

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

PARKERVISION, INC.,

Plaintiff,

v.

**MEDIATEK INC. and
MEDIATEK USA INC.**

Defendants.

Case No. 6:22-cv-01163-ADA

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff ParkerVision, Inc. (“ParkerVision”), by and through its undersigned counsel, files this Amended Complaint against Defendants MediaTek Inc. and MediaTek USA Inc. (collectively, “MediaTek” or “Defendants”) for patent infringement of United States Patent Nos. 6,049,706; 6,266,518; 7,292,835; and 8,660,513 (the “patents-in-suit”) and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

PARTIES

2. Plaintiff ParkerVision is a Florida corporation with its principal place of business at 4446-1A Hendricks Avenue, Suite 354, Jacksonville, Florida 32207.

3. On information and belief, MediaTek Inc. (“MediaTek Taiwan”) is a foreign corporation organized and existing under the laws of Taiwan with a principal place of business located at No. 1, Dusing Road 1, Hsinchu Science Park, Hsinchu City 30078, Taiwan.

4. On information and belief, Defendant MediaTek USA Inc. (“MediaTek USA”) is a corporation organized and existing under the laws of the state of Delaware with a place of business in the Western District of Texas, including at 5914 West Courtyard Drive, Suite 400, Austin, TX 78730. <https://corp.mediatek.com/about/office-locations/mediatek-usa-offices>.

5. On information and belief, MediaTek USA is a subsidiary of MediaTek Taiwan and engages in sales, advertising, marketing, and/or research in the United States on behalf of, and under the control of MediaTek Taiwan. See <https://www.mediatek.com/who-we-are>.

6. MediaTek Taiwan and MediaTek USA are companies which together comprise one of the world’s largest manufacturers of integrated circuits, powering more than 2 billion devices a year.¹ MediaTek Taiwan designs, develops, manufactures, and ships integrated circuits/wireless chips to be sold in the United States (including to entities in Texas). On information and belief, MediaTek USA sells, advertises, and markets integrated circuits/wireless chips on behalf of, and under the control of MediaTek Taiwan.

V. Business Activities

1. Business Scope

1.1. Business Scope

1.1.1 The Main Business Activities of the Company

- A. Design, develop, produce, manufacture and market the following products:
 - a. Multimedia Integrated Circuits (IC);
 - b. Computer peripheral ICs;
 - c. High-end digital consumer ICs;
 - d. Other application specific ICs;
 - e. Patent and circuit-layout licensing and services of the above-mentioned products
- B. Provide the above-mentioned products with software and hardware application design, test, maintenance, and technological consultation services
- C. Import and export of the above-mentioned products

¹ See <https://www.mediatek.com/who-we-are>.

https://cdn-www.mediatek.com/posts/2021-English-Annual-Report_Final.pdf at page 64.

7. MediaTek Taiwan and MediaTek USA share the same management, common ownership, advertising platforms, facilities, distribution chains and platforms, and infringing product lines and products involving related technologies. According to MediaTek, the “[b]usiness scope of MediaTek and its affiliates include the investment, R&D, promotion, after-sale service for optical storage products, digital consumer products, wireless communication, digital TV, networking, analog, etc.,” and “MediaTek affiliates support the Company’s core business by acquiring leading technology through investments.”²

8. On information and belief, MediaTek Taiwan and MediaTek USA are operated as a single business entity and/or in concert with each other to sell, offer to sell, import, market, advertise, and/or otherwise promote the infringing products (receiver and/or transceiver integrated circuits (e.g., chips for use in wireless devices)) in the United States, including in the State of Texas generally and this judicial district in particular. On information and belief, the Defendants share directors, executives and/or employees. For example, Mr. David Ku is an Executive Vice President and CFO of MediaTek Taiwan and a Director of MediaTek USA. See https://cdn-www.mediatek.com/posts/2021-English-Annual-Report_Final.pdf at page 21:

Executive Vice President & CFO & Spokesman David Ku	R.O.C.	Male	Jan. 1, 2011	314,788	0.02%	-	-	-	-	- MBA, University of Illinois at Urbana Champaign - Vice President of JPMorgan Investment bank	- Chairman / Director, MediaTek’s affiliates and invested companies	None
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See https://cdn-www.mediatek.com/posts/2021-English-Annual-Report_Final.pdf at page 111:

MediaTek USA Inc.	Director	David Ku	MTK Wireless Limited (UK)	100
	Director	Kevin Jou	MTK Wireless Limited (UK)	100

² See https://cdn-www.mediatek.com/posts/2021-English-Annual-Report_Final.pdf.

9. On information and belief, MediaTek Taiwan controls the business decisions of its affiliates including, but not limited to, MediaTek USA.

10. Thus, on information and belief, MediaTek Taiwan and MediaTek USA operate as a unitary business venture and are jointly and severally liable for the acts of patent infringement alleged herein.

JURISDICTION AND VENUE

11. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

12. MediaTek Taiwan and MediaTek USA are subject to this Court's personal jurisdiction in accordance with due process and/or the Texas Long-Arm Statute. *See* Tex. Civ. Prac. & Rem. Code §§ 17.041 *et seq.*

13. This Court has personal jurisdiction over MediaTek Taiwan and MediaTek USA because MediaTek Taiwan and MediaTek USA have sufficient minimum contacts with this forum as a result of business conducted within the State of Texas and this judicial district. In particular, this Court has personal jurisdiction over MediaTek Taiwan and MediaTek USA because, *inter alia*, MediaTek Taiwan and MediaTek USA, on information and belief, have substantial, continuous, and systematic business contacts in this judicial district, and derive substantial revenue from goods provided to individuals in this judicial district.

14. MediaTek Taiwan and MediaTek USA have purposefully availed themselves of the laws of, and of the privileges of, conducting business within this judicial district, have established sufficient minimum contacts with this judicial district such that they should reasonably and fairly anticipate being hauled into court in this judicial district, have purposefully

directed activities at residents of this judicial district, and at least a portion of the patent infringement claims alleged in this Complaint arise out of or are related to one or more of the foregoing activities.

15. MediaTek Taiwan and MediaTek USA are part of the same corporate structure and distribution chain for the making, importing, offering to sell, selling, and/or using of the infringing products in the United States, including in the State of Texas generally and this judicial district in particular.

16. This Court has personal jurisdiction over MediaTek Taiwan and MediaTek USA because MediaTek Taiwan (directly and/or through its subsidiaries, affiliates, or intermediaries) and MediaTek USA have committed and continue to commit acts of infringement in this judicial district in violation of at least 35 U.S.C. § 271(a). In particular, on information and belief, MediaTek Taiwan (including, without limitation, through its subsidiary MediaTek USA) and MediaTek USA (or those acting on its behalf) use, sell, offer for sale, import, advertise, and/or otherwise promote infringing products (receiver and/or transceiver integrated circuits (e.g., chips for use in wireless devices)) in the United States, the State of Texas, and this judicial district. The infringing products include, without limitation, the MediaTek MT7612UN and MT7662TU (“MediaTek Chips”).

17. On information and belief, at least the following LG television models sold/offered for sale in the United States contain the MediaTek MT7612UN: (UK620*) - 65UK6200PUA, 55UK6200PUA, 49UK6200PUA, 43UK6200PUA; (UK60*) - 65UK6090PUA, 60UK6090PUA, 55UK6090PUA, 50UK6090PUA; (UK61*) - 32UK610BPA, 75UK6190PUB, 70UK6190PUB. *See* <https://fccid.io/BEJLGSWFAC71/Internal-Photos/internal-photos-4532635.pdf>:

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