

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

TECHNOLOGY INNOVATIONS
ASSOCIATES LLC,

Plaintiff,

v.

HTC CORPORATION and HTC AMERICA,
INC.

Defendants.

C.A. No. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Technology Innovations Associates, LLC (“Technology Innovations”) alleges the following for its complaint against Defendants HTC Corporation and HTC America, Inc. (collectively, “HTC”).

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 HTC Corporation is a corporation organized under the laws of Taiwan with a principal office at 23, Xinghua Road, Taoyuan City, Taoyuan County 330, Taiwan. On information and belief, Defendant HTC Corporation conducts business in the United States generally and in this District through its subsidiaries, including the other named Defendant.

3. Defendant HTC America, Inc. is a corporation organized under the laws of the state of Washington with a principal place of business at 13920 SE Eastgate Way, Ste 400, Belluvue, WA 98005. Defendant HTC America, Inc. may be served with process via its

registered agent National Registered Agents, Inc., 505 Union Avenue SE, Suite 120, Olympia, WA 98501.

JURISDICTION AND VENUE

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

5. The Court has personal jurisdiction over Defendants under the Delaware long arm statute as they have availed themselves of the rights and benefits of this District by conducting business in this jurisdiction, including by having their products in at least one physical location within this District. Defendants also conduct business in this District by offering products for sale via the internet, which are accessible to and accessed by residents of this District.

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

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

7. 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.

8. 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.

9. 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 HTC brand smart phones, tablets, and/or devices: Droid DNA, HTC One SV, HTC One X+, HTC EVO 4G LTE, HTC One X, HTC One VX, HTC One S, Droid Incredible 4G LTE, HTC One V, HTC EVO Design 4G, HTC Vivid, HTC Rezound, HTC Sensation, HTC Hero S, and HTC Rhyme. Such products are covered by one or more claims of the '619 Patent, including but not limited to Claim 1.

10. 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 HTC brand smart phones, tablets, and/or devices: HTC Windows Phone 8X, HTC Windows Phone 8S, HTC Titan II, HTC Radar 4G, and HTC Trophy. Such products are covered by one or more claims of the '619 Patent, including but not limited to Claim 1.

11. Defendants' acts of manufacturing, selling, offering to sell, and/or importing the products, either directly or through their subsidiaries, into the United States are without the

permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which HTC is liable.

12. As a result of HTC'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

13. 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.

14. 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.

15. 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 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 HTC brand smart phones, tablets, and/or devices: Droid DNA, HTC One SV, HTC One X+, HTC EVO 4G LTE, HTC One X, HTC One VX, HTC One S, Droid Incredible 4G LTE, HTC One V, HTC

EVO Design 4G, HTC Vivi, HTC Rezound, HTC Sensation, HTC Hero S, and HTC Rhyme. Such products are covered by one or more claims of the '932 Patent, including but not limited to Claim 1.

16. 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 HTC brand smart phones, tablets, and/or devices: HTC Windows Phone 8X, HTC Titan II, HTC Radar 4G, and HTC Trophy. Such products are covered by one or more claims of the '932 Patent, including but not limited to Claim 1.

17. Defendants' acts of manufacturing, selling, offering to sell, and/or importing the products, either directly or through their subsidiaries, into the United States are without the permission of Technology Innovations and constitute infringement under 35 U.S.C. §271 for which HTC is liable.

18. As a result of HTC'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 HTC has infringed, either literally or by equivalents, the '619 Patent and the '932 Patent;
- Award Plaintiff damages for HTC'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.

Of Counsel:

Paul V. Storm
Sarah M. Paxson
GARDERE WYNNE SEWELL LLP
1601 Elm Street, Suite 3000
Dallas, Texas 75201
(214) 999-3000
pvstorm@gardere.com
spaxson@gardere.com

/s/ Stephen B. Brauerman (sb4952)
Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
Vanessa R. Tiradentes (vt5398)
222 Delaware Avenue, Suite 900
Wilmington, DE 19801
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com
vtiradentes@bayardlaw.com

ATTORNEYS FOR PLAINTIFF