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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

v.

TCL CORP.,
TCL COMMUNICATION LTD., TCL
COMMUNICATION HOLDINGS
LTD. AND
TCL COMMUNICATION
TECHNOLOGY HOLDINGS LTD.

Defendants.

NO.

COMPLAINT

DEMAND FOR JURY TRIAL

COMPLAINT - 1
Case No.

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1. Plaintiff, ANCORA TECHNOLOGIES, INC. (“Ancora”), for its Complaint against TCL Corp., TCL Communication Ltd., TCL Communication Technology Holdings Ltd., (collectively “TCL”) herein, states as follows:

I. THE PARTIES

2. Plaintiff Ancora Technologies, Inc. is a corporation organized and existing under the laws of the State of Delaware and having a place of business at 23977 S.E. 10th Street, Sammamish, Washington 98075.

3. Upon information and belief, TCL Corp. is a corporation duly organized and existing under the laws of the People’s Republic of China, having an address of No. 26, the Third Road, Zhongkai Avenue, Huizhou City, Guangdong, P.R. China 516006.

4. Upon information and belief, TCL Communication Ltd. is a corporation duly organized and existing under the laws of the People’s Republic of China, having an address of 7/F, Block F4, TCL International E City Zhong Shan Yuan Road, Nanshan District, Shenzhen China.

5. Upon information and belief, TCL Communication Holdings Ltd. is a corporation existing under the laws of China, with a principal place of business at TCL Tower, 15th floor, Gaoxin Nan Yi Road, Nanshan District, Shenzhen, Guangdong, 518057 P.R. China.

6. Upon information and belief, TCL Communication Technology Holdings Ltd. (“TCT”) is a corporation duly organized and existing under the laws of the People’s Republic of China, having an address of Block F4, TCL Communication Technology Building, TCL International E City, Zhong Shan Yuan Road, Nanshan District, Shenzhen, Guangdong, P.R. China, 518052.

7. Upon information and belief, TCT is licensed to make, use, and sell Alcatel-branded mobile devices in the United States.

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Visit our family of brands.

TCL COMMUNICATION TECHNOLOGY HOLDINGS LTD (TCT)

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Visit Alcatel >

BlackBerry

TCL

For media inquiries or more information, please contact us at pr@tctusa.com.

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12 <http://www.tctusa.com/>

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ABOUT ALCATEL

TCL Communication Technology Holdings Limited (TCL Communication) designs, develops and markets a diversified range of mobile devices in more than 160 countries under the Alcatel brand. Currently a top-10 global smartphone manufacturer, Alcatel branded devices from TCL Communication deliver innovative, feature-rich experiences that make access to today's mobile technology simple; offering a diverse portfolio of value-packed products equipped with the technology people want most.

TCL Communication is a wholly owned company of TCL Corporation, one of the largest consumer electronics companies in the world. Alcatel is a trademark of Nokia used under license by TCL Communication.

18 <https://us.alcatelmobile.com/about-us/>

19 8. Upon information and belief, TCT is licensed to make, use, and sell Blackberry-

20 branded mobile devices in the United States.

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TCL **TCL COMMUNICATION**
TECHNOLOGY HOLDINGS LTD (TCT)

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alcatel

BlackBerry smartphones are manufactured, marketed and sold globally under a brand licensing agreement with TCL Communication. BlackBerry mobile devices continue a legacy of offering the most secure smartphone experience, with user features that are unmatched in the marketplace.

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TCL

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About Us

BlackBerry smartphones are manufactured, marketed and sold globally under a brand licensing agreement with TCL Communication. As a top-5 smartphone manufacturer in North America, and a top manufacturer globally, TCL Communication's portfolio of products – which include Alcatel, BlackBerry and TCL branded devices – are currently sold in over 160 countries throughout North America, Latin America, Europe, the Middle East, Africa and Asia Pacifica.

TCL Communication operates nine R&D centers worldwide, employing thousands across the globe. For more information, please visit www.TCLCOM.com.

For media inquiries, please email us at PR@TCTUSA.com.

25 <https://blackberrymobile.com/us/about-us/>

26 9. The Defendants identified in paragraphs 2-5 above are an interrelated group of

27 companies which together comprise a manufacturer and seller of Android mobile devices in the

1 United States, including Android mobile devices that are sold under the Alcatel and Blackberry
2 brands.

3 4 **II. JURISDICTION**

5 10. This is an action for infringement of United States patents arising under 35
6 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of
7 the action under 28 U.S.C. § 1331 and § 1338(a).

8 11. This Court has personal jurisdiction over Defendants pursuant to due process
9 and/or the Texas Long Arm Statute because, *inter alia*, (i) Defendants have done and continue
10 to do business in Texas and (ii) Defendants have committed and continue to commit acts of
11 patent infringement in the State of Texas, including making, using, offering to sell, and/or
12 selling accused products in Texas, and/or importing accused products into Texas, including by
13 Internet sales and sales via retail and wholesale stores, inducing others to commit acts of patent
14 infringement in Texas, and/or committing a least a portion of any other infringements alleged
15 herein. In addition, or in the alternative, this Court has personal jurisdiction over Defendants
16 pursuant to Fed. R. Civ. P. 4(k)(2).

17 12. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and
18 1400(b) because (i) Defendants have done and continue to do business in this district; (ii)
19 Defendants have committed and continue to commit acts of patent infringement in this district,
20 including making, using, offering to sell, and/or selling accused products in this district, and/or
21 importing accused products into this district, including by internet sales and sales via retail and
22 wholesale stores, and/or inducing others to commit acts of patent infringement in this district;
23 and (iii) Defendants are foreign entities.

24 13. Venue is proper as to Defendants, which are organized under the laws of the
25 People’s Republic of China, Hong Kong, and Canada. 28 U.S.C. § 1391(c)(3) provides that “a
26 defendant not resident in the United States may be sued in any judicial district, and the joinder
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