



brands include Parus, obai, Webley, Webley MD, and Parus Interactive. Parus's voice-enabled search technology is in competition with Samsung Products implementing Google Assistant and/or Samsung Bixby.

3. Parus is the owner by assignment of U.S. Patent No. 7,076,431 ("the '431 Patent") (attached as Exhibit 1) and U.S. Patent No. 9,451,084 ("the '084 Patent") (attached as Exhibit 2).

4. Defendant Samsung Electronics Co., Ltd is a corporation organized and existing under the laws of South Korea, with a principal place of business located at 129, Samsung-ro, Yeongtong-gu, Suwon-si, Gyeonggi-do, Korea. On information and belief, Samsung Electronics Co., Ltd is the entity that manufactures the Samsung-branded products sold in the United States, including the accused products in this case. On information and belief, in addition to making the products, Samsung Electronics Co., Ltd is responsible for research and development, product design, and sourcing of components.

5. Defendant Samsung Electronics America, Inc. is a wholly owned subsidiary corporation of Samsung Electronics Co. Ltd. organized and existing under the laws of New York with a principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660.

6. Samsung Electronics America, Inc. has offices and/or other facilities in Texas at least at 12100 Samsung Blvd, Austin, Texas 78754; 2800 Wells Branch Pkwy, Austin, TX 78728; 1301 East Lookout Drive, Richardson, Texas 75082; and 6635 Declaration Drive, Plano, TX 75023.

7. Samsung Electronics America, Inc. has maintained regular and established places of business at 12100 Samsung Blvd, Austin, Texas 78754 and 2800 Wells Branch Pkwy, Austin, TX 78728.

8. Samsung Electronics America, Inc. is registered to do business in Texas.

9. Samsung has placed or contributed to placing infringing products like the Samsung Galaxy Note 9 into the stream of commerce via an established distribution channel knowing or understanding that such products would be sold and used in the United States, including in the Western District of Texas. On information and belief, Samsung also has derived substantial revenues from infringing acts in the Western District of Texas, including from the sale and use of infringing products like the Samsung Galaxy Note 9.

10. Samsung had constructive notice of the '431 Patent based on Parus's marking at least as of June 18, 2007.

11. Samsung had constructive notice of the '084 Patent based on Parus's marking at least as of February 21, 2018.

### **JURISDICTION AND VENUE**

12. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

13. This Court has specific personal jurisdiction over Defendants at least in part because Defendants conduct business in this Judicial District. Parus's causes of action arise, at least in part, from Defendants' contacts with and activities in the State of Texas and this Judicial District. Upon information and belief, each Defendant has committed acts of infringement within the State of Texas and this Judicial District by, *inter alia*, directly and/or indirectly using, selling, offering to sell, or importing products that infringe one or more claims of the '431 Patent and/or the '084 Patent.

14. Defendants have committed acts within this District giving rise to this action, and have established sufficient minimum contacts with the State of Texas such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

15. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391(b), (c), and 1400(d). Venue for Defendant Samsung Electronics Co., Ltd., a foreign corporation, is proper in every judicial district in the U.S., including this one. Venue is proper for Samsung Electronics America, Inc. because Samsung Electronics America, Inc. (1) has a regular and established place of business in this Judicial District, and (2) has committed and continue to commit acts of patent infringement in this Judicial District by, *inter alia*, directly and/or indirectly using, selling, offering to sell, or importing products that infringe one or more claims of the '431 Patent and/or the '084 Patent.

## COUNT I

### SAMSUNG'S INFRINGEMENT OF U.S. PATENT NO. 7,076,431

16. Parus restates and incorporates by reference all of the allegations made in the preceding paragraphs as though fully set forth herein.

17. Parus is the owner, by assignment, of the '431 Patent. A true copy of the '431 Patent granted by the U.S. Patent & Trademark Office is attached as Exhibit 1.

18. Samsung has directly infringed, and continues to directly infringe, literally or under the doctrine of equivalents, at least independent claim 1 of Parus's '431 Patent by making, using, selling, and/or offering for sale its smartphone products implementing the Google Android operating system, including Google Assistant, in the United States, in violation of 35 U.S.C. § 271(a).

19. Samsung had constructive notice of the '431 Patent based on Parus's marking at least as of June 18, 2007. Defendant Samsung had actual knowledge of the '431 Patent, and of the alleged acts constitute infringement of the '431 Patent, at or around August 5, 2019, through service the original Complaint.

20. Samsung's continued acts of direct infringement of the '431 Patent, post-filing of this Complaint, are willful, and have caused and will continue to cause substantial damage and irreparable harm to Parus, and Parus has no adequate remedy at law.

21. Various Samsung products with Google Assistant and/or Samsung Bixby made or sold by Samsung directly infringe at least independent claim 1 of the '431 Patent. Those Samsung products include at least the Samsung Galaxy Note 9 and other Samsung products that incorporate the Google Assistant and/or Samsung Bixby ("Samsung Accused Products").

22. The Samsung Accused Products in conjunction with Google Assistant and/or Samsung Bixby is a system for retrieving information from pre-selected web sites by uttering speech commands into a voice enabled device and for providing to users retrieved information in an audio form via said voice enabled device.

23. The Samsung Galaxy Note 9 in conjunction with Google Assistant practices this claim. *See e.g.*, Andrew Nusca, *How voice recognition will change the world* (Nov. 4, 2011), available at <https://www.zdnet.com/article/how-voice-recognition-will-change-the-world/>, Gene Munster, Will Thompson, *Annual Digital Assistant IQ Test – Siri, Google Assistant, Alexa, Cortana* (Jul. 25, 2018), available at <https://loupventures.com/annual-digital-assistant-iq-test-siri-google-assistant-alexa-cortana/>, Extending the assistant (Jan. 29, 2019), available at <https://developers.google.com/actions/extending-the-assistant>, Voice Browsing (Jan. 29, 2019), available at <https://www.w3.org/standards/webofdevices/voice>, How Search organizes

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