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25 NOVA INTELLECTUAL SOLUTIONS, LLC
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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

NOVA INTELLECTUAL
SOLUTIONS, LLC, a Texas limited
liability company,

Plaintiff,

v.

SONY MOBILE
COMMUNICATIONS INC., a Japan
corporation, and SONY MOBILE
COMMUNICATIONS (USA), INC.,
a Delaware corporation,

Defendants.

'15CV1302 AJB MDD

**PLAINTIFF'S ORIGINAL
COMPLAINT FOR PATENT
INFRINGEMENT**

Jury Trial Demanded

Plaintiff Nova Intellectual Solutions, LLC files this complaint against Sony Mobile Communications Inc. and Sony Mobile Communications (USA) Inc. (collectively "Defendants") for infringement of U.S. Patent No. 8,208,517.

THE PARTIES

1. Nova Intellectual Solutions, LLC ("NIS" or "Plaintiff") is a Texas limited liability company with its principal place of business at 8616 Turtle Creek Boulevard, Suite 521, Dallas, Texas 75225. NIS is the owner by assignment of U.S. Patent No. 8,208,517 ("the '517 patent").

2. On information and belief, Sony Mobile Communications Inc. is incorporated under the laws of Japan with its principal place of business at 1-8-15 Konan, Minato-ku, Tokyo, 108-0075 Japan. This Defendant may be served at its principal place of business at 1-8-15 Konan, Minato-ku, Tokyo, 108-0075 Japan. This Defendant does business in the State of California and in the Southern District of California.

3. On information and belief, Sony Mobile Communications (USA) Inc. (with Sony Mobile Communications Inc., "Sony") is a Delaware corporation with

1 its principal place of business in Atlanta, Georgia. This Defendant may be served
2 with process through its agent, Capitol Services, Inc., 1675 S. State St. Suite B,
3 Dover, Delaware 19901. This Defendant does business in the State of California
4 and in the Southern District of California.

5 **JURISDICTION AND VENUE**

6 4. NIS brings this action for patent infringement under the patent laws of the
7 United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This
8 Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

9 5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(d) and
10 1400(b). On information and belief, Sony Mobile Communications (USA) Inc. transacts
11 business in this District. Sony Mobile Communications Inc. is an alien that conducts
12 business in this District through its wholly-owned subsidiary Sony Mobile
13 Communications (USA) Inc. On information and belief, Sony has committed acts of
14 infringement in this District. The '517 patent was formerly owned by, and
15 formerly assigned to, Novatel Wireless, which is headquartered in this District.

16 6. Each Defendant is subject to this Court's specific and general personal
17 jurisdiction pursuant to due process and/or the California Long Arm Statute, due at
18 least to its substantial business in this State and judicial district, including: (A) at
19 least part of its infringing activities alleged herein; and (B) regularly doing or
20 soliciting business, engaging in other persistent conduct, and/or deriving
21 substantial revenue from goods sold and services provided to California residents.

22 **COUNT I**

23 **(Patent Infringement - U.S. Patent No. 8,208,517)**

24 7. NIS incorporates paragraphs 1 through 6 herein by reference.

25 8. This cause of action arises under the patent laws of the United States, and in
26 particular, 35 U.S.C. §§ 271, *et seq.*

27 9. NIS is the owner of the '517 patent, entitled "Systems and Methods For A
28 Multi-Mode Wireless Modem," with ownership of all substantial rights in the '517

1 patent, including the right to exclude others and to enforce, sue, and recover damages
 2 for past and future infringement. A true and correct copy of the '517 patent is
 3 attached as Exhibit A.

4 10. The '517 patent is valid, enforceable and was duly issued in full compliance
 5 with Title 35 of the United States Code.

6 **DIRECT INFRINGEMENT (35 U.S.C. § 271(a))**

7 11. Defendants have directly infringed, and continue to directly infringe, one or
 8 more claims of the '517 patent in this judicial district and elsewhere in California and
 9 the United States.

10 12. Defendants have infringed the '517 patent, by using, selling, and/or offering
 11 to sell, within the United States, and/or by importing into the United States, products,
 12 including, but not limited to, mobile data hot spots and data modems, which embody
 13 and/or practice at least claim 1 of the '517 patent by providing a wireless gateway
 14 device which allows multiple wireless devices to access the internet through a wireless
 15 communication system in violation of 35 U.S.C. § 271 (the "'517 Accused Products").
 16 The Accused Products include, but are not limited to, the Xperia M2 Aqua, Xperia Z3,
 17 Xperia Z3v, Xperia T2 Ultra, Xperia Z3 Compact, Xperia Z1 Compact, Xperia M2,
 18 Xperia Z2, Xperia Z1, Xperia Z Ultra, Xperia M, Xperia ZR, Xperia Z, Xperia E,
 19 Xperia E dual, Xperia ZL, Xperia T, Xperia TX, Xperia J, Xperia SL, Xperia miro,
 20 Xperia TL, Xperia acro S, Xperia tipo, Xperia U, Xperia P, Xperia Z3 Tablet
 21 Compact, Xperia Z2 Tablet, Xperia Tablet Z, and Xperia Tablet S.

22 13. Defendants are liable for these direct infringements pursuant to 35 U.S.C. §
 23 271.

24 **WHEREFORE**, NIS asks that the Court find in its favor and against
 25 Defendants, and that the Court grant NIS the following relief:

- 26 a. Judgment that one or more claims of the '517 patent has been infringed,
 27 either literally and/or under the doctrine of equivalents, by one or more
 28 Defendants;

- 1 b. Judgment that Defendants account for and pay to NIS all damages and
2 costs incurred by NIS because of Defendants' infringing activities and
3 other conduct complained of herein;
4 c. Judgment that Defendants account for and pay to NIS a reasonable, on-
5 going, post judgment royalty because of Defendants' infringing activities
6 and other conduct complained of herein;
7 d. That NIS be granted pre judgment and post judgment interest on the
8 damages caused by Defendants' infringing activities and other conduct
9 complained of herein; and
10 e. That NIS be granted such other and further relief as the Court may deem
11 just and proper under the circumstances

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14 Dated: June 12, 2015

GARTMAN LAW GROUP, P.C.

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16 By: /s/ John E. Gartman

John E. Gartman

17 *Attorney for Plaintiff Nova Intellectual*
18 *Solutions, LLC*

19 **REQUEST FOR TRIAL BY JURY**

20 Plaintiffs claim trial by jury on all issues so triable.
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23 Dated: June 12, 2015

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John E. Gartman

26 *Attorney for Plaintiff Nova Intellectual*
27 *Solutions, LLC*
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