



Communications is the parent company to InterDigital Technology.

3. Defendant, Samsung Electronics Co., Ltd. (“Samsung Electronics”), is a Korean corporation, having its principal place of business at Samsung Main Building, 250, Taepyung-ro 2-ka, Chueng-ku, Seoul 100-742 Korea.

4. Defendant, Samsung Electronics America, Inc. (“SEA”), is a New York corporation, having its principal place of business at 105 Challenger Road, Ridgefield Park, New Jersey 07660. SEA is a wholly owned subsidiary of Samsung Electronics.

5. Defendant, Samsung Telecommunications America LLC (“STA”), is a Delaware corporation, having its principal place of business at 1301 Lookout Drive, Richardson, Texas 75082. STA is a wholly own subsidiary of Samsung Electronics. Upon information and belief, Samsung Telecommunications America LLP converted to Samsung Telecommunications America LLC on December 27, 2006.

#### **JURISDICTION AND VENUE**

6. This is an action for patent infringement arising under the patent laws of the United States. This Court has jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

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

#### **FACTUAL BACKGROUND**

8. United States Letters Patent No. 7,117,004 (“the ’004 patent”), entitled “Method and Subscriber Unit for Performing an Access Procedure,” issued on October 3, 2006, to inventors Fatih Ozluturk and Gary Lomp. InterDigital Technology owns by assignment the entire right, title, and interest in and to the ’004 patent. A true and correct copy of the ’004 patent is attached to this Second Amended Complaint as Exhibit A.

9. United States Letters Patent No. 6,674,791 (“the ’791 patent”), entitled “Automatic Power Control System for a Code Division Multiple Access (CDMA) Communications System,” issued on January 6, 2004, to inventors Gary Lomp, Fatih Ozluturk, and John Kowalski. InterDigital Technology owns by assignment the entire right, title, and interest in and to the ’791 patent. A true and correct copy of the ’791 patent is attached to this Second Amended Complaint as Exhibit B.

10. United States Letters Patent No. 6,973,579 (“the ’579 patent”), entitled “Generation of User Equipment Identification Specific Scrambling Code for the High Speed Shared Control Channel,” issued on December 6, 2005, to inventors Stephen G. Dick, Nader Boulourchi, and Sung-Hyuk Shin. InterDigital Technology owns by assignment the entire right, title, and interest in and to the ’579 patent. A true and correct copy of the ’579 patent is attached to this Second Amended Complaint as Exhibit C.

11. United States Letters Patent No. 7,190,966 (“the ’966 patent”), entitled “Method and Apparatus for Performing an Access Procedure,” issued on March 13, 2007, to inventors Fatih Ozluturk and Gary R. Lomp. InterDigital Technology owns by assignment the entire right, title, and interest in and to the ’966 patent. A true and correct copy of the ’966 patent is attached to this Second Amended Complaint as Exhibit D.

12. United States Patent No. 7,286,847 (“the ’847 patent”), titled “Method and Apparatus for Performing Access Procedure” issued on October 23, 2007, to inventors Fatih Ozluturk and Gary R. Lomp. InterDigital Technology owns by assignment the entire right, title, and interest in and to the ’847 patent. A true and correct copy of the ’847 patent is attached to this Second Amended Complaint as Exhibit E.

**FIRST CAUSE OF ACTION**  
**INFRINGEMENT OF U.S. PATENT NO. 7,117,004**

13. The '004 patent is presumed valid under 28 U.S.C. § 282, and remains enforceable.

14. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell products in the United States that infringe the '004 patent, and will continue to do so unless enjoined by this Court.

15. On information and belief, the Samsung Defendants manufacture, import, offer to sell, and/or sell in the United States the following Third Generation ("3G") Wideband Code Division Multiple Access ("WCDMA") handsets and components thereof that infringe the '004 patent: (1) SGH-ZX20, (2) SGH-i607 (sometimes referred to as the "Blackjack"), (3) SGH-A707 (sometimes referred to as the "Sync"), and (4) SGH-ZX10. The identification of these specific models is not intended to limit the scope of the Second Amended Complaint, and any remedy should extend to all infringing models.

16. The Samsung Defendants' past and continuing infringements of the '004 patent have caused irreparable damage to InterDigital, and will continue to do so unless enjoined by this Court.

**SECOND CAUSE OF ACTION**  
**INFRINGEMENT OF U.S. PATENT NO. 6,674,791**

17. The '791 patent is presumed valid under 28 U.S.C. § 282, and remains enforceable.

18. On information and belief, the Samsung Defendants manufacture, import, offer for sale, and/or sell products in the United States that infringe the '791 patent, and will continue to do so unless enjoined by this Court.

19. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell in the United States the following Third Generation (“3G”) Wideband Code Division Multiple Access (“WCDMA”) handsets and components thereof that infringe the ’791 patent: (1) SGH-ZX20, (2) SGH-i607 (sometimes referred to as the “Blackjack”), (3) SGH-A707 (sometimes referred to as the “Sync”), and (4) SGH-ZX10. The identification of these specific models is not intended to limit the scope of the Second Amended Complaint, and any remedy should extend to all infringing models.

20. The Samsung Defendants know or should have known of InterDigital’s rights in the ’791 patent, and their infringement of the ’791 patent has been willful and deliberate.

21. The Samsung Defendants’ past and continuing infringements of the ’791 patent have caused irreparable damage to InterDigital, and will continue to do so unless enjoined by this Court.

**THIRD CAUSE OF ACTION**  
**INFRINGEMENT OF U.S. PATENT NO. 6,973,579**

22. The ’579 patent is presumed valid under 28 U.S.C. § 282, and remains enforceable.

23. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell products in the United States that infringe the ’579 patent, and will continue to do so unless enjoined by this Court.

24. On information and belief, the Samsung Defendants manufacture, import, offer for sale, and/or sell in the United States the following Third Generation (“3G”) Wideband Code Division Multiple Access (“WCDMA”) handsets and components thereof that infringe the ’579 patent: (1) SGH-ZX20, (2) SGH-i607 (sometimes referred to as the “Blackjack”), and (3) SGH-A707 (sometimes referred to as the “Sync”). The identification of these specific models is not

intended to limit the scope of the Second Amended Complaint, and any remedy should extend to all infringing models.

25. The Samsung Defendants know or should have known of InterDigital's rights in the '579 patent, and their infringement of the '579 patent has been willful and deliberate.

26. The Samsung Defendants' past and continuing infringements of the '579 patent have caused irreparable damage to InterDigital, and will continue to do so unless enjoined by this Court.

**FOURTH CAUSE OF ACTION**  
**INFRINGEMENT OF U.S. PATENT NO. 7,190,966**

27. The '966 patent is presumed valid under 28 U.S.C. § 282, and remains enforceable.

28. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell products in the United States that infringe the '966 patent, and will continue to do so unless enjoined by this Court.

29. On information and belief, the Samsung Defendants manufacture, import, offer to sell, and/or sell in the United States the following Third Generation ("3G") Wideband Code Division Multiple Access ("WCDMA") handsets and components thereof that infringe the '004 patent: (1) SGH-ZX20, (2) SGH-i607 (sometimes referred to as the "Blackjack"), (3) SGH-A707 (sometimes referred to as the "Sync"), and (4) SGH-ZX10. The identification of these specific models is not intended to limit the scope of the Second Amended Complaint, and any remedy should extend to all infringing models.

30. The Samsung Defendants' past and continuing infringements of the '966 patent have caused irreparable damage to InterDigital, and will continue to do so unless enjoined by this Court.

**FIFTH CAUSE OF ACTION**  
**INFRINGEMENT OF U.S. PATENT NO. 7,286,847**

31. The '847 patent is presumed valid under 28 U.S.C. § 282 and remains enforceable.

32. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell products in the United States that infringe the '847 patent and will continue to do so unless enjoined by this Court.

33. On information and belief, the Samsung Defendants manufacture, use, import, offer for sale, and/or sell in the United States the following Third Generation ("3G") Wideband Code Division Multiple Access ("WCDMA") handsets and components thereof that infringe the '847 patent: (1) SGH-ZX20, (2) SGH-i607 (sometimes referred to as the "Blackjack"), (3) SGH-A707 (sometimes referred to as the "Sync") and (4) SGH-ZX10. The identification of these specific models is not intended to limit the scope of the Second Amended Complaint, and any remedy should extend to all infringing models.

34. The Samsung Defendants' infringement of the '847 patent will cause irreparable damage to InterDigital, and will continue to do so unless enjoined by this Court.

**PRAYER FOR RELIEF**

35. WHEREFORE, InterDigital respectfully requests that this Court:

- (a) Find that the Samsung Defendants have infringed one or more claims of the '004 patent, the '791 patent, the '579 patent, the '966 patent and the '847 patent;
- (b) Find that this is an exceptional case under 35 U.S.C. § 285;
- (c) Preliminarily and permanently enjoin the Samsung Defendants from infringing

the '004 patent, the '791 patent, the '579 patent, the '966 patent and the '847 patent under 35 U.S.C. § 283;

(d) Award InterDigital an amount to be determined as compensatory damages for the infringement of the '004 patent, the '791 patent, the '579 patent, the '966 patent and the '847 patent and the costs of the action, as fixed by the Court, under 35 U.S.C. § 284;

(e) Treble the damages resulting from the Samsung Defendants' willful and deliberate infringement of the '791 patent and the '579 patent under 35 U.S.C. § 284;

(f) Award InterDigital its costs, including expenses and reasonable attorneys' fees, incurred in bringing and prosecuting this action under 35 U.S.C. § 285;

(g) Award InterDigital prejudgment and post judgment interest on all amounts awarded; and

(h) Award InterDigital any further relief that this Court deems just and proper.

**JURY DEMAND**

36. InterDigital demands a jury trial as to all issues that are triable by a jury in this action.

Dated: November 2, 2007

/s/ Richard K. Herrmann  
Richard K. Herrmann #405  
MORRIS JAMES LLP  
500 Delaware Avenue, Suite 1500  
Wilmington, Delaware 19801  
(302) 888-6800  
rherrmann@morrisjames.com



OF COUNSEL:

Patrick J. Coyne  
Christopher P. Isaac  
Lionel M. Lavenue  
Houtan K. Esfahani  
Rajeev Gupta  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
901 New York Avenue, N.W.  
Washington, DC 20001-4413  
(202) 408-4000

Attorneys for Plaintiffs,  
INTERDIGITAL COMMUNICATIONS, LLC  
and INTERDIGITAL TECHNOLOGY CORP.