

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

BROADCAST SOLUTIONS, LLC,

Plaintiff,

v.

**VOXX INTERNATIONAL CORPORATION &
VOXX ELECTRONICS CORPORATION,**

Defendants.

Case No. 2:15-cv-1130

PATENT CASE

JURY TRIAL DEMANDED

AMENDED COMPLAINT

Plaintiff Broadcast Solutions, LLC, files this Amended Complaint against Defendants Voxx International Corporation & Voxx Electronics Corporation, for infringement of United States Patent Nos. 8,290,035 (the “‘035 Patent”) and 8,649,429 (the “‘429 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff Broadcast Solutions, LLC (“Plaintiff” or “Broadcast”), is a Texas limited liability company with its principal office located in the Eastern District of Texas, at 211 E. Tyler Street, Suite 600-A, Longview, Texas 75601.

4. Upon information and belief, Defendant Voxx International Corporation is a Delaware corporation with a principal office located at 180 Marcus Blvd., Hauppauge, New York 11788.

5. Upon information and belief, Defendant Voxx Electronics Corporation is a Delaware corporation with a principal office located at 180 Marcus Blvd., Hauppauge, New York 11788.

6. Voxx International Corporation and Voxx Electronics Corporation are collectively referred to as “Defendants.”

7. This Court has personal jurisdiction over Defendants because Defendants have committed, and continue to commit, acts of infringement in the state of Texas, have conducted business in the state of Texas, and/or have engaged in continuous and systematic activities in the state of Texas.

8. On information and belief, Defendants’ instrumentalities that are alleged herein to infringe were and/or continue to be sold, offered for sale, and/or used in the Eastern District of Texas.

9. Defendants are related companies that are both part of a common corporate family, and therefore their joinder as co-defendants is proper in this case.

VENUE

10. Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because Defendants are deemed to reside in this district. In addition, and in the alternative, Defendants have committed acts of infringement in this district.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 8,290,035)**

11. Plaintiff incorporates paragraphs 1 through 10 herein by reference.

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

13. Plaintiff is the owner by assignment of the '035 Patent with sole rights to enforce the '035 Patent and sue infringers.

14. A copy of the '035 Patent, titled "Systems for Reducing Adverse Effects of Deep Fades in DTV Signals Designed for Mobile Reception," is attached hereto as Exhibit A.

15. The '035 Patent is valid and enforceable, and it was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

16. Upon information and belief, Defendants have infringed and continue to directly infringe one or more claims of the '035 Patent, including at least claim 17, by making, having made, selling, offering for sale, using and/or importing receiver devices to receive a digital television signal, utilizing the technology of the '035 Patent, in numerous products, including without limitation, the AVDDTV1 Audiovox Mobile DTV Tuner and WIDTV1 Audiovox Mobile TV Receiver (the "Accused Instrumentalities").

17. Defendants' actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendants are enjoined and restrained by this Court.

18. Plaintiff is in compliance with 35 U.S.C. § 287.

COUNT II
(INFRINGEMENT OF UNITED STATES PATENT NO. 8,649,429)

19. Plaintiff incorporates paragraphs 1 through 10 herein by reference.

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

21. Plaintiff is the owner by assignment of the '429 Patent with sole rights to enforce the '429 Patent and sue infringers.

22. A copy of the '429 Patent, titled "Systems for Reducing Adverse Effects of Deep Fades in DTV Signals Designed for Mobile Reception," is attached hereto as Exhibit B.

23. The '429 Patent is valid and enforceable, and it was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

24. Upon information and belief, Defendants have infringed and continue to directly infringe one or more claims of the '429 Patent, including at least claim 7, by making, having made, selling, offering for sale, using and/or importing the Accused Instrumentalities as defined above.

25. Defendants' actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendants are enjoined and restrained by this Court.

26. Plaintiff is in compliance with 35 U.S.C. § 287.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of all issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court to:

- a) Enter judgment for Plaintiff on this Amended Complaint on all causes of action asserted herein;
- b) Enjoin Defendants, their agents, officers, servants, employees, attorneys and all persons in active concert or participation with Defendants who receive notice of the order from further infringement of United States Patent No. 8,290,035 (or, in the

alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

- c) Enjoin Defendants, their agents, officers, servants, employees, attorneys and all persons in active concert or participation with Defendants who receive notice of the order from further infringement of United States Patent No. 8,649,429 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);
- d) Award Plaintiff damages resulting from Defendants' infringement in accordance with 35 U.S.C. § 284;
- e) Declare this an "exceptional case" pursuant to 35 U.S.C. § 285 and award Plaintiff its attorney's fees and any other appropriate relief;
- f) Award Plaintiff pre-judgment and post-judgment interest and costs; and
- g) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: June 23, 2015

Respectfully submitted,

/s/ Craig Tadlock
Craig Tadlock
State Bar No. 00791766
John J. Harvey, Jr.
State Bar No. 09179770
Keith Smiley
State Bar No. 24067869
TADLOCK LAW FIRM PLLC
2701 Dallas Parkway, Suite 360
Plano, Texas 75093
903-730-6789
craig@tadlocklawfirm.com
john@tadlocklawfirm.com
keith@tadlocklawfirm.com

Attorneys for Plaintiff Broadqast Solutions, LLC

CERTIFICATE OF SERVICE

I hereby certify that this Amended Complaint will be served on all Defendants pursuant to Fed.R.Civ.P. 4.

/s/ Craig Tadlock

Craig Tadlock