

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

Porto Technology, Co., Ltd.)	
)	
and)	
)	
Porto Technology, LLC,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 3:12-cv-678 (HEH)
)	
Cellco Partnership d/b/a Verizon)	
Wireless)	
)	
and)	
)	
Verizon Services Corp.)	
)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Porto Technology, Co., Ltd. and Porto Technology, LLC (collectively, “Porto”) file this Amended Complaint for patent infringement against Cellco Partnership d/b/a Verizon Wireless and Verizon Services Corp. (collectively, “Verizon” or “Defendant”) for infringement of one or more of U.S. Patent Nos. 6,233,518 and 6,532,413 (collectively, “Patents-in-Suit”) pursuant to 35 U.S.C. § 271. Copies of the Patents-in-Suit are attached hereto as Exhibits A and B.

THE PARTIES

1. Plaintiff Porto Technology, Co., Ltd. is a Korean Corporation located at #102, 1302 Dukyoungdaero, Gwonsun-gu, Suwon-si, Gyunggido, Republic of Korea.

2. Plaintiff Porto Technology, LLC is a Virginia Limited Liability Company having a principal place of business at 10387 Main Street, Fairfax, Virginia 22030. Porto Technology, LLC is a wholly owned subsidiary of Porto Technology, Co., Ltd. and is responsible for the licensing, protection, and enforcement of Porto's intellectual property rights within the United States.

3. Upon information and belief, Defendant Verizon Wireless is a Delaware corporation with a principal place of business at 180 Washington Valley Rd., Bedminster, NJ 07921. Verizon Wireless may be served by serving its Registered Agent, CT Corporation System, 4701 Cox Rd, Suite 301, Glen Allen, VA 23060.

4. Upon information and belief, Defendant Verizon Services Corp. is a Virginia corporation with a principal place of business at 1310 North Court House Road, 8th Floor, Arlington, VA 22201. Verizon Services Corp. may be served by serving its Registered Agent, CT Corporation System, 4701 Cox Rd, Suite 301, Glen Allen, VA 23060.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the patent laws of the United States (Title 35 of the United States Code). The Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a). On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction,

pursuant to due process and/or the Virginia Long Arm Statute (Va. Code Ann. § 8.01-328.1), due to at least Defendant's substantial business in this forum, through a tortious act as described herein, through Defendant's manufacturing, sale, or importation of a good(s) which caused injury in the Commonwealth of Virginia and for at least a portion of the infringements and acts alleged herein, which may have been committed by an agent of Defendant.

6. On information and belief, within this District, Defendant, directly and/or through intermediaries and agents, has solicited, advertised (including through websites), offered to sell, sold and/or distributed infringing products, and/or has induced the sale and use of infringing products.

7. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from 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 Virginia.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d) and 1400(b). On information and belief, from and within this Judicial District, Defendant has committed at least a portion of the infringements at issue in this case. Without limitation, within this District, Defendant, directly and/or through intermediaries, have advertised (including through websites and television advertisements), offered to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products.

FACTUAL ALLEGATIONS

A. The Patents-in-Suit

9. Porto Technology, Co., Ltd. is the exclusive licensee of the Patents-in-Suit which relate to computer assisted mapping technologies applicable to a variety of consumer electronic devices, including GPS navigation units and cellular telephones.

10. Porto Technology Co., Ltd., is the exclusive licensee of the Patents-in-Suit and has the exclusive right to bring actions for infringements thereof, and recover damages therefrom, including for past infringements.

11. United States Patent No. 6,233,518 (the “‘518 Patent”), entitled “Method and System for Providing Image Vector-Based Traffic Information”, was duly and legally issued by the United States Patent and Trademark Office (“USPTO”) on May 15, 2001. A copy of the ‘518 Patent is attached hereto as Exhibit A.

12. United States Patent No. 6,532,413 (the “‘413 Patent”), entitled “Method and Apparatus for Providing Time-Variant Geographical Information and a User Device Therefor”, was duly and legally issued by the USPTO on March 11, 2003. A copy of the ‘413 Patent is attached hereto as Exhibit B.

13. The Patents-in-Suit are valid and enforceable.

B. Infringement of the Patents-in-Suit by Verizon

14. On information and belief, Verizon has been and is engaged in the manufacture, importation, offering for sale, and/or sale of consumer electronics, such as a user device for displaying image-based traffic information or a traffic information device capable of being coupled to a display panel, which, for example, include Verizon VZ Navigator software pre-installed or available as a download on Verizon cellular phones

running Android, BBos, iOS, and Windows Mobile operating systems. These include the following exemplary cellular phones: the Motorola Droid Razr, Incredible, X2, Droid 3, and Droid 4; the Casio Commando; the HTC Rezound and Rhyme; the Sony Ericsson Xperia Play; the Blackberry Bold; and the Pantech Breakout. These cellular phones, and other devices which have yet to be identified, have been sold throughout the United States, including in this Judicial District, which lead to and did cause direct or indirect infringement of the Patents-in-Suit.

COUNT I
INFRINGEMENT OF THE '518 PATENT

15. Porto realleges and incorporates by reference each and every allegation set forth in the proceeding paragraphs 1-13 as if fully set forth here.

16. Defendant has committed acts which include manufacturing, using, selling, offering to sell, or importing into the United States, a product that infringes one or more claims of the '518 Patent either literally, or under the doctrine of equivalents.

17. As a direct and proximate result of Defendant's infringement, Porto will continue to suffer serious irreparable injury and damages for which Porto is entitled to relief.

18. As a direct and proximate result of Defendant's infringement, Porto will continue to suffer serious irreparable injury and damages unless Defendant's infringement is enjoined.

19. On information and belief, Defendant's infringement of the '518 Patent has been willful and deliberate, without license, and with full knowledge of the '518 Patent.

20. By way of example, the Motorola Droid Razr Maxx sold by Verizon contains the Verizon VZ Navigator software and practices the patent method for displaying an image-based traffic information comprising the steps of: receiving a traffic information map which includes at least a traffic state map, said traffic state map includes a plurality of time-variant image vector entities in a specified region and each of the time-variant image vector entity includes an attribute-designating statement, an shape-designating statement and a position-designating statement; displaying a first image in accordance with a basic map on a screen, said basic map including a plurality of time-invariant image vector entities in the specified region; and displaying a second image in accordance with said traffic state map such that said second image is cumulatively displayed on the first image, as recited in independent claim 45.

21. All phones sold by Verizon that include the Verizon VZ Navigator software or are promoted as compatible with the Verizon VZ Navigator downloadable software, operate in substantially the same way as the Motorola Droid Razr Maxx and therefore infringe claim 45 for the same reasons.

COUNT II
INFRINGEMENT OF THE '413 PATENT

22. Porto realleges and incorporates by reference each and every allegation set forth in the proceeding paragraphs 1-20 as if fully set forth here.

23. Defendant has committed acts which include manufacturing, using, selling, offering to sell, or importing into the United States, a product that infringes one or more claims of the '413 Patent either literally, or under the doctrine of equivalents.

24. As a direct and proximate result of Defendant's infringement, Porto will continue to suffer serious irreparable injury and damages for which Porto is entitled to relief.

25. As a direct and proximate result of Defendant's infringement, Porto will continue to suffer serious irreparable injury and damages unless Defendants' infringement is enjoined.

26. On information and belief, Defendant's infringement of the '413 Patent has been willful and deliberate, without license, and with full knowledge of the '413 Patent.

27. By way of example, the Motorola Droid Razr Maxx sold by Verizon contains the Verizon VZ Navigator software and receives the patented data signal embodied in a carrier wave from Verizon, said data signal providing time-variant geographical information to a user device such as the Motorola Droid Razr Maxx which stores at least one section map, wherein said section map includes at least one section, said data signal comprising: a map identifier to be used for selecting a suitable section map at the user device; and at least one time-variant value in section-wise, wherein said time-variant value is to be used for updating at least one component included in corresponding section of said section map, as recited in independent claim 10.

28. All phones sold by Verizon that include the Verizon VZ Navigator software or are promoted as compatible with the Verizon VZ Navigator downloadable software, operate in substantially the same way as the Motorola Droid Razr Maxx and therefore infringe claim 10 for the same reasons.

PRAYER FOR RELIEF

WHEREFORE, Porto respectfully requests that this Court enter judgment in its favor and against Defendant and grant the following relief:

A. That this Court adjudge and decree that Defendant has been and is currently infringing, inducing others to infringe, and/or committing acts of contributory infringement with respect to the '518 Patent;

B. That this Court enter an order that Defendant and its officers, agents, servants, employees, successors and assigns, and those persons acting in concert with them, be permanently enjoined from infringing, inducing others to infringe, and/or committing acts of contributory infringement with respect to the '518 Patent;

C. That this Court adjudge and decree that Defendant has been and is currently infringing, inducing others to infringe, and/or committing acts of contributory infringement with respect to the '413 Patent;

D. That this Court enter an order that Defendant and its officers, agents, servants, employees, successors and assigns, and those persons acting in concert with them, be permanently enjoined from infringing, inducing others to infringe, and/or committing acts of contributory infringement with respect to the '413 Patent;

E. That this Court award damages to Porto to compensate for each of the unlawful actions set forth in Porto's complaint;

F. That this Court award interest on such damages to Porto;

G. That this Court treble the damages award to Porto pursuant to 35 U.S.C. § 284 and 271 (a), (b), and (c);

H. That this Court determine that this patent infringement case is exceptional and award Porto its costs and attorneys' fees incurred in this action pursuant to 35 U.S.C. § 285; and

I. That this Court award such other relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff respectfully requests a trial by jury on all the issues triable thereby.

Respectfully submitted,

FOX ROTHSCHILD LLP

September 25, 2012

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