

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SAMSUNG ELECTRONICS CO., LTD., )

Plaintiff, )

v. )

AU OPTRONICS CORP., AU )  
OPTRONICS CORPORATION )  
AMERICA, ACER AMERICA )  
CORPORATION, ACER INC., BENQ )  
AMERICA CORP., BENQ CORP., )  
SANYO ELECTRIC CO., LTD., SANYO )  
NORTH AMERICA CORPORATION, )  
AND SANYO MANUFACTURING )  
CORPORATION, )

Defendants. )

C.A. No. 11-485-GMS

**DEMAND FOR JURY TRIAL**

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Samsung Electronics Co., Ltd. (“Samsung”), by and through its undersigned attorneys, demands a trial by jury on all issues and hereby alleges as follows for its Complaint against Defendants AU Optronics Corp., AU Optronics Corporation America (collectively, “AUO”); Acer America Corporation, Acer Inc., (collectively, “Acer”); BenQ America Corp., BenQ Corp., (collectively, “BenQ”); SANYO Electric Co., Ltd., SANYO North America Corporation, and SANYO Manufacturing Corporation (collectively, “SANYO”); (all collectively, “defendants”).

**PARTIES**

1. Plaintiff Samsung Electronics Co., Ltd. is a multi-national corporation organized under the laws of Korea, with its principal place of business at Samsung Electronics Bldg., 1320-10, Seocho 2-dong, Seocho-gu, Seoul, Korea 137-857.

2. On information and belief, defendant AU Optronics Corp. is a Taiwanese corporation with its principal place of business at No. 1 Li-Hsin Road 2, Hsinchu Science Park, Hsinchu 30078, Taiwan.

3. On information and belief, defendant AU Optronics Corporation America is a California corporation with its principal place of business at 9720 Cypresswood Drive, Suite 241, Houston, Texas 77070. On information and belief, AU Optronics Corporation America is a subsidiary of AU Optronics Corp.

4. On information and belief, defendants AU Optronics Corp. and AU Optronics Corporation America sell thin film transistor liquid crystal displays (TFT-LCDs) and other flat panel displays, which are used in various computer products, monitors, and LCD televisions. LCD products containing AUO devices are sold in Delaware and throughout the United States through various means, including online and at retail stores.

5. On information and belief, defendant Acer Inc. is a Taiwanese corporation with its principal place of business at 369 Fu Hsin North Road 7F-5, Taipei 10479, Taiwan.

6. On information and belief, defendant Acer America Corporation is a California corporation with its principal place of business at 333 West San Carlos Street, Suite 1500, San Jose, California 95110. On information and belief, Acer America Corporation is a subsidiary of Acer, Inc.

7. On information and belief, defendants Acer America Corporation and Acer Inc. are in the business of manufacturing, selling and/or importing into the United States flat panel displays, including LCD monitors.

8. On information and belief, defendant BenQ Corp. is a Taiwanese corporation with its principal place of business at 16 Jihu Rd., Taipei, 114, Taiwan.

9. On information and belief, defendant BenQ America Corp. is a California corporation with its principal place of business at 15375 Barranca, Suite A205, Irvine, California 92618. On information and belief, BenQ America Corp. is a subsidiary of BenQ Corp.

10. On information and belief, defendants BenQ America Corp. and BenQ Corp. are in the business of manufacturing, selling and/or importing into the United States flat panel displays, including LCD monitors.

11. On information and belief, defendant SANYO Electric Co., Ltd. is a Japanese corporation with its principal place of business at 5-5 Keihan-Hondori 2-Chome, Moriguchi City, Osaka 570-8677, Japan.

12. On information and belief, defendant SANYO North America Corporation is a Delaware corporation with its principal place of business at 2055 Sanyo Avenue, San Diego, California 92154. On information and belief, SANYO North America Corporation is a subsidiary of SANYO Electric Co.

13. On information and belief, defendant SANYO Manufacturing Corporation is a Delaware corporation with its principal place of business at 3333 Sanyo Road, Forrest City, Arkansas 72335. On information and belief, SANYO Manufacturing Corporation is a subsidiary of SANYO Electric Co.

14. On information and belief, defendants SANYO Electric Co., Ltd. SANYO North America Corporation and SANYO Manufacturing Corporation are in the business of manufacturing, selling and/or importing into the United States flat panel displays, including LCD televisions.

## **JURISDICTION AND VENUE**

15. These actions arise under the patent laws of the United States, Title 35 of the United States Code.

16. This Court has jurisdiction over these patent actions pursuant to 28 U.S.C. §§1331 and 1338.

17. Venue is proper in this Federal District pursuant to 28 U.S.C. §§ 1391 and 1400(b) because a substantial part of the events giving rise to the claims at issue occurred in this District.

18. This Court has personal jurisdiction over AUO, Acer, BenQ, and SANYO by virtue of the business activities they conduct within the State of Delaware, resulting in sufficient minimum contacts with this forum.

19. On information and belief, AUO sells LCD products for distribution in the United States, including Delaware, that infringe United States Patent Nos. 6,771,344 (the “344 patent”); 6,882,375 (the “375 patent”); 7,535,537 (the “537 patent”); 7,787,087 (the “087 patent”); and RE41,363 (the “363 patent”) (collectively, “Samsung’s patents”). By making, importing, using, offering to sell and/or selling products that infringe Samsung’s patents in this district, or by inducing or causing those acts to occur, AUO has participated in the sales of goods or services in this district. On information and belief, AUO has caused injury and damages in this district while deriving substantial revenue from the goods or services sold within this district.

20. On information and belief, Acer sells LCD products for distribution in the United States, including Delaware, that infringe Samsung’s patents. By making, importing, using, offering to sell and/or selling products that infringe Samsung’s patents in this district, or by inducing or causing those acts to occur, Acer has participated in the sales of goods or services in

this district. Furthermore, on information and belief, Acer distributes infringing products to national retailers that have stores located in Delaware. On information and belief, Acer has caused injury and damages in this district while deriving substantial revenue from the goods or services sold within this district.

21. On information and belief, BenQ sells LCD products for distribution in the United States, including Delaware, that infringe Samsung's patents. By making, importing, using, offering to sell and/or selling products that infringe Samsung's patents in this district, or by inducing or causing those acts to occur, BenQ has participated in the sales of goods or services in this district. Furthermore, on information and belief, BenQ distributes infringing products to national retailers that have stores located in Delaware. On information and belief, BenQ has caused injury and damages in this district while deriving substantial revenue from the goods or services sold within this district.

22. On information and belief, SANYO sells LCD products for distribution in the United States, including Delaware, that infringe Samsung's patents. By making, importing, using, offering to sell and/or selling products that infringe Samsung's patents in this district, or by inducing or causing those acts to occur, SANYO has participated in the sales of goods or services in this district. Furthermore, on information and belief, SANYO distributes infringing products to national retailers that have stores located in Delaware. On information and belief, SANYO has caused injury and damages in this district while deriving substantial revenue from the goods or services sold within this district.

#### **SUMMARY OF CLAIMS**

23. At issue is a patent infringement action brought by Samsung against AUO for infringement of Samsung's patents. AUO is infringing Samsung's patents by, among other

things, making, importing, using, offering to sell and/or selling in the United States and in this judicial district AUO's LCD products.

24. Also at issue is a patent infringement action brought by Samsung against Acer for infringement of the '375, '363, and '537 patents. Acer is infringing these patents by, among other things, making, importing, using, offering to sell and/or selling in the United States and in this judicial district monitors and/or laptops containing AUO's infringing LCD products.

25. Also at issue is a patent infringement action brought by Samsung against BenQ for infringement of Samsung's patents. BenQ is infringing Samsung's patents by, among other things, making, importing, using, offering to sell and/or selling in the United States and in this judicial district monitors containing AUO's infringing LCD products.

26. Also at issue is a patent infringement action brought by Samsung against SANYO for infringement of the '363, '537, '344, and '087 patents. SANYO is infringing these patents by, among other things, making, importing, using, offering to sell and/or selling in the United States and in this judicial district televisions containing AUO's infringing LCD products.

#### **FACTS**

27. Plaintiff Samsung is the sole owner by assignment of United States Patent No. 6,882,375, which was filed on September 28, 2001 and issued on April 19, 2005, and is entitled "Thin Film Transistor Array Substrate for Liquid Crystal Display." A copy of the '375 Patent is attached hereto as Exhibit A.

28. Plaintiff Samsung is the sole owner by assignment of United States Patent No. RE 41,363, which was filed on December 8, 2005 and issued on June 1, 2010, and is entitled "Thin Film Transistor Substrate." A copy of the '363 Patent is attached hereto as Exhibit B.

29. Plaintiff Samsung is the sole owner by assignment of United States Patent No. 7,535,537, which was filed on January 15, 2008 and issued on May 19, 2009, and is entitled “Liquid Crystal Display Module and an Assembly Method Therefor.” A copy of the ’537 Patent is attached hereto as Exhibit C.

30. Plaintiff Samsung is the sole owner by assignment of United States Patent No. 6,771,344, which was filed on June 8, 2001 and issued on August 3, 2004, and is entitled “Liquid Crystal Display Having Wide Viewing Angle.” A copy of the ’344 Patent is attached hereto as Exhibit D.

31. Plaintiff Samsung is the sole owner by assignment of United States Patent No. 7,787,087, which was filed on June 27, 2008 and issued on August 31, 2010, and is entitled “Liquid Crystal Display Having Wide Viewing Angle.” A copy of the ’087 Patent is attached hereto as Exhibit E.

### **FIRST CAUSE OF ACTION**

#### **(AUO’s Infringement of U.S. Patent No. 6,882,375)**

32. The allegations of paragraphs 1-30 are incorporated herein by reference.

33. Plaintiff Samsung is the sole owner by assignment of the ’375 patent.

34. On or about August 4, 2010, Samsung placed AUO on notice of the ’375 patent.

35. Upon information and belief, AUO has infringed and, if not enjoined, will continue to infringe one or more claims of the ’375 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the ’375 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the ’375 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more

claims of the '375 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '375 patent in violation of 35 U.S.C. §271(c).

36. AUO's acts of infringement of the '375 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of AUO's LCD products, including, for example, AUO's M185XW01 and M240HW02 panels.

37. Upon information and belief, AUO's acts of infringing the '375 patent have been willful and in deliberate disregard of Samsung's patent rights.

38. As a result of AUO's infringement of the '375 patent, Samsung has suffered and will continue to suffer damages.

## **SECOND CAUSE OF ACTION**

### **(AUO's Infringement of U.S. Patent No. RE 41,363)**

39. The allegations of paragraphs 1-37 are incorporated herein by reference.

40. Plaintiff Samsung is the sole owner by assignment of the '363 patent.

41. On or about August 4, 2010, Samsung placed AUO on notice of the '363 patent.

42. Upon information and belief, AUO has infringed and, if not enjoined, will continue to infringe one or more claims of the '363 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '363 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '363 patent in violation of 35 U.S.C. §271(c).



43. AUO's acts of infringement of the '363 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of AUO's LCD products, including, for example, AUO's T420HW06, T460HW03, M185XW01, B156XW02, M215HW01, and M240HW02 panels.

44. Upon information and belief, AUO's acts of infringing the '363 patent have been willful and in deliberate disregard of Samsung's patent rights.

45. As a result of AUO's infringement of the '363 patent, Samsung has suffered and will continue to suffer damages.

### **THIRD CAUSE OF ACTION**

#### **(AUO's Infringement of U.S. Patent No. 7,535,537)**

46. The allegations of paragraphs 1-44 are incorporated herein by reference.

47. Plaintiff Samsung is the sole owner by assignment of the '537 patent.

48. Upon information and belief, AUO has infringed and, if not enjoined, will continue to infringe one or more claims of the '537 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '537 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '537 patent in violation of 35 U.S.C. §271(c).

49. AUO's acts of infringement of the '537 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of AUO's LCD products, including, for

example, AUO's T420HW06, T460HW03, M185XW01, B156XW02, M215HW01, and M240HW02 panels.

50. Upon information and belief, AUO's acts of infringing the '537 patent have been willful and in deliberate disregard of Samsung's patent rights.

51. As a result of AUO's infringement of the '537 patent, Samsung has suffered and will continue to suffer damages.

#### **FOURTH CAUSE OF ACTION**

##### **(AUO's Infringement of U.S. Patent No. 6,771,344)**

52. The allegations of paragraphs 1-50 are incorporated herein by reference.

53. Plaintiff Samsung is the sole owner by assignment of the '344 patent.

54. On or about August 4, 2010, Samsung placed AUO on notice of the '344 patent.

55. Upon information and belief, AUO has infringed and, if not enjoined, will continue to infringe one or more claims of the '344 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '344 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '344 patent in violation of 35 U.S.C. §271(c).

56. AUO's acts of infringement of the '344 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of AUO's LCD products, including, for example, AUO's T460HW03 and M240HW02 panels.

57. Upon information and belief, AUO's acts of infringing the '344 patent have been willful and in deliberate disregard of Samsung's patent rights.

58. As a result of AUO's infringement of the '344 patent, Samsung has suffered and will continue to suffer damages.

#### **FIFTH CAUSE OF ACTION**

##### **(AUO's Infringement of U.S. Patent No. 7,787,087)**

59. The allegations of paragraphs 1-57 are incorporated herein by reference.

60. Plaintiff Samsung is the sole owner by assignment of the '087 patent.

61. On or about August 4, 2010, Samsung placed AUO on notice of the '087 patent.

62. Upon information and belief, AUO has infringed and, if not enjoined, will continue to infringe one or more claims of the '087 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '087 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '087 patent in violation of 35 U.S.C. §271(c).

63. AUO's acts of infringement of the '087 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of AUO's LCD products, including, for example, AUO's T460HW03 and M240HW02 panels.

64. Upon information and belief, AUO's acts of infringing the '087 patent have been willful and in deliberate disregard of Samsung's patent rights.

65. As a result of AUO's infringement of the '087 patent, Samsung has suffered and will continue to suffer damages.

#### **SIXTH CAUSE OF ACTION**

##### **(Acer's Infringement of U.S. Patent No. 6,882,375)**

66. The allegations of paragraphs 1-64 are incorporated herein by reference.

67. Plaintiff Samsung is the sole owner by assignment of the '375 patent.

68. Upon information and belief, Acer has infringed and, if not enjoined, will continue to infringe one or more claims of the '375 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '375 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '375 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '375 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '375 patent in violation of 35 U.S.C. §271(c).

69. Acer's acts of infringement of the '375 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of Acer's LCD products, including, for example, Acer's G185HV monitor.

70. Upon information and belief, Acer's acts of infringing the '375 patent have been willful and in deliberate disregard of Samsung's patent rights.

71. As a result of Acer's infringement of the '375 patent, Samsung has suffered and will continue to suffer damages.

## **SEVENTH CAUSE OF ACTION**

### **(Acer's Infringement of U.S. Patent No. RE 41,363)**

72. The allegations of paragraphs 1-70 are incorporated herein by reference.

73. Plaintiff Samsung is the sole owner by assignment of the '363 patent.

74. Upon information and belief, Acer has infringed and, if not enjoined, will continue to infringe one or more claims of the '363 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '363 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '363 patent in violation of 35 U.S.C. §271(c).

75. Acer's acts of infringement of the '363 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of Acer's LCD products, including, for example, Acer's G185HV monitor and Acer's P5WE6 laptop.

76. Upon information and belief, Acer's acts of infringing the '363 patent have been willful and in deliberate disregard of Samsung's patent rights.

77. As a result of Acer's infringement of the '363 patent, Samsung has suffered and will continue to suffer damages.

## **EIGHTH CAUSE OF ACTION**

### **(Acer's Infringement of U.S. Patent No. 7,535,537)**

78. The allegations of paragraphs 1-76 are incorporated herein by reference.

79. Plaintiff Samsung is the sole owner by assignment of the '537 patent.

80. Upon information and belief, Acer has infringed and, if not enjoined, will continue to infringe one or more claims of the '537 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '537 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '537 patent in violation of 35 U.S.C. §271(c).

81. Acer's acts of infringement of the '537 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of Acer's LCD products, including, for example, Acer's G185HV monitor and Acer's P5WE6 laptop.

82. Upon information and belief, Acer's acts of infringing the '537 patent have been willful and in deliberate disregard of Samsung's patent rights.

83. As a result of Acer's infringement of the '537 patent, Samsung has suffered and will continue to suffer damages.

#### **NINTH CAUSE OF ACTION**

##### **(BenQ's Infringement of U.S. Patent No. 6,882,375)**

84. The allegations of paragraphs 1-82 are incorporated herein by reference.

85. Plaintiff Samsung is the sole owner by assignment of the '375 patent.

86. Upon information and belief, BenQ has infringed and, if not enjoined, will continue to infringe one or more claims of the '375 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '375 patent, in violation of 35 U.S.C.

§271(a); (2) importing into the United States LCD products that infringe one or more claims of the '375 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '375 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '375 patent in violation of 35 U.S.C. §271(c).

87. BenQ's acts of infringement of the '375 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of BenQ's LCD products, including, for example, BenQ's V2200 monitors.

88. Upon information and belief, BenQ's acts of infringing the '375 patent have been willful and in deliberate disregard of Samsung's patent rights.

89. As a result of BenQ's infringement of the '375 patent, Samsung has suffered and will continue to suffer damages.

#### **TENTH CAUSE OF ACTION**

##### **(BenQ's Infringement of U.S. Patent No. RE 41,363)**

90. The allegations of paragraphs 1-88 are incorporated herein by reference.

91. Plaintiff Samsung is the sole owner by assignment of the '363 patent.

92. Upon information and belief, BenQ has infringed and, if not enjoined, will continue to infringe one or more claims of the '363 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '363 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '363 patent in violation of 35 U.S.C. §271(c).

93. BenQ's acts of infringement of the '363 patent include the manufacturing, using, marketing, offering for sale, and/or selling of BenQ's LCD products, including, for example, importing, and/or selling of BenQ's LCD products, including, for example, BenQ's V2200 and EW2420 monitors.

94. Upon information and belief, BenQ's acts of infringing the '363 patent have been willful and in deliberate disregard of Samsung's patent rights.

95. As a result of BenQ's infringement of the '363 patent, Samsung has suffered and will continue to suffer damages.

#### **ELEVENTH CAUSE OF ACTION**

##### **(BenQ's Infringement of U.S. Patent No. 7,535,537)**

96. The allegations of paragraphs 1-94 are incorporated herein by reference.

97. Plaintiff Samsung is the sole owner by assignment of the '537 patent.

98. Upon information and belief, BenQ has infringed and, if not enjoined, will continue to infringe one or more claims of the '537 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '537 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '537 patent in violation of 35 U.S.C. §271(c).

99. BenQ's acts of infringement of the '537 patent include the manufacturing, using, marketing, offering for sale, importing, and/or selling of BenQ's LCD products, including, for example, BenQ's V2200 and EW2420 monitors.



100. Upon information and belief, BenQ's acts of infringing the '537 patent have been willful and in deliberate disregard of Samsung's patent rights.

101. As a result of BenQ's infringement of the '537 patent, Samsung has suffered and will continue to suffer damages.

## **TWELTH CAUSE OF ACTION**

### **(BenQ's Infringement of U.S. Patent No. 6,771,344)**

102. The allegations of paragraphs 1-100 are incorporated herein by reference.

103. Plaintiff Samsung is the sole owner by assignment of the '344 patent.

104. Upon information and belief, BenQ has infringed and, if not enjoined, will continue to infringe one or more claims of the '344 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '344 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '344 patent in violation of 35 U.S.C. §271(c).

105. BenQ's acts of infringement of the '344 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of BenQ's LCD products, including, for example, BenQ's EW2420 monitors.

106. Upon information and belief, BenQ's acts of infringing the '344 patent have been willful and in deliberate disregard of Samsung's patent rights.

107. As a result of BenQ's infringement of the '344 patent, Samsung has suffered and will continue to suffer damages.

**THIRTEENTH CAUSE OF ACTION**

**(BenQ's Infringement of U.S. Patent No. 7,787,087)**

108. The allegations of paragraphs 1-106 are incorporated herein by reference.

109. Plaintiff Samsung is the sole owner by assignment of the '087 patent.

110. Upon information and belief, BenQ has infringed and, if not enjoined, will continue to infringe one or more claims of the '087 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '087 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '087 patent in violation of 35 U.S.C. §271(c).

111. BenQ's acts of infringement of the '087 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of BenQ's LCD products, including, for example, BenQ's EW2420 monitors.

112. Upon information and belief, BenQ's acts of infringing the '087 patent have been willful and in deliberate disregard of Samsung's patent rights.

113. As a result of BenQ's infringement of the '087 patent, Samsung has suffered and will continue to suffer damages.

**FOURTEENTH CAUSE OF ACTION**

**(SANYO's Infringement of U.S. Patent No. RE 41,363)**

114. The allegations of paragraphs 1-112 are incorporated herein by reference.

115. Plaintiff Samsung is the sole owner by assignment of the '363 patent.

116. Upon information and belief, SANYO has infringed and, if not enjoined, will continue to infringe one or more claims of the '363 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '363 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '363 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '363 patent in violation of 35 U.S.C. §271(c).

117. SANYO's acts of infringement of the '363 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of SANYO's LCD products, including, for example, SANYO's DP42410 and DP46840 televisions.

118. Upon information and belief, SANYO's acts of infringing the '363 patent have been willful and in deliberate disregard of Samsung's patent rights.

119. As a result of SANYO's infringement of the '363 patent, Samsung has suffered and will continue to suffer damages.

#### **FIFTEENTH CAUSE OF ACTION**

##### **(SANYO's Infringement of U.S. Patent No. 7,535,537)**

120. The allegations of paragraphs 1-118 are incorporated herein by reference.

121. Plaintiff Samsung is the sole owner by assignment of the '537 patent.

122. Upon information and belief, SANYO has infringed and, if not enjoined, will continue to infringe one or more claims of the '537 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C.

§271(a); (2) importing into the United States LCD products that infringe one or more claims of the '537 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '537 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '537 patent in violation of 35 U.S.C. §271(c).

123. SANYO's acts of infringement of the '537 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of SANYO's LCD products, including, for example, SANYO's DP42410 and DP46840 televisions.

124. Upon information and belief, SANYO's acts of infringing the '537 patent have been willful and in deliberate disregard of Samsung's patent rights.

125. As a result of SANYO's infringement of the '537 patent, Samsung has suffered and will continue to suffer damages.

#### **SIXTEENTH CAUSE OF ACTION**

##### **(SANYO's Infringement of U.S. Patent No. 6,771,344)**

126. The allegations of paragraphs 1-124 are incorporated herein by reference.

127. Plaintiff Samsung is the sole owner by assignment of the '344 patent.

128. Upon information and belief, SANYO has infringed and, if not enjoined, will continue to infringe one or more claims of the '344 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '344 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '344 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '344 patent in violation of 35 U.S.C. §271(c).

129. SANYO's acts of infringement of the '344 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of SANYO's LCD products, including, for example, SANYO's DP46840 televisions.

130. Upon information and belief, SANYO's acts of infringing the '344 patent have been willful and in deliberate disregard of Samsung's patent rights.

131. As a result of SANYO's infringement of the '344 patent, Samsung has suffered and will continue to suffer damages.

### **SEVENTEENTH CAUSE OF ACTION**

#### **(SANYO's Infringement of U.S. Patent No. 7,787,087)**

132. The allegations of paragraphs 1-130 are incorporated herein by reference.

133. Plaintiff Samsung is the sole owner by assignment of the '087 patent.

134. Upon information and belief, SANYO has infringed and, if not enjoined, will continue to infringe one or more claims of the '087 patent by performing, without authority, one or more of the following acts: (1) making, using, offering for sale, or selling in the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (2) importing into the United States LCD products that infringe one or more claims of the '087 patent, in violation of 35 U.S.C. §271(a); (3) inducing infringement of one or more claims of the '087 patent, in violation of 35 U.S.C. §271(b); and/or (4) contributing to the infringement of one or more claims of the '087 patent in violation of 35 U.S.C. §271(c).

135. SANYO's acts of infringement of the '087 patent include the manufacturing, using, marketing, importing, offering for sale, and/or selling of SANYO's LCD products, including, for example, SANYO's DP46840 televisions.

136. Upon information and belief, SANYO's acts of infringing the '087 patent have been willful and in deliberate disregard of Samsung's patent rights.

137. As a result of SANYO's infringement of the '087 patent, Samsung has suffered and will continue to suffer damages.

**JURY DEMAND**

138. Samsung demands a trial by jury on all issues.

**PRAYER FOR RELIEF**

WHEREFORE, Samsung respectfully requests entry of a judgment in its favor against defendants as follows:

- i) Declaring that AUO has directly and/or indirectly infringed the '375, '363, '537, '344, and '087 patents;
- ii) Declaring that Acer has directly and/or indirectly infringed the '375, '363, and '537 patents;
- iii) Declaring that BenQ has directly and/or indirectly infringed the '375, '363, '537, '344, and '087 patents;
- iv) Declaring that SANYO has directly and/or indirectly infringed the '363, '537, '344, and '087 patents;
- v) Awarding the damages arising out of defendants' infringement of Samsung's patents, including enhanced damages pursuant to 35 U.S.C. § 284, as well as any prejudgment and post-judgment interest, in an amount according to proof;
- vi) Permanently enjoining defendants and their respective officers, agents, employees, and those acting in privity with them, from further infringement,

- including contributory infringement and/or inducing infringement, of Samsung's Patents or in the alternative, a post-judgment royalty for post-judgment infringement;
- vii) Awarding of attorney's fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and
- viii) Awarding any such other costs and further relief as the Court may deem just and proper.

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Dated: June 18, 2011

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 18, 2011, I electronically filed a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing, and have served true and correct copies upon the following counsel of record at the address listed below in the manner indicated:

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