

EXHIBIT A

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15 *Attorneys for Plaintiff*
16 *Philips North America LLC*

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **WESTERN DIVISION**

21 PHILIPS NORTH AMERICA LLC,
22 *Plaintiffs,*

23 v.

24 GARMIN INTERNATIONAL, INC.
25 and GARMIN LTD.,

26
27 *Defendants.*
28

Case No. 2:19-cv-6301

**SECOND AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

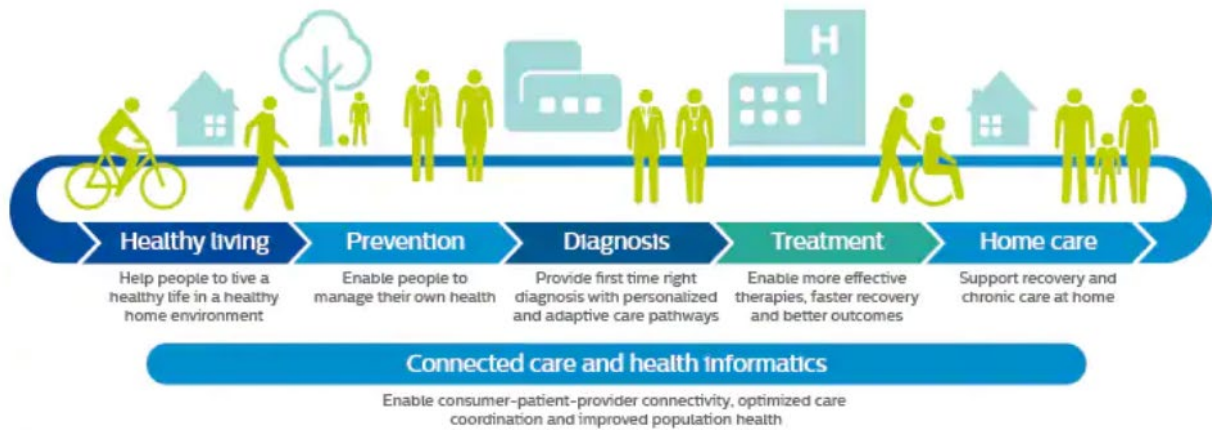
Philips North America LLC (“Philips North America” or “Plaintiff”), by its undersigned counsel, hereby alleges, with knowledge with respect to its own acts and on information and belief as to other matters, the following in support of its Complaint against Garmin International, Inc., and Garmin Ltd. (collectively “Defendants” or “Garmin”).

NATURE OF THE ACTION

1. Philips North America brings this action to compel Garmin to stop infringing Philips North America’s patents, and to compensate Philips North America for Garmin’s past infringement.

2. Philips North America is a subsidiary of Koninklijke Philips N.V., originally founded in 1891, and a world leader in technology and innovation across many technological fields (generally referred to as “Philips”). For more than 100 years, Philips has dedicated significant resources to research and development for the advancement of technology used around the world.

3. Philips strives to make the world healthier and more sustainable through innovation with the goal of improving lives of billions of people. Philips approaches healthcare as a continuum where its technologies can be applied across activities of healthy living, prevention, diagnosis, treatment and home care as depicted below:



1 4. Connected health technologies developed by Philips are employed across the
2 health continuum. Both inside and outside hospitals, Philips has developed technologies
3 that empower consumers to better manage their health by improving access to and
4 analysis of personal health and fitness information obtained in various manners. Philips
5 provides the Actiwatch family of devices, which are designed to help better understand
6 the daily activity and sleep and wake patterns of individuals. Examples of Philips
7 Actiwatch devices are shown here:



20 5. In another example, MIO Global incorporated Philips' heart rate monitor
21 technology into its MIO Alpha fitness tracker watch, making it among the first and most
22 accurate integrated wrist-worn heartrate monitors available. Philips continues to lead the
23 development of technologies that underpin connected health products including trackers.
24 Others have recognized the value of Philips' investment in innovation in this area and
25 have sought and taken technology licenses from Philips, including licenses to the patents
26 asserted in this case.

27 6. Philips also invests in technologies developed by other companies and has
28 acquired companies and their patented innovative technologies as part of its emphasis on

1 supporting and advancing innovation. Philips has made numerous direct investments in
2 connected health technologies in recent years, including its acquisition of Lifeline
3 Systems, Inc. in 2006, its acquisition of Wellcentive in 2016, its acquisitions of Health
4 and Parenting LTD and VitalHealth in 2017, and its acquisition of Blue Willow Systems
5 in 2018. Each of these acquisitions expanded Philips' capabilities in personal health
6 management and supported Philips' longstanding commitment to deliver integrated
7 solutions across the health continuum.

8 7. Philips shares its innovation with others through, for example, its pioneering
9 role in open innovation as well as in offering access to its technology through licensing.
10 In this way, Philips has been able to share its innovations with many other companies.
11 Licensing revenues fund further research at Philips. Philips' patent portfolio currently
12 includes more than 60,000 patents, and in 2017 Philips filed more patent applications in
13 the field of medical technology at the European Patent Office than any other company in
14 the world.

15 8. While some of Philips' patents are asserted in this action, Philips has many
16 others covering connected health. The patented technologies asserted in this action
17 enable and enhance customer demand for products such as, for example: GPS/audio
18 athletic training, security mechanisms for transmission of personal data, connected
19 wearable/online products, and handling of interrupted connections.

20 9. Founded in 1989 as "ProNav," Garmin was originally a company that
21 offered devices for navigation. Garmin did not offer a wearable tracker for athletic
22 activity until 2014, after the smartphone eliminated demand for handheld GPS devices
23 and Garmin's sales plummeted. *See*
24 [https://www.forbes.com/sites/alexknapp/2016/09/14/how-garmin-mapped-out-a-new-](https://www.forbes.com/sites/alexknapp/2016/09/14/how-garmin-mapped-out-a-new-direction-with-fitness-wearables/#5f382ea727b9)
25 [direction-with-fitness-wearables/#5f382ea727b9](https://www.forbes.com/sites/alexknapp/2016/09/14/how-garmin-mapped-out-a-new-direction-with-fitness-wearables/#5f382ea727b9). In entering the wearable tracker market,
26 Garmin leveraged the patented technology of Philips from the beginning. Garmin
27 experienced significant growth and revenues as a result. *See*
28 <https://www.cnet.com/news/garmins-doing-well-in-wearables/>.

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