

### **COMPLAINT**

1. Plaintiff Roku, Inc. ("Roku" or "Plaintiff") brings this action against Universal Electronics, Inc., Gemstar Technology (Qinzhou) Co. Ltd., Gemstar Technology (Yangzhou) Co. Ltd., C.G. Development Ltd., Universal Electronics BV, UEI Brasil Controles Remotos Ltda., and CG México Remote controls, S. de R.L. de C.V. (collectively, "UEI" or "Defendants") and alleges as follows.

### **NATURE OF THE ACTION**

2. This is an action for patent infringement. Defendant UEI has infringed and continues to infringe, contribute to the infringement of, and/or actively induce others to infringe U.S. Patent Nos. 8,378,875 ("the '875 Patent") and 7,388,511 ("the '511 Patent") (collectively, the "Patents-in-Suit").

### THE PARTIES

- 3. Roku is a public corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 1155 Coleman Ave., San Jose, California 95110. Roku was the pioneer of the streaming TV and is the leading TV streaming platform in the U.S. by hours streamed. By the end of 2020, Roku had more than 51.2 million active accounts. Roku users streamed 58.7 billion hours of content in 2020.
- 4. On information and belief, Universal Electronics Inc. is a Delaware corporation with its headquarters at 15147 N. Scottsdale Road, Suite H300, Scottsdale, Arizona 85254.
- 5. On information and belief, Gemstar Technology (Qinzhou) Co. Ltd. is a company organized under the laws of the People's Republic of China with its principal place of business at Hedong Industrial Park, Qinzhou, Guangxi Province, 535000 China.



- 6. On information and belief, Gemstar Technology (Yangzhou) Co. Ltd. is a company organized under the laws of the People's Republic of China with its principal place of business at 1 Junsheng Road Industry Park, Fanshui Industrial Zone, Baoying, Yangzhou, Jiangsu Province, 225800 China.
- 7. On information and belief, C.G. Development Ltd. is a company organized under the laws of the Hong Kong with its principal place of business at One Harbourfront, 18 Tak Fung Street, Hung Hom Kowloon, Hong Kong.
- 8. On information and belief, Universal Electronics BV is a company organized under the laws of the Netherlands with its principal place of business at Colosseum 2, 7521 PT Enschede, Netherlands.
- 9. On information and belief, UEI Brasil Controles Remotos Ltda. is a company organized under the laws of Brazil with its principal place of business at Avenida Torquato Tapajos, no 4010 Galpao 04, Colonia Santo Antonio, CEP:69093-018, Manaus Amazonas Brasil.
- 10. On information and belief, CG México Remote Controls, S. de R.L. de C.V. is a company organized under the laws of Mexico with its principal place of business at Séptima No. 840-B, Parque Industrial Monterrey, Apodaca, NUEVO LEON, 66603, Mexico.
- 11. On information and belief, Gemstar Technology (Qinzhou) Co. Ltd., Gemstar Technology (Yangzhou) Co. Ltd., C.G. Development Ltd., Universal Electronics BV, UEI Brasil Controles Remotos Ltda., and CG México Remote Controls, S. de R.L. de C.V are wholly-owned subsidiaries of Universal Electronics Inc.

### JURISDICTION AND VENUE

- 12. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
- 13. This Court has personal jurisdiction over UEI pursuant to the laws of the State of California, including California's Long Arm Statute, California Code of



Civil Procedure § 410.10. UEI has a principal place of business in the state of California, and, as a result, UEI is subject to general jurisdiction here. UEI has infringed Roku's asserted patents in California, and, as a result, UEI is subject to specific jurisdiction here. In particular, UEI sells, licenses, and offers to sell and license hardware and software relating to remote control devices and associated products that infringe Roku's asserted patents in California, and specifically in this judicial district. UEI does business in this judicial district relating to UEI's accused products, and has an office located in this district at 201 E. Sandpointe Ave., Santa Ana, CA 92707. On information and belief, each of UEI's foreign subsidiaries is subject to specific jurisdiction in this district at least because each of them manufactures for import and imports into the United States and particularly into this District, remote control devices and associated products that infringe Roku's patents, and, on information and belief, each of them conducts business with parent company UEI related to the infringing technology at UEI's offices at 201 E. Sandpointe Ave., Santa Ana, CA 92707.

14. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b).

### THE PATENTS-IN-SUIT

- 15. On February 19, 2013, United States Patent No. 8,378,875, entitled "Method of Programming a Universal Remote Control," was duly and legally issued by the United States Patent and Trademark Office. A copy of the '875 Patent is attached hereto as Exhibit A.
- 16. On June 17, 2008, United States Patent No. 7,388,511, entitled "System for Remote Control of Identical Devices," was duly and legally issued by the United States Patent and Trademark Office. A copy of the '511 Patent is attached hereto as Exhibit B.
- 17. Roku is the owner of all right, title and interest in and to the '875 and '511 Patents, including the right to all remedies for infringement thereof.



# 28 subs

### **COUNT I: INFRINGEMENT OF THE '875 PATENT**

- 18. The foregoing paragraphs are incorporated by reference as if fully restated herein.
- 19. On information and belief, UEI infringes at least claims 1-5, 8-11 and 14 of the '875 patent directly and indirectly, literally and/or under the doctrine of equivalents.
- 20. On information and belief, UEI directly infringes the apparatus claims by making, using, offering to sell, selling within the United States, and/or importing into the United States remote controls that perform the claimed setup method ("the '875 Accused Products"). UEI directly infringes the method claims by using the '875 Accused Products in an infringing manner within the United States, including in testing and demonstrating the UEI Accused Products.
- 21. UEI has induced, and continues to induce UEI's customers and/or end users to infringe the asserted claims. UEI has taken active steps to encourage and facilitate direct infringement by UEI's customers and/or end users of the '875 Accused Products, with knowledge of that infringement, such as providing the '875 Accused Products, contracting for the distribution of the '875 Accused Products, by marketing the '875 Accused Products, and by creating and/or distributing user manuals, web pages, marketing materials, and/or similar materials with instructions on using the '875 Accused Products in an infringing manner. The use of the '875 Accused Products in accordance with UEI's instructions results in infringement of the asserted claims.
- 22. UEI has also contributorily infringed, and continues to contributorily infringe, the asserted claims by offering to sell, selling, and importing into the United States the '875 Accused Products that perform the claimed methods for setting up a remote control, knowing that the '875 Accused Products are especially made for use in infringing the '875 patent, and are not staple articles of commerce suitable for a substantial non-infringing use. In particular, the '875 Accused Products are remote

# DOCKET

# 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.

