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16 *ATTORNEYS FOR PLAINTIFF*
17 *PRINCEPS SECUNDUS LLC*

18 UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 PRINCEPS SECUNDUS LLC,

21 Plaintiff,

22 v.

23 SAMSUNG ELECTRONICS CO., LTD.,
24 SAMSUNG ELECTRONICS AMERICA, INC.,
25 and SAMSUNG SEMICONDUCTOR, INC.,

26 Defendants.

27 Case No.: 5:20-cv-00201

28 **ORIGINAL COMPLAINT FOR PATENT
INFRINGEMENT**

Original Complaint for Patent Infringement

1 Plaintiff Princeps Secundus LLC (“Princeps” or “Plaintiff”), for its Complaint against
2 Defendants Samsung Electronics Co., Ltd. (“SEC”); Samsung Electronics America, Inc. (“SEA”) and
3 Samsung Semiconductor, Inc. (“SSI”), (collectively “Samsung” or “Defendants”), alleges the
4 following.

5 **NATURE OF THE ACTION**

6 1. This is an action for patent infringement arising under the Patent Laws of the United
7 States, 35 U.S.C. § 1 *et seq.*

8 **THE PARTIES**

9 2. Plaintiff Princeps is a limited liability company organized under the laws of the State of
10 Delaware with a place of business at Princeps Secundus LLC, 261 West 35th Street, Suite No. 1003,
11 New York, New York 10001.

12 3. Defendant Samsung Electronics Co., Ltd. (“SEC”) is a foreign corporation having its
13 principal place of business at 129, Samsung-Ro, Yeongtong-Gu, Suwon, Republic of Korea 16677.
14 SEC produces and sells telecommunications, electronics and mobile phone technologies worldwide,
15 including in the United States.

16 4. Defendant Samsung Electronics America, Inc. (“SEA”) is a corporation organized and
17 existing under the laws of New York having its principal place of business at 85 Challenger Road,
18 Ridgefield Park, New Jersey 07660. Upon information and belief, SEA is a wholly-owned subsidiary
19 of Samsung Electronics Co., Ltd. (SEC). As explained in more detail below, SEA has a regular and
20 established place of business in this District and manufactures, supplies and sells consumer electronics
21 and products throughout the United States, including in this District.

22 5. Samsung Semiconductor, Inc. (“SSI”) is a corporation organized and existing under the
23 laws of California having its principal place of business at 3655 North First Street, San Jose, California
24 95134 or 601 McCarthy Blvd., Milpitas, California 95035. Upon information and belief, SSI is a
25 subsidiary of SEA. Upon information and belief, SSI designs, manufactures, and supplies Samsung’s
26 EXYNOS® mobile processor utilized in several Samsung mobile devices. (See source:
27 <https://www.samsung.com/semiconductor/processor/mobile-processor/>, and
28 <https://news.samsung.com/us/samsungs-exynos-auto-v9-next-generation-platform-audi-vehicle->

Original Complaint for Patent Infringement

1 infotainment-system//, last accessed and downloaded June 16, 2019, noted on January 9, 2020 as
2 having been removed.) On information and belief, the EXYNOS® mobile processor is an integral and
3 substantial component of the “Accused Instrumentalities”, as set forth in greater detail below and in the
4 attached preliminary and exemplary claim charts provided (Exhibits A-1 and A-2).

5 6. SEA and SSI are both subsidiaries of SEC. All the Defendants (SEC, SEA and SSI) act
6 in concert regarding the allegations set forth in this Complaint and, therefore, the conducts described
7 herein are fairly attributable to either or all entities. More specifically, Defendants work collectively in
8 the designing, manufacturing, importing, distributing and selling of the Accused Instrumentalities
9 described in more detail below and in the attached claim charts (Exhibits A-1 and A-2).

10 **JURISDICTION AND VENUE**

11 7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

12 8. Venue with respect to Defendant SEC is proper in this District under 28 U.S.C. §
13 1391(c)(3) because Defendant SEC is not a resident of the United States, and also under 28 U.S.C. §
14 1391(b)(2) because SEC, imports, sells and offers to sell products and services throughout the United
15 States, including in this District, and introduces products and services into the stream of commerce and
16 effectuates these sales knowing that the products and services would be sold in this District and
17 elsewhere in the United States.

18 9. This Court has personal jurisdiction over SEC. SEC is amenable to service of summons
19 for this action. Defendant SEC has sought protection and benefit from the laws of the State of
20 California by maintaining one or more of its United States affiliates (Defendant SSI) in this District
21 and/or by placing infringing products into the stream of commerce through an established distribution
22 channel with the awareness and/or intent that they will be purchased by consumers in this District.

23 10. SEC – directly or through intermediaries (including distributors, retailers, and others),
24 subsidiaries, alter egos, and/or agents – ships, distributes, offers for sale, and/or sells its products in the
25 United States and this District. SEC has purposefully and voluntarily placed one or more of its
26 infringing products into the stream of commerce with the awareness and/or intent that they will be
27 purchased by consumers in this District. SEC knowingly and purposefully ships infringing products
28 into and within this District through an established distribution channel. These infringing products

Original Complaint for Patent Infringement

1 have been and continue to be purchased by consumers in this District. Upon information and belief,
2 through those activities, SEC has committed the tort of patent infringement in this District.

3 11. On information and belief, Defendant SEC is subject to this Court's general and specific
4 personal jurisdiction because SEC has sufficient minimum contacts within California and this District,
5 because Defendant SEC purposefully availed itself of the privileges of conducting business in
6 California and in this District, because Defendant SEC regularly conducts and solicits business within
7 California and within this District, and because Plaintiff's causes of action arise directly from
8 Defendant SEC's business contacts and other activities in California and this District. Having
9 purposefully availed itself of the privilege of conducting business within this District, Defendant SEC
10 should reasonably and fairly anticipate being brought into court here.

11 12. Venue with respect to Defendant SEA is proper in this District under 28 U.S.C.
12 § 1400(b) because, upon information and belief, Defendant SEA maintains a regular and established
13 place of business in this District, the Samsung Device Solutions America campus, also known as
14 "Samsung@First". Samsung Device Solutions America campus is located at 3655 North 1st Street,
15 San Jose, California 95134, and has committed infringing acts in this District through its sales of the
16 Accused Instrumentalities in this District, and also under 28 U.S.C. § 1391(b)(2) because SEA sells
17 and offers to sell products and services throughout the United States, including in this District, and
18 introduces products and services into the stream of commerce and effectuates these sales knowing that
19 the products and services would be sold in this District and elsewhere in the United States. In addition,
20 on information and belief, Defendant SEA is a wholly owned subsidiary of SEC, a closely related co-
21 defendant in this action over which this Court has venue under 28 U.S.C. § 1391(c)(3) and 28 U.S.C. §
22 1391(b)(2) as noted above. Furthermore, Defendant SEA wholly owns another subsidiary, SSI,
23 another closely related co-defendant in this action and a California corporation over which this Court
24 has venue under 28 U.S.C. § 1400(b), as noted below.

25 13. This Court has personal jurisdiction over SEA. SEA has conducted and regularly
26 conducts business within the United States and this District. SEA has purposefully availed itself of the
27 privileges of conducting business in the United States, and more specifically in California and this
28 District. SEA has sought protection and benefit from the laws of California placing infringing

Original Complaint for Patent Infringement

1 products into the stream of commerce through an established distribution channel with the awareness
2 and/or intent that they will be purchased by consumers in this District.

3 14. SEA – directly or through intermediaries (including distributors, retailers, and others),
4 subsidiaries, alter egos, and/or agents – ships, distributes, offers for sale, and/or sells its products in the
5 United States and this District. SEA has purposefully and voluntarily placed one or more of its
6 infringing products into the stream of commerce with the awareness and/or intent that they will be
7 purchased by consumers in this District. SEA knowingly and purposefully ships infringing products
8 into and within this District through an established distribution channel. These infringing products
9 have been and continue to be purchased by consumers in this District. Upon information and belief,
10 through those activities, SEA has committed the tort of patent infringement in this District.

11 15. On information and belief, Defendant SEA is subject to this Court’s general and
12 specific personal jurisdiction because SEA has sufficient minimum contacts within California and this
13 District, because Defendant SEA purposefully availed itself of the privileges of conducting business in
14 California and in this District, because Defendant SEA regularly conducts and solicits business within
15 California and within this District, and because Plaintiff’s causes of action arise directly from
16 Defendant SEA’s business contacts and other activities in California and this District. Having
17 purposefully availed itself of the privilege of conducting business within this District, Defendant SEA
18 should reasonably and fairly anticipate being brought into court here.

19 16. Venue with respect to Defendant SSI is proper in this District under 28 U.S.C. §
20 1400(b) because SSI is a California corporation and therefore resides in this District.

21 17. This Court has personal jurisdiction over SSI. SSI has conducted and regularly
22 conducts business within the United States and this District. SSI has purposefully availed itself of the
23 privileges of conducting business in the United States, and more specifically in California and this
24 District. SSI has sought protection and benefit from the laws of California by incorporating itself in
25 this District and/or by placing infringing products into the stream of commerce through an established
26 distribution channel with the awareness and/or intent that they will be purchased by consumers in this
27 District.

28 18. SSI – directly or through intermediaries (including distributors, retailers, and others),

Original Complaint for Patent Infringement

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