

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

GOLDEN BRIDGE TECHNOLOGY,
INC.

Plaintiff,

vs.

NOKIA, INC; AND LUCENT
TECHNOLOGIES, INC.

Defendants.

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Civil Action No. 2-05CV-151-LED

Jury Trial Demanded

FIRST AMENDED COMPLAINT

Plaintiff Golden Bridge Technology, Inc. ("GBT") brings this action against Defendants Nokia, Inc. ("Nokia") and Lucent Technologies, Inc. ("Lucent")(collectively, "Defendants") and for its cause of action alleges:

The Parties

1. GBT is a corporation organized and existing under the laws of the State of California, with its principal place of business at 198 Brighton Avenue, Long Branch, New Jersey 07740.

2. Upon information and belief, Nokia is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 6000 Connection Drive, Irving, Texas 75309. Upon information and belief, Nokia is doing business in the Eastern District of Texas and elsewhere. Nokia may be served with process by serving its registered agent, National Registered Agents, Inc., 1614 Sidney Baker Street, Kerrville, Texas 78028.

3. Lucent is a Delaware corporation with its principal place of business at 600 Mountain Avenue, Murray Hill, New Jersey 07974. Upon information and belief, Lucent is

doing business in the Eastern District of Texas and elsewhere. Lucent may be served with process by serving its registered agent, The Prentice-Hall Corporation System, Inc., 2711 Centerville Road Suite 400, Wilmington, Delaware, 19808.

Jurisdiction and Venue

4. This action arises under the patent laws of the United States, Title 35 United States Code, particularly §§ 271 and 281. This Court has jurisdiction over the claims for patent infringement under 28 U.S.C. §1338(a). Venue is proper in this Court under Title 28 United States Code §§ 1391(b) and (c) and 1400(b).

Factual Background

5. Since its founding in March of 1995, GBT has developed technology for Wideband Code-Division Multiple Access ("WCDMA") wireless communications systems.

6. GBT, Nokia and Lucent, at all relevant times hereto, have been members of North American and international standards organizations that have developed standardized technical specifications for WCDMA systems. GBT led the effort to create a technical specification for a packet-oriented 3G system as co-chair of the Telecommunications Industry Association ("TIA") TR46.1 committee, beginning in late 1997.

7. Between August, 1998 and December 1998, GBT made numerous contributions of technology to the TIA TR46.1 committee. In December 1998, the Third Generation Partnership Project ("3GPP") was formed by various regional standards organizations for the purpose of creating uniform worldwide standards for WCDMA systems and equipment. Worldwide efforts to develop standards for WCDMA systems were moved and merged into 3GPP. GBT became a member of 3GPP and continued its contributions to that organization.

Many of GBT's contributions were ultimately adopted as part of the standard for the 3G Universal Mobile Telecommunications System ("UMTS"), which uses WCDMA technology.

8. On March 22, 1999, GBT filed an application for a United States patent covering certain of its contributions to the 3GPP technical specifications. Resulting from this application, U.S. Patent No. 6,574,267 ("the '267 patent") was duly and legally issued on June 3, 2003, for "RACH Ramp-Up Acknowledgement". A copy of the '267 patent is attached as Exhibit A and is made a part hereof. By assignment, GBT is the owner of the '267 patent and at all relevant times has had the right to enforce the '267 patent.

9. The '267 patent covers systems, methods and equipment for initiating communications between base station radio transceivers and remote mobile transceivers (cellular handsets, for example) in WCDMA systems. More particularly, the '267 patent teaches the transmission, from the remote transceiver, of an access burst signal, consisting of a plurality of segments. Each segment has a preamble followed by a pilot signal. The plurality of segments has a plurality of power levels, which increases with each subsequent segment. The power levels increase until a layer one acknowledgement signal is received from the base station transmitter, after which data transmission can begin. The 3GPP adopted the Random Access Channel ("RACH") technology covered by the '267 patent as an essential part of the 3GPP technical specifications in 1999.

Count I – Patent Infringement Against Nokia

10. GBT realleges and incorporates by reference paragraphs 1 through 9.

11. Upon information and belief, Nokia provides handsets incorporating WCDMA technology for use in 3G UMTS wireless networks in the United States. These products, by conforming to the mandatory 3GPP standards dealing with RACH, necessarily incorporate

technology claimed in the '267 patent. By providing such products, Nokia has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claims 23 - 26 and claims 27 - 29 of the '267 patent.

12. As a result of Nokia's infringing conduct, Nokia has damaged GBT. Nokia is liable to GBT in an amount that adequately compensates GBT for their infringement, which, by law, can in no event be less than a reasonable royalty.

13. As a consequence of Nokia's infringement, GBT has been irreparably damaged and such damage will continue without the issuance of an injunction by this Court.

Count II – Patent Infringement Against Lucent

14. GBT realleges and incorporates by reference paragraphs 1 through 13.

15. Upon information and belief, Lucent provides radio base stations, including its Flexent UMTS Macrocell family of base stations, incorporating WCDMA technology for use in 3G UMTS wireless networks in the United States. These products, by conforming to the 3GPP standards dealing with RACH necessarily incorporate technology claimed in the '267 patent. Lucent has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 13 and claims 23 – 26 of the '267 patent.

16. As a result of Lucent's infringing conduct, Lucent has damaged GBT. Lucent is liable to GBT in an amount that adequately compensates GBT for their infringement, which, by law, can in no event be less than a reasonable royalty.

17. As a consequence of Lucent's infringement, GBT has been irreparably damaged and such damage will continue without the issuance of an injunction by this Court.

Demand for Jury Trial

18. GBT demands a jury trial on all claims and issues.

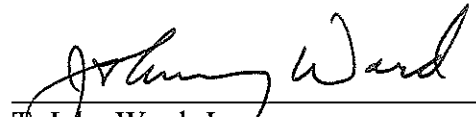
Prayer For Relief

WHEREFORE, GBT prays for entry of judgment:

- A. That claims 23 – 26 and claims 27 - 29 of the '267 patent have been infringed by Nokia and by others whose infringement has been contributed to and/or induced by Nokia;
- B. That claim 13 and claims 23 – 26 of the '267 patent have been infringed by Lucent and by others whose infringement has been contributed to and/or induced by Lucent;
- C. That Defendants, and each of their officers, agents, employees, representatives, successors, assigns and those acting in privity or concert with them be permanently enjoined from further infringement of U.S. Patent No. 6,574,267;
- D. That Defendants account for and pay to GBT all damages and costs caused by Defendants' activities complained of herein;
- E. That GBT be granted pre-judgment and post-judgment interest on the damages caused by reason of Defendants' activities complained of herein;
- F. That GBT be granted its attorneys' fees in this action;
- G. That costs be awarded to GBT; and
- H. That GBT be granted such other and further relief that is just and proper under the circumstances.

Respectfully submitted,

Date: 5/9/05


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