

FILED

2013 SEP 23 PM 1:51

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

BY \_\_\_\_\_

1 KNEAFSEY & FRIEND LLP  
2 SEAN M. KNEAFSEY (SBN 180863)  
3 skneafsey@kneafseyfriend.com  
4 800 Wilshire Blvd. Ste. 710  
5 Los Angeles, CA 90017  
6 Telephone: (213) 892-1200  
7 Facsimile: (213) 892-1208

8 NIRO HALLER & NIRO, LTD.  
9 RAYMOND P. NIRO  
10 (*pro hac vice application forthcoming*)  
11 rniro@nshn.com

12 CHRISTOPHER J. LEE  
13 (*pro hac vice application forthcoming*)  
14 clee@nshn.com

15 RICHARD B. MEGLEY, JR.  
16 (*pro hac vice application forthcoming*)  
17 megleyjr@nshn.com

18 FREDERICK C. LANEY  
19 (*pro hac vice application forthcoming*)  
20 laney@nshn.com

21 OLIVER D. YANG  
22 (*pro hac vice application forthcoming*)  
23 oyang@nshn.com

24 181 West Madison Street, Suite 4600  
25 Chicago, Illinois 60602  
26 Telephone: (312) 236-0733  
27 Facsimile: (312) 236-3137

Attorneys for Plaintiff  
UNIVERSAL ELECTRONICS INC.

IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA -- SOUTHERN DIVISION

UNIVERSAL ELECTRONICS INC.,

Plaintiff,

v.

PEEL TECHNOLOGIES, INC.

Defendant.

Case No. SACV13-01484 GAF (RNBx)

COMPLAINT FOR  
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

1 Plaintiff Universal Electronics Inc. complains of Defendant Peel  
2 Technologies, Inc. as follows:

3 **NATURE OF CASE**

4 1. This is a claim for patent infringement that arises under the patent  
5 laws of the United States, Title 35 of the United States Code. This Court has  
6 original jurisdiction over the subject matter of this claim under 28 U.S.C. §§ 1331  
7 and 1338(a).

8 **PARTIES**

9 2. Plaintiff Universal Electronics Inc. ("UEI") is a Delaware Corporation  
10 that has a principal place of business at 201 E. Sandpointe Avenue, Santa Ana,  
11 California 92707. UEI has been an industry leader in the design, development and  
12 manufacture of remote control technology for over twenty years. UEI develops  
13 and manufactures a broad line of products, software and technologies that are  
14 marketed to enhance home entertainment systems. Its offerings include universal  
15 remote controls, audio-video accessories and integrated circuits, as well as  
16 software, firmware and technology solutions that can enable devices to wirelessly  
17 connect and interact with home networks and interactive services to deliver digital  
18 entertainment and information. UEI's investments in and commitment to  
19 innovation, research and development have resulted in substantial and valuable  
20 portfolios of intellectual property rights, including patents in the area of  
21 applications that can be used in conjunction with smartphones and tablets to  
22 function as remote controls.

23 3. UEI owns and has standing to sue for infringement of United States  
24 Patent No. 6,938,101 ("the '101 Patent") entitled "Hand Held Device Having A  
25 Browser Application," which issued on August 30, 2005.

26 4. UEI owns and has standing to sue for infringement of United States  
27 Patent No. 7,218,243 ("the '243 Patent") entitled "System And Method For

1 Automatically Setting Up A Universal Remote Control," which issued on May 15,  
2 2007.

3 5. UEI, as the exclusive licensee with all substantial rights and interest to  
4 enforce, has standing to sue for infringement of United States Patent No. 7,589,642  
5 ("the '642 Patent") entitled "Relaying Key Code Signals Through A Remote  
6 Control Device," which issued on September 15, 2009.

7 6. UEI owns and has standing to sue for infringement of United States  
8 Patent No. 7,831,930 ("the '930 Patent") entitled "System And Method For  
9 Displaying A User Interface For A Remote Control Application," which issued on  
10 November 9, 2010.

11 7. UEI, as the exclusive licensee with all substantial rights and interest to  
12 enforce, has standing to sue for infringement of United States Patent No. 7,889,112  
13 ("the '112 Patent) entitled "Dynamic Linking Of Codesets In Universal Remote  
14 Control Devices," which issued on February 15, 2011.

15 8. Defendant Peel Technologies Inc. ("Peel") is a Delaware corporation  
16 that has a principal place of business at 321 Castro St., Ste 201, Mountain View,  
17 California 94041.

18 9. Peel has provided technology for, sold, and distributed software and  
19 hardware used in connection with remote control devices. For example, Peel  
20 provides technology used in software products called the "TV App" (sometimes  
21 referred to as "Sense TV"), "WatchON App," and "Peel Smart Remote App," and a  
22 product called the "Peel Universal Remote" consisting of a Peel "Fruit" hardware  
23 device and a software component for use with the iOS operating system.

#### 24 JURISDICTION AND VENUE

25 10. Peel has sold and offered to sell hardware and software relating to  
26 remote control devices in this judicial district that are accused of infringement in  
27 this judicial district. Peel does business in this judicial district. has targeted

1 residents of this judicial district as customers for its business, including for its  
2 products accused of infringement, and has purposefully availed itself of the  
3 privilege of conducting business within this judicial district. Peel also maintains its  
4 principal place of business in California, has registered to do business in the State  
5 of California, and has established sufficient contacts with the State of California  
6 such that it should reasonably and fairly anticipate being brought into this Court.

7 11. This Court has personal jurisdiction over Peel by virtue of its  
8 tortious acts of patent infringement which have been committed in the State of  
9 California and in this judicial district and by virtue of its regular and systematic  
10 transaction of business in the State of California.

11 12. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d) and  
12 1400(b).

### 13 CLAIMS FOR PATENT INFRINGEMENT

#### 14 **COUNT I**

#### 15 **INFRINGEMENT OF U.S. PATENT NO. 6,938,101**

16 13. UEI re-alleges and incorporates by reference all of its allegations set  
17 forth above in Paragraphs 1 through 12.

18 14. Peel has had actual knowledge of the '101 Patent and known that its  
19 conduct constitutes indirect infringement of the '101 patent. Specifically, UEI sent  
20 a letter to Thiru Arunachalam, Chief Executive Officer of Peel, which provided,  
21 among other things, notice of the '101 Patent and further notice that Peel had  
22 induced and contributed to the infringement of the '101 Patent by others. UEI also  
23 asked that Peel immediately cease and desist from any further acts of infringement.

24 15. Peel has had knowledge of its inducement and contributory  
25 infringement at least since receiving UEI's letter. With full knowledge of its  
26 inducement and contributory infringement, Peel has continued to induce and  
27 contribute to the infringement of the '101 patent by others.

1 16. Specifically, Peel has induced and continues to induce end-users of  
2 the Peel enabled "TV App," "WatchON App," "Peel Smart Remote App," and  
3 "Peel Universal Remote" (collectively, "the '101 Patent Accused Products") to  
4 infringe at least claim 6 of the '101 patent within the meaning of 35 U.S.C §  
5 271(b).

6 17. Peel's acts of inducement include making, using, selling, and offering  
7 to sell the '101 Patent Accused Products, as well as Peel's creation and  
8 dissemination of promotional materials, marketing materials, and instruction  
9 guides that teach and encourage end-users to use the '101 Patent Accused Products  
10 in an infringing manner. For example, the '101 Patent Accused Products provide  
11 step-by-step instruction on how an end-user should use these products in a manner  
12 that directly infringes the '101 Patent, and also provides further instruction in the  
13 "Help" and "Troubleshooting" sections of its software application. Additionally,  
14 Peel has a web page, <http://help.peel.com/forums>, dedicated to instructing end-  
15 users how to configure and use the '101 Patent Accused Products in an infringing  
16 manner. Examples of such instructions include, without limitation, a video titled  
17 "Video: Peel Smart Remote Setup," as well as online tutorials for "Setting up  
18 Peel," "Setting up Peel on the new Samsung Galaxy Tablet," and "Samsung  
19 WatchON on S4." Additional examples include other online tutorials provided by  
20 Peel to end-users, such as the one found at [http://help.peel.com/entries/514914-  
21 Choosing-a-show-to-watch](http://help.peel.com/entries/514914-Choosing-a-show-to-watch), that instruct end-users on "Using the Program screen,"  
22 "Using the Genre Wheel," and "Searching for a show." Peel also provides  
23 instructional videos available at <http://www.youtube.com> under the username Peel  
24 app.

25 18. Additionally, Peel has contributed to the infringement of at least claim  
26 6 of the '101 Patent within the meaning of 35 U.S.C § 271(c). Specifically, Peel  
27 has contributed to end-user's infringement of the '101 Patent by among other

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.