

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

REALTIME ADAPTIVE STREAMING LLC,

Plaintiff,

v.

LG ELECTRONICS INC.,
LG ELECTRONICS U.S.A., INC., and
LG ELECTRONICS MOBILECOMM U.S.A.,
INC.,

Defendants.

Case No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.* in which Plaintiff Realtime Adaptive Streaming LLC (“Plaintiff” or “Realtime”) makes the following allegations against Defendants LG Electronics Inc., LG Electronics U.S.A., Inc., and LG Electronics Mobilecomm U.S.A., Inc. (collectively, “Defendant” or “LG”).

PARTIES

1. Realtime is a Texas limited liability company. Realtime has a place of business at 1828 E.S.E. Loop 323, Tyler, Texas 75701. Realtime has researched and developed specific solutions for data compression. As recognition of its innovations rooted in this technological field, Realtime holds multiple United States patents and pending patent applications.

2. On information and belief, Defendant LG Electronics Inc. is a Korean corporation with a principal place of business at LG Twin Towers, 128 Yeoui-daero, Yeongdungpo-gu, Seoul, South Korea.

3. On information and belief, Defendant LG Electronics U.S.A., Inc. is a Delaware corporation with a regular and established place of business in this District at

2151-2155 Eagle Pkwy, Fort Worth, TX 76177 in Denton County, Texas. LG Electronics U.S.A., Inc. is registered to do business in Texas. LG Electronics U.S.A., Inc. may be served with process at its registered agent for service at United States Corporation Company, 251 Little Falls Dr., Wilmington, DE 19808.

4. On information and belief, Defendant LG Electronics Mobilecomm U.S.A., Inc. is a California corporation with a principal place of business in Englewood Cliffs, NJ 07632, and has a regular and established place of business in this District at 2151-2155 Eagle Pkwy, Fort Worth, TX 76177 in Denton County, Texas. LG Electronics Mobilecomm U.S.A., Inc. is registered to do business in Texas. LG Electronics Mobilecomm U.S.A., Inc. may be served with process at its registered agent for service at the Corporation Service Company d/b/a CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Dr., Suite 150N, Sacramento, CA 95833.

5. LG offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas and in this District.

JURISDICTION AND VENUE

6. 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).

7. This Court has personal jurisdiction over Defendant LG in this action because LG has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over LG would not offend traditional notions of fair play and substantial justice. Defendant LG has committed and continues to commit acts of infringement in this District by, among other things, offering to sell and selling products and/or services that infringe the asserted patents.

8. Venue is proper in this district, e.g., under 28 U.S.C. § 1400(b). LG is registered to do business in Texas, and upon information and belief, LG has transacted

business in this District and has committed acts of direct and indirect infringement in this District. LG has regular and established place(s) of business in this District, as set forth above.

THE PATENTS-IN-SUIT

9. This action arises under 35 U.S.C. § 271 for LG's infringement of Realtime's United States Patent Nos. 7,386,046 (the "'046 patent"), 8,934,535 (the "'535 patent"), and 9,769,477 (the "'477 patent") (the "Patents-In-Suit").

10. The '046 patent, titled "Bandwidth Sensitive Data Compression and Decompression," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on June 10, 2008. A copy of the '046 patent is attached hereto as Exhibit A. Realtime is the owner and assignee of the '046 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

11. The '535 patent, titled "Systems and methods for video and audio data storage and distribution," was duly and properly issued by the USPTO on January 13, 2015. A copy of the '535 patent is attached hereto as Exhibit B. Realtime is the owner and assignee of the '535 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

12. The '477 patent, titled "Video data compression systems," was duly and properly issued by the USPTO on September 19, 2017. A copy of the '477 patent is attached hereto as Exhibit C. Realtime is the owner and assignee of the '477 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 7,386,046

13. Plaintiff re-alleges and incorporates by reference the foregoing paragraphs, as if fully set forth herein.

14. On information and belief, LG has made, used, offered for sale, sold and/or imported into the United States LG products that infringe the '046 patent, and continues to do so. By way of illustrative example, these infringing products include, without limitation, LG's products/solutions e.g., LG's smartphones supporting Android operating system version 3.0 and later such as e.g., LG V30, LG Q6, LG X charge, LG K30, LG Hybrid Recording DVRs, such as, e.g., LG LE4008D, LG LE5008D, LG LE5016D, LG Video Servers, such as, e.g., LVS301.CAUSLL1, LG Surveillance System, such as, e.g., LNB5100, LNB3100, LNU5100R, LW342/LW345, LW352/LW355, LNV7300, and all versions and variations thereof since the issuance of the '046 patent ("Accused Instrumentalities").

15. On information and belief, LG has directly infringed and continues to infringe the '046 patent, for example, through its sale, offer for sale, importation, use and testing of the Accused Instrumentalities, which practices the system claimed by Claim 40 of the '046 patent, namely, a system, comprising: a data compression system for compressing and decompressing data input; a plurality of compression routines selectively utilized by the data compression system, wherein a first one of the plurality of compression routines includes a first compression algorithm and a second one of the plurality of compression routines includes a second compression algorithm; and a controller for tracking throughput and generating a control signal to select a compression

routine based on the throughput, wherein said tracking throughput comprises tracking a number of pending access requests to a storage device; and wherein when the controller determines that the throughput falls below a predetermined throughput threshold, the controller commands the data compression engine to use one of the plurality of compression routines to provide a faster rate of compression so as to increase the throughput. Upon information and belief, LG uses the Accused Instrumentalities to practice infringing methods for its own internal non-testing business purposes, while testing the Accused Instrumentalities, and while providing technical support and repair services for the Accused Instrumentalities to LG's customers.

16. For example, the Accused Instrumentalities utilize H.264 video compression standard, which utilizes Scalable Video Coding technology. See, e.g., Recommendations ITU-T H.264 (03/2010) Annex G (Scalable video coding), p. 387-599.

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