

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TECHNOLOGY INNOVATIONS
ASSOCIATES LLC,

Plaintiff,

v.

PANTECH CORP. f/k/a PANTECH CO. LTD
and PANTECH WIRELESS INC.

Defendants.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Technology Innovations Associates, LLC (“Technology Innovations”) alleges the following for its complaint against Defendants Pantech Corp. f/k/a Pantech Co. Ltd. and Pantech Wireless Inc. (collectively, “Pantech”).

THE PARTIES

1. Plaintiff Technology Innovations is a limited liability company formed under the laws of the state of Delaware having its principal place of business at 21301 S. Tamiami Trail, #320 MS 337, Estero, FL 33928.

2. Defendant Pantech Corp. f/k/a Pantech Co. Ltd. is a corporation organized under the laws of Korea with a principal office at Pantech R&D Center, 1-2 DMC Sangam-dong, apogu, Seoul, 415865, South Korea. On information and belief, Pantech Corp. f/k/a Pantech Co. Ltd conducts business in the United States generally and in this District through its subsidiaries, including the other named Defendant.

3. Defendant Pantech Wireless Inc. is a corporation organized under the laws of the state of Georgia with a principal office at 5607 Glenridge Drive Ste 500, Atlanta, GA 30342.

Defendant Pantech Wireless Inc. may be served with process via its registered agent Kathleen Jones, 5607 Glenridge Drive Ste 500, Atlanta, GA 30342.

JURISDICTION AND VENUE

4. This is a patent infringement action. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338.

5. The Court has personal jurisdiction over Defendants under the Delaware long arm statute as they have availed themselves of the rights and benefits of this District by conducting business in this jurisdiction, including by having their products in at least one physical location within this District. Defendants also conduct business in this District by promoting products for sale via the internet, which are accessible to and accessed by residents of this District.

6. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(c) and §1400(b), because Defendants conduct business in this District and substantial acts of infringement have occurred in this District.

COUNT ONE **INFRINGEMENT OF U.S. PATENT NO. 7,840,619**

7. On November 23, 2010, U.S. Patent No. 7,840,619 (the “’619 Patent”) entitled “Computer System for Automatic Organization, Indexing and Viewing of Information From Multiple Sources” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’619 Patent is attached as Exhibit A hereto.

8. Plaintiff Technology Innovations is the sole and exclusive licensee of the ’619 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the ’619 Patent. Technology Innovations also has the right to recover all damages for past, present, and future infringement of the ’619 Patent and to seek injunctive relief as appropriate under the law.

9. Defendants have infringed and continue to directly infringe the '619 Patent by manufacturing, selling, offering for sale, and/or importing products running the Android operating system that come with pre-installed applications including, for example, at least one of Gmail, Contacts, and Calendar, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while scrolling through items in that list. Accused products include at least the following Pantech brand smart phones, tablets, and/or devices: Discover, Flex, Burst, Pocket, Breakout, Crossover and Element. Such products are covered by one or more claims of the '619 Patent, including but not limited to Claim 1.

10. Defendants' acts of manufacturing, selling, offering to sell, and/or importing the products, either directly or through their subsidiaries, into the United States are without the permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which Pantech is liable.

11. As a result of Pantech's infringement, Plaintiff Technology Innovations has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

COUNT TWO
INFRINGEMENT OF U.S. PATENT NO. 8,280,932

12. On October 2, 2012, U.S. Patent No. 8,280,932 (the "'932 Patent") entitled "Computer System for Automatic Organization, Indexing and Viewing Multiple Objects From Multiple Sources" was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '932 Patent is attached as Exhibit B hereto.

13. Plaintiff Technology Innovations is the sole and exclusive licensee of the '932 Patent and holds the exclusive right to take all actions, including the filing of this patent

infringement lawsuit, necessary to enforce its rights to the '932 Patent. Technology Innovations also has the right to recover all damages for past, present, and future infringement of the '932 Patent and to seek injunctive relief as appropriate under the law.

14. Defendants have infringed and continue to directly infringe the '932 Patent by manufacturing, selling, offering for sale, and/or importing products running the Android operating system that come with pre-installed applications including, for example, at least one of Gmail, Contacts, and Calendar, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while scrolling through items in that list. Accused products include at least the following Pantech brand smart phones, tablets, and/or devices: Discover, Flex, Burst, Pocket, Breakout, Crossover and Element. Such products are covered by one or more claims of the '932 Patent, including but not limited to Claim 1.

15. Defendants' acts of manufacturing, selling, offering to sell, and/or importing the products, either directly or through their subsidiaries, into the United States are without the permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which Pantech is liable.

16. As a result of Pantech's infringement, Plaintiff Technology Innovations has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

JURY DEMAND

Plaintiff requests a jury on all issues so triable.

PRAYER

WHEREFORE, Plaintiff respectfully requests that the Court:

- Enter judgment that Pantech has infringed, either literally or by equivalents, the '619 Patent and the '932 Patent;
- Award Plaintiff damages for Pantech's infringement in an amount to be determined at trial, including enhanced damages, costs, and pre and post-judgment interest; and
- Award any other relief deemed just and proper.

March 1, 2013

BAYARD, P.A.

Of Counsel:

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ATTORNEYS FOR PLAINTIFF