

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LITL LLC,

Plaintiff,

v.

LENOVO (UNITED STATES), INC. and
LENOVO (BEIJING) LTD.

Defendants.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff LiTL LLC (“LiTL”) brings this action for patent infringement against Defendants Lenovo (United States), Inc. and Lenovo (Beijing) Ltd. (collectively “Lenovo”).

INTRODUCTION

1. This is a civil action for patent infringement under the laws of the United States, 35 U.S.C. § 1, *et seq.*
2. Defendants have infringed and continue to infringe, have induced and continue to induce the infringement of, and have contributed to and continue to contribute to the infringement of one or more claims of U.S. Patent Nos. 8,289,688 (“the ’688 patent”); 8,624,844 (“the ’844 patent”); 10,289,154 (“the ’154 patent”); 9,880,715 (“the ’715 patent”); 8,612,888 (“the ’888 patent”); and 8,577,957 (“the ’957 patent”) (collectively, the “Asserted Patents”) at least by making, using, selling, offering for sale, and importing into the United States computing devices that infringe one or more claims of each of the Asserted Patents.
3. LiTL is the legal owner by assignment of the entire right, title and interest in and to the Asserted Patents, which were duly and legally issued by the United States Patent and

Trademark Office (“USPTO”). LiTL seeks monetary damages and injunctive relief to address ongoing infringement of its valuable patent portfolio.

THE PARTIES

4. Plaintiff LiTL LLC is a Delaware company, having its principal place of business at 501 Boylston Street, Boston, Massachusetts 02116.

5. Defendant Lenovo (United States), Inc. (“Lenovo US”) is a corporation organized under the laws of the State of Delaware, with its principal place of business at 1009 Think Place, Building One, Morrisville, North Carolina 27560. Lenovo US is a wholly-owned, indirect subsidiary of Lenovo Group, the ultimate parent corporation.

6. Defendant Lenovo (Beijing) Ltd. (“Lenovo Beijing”) is a company organized under the laws of the People’s Republic of China, with its principal place of business at No. 6 Chuang Ye Road, Shangdi Information Industry Base, Haidan District, Beijing, China. Lenovo Beijing is a wholly-owned subsidiary of Lenovo Group.

JURISDICTION AND VENUE

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

8. Defendants are subject to this Court’s personal jurisdiction. Lenovo US is incorporated in this District. Upon information and belief, Defendants have continuous and systematic business contacts with the State of Delaware. Upon information and belief, Defendants, directly and through subsidiaries and intermediaries (including distributors, retailers, and others) have purposefully and voluntarily placed the Accused Products (defined below) into this District and into the stream of commerce with the intention and expectation that they will be

purchased and used by consumers in this District. Upon information and belief, Defendants have offered and sold and continue to offer and sell these infringing products in this District.

9. Lenovo's website states that, in addition to being available for purchase on www.lenovo.com, Lenovo products are available for purchase from retailers including Best Buy, Costco, Office Depot, Staples and Walmart, each of which has locations in Delaware.

<https://www.lenovo.com/us/en/landingpage/reseller-locator/>

10. Staples offers for sale the 3rd Generation ThinkPad X1 Yoga, an Accused Product, which can be picked up in a Staples store located in New Castle, Delaware, as depicted in the screenshot of Staples' website below.

The screenshot shows the Staples website interface. At the top, there is a navigation bar with the Staples logo, a search bar, and links for Chat, Reorder, Sign in, Help, and Cart. Below the navigation bar, there are menu categories: PRODUCTS, SERVICES & SOLUTIONS, DEALS, WORKLIFE, and MEMBERSHIP. A promotional banner for Microsoft 365 is visible. The main content area features a product listing for the Lenovo ThinkPad X1 Yoga (3rd Gen) 20LD001KUS 14" Notebook Laptop, Intel i7. The product image shows the laptop with a sunset and birds on the screen. The product details include the item number (IM12QK961) and model number (20LD001KUS). The price is listed as \$1,298.49, and the 'Store pick up' option is highlighted in red. The store location is New Castle, DE, 128 Sunset Blvd.

11. A Best Buy located at Christiana Fashion Center in Newark, Delaware offers for sale the following Accused Devices: Yoga C740 (15 inch); Yoga C940 (14 inch); Yoga C740 (14 inch); ThinkPad L13 Yoga (13 inch); Yoga C940 (15 inch), as depicted in the screenshot of Best Buy's website below.

Important Update: We have new safety measures for getting your order. Learn more | Updates from Best Buy

Best Buy > Name Brands > Lenovo

2-in-1 Design Lenovo Laptops

Get it fast

Store Pickup at **Christiana**

Pick up today

Category

PC Laptops

Features

- 2-in-1 Design
- Touch Screen
- Webcam Built-in
- Backlit Keyboard
- Bluetooth Enabled
- Numeric Keypad
- Headphone Jack
- HDMI Output

Show More

Processor Model

- Intel Core i5
- Intel Core i7

Screen Size

- 12" - 14"
- 14" - 15"
- 15" - 16"

Condition

- New
- Open-Box

RAM

5 items

Sort By: Best Selling

Filters: 2-in-1 Design Clear all



See More Options

Amazon Alexa built in

Lenovo - Yoga C740 2-in-1 15.6" Touch-Screen Laptop - Intel Core i5 - 12GB Memory - 256GB Solid State Drive - Iron Gray

Model: 81TD0003US SKU: 6367803

★★★★★ (251)

Pick up in 1 hour at Christiana

Check all stores

Compare Save

Price Match Guarantee

\$749.99

Save \$100 Was \$849.99

Add to Cart

Open-Box: from \$689.99




See More Options

Lenovo - Yoga C940 2-in-1 14" 4K Ultra HD Touch-Screen Laptop - Intel Core i7 - 16GB Memory - 512GB SSD + 32GB Optane - Mica

Model: 81Q80041US SKU: 6369421

★★★★★ (137)

Pick up in 1 hour at Christiana

Check all stores

Compare Save

Price Match Guarantee

\$1,399.99

Save \$200 Was \$1,599.99

Add to Cart

Open-Box: from \$1,119.99



See More Options

Lenovo - Yoga C740 2-in-1 14" Touch-Screen Laptop - Intel Core i5 - 8GB Memory - 256GB Solid State Drive - Mica

Model: 81TC0003US SKU: 6367805

★★★★★ (311)

Pick up in 1 hour at Christiana

Check all stores

Compare Save

Price Match Guarantee

\$799.99

Price Drop

Save \$100 Was \$899.99

Add to Cart

Open-Box: from \$735.99



See More Options

Lenovo - ThinkPad L13 Yoga 2-in-1 13.3" Touch-Screen Laptop - Intel Core i5 - 8GB Memory - 256GB SSD - Black

Model: 20R5A000US SKU: 6383283

★★★★★ (23)

Pick up in 1 hour at Christiana

Check all stores

Compare Save

Price Match Guarantee

\$899.99

Add to Cart

Open-Box: from \$737.99




See More Options

Amazon Alexa built in

Lenovo - Yoga C940 2-in-1 15.6" Touch-Screen Laptop - Intel Core i7 - 16GB Memory - NVIDIA GeForce GTX 1650 - 512GB SSD - Iron Gray

Model: 81TE0000US SKU: 6367793

★★★★★ (66)

Pick up in 1 hour at Christiana

Check all stores

Compare Save

Price Match Guarantee

\$1,699.99

Add to Cart

Open-Box: from \$1,529.99

1-5 of 5 items

12. Lenovo Beijing owns the Lenovo.com domain, where the Accused Products (defined below) are offered for sale and sold throughout the United States, including within Delaware.

13. Lenovo Beijing owns numerous trademark registrations that Lenovo Beijing uses in connection with sales and offers for sale of the Accused Products within the United States.

14. Lenovo Beijing owns U.S. Registration No. 4,822,390 to the mark YOGA for goods that include “portable computers.” When prosecuting the application that matured into the YOGA registration, the applicant Lenovo Beijing filed a Statement of Use on August 21, 2015, which included the statement: “The mark was first used by the applicant, or the applicant’s related company, licensee, or predecessor in interest at least as early as 10/00/2012, and first used in commerce at least as early as 10/00/2012, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) Screen-shots of Applicant’s website showing sale of the products.” Lenovo Beijing submitted to the Trademark Office the two screenshots reproduced below.

<http://tsdr.uspto.gov/documentviewer?caseId=sn85585622&docId=SOU20150824165248#docIndex=4&page=1>

15. The first screenshot submitted by Lenovo Beijing shows the website shop.lenovo.com/us/en/laptops/lenovo/yoga-laptop-series, which touts the four usage modes of the Yoga 3 Pro, Yoga 3 (14 inch), Yoga 3 (11 inch) and Yoga 2 (13 inch), each of which are included in the Accused Products defined below:

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