

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No.

NISSIM CORP.,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD. and  
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Nissim Corp., by and through its undersigned counsel, hereby sues Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. for patent infringement, and for its Complaint alleges as follows:

**THE PARTIES**

1. Plaintiff Nissim Corp. (“Nissim”) is a corporation organized and existing under the laws of the state of Florida with its principal place of business in Florida.

2. Defendant Samsung Electronics Co., Ltd. is a corporation organized and existing under the laws of South Korea with its principal place of business in South Korea. Defendant Samsung Electronics America, Inc. is a corporation organized and existing under the laws of the state of New York with its principal place of business in New Jersey, and is a wholly owned subsidiary of Samsung Electronics Co., Ltd. Hereinafter in this Complaint, Samsung Electronics Co. Ltd. and Samsung Electronics America, Inc. are referred to collectively as “Samsung.”

JURISDICTION AND VENUE

3. This Court has federal question jurisdiction of this action under 28 U.S.C. §§ 1331 and 1338(a) because Nissim seeks relief under the Patent Act, 35 U.S.C. § 271 *et seq.*, including remedies for infringement of United States Patents owned by Nissim.

4. Samsung is subject to general and specific personal jurisdiction in this state under Florida Statutes § 48.193 because Samsung has transacted business in this state, contracted to supply services or products in this state, and/or caused tortious injury in this state.

5. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b) because a substantial part of the events giving rise to these claims occurred in this judicial district, because Nissim has suffered injury in this district, and because Samsung resides in this district under the patent venue statute by having committed acts of patent infringement in this district.

COUNT I – INFRINGEMENT OF U.S. PATENT 5,434,678

6. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

7. Nissim is the owner of United States Patent 5,434,678 (“the ‘678 patent”), entitled “Seamless Transmission Of Non-Sequential Video Segments,” which was duly and lawfully issued on July 18, 1995 by the United States Patent and Trademark Office. A true and correct copy of the ‘678 patent is attached hereto as Exhibit 1.

8. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the ‘678 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

9. Samsung's acts of infringement have been willful and with full knowledge of Nissim's rights under the '678 patent.

10. Nissim has been damaged by Samsung's infringement of the '678 patent in an amount to be proven at trial.

COUNT II – INFRINGEMENT OF U.S. PATENT 5,589,945

11. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

12. Nissim is the owner of United States Patent 5,589,945 ("the '945 patent"), entitled "Computer-Themed Playing System," which was duly and lawfully issued on December 31, 1996 by the United States Patent and Trademark Office. A true and correct copy of the '945 patent is attached hereto as Exhibit 2.

13. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the '945 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

14. Samsung's acts of infringement have been willful and with full knowledge of Nissim's rights under the '945 patent.

15. Nissim has been damaged by Samsung's infringement of the '945 patent in an amount to be proven at trial.

COUNT III– INFRINGEMENT OF U.S. PATENT 5,913,013

16. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

17. Nissim is the owner of United States Patent 5,913,013 (“the ‘013 patent”), entitled “Seamless Transmission Of Non-Sequential Video Segments,” which was duly and lawfully issued on June 15, 1999 by the United States Patent and Trademark Office. A true and correct copy of the ‘013 patent is attached hereto as Exhibit 3.

18. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the ‘013 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

19. Samsung’s acts of infringement have been willful and with full knowledge of Nissim’s rights under the ‘013 patent.

20. Nissim has been damaged by Samsung’s infringement of the ‘013 patent in an amount to be proven at trial.

COUNT IV –INFRINGEMENT OF U.S. PATENT 6,151,444

21. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

22. Nissim is the owner of United States Patent 6,151,444 (“the ‘444 patent”), entitled “Motion Picture Including Within A Duplication Of Frames,” which was duly and lawfully issued on November 21, 2000 by the United States Patent and Trademark Office. A true and correct copy of the ‘444 patent is attached hereto as Exhibit 4.

23. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the ‘444 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

24. Samsung's acts of infringement have been willful and with full knowledge of Nissim's rights under the '444 patent.

25. Nissim has been damaged by Samsung's infringement of the '444 patent in an amount to be proven at trial.

COUNT V – INFRINGEMENT OF U.S. PATENT 6,208,805

26. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

27. Nissim is the owner of United States Patent 6,208,805 ("the '805 patent"), entitled "Inhibiting A Control Function From Interfering With A Playing Of A Video," which was duly and lawfully issued on March 27, 2001 by the United States Patent and Trademark Office. A true and correct copy of the '805 patent is attached hereto as Exhibit 5.

28. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the '805 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

29. Samsung's acts of infringement have been willful and with full knowledge of Nissim's rights under the '805 patent.

30. Nissim has been damaged by Samsung's infringement of the '805 patent in an amount to be proven at trial.

COUNT VI – INFRINGEMENT OF U.S. PATENT 6,463,207

31. Nissim repeats and realleges each and all of the allegations contained in paragraphs 1 through 5 above as though fully set forth herein.

32. Nissim is the owner of United States Patent 6,643,207 (“the ‘207 patent”), entitled “Playing A Variable-Content-Video Having A User Interface,” which was duly and lawfully issued on October 8, 2002 by the United States Patent and Trademark Office. A true and correct copy of the ‘207 patent is attached hereto as Exhibit 6.

33. Samsung has directly and/or indirectly infringed, literally or under the doctrine of equivalents, one or more claims of the ‘207 patent, by importing, selling and offering for sale DVD players and Blu-ray Disc players in the United States.

34. Samsung’s acts of infringement have been willful and with full knowledge of Nissim’s rights under the ‘207 patent.

35. Nissim has been damaged by Samsung’s infringement of the ‘207 patent in an amount to be proven at trial.

#### PRAYER FOR RELIEF

WHEREFORE, Nissim prays:

A. That the Court finds Samsung liable for infringement of the asserted Nissim Patents.

B. That the Court awards Nissim compensatory damages against Samsung pursuant to 35 U.S.C. § 284.

C. That based on the willful nature of the infringement by Samsung, the Court enters judgment three (3) times such compensatory amount pursuant to 35 U.S.C. § 284.

D. That the Court finds this case exceptional within the meaning of 35 U.S.C. § 285 and awards Nissim its reasonable attorneys’ fees incurred in this action.

E. That the Court awards Nissim its taxable costs, disbursements, and pre-judgment and post-judgment interest.

F. For such other and further relief as the Court deems just and proper.

JURY DEMAND

Nissim demands trial by jury on all issues so triable.

Dated: July 31, 2012

Respectfully submitted,

/s/ John C. Carey

John C. Carey

Florida Bar No. 78379

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