

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**Case No. 1:22-cv-22706-RNS**

BELL NORTHERN RESEARCH, LLC,

Plaintiff,

v.

HMD AMERICA, INC.; HMD GLOBAL OY;  
SHENZHEN CHINO-E COMMUNICATION  
CO., LTD.; HON HAI PRECISION  
INDUSTRY CO., LTD; TINNO MOBILE  
TECHNOLOGY CORP.; SHENZHEN TINNO  
MOBILE CO., LTD.; TINNO USA, INC.;  
UNISOC TECHNOLOGIES CO., LTD.;  
SPREADTRUM COMMUNICATIONS USA,  
INC.; WINGTECH TECHNOLOGY CO.;  
LTD.; WINGTECH INTERNATIONAL, INC.;  
BEST BUY CO., INC.; BEST BUY STORES  
L.P.; TARGET CORP.; WALMART INC.,

Defendant(s).

**JURY TRIAL DEMANDED**

**PLAINTIFF BELL NORTHERN RESEARCH, LLC'S MEMORANDUM OF LAW IN  
OPPOSITION TO DEFENDANT HON HAI PRECISION INDUSTRY CO., LTD'S  
MOTION FOR EXCEPTIONAL CASE STATUS**

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Pursuant to Local Rule 7.1(c), Plaintiff Bell Northern Research, LLC (“BNR” or “Plaintiff”) submits this opposing memorandum of law against Defendant Hon Hai Precision Industry Co., Ltd.’s (“Hon Hai” or “Defendant”) Motion for Exceptional Case Status (the “motion”). (Dkt. 163<sup>1</sup>.) For the reasons that follow, the motion should be denied.

## I. INTRODUCTION

Hon Hai’s motion is wrong on the facts and wrong on the law. BNR had every right to sue Hon Hai, one of the world’s largest consumer electronics manufacturers, for infringing its patents relating to mobile phones and tablets in this Court. Nothing in Hon Hai’s motion to dismiss for lack of personal jurisdiction (Dkt. 78) or its motion for exceptional case status (Dkt. 163) establishes otherwise. Moreover, after BNR filed suit against Hon Hai, BNR reasonably engaged with Hon Hai throughout the litigation, and the record shows this. Contrary to the declarations filed by Hon Hai’s counsel and the arguments in its motion, BNR did not refuse to consider any information or make frivolous allegations against Hon Hai.

Rather, BNR conducted a diligent pre-suit investigation before bringing suit against Hon Hai (Ex. 8 at ¶ 10), and BNR stands by the infringement and jurisdictional allegations in the Complaint against Hon Hai. Hon Hai’s motion to dismiss was filed on December 19, 2022, and to avoid implicating jurisdiction in this Court under Rule 4(k)(2), Hon Hai acknowledged in that motion that it could be sued in California. (Dkt. 78 at 14–15.) Therefore, in an effort to streamline the litigation and avoid burdening the Court, BNR proposed dismissing Hon Hai without prejudice. Hon Hai agreed. Dismissal papers were filed and Hon Hai was out of this case shortly thereafter. As part of its overall litigation strategy, BNR may now sue Hon Hai in California. These facts do not warrant fees to Hon Hai.

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<sup>1</sup> See Hon Hai’s Motion for Exceptional Case Status, Dkt. 163.

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