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28 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

COMPLAINT FOR PATENT INFRINGEMENT

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
28

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
28

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
28

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