

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOCKETED

FEB 9 - 2004

WILLIAM REBER, L.L.C. )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SAMSUNG ELECTRONICS AMERICA, )  
 INC., SAMSUNG ELECTRONICS CO., )  
 LTD., NOKIA INC., NOKIA )  
 CORPORATION, SANYO NORTH )  
 AMERICA CORPORATION and )  
 SANYO ELECTRIC CO., LTD., )  
 )  
 Defendants. )

Civil Action No. 03 C 4174

Honorable Samuel Der-Yeghiayan  
Magistrate Judge Morton Denlow

FILED

FEB 7 6 2004

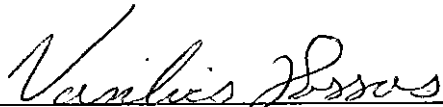
MICHAEL W. DOSSAS  
CLERK, U.S. DISTRICT COURT

**NOTICE OF FILING**

TO: See Certificate of Service

PLEASE TAKE NOTICE that on **February 6, 2004** we caused to be filed in the United States District Court for the Northern District of Illinois, Eastern Division, **SECOND AMENDED COMPLAINT**, a copy of which is attached hereto and hereby served upon you.

WILLIAM REBER, L.L.C.



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 SAMSUNG ELECTRONICS AMERICA, )  
 INC.; SAMSUNG ELECTRONICS CO., )  
 LTD.; NOKIA INC.; NOKIA )  
 CORPORATION; SANYO NORTH )  
 AMERICA CORPORATION; )  
 SANYO ELECTRIC CO., LTD.; )  
 MATSUSHITA ELECTRIC )  
 CORPORATION OF AMERICA; )  
 MATSUSHITA ELECTRIC )  
 INDUSTRIAL CO., LTD.; )  
 SONY ERICSSON MOBILE )  
 COMMUNICATIONS (USA) INC.; )  
 SONY ERICSSON MOBILE )  
 COMMUNICATIONS AB; )  
 LG ELECTRONICS U.S.A., INC.; )  
 LG ELECTRONICS INC.; and )  
 LG INFOCOMM U.S.A., INC., )  
 )  
 Defendants. )

Civil Action No. : 03 C 4174

**JURY TRIAL DEMANDED**

Honorable Samuel Der-Yeghtayan  
Magistrate Judge Morton Denlow

FILED

FEB 16 2004

MICHAEL V. JOHNSON  
CLERK, U.S. DISTRICT COURT

**SECOND AMENDED COMPLAINT**

Plaintiff, William Reber, L.L.C. ("Reber"), complains of defendants, Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd. (collectively "Samsung"); Nokia Inc. and Nokia Corporation (collectively "Nokia"); Sanyo North America Corporation and Sanyo Electric Co., Ltd. (collectively "Sanyo"); Matsushita Electric Corporation of America and Matsushita Electric Industrial Co., Ltd. (collectively "Matsushita"); Sony Ericsson Mobile Communications (USA) Inc. and Sony Ericsson Mobile Communications

AB (collectively "Sony Ericsson"); and LG Electronics U.S.A., Inc., LG Electronics Inc. and LG InfoComm U.S.A., Inc. (collectively "LG Electronics") as follows:

### **NATURE OF LAWSUIT**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

### **PARTIES**

2. Reber is an Illinois limited liability company having a principal place of business in this judicial district at 2812 Deerfield Lane, Rolling Meadows, Illinois 60008.

3. Reber owns and has standing to sue for infringement of United States Patent Nos. 5,584,070 and 5,701,258 (collectively the "Reber Patents").

4. Samsung Electronics America, Inc. is a New York corporation having a principal place of business at 105 Challenger Road, #1, Ridgefield Park, NJ 07660. Samsung Electronics America, Inc. also has offices in this judicial district at 2895 Greenspoint Parkway, Hoffman Estates, IL 60195 and at 2707 Butterfield Rd., Oak Brook, Illinois 60523.

5. Samsung Electronics Co., Ltd. is a Korean corporation having a principal place of business at 250, 2-ga, Taepyung-ro, Chung-gu, Seoul 100-742, Republic of Korea.

6. Nokia Inc. is a Delaware corporation, having a principal place of business located at 6011 Connection Drive, Irving, Texas, 75039. Nokia Inc. has a registered agent

in this judicial district, National Registered Agents, Inc., at 208 S. LaSalle St., Suite 1855, Chicago, Illinois 60604.

7. Nokia Corporation is a Finnish corporation with a principal place of business located at Keilalahdentie 4, P.O. Box 226, FIN-00045 Nokia Group, Espoo, Finland.

8. Sanyo North America Corporation is a Delaware corporation having a principal place of business at 2055 Sanyo Avenue, San Diego, CA 92154. Sanyo North America Corporation has a registered agent in this judicial district, United States Corporation Co., at 33 North LaSalle Street, Chicago, Illinois 60602.

9. Sanyo Electric Co. Ltd. is a Japanese corporation with a principal place of business at Sanyo Electric Co., Ltd. 1-1 Sanyo-cho, Daito City, Osaka 574-8534 Japan.

10. Matsushita Electric Corporation of America is a Delaware corporation with a principal place of business at One Panasonic Way, Secaucus, New Jersey 07094. Matsushita Electric Corporation of America has a registered agent in this judicial district, CT Corporation System, 208 So. LaSalle St. Suite 814, Chicago Illinois 60604-1101.

11. Matsushita Electric Industrial Co., Ltd. is a Japanese corporation with a principal place of business at Matsushita Electric Industrial Co., Ltd., 1006, Kadoma, Kadoma City, Osaka 571-8501, Japan.

12. Sony Ericsson Mobile Communications (USA) Inc. is a Delaware corporation with a principal place of business at 7001 Development Drive, Research Triangle Park, North Carolina 27709.

13. Sony Ericsson Mobile Communications AB is a equally-owned joint venture between Ericsson Division Consumer Products and Sony Digital Telecommunication

Network Company with a principal place of business at Sony Ericsson House, 202 Hammersmith Road, London W67DN UK.

14. LG Electronics U.S.A., Inc. is Delaware corporation with a principal place of business at 1000 Sylvan Avenue, Englewood Cliffs, N.J. 07632. LG Electronics U.S.A., Inc. has a registered agent in this judicial district, United States Corporation Co., 33 North LaSalle St., Chicago, Illinois 60602-2607.

15. LG Electronics Inc. is a Korean corporation with a principal place of business at LG Twin Towers 20, Yoido-dong, Youngdungpo-gu, Seoul 150-721, Korea. LG Electronics Inc. has a registered agent in this judicial district, Jay Lim, 6133 N. River Road, STE 1100, Rosemont, Illinois 60018-0000.

16. LG InfoComm U.S.A., Inc. is a Delaware corporation with a principal place of business at 10225 Willow Creek Road, San Diego, California 92131. LG InfoComm U.S.A., Inc. has a registered agent in California, Keon Young Hwang, at the Willow Creek Road address.

#### VENUE

17. Venue is proper in this judicial district under 28 U.S.C. §1400(b). The defendants transact business in this judicial district by selling infringing products in such a way as to directly reach and interact with customers in this judicial district. Samsung has sold the V205, A600 and VGA1000 camera-phones and the SPH-N400, SPH-A500 and SPH-i330 cellular telephones with a camera attachment in this judicial district. Nokia has sold the 3650 camera-phone in this judicial district. Sanyo has sold the SCP-5300 and SCP-8100 camera-phones in this judicial district. Matsushita has sold the Panasonic GU87 camera-phone in this judicial district. Sony Ericsson has sold the T33, T68i and

T68ie cellular telephones coupled to the MCA-25 mobile camera in this judicial district and also has sold the T610 camera-phone in this judicial district. LG Electronics has sold the VX6000 camera-phone in this judicial district.

**CLAIMS**

18. Defendants have infringed and continue to infringe United States Patent No. 5,701,258 through among other activities, the manufacture, use, importation, sale and/or offer for sale of cellular telephones covered by at least one claim of United States Patent No. 5,701,258. Defendants have also infringed and continue to infringe United States Patent No. 5,701,258 by actively inducing others to infringe with specific intent and by contributing to the infringement by others by the use, sale and/or offer for sale of the infringing cellular telephones. The infringement that has occurred is at least of the following claims through commercialization of at least the following model phones:

	<b><i>Claims of '258 Patent</i></b>	<b><i>Model Nos.</i></b>
Samsung	1, 2, 9, 11, 12, 13, 15, 33	V205
	1, 2, 3, 9, 11, 12, 13, 15, 33	A600, VGA1000
Nokia	1, 2, 3, 9, 11, 12, 13, 15, 25, 33	3650
Sanyo	1, 2, 3, 9, 11, 12, 13, 15, 25, 33	SCP-8100
	1, 2, 9, 11, 12, 13, 15, 25, 33	SCP-5300
Matsushita (Panasonic)	1, 2, 3, 9, 11, 12, 13, 15, 25, 33	GU87
Sony Ericsson	1, 2, 3	T610, T300, T68i, T68ie, T606
LG Electronics	1, 2, 3, 9, 11, 12, 13, 15, 33	VX6000

19. Samsung has also infringed and continues to infringe United States Patent No. 5,584,070 by, among other activities, the manufacture, use, importation, sale and/or

offer for sale of cellular telephones covered by at least claims 15, 16 and 18 of the '070 patent, by actively and with the specific intent of inducing others to infringe and by contributing to the infringement by others by the use, sale and/or offer for sale of infringing cellular telephones, such as the SPH-N400, SPH-A500 and SPH-i330 cellular telephones with a camera attachment.

20. Sony Ericsson has also infringed and continues to infringe United States Patent No. 5,584,070 by, among other activities, the manufacture, use, importation, sale and/or offer for sale of cellular telephones covered by at least claims 15, 16 and 18 of the '070 patent, by actively and with the specific intent of inducing others to infringe and by contributing to the infringement by others by the use, sale and/or offer for sale of infringing cellular telephones, such as the T300, T68i, T68ie, T606, coupled to MCA-25 mobile camera.

21. Each defendant's infringement, contributory infringement and/or inducement to infringe has injured Reber, and Reber is entitled to recover damages adequate to compensate Reber for such infringement, but in no event less than a reasonable royalty.

22. Each defendant's infringement, contributory infringement and/or inducement to infringe has injured and will continue to injure Reber, unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further importation, manufacture, use, sale and/or offer for sale of products that are within the scope of the Reber Patents.

### **RELIEF**

WHEREFORE, Reber asks this Court to enter judgment against defendants, separately and jointly, and against their subsidiaries, affiliates, agents, servants,

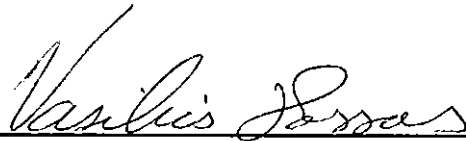
employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate Reber for the infringement that has occurred, together with prejudgment interest from the date infringement of the Reber Patents began;
- B. an award to Reber of all remedies available to it under 35 U.S.C. §§ 284 and 285;
- C. a permanent injunction prohibiting further infringement of the Reber Patents; and
- D. such other and further relief as this Court or jury may deem proper and just.

**JURY DEMAND**

Plaintiff Reber demands a trial by jury on all issues presented in this Complaint.

WILLIAM REBER, L.L.C.



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181 West Madison Street, Suite 4600  
Chicago, Illinois 60602  
(312) 236-0733

Attorney for Plaintiff



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing **SECOND AMENDED COMPLAINT** was served in the manner indicated below upon the below listed counsel of record on this 6 day of February, 2004.

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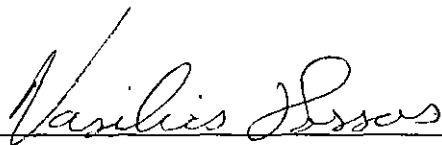
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