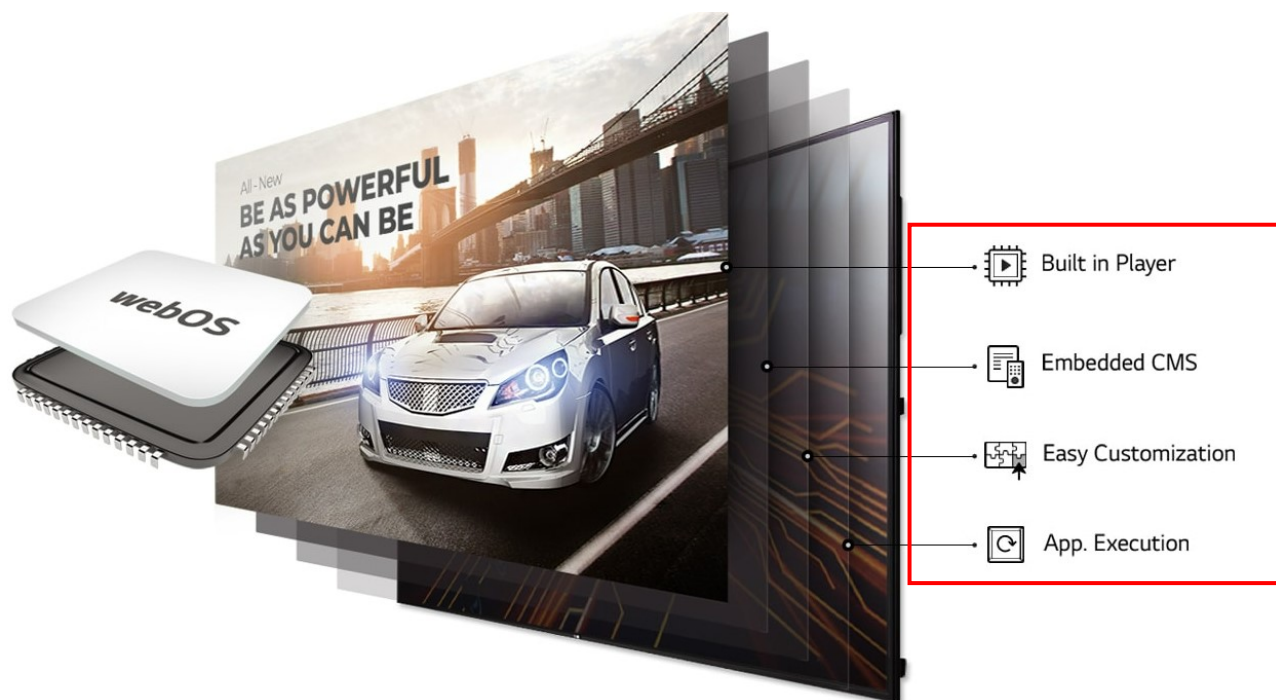
LG Televisions

Whether you choose an 8K or 4K OLED TV, or a 4K television featuring LG's NanoCell technology, you'll get rich color, deep blacks and stunning detail that will transform everything you watch. And with Dolby Vision™¹ and Dolby Atmos®¹, you'll get advanced image and sound technologies inspired by the cinema. By combining these two advancements into our OLED and NanoCell TVs, they work to not only optimize your picture, but your sound too—delivering ultra-vivid images and powerful, moving audio that seems to flow all around you.

13. The following are examples of specific usages, functions, links to, or explanations of operations of the Accused Products, as represented by Defendants with annotations by Plaintiff:

LG SIGNATURE OLED R 65" Class Rollable 4K Smart TV		OVERVIEW	SPECS	REVIEWS	RELATED PRODUCTS	SUPPORT	WHERE TO BUY	ADD TO CART
CONNECTIVITY								
NEXTGEN TV (ATSC 3.0)	Yes	Wi-Fi® Standard		Wi-Fi Certified 802.11ac				
Bluetooth® Support	Version 5.0	IP Control		Yes				
HDMI-CEC (Simplink)	Yes	TV Tuner		ATSC, Clear QAM				
Smart Phone Connectivity	Yes	HDMI Input (HDCP 2.2)		4 (rear)				
Latest HDMI (4K @ 120Hz)	HDMI ports 1,2,3,4	HDMI Audio Return Channel (ARC)		eARC (HDMI 2)				
USB Ports (v 2.0)	2 (rear)/1 (side)	RF Connection Input (Antenna/Cable)		1 (rear)				
Ethernet Input	1 (rear)	RS-232C Input (Mini Jack)		1 (rear)				
Digital Audio Output (Optical)	1 (rear)	Headphone Out		1 (rear)				

<https://www.lg.com/us/tvs/lg-oled65r1pua-signature-oled-4k-tv>

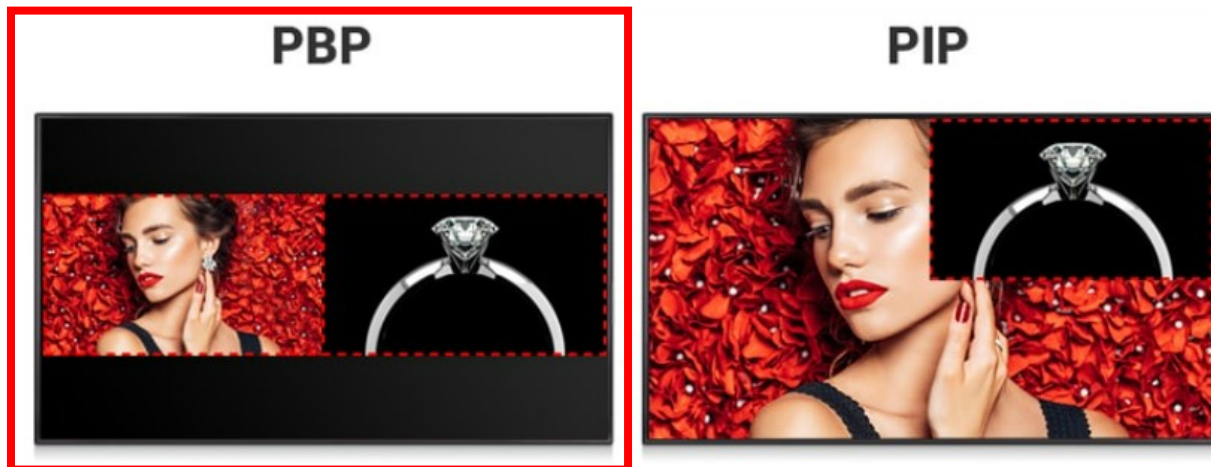


<https://www.lg.com/global/business/webos>

LG webOS Smart Signage Platform

A web-based multipurpose platform in which a variety of solutions are easily applicable. Based on high performance SoC(System-on-Chip), it can execute several tasks at once and provides smooth content playback, enhancing user convenience with intuitive UI and simple app development tools.

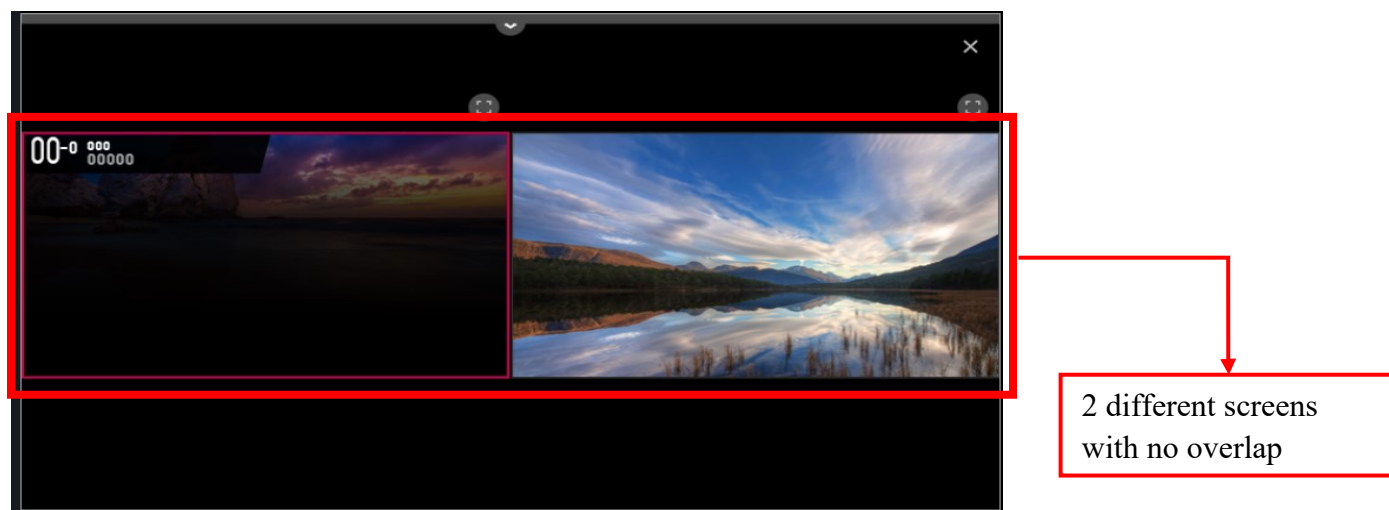
<https://www.lg.com/global/business/webos>



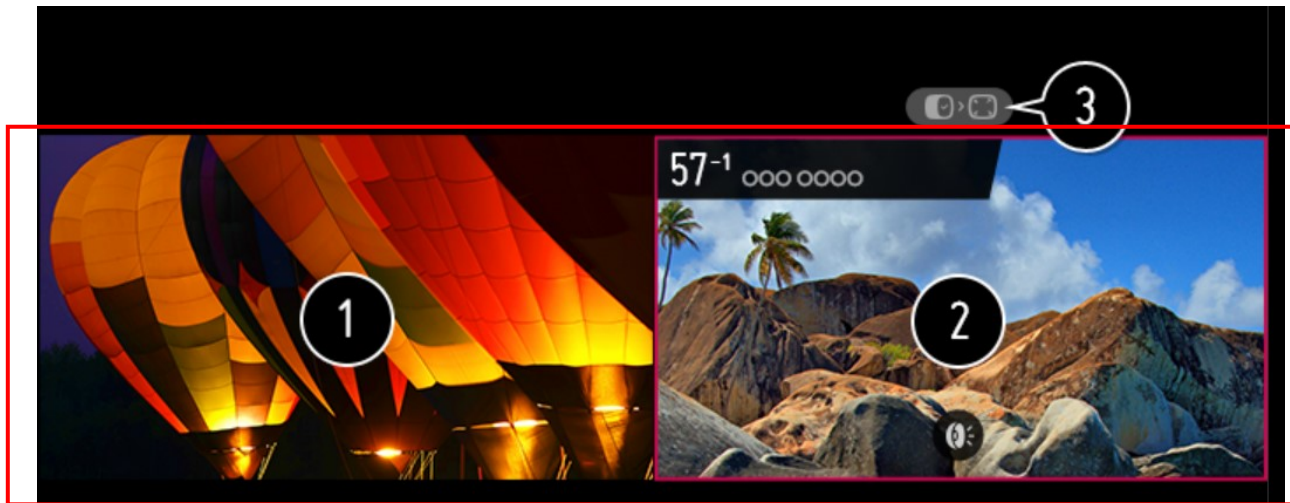
<https://www.lg.com/global/business/webos>)

Multiple Screen Composition

PBP (Picture-By-Picture) and PIP (Picture-In-Picture) enables up to two divided split screens in landscape or portrait display format enabling users to more flexibly allocate space for each content source.



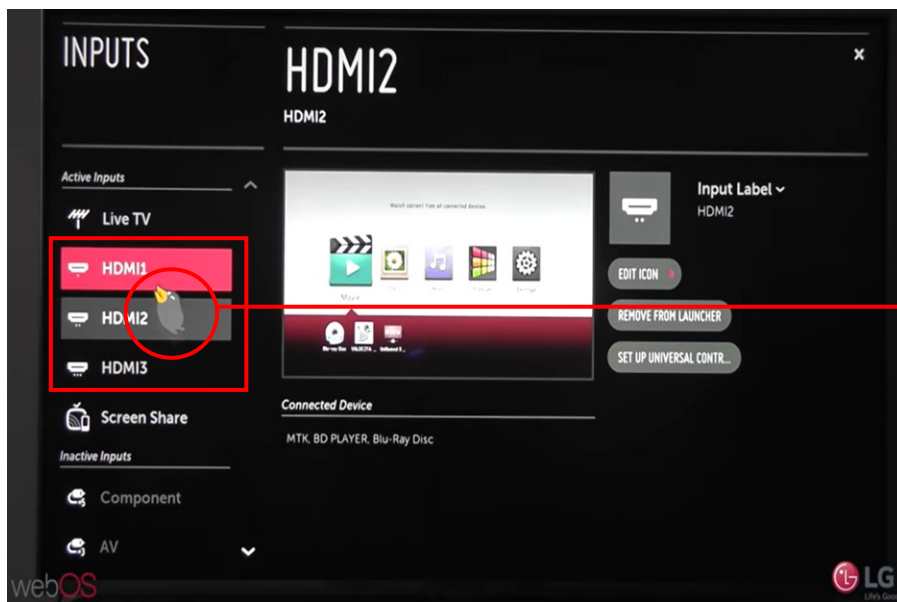
http://kr.eguide.lgappstv.com/manual/w19/dvb/Contents/livetv/multiview_e_c_a/eng/w45_livetv_multiview_e_c_a_eng.html (Annotated)



Video stream 1 and 2 being played on the television

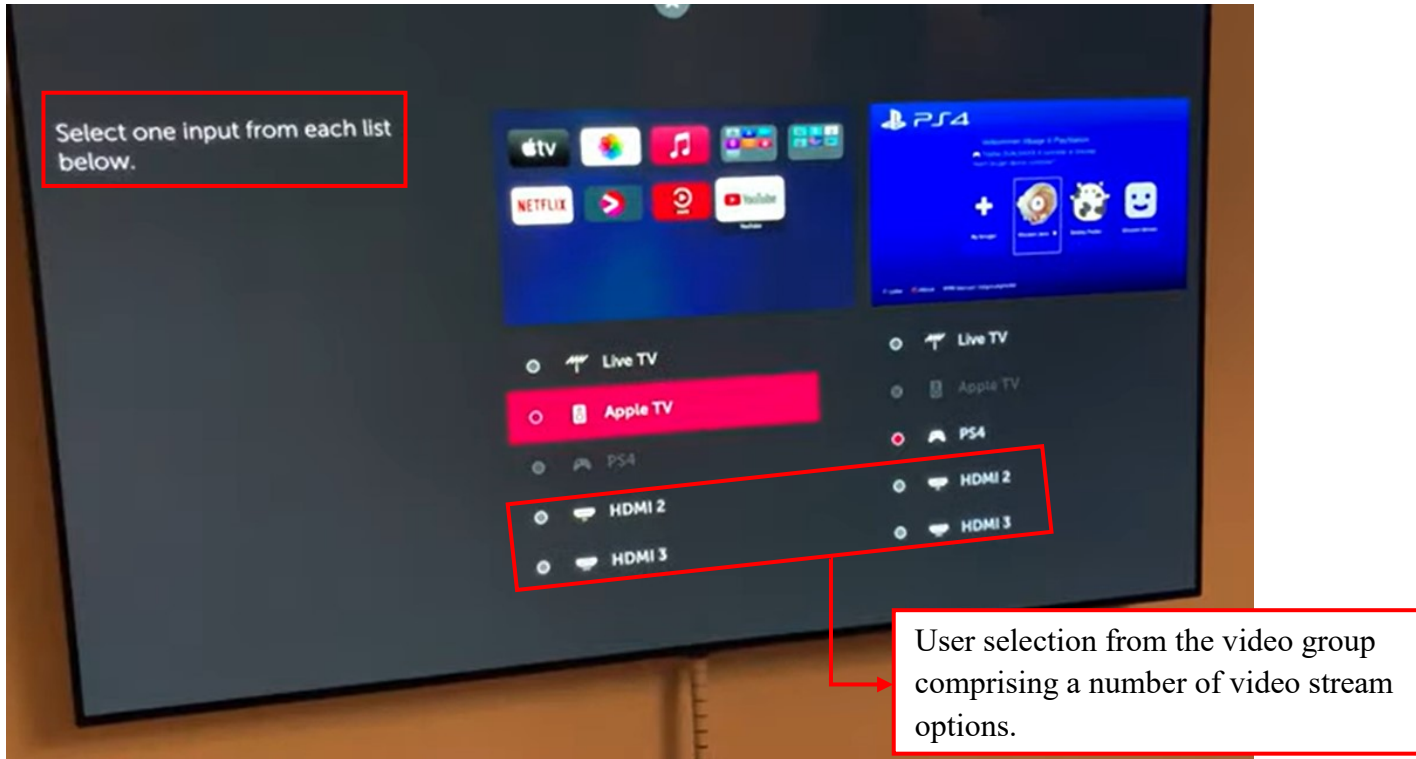
- ① The main screen is displayed on the left.
- ② The sub screen is displayed on the right.
- ③ **Multi-view** is closed and the selected screen is enlarged to full screen.

http://kr.eguide.lgappstv.com/manual/w15_mr/dvb/Contents/useful/multiview_e/eng/w15_useful_multiview_e_eng.html)



User selection via the LG smart TV

<https://www.youtube.com/watch?v=8EVN15UImw4>) (Annotated)



<https://youtu.be/WywGZs3ITpU>)

14. Whenever the Accused Products were used, by Defendants, LG customers, or other users of the system, Defendants controlled the operation and use of the Accused Products.

COUNT I

INFRINGEMENT OF UNITED STATES PATENT NO. 9,247,299

15. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

16. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,247,299 (the “’299 Patent”), entitled METHOD AND SYSTEM FOR TELEVISION CHANNEL GROUP, which issued on January 26, 2016. A copy of the ’299 Patent is attached as Exhibit 2.

17. The ’299 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

18. The allegations below are exemplary and without prejudice to Plaintiff’s infringement contentions or expert reports to be provided pursuant to the Court’s scheduling order

and the local patent rules. Plaintiff's claim construction contentions regarding the meaning and scope of the claim terms will be provided under the Court's scheduling order and the local patent rules. As detailed below, each element of the below-listed claims of the '299 Patent is literally present in the Accused Products. To the extent that any element is not literally present, each such element is present under the doctrine of equivalents. Plaintiff's preliminary analysis below should not be taken as an admission that the preamble of the claims is limiting. While publicly available information is cited below, Plaintiff may rely on other forms of evidence to show infringement.

19. Defendants have been and are now infringing, directly or indirectly, one or more claims of the '299 Patent under 35 U.S.C. § 271 by making, using, selling, importing, or offering for sale the Accused Products, as well as possibly products with reasonably similar functionality, or by engaging in other acts constituting infringement under 35 U.S.C. § 271 in the United States, including within this judicial district, without authority.

20. Defendants have also infringed the '299 Patent by encouraging users of the Accused Products to use the Accused Products to practice the claims of the '299 Patent. For example, Defendants provide instruction manuals or user guides for the Accused Products and describe, market, or advertise infringing functionality on their websites or in other LG Electronics documentation.

21. Defendants test the Accused Products in the United States, thereby infringing the '299 Patent. On information and belief, Defendants use the Accused Products, in this judicial district, and thus infringe the patent-in-suit.

22. In accordance with 35 U.S.C. § 287, Defendants have had actual notice and knowledge of the '299 Patent no later than the filing of this Complaint or the date this Complaint was served on Defendant LG Electronics U.S.A., Inc. On information and belief, Defendants

continue without a license to make, use, import into, export from, market, offer for sale, or sell in the United States products (including the Accused Products) that infringe the '299 Patent.

23. In the interests of providing detailed averments of infringement, Plaintiff has identified below two claims of the '299 Patent to demonstrate infringement. The selection of these two claims, however, should not be considered limiting; additional claims of the '299 Patent that are infringed by Defendants may be disclosed in compliance with the Court's scheduling order and the local patent rules related to infringement contentions. Furthermore, although Plaintiff has provided exemplary evidence of infringement, this evidence should not be considered limiting; additional evidence demonstrating that one or more of the claims of the '299 Patent are infringed by Defendants may be disclosed in compliance with the Court's scheduling order and the local patent rules related to infringement contentions.

24. Claim 1 recites:

1. A television system, comprising:

an input interface for receiving video data from a plurality of video streams; and
a frame controller causing the video data to be displayed in a plurality of pictures

on a display coupled to the television system, each picture occupying an
area of the display separate from an area occupied by any other picture,
the frame controller further:

receives a first user selection to display a video group related to an attribute, the
video group comprising at least a first video stream and a second video
stream of the plurality of video streams;

receives the first and the second video streams of the video group from the input
interface;

displays the first and the second video streams in a first picture and a second picture of the plurality of pictures;
receives a second user selection to change the display in a given picture of the plurality of pictures to a given video stream of the video group, wherein the given video stream is not currently displayed on the display; and
displays the given video stream in the given picture.

25. Defendants infringe at least claim 1 of the '299 Patent.

26. The Accused Product (at least one of the Accused Products) is a television system. *See Ex. 1 at 1-3.* The term "Accused Product" shall be used to indicate at least one of the Accused Products as defined above.

27. The Accused Product includes an input interface for receiving video data from a plurality of video streams. *See Ex. 1 at 3.*

28. The Accused Product includes a frame controller that causes the video data to be displayed in a plurality of pictures on a display coupled to the television system, each picture occupying an area of the display separate from an area occupied by any other picture. *See Ex. 1 at 4-8.*

29. The Accused Product receives a first user selection to display a video group related to an attribute, the video group comprising at least a first video stream and a second video stream of the plurality of video streams. *See Ex. 1 at 8-10.*

30. The Accused Product receives the first and the second video streams of the video group from the input interface. *See Ex. 1 at 10-12.*

31. The Accused Product displays the first and the second video streams in a first picture and a second picture of the plurality of pictures. *See Ex. 1 at 13-14.*

32. The Accused Product receives a second user selection to change the display in a given picture of the plurality of pictures to a given video stream of the video group, wherein the given video stream is not currently displayed on the display. *See* Ex. 1 at 14-16.

33. The Accused Product displays the given video stream in the given picture. *See* Ex. 1 at 16-17.

34. Plaintiff has provided evidence that shows that each element of claim 1 is found in the Accused Product.

35. InnoBrilliance has been damaged by Defendants' infringing activities. InnoBrilliance is therefore entitled to recover from Defendants the damages sustained by InnoBrilliance as a result of Defendants' wrong acts in an amount subject to proof at trial.

36. InnoBrilliance has been further and separately damaged by Defendants' additional acts of infringement as described below.

37. Claim 13 recites:

13. A method for displaying video data from a plurality of video streams on a display, the method comprising:
receiving, by a frame controller of a television system, video data from the plurality of video streams; and
displaying, by the frame controller, the video data in a plurality of pictures on the display coupled to the television system, each picture occupying an area of the display separate from an area occupied by any other picture, the displaying comprising:

receiving a first user selection to display a video group related to an attribute,
the video group comprising at least a first video stream and a second
video stream of the plurality of video streams;
receiving the first and the second video streams of the video group;
displaying the first and the second video streams in a first picture and a second
picture of the plurality of pictures;
receiving a second user selection to change the display in a given picture of the
plurality of pictures to a given video stream of the video group, wherein
the given video stream is not currently displayed on the display; and
displaying the given video stream in the given picture.

38. Defendants infringe at least claim 13 of the '299 Patent.

39. The Accused Product is a television system and has a display. *See* Ex. 1 at 17-22.

40. The Accused Product causes a television (with a display) to display multiple channels at one display simultaneously. *See* Ex. 1 at 22.

41. The Accused Product includes an application to access video content of different channels that users view on their television display using its processor or frame controller. *See* Ex. 1 at 22-23.

42. The Accused Product application is programmed to allow its processor to multi-view different channels on a television display. *See* Ex. 1 at 23.

43. The Accused Product supports multiple window frames to watch multiple video content. The processor causes a television display to create multiple window frames where each window frame plays different video content and does not overlap with another window frame. *See* Ex. 1 at 23-26.

44. The Accused Product allows users to select a group of channels or a video group based on an attribute from different sources. The Accused Product, (responsive to a user request), selects the channels or video group to be viewed in multi-view format from the selected group of channels or video group based on a particular attribute. *See Ex. 1 at 26-28.*

45. The Accused Product receives video content for the group of channels or video group based on an attribute and displays multiple channels from different sources in the non-overlapping window frames of the television system in multi-view format. *See Ex. 1 at 28-30.*

46. The Accused Product displays multiple channels from the group of channels or video group based on an attribute in the non-overlapping window frames of the television system in multi-view format. *See Ex. 1 at 30-32.*

47. The Accused Product allows for a change in the channel in the selected window frame when in multi-view mode or multi-view format. For example, the user simply selects the window and clicks the broadcast option to add a new channel from the available channels currently not being displayed to the selected window frame. *See Ex. 1 at 32-34.*

48. The Accused Product, in response to a user changing the channel in the selected window frame, displays the user-selected channel currently not being displayed in the selected window frame of the multi-view screen. *See Ex. 1 at 34-35.*

49. Thus, Plaintiff has shown each element of claim 13 in the Accused Product and the use thereof.

50. InnoBrilliance has been damaged by Defendants' aforementioned and described infringing activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court enter judgment against Defendants:

- (a) declaring Defendants have infringed, directly and indirectly, including by way of induced infringement, literally or under the doctrine of equivalents, the '299 Patent;
- (b) awarding Plaintiff its actual damages suffered as a result of Defendants' infringement of the '299 Patent until such time as Defendants cease their infringing conduct, including supplemental damages post-verdict;
- (c) awarding pre- and post-judgment interest as allowed by law on any damages awarded to Plaintiff;
- (d) awarding Plaintiff its costs and expenses (including all disbursements), as well as attorneys' fees as provided by 35 U.S.C. § 285; and
- (e) granting Plaintiff such other or further relief in law or equity as the Court finds appropriate.

JURY DEMAND

Plaintiff demands a trial by jury under Rule 38 of the Federal Rules of Civil Procedure for any and all issues triable of right before a jury, except for future patent infringement, which is an issue in equity to be determined by the Court.

Dated: May 12, 2022

Respectfully submitted,

BUETHER JOE & COUNSELORS, LLC

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