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8 *Attorneys for Plaintiff Document Security Systems, Inc.*

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

11 DOCUMENT SECURITY SYSTEMS,  
12 INC.,

13 Plaintiff,

14 v.

15 EVERLIGHT ELECTRONICS CO.,  
16 LTD., and EVERLIGHT AMERICAS,  
17 INC.,

18 Defendants.

Civil Action No. 2:17-cv-04273

**JURY TRIAL DEMANDED**

19 **COMPLAINT FOR PATENT INFRINGEMENT**

20 This is an action for patent infringement arising under the Patent Laws of the  
21 United States of America, 35 U.S.C. § 1 *et seq.* in which Document Security Systems,  
22 Inc. (“DSS” or “Plaintiff”) makes the following allegations against Defendants  
23 Everlight Electronics Co., Ltd. (“Everlight Electronics”) and Everlight Americas, Inc.  
24 (“Everlight Americas”) (collectively “Everlight” or “Defendants”).

25 **PARTIES**

26 1. Document Security Systems, Inc. is a publicly-traded New York  
27 corporation. Founded in 1984, DSS is a global leader in brand protection, digital  
28 security solutions and anti-counterfeiting technologies.





1 with the forum state of California, including by establishing a regular and established  
2 place of business within this District at 4237 East Airport Dr., Ontario, CA 91761.  
3 Defendants directly and/or through subsidiaries or intermediaries (including  
4 distributors, retailers, and others), have committed and continue to commit acts of  
5 infringement in this District by, among other things, making, using, importing,  
6 offering for sale, and/or selling products and/or services that infringe the patents-in-  
7 suit. Thus, Defendants have purposefully availed themselves of the benefits of doing  
8 business in the State of California and the exercise of jurisdiction over Defendants  
9 would not offend traditional notions of fair play and substantial justice. Everlight  
10 Americas is registered to do business in the State of California, and has appointed Tao  
11 Wang, 4226 Via Angelo, Montclair CA 91763 as its agent for service of process.

12 7. Venue is proper in this District under 28 U.S.C. §§ 1391 (b)-(c) and 1400(b)  
13 because Defendants have a regular and established place of business in this District  
14 and have committed acts of patent infringement in this District.

### 15 **BACKGROUND**

16 8. DSS is the owner by assignment of United States Patent No. 6,949,771  
17 (“the ’771 Patent”) entitled “Light Source.” The ’771 Patent was duly and legally  
18 issued by the United States Patent and Trademark Office on September 27, 2005. A  
19 true and correct copy of the ’771 Patent is included as Exhibit A.

20 9. DSS is the owner by assignment of United States Patent No. 7,524,087  
21 (“the ’087 Patent”) entitled “Optical Device.” The ’087 Patent was duly and legally  
22 issued by the United States Patent and Trademark Office on April 28, 2009. A true  
23 and correct copy of the ’087 Patent is included as Exhibit B.

24 10. DSS is the owner by assignment of United States Patent No. 7,919,787  
25 (“the ’787 Patent”) entitled “Semiconductor Device with a Light Emitting  
26 Semiconductor Die.” The ’787 Patent was duly and legally issued by the United  
27 States Patent and Trademark Office on April 5, 2011. A true and correct copy of the  
28 ’787 Patent is included as Exhibit C.



1           16. By making, using, offering for sale, selling, and/or importing the '771  
2 Accused Instrumentalities infringing the '771 Patent, Defendants have injured DSS  
3 and are liable to DSS for infringement of the '771 Patent pursuant to 35 U.S.C. §  
4 271(a) directly and/or under the doctrine of equivalents.

5           17. In addition, Defendants are actively inducing others, such as their  
6 customers and end users of Accused Instrumentalities, services based thereupon, and  
7 related products and/or processes, to directly infringe each and every claim limitation,  
8 including without limitation claims 1 to 8 of the '771 Patent, in violation of 35 U.S.C.  
9 § 271(b). Upon information and belief, Defendants' customers and/or end users have  
10 directly infringed and are directly infringing each and every claim limitation,  
11 including without limitation claims 1 to 8 of the '771 Patent. Defendants have had  
12 actual knowledge of the '771 Patent at least as of service of this Complaint.  
13 Defendants are knowingly inducing their customers and/or end users to directly  
14 infringe the '771 Patent, with the specific intent to encourage such infringement, and  
15 knowing that the induced acts constitute patent infringement. Defendants'  
16 inducement includes, for example, providing technical guides, product data sheets,  
17 demonstrations, software and hardware specifications, installation guides, and other  
18 forms of support that induce their customers and/or end users to directly infringe the  
19 '771 Patent. The '771 Accused Instrumentalities are designed in such a way that  
20 when they are used for their intended purpose, the user infringes the '771 Patent.  
21 Defendants know and intend that customers that purchase the '771 Accused  
22 Instrumentalities will use those products for their intended purpose.

23           18. Defendants have been aware of the '771 Patent and of its infringement as  
24 of a date no later than the date they were served with this Complaint in this action. To  
25 the extent facts learned in discovery show that Defendants' infringement of the '771  
26 Patent is or has been willful, or to the extent that Defendants' actions subsequent to  
27 the filing of this Complaint—such as their behavior as litigants or their failure to take  
28

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