

L. Kristopher Rath (5749)  
Hutchison & Steffen, LLC  
Peccole Professional Park  
10080 Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Phone: 702-385-2500  
Fax: 702-385-2086

Joseph N. Hosteny  
Arthur A. Gasey  
Niro, Scavone, Haller & Niro  
181 West Madison Street - Suite 4600  
Chicago, Illinois 60602  
Phone: 312-236-0733  
Fax: 312-236-3137

Attorneys for Plaintiff  
Technology Development & Licensing, LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TECHNOLOGY DEVELOPMENT	)	Case No. 2:06-cv-00912-RLH-LRL
AND LICENSING, LLC,	)	
	)	
Plaintiff,	)	<b>AMENDED COMPLAINT</b>
	)	
v.	)	<b>JURY DEMANDED</b>
	)	
KONINKLIJKE PHILIPS ELECTRONICS N.V.,	)	
THE DIRECTV GROUP and RADIOSHACK	)	
CORPORATION,	)	

Defendants.

Plaintiff Technology Development & Licensing, LLC ("Technology Development") complains of Defendants Koninklijke Philips Electronics N.V. ("Philips"), The DirecTV Group, Inc ("DirecTV"), and RadioShack Corporation ("RadioShack") as follows:

**SUBJECT MATTER**

1. Technology Development is a Nevada corporation with its headquarters in Henderson, Nevada. Technology Development has the exclusive right to grant licenses under

and to enforce U.S. Patent No. Re.35,952, "Television Receiver Having Memory Control for Tune-By-Label Feature," including the right to bring suit and collect damages for any past or future infringement.

2. Philips is a corporation under the laws of the Netherlands with its headquarters at Eindhoven, The Netherlands, Philips transacts business in this judicial district by manufacturing, selling or offering to sell devices or products that are the subject of the patent at issue in this lawsuit and by including others to infringe the patent in this judicial district.

3. DirecTV is a Delaware corporation. DirecTV transacts business in this judicial district by manufacturing, selling or offering to sell devices or products that are the subject of the patent at issue in this lawsuit and by inducing others to infringe the patent in this judicial district.

4. RadioShack is a Delaware corporation. RadioShack transacts business in this judicial district by manufacturing, selling or offering to sell devices or products that are the subject of the patent at issue in this lawsuit and by inducing others to infringe the patent in this judicial district.

5. Subject matter jurisdiction exists under 28 U.S.C. §§ 1331 and 1338, and 35 U.S.C. § 271 *et. seq.*

6. Venue is proper under 28 U.S.C. §§ 1391(d) and 1400(b).

7. Philips manufactures, uses, sells, offers for sale and imports digital satellite receivers, digital video recorders, and any other products incorporating Guide Plus. By doing so, Philips has infringed the '952 patent, either directly or through acts of contributory infringement or inducements in violation of 35 U.S.C. § 271.

8. DirecTV has infringed the '952 patent by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others'

use of products and services that fall within the scope of one or more claims of the '952 patent.. At present, the products embodying the invention of the '952 patent are satellite receivers, digital video recorders, and products incorporating Guide Plus or favorite channel features. At present, the claims asserted are 8, 37 and 38. The presently-known accused products are the D-10 and similar satellite receivers, and the HNS HDVR-2 and similar satellite receivers. Additional products or claims may be identified in the course of discovery. DirecTV received notice of its infringement of the '952 patent.

9. RadioShack has infringed the '952 patent by making, using, importing, selling or offering to sell, and by inducing, aiding and/or abetting, encouraging or contributing to others' use of products and services that fall within the scope of one or more claims of the '952 patent.. At present, the products embodying the invention of the '952 patent are satellite receivers, digital video recorders, and products incorporating Guide Plus or favorite channel features. At present, the claims asserted are 8, 37 and 38. The presently-known accused products are the 4-In-1 and 5-In-1 Family Favorite remote controls, and any similar products. Additional products or claims may be identified in the course of discovery. RadioShack received notice of its infringement of the '952 patent.

10. The infringement of the '952 patent has injured Technology Development and, thus, it is entitled to recover damages adequate to compensate for Defendant's infringement, which in no event can be less than a reasonable royalty under 35 U.S.C. § 284.

11. On information and belief, the defendants' infringement has been willful and deliberate, and was carried out with actual or constructive notice and actual knowledge of the '952 patent.

**DEMAND FOR RELIEF**

Wherefore, Plaintiff Technology Development respectfully demands judgment against Defendants and against their subsidiaries, affiliates and related companies, agents, servants, employees and all persons in active concert or participation with it, for:

A. An award of damages adequate to compensate Technology Development for the patent infringement that has occurred, together with prejudgment interest and costs;

B. All other damages permitted by 35 U.S.C. § 284, including increased damages up to three times the amount of compensatory damages found;

C. A finding that this case is exceptional and an award to Technology Development of reasonable attorneys' fees as provided by 35 U.S.C. § 285;

D. A permanent injunction against the defendants' infringement, inducement and contributory infringement of the '952 patent; and

E. Such other and further relief as this Court or a jury may deem proper and just.

**JURY DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure and Local Rule 38-1, Technology Development hereby demands a jury on all issues triable of right by a jury.

DATED this 16<sup>th</sup> day of May, 2007.

Respectfully submitted,

  
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L. Kristopher Rath (5749)  
Hutchison & Steffen, LLC  
Peccole Professional Park  
10080 Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Phone: 702-385-2500  
Fax: 702-385-2086

Joseph N. Hosteny  
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Niro, Scavone, Haller & Niro  
181 West Madison Street, Suite 4600

Chicago, Illinois 60602  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on the 16<sup>th</sup> of May, 2007, the foregoing **AMENDED COMPLAINT** was filed electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following at their email address on file with the Court.

Richard J. Pocker (Nevada Bar No. 3568)  
Douglass A. Mitchell (Nevada Bar No. 3775)  
Boies Schiller & Flexner  
300 South Fourth Street, Suite 800  
Las Vegas, Nevada 89101  
Phone: 702-382-7300  
Fax: 382-2755

Attorneys for Defendant  
Koninklijke Philips Electronics N.V.

  
An Employee of Hutchison & Steffen, LLC