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8 UNITED STATES DISTRICT COURT  
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
10 LOS ANGELES DIVISION  
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12 OLYMPIC DEVELOPMENTS AG, LLC,  
13 Plaintiff,

14 v.

15 MOTOROLA, INC., PANASONIC  
16 CORPORATION OF NORTH  
17 AMERICA, SAMSUNG ELECTRONICS,  
USA, INC., TIVO, INC.,

18 Defendants.  
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Case No. 10-cv-08545 GW (PLAx)

**SECOND AMENDED  
COMPLAINT  
FOR PATENT INFRINGEMENT**

**Jury Trial Demanded**

**BY FAX**

FILED  
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CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES  
BY

1                                    **PLAINTIFF’S SECOND AMENDED COMPLAINT**

2            Plaintiff Olympic Developments AG, LLC (“Plaintiff”), by and through its  
3    undersigned counsel, files this Second Amended Complaint against Motorola Inc.,  
4    Panasonic Corporation of North America, Samsung Electronics, USA, Inc., and  
5    Tivo, Inc. (collectively “Defendants”) as follows:

6                                    **NATURE OF THE ACTION**

7            1.        This is a patent infringement action to stop Defendants’ infringement  
8    of Plaintiff’s United States Patent No. 6,246,400 entitled “*Device for Controlling*  
9    *Remote Interactive Receiver*” (the “’400 patent”; a copy of which is attached hereto  
10   as Exhibit A) (“the patent-in-suit”). Plaintiff is the exclusive licensee of the ’585  
11   patent and ’400 patent with respect to the Defendants. Plaintiff seeks injunctive  
12   relief and monetary damages.

13                                   **PARTIES**

14            2.        Plaintiff is a limited liability company organized and existing under  
15   the laws of the State of Delaware. Plaintiff maintains its principal place of business  
16   at 1000 North West Street, Suite 1200, Wilmington, DE 19801. Plaintiff is the  
17   exclusive licensee of the ’400 patent with respect to the Defendants, and possesses  
18   the right to sue for infringement and recover past damages.

19            3.        Upon information and belief, Motorola, Inc. (“Motorola”) is a  
20   corporation organized and existing under the laws of the State of Delaware, with its  
21   principal place of business located at 1303 East Algonquin Road, Schaumburg,  
22   Illinois 60196.

23            4.        Upon information and belief, Panasonic Corporation of North  
24   America, (“Panasonic”) is a corporation organized and existing under the laws of  
25   the State of Delaware, with its principal place of business located at One Panasonic  
26   Way, Secaucus, New Jersey 07094.

1           5.     Upon information and belief, Samsung Electronics, USA, Inc.  
2     ("Samsung") is a corporation organized and existing under the laws of the State of  
3     Delaware, with its principal place of business located at 105 Challenger Road,  
4     Ridgefield Park, New Jersey 07660.

5           6.     Upon information and belief, Tivo, Inc. ("Tivo") is a corporation  
6     organized and existing under the laws of the State of Delaware, with its principal  
7     place of business located at 2160 Gold Street, Box 2160 Alviso, California, 95002.

8                               **JURISDICTION AND VENUE**

9           7.     This action arises under the Patent Laws of the United States, 35  
10    U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court  
11    has subject matter jurisdiction over this case for patent infringement under 28  
12    U.S.C. §§ 1331 and 1338(a).

13          8.     The Court has personal jurisdiction over each Defendant because: each  
14    Defendant is present within or has minimum contacts with the State of California  
15    and the Central District of California; each Defendant has purposefully availed  
16    itself of the privileges of conducting business in the State of California and in the  
17    Central District of California; each Defendant has sought protection and benefit  
18    from the laws of the State of California; each Defendant regularly conducts  
19    business within the State of California and within the Central District of California;  
20    and Plaintiff's causes of action arise directly from Defendants' business contacts  
21    and other activities in the State of California and in the Central District of  
22    California.

23          9.     More specifically, each Defendant, directly and/or through authorized  
24    intermediaries, ships, distributes, offers for sale, sells, and/or advertises (including  
25    the provision of an interactive web page) its products and services in the United  
26    States, the State of California, and the Central District of California. Upon  
27    information and belief, each Defendant has committed patent infringement in the  
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1 State of California and in the Central District of California. Each Defendant solicits  
2 customers in the State of California and in the Central District of California. Each  
3 Defendant has many paying customers who are residents of the State of California  
4 and the Central District of California and who each use each of the respective  
5 Defendant's products and services in the State of California and in the Central  
6 District of California.

7 10. Venue is proper in the Central District of California pursuant to 28  
8 U.S.C. §§ 1391 and 1400(b).

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10 **COUNT I – PATENT INFRINGEMENT**

11 11. The '400 patent was duly and legally issued by the United States  
12 Patent and Trademark Office on June 12, 2001, after full and fair examination for  
13 systems for transactional system terminals. Plaintiff is the exclusive licensee of the  
14 '400 patent with respect to the Defendants, and possesses all rights of recovery  
15 under the '400 patent with respect to the Defendants, including the right to sue for  
16 infringement and recover past damages.

17 12. Plaintiff asserts that Motorola makes, uses, sells, and offers for sale  
18 smart phone devices that include the Amazon MP3 Store Application, in particular,  
19 the "Droid" line of smart phones ("the Motorola devices"). Motorola has infringed  
20 and continues to infringe one or more claims of the '400 patent by making, using,  
21 providing, offering to sell, and selling (directly or through intermediaries), in this  
22 district and elsewhere in the United States, systems and methods for remotely  
23 selecting and receiving desired programming selections, including via the Amazon  
24 MP3 Store Application. More particularly, Plaintiff asserts that Motorola has  
25 and/or requires and/or directs users to access and/or view and/or purchase products  
26 from a remote programming system via the Motorola Devices in a manner claimed  
27 in the '400 patent.

1           13. Plaintiff asserts that Panasonic owns, operates, advertises, controls,  
2 sells, and otherwise provides hardware and software “on demand video services”  
3 including via the VieraCast system (“the Panasonic services) available on consumer  
4 Blu-Ray and/or television devices provided by Panasonic, including at least the  
5 2010 GT25, VT25 and VT20 series of Full 3D Viera Plasma Televisions; the G20  
6 and G25 series of Plasma televisions and the 2010 Blue Ray players with Model  
7 Nos. DMP-BDT350, DMP-BDT300, DMP-BDT100, DMP-BD85, DMP-BD70V,  
8 DMP-BD65 and DMP-B500 (“the Panasonic devices”). Panasonic has infringed  
9 and continues to infringe one or more claims of the ’400 patent by making, using,  
10 providing, offering to sell, and selling (directly or through intermediaries), in this  
11 district and elsewhere in the United States, systems and methods for remotely  
12 selecting and receiving desired programming selections, including via the  
13 Panasonic services. More particularly, Plaintiff asserts that Panasonic has and/or  
14 requires and/or directs users to access and/or view and/or purchase products from a  
15 remote programming system via a Blu-Ray and/or television device in a manner  
16 claimed in the ’400 patent.

17           14. Plaintiff asserts that Samsung owns, operates, advertises, controls,  
18 sells, and otherwise provides hardware, software and websites for “on demand  
19 video services” including via set-top cable boxes provided by Samsung (“the  
20 Samsung devices”). Samsung has infringed and continues to infringe one or more  
21 claims of the ’400 patent by making, using, providing, offering to sell, and selling  
22 (directly or through intermediaries), in this district and elsewhere in the United  
23 States, systems and methods for remotely selecting and receiving desired  
24 programming selections, including via the Samsung services. More particularly,  
25 Plaintiff asserts that Samsung has and/or requires and/or directs users to access  
26 and/or view and/or purchase products from a remote programming system via a  
27 cable set-top box in a manner claimed in the ’400 patent.

12           16. Each Defendant's aforesaid activities have been without authority  
13   and/or license from Plaintiff.

18           18. Defendants' infringement of Plaintiff's exclusive rights under the '400  
19 patent will continue to damage Plaintiff, causing irreparable harm for which there is  
20 no adequate remedy at law, unless enjoined by this Court.

19. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the  
Federal Rules of Civil Procedure.

25 Plaintiff respectfully requests that the Court find in its favor and against  
26 Defendants, and that the Court grant Plaintiff the following relief:

- 1 A. An adjudication that one or more claims of the '400 patent have been  
2 infringed, either literally and/or under the doctrine of equivalents, by  
3 one or more Defendants;
- 4 B. An award to Plaintiff of damages adequate to compensate Plaintiff for  
5 the Defendants' acts of infringement together with pre-judgment and  
6 post-judgment interest;
- 7 C. That this Court declare this to be an exceptional case and award  
8 Plaintiff its reasonable attorneys' fees and costs in accordance with 35  
9 U.S.C. §285; and
- 10 D. Any further relief that this Court deems just and proper.

11 Respectfully submitted,  
12 **WHITE FIELD, INC.**

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15 Dated: May 12, 2011

16 Steven W. Ritcheson,  
17 Attorney for Plaintiff  
18 Olympic Developments AG, LLC  
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