

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

INNOVATIVE DISPLAY	§	
TECHNOLOGIES, LLC,	§	
	§	
Plaintiff,	§	
	§	LEAD Cause No. 2:14-CV-201-JRG
V.	§	
	§	
HYUNDAI MOTOR COMPANY, et al.	§	<b>Jury Trial Demanded</b>
	§	
Defendants.	§	

---

INNOVATIVE DISPLAY	§	
TECHNOLOGIES, LLC,	§	
	§	
Plaintiff,	§	
	§	Consolidated Cause No. 2:14-CV-202
V.	§	
	§	
Nissan Motor Co., Ltd. and Nissan North America, Inc.	§	<b>Jury Trial Demanded</b>
	§	
	§	
Defendants.	§	

**DEFENDANTS NISSAN MOTOR CO., LTD. AND NISSAN NORTH AMERICA, INC.’S  
THIRD PARTY COMPLAINT**

Pursuant to Rule 14 of the Federal Rules of Civil Procedure, Defendants and Third-Party Plaintiffs Nissan Motor Co., Ltd. (“NML”) and Nissan North America, Inc. (“NNA”) (collectively, “Nissan”), file this Third-Party Complaint for indemnification from third parties Continental Automotive Systems, Inc. (“Continental”), Panasonic Automotive Systems Company of America (“Panasonic”), and Stanley Electric Co., Ltd. and its subsidiaries, Stanley Electric Sales of America, Inc. and Stanley Electric U.S. Co., Inc. (“Stanley”) (collectively, “Third Party Defendants”), averring and alleging as follows:

## I. NATURE OF ACTION

1. Plaintiff Innovative Display Technologies LLC (“IDT”) alleges that Nissan infringes infringe the Asserted Patents—U.S. Patent Nos. 7,300,194 (“the ’194 patent”), 7,384,177 (“the ’177 patent”), 7,404,660 (“the ’660 patent”), 7,434,974 (“the ’974 patent”), 7,537,370 (“the ’370 patent”), 8,215,816 (“the 816’ patent”) (collectively, “the Asserted Display Patents”) and Nos. 6,508,563 (“the ’563 patent”) and 6,886,956 (“the ’956 patent”) (collectively, “the Asserted Lighting Patents”)—because Nissan uses parts incorporating allegedly infringing third party parts in certain of Nissan and Infiniti brand vehicles. Solely for the purpose of establishing IDT’s allegations against Nissan in the above-captioned lawsuit, Nissan incorporates by reference the allegations in IDT’s Second Amended Complaint [Cause No. 2:14-CV-202, Dkt. No. 9].

2. Nissan denies the allegations in IDT’s Complaint and denies any liability to IDT, but asserts that, if held liable to IDT, Nissan is entitled to indemnification from the Third-Party Defendants through Nissan’s Master Purchase Agreements.

## II. PARTIES

3. Third-Party Plaintiff states that Nissan North America, Inc. is a California corporation with a principal place of business located in Franklin, Tennessee, and is a wholly-owned subsidiary of Nissan Motor Co., Ltd., a Japanese corporation with a principal place of business located in Yokohama, Japan. NML and NNA are responsible for the design, manufacturing, distribution, marketing, and sales of Nissan and Infiniti brand vehicles. In the United States, NNA distributes those vehicles to its network of dealerships. Nissan maintains a network of regional offices that support more than 1,100 independent, franchisee dealerships across the United States.

4. On information and belief, Continental Automotive Systems, Inc. is a corporation organized and existing under the laws of Delaware and having its principal place of business at 1 Continental Drive, Auburn Hills, MI 48326-1581. Continental designs, manufactures, and sells vehicle components used around the world by vehicle manufacturers, including Nissan. Continental also has offices located at 15201 Mercantile Dr., Dearborn, MI 48120 and 21440 West Lake Cook Road, 7th Floor, Deer Park, IL 60010. Upon information and belief, Continental is registered and actively engaged in business within the State of Texas, and maintains a registered agent in the State of Texas at CT Corp. System, 1999 Bryan St., Ste. 900, Dallas, TX 75201.

5. On information and belief, Stanley Electric Co., Ltd. is a corporation organized and existing under the laws of Japan and has a principal place of business at 2-9-13 Nakameguro, Meguro-ku, Tokyo 153-8636, Japan. Upon information and belief, Stanley Electric U.S. Co., Inc., is a subsidiary of Stanley Electric Co., Ltd., and is a corporation organized and existing under the laws of Ohio and having its principal place of business in the United States at 420 East High Street London, OH 43140. Upon information and belief, Stanley Electric Sales of America Inc. is a subsidiary of Stanley Electric Co., Ltd., and is a corporation organized and existing under the laws of California and having its principal place of business in the United States at 36 Executive Park Suite 230, Irvine, CA 92614-6713. Stanley, through its subsidiaries, designs, manufactures, and sells vehicle components used around the world by vehicle manufacturers, including Nissan. Upon information and belief, Stanley and its subsidiaries can be served with process through a registered agent in Texas at CT Corporation System, 1999 Bryan St., Suite 900, Dallas, TX 75201, and/or a registered agent in Ohio at Sunsaku Onishi, 420 E. High St., London, OH 43140.

6. On information and belief, Panasonic Automotive Systems Company of America is a division of Panasonic Corporation of North America, which is a division of Panasonic Corporation. On information and belief, Panasonic Automotive Systems Company of America is organized under the laws of Michigan and has its registered office at 26455 American Drive, Southfield, Michigan 48034. Upon information and belief, Panasonic designs, manufactures, and sells vehicle components used in Nissan vehicles. Upon information and belief, Panasonic Automotive Systems Company of America maintains a registered agent in Michigan at The Corporation Company, 30600 Telegraph Road, Suite 2345, Bingham Farms, Michigan 48025 and Panasonic Corporation of North America maintains a registered agent in the State of Texas at CT Corp. System, 1999 Bryan St., Ste. 900, Dallas, TX 75201.

### **III. JURISDICTION AND VENUE**

7. This is an action for patent infringement brought by Innovative Display Technologies, LLC (“IDT”) against Nissan and others, arising under the patent laws of the United States, specifically, 35 U.S.C. §§ 271, based in part on allegations in IDT’s Infringement Contentions that certain vehicles infringe IDT’s patents because the vehicles contain parts that incorporate Accused Parts.

8. Nissan’s liability, if any, with respect to the Accused Parts is attributable to Nissan’s inclusion of parts that incorporate the Accused Parts. Nissan obtains these parts directly from the Third Party Defendants. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a). This Court has subject matter jurisdiction over this third-party complaint under 28 U.S.C. §§ 1367(a) and 1332.

9. This Court also has personal jurisdiction over the Third Party Defendants pursuant to the Texas long-arm statute because they do business in Texas directly by designing,

manufacturing, and selling vehicle parts that are installed into Nissan and Infiniti branded vehicles manufactured by Nissan, which Nissan then sells in the State of Texas and in this District through its independent dealerships. Further, the Third Party Defendants are, on information and belief, fully aware that they design, manufacture, and sell vehicle parts that are then sold in Nissan and Infiniti branded vehicles throughout the United States, and particularly in Texas. By designing, manufacturing, and selling vehicle parts that the Third Party Defendants are fully aware will be used in the State of Texas and in this District, the Third Party Defendants have participated in the allegedly infringing acts asserted by IDT in its Complaint. Venue is proper in this Court with respect to this third-party complaint pursuant to 28 U.S.C. § 1400.

#### **IV. FACTUAL ALLEGATIONS**

10. Third-Party Plaintiffs reallege and incorporate paragraphs 1-9 as if fully set forth herein.

11. IDT has alleged that Nissan infringes the Asserted Patents because certain Nissan vehicles contain parts made and sold by Third Party Defendants Continental and Stanley that incorporate a display or tail light component that allegedly infringes (“Accused Parts”), as alleged in IDT’s Infringement Contentions. On November 18, 2014, IDT served its Preliminary Infringement Contentions on Nissan, charting which Accused Parts infringed which Asserted Patents. Charts B1 through B6 accuse LCD displays, such as in navigation modules, contained in Nissan products of infringing the Asserted Display Patents. Similarly, charts C1 and C2 accuse headlights or taillights contained in Nissan products of infringing the Asserted Lighting Patents. The claim charts rely solely on allegations that the design of the Accused Parts in the parts supplied to Nissan infringe the Asserted Patents.

# 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.