

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

WIRELESS RECOGNITION
TECHNOLOGIES LLC,

Plaintiff,

v.

NOKIA CORPORATION, and
RICOH COMPANY, LTD,

Defendants.

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Civil Action No. 2:10-cv-578

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Wireless Recognition Technologies LLC ("WRT"), for its Complaint herein against Defendants Nokia Corporation ("Nokia") and Ricoh Company, Ltd. ("Ricoh") (collectively, "Defendants"), upon personal knowledge as to its own actions and upon information and belief as to the actions of others, hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement.

PARTIES

2. Plaintiff WRT is a limited liability company organized and existing under the laws of Texas, having its principal place of business at 6136 Frisco Square Blvd., Suite 400, Frisco, TX 75034.

3. Defendant Nokia Corporation is a foreign corporation organized and existing under the laws of Finland with its principal place of business at Keilalahdentie 2-4, FI-02150 Espoo, Finland. Service upon Nokia Corporation is proper through the means authorized by the Hague Convention. In accordance with Articles 3 and 5 of the Hague Convention, a properly-

formatted request, summons, and complaint can be forwarded to the Central Authority of Finland at the Ministry of Justice, P.O. Box 25, FIN-00023 Government, Finland. Pursuant to Article 5a of the Hague Convention, Nokia Corporation can be served by the Central Authority of Finland in the method prescribed by the internal laws of Finland for the service of documents and domestic actions upon persons who are within its territory.

4. On information and belief, Defendant Ricoh Company, Ltd. is a Japan corporation with its principal place of business at 13-1, Ginza 8-Chome Chuo-Ku, Tokyo, TKY 104-8222 Japan. Ricoh Company, Ltd. may be served at 13-1, Ginza 8-Chome Chuo-Ku, Tokyo, TKY 104-8222 Japan via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States of America, 35 U.S.C. § 1 *et seq.* This court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) and (c) and 28 U.S.C. § 1400(b). On information and belief, Defendants have transacted business in this district, and have committed and/or induced acts of patent infringement in this district.

7. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

COUNT I
NOKIA'S INFRINGEMENT OF U.S. PATENT NO. 7,856,474

8. Paragraphs 1-7 are incorporated herein by reference.

9. WRT is the lawful owner, by assignment, of the entire right, title and interest in United States Patent No. 7,856,474 (“the ‘474 patent”), entitled "Method and Apparatus for Identifying Documents Using a Handheld Device,” which was duly and legally issued on December 21, 2010 to inventor Raymond F. Ratcliff, III. A text copy of the ‘474 patent from the website of the United States Patent and Trademark Office is attached hereto as Exhibit A. An imaged copy of the ‘474 patent will be provided when it becomes available.

10. The ‘474 patent claims systems and methods for identifying documents using a handheld device.

11. Nokia makes and uses cellular phones and software to identify documents and items, including Nokia’s Point and Find mobile application (see <http://store.ovi.com/content/8758>). For example, Nokia’s Point and Find mobile application allows a user to capture an image of an item with their handheld device, which are then used for identification.

12. On information and belief, Nokia has been and now is directly infringing, and/or inducing infringement by others, and/or contributing to the infringement by others of the ‘474 patent in this judicial district, and elsewhere in the United States. Infringements by Nokia include, without limitation, making, using, offering for sale, and/or selling within the United States, and/or importing into the United States, at least Nokia’s cellular phones capable of using Nokia’s Point and Find mobile application, infringing one or more claims of the ‘474 patent. Nokia is thus liable for infringement of the ‘474 patent pursuant to 35 U.S.C. § 271(a), (b) & (c).

13. WRT has been damaged by Nokia's infringement of the '474 patent, has been irreparably harmed by that infringement, and will suffer additional damages and irreparable harm unless this Court enjoins Nokia from further infringement.

COUNT II
RICOH'S INFRINGEMENT OF U.S. PATENT NO. 7,856,474

14. Paragraphs 1-7 are incorporated herein by reference.

15. WRT is the lawful owner, by assignment, of the entire right, title and interest in United States Patent No. 7,856,474 ("the '474 patent"), entitled "Method and Apparatus for Identifying Documents Using a Handheld Device," which was duly and legally issued on December 21, 2010 to inventor Raymond F. Ratcliff, III. A text copy of the '474 patent from the website of the United States Patent and Trademark Office is attached hereto as Exhibit A. An imaged copy of the '474 patent will be provided when it becomes available.

16. The '474 patent claims systems and methods for identifying documents using a handheld device.

17. Ricoh makes and uses software to identify documents and items, including mobile applications for the iPhone, such as French Rev and DriveTube (see <http://beta.rii.ricoh.com/betalabs/content/french-rev-iphone-app-0>, and <http://beta.rii.ricoh.com/betalabs/content/drivetube-iphone-application>). For example, Ricoh's mobile applications for the iPhone allow a user to capture an image of an item with their handheld device, which are then used for identification.

18. On information and belief, Ricoh has been and now is directly infringing, and/or inducing infringement by others, and/or contributing to the infringement by others of the '474 patent in this judicial district, and elsewhere in the United States. Infringements by Ricoh include, without limitation, making, using, offering for sale, and/or selling within the United

States, and/or importing into the United States, at least mobile application for the iPhone, infringing one or more claims of the '474 patent. Ricoh is thus liable for infringement of the '474 patent pursuant to 35 U.S.C. § 271(a), (b) & (c).

19. WRT has been damaged by Ricoh's infringement of the '474 patent, has been irreparably harmed by that infringement, and will suffer additional damages and irreparable harm unless this Court enjoins Ricoh from further infringement.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendants have infringed, directly, jointly, and/or indirectly, by way of inducing and/or contributing to the infringement of the '474 patent;
2. A permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '474 patent;
3. A judgment and order requiring Defendants to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '474 patent as provided under 35 U.S.C. § 284;
4. 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
5. Any and all other relief to which Plaintiff may show itself to be entitled.

JURY DEMAND

WRT, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: December 21, 2010

Respectfully submitted,

/s/ William E. Davis, III
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