

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**JAPAN DISPLAY INC. and PANASONIC
LIQUID CRYSTAL DISPLAY CO., LTD.,**

Plaintiffs,

v.

**TIANMA MICROELECTRONICS CO.
LTD.,**

Defendant.

CIVIL ACTION NO.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Japan Display Inc. (“JDI”) and Panasonic Liquid Crystal Display Co., Ltd. (“PLD”) (together “Plaintiffs”) file this complaint for patent infringement (“Complaint”) against Tianma Microelectronics Co. Ltd. (“Tianma” or “Defendant”), and alleges as follows:

THE PARTIES

1. Japan Display Inc. is a corporation organized and existing under the laws of Japan. Its principal place of business is located at Landic 2nd Bldg., 3-7-1, Nishishinbashi, Minato-ku, Tokyo, 105-0003, Japan.

2. JDI engages in research, development, manufacturing, and sales for displays, including liquid crystal displays (“LCDs”) with thin film transistor (“TFT”) technology (“TFT LCDs”). JDI was formed through the integration of the display businesses of Sony Corporation, Toshiba Corporation, and Hitachi, Ltd. Among other contributions, JDI pioneered TFTs that utilize a low temperature polycrystalline silicon (“LTPS”) process, which allows TFT LCD panels to achieve a higher resolution while minimizing power consumption. LTPS is now widely used in TFT

LCD panels that are incorporated into consumer and industrial electronic devices, including smartphones, tablets, cameras, game consoles, automotive electronics, and medical equipment.

3. Panasonic Liquid Crystal Display Co., Ltd. is a corporation organized and existing under the laws of Japan. Its principal place of business is located at 1-6 Megahida-cho, Shikama-ku, Himeji City, Hyogo 672-8033, Japan.

4. PLD is a pioneer and leader in liquid crystal display (“LCD”) technology, including LCD panels that use IPS (In-Plane-Switching) technology, which features high image quality with a wide viewing angle. PLD changed its name from IPS Alpha Technology Co., Ltd. and was established on October 1, 2010 as a liquid crystal panel manufacturing company of Panasonic Corporation.

5. Tianma is a foreign corporation organized and existing under the laws of China. Its principal place of business is located at No. 88, Daxin Road, Tianma Building, Nanshan District, Shenzhen, China.

6. Tianma “focus[es] on medium-/small-sized displays [and is] dedicated to offering [its] clients the world over cutting-edge technologies and products and quality services. At present, the company chiefly serves customers in Mainland China, Taiwan, Europe, America, Japan and South Korea.” *See 2017 Corporate Social Responsibility Report, TIANMA MICROELECTRONICS*, <http://en.tianma.com/UploadFile/20180504/b4618db4-5b0f-43f6-9a7a-c6273b07a90a.pdf>.

JURISDICTION AND VENUE

7. This is an action for infringement arising under the patent laws of the United States, 35 U.S.C. § 271. Accordingly, this court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

8. Upon information and belief, Tianma is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this State and District, including: (A) at least part of its infringing activities alleged herein; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from infringing goods offered for sale, sold, and imported and services provided to Texas residents vicariously through and/or in concert with its alter egos, intermediaries, agents, distributors, importers, customers, subsidiaries, and/or consumers. For example, Tianma has "established manufacturing facilities in Shenzhen, Shanghai, Chengdu, Wuhan, and Xiamen, China as well as in Akita, Japan" and "a global sales and technical support network has been put in place that includes offices in the United States, Germany, Japan, South Korea, Taiwan, Hong Kong etc. to ensure seamless global support to our customers." See <http://en.tianma.com/about.shtml>. This Court has personal jurisdiction over Tianma, directly or through intermediaries, distributors, importers, customers, subsidiaries, and/or consumers including its U.S. based, wholly-owned subsidiary, Tianma America Inc. ("Tianma America"). Through direction and control of this subsidiary, Tianma has committed acts of direct and/or indirect patent infringement within Texas, and elsewhere within the United States, giving rise to this action and/or has established minimum contacts with Texas such that personal jurisdiction over Tianma would not offend traditional notions of fair play and substantial justice.

9. Tianma maintains a corporate presence in the United States (Tianma America) through which it distributes infringing TFT LCD panels. Tianma America is "a leading provider of small to medium size display solutions to the Americas, utilizing cutting edge technologies from Tianma Microelectronics and Tianma Japan, Ltd. (TMJ), coupled with state-of-the-art manufacturing resources of the Tianma Group, [Tianma America] offers a comprehensive range of

LCD products . . . [including] a-Si and LTPS TFT-LCD.” *About Us*, TIANMA AMERICA, <https://usa.tianma.com/company-services/company-history-roadmap>. “Tianma America has responsibility for all sales, marketing and engineering support of the Tianma Group display solutions in the Americas.” *Id.* Tianma America identifies approximately 173 unique display panel model numbers for sale on its website. *See Product Search*, TIANMA AMERICA, <https://usa.tianma.com/products-technology/product-filter>.

10. Tianma America has a “representative” in Texas that provides support to potential customers in Texas regarding Tianma’s products: Tristar Group.¹ Tianma America also has four “authorized distribution partners” in the United States, including, Arrow Intelligent Systems in Centennial, Colorado, Avnet Embedded and Integrated Solutions in Phoenix, Arizona, Edge Electronics, Inc. in Bohemia, NY 11716, and WPG Americas Inc. in San Jose, CA.² Upon information and belief, Tianma controls or otherwise directs and authorizes all activities of Tianma America, including Tianma America’s using, offering for sale, selling, and/or importing accused products, its components, and/or products containing the same that incorporate the fundamental technologies covered by the asserted patents. Tianma America is authorized to import, sell, or offer for sale the accused products on behalf of its controlling parents. Upon information and belief, Tianma researches, designs, develops, and manufactures the infringing TFT LCD panels and then directs Tianma America to import, offer for sale, and sell the accused products in the United States. Accordingly, Tianma America conducts infringing activities on behalf of Tianma.

¹ Tristar Group is located at 5220 Spring Valley Road, #190, Dallas Texas. *See Contact Us*, Tianma America, <https://usa.tianma.com/contact> (last visited July 15, 2020) (on Tianma America Contact Us site, select the United States and then mouse over Texas).

² Arrow Intelligent Systems is located at 9201 E. Dry Creek Road, Centennial, CO 80112; Avnet Embedded and Integrated Solutions is located at 2211 South 47th Street, Phoenix, AZ 85034; Edge Electronics, Inc. is located at 75 Orville Drive, Unit 2, Bohemia, NY 11716; and WPG Americas Inc. is located at 5285 Hellyer Avenue, Suite 150, San Jose, CA 95138. *See Authorized Distributors*, TIANMA AMERICA, <http://usa.tianma.com/company-services/services-we-provide> (last visited July 15, 2020)

11. Upon information and belief, Tianma America’s corporate presence in the United States gives Tianma substantially the same business advantages that it would have enjoyed if it conducted its business through its own offices or paid agents in the state. This corporate presence is comprised of three offices including Tianma America’s headquarters in Chino, California, an office in Santa Clara, California, and an office in Troy, Michigan. *See Contact Us*, TIANMA AMERICA, <https://usa.tianma.com/contact> (last visited July 15, 2020). Upon information and belief, Tianma America’s Troy, Michigan office is focused on automobile manufacturers. *See id.* (stating that the Troy Michigan office is “Automotive”). Upon information and belief, Tianma America is authorized to sell and offer for sale TFT LCD panels on behalf of Tianma. For example, Tianma America operates within Tianma’s “global sales and technical support network [that] has been put in place that includes offices in the United States, Germany, Japan, South Korea, Taiwan, Hong Kong”... “to ensure seamless global support to our customers.” *See About Us*, TIANMA AMERICA, <https://usa.tianma.com/company-services/company-history-roadmap>. Upon information and belief, Tianma’s TFT LCD panels are imported, offered for sale, and sold in the U.S., including in Texas and this District. For example, Tianma’s TFT LCD panel model numbers TL062FVMC70, TM062JDSC03, and TL079QDXP02 are utilized in at least the Motorola Moto G7 smartphone, the Motorola Moto G7 Power smartphone, and the Asus ZenPad S 8.0 tablet, respectively.

12. Via its alter egos, representatives, authorized distributors, agents, intermediaries, importers, customers, subsidiaries, and/or consumers maintaining a business presence, operating in, and/or residing in the U.S., Tianma has widely distributed and sold its infringing TFT LCD panels in retail stores, both brick and mortar and online, in Texas including within this District.

13. Upon information and belief, Tianma has placed and continues to place infringing TFT LCD panels into the stream of commerce via established distribution channels comprising at

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