1	DAVIS WRIGHT TREMAINE LLP  MARTIN L. FINEMAN, State Bar No. 104413  martinfineman@dwt.com  ANNA R. BUONO, State Bar No. 232753	
2		
3	annabuono@dwt.com	
4	865 South Figueroa Street, Suite 2400	
5	Los Angeles, CA 90017   Telephone: (213) 633-6800   Significant	
6	Facsimile: (213) 633-6899	cour.
7	NIRO HALLER & NIRO, LTD.	
8	RAYMOND P. NIRO (pro hac vice application forthcoming) rniro@nshn.com	
9	CHRISTOPHER J. LEE (pro hac vice application forthcoming)	
	clee@nshn.com FREDERICK C. LANEY (pro hac vice application forthcoming)	
10	laney@nshn.com LAURA A. KENNEALLY (pro hac vice application forthcoming) lkenneallv@nshn.com BRIAN E. HAAN (pro hac vice application forthcoming) bhaan@nshn.com 181 West Madison Street, Suite 4600 Chicago, Illinois 60602 Telephone: (312) 236-0733	
11		
12		
13		
14		
15	Facsimile: (312) 236-3137	
16	Attorneys for Plaintiff	
17	UNIVERSAL ELECTRONICS INC.	
18	IN THE UNITED STATES DISTRICT COURT	
19	CENTRAL DISTRICT OF CALIFORNIA SOUTHERN DIVISION	
20		
21	UNIVERSAL ELECTRONICS INC.,	Case No. SACV13-00984 JAK (SHx)
22	Plaintiff,	COMPLAINT FOR PATENT
23	v.	INFRINGEMENT
24		JURY TRIAL DEMANDED
25	UNIVERSAL REMOTE CONTROL, INC.,	
	ŕ	
26	Defendant.	
27		
28	COMPLAINT	



Plaintiff Universal Electronics Inc. complains of Defendant Universal Remote Control, Inc. as follows:

## NATURE OF CASE

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

## **PARTIES**

- 2. Plaintiff Universal Electronics Inc. ("UEI") is a Delaware Corporation that has a principal place of business at 201 E. Sandpointe Avenue, Santa Ana, California 92707. UEI has been an industry leader in the design, development and manufacture of remote control technology for over twenty years. UEI develops and manufactures a broad line of products, software and technologies that are marketed to enhance home entertainment systems. Its offerings include universal remote controls, audio-video accessories and integrated circuits, as well as software, firmware and technology solutions that can enable devices to wirelessly connect and interact with home networks and interactive services to deliver digital entertainment and information. UEI's investments in and commitment to innovation, research and development have resulted in substantial and valuable portfolios of intellectual property rights, including patents in the area of remote controls.
- 3. UEI owns and has standing to sue for infringement of United States Patent No. 5,228,077 ("the '077 Patent"), entitled "Remotely Upgradable Universal Remote Control" which issued on July 13, 1993.

- 1 -

COMPLAINT

OWT 22214983v1 0095529-000001



- 4. UEI owns and has standing to sue for infringement of United States Patent No. 5,255,313 ("the '313 Patent"), entitled "Universal Remote Control System," which issued on October 19, 1993.
- 5. UEI owns and has standing to sue for infringement of United States Patent No. 5,414,761 ("the '761 Patent"), entitled "Remote Control System," which issued on May 9, 1995.
- 6. UEI owns and has standing to sue for infringement of United States Patent No. 5,552,917 ("the '917 Patent"), entitled "Remote Control," which issued on September 3, 1996.
- 7. UEI owns and has standing to sue for infringement of United States Reissued Patent No. RE39,059 E ("the '059 Patent"), entitled "Computer Programmable Remote Control," which issued on April 4, 2006 and is a reissue of United States Patent No. 6,211,870, entitled "Computer Programmable Remote Control," which issued on April 3, 2001.
- 8. UEI is the exclusive licensee of and holds all substantial rights and interest to enforce United States Patent No. 6,407,779 B1 ("the '779 Patent"), entitled "Method and Apparatus for an Intuitive Universal Remote Control System," which issued on June 18, 2002.
- 9. UEI owns and has standing to sue for infringement of United States Patent No. 7, 126,468 B2 ("the '468 Patent"), entitled "System and Method for Monitoring Remote Control Transmissions," which issued on October 24, 2006.
- 10. UEI is the exclusive licensee of and holds all substantial rights and interest to enforce United States Patent No. 7,589,642 B1 ("the '642 Patent"), entitled "Relaying Key Code Signals Through A Remote Control Device," which issued on September 15, 2009.

- 2 -

28 COMPLAINT



- 11. UEI owns and has standing to sue for infringement of United States Patent No. 7,831,930 B2 ("the '930 Patent"), entitled "System and Method for Displaying a User Interface for a Remote Control Application," which issued on November 9, 2010.
- 12. Defendant Universal Remote Control, Inc. ("URC") is a New York corporation with its principal place of business at 500 Mamaroneck Avenue, Suite 502, Harrison, New York, 10528.

### JURISDICTION AND VENUE

- 13. URC sells and distributes remote control devices products and other home automation products. The remote control products relevant to this action generally include programmable and upgradeable remote control devices and products including software, hardware and interfaces.
- 14. URC imports these devices and products into the United States from, among others, a Korean manufacturer, Ohsung Electronics Co., Ltd., and sells them to residential and commercial customers such as subscription broadcast providers, dealers, custom installers, retailers, and OEM customers, which, in turn, resell these products to users throughout the United States, including those in this judicial district.
- 15. At least through the foregoing activities, URC is doing business in this judicial district, has purposefully availed itself of the privilege of conducting business with residents of this judicial district, and has established sufficient minimum contacts with the State of California such that it should reasonably and fairly anticipate being brought into court in California.
- 16. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d) and 1400(b).

COMPLAINT

# **CLAIMS FOR PATENT INFRINGEMENT**

#### **COUNT I**

## **INFRINGEMENT OF U.S. PATENT NO. 5,228,077**

- 17. UEI re-alleges and incorporates by reference all of its allegations set forth above in Paragraphs 1 through 16.
- 18. With its knowledge of United States Patent No. 5,228,077 and its infringement prior to the expiration of the '077 Patent, URC imported into the United States, and used, offered to sell and sold in the United States, remote control devices and products that, alone or in combination, infringed the '077 Patent, including, without limitation, those with URC model numbers MX-780, MX-810, MX-850, MX-880, MX-890, MX-900i, MX-980, MX-1200, MX-3000, MX-5000, MX-6000, UR4U-MDVR2B, UR4U-MDVR-CHD2, UR5U-6200, UR5U-6200L, UR5U-8700L, UR5U-8720L, UR5U-8800, UR5U-8800L, UR5U-8820, UR5U-8820L, and other remote control devices and products with different model names or numbers, but with substantially the same designs, features and functionalities, which were imported, used, sold or offered for sale prior to the expiration of the '077 Patent ("the '077 Patent Accused URC Remotes").
- 19. The '077 Patent Accused URC Remotes are universal remote controls capable of controlling various devices.
- 20. The '077 Patent Accused URC Remotes are designed to be coupled to a computer.
- 21. The '077 Patent Accused URC Remotes each have infrared lamp driver circuitry.
- 22. The '077 Patent Accused URC Remotes each include a connector on the circuit board for coupling the remote to a computer.

- 4 -

COMPLAINT

# DOCKET

# 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.

