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22 Attorneys for Plaintiff
23 UNIVERSAL ELECTRONICS INC.

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

26 UNIVERSAL ELECTRONICS INC.,

27 Plaintiff,

28 v.

29 UNIVERSAL REMOTE CONTROL,
30 INC.,

31 Defendant.

Case No. SACV13-00984 JAK (SHx)

**FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

32 FIRST AMENDED COMPLAINT
33 DWT 22315080v1 0095529-000001

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 remote
21 controls.

22 3. UEI owns and has standing to sue for infringement of United States
23 Patent No. 5,228,077 (“the ‘077 Patent”), entitled “Remotely Upgradable
24 Universal Remote Control” which issued on July 13, 1993.



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5 Patent No. 5,414,761 (“the ‘761 Patent”), entitled “Remote Control System,”
6 which issued on May 9, 1995.

7 6. UEI owns and has standing to sue for infringement of United States
8 Patent No. 5,552,917 (“the ‘917 Patent”), entitled “Remote Control,” which issued
9 on September 3, 1996.

10 7. UEI owns and has standing to sue for infringement of United States
11 Reissued Patent No. RE39,059 E (“the ‘059 Patent”), entitled “Computer
12 Programmable Remote Control,” which issued on April 4, 2006 and is a reissue of
13 United States Patent No. 6,211,870, entitled “Computer Programmable Remote
14 Control,” which issued on April 3, 2001.

15 8. UEI, as the exclusive licensee with all substantial rights and interest to
16 enforce, has standing to sue for infringement of United States Patent No. 6,407,779
17 B1 (“the ‘779 Patent”), entitled “Method and Apparatus for an Intuitive Universal
18 Remote Control System,” which issued on June 18, 2002.

19 9. UEI owns and has standing to sue for infringement of United States
20 Patent No. 7, 126,468 B2 (“the ‘468 Patent”), entitled “System and Method for
21 Monitoring Remote Control Transmissions,” which issued on October 24, 2006.

22 10. UEI, as the exclusive licensee with all substantial rights and interest to
23 enforce, has standing to sue for infringement of United States Patent No. 7,589,642
24 B1 (“the ‘642 Patent”), entitled “Relaying Key Code Signals Through A Remote
25 Control Device,” which issued on September 15, 2009.

26

27

5 12. UEI also owns and has standing to sue for infringement of United
6 States Patent No. 8,243,207 B2 ("the '207 Patent"), entitled "System and Method
7 for Activity Based Configuration of an Entertainment System," which issued on
8 August 14, 2012.

9 13. Defendant Universal Remote Control, Inc. ("URC") is a New York
10 corporation with its principal place of business at 500 Mamaroneck Avenue, Suite
11 502, Harrison, New York, 10528.

12 JURISDICTION AND VENUE

13 14. URC sells and distributes remote control devices products and other
14 home automation products. The remote control products relevant to this action
15 generally include programmable and upgradeable remote control devices and
16 products including software, hardware and interfaces.

17 15. URC imports these devices and products into the United States from,
18 among others, a Korean manufacturer, Ohsung Electronics Co., Ltd., and sells
19 them to residential and commercial customers such as subscription broadcast
20 providers, dealers, custom installers, retailers, and OEM customers, which, in turn,
21 resell these products to users throughout the United States, including those in this
22 judicial district.

23 16. At least through the foregoing activities, URC is doing business in this
24 judicial district, has purposefully availed itself of the privilege of conducting
25 business with residents of this judicial district, and has established sufficient
26

COUNT I

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

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6
7
8 18. UEI re-alleges and incorporates by reference all of its allegations set
9 forth above in Paragraphs 1 through 17.

10 19. With its knowledge of United States Patent No. 5,228,077 and its
11 infringement prior to the expiration of the '077 Patent, URC imported into the
12 United States, and used, offered to sell and sold in the United States, remote
13 control devices and products that, alone or in combination, infringed the '077
14 Patent, including, without limitation, those with URC model numbers MX-780,
15 MX-810, MX-850, MX-880, MX-890, MX-900i, MX-980, MX-1200, MX-3000,
16 MX-5000, MX-6000, UR4U-MDVR2B, UR4U-MDVR-CHD2, UR5U-6200,
17 UR5U-6200L, UR5U-8700L, UR5U-8720L, UR5U-8800, UR5U-8800L, UR5U-
18 8820, UR5U-8820L, and other remote control devices and products with different
19 model names or numbers, but with substantially the same designs, features and
20 functionalities, which were imported, used, sold or offered for sale prior to the
21 expiration of the '077 Patent ("the '077 Patent Accused URC Remotes").

22 20. The '077 Patent Accused URC Remotes are universal remote controls
23 capable of controlling various devices.

24 21. The '077 Patent Accused URC Remotes are designed to be coupled to
25 a computer.

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