

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

SAXON INNOVATIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 6:09cv067
)	
SAMSUNG ELECTRONICS CO., LTD.,)	
a Korean Corporation,)	JURY TRIAL DEMANDED
)	
SAMSUNG ELECTRONICS AMERICA,)	
INC.,)	
a New York Corporation, and)	
)	
SAMSUNG TELECOMMUNICATIONS)	
AMERICA, LLC,)	
a Delaware Corporation,)	
)	
Defendants.)	

PLAINTIFF’S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Saxon Innovations, LLC (“Saxon”) alleges against Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC, (collectively, “Defendants”) as follows:

JURISDICTION

1. This action arises under the Patent Laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and § 1338(a).

VENUE

2. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 28 U.S.C. § 1400(b) because Saxon is incorporated in this judicial district, and is subject to personal jurisdiction here.

THE PARTIES

3. Plaintiff, Saxon Innovations, LLC (“Saxon”), is a Texas corporation. Saxon maintains corporate offices at 100 E. Ferguson, Suite 816, First Place, Tyler, TX 75702. Saxon is in the business of licensing technology related to communications products.

4. On information and belief, Samsung Electronics Co., Ltd. is a foreign corporation organized and existing under the laws of Korea, with its principal place of business located at 250, 2-ga, Taepyong-ro, Jung-gu, Seoul 100-742, Korea. On information and belief, Samsung Electronics America, Inc., is a corporation organized and existing under the laws of the State of New York, with its principal place of business located at 105 Challenger Road, Ridgefield Park, NJ 07660. On information and belief, Samsung Telecommunications America, LLP is a limited liability partnership organized and existing under the laws of the State of Delaware, with its principal place of business located at 1301 Lookout Drive, Richardson, Texas 75082. Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung Telecommunications America, LLP are referred to collectively herein as “Samsung.”

5. Samsung is in the business of making, offering for sale, selling and supporting a variety of personal and business communications devices including, but not limited to, cell phones, handheld computers and other wireless communications devices, wireless infrastructure and enterprise communications systems, as well as semiconductors used in such products and systems.

COUNT I

(Infringement of U.S. Patent No. 5,235,635)

20. On August 10, 1993, United States Patent No. 5,235,635 (the ‘635 Patent), for an invention entitled “Keypad Monitor with Keypad Activity-Based Activation,” was duly and legally issued by the United States Patent Office (a copy of the ‘635 patent is attached hereto as Exhibit A). Saxon is the owner of all rights, title, and interest in and to the ‘635 Patent.

21. On information and belief, Samsung has been and still is infringing, contributing to the infringement of, and/or inducing the infringement of the ‘635 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

22. Saxon has been damaged by Samsung’s infringement, which will continue unless enjoined by this Court.

COUNT II

(Infringement of U.S. Patent No. 5,530,597)

23. On June 25, 1996, United States Patent No. 5,530,597 (the ‘597 Patent), for an invention entitled “Apparatus and Method for Disabling Interrupt Masks in Processors or the Like,” was duly and legally issued by the United States Patent Office (a copy of the ‘597 patent is attached herewith as Exhibit B). Saxon is the owner of all rights, title, and interest in and to the ‘597 Patent.

24. On information and belief, Samsung has been and still is infringing, contributing to the infringement of, and/or inducing the infringement of the ‘597 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

25. Saxon has been damaged by Samsung's infringement, which will continue unless enjoined by this Court.

COUNT III

(Infringement of U.S. Patent No. 5,608,873)

26. On March 4, 1997, United States Patent No. 5,608,873 (the '873 Patent), for an invention entitled "Device and Method for Interprocessor Communication Using Mailboxes Owned by Processor Devices," was duly and legally issued by the United States Patent Office (a copy of the '873 patent is attached herewith as Exhibit C). Saxon is the owner of all rights, title, and interest in and to the '873 Patent.

27. On information and belief, Samsung has been and still is infringing, contributing to the infringement of, and/or inducing the infringement of the '873 Patent by making, selling, using, offering for sale, and/or importing into the United States products embodying the patented invention and will continue to do so unless enjoined by this Court.

28. Saxon has been damaged by Samsung's infringement, which will continue unless enjoined by this Court.

WHEREFORE, Saxon prays for judgment and relief as follows:

A. A preliminary and permanent injunction against Defendants' continued infringement, inducing of infringement, and contributing to infringement of the '635, '597, and/or '873 Patents (collectively the "Patents-In-Suit");

B. An award of damages in favor of Saxon and against Defendants sufficient to compensate Saxon for Defendants' infringement of the Patents-In-Suit, and an assessment of prejudgment interest and post-judgment interest;

C. A finding by the Court that this case is exceptional under 35 U.S.C. § 285;

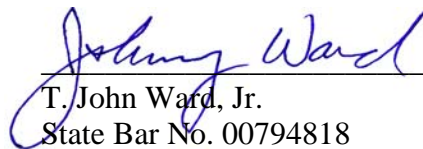
D. An award to Saxon of its reasonable expenses, including attorneys' fees and costs of this action; and

E. Such other and further relief as the Court finds just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Saxon hereby demands a trial by jury on all issues so triable.

Respectfully Submitted,



T. John Ward, Jr.
State Bar No. 00794818

WARD & SMITH LAW FIRM

111 W. Tyler Street
Longview, Texas 75601
Phone (903) 757-6400
Fax (903) 757-2323
E-mail: jw@jwfirm.com

Attorneys for Saxon Innovations, LLC

OF COUNSEL:

William D. Belanger
Aaron J. Levangie
Gregory D. Len
Pepper Hamilton LLP
15th Floor, Oliver Street Tower
125 High Street
Boston, MA 02110-2736
617.204.5100
617.204.5150 (facsimile)