

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

CONSTELLATION DESIGNS, LLC,

*Plaintiff,*

v.

LG ELECTRONICS, INC, LG  
ELECTRONICS USA, INC., AND LG  
ELECTRONICS ALABAMA, INC.

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Civil Action No.: 2:21-cv-448

JURY TRIAL DEMANDED

**PLAINTIFF CONSTELLATION DESIGNS, LLC'S**  
**COMPLAINT FOR PATENT INFRINGEMENT**

Constellation Designs, LLC (“Constellation Designs,” “CD,” or “Plaintiff”), brings this action for patent infringement of U.S. Patent Nos. 10,567,980; 8,842,761; 10,693,700; 11,019,509; 11,018,922; 9,743,290; and 11,039,324 (*see* Exhibits 1–7) under 35 U.S.C. § 271 against Defendants LG Electronics, Inc., LG Electronics USA, Inc., LG Electronics Alabama, Inc. (collectively, “LG Defendants” or “Defendants”) and alleges as follows:

**THE PARTIES**

1. Plaintiff Constellation Designs, LLC is a Delaware corporation and has offices in Wayne, Pennsylvania and Anaheim, California. Constellation Designs’ office in Pennsylvania is located at 123 West Wayne Avenue, Floor 1, Wayne, Pennsylvania 19087.

2. Defendant LG Electronics Inc. (“LGE”) is a South Korean corporation having a principal place of business at LG Twin Tower 128, Yeoui-daero, Yeongdeungpo-gu, Seoul, Korea 07336.

3. Defendant LG Electronics USA, Inc. (“LGUSA”) is a Delaware corporation having a principal place of business at 111 Sylvan Avenue, North Building, Englewood Cliffs, New Jersey 07632.

4. LG Electronics Alabama, Inc. (“LG Alabama”) is an Alabama corporation having a principal place of business at 201 James Record Road, Huntsville, Alabama, 35824.

5. LGUSA is a wholly owned subsidiary of LGE.

6. LG Alabama is a wholly owned subsidiary of LGUSA.

### **JURISDICTION AND VENUE**

7. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

8. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338(a).

9. Venue in this District is proper under 28 U.S.C. § 1391(c)(3) and 28 U.S.C. § 1400(b) with respect to LGE.

10. LGE is not a resident of the United States and may be sued in this District because suits against foreign entities are proper in any judicial district where they are subject to personal jurisdiction.

11. Defendant LGE and its subsidiaries have committed acts of patent infringement in this District.

12. Venue in this District is proper under 28 U.S.C. § 1400(b) with respect to LGUSA.

13. Venue in this District is proper under 28 U.S.C. § 1400(b) with respect to LGUSA because LGUSA has committed acts of infringement in this District and has a regular and established place of business in this District.

14. LGUSA supports LGE’s TV business in the United States with local logistics, local sales, repair, and technical support in the United States.

15. LGUSA conducts business in and is doing business in this District and elsewhere in the United States, including, without limitation, using, offering to sell, selling, and/or importing communications devices such as TVs that practice the patented technology, enabling third party distributors and resellers to sell and offer to sell such devices, and enabling end-user purchasers to use such devices in this District.

16. Specifically, LGUSA imports digital televisions with integrated receivers capable of: (1) receiving and processing signals using non-uniform parallel decode capacity optimized constellations; and/or (2) operating under different channel conditions by utilizing different non-uniform multidimensional constellation and code rate pairs, where some of the unequally spaced constellations have overlapping constellation points, into the United States and directs that such goods be delivered to a “Buyer-Notify Party” at a “NTX FORT WORTH WH.” *See* Exhibit 8.

17. Furthermore, LGUSA has a regular and established place of business in this District at the “NTX FORT WORTH WH” where it receives the Accused Products upon importing them into the United States from LGE for sale to those in the United States.

18. As the consignee of the goods being imported, LGUSA is the owner of such goods. *See* Exhibit 8.

19. As such, LGUSA’s ownership of the imported Accused Products and repeated direction to deliver such Accused Products, among other goods, to the “NTX FORT WORTH WH” demonstrates that such “NTX FORT WORTH WH” is a regular and established place of business of LGUSA.

20. There is an individual present to receive such goods at the “NTX FORT WORTH WH” either as an employee of LGUSA or as LGUSA’s agent conducting LGUSA’s business in this District.

21. The “NTX FORT WORTH WH” is an LG branded building located in this District at 14901 North Beach Street, Fort Worth, Texas, 76177. *See* Exhibit 9.

22. Accordingly, venue is proper in this District as to LGUSA under 28 U.S.C. § 1400(b).

23. Venue in this District is proper under 28 U.S.C. § 1400(b) with respect to LG Alabama.

24. Venue in this District is proper under 28 U.S.C. § 1400(b) with respect to LG Alabama because LG Alabama has committed acts of infringement in this District and has a regular and established place of business in this District at 2153 Eagle Parkway, Fort Worth, Texas 76177.

25. LG Alabama supports LGE’s TV business in the United States with local logistics, local sales, repair, and technical support in the United States.

26. LG Alabama conducts business in and is doing business in this District and elsewhere in the United States, including, without limitation, using, offering to sell, selling, and/or importing devices such as TVs that practice the patented technology, enabling third party distributors and resellers to sell and offer to sell such devices, and enabling end-user purchasers to use such devices in this District.

27. This Court has personal jurisdiction over LGE, LGUSA, and LG Alabama.

28. LGE and its subsidiaries, including LGUSA and LG Alabama, have conducted and do conduct business within the State of Texas.

29. LGE and its subsidiaries, directly or through their subsidiaries or intermediaries (including distributors, retailers, and others), ship, distribute, make, use, offer for sale, sell, import, repair and/or advertise (including by providing interactive web pages) products and/or services in the United States and the Eastern District of Texas and/or contribute to and actively induce

customers to ship, distribute, make, use, offer for sale, sell, import, repair and/or advertise (including the provision of interactive web pages) infringing products and/or services in the United States and the Eastern District of Texas.

30. LGE, LGUSA, and LG Alabama directly and through their subsidiaries or intermediaries (including distributors, retailers, and others), have purposefully and voluntarily placed one or more infringing products and/or services, as described below, into the stream of commerce with the expectation that those products will be purchased and used by customers and/or consumers in the Eastern District of Texas.

31. These infringing products and/or services have been and continue to be made, used, sold, offered for sale, purchased, and/or imported by customers and/or consumers in the Eastern District of Texas.

32. LGE and its subsidiaries have also placed the Accused Products into the stream of commerce by shipping Accused Products into the Eastern District of Texas, shipping Accused Products knowing that those products would be shipped into the Eastern District of Texas, and/or shipping Accused Products knowing that these Accused Products would be incorporated into other Accused Products that would be shipped into the Eastern District of Texas. *See, e.g., Progress Report Fall 2020, LG Electronics, ATSC, <https://www.atsc.org/atsc-progress/lg-electronics/> (“Ushering in the NEXTGEN TV era, ATSC 3.0 co-developer LG Electronics has launched new OLED TV models equipped to receive new services with enhanced content, pictures and sound.”); *LG Introduces ATSC 3.0-Enabled OLED TVs In USA, Ushering In ‘NEXTGEN TV’ Era*, CISION PR Newswire (Jan. 8, 2020, 11:20 a.m.), <https://www.prnewswire.com/news-releases/lg-introduces-atsc-3-0-enabled-oled-tvs-in-usa-ushering-in-nextgen-tv-era-300983627.html>; Phil Kurtz, *LG Electronics to Rollout Six 3.0 TVs This Year in U.S.*, tvtech (Jan. 6, 2020),*

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.