

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

ANU IP, LLC	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. _____
v.	§	
	§	
	§	
OLYMPUS CORPORATION OF THE AMERICAS and OLYMPUS CORPORATION	§	
Defendants	§	JURY TRIAL DEMANDED

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff Anu IP LLC respectfully files this Original Complaint for patent infringement against Defendants Olympus Corporation of the Americas and Olympus Corporation.

PARTIES

1. Plaintiff Anu IP LLC (“Anu”) is a limited liability company organized under the laws of the State of Texas, with its principal place of business at 3301 W. Marshall Ave., Suite 303, Longview, Texas 75601.
2. Defendant Olympus Corporation of the Americas is a New York corporation with a principal place of business at 3500 Corporate Parkway, Center Valley, Pennsylvania 18034.
3. Defendant Olympus Corporation is a corporation organized under the laws of Japan with a principal place of business at Shinjuku Monolith, 3-1 Nishi-Shinjuku 2-chome, Shinjuku-ku, Tokyo 163-0914, Japan.

4. Defendants may be served with process through registered agent, F. Mark Gumz, CEO, 3500 Corporate Parkway, Center Valley, PA 18034.

JURISDICTION AND VENUE

5. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 271, *et seq.*

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and 1400(b).

FACTS

8. Plaintiff is a Marshall, Texas-based company that owns U.S. Patent No. 6,979,210 (“the ‘210 patent”). The ‘210 patent is attached as *Exhibit A*.

9. The ‘210 patent relates to memory storage devices that contain retractable USB (universal serial bus) connectors.

10. The ‘210 patent is valid and enforceable.

11. Defendants manufacture, import, sell, and offer for sale products that infringe the ‘210 patent, including but not limited to the WS-700M Digital Voice Recorder.

12. Defendants have engaged in acts of direct infringement in this judicial district.

CAUSE OF ACTION

A. Infringement of the ‘210 Patent

13. Plaintiff incorporates the foregoing paragraphs as if fully set forth here.

14. Defendants have been, and are now, directly infringing the ‘210 patent in the State of Texas, in this judicial district, and elsewhere within the United States by, among other

things, selling, offering for sale, or importing products and services covered by one or more claims of the '210 patent, all to the injury of Plaintiff.

15. Defendants acts of infringement have been willful, deliberate, and in reckless disregard of Plaintiff's patent rights, and will continue unless permanently enjoined by this Court.

16. Plaintiff has been damaged by Defendants infringement of the '210 patent in an amount to be determined at trial, and has suffered and will continue to suffer irreparable loss and injury unless Defendants are permanently enjoined from infringing the '210 patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Anu IP LLC respectfully prays for the following relief against Defendants Olympus Corporation of the Americas and Olympus Corporation.

- A. A judgment in favor of Plaintiff that Defendants have infringed the '210 patent;
- B. A permanent injunction, enjoining Defendants, along with its officers, directors, agents, servants, employees, affiliates, divisions, branches, subsidiaries, and parents from infringing, inducing the infringement of, or contributing to the infringement of the '210 patent;
- C. A judgment and order requiring Defendants to pay Plaintiff damages for its infringement of the '210 patent, together with interest (both pre- and post-judgment), costs and disbursements as fixed by this Court under 35 U.S.C. § 284;
- D. A judgment and order finding Defendants infringement willful and awarding treble the amount of damages and losses sustained by Plaintiff as a result of Defendants infringement under 35 U.S.C. § 284;
- E. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and

F. Such other and further relief in law or in equity to which Plaintiff may be justly entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of any and all issues triable of right before a jury.

Respectfully submitted,

/s/ Andrew W. Spangler
Andrew W. Spangler
SPANGLER & FUSSELL P.C.
208 N. Green Street, Suite 300
Longview, Texas 75601
(903) 753-9300
(903) 553-0403 (facsimile)
spangler@sfipfirm.com

James A. Fussell III
SPANGLER & FUSSELL P.C.
211 N. Union St., Ste. 100
Alexandria, Virginia 22314
(903) 753-9300
(903) 553-0403 (facsimile)
fussell@sfipfirm.com

Demetrios Anaipakos
AHMAD, ZAVITSANOS, ANAIPAKOS, ALAVI & MENSING,
P.C.
danaipakos@azalaw.com
Fed. I.D. No. 20323
State Bar No. 00793258
Amir Alavi
aalavi@azalaw.com
Fed. I.D. No. 00919
State Bar No. 00793239
Steven J. Mitby
smitby@azalaw.com
Fed. I.D. No. 33591
State Bar No. 24037123
1221 McKinney Street, Suite 3460
Houston, Texas 77010

Telephone: 713-655-1101
Facsimile: 713-655-0062

ATTORNEYS FOR PLAINTIFF