

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

MYPAQ HOLDINGS LTD.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

CIVIL ACTION NO. 6:21-CV-00398

JURY TRIAL DEMANDED

**PLAINTIFF'S ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT AND JURY DEMAND**

Plaintiff MyPAQ Holdings Ltd. (“MyPAQ”) files this Original Complaint for Patent Infringement and Jury Demand against Defendants Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. (together, “Defendants” or “Samsung”). Plaintiff alleges infringement of United States Patent Number 7,403,399 (the “399 Patent”), United States Patent Number 7,675,759 (the “759 Patent”), United States Patent Number 7,978,489 (the “489 Patent”), and United States Patent Number 8,477,514 (the “514 Patent”) (collectively, the “Patents”) as follows:

I. PARTIES

1. MyPAQ is a corporation organized and existing under the laws of the Republic of Seychelles with a principal place of business at 303 Aarti Chambers, Victoria Mahe, Republic of Seychelles. MyPAQ is the assignee of each of the Patents.

2. Defendant Samsung Electronics Co., Ltd. is a foreign corporation organized and existing under the laws of the Republic of Korea with a principal place of business at 129, Samsung-ro, Yeongtong-gu, Suwon-si, Gyeonggi-Do, Korea 443-742.

3. 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

MyPAQ Exhibit 0000

with a principal place of business at 105 Challenger Road, Ridgefield Park, New Jersey 07660 and offices and/or other facilities in Texas at least at 12100 Samsung Boulevard, Austin, Texas 78754 and 6625 Excellence Way, Plano, Texas 75023. Samsung Electronics America, Inc. may be served with process through its registered agent with the Texas Secretary of State, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. Further, Defendant Samsung Electronics America, Inc. merged with Samsung Telecommunications America LLC in January 2015. *Koninklijke KPN N.V. v. Samsung Telecomms. Am. LLC, et al.*, Case No. 2:14-cv-01165-JRG (E.D. Tex.) at Dkt. 34. Prior to such merger, Samsung Telecommunications America LLC was involved in the sales and distribution of Samsung-branded consumer electronics products in the United States.

5. On information and belief, Defendant Samsung Electronics America, Inc. is liable for any act for which Samsung Telecommunications America LLC otherwise would be or would have been liable, including for any infringement alleged in this matter, and references herein to Samsung Electronics America, Inc. should be understood to encompass such acts by Samsung Telecommunications America LLC.

II. JURISDICTION

6. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 284, and 285. This is a patent infringement lawsuit over which this Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

7. This United States District Court for the Western District of Texas has general and specific personal jurisdiction over Defendants because Defendants are present in, and transact and conduct business in and with residents of, this District and the State of Texas.

8. MyPAQ's causes of action arise, at least in part, from Defendants' contacts with and activities in this District and the State of Texas.

9. Defendants have committed acts that infringe the Patents within this District and the State of Texas by making, using, selling, offering for sale, and/or importing in or into this District and elsewhere in the State of Texas infringing products. Defendants make, use, sell, offer for sale, ship, distribute, advertise, promote, and/or otherwise commercialize such infringing products in this District and the State of Texas. Defendants regularly conduct and solicit business in, engage in other persistent courses of conduct in, and/or derive substantial revenue from goods and services provided to residents of this District and the State of Texas.

III. VENUE

10. Venue is proper in this District against Samsung Electronics Co., Ltd. because venue in a patent infringement action against a foreign defendant is proper in any judicial district. *Brunette Mach. Works, Ltd. v. Kochum Indus., Inc.*, 406 U.S. 706, 711–714 (1972), cited by *TC Heartland LLC v. Kraft Foods Grp. Brands LLC*, 137 S. Ct. 1514, 1520 n.2 (2017); see also *In re HTC Corp.*, 889 F.3d 1349, 1354 (Fed. Cir. 2018) (citing *Brunette Mach. Works*, 406 U.S. at 706).

11. Venue is proper in this District against Samsung Electronics America, Inc. because Samsung Electronics America, Inc. has physical offices located in this District that are regular and established places of business and belong to it. See *In re Cray Inc.*, 871 F.3d 1355 (Fed. Cir. 2017).

12. For example, Samsung Electronics America, Inc. maintains regular and established offices in the Western District of Texas, including at 12100 Samsung Boulevard, Austin, Texas 78754.

13. Further, on information and belief, Samsung Electronics Co., Ltd. directs and controls the actions of Samsung Electronics America, Inc. such that it too maintains regular and established offices in the Western District of Texas, including at 12100 Samsung Boulevard, Austin, Texas 78754.

14. Samsung Electronics Co., Ltd. also owns and operates a manufacturing facility at the same address in Austin, Texas, 12100 Samsung Boulevard.

15. In addition, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. have placed, or contributed to placing, infringing products 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.

16. On information and belief, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. have authorized retailers that offer and sell products on their behalf in this District, including products accused of infringement herein. On information and belief, these include Target, *e.g.*, at 5401 Bosque Boulevard, Waco, Texas 76710; Best Buy, *e.g.*, at 4627 South Jack Kultgen Expressway, Waco, Texas 76706; AT&T, *e.g.*, at 4330 West Waco Drive, Waco, Texas 76710; T-Mobile, *e.g.*, at 100 North New Road, Suite 110, Waco, Texas 76710; and Verizon, *e.g.*, at 1820 South Valley Mills Drive, Waco, Texas 76711, among others.

17. On information and belief, Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. have each derived substantial revenue from infringing acts in the Western District of Texas, including from the sale and use of infringing products.

18. Venue is proper under 28 U.S.C. § 1391(b)–(c) and 28 U.S.C. § 1400.

IV. UNITED STATES PATENT NUMBER 7,403,399

19. United States Patent Number 7,403,399 is titled “Active Primary-Sided Circuit Arrangement for a Switch-Mode Power Supply” and was filed on March 30, 2006. The ’399 Patent claims priority to German Patent Application Number 10 2005 014 746, which was filed on March 31, 2005. A true and correct copy of the ’399 Patent is attached as Exhibit A and is publicly available at <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=7403399>.

20. The ’399 Patent claims patent-eligible subject matter and is valid and enforceable.

21. Claim 1 of the ’399 Patent reads:

Circuit arrangement for a switch-mode power supply, wherein the switch-mode power supply has a primary side, which can be connected to a supply voltage, and a secondary side, which can be connected to a consumer,

wherein the circuit arrangement (100) comprises a primary-sided switch (102), a control circuit (104) for controlling the primary-sided switch (102) and additional active, primary-sided components (106, 108, 110),

wherein said control circuit (104) is formed by a first integrated semiconductor chip and the primary-sided switch (102) and the additional components (106, 108, 110), are integrated in at least one additional semiconductor chip, said semiconductor chip being separate from the control circuit and arranged on a circuit carrier (112) shared with the control circuit.

22. Claim 2 reads:

Circuit arrangement according to claim 1, wherein the control circuit (104), the primary-sided switch (102) and the additional primary-sided components (106, 108, 110) are accommodated in a shared housing (118).

23. Claim 4 reads:

Circuit arrangement according to claim 2, wherein the housing (118) is executed as a housing that can be surface-mounted for surface-mount technologies.

24. Claim 5 reads:

Circuit arrangement according to claim 1, wherein the circuit carrier is executed as a leadframe (112).

25. Claim 6 reads:

Circuit arrangement according to claim 1, wherein a metallization of the circuit carrier (112) has cooling areas that are formed for removing heat.

26. Claim 13 reads:

Switch-mode power supply having a primary side, which can be connected to a supply voltage, and a secondary side, which can be connected to a consumer,

said switch-mode power supply comprising a circuit arrangement which comprises a primary-sided switch, a control circuit for controlling the primary-sided switch and additional active, primary-sided components,

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