

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

MAXIM INTEGRATED PRODUCTS, INC.,)	CASE NO.:
Plaintiff,)	
v.)	COMPLAINT FOR PATENT
JPMORGAN CHASE & CO.,)	INFRINGEMENT
JPMORGAN CHASE BANK, N.A.)	DEMAND FOR JURY TRIAL
Defendants.)	

Maxim Integrated Products, Inc. (“Maxim”) hereby alleges for its Complaint for patent infringement against defendants JPMorgan Chase & Co., and JPMorgan Chase Bank, N.A., (collectively, “JPMorgan Chase”) on personal knowledge as to its own actions and on information and belief as to the actions of others, as follows:

THE PARTIES

1. Plaintiff Maxim is a Delaware corporation with a place of business at 120 San Gabriel Drive, Sunnyvale, California 94086.

2. On information and belief, defendant JPMorgan Chase & Co. is a corporation existing and organized under the laws of Delaware. JPMorgan Chase & Co. is doing business in the Eastern District of Texas, and has its principal place of business in New York, NY.

3. On information and belief, defendant JPMorgan Chase Bank, N.A. is a wholly owned subsidiary of defendant JPMorgan Chase & Co. JPMorgan Chase Bank, N.A. is doing business in the Eastern District of Texas, and has its principal place of business in New York, NY.

JURISDICTION AND VENUE

4. This action for patent infringement arises under the patent laws of the United States, Title 35 of the United States Code.

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has general and specific personal jurisdiction over JPMorgan Chase & Co. JPMorgan Chase & Co. has substantial contacts with the forum as a consequence of conducting substantial business in the State of Texas and within this district. On information and belief, JPMorgan Chase & Co. maintains branches within Texas and this District through its subsidiary JPMorgan Chase Bank, N.A.; has transacted business in Texas and/or in this district, including through the branches that it maintains within Texas and this district; offers for sale, sells, and advertises its products and services utilizing the claimed systems and methods with and for customers residing in Texas, including within this district; and provides products and services directly to consumers in Texas, including within this district. JPMorgan Chase & Co. has committed and continues to commit acts of patent infringement in Texas and this district.

7. This Court has general and specific personal jurisdiction over JPMorgan Chase Bank, N.A. JPMorgan Chase Bank, N.A. has substantial contacts with the forum as a consequence of conducting substantial business in the State of Texas and within this district. On information and belief, JPMorgan Chase Bank, N.A. maintains branches within Texas and this District; has transacted business in Texas and/or in this district, including through the branches that it maintains within Texas and this district;

offers for sale, sells, and advertises its products and services utilizing the claimed systems and methods with and for customers residing in Texas, including within this district; and provides products and services directly to consumers in Texas, including within this district. JPMorgan Chase Bank, N.A. has committed and continues to commit acts of patent infringement in Texas and this district.

8. Venue is proper in this District under 28 U.S.C. §§ 1391(b) and (c), and 1400(b) because a substantial part of the events giving rise to the claims against JPMorgan Chase occurred and are occurring in this district, and/or because JPMorgan Chase has regular and established practice of business in this district and has committed acts of infringement in this district.¹

THE ASSERTED PATENTS

9. On August 17, 1999, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 5,940,510 (“the ’510 patent”), entitled “Transfer of Valuable Information Between a Secure Module and Another Module,” to Stephen M. Curry, Donald W. Loomis, and Michael L. Bolan. A copy of the ’510 Patent is attached to the Complaint as Exhibit A.

¹ This matter is related to seventeen other patent actions involving the same four asserted patents (ten of which were originally filed in this Court), which were recently centralized by the Judicial Panel on Multidistrict Litigation and transferred to the United States District Court for the Western District of Pennsylvania for pre-trial proceedings. Because this matter is a tag-along case, Maxim will seek to transfer this case to the Western District of Pennsylvania for pre-trial proceedings, and nothing in this Complaint should be construed otherwise. *See* MDL No. 2354, Dkt. Nos. 101 (Corrected Transfer Order), 102 (Conditional Transfer Order); J.P.M.L. Rule Nos. 1.1(h), 7.1.

10. The '510 patent is directed to a system for communicating data securely, such as for secure mobile financial transactions, including a coprocessor for processing encryption calculations and a real time clock circuit for time stamping data transactions.

11. On September 7, 1999, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 5,949,880 (“the '880 patent”), entitled “Transfer of Valuable Information Between a Secure Module and Another Module,” to Stephen M. Curry, Donald W. Loomis, and Michael L. Bolan. A copy of the '880 Patent is attached to the Complaint as Exhibit B.

12. The '880 patent is directed to a method for electronically transferring units of exchange between two modules, such as for electronically transferring monetary equivalents or encrypted data, or where the method involves decrypting and/or encrypting the data.

13. On August 15, 2000, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 6,105,013 (“the '013 patent”), entitled “Method, Apparatus, System, and Firmware for Secure Transactions,” to Stephen M. Curry, Donald W. Loomis, and Christopher W. Fox. A copy of the '013 Patent is attached to the Complaint as Exhibit C.

14. The '013 patent is directed to a secure transaction integrated circuit including a microcontroller core; a modular exponentiation accelerator circuit or a math coprocessor for performing or handling encryption and decryption calculations; an input/output circuit for exchanging data information with an electronic device; and real-time clock or a clock circuit for providing a time measurement.

15. On May 22, 2001, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 6,237,095 (“the ’095 patent”), entitled “Apparatus for Transfer of Secure Information Between a Data Carrying Module and an Electronic Device,” to Stephen M. Curry, Donald W. Loomis, and Christopher W. Fox. A copy of the ’095 Patent is attached to the Complaint as Exhibit D.

16. The ’095 patent is directed to an apparatus for receiving and transmitting encrypted data, such as for secure transfers of financial information.

17. Maxim is the owner by assignment of all rights, title, and interest to and in the ’510, ’880, ’013, and ’095 patents (collectively, the “Asserted Patents”).

18. On information and belief, by no later than on or about December 22, 2011, JPMorgan Chase had actual notice of each of the Asserted Patents and actual notice that its individual actions and/or the joint or concerted actions of the other JPMorgan Chase defendants constituted and continue to constitute infringement of at least one claim of each of the Asserted Patents.

COUNT I: Infringement of the ’510 Patent

19. Maxim incorporates and realleges paragraphs 1 – 18 above as if fully set forth herein.

20. On information and belief, JPMorgan Chase has and continues to infringe one or more claims of the ’510 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering to sell in the United States and without authority products, devices, systems, and/or components of systems that embody the patented invention, including for example products, devices, systems and/or components of systems that include or make use of the “Chase Mobile” smartphone applications.

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