

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

INDUSTRIAL TECHNOLOGY	§	Civil Action No. _____
RESEARCH INSTITUTE,	§	
Plaintiff,	§	JURY TRIAL DEMANDED
	§	
v.	§	
	§	
LG ELECTRONICS, INC.,	§	
LG ELECTRONICS U.S.A., INC., and	§	
LG ELECTRONICS MOBILECOMM	§	
U.S.A., INC.,	§	
Defendants.	§	

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff Industrial Technology Research Institute (“ITRI”), hereby complains of patent infringements by Defendants LG Electronics, Inc. (“LGE”), LG Electronics U.S.A., Inc. (“LGE-USA”), and LG Electronics MobileComm U.S.A., Inc. (“LGMP”), and alleges as follows:

The Parties

1. Plaintiff ITRI is the Republic of China, Taiwan’s scientific research institution having a principal address of 195, Section 4, Chung Hsing Road, Chutung, Hsinchu, Taiwan 31040, Republic of China.

2. On information and belief, Defendant LGE is a Korean corporation having its principal place of business at LG Twin Towers, 20 Yeouido-dong, Yeongdeungpo-gu, Seoul 150-721, Korea, where it may be served with process via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process.

3. On information and belief, Defendant LGE-USA is a Delaware corporation having its principal place of business at 1000 Sylvan Avenue, Englewood Cliffs, New Jersey, 07362, where it may be served with process via an officer, a managing or general agent, or any

Plaintiff’s Original Complaint, Page 1

other agent authorized by appointment or by law to receive service of process. On information and belief, Defendant LGE-USA may also be served with process by serving its registered agent, United States Corporation Co., 211 East 7th Street, Suite 620, Austin, Texas 78701-3218. On information and belief, Defendant LGE-USA is a wholly-owned subsidiary of Defendant LGE.

4. On information and belief, Defendant LGMP is a California corporation having its principal place of business at 10101 Old Grove Road, San Diego, California 92131, where it may be served with process via an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process. On information and belief, Defendant LGMP may also be served with process by serving its registered agent, National Registered Agents, Inc., 16055 Space Center Boulevard, Suite 235, Houston, Texas 77062. On information and belief, Defendant LGMP conducts business as “LG Mobile Phones” and is a wholly-owned subsidiary of Defendant LGE-USA.

Jurisdiction and Venue

5. This action arises under the United States Patent Laws, 35 U.S.C. §§ 1 *et seq.* The Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

6. The Court has personal jurisdiction over Defendants because they have committed acts of patent infringement in the Eastern District of Texas in violation of 35 U.S.C. § 271, have offices in Texas, transact business in the Eastern District of Texas, have purposefully availed themselves of the privileges and benefits of the law of Texas, solicits customers in the State of Texas, and have customers who are residents of the State of Texas and the Eastern District of Texas and who use infringing instrumentalities made, used, offered for sale, sold, and imported by Defendants.

7. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b).

The Patents in Suit

8. Plaintiff ITRI is the exclusive owner of all right, title, and interest in United States Patent No. 8,249,204 (“’204 patent”), titled “Apparatus and method for channel state information feedback,” and issued on August 21, 2012.

9. Plaintiff ITRI is the exclusive owner of all right, title, and interest in United States Patent No. 8,265,096 (“’096 patent”), titled “Method for constructing frame structures,” and issued on September 11, 2012.

The Accused Instrumentalities

10. On information and belief, certain products and processes compliant with IEEE 802.11n and later standards practice an apparatus and method for channel state information feedback and method for constructing frame structures called for by the ’204 patent and ’096 patent. The following is a non-exhaustive, exemplary list of Defendants’ instrumentalities that include such products and processes (also referred to as “Accused Instrumentalities”): Transpyre, VS810PP; Optimus F60, MS395; Access LTE, L31L; Ultimate 2, L41C; Tribute, LS660P; Tribute, LS660; G3 Vigor, D725; G3 Vigor, LS885; G3 Vigor, LS885; Realm, LS620; G Vista, D631; G Vista, VS880; Optimus L70, D321; Volt, LS740; Volt, LS740; Optimus Fuel, L34C; Optimus Exceed 2, VS450PP; Optimus L70, MS323; Lucid 3, VS876; Optimus L90, D415; Optimus Zone 2, VS415PP; Nexus 5, D820; Optimus F3Q, D520; G Flex, D950; G Flex, D959; G Flex, LS995; G2, VS980; F7, AS780; Nexus 5, D820; Nexus 5, D820; Nexus 5, D820; Nexus 5, D820; Nexus 5, D820; G2, VS980; G2, D800; G2, D801; G2, LS980; G2, LS980; G2, D800; G2, D801; Optimus F6, MS500; Optimus F6, D500; Enact, VS890; Optimus F3, MS659;

Plaintiff's Original Complaint, Page 3

Optimus F3, P659; Optimus F3, VM720; Optimus F7, LG870; Optimus F3, LS720; Optimus F7, US780; Optimus F3, LS720; Nexus 4, LGE960W; Optimus F5, AS870; Optimus G Pro, E980; Optimus G Pro, E980; Optimus Exceed, VS840PP; Optimus Zone, VS410PP; Lucid 2, VS870; Spirit 4G, MS870; Optimus Ultimate, LGL96G; Nexus 4, LGE960; Optimus Extreme, LGL40G; Mach, LS860; Optimus G, LS970; Optimus G, E970; Venice, LG730; Escape, P870; Spectrum 2, VS930; Splendor, US730; Intuition, VS950; Motion 4G, MS770; Optimus Zip, LGL75C; Optimus Plus, AS695; Optimus Elite, VM696; Elite, LS696; Lucid, VS840; LG OPTIMUS M+, MS695; Nitro, P930; Spectrum, VS920; Marquee, LG855; Connect 4G, MS840; Optimus Net, L45C; G3, VS985; Optimus REGARD, LW770; Optimus Q, LGL55C; myTouch Q, LGC800VL; myTouch Q , LGC800DG; Ignite, AS855; myTouch, LGE739BK; DoublePlay, C729; Optimus Slider, VM701; Esteem, MS910; Enlighten, VS700; Marquee, LS855; THRILL 4G, P925; Revolution, VS910; G2x, P999; Apex, US740; Axis, LGAS740; Quantum, C900; G Pad F7.0, LK430; G Pad 8.0, V480; G Pad 8.0, V480; G Pad 7.0 LTE, VK410; G PAD 10.1 LTE, VK700; G Pad 7.0 LTE, UK410; G Pad 7.0 LTE, UK410; G Pad 7.0 LTE, V410; G Pad 10.1, V700; G Pad 10.1, V700; G Pad 7.0, V400; G Pad 7.0, V400; G Pad 8.3 LTE, VK810; G Pad 8.3, V510; G Pad 8.3, V500; G Pad 8.3, V500; 105UC9; 32LB5800; 39LB5800; 40LF6300; 40UB8000; 42LB5800; 42LB6300; 43LF6300; 47LB5800; 47LB6100; 47LB6300; 49LF6300; 49UB8200; 49UB8300; 49UB8500; 50LB6100; 50LB6300; 50PB6600; 50PB6650; 55EA8800; 55EA9800; 55EC9300; 55EG9600; 55LA9650; 55LA9700; 55LB6100; 55LB6300; 55LB7200; 55LF6300; 55UB8200; 55UB8300; 55UB8500; 55UF7600; 60LB6100; 60LB6300; 60LB7100; 60LF6300; 60PB6600; 60PB6650; 60PB6900; 65EC9700; 65EG9600; 65LA9650; 65LA9700; 65LB6300; 65LB7100; 65LF6300; 65UB9200; 65UB9300; 65UB9800; 65UF7700; 65UF8500; 65UF9500; 70LB7100; 77EG9700; 79UB9800; 79UF9500; 84LM9600; 84UB9800; 98UB9800;

Printed: 04/24/15 10:10:10 AM

98UB9810; 55LA8600; 47GA7900; 55GA7900; 60LN5600; 55LN5710; 60LN5710; 55LN5600; 50LN5600; 55LA7400; 47LA7400; 60LA7400; 55LA6900; 50LA6900; 47LA6900; 50LA6970; 55LA6970; 42GA6400; 60GA6400; 50GA6400; 55GA6400; 47GA6400; 47LA6200; 55LA6205; 50LN5750; 47LN5750; 50LN5700; 47LN5700; 32LN5700; 55LN5700; 39LN5700; 42LN5700; 60PH6700; 60PN5700; 60LN6150; 42LA6200; 47GA6450; 55GA6450; 55LA6200; 50LA6200; 60LA6200; 55LM9600; 47G2; 55G2; 47LM7600; 55LM7600; 47LM8600; 55LM8600; 55LM6400; 60LM7200; 47LM6700; 47LM6400; 42LM6200; 47LM6200; 55LM6200; 65LM6200; 47LS5700; 55LS5700; 60LS5700; 42LS5750; 47LS5750; 55LS5750; 60LS5750; 32LM6200; 42LS5700; 50PM6700; 60PM6700; 50PM9700; 60PM9700; 42PM4700; 50PM4700; 47LW5600; 55LW5600; 47LW5700; 55LW5700; 65LW6500; 47LW6500; 55LW6500; 55LW9800; 42LV5400; 47LV5400; 55LV5400; 55LV5500; 42LV5500; 47LV5500; 55LV3700; 42LV3700; 47LV3700; BPM55; BP350; BP550; BP340; BP540; BP730; BP530; BP300; BP330; BP335W; BP620; BH9431PW; BH9430PW; BH9230BW; BH6830SW; BH6730S; BH6720S; BH9220BW; BP620C; BP325W; BP320; BP200; BD690; BD670; BH9420PW; BH6820SW; LHB976; LHB326; PF85U; PA77U; WT6001HV; WT6001HVA; DLEX6001V; DLEX6001W; DLGX6002V; DLGX6002W; LFX31995ST; AN-WF100; ST600; and/or AN-WF500. Plaintiff ITRI reserves the right to supplement this list at any time and without prejudice.

First Cause of Action: Infringement of the '204 Patent

11. On information and belief, Defendants LGE, LGE-USA, and LGMP, individually, jointly, and without authority, have and continue to make, use, offer to sell, and sell within the United States, and import into the United States, Accused Instrumentalities that include products and processes that are compliant with IEEE 802.11n and later standards and

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.