

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

RAYTHEON COMPANY

Plaintiff,

v.

SONY KABUSHIKI KAISHA (A/K/A
SONY CORPORATION), SONY
CORPORATION OF AMERICA, SONY
SEMICONDUCTOR CORPORATION,
SONY EMCS CORPORATION, SONY
ELECTRONICS, INC., SONY MOBILE
COMMUNICATIONS, INC., SONY
MOBILE COMMUNICATIONS AB
AND SONY MOBILE
COMMUNICATIONS (USA), INC.,
OMNIVISION TECHNOLOGIES, INC.,
AND APPLE, INC.,

Defendants.

CIVIL ACTION NO: 2:15-cv-342

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Raytheon Company (“Raytheon”), makes this Complaint for Patent Infringement (“Complaint”) against Defendants Sony Kabushiki Kaisha (aka “Sony Corporation”), Sony Corporation of America, Sony Semiconductor Corporation, Sony EMCS Corporation, Sony Electronics, Inc., Sony Mobile Communications, Inc., Sony Mobile Communications AB and Sony Mobile Communications (USA), Inc. (collectively, “Sony”); Defendant OmniVision Technologies, Inc. (“OmniVision”); and Defendant Apple, Inc. (“Apple”) (collectively, Sony, OmniVision, and Apple are referred to herein as “Defendants”), wherein, pursuant to 35 U.S.C. §§ 271 and 281, Raytheon seeks a judgment of infringement by Defendants of U.S. Patent No. 5,591,678 (the “678 Patent”) and damages resulting therefrom

pursuant to 35 U.S.C. § 284, and such other relief as the Court deems just and proper. In support Raytheon alleges the following.

THE PARTIES

1. Plaintiff, Raytheon Company (“Raytheon”) is a Delaware corporation and is headquartered at 870 Winter Street Waltham, MA 02451. Raytheon has multiple locations within the State of Texas, including its Plano and McKinney locations within this Judicial District.

2. On information and belief, Sony Kabushiki Kaisha (aka “Sony Corporation”) is a corporation organized under the laws of Japan and is headquartered at 7-1 Konan, Minato-ku, Tokyo, 108-0075, Japan. On information and belief, Sony Corporation is the worldwide parent corporation for the other Sony entities named herein, and is responsible, through itself and/or through one or more subsidiaries, affiliates, business divisions, or business units, for at least Sony’s infringing activities and products described below.

3. On information and belief, Sony Corporation of America is a corporation organized under the laws of the State of New York and is headquartered at 550 Madison Avenue, 27th Floor, New York, NY 10022. On information and belief, Sony Corporation of America is the United States headquarters of Sony Corporation and is responsible, through itself and/or through one or more subsidiaries, affiliates, business divisions, or business units, for at least Sony’s infringing activities and products described below.

4. On information and belief, Sony Semiconductor Corporation is a corporation organized under the laws of Japan and is headquartered at 2-3-2 Momochihama, Sawara-ku, Fukuoka, 814-0001, Japan. On information and belief, Defendant Sony Semiconductor

Corporation is a wholly-owned and controlled subsidiary of Sony Corporation and is an affiliate of Sony Corporation of America.

5. On information and belief, Sony EMCS Corporation is a corporation organized under the laws of Japan and is headquartered at 7-1 Konan, Minato-ku, Tokyo, 108-0075, Japan. On information and belief, Defendant Sony EMCS Corporation is a wholly-owned and controlled subsidiary of Sony Corporation and is an affiliate of Sony Corporation of America.

6. On information and belief, Sony Electronics, Inc. is a corporation organized under the laws of the State of Delaware and is headquartered at 16530 Via Esprillo, San Diego, California 92127. On information and belief, Defendant Sony Electronics, Inc. is a wholly-owned and controlled subsidiary of Sony Corporation and/or Sony Corporation of America.

7. On information and belief, Sony Mobile Communications AB is a corporation organized under the laws of Sweden and is headquartered at 221 88 Lund, Sweden. On information and belief, Defendant Sony Mobile Communications AB is a wholly-owned and controlled subsidiary of Sony Corporation and is an affiliate of Sony Corporation of America.

8. On information and belief, Sony Mobile Communications, Inc. is a corporation organized under the laws of Japan and is headquartered at W-building 1- 8-15 Konan 1-chome, Minato-ku, Tokyo, 108-0075, Japan. On information and belief, Defendant Sony Mobile Communications, Inc. is a wholly-owned and controlled subsidiary of Sony Mobile Communications AB and is an affiliate of Sony Corporation of America and/or Sony Mobile Communications, Inc.

9. On information and belief, Sony Mobile Communications (USA), Inc. is a corporation organized under the laws of the State of Delaware and is headquartered 3333 Piedmont Road, Suite 600, Atlanta, Georgia 30305. On information and belief, Defendant Sony

Mobile Communications (USA), Inc. is a wholly-owned and controlled subsidiary of Sony Mobile Communications AB and is an affiliate of Sony Corporation of America.

10. On information and belief, OmniVision Technologies, Inc. (“OmniVision”) is a corporation organized under the laws of the State of Delaware and is headquartered at 4275 Burton Drive Santa Clara, California 95054.

11. On information and belief, Apple, Inc. (“Apple”) is a corporation organized under the laws of the State of California and is headquartered at 1 Infinite Loop, Cupertino, California 95014.

JURISDICTION AND VENUE

12. This action arises under the Patent Laws of the United States, namely, 35 U.S.C. §§ 1 et seq. This Court has exclusive subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1332(a) and 1338(a).

13. Venue is proper in this District pursuant to 28 U.S.C. §§1391 and 1400(b).

14. This Court has personal jurisdiction over Sony. On information and belief, Sony has sufficient minimum contacts within the State of Texas and the Eastern District of Texas and, pursuant to due process and/or the Texas Long Arm Statute, Sony has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas. On information and belief, Sony has conducted and does conduct business within the State of Texas and within the Eastern District of Texas. Sony directly or through intermediaries (including distributors, retailers, and others), ships distributes, offers for sale, and/or sells its products in the United States, the State of Texas, and the Eastern District of Texas.

15. On information and belief, and as discussed below, Sony has committed acts of patent infringement within the State of Texas and within the Eastern District of Texas. On

information and belief, Sony purposefully and voluntarily placed one or more of its products made by the '678 Patent process, as described below, into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas and within the Eastern District of Texas before the expiration of the '678 Patent.

16. This Court has personal jurisdiction over OmniVision. On information and belief, OmniVision has sufficient minimum contacts within the State of Texas and the Eastern District of Texas and, pursuant to due process and/or the Texas Long Arm Statute, OmniVision has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas. On information and belief, OmniVision has conducted and does conduct business within the State of Texas and within the Eastern District of Texas. OmniVision directly or through intermediaries (including distributors, retailers, and others), ships distributes, offers for sale, and/or sells its products in the United States, the State of Texas, and the Eastern District of Texas.

17. On information and belief, and as discussed below, OmniVision has committed acts of patent infringement within the State of Texas and within the Eastern District of Texas. On information and belief, OmniVision purposefully and voluntarily placed one or more of its products made by the '678 Patent process, as described below, into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas and within the Eastern District of Texas before the expiration of the '678 Patent.

18. This Court has personal jurisdiction over Apple. On information and belief, Apple has sufficient minimum contacts within the State of Texas and the Eastern District of Texas and, pursuant to due process and/or the Texas Long Arm Statute, Apple has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern

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