

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

COBBLESTONE WIRELESS, LLC,

*Plaintiff,*

v.

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

*Defendants.*

Case No. 2:23-cv-00285

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Cobblestone Wireless, LLC (“Cobblestone”) files this complaint against Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively “Defendants” or “Samsung”) alleging infringement of U.S. Patents No. 7,924,802 (the “802 Patent”), 8,554,196 (the “196 Patent”), 8,891,347 (the “347 Patent”), 9,094,888 (the “888 Patent”), and 10,368,361 (the “347 Patent”) (collectively the “Patents-in-Suit”).

**The Parties**

1. Plaintiff Cobblestone Wireless LLC is a limited liability company organized under the laws of the State of Texas, with an address at 101 E Park Blvd, Suite 600, Plano, Texas 75074.
2. On information and belief, Defendant Samsung Electronics Co., Ltd. (“SEC”) is a corporation organized under the laws of South Korea, with its principal place of business at 129, Samsung-Ro, YeongTong-Gu, Suwon-Si, Gyonggi-Do, 443-742, South Korea.
3. On information and belief, Defendant Samsung Electronics America, Inc. (“SEA”) is a United States corporation organized under the laws of the State of New York, with its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660 and with an office

located at 6625 Excellence Way, Plano, Texas 75023. SEA is a wholly owned subsidiary of SEC. SEA distributes certain Samsung consumer electronics products, including the Accused Products, in the United States.

### **Jurisdiction and Venue**

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendants in this action because Defendants have established minimum contacts with the United States as a whole, such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice. Defendants have purposefully directed activities at the United States, in particular, directing Accused Products for sale to customers and distributors within the United States (including within this District) and engaging in sales and marketing efforts to generate and support such sales. Defendants have committed and continue to commit acts of infringement in this District by, among other things, importing, offering to sell, and selling products that infringe the Asserted Patents. Defendants, directly and through subsidiaries, intermediaries, and third parties, have committed and continue to commit acts of infringement in this District by, among other things, making, using, offering to sell, selling, and importing products that infringe the Asserted Patents.

6. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b). Defendant SEC is a foreign corporation. Venue is proper as to a foreign defendant in any district. 28 U.S.C. § 1391(c)(3). Defendant SEA has committed and continues to commit acts of infringement in this District and has regular and established places of business in this District, including as set forth above.

### Count 1 – Claim for infringement of the '802 Patent

7. Cobblestone incorporates by reference each of the allegations in paragraphs 1–6 above and further alleges as follows:

8. Cobblestone is the owner of U.S. Patent No. 7,924,802 entitled “Wireless Communication Systems and Methods,” which issued on April 12, 2011. A copy of the '802 Patent is attached to this complaint as **Exhibit 1**.

9. On information and belief, Defendants make, use, offer for sale, sell, and/or import certain products (“Accused Instrumentalities”), including base station and mobile products supporting LTE and/or 5G carrier aggregation functionalities, that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the '802 Patent.

10. Defendants also knowingly and intentionally induce infringement of one or more claims of the '802 Patent in violation of 35 U.S.C. § 271(b). Through at least the filing and service of this Complaint, Defendants have had knowledge of the '802 Patent and the infringing nature of the Accused Instrumentalities. Despite this knowledge of the '802 Patent, Defendants continue to actively encourage and instruct their customers and end users (for example, through user manuals and online instruction materials on their website) to use the Accused Instrumentalities in ways that directly infringe the '802 Patent. Furthermore, Defendants offer the Accused Instrumentalities in a form and configuration such that customers and end users will perform the claimed method automatically by using the Accused Instrumentalities “out of the box” in their ordinary way. Defendants do so knowing and intending that their customers and end users will commit these infringing acts. Defendants also continue to make, use, offer for sale, sell, and/or import the Accused Instru-

mentalities, despite their knowledge of the '802 Patent, thereby specifically intending for and inducing their customers to infringe the '802 Patent through the customers' normal and customary use of the Accused Instrumentalities.

11. Defendants have also infringed, and continue to infringe, one or more claims of the '802 Patent by selling, offering for sale, or importing into the United States, the Accused Instrumentalities, knowing that the Accused Instrumentalities constitute a material part of the inventions claimed in the '802 Patent, are especially made or adapted to infringe the '802 Patent, and are not staple articles or commodities of commerce suitable for non-infringing use. Defendants have been, and currently are, contributorily infringing the '802 Patent in violation of 35 U.S.C. §§ 271(c) and (f).

12. The Accused Instrumentalities satisfy all claim limitations of one or more claims of the '802 Patent. A claim chart comparing independent claim 1 of the '802 Patent to representative Accused Instrumentalities is attached as **Exhibit 2** and incorporated by reference herein.

13. By making, using, offering for sale, selling and/or importing into the United States the Accused Instrumentalities, Defendants have injured Plaintiff and are liable for infringement of the '802 Patent pursuant to 35 U.S.C. § 271.

14. As a result of Defendants' infringement of the '802 Patent, Plaintiff is entitled to monetary damages in an amount adequate to compensate for Defendants' infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the Court.

### **Count 2 – Claim for infringement of the '196 Patent**

15. Cobblestone incorporates by reference each of the allegations in paragraphs 1–6 above and further alleges as follows:

16. Cobblestone is the owner of U.S. Patent No. 8,554,196 entitled “Network Coverage by Cycling Through Beam Shape Coverage Configurations,” which issued October 8, 2013. A copy of the ’196 Patent is attached to this complaint as **Exhibit 3**.

17. On information and belief, Defendants make, use, offer for sale, sell, and/or import certain products (“Accused Instrumentalities”), including cellular base stations that support providing network coverage using different types of beams and networks, *e.g.* 4G LTE and 5G NR wireless networks, that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ’196 Patent.

18. Defendants also knowingly and intentionally induce infringement of one or more claims of the ’196 Patent in violation of 35 U.S.C. § 271(b). Through at least the filing and service of this Complaint, Defendants have had knowledge of the ’196 Patent and the infringing nature of the Accused Instrumentalities. Despite this knowledge of the ’196 Patent, Defendants continue to actively encourage and instruct their customers and end users (for example, through user manuals and online instruction materials on their website) to use the Accused Instrumentalities in ways that directly infringe the ’196 Patent. Furthermore, Defendants offer the Accused Instrumentalities in a form and configuration such that customers and end users will perform the claimed method automatically by using the Accused Instrumentalities “out of the box” in their ordinary way. Defendants do so knowing and intending that their customers and end users will commit these infringing acts. Defendants also continue to make, use, offer for sale, sell, and/or import the Accused Instrumentalities, despite their knowledge of the ’196 Patent, thereby specifically intending for and inducing their customers to infringe the ’196 Patent through the customers’ normal and customary use of the Accused Instrumentalities.

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