

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LOGANTREE LP

Plaintiff,

v.

HUAWEI TECHNOLOGIES, CO., LTD,
HUAWEI TECHNOLOGIES USA, INC.,
AND HUAWEI DEVICES USA, INC.,

Defendants.

CIVIL ACTION NO.

JURY DEMAND

PLAINTIFF'S ORIGINAL COMPLAINT

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28 U.S.C. § 1400 3
35 U.S.C. § 271 1, 7, 8, 13
35 U.S.C. § 284 13
35 U.S.C. § 285 13

Rules

Fed. R. Civ. P. 38 13

1. Plaintiff LoganTree LP (“LoganTree”) files this, its Original Complaint for patent infringement. Plaintiff asserts claims for patent infringement of U.S. Patent No. 6,059,576 (“the ‘576 Patent”), as reexamined, against Defendants Huawei Technologies, Co., Ltd (“Huawei Ltd.”), Huawei Devices USA, Inc. (“Huawei Devices”), and Huawei Technologies USA, Inc. (“Huawei USA” and collectively with Huawei Ltd. and Huawei Devices, “Huawei”), under 35 U.S.C. § 271, *et seq.* In support thereof, LoganTree would respectfully show the Court the following:

I. PARTIES

2. Plaintiff LoganTree LP (“Plaintiff” or LoganTree”) is a partnership organized under the laws of the state of Nevada. LoganTree’s sole general partner is Gulfstream Ventures, LLC (“Gulfstream”), a limited liability company organized under the laws of the state of Nevada. Theodore and Anne Brann are the owners and sole managing members of Gulfstream, and their address is P.O. Box 2345, Boerne, Texas 78006.

3. Defendant Huawei Technologies USA, Inc. is a corporation organized and existing under the laws of the State of Texas, with its principal place of business at 5700 Tennyson Parkway, Suite 500, Plano, Texas 75024. Huawei USA may be served through its registered agent, CT Corporation System, at 350 N. St. Paul Street, Suite 2900, Dallas, Texas 75201.

4. Defendant Huawei Technologies Co., Ltd. is a corporation organized under the laws of the People’s Republic of China, and has its principal place of business located in Huawei Industrial Base, Bantian, Longgang, Shenzhen, Guangdong, P.R. China 518129, where it can be served with process.

5. Defendant Huawei Devices USA, Inc. is a corporation organized under the laws of the State of Texas, and has its principal place of business located at 5700 Tennyson Parkway, Suite

600, Plano, Texas 75024. Huawei Devices may be served through its registered agent, CT Corporation System, at 350 N. St. Paul Street, Suite 2900, Dallas, Texas 75201.

6. Huawei USA and Huawei Devices are wholly-owned subsidiaries of Huawei Ltd.

7. Huawei sells and offers to sell products and services throughout the United States, including in this judicial district, and introduces products and services into the stream of commerce that incorporate infringing technology knowing that they would be sold in this judicial district and elsewhere in the United States.

II. JURISDICTION AND VENUE

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

9. This Court has personal jurisdiction over Huawei Devices and Huawei USA because these entities reside in the State of Texas. Both entities are incorporated in the State of Texas and have their principal place of business in Texas.

10. This Court has general and specific personal jurisdiction over Huawei Ltd. because Huawei Ltd. is present within and/or has sufficient minimum contacts with the State of Texas and the Eastern District of Texas pursuant to the Due Process Clause of the United States Constitution and the law of Texas. Huawei Ltd. has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas by entering into contracts with Texas businesses and by developing and producing the infringing products in and through Texas businesses. Huawei Ltd. has sought protection and benefit from the laws of the State of Texas. Moreover, Huawei Ltd. has purposefully and voluntarily placed infringing products in the stream of commerce with the expectation that its products will be purchased by end users in the State of

Texas and in the Eastern District of Texas. Huawei Ltd has committed the tort of patent infringement within the State of Texas and within the Eastern District of Texas. Finally, Plaintiff's causes of action arise directly from Huawei Ltd.'s business contacts and other activities in the State of Texas and in the Eastern District of Texas.

11. More specifically, Huawei Ltd. directly and/or through intermediaries (including distributors, retailers, and others) ships, distributes, offers for sale, sells, and/or advertises its products in the United States, the State of Texas, and the Eastern District of Texas, including but not limited to the Accused Products identified below. Huawei Ltd. solicits customers in the State of Texas and in the Eastern District of Texas. Huawei Ltd. has customers who are residents of the State of Texas and the Eastern District of Texas and who use Huawei's products and services, including the Accused Products, in the State of Texas and in the Eastern District of Texas. Huawei Ltd. derives substantial revenue from goods and service provided to individuals in Texas and in the Eastern District of Texas.

12. Venue is proper in the Eastern District of Texas under 28 U.S.C. § 1400(b). Defendants Huawei Devices and Huawei USA both reside in Texas and in the Eastern District of Texas because both are incorporated in the State of Texas and their principal place of business is within the boundaries of the Eastern District of Texas. Defendant Huawei Ltd. has committed acts of patent infringement in the State of Texas and in the Eastern District of Texas and has a regular and established place of business in the State of Texas and the Eastern District of Texas. *See TC Heartland LLC v. Kraft Foods Grp. Brands LLC*, 137 S. Ct. 1514 (2017). Moreover, Huawei has transacted business in this district, and has directly and/or indirectly committed and/or induced acts of patent infringement in this district.

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