

GlaserWeil

1 LAWRENCE M. HADLEY - State Bar No. 157,728  
 lhadley@glaserweil.com  
 2 STEPHEN E. UNDERWOOD - State Bar No. 320,303  
 sunderwood@glaserweil.com  
 3 GLASER WEIL FINK HOWARD  
 AVCHEN & SHAPIRO LLP  
 4 10250 Constellation Boulevard, 19th Floor  
 Los Angeles, California 90067  
 5 Telephone: (310) 553-3000  
 Facsimile: (310) 556-2920

6 LAWRENCE R. LAPORTE, SB# 130003  
 Lawrence.LaPorte@lewisbrisbois.com  
 7 LEWIS BRISBOIS BISGAARD & SMITH LLP  
 8 633 West 5th Street, Suite 4000  
 Los Angeles, California 90071  
 9 Telephone: 213.250.1800  
 Facsimile: 213.250.7900

10 Attorneys for Plaintiff  
 11 Core Optical Technologies, LLC

12 UNITED STATES DISTRICT COURT  
 13 CENTRAL DISTRICT OF CALIFORNIA  
 14 SOUTHERN DIVISION

15 CORE OPTICAL TECHNOLOGIES,  
 LLC,  
 16  
 Plaintiff,  
 17  
 v.  
 18  
 19 NOKIA CORPORATION, a Finnish  
 Corporation, and NOKIA OF AMERICA  
 CORPORATION, a Delaware  
 Corporation,  
 20  
 Defendants.  
 21  
 22

CASE NO: 8:19-cv-2190  
**COMPLAINT FOR PATENT  
 INFRINGEMENT**  
**JURY TRIAL DEMANDED**

23  
 24 Plaintiff Core Optical Technologies, LLC (“Plaintiff” or “Core”), by and  
 25 through its undersigned counsel, hereby files this Complaint against Defendants  
 26 Nokia Corporation (“Nokia Corp.”) and Nokia of America Corporation (“Nokia US”)  
 27 (collectively, “Defendants” or “Nokia”). For its Complaint, Core alleges as follows:  
 28

**THE PARTIES**

1  
2 1. Core is a limited liability company organized and existing under the laws  
3 of the State of California. Core has a principal place of business located at 18792 Via  
4 Palatino, Irvine, California 92603.

5 2. Defendant Nokia Corp. is a limited liability corporation organized and  
6 existing under the laws of Finland. Nokia Corp. maintains its principal place of  
7 business at Karaportti 3, 02610 Espoo, Finland. Nokia Corp. also maintains a regular  
8 and established place of business at 26801 West Agoura Road, Calabasas, CA 91301.

9 3. Defendant Nokia of America Corporation, fka “Alcatel-Lucent USA  
10 Inc.,” is a corporation organized and existing under the laws of Delaware, which  
11 maintains a regular and established place of business at 26801 West Agoura Road,  
12 Calabasas, CA 91301. Nokia of America Corporation is a subsidiary of Nokia  
13 Corporation. Upon information and belief, Nokia of America Corporation conducts  
14 all operational activity on behalf of Nokia Corporation within the United States.

15 **JURISDICTION AND VENUE**

16 4. This is an action for infringement of U.S. Patent No. 6,782,211, entitled  
17 “Cross Polarization Interface [sic] Canceler,” which was duly issued by the United  
18 States Patent and Trademark Office on August 24, 2004 (“the ‘211 patent”). This  
19 Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a), because  
20 the claims arise under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*

21 5. This Court has personal jurisdiction over each Defendant, because each  
22 Defendant conducts continuous and systematic business in California, including, upon  
23 information and belief, in this judicial district.

24 6. This Court also has personal jurisdiction over each Defendant because  
25 each Defendant maintains a regular and established place of business in this district,  
26 including their facility located at 26801 West Agoura Road, Calabasas, CA 91301.

27 7. This Court also has personal jurisdiction over each Defendant because,  
28 on information and belief, each Defendant has committed acts of infringement in

1 California, and within this judicial district. Specifically, on information and belief,  
2 each Defendant has marketed, manufactured, used, offered for sale, sold, imported,  
3 and/or distributed the Infringing Products in California, and within this judicial  
4 district. Furthermore, on information and belief, each Defendant has performed all of  
5 the steps of at least one method claimed in the '211 Patent in California, and within  
6 this judicial district. Furthermore, on information and belief, each Defendant has  
7 induced and/or contributed to customers' infringing uses of the Infringing Products in  
8 California, and in this judicial district.

9 8. Venue is proper in this judicial district against each Defendant.

10 9. Venue is proper against Defendant Nokia Corp. because Nokia Corp. is  
11 a foreign corporation. Venue is proper against foreign corporations in any judicial  
12 district where they are subject to personal jurisdiction. *See* 28 U.S.C. § 1391(c)(3).

13 10. Venue is proper against Defendant Nokia U.S. because: (i) Nokia U.S.  
14 has a regular and established place of business in this district, including its facility at  
15 26801 West Agoura Road, Calabasas, CA 91301; and (ii) on information and belief,  
16 Nokia U.S. has committed acts of infringement in this district, including marketing,  
17 manufacturing, using, offering for sale, selling, importing, and/or distributing the  
18 Infringing Products in this judicial district; performing all steps of the method(s)  
19 claimed in the '211 Patent in this district; and/or performing acts of contributory or  
20 induced infringement in this district. *See* 28 U.S.C. § 1400(b).

21 11. In addition, venue is proper because Core resides in this judicial district,  
22 and Core has and continues to suffer harm in this judicial district. Moreover, a  
23 substantial part of the events giving rise to this action occurred in this judicial district,  
24 including the inventive activities giving rise to the '211 patent.

### 25 **THE ASSERTED PATENT**

26 12. Mark Core, the sole named inventor of the '211 patent, earned his Ph.D.  
27 in electrical and computer engineering from the University of California, Irvine, and  
28 is the Manager of Core Optical Technologies, LLC. The pioneering technology set

1 forth in the '211 patent greatly increases data transmission rates in fiber optic  
2 networks, by enabling two optical signals transmitted in the same frequency band, but  
3 at generally orthogonal polarizations, to be recovered at a receiver. The patented  
4 technology that enables the recovery of these signals includes coherent optical  
5 receivers and related methods that mitigate cross-polarization interference associated  
6 with the transmission of the signals through the fiber optic network. The patented  
7 coherent receivers and methods mitigate the effects of polarization dependent loss and  
8 dispersion effects that limit the performance of optical networks, greatly increasing  
9 the transmission distance and eliminating or reducing the need for a variety of  
10 conventional network equipment such as amplifiers, regenerators, and compensators.  
11 The patented technology set forth in the '211 patent has been adopted by Defendants  
12 in, at least, their packet-optical transport solutions and products described below.

13 13. On November 5, 1998, Mark Core filed with the United States Patent  
14 and Trademark Office ("USPTO") Provisional Patent Application No. 60/107,123  
15 ("the '123 application") directed to his pioneering inventions. On November 4, 1999,  
16 Mark Core filed with the USPTO a non-provisional patent application, U.S. Patent  
17 Application No. 09/434,213 ("the '213 application"), claiming priority to the '123  
18 application. On August 24, 2004, the USPTO issued the '211 patent from the '213  
19 application. The entire right, title, and interest in and to the '211 patent, including all  
20 rights to past damages, has been assigned to Core in an assignment recorded with the  
21 USPTO. The '211 patent is attached as Exhibit 1 to this Complaint.

22 14. The '211 Patent includes 37 claims. One of these is claim 33, an  
23 independent method claim. Claim 33 is reproduced below, with parenthetical  
24 annotations to identify the different elements of the claim:

25 33. A method comprising:

26  
27 (33a) receiving an optical signal over a single fiber optic  
28 transmission medium,

GlaserWeil

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

(33a1) the optical signal being at least two polarized field components independently modulated with independent information bearing waveforms; and

(33b) mitigating cross polarization interference associated with the at least two modulated polarized field components to reconstruct the information bearing waveforms

(33b1) using a plurality of matrix coefficients being complex values to apply both amplitude scaling and phase shifting to the at least two modulated polarized field components.

**THE INFRINGING PRODUCTS**

15. Defendants and/or their divisions, subsidiaries, and/or agents are engaged in the business of making, using, distributing, importing, offering for sale, and/or selling their infringing product lines, including, but not limited to, the 1830 Photonic Service Switch (PSS) product family (the “1830 PSS Family”), the 1830 Photonic Service Interconnect (PSI) product family (the “1830 PSI Family”), the 1620 SOFTNODE product family (the “1620 SOFTNODE Family”), and the WaveLite Metro 200 (the “Metro 200”) (collectively, "the Infringing Products").

16. Each Infringing Product is configured to automatically perform all of the steps recited in, at least, claims 30, 33, 35, and 37 of the ‘211 Patent, during normal operation. In addition, on information and belief, each Defendant has used the Infringing Products to perform each step of the methods recited in, at least, claims 30, 33, 35, and 37 of the ‘211 Patent, within the United States, either personally, through intermediaries, or in conjunction one or more joint venturers.

**The 1830 PSS Family**

17. According to Defendants’ website, the 1830 PSS Family is a “flexible transport layer with capabilities such as 100G-600G transport wavelengths, agile wavelength routing, and scalable multilayer switching and services.” See Exhibit 2

# 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.