

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

MOBILEMEDIA IDEAS LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
APPLE INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff MobileMedia Ideas LLC (“MMI”), by and through its undersigned attorneys, demands a trial by jury on all issues and hereby alleges as follows for its Complaint against Defendant Apple Inc. (“Apple” or “Defendant”):

PARTIES

1. Plaintiff MMI is a limited liability company organized and existing under the laws of the State of Delaware and has its principal place of business in Chevy Chase, Maryland. MMI owns the patents at issue in this litigation.

2. Defendant Apple is a corporation organized and existing under the laws of the State of California and has its principal place of business in Cupertino, California. Apple is engaged in the design, manufacture, marketing and sale of, among other things, smartphone devices and personal media players, including but not limited to the iPhone 3G, iPhone 3GS, iPod touch, iPod nano, iPod classic and iPod shuffle. Apple sells its devices throughout the United States and specifically in this district through its retail location at 166 Christiana Mall, Newark, Delaware 19702.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States. MMI asserts claims for patent infringement under 35 U.S.C. §§ 271 and 281.

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

5. This Court has personal jurisdiction over Apple because, by placing its electronic devices into the stream of commerce including into the State of Delaware, Apple has sufficient minimum contacts with the State of Delaware, making it amenable to suit in this district.

6. Apple does business in this district, including making, using, selling, offering to sell and/or importing products for sale in Delaware, including but not limited to through sales at its retail store in Newark, Delaware where Apple sells its infringing devices. Venue is therefore appropriate pursuant to 28 U.S.C. § 1400(b) and 28 U.S.C. § 1391(c).

SUMMARY OF CLAIMS

7. This is a patent infringement action brought by MMI against Defendant for Defendant's infringement of MMI's patents.

8. MMI owns all of the patents-in-suit and offers non-exclusive licenses under the MMI patents.

9. Defendant is infringing the patents-in-suit by, among other things, making, importing, using, offering to sell and/or selling in the United States and in this judicial district Defendant's smartphone and personal media player products, which employ MMI patented technology.

10. In making, importing, using, offering to sell and/or selling the infringing products, providing customers with instructions about the use of such products and continuing

such acts, Defendant knew or should have known the products would be used in an infringing manner. Defendant intended to encourage this infringement and continues to do so.

FACTS

Patents-In-Suit

11. United States Patent No. 6,253,075 (the “’075 Patent”) was duly and legally issued on June 26, 2001 and was assigned to MMI on January 11, 2010 for an invention entitled “Method and apparatus for incoming call rejection.” Plaintiff MMI owns and holds the rights to the ’075 Patent, a copy of which is attached hereto as Exhibit A.

12. United States Patent No. 6,427,078 (the “’078 Patent”) was duly and legally issued on July 30, 2002 and was assigned to MMI on January 11, 2010 for an invention entitled “Device for personal communications, data collection and data processing, and a circuit card.” Plaintiff MMI owns and holds the rights to the ’078 Patent, a copy of which is attached hereto as Exhibit B.

13. United States Patent No. Re. 39231 (the “’231 Patent”) was duly and legally issued on August 8, 2006 and was assigned to MMI on January 11, 2010 for an invention entitled “Communication terminal equipment and call incoming control method.” Plaintiff MMI owns and holds the rights to the ’231 Patent, a copy of which is attached hereto as Exhibit C.

14. United States Patent No. 5,737,394 (the “’394 Patent”) was duly and legally issued on April 7, 1998 and was assigned to MMI on January 11, 2010 for an invention entitled “Portable telephone apparatus having a plurality of selectable functions activated by the use of dedicated and/or soft keys.” Plaintiff MMI owns and holds the rights to the ’394 Patent,

a copy of which is attached hereto as Exhibit D.

15. United States Patent No. 6,002,390 (the “’390 Patent”) was duly and legally issued on December 14, 1999 and was assigned to MMI on January 11, 2010 for an invention entitled “Text input device and method.” Plaintiff MMI owns and holds the rights to the ’390 Patent, a copy of which is attached hereto as Exhibit E.

16. United States Patent No. 6,070,068 (the “’068 Patent”) was duly and legally issued on May 30, 2000 and was assigned to MMI on January 11, 2010 for an invention entitled “Communication terminal device and method for controlling a connecting state of a call into a desired connection state upon a predetermined operation by a user.” Plaintiff MMI owns and holds the rights to the ’068 Patent, a copy of which is attached hereto as Exhibit F.

17. United States Patent No. 6,393,430 (the “’430 Patent”) was duly and legally issued on May 21, 2002 and was assigned to MMI on January 11, 2010 for an invention entitled “Method and system for automatically recording music data files by using the hard drive of a personal computer as an intermediate storage medium.” Plaintiff MMI owns and holds the rights to the ’430 Patent, a copy of which is attached hereto as Exhibit G.

18. United States Patent No. 6,441,828 (the “’828 Patent”) was duly and legally issued on August 27, 2002 and was assigned to MMI on January 11, 2010 for an invention entitled “Image display apparatus.” Plaintiff MMI owns and holds the rights to the ’828 Patent, a copy of which is attached hereto as Exhibit H.

19. United States Patent No. 6,446,080 (the “’080 Patent”) was duly and legally issued on September 3, 2002 and was assigned to MMI on January 11, 2010 for an invention entitled “Method for creating, modifying, and playing a custom playlist, saved as a

virtual CD, to be played by a digital audio/visual actuator device.” Plaintiff MMI owns and holds the rights to the ’080 Patent, a copy of which is attached hereto as Exhibit I.

20. United States Patent No. 6,549,942 (the “’942 Patent”) was duly and legally issued on April 15, 2003 and was assigned to MMI on January 11, 2010 for an invention entitled “Enhanced delivery of audio data for portable playback.” Plaintiff MMI owns and holds the rights to the ’942 Patent, a copy of which is attached hereto as Exhibit J.

21. United States Patent No. 6,760,477 (the “’477 Patent”) was duly and legally issued on July 6, 2004 and was assigned to MMI on January 11, 2010 for an invention entitled “Method and apparatus for entering data strings including Hangul (Korean) and ASCII characters.” Plaintiff MMI owns and holds the rights to the ’477 Patent, a copy of which is attached hereto as Exhibit K.

22. United States Patent No. 7,313,647 (the “’647 Patent”) was duly and legally issued on December 25, 2007 and was assigned to MMI on January 11, 2010 for an invention entitled “Storage and reproduction apparatus.” Plaintiff MMI owns and holds the rights to the ’647 Patent, a copy of which is attached hereto as Exhibit L.

23. United States Patent No. 7,349,012 (the “’012 Patent”) was duly and legally issued on March 25, 2008 and was assigned to MMI on January 11, 2010 for an invention entitled “Imaging apparatus with higher and lower resolution converters and a compression unit to compress decreased resolution image data.” Plaintiff MMI owns and holds the rights to the ’012 Patent, a copy of which is attached hereto as Exhibit M.

24. United States Patent No. 5,915,239 (the “’239 Patent”) was duly and legally issued on June 22, 1999 and was assigned to MMI on January 11, 2010 for an invention

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