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7 Attorneys for Plaintiff  
SIGNAL IP, INC.

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

11 SIGNAL IP, INC., a California  
12 corporation,

13 Plaintiff,

14 vs.

15 VOLKSWAGEN GROUP OF  
AMERICA, INC., d/b/a. AUDI OF  
16 AMERICA, INC., a New Jersey  
corporation; AUDI OF AMERICA,  
17 LLC, a Delaware limited liability  
company; BENTLEY MOTORS, INC.,  
18 a Delaware Corporation,

19 Defendants.

Case No. 14-cv-3113

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

20 Plaintiff Signal IP, Inc. (“Signal IP” or “Plaintiff”) brings this Complaint  
21 against Defendants Volkswagen Group of America, Inc., d/b/a Audi of America,  
22 Inc., Audi of America, LLC, and Bentley Motors, Inc. (collectively, “Defendants”),  
23 alleging as follows:

24 **PARTIES**

- 25 1. Plaintiff Signal IP is a California corporation with its principal place of  
26 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.  
27 2. On information and belief, Defendant Volkswagen Group of America,  
28

1 Inc., d/b/a Audi of America, Inc. is a New Jersey corporation with its principal place  
2 of business at 2200 Ferdinand Porsche Drive, Herndon, VA 20171.

3 3. On information and belief, Defendant Audi of America, LLC is a  
4 Delaware limited liability company with its principal place of business at 2200  
5 Ferdinand Porsche Drive, Herndon, VA 20171.

6 4. On information and belief, Defendant Bentley Motors, Inc. is a  
7 Delaware corporation with its principal place of business at 2200 Ferdinand Porsche  
8 Drive, Herndon, VA 20171.

9 5. On information and belief, Defendants are part of an integrated  
10 automotive group that manufactures and distributes cars under brand names  
11 including “Audi”, “Volkswagen”, and “Bentley.”

12 **JURISDICTION, VENUE AND JOINDER**

13 6. This action arises under the patent laws of the United States, Title 35 of  
14 the United States Code. This Court has subject matter jurisdiction pursuant to 28  
15 U.S.C. §§ 1331 and 1338(a).

16 7. This Court has personal jurisdiction over Defendants. Defendants have  
17 conducted extensive commercial activities and continue to conduct extensive  
18 commercial activities within the State of California. Defendants are registered to do  
19 business in California. Additionally, on information and belief, Defendants, directly  
20 and/or through intermediaries (including Defendants’ entities, subsidiaries,  
21 distributors, sales agents, partners and others), distribute, offer for sale, sell, and/or  
22 advertise their products (including but not limited to the products and services that  
23 are accused of infringement in this lawsuit) in the United States, in the State of  
24 California, and in this judicial district, under the “Audi”, “Volkswagen”, and  
25 “Bentley” brand names. Defendants have purposefully and voluntarily placed one  
26 or more of their infringing products and services into the stream of commerce with  
27 the expectation that the products and services will be purchased or used by  
28 customers in California and within this judicial district. Accordingly, Defendants

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1 have infringed Signal IP’s patents within the State of California and in this judicial  
2 district as alleged in more detail below.

3 8. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

4 **BACKGROUND**

5 9. Signal IP, Inc. is a California corporation with a principal place of  
6 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the  
7 owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927;  
8 5,732,375; 5,954,775; 6,434,486; 6,775,601; and 6,012,007 (the “Patents-in-Suit”).

9 10. On information and belief, Defendants are direct or indirect  
10 subsidiaries of global car manufacturer and distributor Volkswagen AG, which is  
11 headquartered in Germany. Volkswagen AG manufactures and distributes cars  
12 under brand names including “Audi”, “Volkswagen”, and “Bentley.”

13 **FIRST CLAIM FOR RELIEF**

14 **(Infringement of the ‘927 Patent)**

15 11. Plaintiff incorporates paragraphs 1 through 10 of this complaint as if set  
16 forth in full herein.

17 12. Signal IP is the owner of the entire right, title, and interest in and to  
18 U.S. Patent No. 5,714,927 (the ‘927 Patent), entitled “Method of Improving Zone of  
19 Coverage Response of Automotive Radar.” The ‘927 Patent was duly and legally  
20 issued by the U.S. Patent and Trademark Office on February 3, 1998. A true and  
21 correct copy of the ‘927 Patent is attached as Exhibit A.

22 13. Defendants have directly infringed and continue to infringe, literally  
23 and/or under the doctrine of equivalents, the ‘927 Patent by making, using, offering  
24 for sale, and/or selling in the United States certain methods or systems disclosed and  
25 claimed in the ‘927 Patent, including but not limited to the Side Assist system, used  
26 in products including but not limited to the Audi A3, A4, A4 Allroad, A4  
27 Sedan/Avant, A5, A6, A7, A8, Q3, Q5, Q7, Q5 Hybrid, S4, S5, S5 Cabriolet, S6,  
28 S7, S8, SQ5, RS5, and RS7, and the Volkswagen CC, Touareg, Phaeton, and

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1 Touareg Hybrid.

2 14. Defendants have contributorily infringed and are currently  
3 contributorily infringing the '927 Patent by making, using, offering for sale, and/or  
4 selling in the United States certain methods or systems disclosed and claimed in the  
5 '927 Patent, including but not limited to the Side Assist system, used in products  
6 including but not limited to the Audi A3, A4, A4 Allroad, A4 Sedan/Avant, A5, A6,  
7 A7, A8, Q3, Q5, Q7, Q5 Hybrid, S4, S5, S5 Cabriolet, S6, S7, S8, SQ5, RS5, and  
8 RS7, and the Volkswagen CC, Touareg, Phaeton, and Touareg Hybrid.

9 15. Defendants have actively induced and are actively inducing the  
10 infringement of the '927 Patent by making, using, offering for sale, and/or selling in  
11 the United States certain methods or systems disclosed and claimed in the '927  
12 Patent, including but not limited to the Side Assist system, used in products  
13 including but not limited to the Audi A3, A4, A4 Allroad, A4 Sedan/Avant, A5, A6,  
14 A7, A8, Q3, Q5, Q7, Q5 Hybrid, S4, S5, S5 Cabriolet, S6, S7, S8, SQ5, RS5, and  
15 RS7, and the Volkswagen CC, Touareg, Phaeton, and Touareg Hybrid.

16 16. Defendants' infringement of the '927 Patent has been and continues to  
17 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

18 17. Unless enjoined by this Court, Defendants will continue to infringe the  
19 '927 Patent.

20 18. As a direct and proximate result of the Defendants' conduct, Plaintiff  
21 has suffered, and will continue to suffer, irreparable injury for which it has no  
22 adequate remedy at law. Plaintiff also has been damaged and, until an injunction  
23 issues, will continue to be damaged in an amount yet to be determined.

24 **SECOND CLAIM FOR RELIEF**

25 **(Infringement of the '375 Patent)**

26 19. Plaintiff incorporates paragraphs 1 through 18 of this complaint as if set  
27 forth in full herein.

28 20. Signal IP is the owner of the entire right, title, and interest in and to

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1 U.S. Patent No. 5,732,375 (the ‘375 Patent), entitled “Method of Inhibiting or  
2 Allowing Airbag Deployment.” The ‘375 Patent was duly and legally issued by the  
3 U.S. Patent and Trademark Office on March 24, 1998. A true and correct copy of  
4 the ‘375 Patent is attached as Exhibit B.

5 21. Defendants have directly infringed and continue to infringe, literally  
6 and/or under the doctrine of equivalents, the ‘375 Patent by making, using, offering  
7 for sale, and/or selling in the United States certain methods or systems disclosed and  
8 claimed in the ‘375 Patent, including but not limited to the Seat Occupancy Sensor,  
9 used in products including but not limited to the Audi A6 and S6.

10 22. Defendants have contributorily infringed and are currently  
11 contributorily infringing the ‘375 Patent by making, using, offering for sale, and/or  
12 selling in the United States certain methods or systems disclosed and claimed in the  
13 ‘375 Patent, including but not limited to the Seat Occupancy Sensor, used in  
14 products including but not limited to the Audi A6 and S6.

15 23. Defendants have actively induced and are actively inducing the  
16 infringement of the ‘375 Patent by making, using, offering for sale, and/or selling in  
17 the United States certain methods or systems disclosed and claimed in the ‘375  
18 Patent, including but not limited to the Seat Occupancy Sensor, used in products  
19 including but not limited to the Audi A6 and S6.

20 24. Defendants’ infringement of the ‘375 Patent has been and continues to  
21 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

22 25. Unless enjoined by this Court, Defendants will continue to infringe the  
23 ‘375 Patent.

24 26. As a direct and proximate result of the Defendants’ conduct, Plaintiff  
25 has suffered, and will continue to suffer, irreparable injury for which it has no  
26 adequate remedy at law. Plaintiff also has been damaged and, until an injunction  
27 issues, will continue to be damaged in an amount yet to be determined.

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