

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

NORMAN IP HOLDINGS, LLC,	§	
	§	
Plaintiff,	§	Civil Action No. 6:12-cv-488
	§	
v.	§	<b>Jury Trial Demanded</b>
	§	
PORSCHE CARS NORTH AMERICA, INC.	§	
	§	
Defendant.	§	

**PLAINTIFF’S ORIGINAL COMPLAINT**

Norman IP Holdings, LLC (“Norman”), by and through its attorneys, for its Original Complaint against Defendant Porsche Cars North America, Inc. (“Porsche”), hereby alleges as follows:

**I. NATURE OF THE ACTION**

1. This is a patent infringement action to end Defendant’s unauthorized and infringing manufacture, use, sale, offering for sale, and/or importation of methods and products incorporating Plaintiff Norman’s patented inventions.

2. Norman is owner of all right, title, and interest in and to: United States Patent No. 5,530,597 (the “597 Patent”), issued on June 25, 1996, for “Apparatus and Method for Disabling Interrupt Masks in Processors or the Like”; United States Patent No. 5,502,689 (the “689 Patent”), issued March 26, 1996, for “Clock Generator Capable of Shut-Down Mode and Clock Generation Method”; United States Patent No. 5,592,555 (the “555 Patent”), issued January 7, 1997, for “Wireless Communications Privacy Method and System”; United States

Patent No. 5,608,873 (the “873 Patent”), issued March 4, 1997, for “Device and Method for Interprocessor Communication Using Mailboxes Owned by Processor Devices”; and United States Patent No. 5,771,394 (the “394 Patent”), issued June 23, 1998, for “Apparatus Having Signal Processors for Providing Respective Signals to Master Processor to Notify that Newly Written Data can be Obtained from One or More Memories” (collectively, the “Patents”). True and correct copies of the Patents are attached hereto as Exhibits 1–5.

3. Defendant manufactures, provides, sells, offers for sale, imports, and/or distributes infringing products and services; and/or induces others to make and use its products and services in an infringing manner; and/or contributes to the making and use of infringing products and services by others, including their customers, who directly infringe the Patents.

4. Plaintiff Norman seeks injunctive relief to prevent Defendant from continuing infringement of Plaintiff’s valuable patent rights. Plaintiff Norman further seeks monetary damages and prejudgment interest for Defendant’s past infringement of the Patents.

5. This is an exceptional case, and Norman is entitled to damages, enhanced damages, attorneys’ fees, costs, and expenses.

## **II. THE PARTIES**

6. Plaintiff Norman is a corporation organized and existing under the laws of the State of Texas, with its principal place of business located at 100 E. Ferguson, Suite 816, Tyler, Texas 75702.

7. Upon information and belief, Defendant Porsche Cars North America, Inc. is a Delaware corporation with its principal place of business located at 980 Hammond Drive, Suite 1000, Atlanta, Georgia 30328. Upon information and belief, Porsche Cars North America, Inc. is authorized to do business in Texas and has appointed CT Corporation System, 350 N. St. Paul

### **III. JURISDICTION AND VENUE**

8. This is an action for patent infringement which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§271, 281, 283, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§1331 and 1338(a).

9. This Court has personal jurisdiction over Defendant, and venue is proper in this Court pursuant to 28 U.S.C. §§1391(b), (c), and 1400.

### **IV. PLAINTIFF'S PATENTS**

10. The '597 Patent discloses an interrupt enable circuit to enable and disable the interrupt at any time except under certain conditions, at which time the system can override the interrupt mask. Electronic devices practicing the inventions claimed in the '597 Patent can exit certain processes or states without using a hardware reset and thus protect against unnecessary information loss. Further, through the use of the inventions claimed in the '597 Patent, such electronic devices can prevent situations where the processor is locked in a certain state because all interrupts were masked by software when the processor entered such state.

11. The '689 Patent discloses a clock generator and interrupt bypass circuit for use in reducing the power consumption of the electrical system in which they are implemented. The clock generator may provide module clock signals for sequencing modules within the same electrical system, and is capable of generating those module clock signals when in an active mode, and of not generating those module clock signals when in a stand-by mode. The clock generator is further capable of providing a delay of a predetermined length from a request to enter shut-down mode to actual entry into shut-down mode, allowing time to prepare the

electrical system for shut-down mode. The interrupt bypass circuit may provide a means of leaving shut-down mode in the event that the relevant interrupt requests have been masked.

12. The '555 Patent discloses a system and method for processing and securing communication signals over a wireless communications network. An enciphering algorithm may be programmatically selected and applied to the signals for secure transmission.

13. The '873 Patent discloses a device and method for providing inter-processor communication in a multi-processor architecture. A post office RAM has a plurality of mailboxes. Each mailbox is write accessible by one port, but is read-accessible by the other ports. Thus, a processor device on a port has write-access to one mailbox, but can read the other mailboxes in the post office. A transmitting processor communicates with a receiving processor, by utilizing the post office. The transmitting processor writes information into its own mailbox, and signals a receiving processor. The receiving processor determines which of the processor devices signaled it, and reads the information in the transmitting processor's mailbox.

14. The '394 Patent discloses a servo loop control apparatus having a master microprocessor and at least one autonomous streamlined signal processor is disclosed. The architecture provides a general purpose controller for use in systems where intensive servo signal processing is required and is well suited to applications where multiple servo control loops operate simultaneously. The operation of the streamlined signal processors is autonomous from the master processor so that critical functions can be dedicated to the streamlined signal processors. This eliminates complex interrupt management and tedious real time scheduling constraints, simplifies system design and improves system performance. The architecture provides an integrated mechanism for implementing multiple, concurrent, complex signal

processing and embedded control functions, such as complete servo-mechanism management for high performance disk storage systems.

15. Norman has obtained all substantial right and interest to the Patents, including all rights to recover for all past and future infringements thereof.

#### **V. LICENSING RELATED TO THE PATENTS**

16. On February 1, 2010, Saxon Innovations, LLC (“Saxon”) assigned to Norman IP Holdings LLC all right, title, and interest in the Patents.

17. Norman’s business includes acquisition and licensing of intellectual property. In that regard, Norman and its predecessors in interest have licensed the Patents to dozens of Fortune 500 companies, directly and indirectly. Norman has also entered into numerous settlement agreements in connection with litigation in the Eastern District of Texas and in the International Trade Court.

#### **VI. DEFENDANT’S ACTS**

18. Porsche manufactures, provides, sells, offers for sale, and/or distributes infringing systems. The infringing Porsche systems include, for example, Porsche infotainment systems (*e.g.*, Porsche infotainment systems containing multimedia chipsets, for example, the Porsche Communication Management (PCM) 3.1 found in the 2012 991 Porsche 911 Carrera (which incorporates an ARM Cortex A9); PCM equipped in other Porsche vehicles, including other variants of the 911); cellular and 802.11-compliant chipsets associated with telematics functionality (*e.g.*, the chipset associated with the quad-band GSM telephone module within the Porsche Communication Management system; online service access via PCM); safety systems (*e.g.*, Lane Change Assist; Central Locking System); automotive navigation systems (*e.g.*, Harman factory-installed navigation systems); automotive microcontrollers (*e.g.*, Bosch ME and

MED engine control units; ARM, MIPS, Freescale, ST, or Infineon embedded processors); and similar products. With knowledge of the Patents, Porsche provides related services, specifications, and instructions for the installation and infringing operation of such systems to its customers, who directly infringe.

19. Moreover, at least since the filing of this Complaint, Porsche, without the permission of Norman, has been and is presently indirectly infringing the Patents through the provision of infringing systems, including actively inducing infringement of the Patents under 35 U.S.C. § 271(b) and contributing of the infringement of the Patents under 35 U.S.C. § 271(c). Such indirect infringements include, without limitation, with specific intent to encourage the infringement, knowingly inducing customers by providing related services, specifications, and instructions for the installation and infringing operation of such systems to its customers.

20. Through its actions, Porsche has infringed the '689 Patent, '597 Patent, '555 Patent, '873 Patent, and '394 Patent and actively induced others to infringe and contributed to the infringement by others of the '689 Patent, '597 Patent, '555 Patent, '873 Patent, and '394 Patent throughout the United States.

21. Norman has been and will continue to suffer damages as a result of Defendant Porsche's infringing acts unless and until enjoined.

**COUNT ONE**

**PATENT INFRINGEMENT—U.S. PATENT NO. 5,530,597**

22. Plaintiff Norman realleges and incorporates herein paragraphs 1–21.

23. Defendant Porsche has infringed the '597 Patent.

24. Porsche has indirectly infringed the '597 Patent by inducing the infringement of the '597 Patent and contributing to the infringement of the '597 Patent.

25. Upon information and belief, Porsche has jointly infringed the '597 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

26. Porsche's aforementioned acts have caused damage to Norman and will continue to do so unless and until enjoined.

**COUNT TWO**

**PATENT INFRINGEMENT—U.S. PATENT NO. 5,502,689**

27. Plaintiff Norman realleges and incorporates herein paragraphs 1–21.

28. Defendant Porsche has infringed the '689 Patent.

29. Porsche has indirectly infringed the '689 Patent by inducing the infringement of the '689 Patent and contributing to the infringement of the '689 Patent.

30. Upon information and belief, Porsche has jointly infringed the '689 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

31. Porsche's aforementioned acts have caused damage to Norman and will continue to do so unless and until enjoined.

**COUNT THREE**

**PATENT INFRINGEMENT—U.S. PATENT NO. 5,592,555**

32. Plaintiff Norman realleges and incorporates herein paragraphs 1–21.

33. Defendant Porsche has infringed the '555 Patent.

34. Porsche has indirectly infringed the '555 Patent by inducing the infringement of the '555 Patent and contributing to the infringement of the '555 Patent.

35. Upon information and belief, Porsche has jointly infringed the '555 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

36. Porsche's aforementioned acts have caused damage to Norman and will continue to do so unless and until enjoined.

**COUNT FOUR**

**PATENT INFRINGEMENT—U.S. PATENT NO. 5,608,873**

37. Plaintiff Norman realleges and incorporates herein paragraphs 1–21.

38. Defendant Porsche has infringed the '873 Patent.

39. Porsche has indirectly infringed the '873 Patent by inducing the infringement of the '873 Patent and contributing to the infringement of the '873 Patent.

40. Upon information and belief, Porsche has jointly infringed the '873 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

41. Porsche's aforementioned acts have caused damage to Norman and will continue to do so unless and until enjoined.



**COUNT FIVE**  
**PATENT INFRINGEMENT—U.S. PATENT NO. 5,771,394**

42. Plaintiff Norman realleges and incorporates herein paragraphs 1–21.

43. Defendant Porsche has infringed the '394 Patent.

44. Porsche has indirectly infringed the '394 Patent by inducing the infringement of the '394 Patent and contributing to the infringement of the '394 Patent.

45. Upon information and belief, Porsche has jointly infringed the '394 Patent, including by controlling and/or directing others to perform one or more of the claimed method steps.

46. Porsche's aforementioned acts have caused damage to Norman and will continue to do so unless and until enjoined.

**VII. JURY DEMAND**

31. Plaintiff Norman hereby demands a jury on all issues so triable.

**VIII. REQUEST FOR RELIEF**

WHEREFORE, Plaintiff Norman respectfully requests that the Court:

- A. Enter judgment that Defendant infringes one or more claims of the Patents literally and/or under the doctrine of equivalents;
- B. Permanently enjoin Defendant, its agents, servants, and employees, and all those in privity with Defendant or in active concert and participation with Defendant, from engaging in acts of infringement of the Patents;
- C. Award Plaintiff Norman past and future damages together with prejudgment and post-judgment interest to compensate for the infringement by Defendant of the Patents in accordance with 35 U.S.C. §284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. §284;

- D. Declare this case exceptional pursuant to 35 U.S.C. §285; and
- E. Award Plaintiff Norman its costs, disbursements, attorneys' fees, and such further and additional relief as is deemed appropriate by this Court.

Respectfully submitted,

Dated: July 31, 2012

By: /s/ Chester J. Shiu  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by formal service of process on this the 31<sup>st</sup> day of July, 2012. Parties not of record are being served with process in accordance with Fed. R. Civ. P. 4.

/s/ Chester J. Shiu