

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PARUS HOLDINGS INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 6:19-cv-00437-ADA
)	
LG ELECTRONICS, INC. and LG ELECTRONICS U.S.A., INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	
)	

**PARUS HOLDING INC.'S
FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Parus Holdings Inc. (“Parus” or “Plaintiff”) for its First Amended Complaint for Patent infringement (“Complaint”) against LG Electronics, Inc. and LG Electronics U.S.A., Inc. (collectively “LG” or “Defendants”), hereby alleges as follows:

THE PARTIES

1. Plaintiff Parus Holdings Inc. is a Delaware corporation having its principal place of business at 3000 Lakeside Drive, Suite 110S, Bannockburn, IL 60015.
2. Parus is a privately-held company founded in 1997 that offers for sale and sells a number of voice-driven technology and speech search solutions to allow customers to spend less time managing their communication channels by allowing customers to search the Internet with their voice and receive audible search results back. These products include ParusSpeak™ Interactive Voice Response (IVR), ParusOne™ Unified Communications, ParusOffice™ Cloud PBX, and ParusMobile™ Mobile Applications. See <https://www.parus.ai/products/>. Parus’s

Google Exhibit 1019 Google v. Parus
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brands include Parus, obai, Webley, Webley MD, and Parus Interactive. Parus's voice-enabled search technology is in competition with LG Products implementing Google Assistant.

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 LG Electronics, Inc. is a Korean corporation with a principal place of business at LG Twin Towers, 128 Yeoui-daero, Yeongdungpo-gu, Seoul, 07366, South Korea. On information and belief, LG Electronics, Inc. is the entity that manufactures the LG-branded products sold in the United States, including the accused products in this case. On information and belief, in addition to making the products, LG Electronics, Inc. is responsible for research and development, product design, and sourcing of components.

5. Defendant LG Electronics U.S.A., Inc. is the North American subsidiary of LG Electronics, Inc., organized under the laws of Delaware, with a principal place of business at 1000 Sylvan Ave, Englewood Cliffs, NJ, 07632.

6. LG Electronics U.S.A, Inc. has regular and established places of business in Texas at least at 9420 Research Blvd, Austin, Texas 78759; 21251-2155 Eagle Parkway, Fort Worth, Texas 76177; and 14901 Beach St, Fort Worth, TX 76177.

7. On information and belief, LG maintains one or more regular and established places of business in Texas, including offices at 9420 Research Blvd, Austin, Texas 78759.

8. LG Electronics U.S.A., Inc. is registered to do business in Texas.

9. LG has placed or contributed to placing infringing products like the LG G8 ThinQ 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, LG 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 LG G8 ThinQ.

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

11. LG 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, Defendants have 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(b). Venue for Defendant LG Electronics, Inc., a foreign corporation, is proper in every judicial district in the U.S., including this one. Venue is proper for LG Electronics U.S.A., Inc.

because LG Electronics U.S.A., Inc. because LG Electronics USA, Inc.: (1) has a regular and established place of business in this Judicial District, and (2) has committed and continues 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

LG'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. LG has directly infringed, and is continuing 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. LG had constructive notice of the '431 Patent based on Parus's marking at least as of June 18, 2007. LG had actual notice of the '431 Patent, and that the alleged acts constitute infringement of the '431 Patent, at or around August 2, through service of the original Complaint.

20. LG'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 products with Google Assistant made or sold by LG directly infringe at least independent claim 1 of the '431 Patent. Those LG products include at least the LG G8 ThinQ and other LG products that incorporate the Google Assistant (“LG Accused Products”).

22. The LG Accused Products in conjunction with Google Assistant 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 LG G8 ThinQ 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 information (Jan. 29, 2019), available at <https://www.google.com/search/howsearchworks/crawling-indexing/>.

24. The LG G8 ThinQ in conjunction with Google Assistant is a voice enabled device because the LG G8 ThinQ includes a microphone and a speaker. *See e.g.*, https://www.lg.com/us/support/products/documents/LG_G8_ThinQ_Tech_Specs_TMO_PDF_4-10-19_LMG820TMB.pdf.

25. Further, LG incorporates the Android operating system and the Google Assistant into its products. Google Assistant is built-in to LG Products including the LG G8 ThinQ. *See*

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