



3. On information and belief, SEA does business in the State of Texas and in the Eastern District of Texas, is a New York corporation with its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660 and is a wholly-owned subsidiary of SEC. SEA has a business location in this District at 6625 Excellence Way, Plano, TX. 75023. SEA may be served in Texas at least via its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. On information and belief, SDC is a Korean corporation, and wholly-owned subsidiary of SEC, with its principal place of business located at 1, Samsung-ro, Giheung-gu, Yongin-si, Gyeonggi-Do, in the Republic of Korea.

5. Defendant SDC makes and supplies displays incorporated into the accused products. Defendants SEC and SEA make and supply the accused products.

6. Upon information and belief, SEC, SDC, and SEA, along with other foreign and U.S.-based subsidiaries (which act as part of a global network of overseas sales and manufacturing subsidiaries on behalf of SEC) have operated as agents of one another and vicariously as parts of the same business group to work in concert together and enter into agreements that are nearer than arm's length. For example, SEC (and SDC), alone and via at least SEA's activities, conducts business in the United States, including importing, distributing, and selling the accused display products that incorporate devices, systems, and processes that infringe the Asserted Patents in Texas and this judicial district. *See Trois v. Apple Tree Auction Center, Inc.*, 882 F.3d 485, 490 (5th Cir. 2018) ("A defendant may be subject to personal jurisdiction because of the activities of its agent within the forum state...."); *see also Cephalon, Inc. v. Watson Pharmaceuticals, Inc.*, 629 F. Supp. 2d 338, 348 (D. Del. 2009) ("The agency theory may be applied not only to parents and subsidiaries, but also to companies that are 'two arms of the same business group,' operate in

concert with each other, and enter into agreements with each other that are nearer than arm's length.”).

7. Through offers to sell, sales, imports, distributions, and other related agreements to transfer ownership of SEC accused display products with distributors and customers operating in and maintaining a significant business presence in the U.S. and/or its U.S. subsidiary SEA, SEC and SDC do business in the U.S., the state of Texas, and in the Eastern District of Texas.

### **JURISDICTION AND VENUE**

8. This action arises under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others.

9. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. With respect to SEC, venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c). SEC and SDC are foreign entities and may be sued in any judicial district under 28 U.S.C. § 1391(c)(3).

11. With respect to SEA, venue is proper in this District under 28 U.S.C. § 1400(b). On information and belief, SEA has committed acts of infringement in the District and/or has induced acts of patent infringement by others in this District and has a regular and established place of business within the District. For example, Samsung has offices at 6625 Excellence Way, Plano, TX. 75023.

12. On information and belief, each Defendant 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 judicial district, including: (A) performing 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 goods sold and services provided to Texas residents. Defendants have placed and continue to place infringing products, such as televisions, displays, monitors, and other display devices, into the stream of commerce via an established distribution channel with the knowledge and/or intent that those products were sold and continue to be sold in the United States and Texas, including in this District.

13. On information and belief, Defendants have significant ties to, and presence in, the State of Texas and the Eastern District of Texas, making venue in this judicial district both proper and convenient for this action. For Defendants SDC and SEC, venue is proper as to a foreign defendant in any district. Defendant SEA has regular and established places of business in this district at: 1301 East Lookout Drive, Richardson, Texas 75080; and 6635 Declaration Drive, Plano, TX 75023.

**COUNT I**  
**(Infringement of U.S. Patent No. 6,525,798)**

14. Plaintiff incorporates paragraphs 1 through 13 herein by reference.

15. This cause of action arises under the patent laws of the United States, and in particular, 35 U.S.C. §§ 271, *et seq.*

16. Plaintiff is the owner of the '798 patent with all substantial rights to the '798 patent including the exclusive right to enforce, sue, and recover damages for past infringement.

17. The '798 patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

**DIRECT INFRINGEMENT (35 U.S.C. §271(a))**

18. Defendants infringed literally, and/or under the Doctrine of Equivalents, one or more claims of the '798 patent in this judicial district and elsewhere in Texas and the United States.

19. On information and belief, Defendants, either by themselves (individually and/or in concert) and/or via an agent, infringed literally, and/or under the Doctrine of Equivalents, at least claim 1 of the '798 patent by, among other things, making, using, selling, offering for sale, and/or importing products, such as televisions and mobile phones, that satisfy the limitations of claim 1. Further, SEC is vicariously liable for this infringing conduct of SDC and/or SEA, as well as other related Samsung entities, and affiliates, (under both the alter ego and agency theories) because, as an example and upon information and belief, SEC, SDC, and SEA are essentially the same company, and SEC has the right and ability to control SDC's and SEA's infringing acts and receives a direct financial benefit from SEA's and SDC's infringement.

20. The products accused of infringing the '798 patent comprise a liquid crystal display unit. For example, the QN55 includes an LCD display and LCM label.



21. The products accused of infringing the '798 patent comprise a plurality of pixels each including a plurality of common electrodes, a plurality of pixel electrodes, and a semiconductor switching element. The inner surface of the substrate of the display of the products accused of infringing the '798 patent includes a plurality of pixels. For example, an examination of the QN55 television demonstrates this:

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