

1 Nathaniel L. Dilger (Bar No. 196203)
Email: ndilger@onellp.com
2 Deepali A. Brahmhatt (Bar No. 255646)
Email: dbrahmhhatt@onellp.com
3 **ONE LLP**
4 4000 MacArthur Boulevard
East Tower, Suite 500
Newport Beach, CA 92660
5 Telephone: (949) 502-2870
Facsimile: (949) 258-5081
6

7 John E. Lord (Bar No. 216111)
Email: jlord@onellp.com
8 **ONE LLP**
9 9301 Wilshire Boulevard
Penthouse Suite
Beverly Hills, CA 92660
10 Telephone: (310) 866-5157
Facsimile: (310) 943-2085

11 Attorneys for Plaintiff,
THROOP, LLC
12

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 THROOP, LLC, a California limited
liability company,

17 Plaintiff,

18 v.

19 SONY CORPORATION OF AMERICA,
20 a New York corporation,

21 Defendant.

Case No. 2:19-cv-10605

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

22
23
24
25
26
27
28

1 Plaintiff Throop, LLC (“Throop” or “Plaintiff”) hereby alleges for its
2 Complaint for Patent Infringement against Sony Corporation of America (“Sony” or
3 “Defendant”) the following:

4 **I. NATURE OF THE ACTION**

5 1. This is an action for patent infringement of United States Patent Nos.
6 7,035,897 (the “’897 Patent”) and 9,479,726 (the “’726 Patent”) (collectively, the
7 “Patents-in-Suit”) arising under the Patent Laws of the United States, 35 U.S.C. § 1,
8 et seq., seeking damages and other relief under 35 U.S.C. § 281, et seq.

9 **II. THE PARTIES**

10 2. Throop is a California limited liability company having a principal
11 place of business at 3580 Wilshire Blvd., Ste. 1460, Los Angeles, CA 90010.

12 3. Defendant Sony Corporation of America is a corporation organized
13 under the laws of New York with its principal place of business located at 25
14 Madison Avenue, New York, New York 10010. Sony’s registered agent for Service
15 of Process is located at Corporation Service Company, d/b/a CSC – Lawyering
16 Incorporating Service, 2710 Gateway Oaks Drive, Suite 150N, Sacramento, CA
17 95833.

18 **III. JURISDICTION AND VENUE**

19 4. This is an action for patent infringement arising under the provisions of
20 the Patent Laws of the United States of America, Title 35, United States Code.

21 5. This Court has subject matter jurisdiction over Throop’s claims under
22 28 U.S.C. §§ 1331 and 1338(a).

23 6. This Court has personal jurisdiction over Defendant in this action
24 because Defendant has committed acts within the Central District of California
25 giving rise to this action and has established minimum contacts with this forum such
26 that the exercise of jurisdiction over the Defendant would not offend traditional
27 notions of fair play and substantial justice. The Defendant, directly and through
28 subsidiaries or intermediaries, has committed and continues to commit acts of

1 infringement in this District by, among other things, offering to sell and selling
2 products and/or services that infringe the asserted patents.

3 7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b),
4 (c) and/or 28 U.S.C. § 1400(b). Defendant transacts business within this District
5 and offers for sale in this District products that infringe the Patents-in-Suit.
6 Defendant is registered to do business in California. Defendant has a regular and
7 established place of business in Central District of California. For example,
8 Defendant has offices located at 10202 W. Washington Boulevard, Culver City, CA
9 90232.

10 **IV. THROOP'S PATENTS-IN-SUIT**

11 8. On April 25, 2006, the '897 Patent, entitled "Wireless Augmented
12 Reality Communication System," was duly and legally issued by the United States
13 Patent and Trademark Office. A true and correct copy of the '897 Patent is attached
14 as Exhibit A.

15 9. On October 25, 2016, the '726 Patent, entitled "Wireless Augmented
16 Reality Communication System," was duly and legally issued by the United States
17 Patent and Trademark Office. A true and correct copy of the '726 Patent is attached
18 as Exhibit B.

19 10. The inventors listed on the Patents-in-Suit were all engineers who
20 worked at NASA's Jet Propulsion Laboratory. Founded by Caltech faculty, NASA's
21 Jet Propulsion Laboratory is the leading U.S. center for the robotic exploration of
22 the solar system.

23 11. The '897 Patent has been cited by twenty-four issued United States
24 patents as relevant prior art.

25 12. Throop is the owner of the Patents-in-Suit asserted in this action and
26 has the exclusive right to sue and collect remedies for past, present, and future
27 infringement of the Patents-in-Suit.

28 //

1 **V. ACCUSED PRODUCTS AND/OR SERVICES**

2 13. Defendant manufactures, provides, uses, sells, offers for sale, imports,
3 and/or distributes infringing services for wearable devices, including, for example,
4 Sony SmartEyeglass SED-SD1 (collectively, “Accused Products and/or Services”).

5 14. The Accused Products and/or Services offer the benefits of Plaintiff’s
6 technology by, for example, incorporating a highly integrated radio communication
7 system allowing for true two-way multimedia access via a wearable device.

8 15. Defendant has had knowledge of the ’726 Patent and its infringement
9 since at least the filing of the Original Complaint in this action, or shortly thereafter,
10 including by way of this lawsuit. Defendant has had notice and/or knowledge of the
11 ’897 Patent and its infringement since at least February 2007, or shortly thereafter,
12 when Sony Deutschland GmbH cited the ’897 Patent on an Information Disclosure
13 Statement on its own patent application (Application No. PCT/EP2007/001545) that
14 led to issued U.S. Patent No. 9,256,877.

15 **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,035,897**

16 16. Throop reasserts and incorporates herein by reference the allegations of
17 all preceding paragraphs of this Complaint as if fully set forth herein.

18 17. Defendant has infringed and continues to infringe at least claim 1 and
19 one or more of its dependents of the ’897 Patent under 35 U.S.C. § 271(a), literally
20 or under the doctrine of equivalents, by making, using, selling, and/or offering for
21 sale in the United States, and/or importing into the United States, the Accused
22 Products and/or Services.

23 18. For example, the Accused Products and/or Services meet all of the
24 claim limitations of claim 1 of the ’897 Patent, set forth below with claim language
25 in italics. To the extent the preamble is limiting, the Accused Products and/or
26 Services include *[a] mobile access unit for use in a localized communications*
27 *system.*

28



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<https://developer.sony.com/develop/smarteyeglass-sed-e1/>

19. The Accused Products and/or Services include *a video input configured to receive real-time video information; a video output configured to provide real-time video information; a wearable display connected to the video output; a codec connected to the video input and video output; and a transceiver.*

A new world of hands-free use cases

Developers can combine the SmartEyeglass sensors and camera with the powerful features of the smartphone to create unique hands-free use cases. Whether you're watching a live game, concert, touring a new city or carrying out a job, SmartEyeglass helps you stay focussed and involved, whilst supporting and empowering you with extra data, help and information.

<https://developer.sony.com/develop/smarteyeglass-sed-e1/>

Display	TYPE: Binocular, see-through (more than 85% transmittance) FIELD OF VIEW: Diagonal 20° (19° x 6°) VIRTUAL SCREEN SIZE: 2.7m x 0.8m (106 3/8 in x 31 1/2 in) (horizontal x vertical). Virtual viewing distance : Approx. 8m (315 in). MAX. BRIGHTNESS: 1,000 cd/m2	RESOLUTION: 419 x 138 (horizontal x vertical) DISPLAY COLOUR: Monochrome (green) GREY SCALE: 8 bit
Camera	STILL IMAGES: 3 MP	VIDEO: JPEG Stream without sound (QVGA equivalent resolution). For more information on how to use the JPEG stream in your app, see the Developer Tools tab above.

<https://developer.sony.com/develop/smarteyeglass-sed-e1/specifications>

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.