

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TECHNOLOGY INNOVATIONS  
ASSOCIATES LLC,

Plaintiff,

v.

T-MOBILE USA, INC.

Defendant.

C.A. No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Technology Innovations Associates, LLC (“Technology Innovations”) alleges the following for its complaint against Defendant T-Mobile USA, Inc. (“T-Mobile”).

**THE PARTIES**

1. Plaintiff Technology Innovations is a limited liability company formed under the laws of the state of Delaware having its principal place of business at 21301 S. Tamiami Trail, #320 MS 337, Estero, FL 33928.

2. Defendant T-Mobile USA, Inc. is a corporation organized under the laws of the state of Delaware with a principal office at 12920 SE 38<sup>th</sup> Street, Bellevue WA 98006. Defendant may be served with process via its registered agent, Corporation Service Company, 2711 Centerville Road, Ste 400, Wilmington DE 19808.

**JURISDICTION AND VENUE**

3. This is a patent infringement action. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338.

4. The Court has personal jurisdiction over Defendant because it is incorporated in this State and has availed itself of the rights and benefits of this District by conducting business in this jurisdiction, including by having at least one physical location within this District. Defendant also conducts business in this District by offering and promoting products for sale via the internet, which are accessible to and accessed by residents of this District.

5. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(c) and §1400(b), because Defendant resides in this District and substantial acts of infringement have occurred in this District.

**COUNT ONE**  
**INFRINGEMENT OF U.S. PATENT NO. 7,840,619**

6. On November 23, 2010, U.S. Patent No. 7,840,619 (the “’619 Patent”) entitled “Computer System for Automatic Organization, Indexing and Viewing of Information From Multiple Sources” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’619 Patent is attached as Exhibit A hereto.

7. Plaintiff Technology Innovations is the sole and exclusive licensee of the ’619 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the ’619 Patent. Technology Innovations also has the right to recover all damages for past, present, and future infringement of the ’619 Patent and to seek injunctive relief as appropriate under the law.

8. Defendants have infringed and continue to directly infringe the ’619 Patent by manufacturing, selling, offering for sale, and/or importing products running the Android operating system that come with pre-installed applications including, for example, at least one of Gmail, Contacts, and Calendar, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while

scrolling through items in that list. Accused products include at least the following T-Mobile brand smart phones, tablets, and/or devices: Samsung Galaxy S II, Samsung Galaxy S III, Samsung Galaxy S Blaze 4G, Galaxy S Relay 4G, HTC One S, T-Mobile myTouch, T-Mobile myTouch Q by LG, Samsung Gravity Smart, T-Mobile Prism, T-Mobile myTouch 4G, Samsung Galaxy Exhibit 4G, HTC Wildfire S, Samsung Galaxy Note II, LG Optimus L9, T-Mobile SpringBoard, Samsung Galaxy Tab 10.1, and Samsung Galaxy Tab 2 10.1. Such products are covered by one or more claims of the '619 Patent, including but not limited to Claim 1.

9. Defendants have infringed and continue to directly infringe the '619 Patent by manufacturing, selling, offering for sale, and/or importing products running the Windows Phone operating system that come with pre-installed applications including, for example, at least one of Calendar and People, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while scrolling through items in that list. Accused products include at least the following T-Mobile brand smart phones, tablets, and/or devices: Windows Phone 8X by HTC, Nokia Lumia 810 and Nokia Lumia 710. Such products are covered by one or more claims of the '619 Patent, including but not limited to Claim 1.

10. Defendant's acts of manufacturing, selling, offering to sell, and/or importing the products into the United States are without the permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which T-Mobile is liable.

11. As a result of T-Mobile's infringement, Plaintiff Technology Innovations has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

**COUNT TWO**  
**INFRINGEMENT OF U.S. PATENT NO. 8,280,932**

12. On October 2, 2012, U.S. Patent No. 8,280,932 (the “’932 Patent”) entitled “Computer System for Automatic Organization, Indexing and Viewing Multiple Objects From Multiple Sources” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’932 Patent is attached as Exhibit B hereto.

13. Plaintiff Technology Innovations is the sole and exclusive licensee of the ’932 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the ’932 Patent. Technology Innovations also has the right to recover all damages for past, present, and future infringement of the ’932 Patent and to seek injunctive relief as appropriate under the law.

14. Defendants have infringed and continue to directly infringe the ’932 Patent by manufacturing, selling, offering for sale, and/or importing products running the Android operating system that come with pre-installed applications including, for example, at least one of Gmail, Contacts, and Calendar, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while scrolling through items in that list. Accused products include at least the following T-Mobile brand smart phones, tablets, and/or devices: Samsung Galaxy S II, Samsung Galaxy S III, Samsung Galaxy S Blaze 4G, Galaxy S Relay 4G, HTC One S, T-Mobile myTouch, T-Mobile myTouch Q by LG, Samsung Gravity Smart, T-Mobile Prism, T-Mobile myTouch 4G, Samsung Galaxy Exhibit 4G, HTC Wildfire S, Samsung Galaxy Note II, LG Optimus L9, T-Mobile SpringBoard , Samsung Galaxy Tab 10.1, and Samsung Galaxy Tab 2 10.1. Such products are covered by one or more claims of the ’932 Patent, including but not limited to Claim 1.

15. Defendants have infringed and continue to directly infringe the '932 Patent by manufacturing, selling, offering for sale, and/or importing products running the Windows Phone operating system that come with pre-installed applications including, for example, at least one of Calendar and People, that utilize a hierarchical data viewing system or group structure that enables a user to more easily remain oriented to the level of a list he/she is viewing while scrolling through items in that list. Accused products include at least the following T-Mobile brand smart phones, tablets, and/or devices: Windows Phone 8X by HTC, Nokia Lumia 810 and Nokia Lumia 710. Such products are covered by one or more claims of the '932 Patent, including but not limited to Claim 1.

16. Defendant's acts of manufacturing, selling, offering to sell, and/or importing the products into the United States are without the permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which T-Mobile is liable.

17. As a result of T-Mobile's infringement, Plaintiff Technology Innovations has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

### **JURY DEMAND**

Plaintiff requests a jury on all issues so triable.

### **PRAYER**

WHEREFORE, Plaintiff respectfully requests that the Court:

- Enter judgment that T-Mobile has infringed, either literally or by equivalents, the '619 Patent and the '932 Patent;
- Award Plaintiff damages for T-Mobile's infringement in an amount to be determined at trial, including enhanced damages, costs, and pre and post-judgment interest; and
- Award any other relief deemed just and proper.

March 1, 2013

BAYARD, P.A.

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