

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NICHIA CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. _____
)	
TCL MULTIMEDIA TECHNOLOGY)	DEMAND FOR JURY TRIAL
HOLDINGS, LTD. and TTE)	
TECHNOLOGY, INC.,)	
)	
Defendants.)	

COMPLAINT

Plaintiff Nichia Corporation (“Nichia”) brings this action for patent infringement against Defendants TCL Multimedia Technology Holdings, Ltd. (“TCL Multimedia”) and TTE Technology, Inc. (“TTE”) (collectively, “Defendants”) and alleges as follows:

The Parties

1. Nichia is a corporation organized and existing under the laws of Japan, and has a principal place of business at 491 Oka, Kaminaka-Cho, Anan-Shi, Tokushima, Japan 774-8601.
2. Upon information and belief, TCL Multimedia is a limited liability company organized under the laws of the Cayman Islands with a principal place of business at 13/F TCL Tower, 8 Tai Chung Road, Tsuen Wan New Territories, Hong Kong SAR, China.
3. Upon information and belief, TTE is a Delaware corporation with its place of business at 2455 Anselmo Drive, Corona, California. TTE is a subsidiary of TCL Multimedia.

Jurisdiction and Venue

4. This action arises under the patent laws of the United States, 35 U.S.C. § 1 et seq. This Court has subject matter jurisdiction over this action for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendants. Upon information and belief, Defendants have conducted and do conduct business within the State of Delaware. Defendants directly or through intermediaries, including, for example, distributors or retailers, sell, offer for sale, advertise, distribute, and/or transport in or to the State of Delaware products that infringe Nichia's patents, which has caused and continues to cause injury to Nichia within the State of Delaware.

6. Upon information and belief, Defendants have committed, and continue to commit, acts of infringement in the State of Delaware. For example, on information and belief, Defendants, separately or in concert, have intentionally placed into the stream of commerce products infringing Nichia's patents and enter the State of Delaware, which has caused and continues to cause Nichia injury within the State of Delaware.

7. Upon information and belief, Defendants, separately or in concert, purposefully directed and made available for sale in the State of Delaware products that infringe Nichia's patents, which has caused and continues to cause injury to Nichia within the State of Delaware.

8. Upon information and belief, Defendants, separately or in concert, intended and continues to intend to serve the consumer market in the State of Delaware with products that infringe Nichia's patents by marketing or having marketed, promoting or having promoted, distributing or having distributed, selling or having sold, or offering for sale or having offered for sale such products in the State of Delaware and, as a result of this conduct, products that infringe Nichia's patents have been used, sold, and/or offered for sale in the State of Delaware, which has caused and continues to cause injury to Nichia within the state of Delaware.

9. This Court also has personal jurisdiction over Defendant TTE because it is incorporated in the State of Delaware.

10. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400(b).

Count I
(Infringement of U.S. Patent No. 7,915,631)

11. Nichia re-alleges and incorporates the allegations of all prior paragraphs of this Complaint as if set forth in their entirety herein.

12. Nichia is the assignee and owner of all rights, title, and interest in and to U.S. Patent No. 7,915,631 (“the ’631 patent”), entitled “Light Emitting Device and Display,” which was duly and legally issued by the United States Patent and Trademark Office on March 29, 2011. A true and correct copy of the ’631 patent is attached hereto as Exhibit A and is incorporated herein by reference.

13. Upon information and belief, Defendants have infringed and continue to infringe at least claims 1 and 4 of the ’631 patent under 35 U.S.C. § 271(a). The infringing activities include, but are not limited to, the use, sale, importation, and/or offer for sale, without authority, of LED televisions that fall within the scope of the claims of the ’631 patent, including, but not limited to, the TCL 48" Class Television (48FD2700) (the “48" Class Television”).

14. Upon information and belief, the 48" Class Television satisfies the limitations of at least claims 1 and 4 of the ’631 patent.

15. Nichia has no adequate remedy at law for Defendants’ acts of infringement.

16. As a direct and proximate result of Defendants’ acts of infringement, Nichia has suffered and continues to suffer damages and irreparable harm. Unless Defendants’ acts of infringement are enjoined by this Court, Nichia will continue to be damaged and irreparably harmed.

Count II
(Infringement of U.S. Patent No. 7,901,959)

17. Nichia re-alleges and incorporates the allegations of all prior paragraphs of this Complaint as if set forth in their entirety herein.

18. Nichia is the assignee and owner of all rights, title, and interest in and to U.S. Patent No. 7,901,959 (“the ’959 patent”), entitled “Liquid Crystal Display and Back Light Having a Light Emitting Diode,” which was duly and legally issued by the United States Patent and Trademark Office on March 8, 2011. A true and correct copy of the ’959 patent is attached hereto as Exhibit B and is incorporated herein by reference.

19. Upon information and belief, Defendants have infringed and continue to infringe at least claims 1 and 9 of the ’959 patent under 35 U.S.C. § 271(a). The infringing activities include, but are not limited to, the use, sale, importation, and/or offer for sale, without authority, of LED televisions that fall within the scope of the claims of the ’959 patent, including, but not limited to, the 48" Class Television.

20. Upon information and belief, the 48" Class Television satisfies the limitations of at least claims 1 and 9 of the ’959 patent.

21. Nichia has no adequate remedy at law for Defendants’ acts of infringement.

22. As a direct and proximate result of Defendants’ acts of infringement, Nichia has suffered and continues to suffer damages and irreparable harm. Unless Defendants’ acts of infringement are enjoined by this Court, Nichia will continue to be damaged and irreparably harmed.

Count III
(Infringement of U.S. Patent No. 8,309,375)

23. Nichia re-alleges and incorporates the allegations of all prior paragraphs of this Complaint as if set forth in their entirety herein.

24. Nichia is the assignee and owner of all rights, title, and interest in and to U.S. Patent No. 8,309,375 (“the ’375 patent”), entitled “Light Emitting Device and Display,” which was duly and legally issued by the United States Patent and Trademark Office on November 13, 2012. A true and correct copy of the ’375 patent is attached hereto as Exhibit C and is incorporated herein by reference.

25. Upon information and belief, Defendants have infringed and continue to infringe at least claim 4 of the ’375 patent under 35 U.S.C. § 271(g). The infringing activities include, but are not limited to, the use, sale, importation, and/or offer for sale, without authority, of LED televisions, which include products made by a process that falls within the scope of the claims of the ’375 patent, including, but not limited to, the 48" Class Television.

26. Upon information and belief, the 48" Class Television satisfies the limitations of at least claim 4 of the ’375 patent.

27. Nichia has no adequate remedy at law for Defendants’ acts of infringement.

28. As a direct and proximate result of Defendants’ acts of infringement, Nichia has suffered and continues to suffer damages and irreparable harm. Unless Defendants’ acts of infringement are enjoined by this Court, Nichia will continue to be damaged and irreparably harmed.

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