

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**DELAWARE DISPLAY GROUP LLC  
AND INNOVATIVE DISPLAY  
TECHNOLOGIES LLC**

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C.A. No. \_\_\_\_

**Plaintiffs,**

**JURY TRIAL DEMANDED**

v.

**VIZIO, INC.,**

**Defendant.**

**PLAINTIFFS' COMPLAINT**

Delaware Display Group LLC and Innovative Display Technologies LLC (collectively, "Plaintiffs") by and through their undersigned counsel, file this Complaint against Vizio, Inc. ("Vizio").

**THE PARTIES**

1. Delaware Display Group LLC ("DDG") is a Delaware limited liability company with its principal place of business located at 2400 Dallas Parkway, Suite 200, Plano, Texas 75093.

2. Innovative Display Technologies LLC ("IDT") is a Texas limited liability company with its principal place of business located at 2400 Dallas Parkway, Suite 200, Plano, Texas 75093.

3. Upon information and belief, Vizio, Inc. ("Vizio") is a company incorporated in Delaware with offices at 39 Tesla, Irvine, California 92618. Upon information and belief, Vizio may be served with process by serving its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, Delaware 19801.

4. Upon information and belief, Vizio has conducted and regularly conducts business within this District, has purposefully availed itself of the privileges of conducting business in this District, and has sought protection and benefit from the laws of the State of Delaware.

#### **JURISDICTION AND VENUE**

5. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1, *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

6. As further detailed herein, this Court has personal jurisdiction over Vizio. Vizio is amenable to service of summons for this action. Furthermore, personal jurisdiction over Vizio in this action comports with due process. Vizio has conducted and regularly conducts business within the United States and this District. Vizio has purposefully availed itself of the privileges of conducting business in the United States and, more specifically, in this District. Vizio has sought protection and benefit from the laws of the State of Delaware by incorporating in the state of Delaware and/or by placing infringing products into the stream of commerce through an established distribution channel with the expectation and/or knowledge that they will be purchased by consumers in this District. Plaintiffs' causes of action arise directly from Vizio's business contacts and other activities in this District.

7. Vizio – directly or through intermediaries (including distributors, retailers, and others), subsidiaries, alter egos, and/or agents – ships, distributes, offers for sale, and/or sells its products in the United States and this District. Vizio has purposefully and voluntarily placed one or more of its infringing products, as described below, into the stream of commerce with the expectation and/or knowledge that they will be purchased by consumers in this District. Vizio knowingly and purposefully ships infringing products into and within this District through an

established distribution channel. These infringing products have been and continue to be purchased by consumers in this District. Upon information and belief, Vizio has committed the tort of patent infringement in this District and/or has induced others to commit patent infringement in this District.

8. Venue is proper in this Court under 28 U.S.C. §§ 1391(b), (c), and (d), as well as 28 U.S.C. § 1400(b), in that Vizio is subject to personal jurisdiction in this District, and therefore is deemed to reside in this District for purposes of venue, and, upon information and belief, Vizio has committed acts within this judicial District giving rise to this action and does business in this District, including but not limited to making sales in this District, providing service and support to their respective customers in this District, and/or operating an interactive website that is available to persons in this District, which website advertises, markets, and/or offers for sale infringing products.

### **BACKGROUND**

#### **A. The Patents-In-Suit.**

9. U.S. Patent No. 6,755,547 titled “Light Emitting Panel Assemblies” (“the ’547 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on June 29, 2004, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’547 patent. A true and correct copy of the ’547 patent is attached as **Exhibit A** and made a part hereof.

10. U.S. Patent No. 7,300,194 titled “Light Emitting Panel Assemblies” (“the ’194 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on November 27, 2007, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’194 patent. A true and correct copy of the ’194 patent is attached as **Exhibit B** and made a part hereof.

11. U.S. Patent No. 7,384,177 titled “Light Emitting Panel Assemblies” (“the ’177 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on June 10, 2008, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’177 patent. A true and correct copy of the ’177 patent is attached as **Exhibit C** and made a part hereof.

12. U.S. Patent No. 7,404,660 titled “Light Emitting Panel Assemblies” (“the ’660 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on July 29, 2008, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’660 patent. A true and correct copy of the ’660 patent is attached as **Exhibit D** and made a part hereof.

13. U.S. Patent No. 7,434,974 titled “Light Emitting Panel Assemblies” (“the ’974 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on October 14, 2008, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’974 patent. A true and correct copy of the ’974 patent is attached as **Exhibit E** and made a part hereof.

14. U.S. Patent No. 7,537,370 titled “Light Emitting Panel Assemblies” (“the ’370 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on May 26, 2009, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’370 patent. A true and correct copy of the ’370 patent is attached as **Exhibit F** and made a part hereof.

15. U.S. Patent No. 7,914,196 titled “Light Redirecting Film Systems Having Pattern of Variable Optical Elements” (“the ’196 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on March 29, 2011, after full and fair examination. Jeffery R. Parker, Timothy A. McCollum, and Robert M. Ezell are the inventors listed on the ’196 patent. A true and correct copy of the ’196 patent is attached as **Exhibit G** and made a part hereof.

16. U.S. Patent No. 8,215,816 titled “Light Emitting Panel Assemblies” (“the ’816 patent”) was duly and legally issued by the U.S. Patent and Trademark Office on July 10, 2012, after full and fair examination. Jeffery R. Parker is the sole inventor listed on the ’816 patent. A true and correct copy of the ’816 patent is attached as **Exhibit H** and made a part hereof.

17. The ’196 patent is referred to as the “DDG patent.”

18. The ’547 patent, the ’194 patent, the ’177 patent, the ’660 patent, the ’974 patent, the ’370 patent, and the ’816 patent are collectively referred to as the “IDT patents.” Together, the “DDG patent” and the “IDT patents” are the “patents-in-suit.”

19. On July 26, 2013, IDT was assigned all of the right, title, and interest in the IDT patents, including the exclusive right to sue and collect for its own use and benefit all claims for damages by reason of past infringement or use of the IDT patents.

20. On December 20, 2013, DDG was assigned all of the right, title, and interest in the DDG patent, including the exclusive right to sue and collect for its own use and benefit all claims for damages by reason of past infringement or use of the DDG patent.

21. The patents-in-suit all share the same ultimate parent patent, U.S. Patent No. 5,613,751. The patents-in-suit share inventors, subject matter, and claim terms. The accused products infringe the patents-in-suit based on the use of the same technology, *e.g.*, backlights for LCDs. And IDT and DDG share a common corporate parent.

**B. Vizio’s Infringing Conduct.**

22. Upon information and belief, Vizio makes, uses, offers to sell, and/or sells within, and/or imports into the United States display products that use the fundamental technologies covered by the patents-in-suit. Upon information and belief, the infringing display products include, but are not limited to, televisions, laptops, desktops, and tablets with an LCD display.

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