

# Freitas Tseng & Kaufman LLP

CBI 12-037

October 21, 2011

## VIA HAND DELIVERY

The Honorable James Holbein  
Secretary  
U.S. International Trade Commission  
500 E Street, S.W. Room 112  
Washington, D.C. 20436

DOCKET NUMBER E. Freitas (650) 730-5527 rfreitas@ftbkllaw.com
2850
Office of the Secretary Int'l Trade Commission

Re: ***In the Matter of Certain Automotive Navigation Systems, Components Thereof,  
And Products Containing Same, Inv. No. 337-TA-***

Dear Secretary Holbein,

Enclosed for filing on behalf of Complainant Beacon Navigation GmbH ("Beacon" or "Complainant") are documents in support of Beacon's request that the Commission commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended.

Prior to filing this Complaint and supporting documents, the Complainant obtained permission from the Docket Office to file certain documents accompanying this Complaint in electronic form. As described below, the original and all required copies of the Complaint are in paper form. The original and one (1) copy set of all exhibits are in paper form, and all other copies of exhibits are in electronic form and are being provided on a CD. The appendices are also in electronic form (on a CD). The Complainant will provide any additional paper copies at the Secretary's request.

Beacon submits the following documents to accompany the Complaint filing:

1. An original and twelve (12) copies of both the verified confidential and nonconfidential versions of the Complaint, and an original and six (6) copies of the accompanying nonconfidential Exhibits in electronic form (on a CD), with six (6) copies of confidential Exhibits 10, 29, 53, 54, 55, 56, 82, 83, 94 and 95 in electronic form (on a CD) segregated from the other material submitted (Commission Rules 201.6(c), 210.4(f)(3)(i) and 210.8(a));
2. Certified copies of United States Patent Nos. 6,374,180 ("the '180 patent"); 6,178,380 ("the '380 patent"); 6,029,111 ("the '111 patent"); and 5,862,511 ("the '511 patent") (jointly, "asserted patents") and legible copies thereof, referenced in the Complaint as Exhibits 1-4, respectively (Commission Rule 210.12(a)(9)(ii));

# F/T/K

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3. Copies of the assignment histories for the asserted patents, referenced in the Complaint as Exhibits 5-8, respectively; certified copies of each assignment of each of the asserted patents have been ordered from the United States Patent and Trademark Office, and will be supplemented upon receipt (Commission Rule 210.12(a)(9)(ii));
4. Certified copies of the prosecution histories of the '180 patent (Appendix A), the '380 patent (Appendix B), the '111 patent (Appendix C), the '511 patent (Appendix D); one (1) additional unbound copy of each prosecution history, and three (4) additional copies of each on CDs (Commission Rule 210.12(c)(1));
5. Four (4) copies on CD of each technical reference mentioned in the prosecution histories of the asserted patents, referenced in the Complaint as Appendices E-H (Commission Rule 210.12(c)(2));
6. Forty-nine (49) additional copies of the verified nonconfidential Complaint, including all accompanying nonconfidential Exhibits, for service upon each Proposed Respondent (Commission Rules 210.4(f)(3)(i), 210.8(a) and 210.11(a));
7. Forty-nine (49) additional copies of the confidential Complaint and confidential Exhibits 10, 29, 53, 54, 55, 56, 82, 83, 94 and 95 for service upon a representative of each Proposed Respondent who has properly subscribed to the protective order in this matter (Commission Rules 210.4(f)(3)(i), 210.8(a) and 210.11(a));
8. Five (5) additional copies of the non-confidential Complaint for service upon the Embassies of Germany, Japan, Republic of Korea, Sweden and the United Kingdom of Great Britain and Northern Ireland, in Washington, D.C. (Commission Rules 210.8(a) and 210.11(a)(1)(ii)).
9. A letter and certification pursuant to Commission Rules 201.6(b) and 210.5(d) requesting confidential treatment of the confidential Complaint and confidential Exhibits 10, 29, 53, 54, 55, 56, 82, 83, 94 and 95.

F/T/K

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Respectfully Submitted,

*Robert E. Freitas / RDT*

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# Freitas Tseng & Kaufman LLP

Robert E. Freitas  
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October 21, 2011

**VIA HAND DELIVERY**

The Honorable James Holbein  
Secretary  
U.S. International Trade Commission  
500 E Street, S.W. Room 112  
Washington, D.C. 20436

Re: ***In the Matter of Certain Automotive Navigation Systems, Components Thereof,  
And Products Containing Same, Inv. No. 337-TA-***

Dear Secretary Holbein,

In accordance with Commission Rules 201.6(b) and 210.5(d), Beacon Navigation GmbH hereby requests confidential treatment of the confidential business information redacted from the public version of the Complaint and from the public versions of Exhibits 10, 29, 53, 54, 55, 56, 82, 83, 94 and 95.

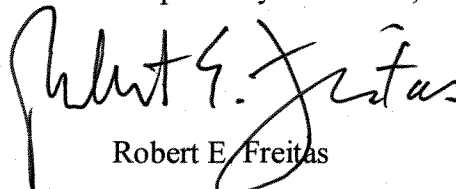
The information for which confidential treatment is sought is proprietary commercial information not otherwise publicly available. Specifically, the information redacted from the public version of the Complaint and from the public versions of Exhibits 10, 29, 53, 54, 55, 56, 82, 83, 94 and 95 includes proprietary information about Beacon and a Beacon licensee, including proprietary business and financial information, which information is not publicly available.

The information described above qualifies as confidential business information pursuant to Rule 201.6(a) because:

- a. it is not available to the public; and
- b. unauthorized disclosure of such information could cause substantial harm to the competitive position of Beacon.

Please contact me if you have any questions regarding this request, or if this request is not granted in full.

Respectfully Submitted,



Robert E. Freitas

**PUBLIC VERSION**

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.**

**In the Matter of**

**CERTAIN AUTOMOTIVE GPS  
NAVIGATION SYSTEMS,  
COMPONENTS THEREOF, AND  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINT OF BEACON NAVIGATION UNDER SECTION 337 OF THE TARIFF  
ACT OF 1930, AS AMENDED**

COMPLAINANT

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**PUBLIC VERSION**

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Ex. 3	Certified copy of U.S. Patent No. 6,029,111
Ex. 4	Certified copy of U.S. Patent No. 5,862,511
Ex. 5	Certified copies of recorded assignments for '180 patent
Ex. 6	Certified copies of recorded assignments for '380 patent
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Ex. 29	<b>Confidential:</b> Exemplary claim chart- <span style="background-color: black; color: black;">[REDACTED]</span>
Ex. 30	Audi Q7 with navigation for sale in United States

PUBLIC VERSION

<b>Exhibit</b>	<b>Document</b>
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Ex. 57	Excerpt of Audi webpage ("Audi Webpage")
Ex. 58	BMW Owner's Manual for Vehicle, 2011 328i, 328i xDrive, 335i, 335i xDrive, 335is, and M3 ("BMW Manual")
Ex. 59	Excerpt of Cooper webpage ("Cooper Webpage")
Ex. 60	Excerpt of Chrysler 300 webpage ("Chrysler Webpage")

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<b>Exhibit</b>	<b>Document</b>
Ex. 61	Mopar Selects Garmin – Built GPS Automotive Navigator, Jan. 31, 2005 (“Mopar Garmin Article”)
Ex. 62	Excerpt of Ford Fusion webpage (“Ford Webpage”)
Ex. 63	SiRF launches GPS chip for in-dash nav systems, February 5, 2009 (“SiRF Article”)
Ex. 64	M/A-COM Dead Reckoning GPS Module, June 4, 2009 (interview video available at <a href="http://www.engineeringtv.com/video/MA-COM-Dead-Reckoning-GPS-Modul">http://www.engineeringtv.com/video/MA-COM-Dead-Reckoning-GPS-Modul</a> ) (“M/A-COM Video”)
Ex. 65	2011 Chevrolet Equinox and GMC Terrain Navigation System (“GM Manual”)
Ex. 66	2011 Honda Civic Navigation Manual (“Honda Manual”)
Ex. 67	2011 Acura MDX Navigation Manual (“Acura Manual”)
Ex. 68	Excerpt of Hyundai webpage (“Hyundai Webpage”)
Ex. 69	Excerpt of Kia webpage (“Kia Webpage”)
Ex. 70	2009 Mazda CX-9 Navigation System Manual (“Mazda Manual”)
Ex. 71	2010 Mercedes E350 COMAND Operator’s Manual (“Mercedes Manual”)
Ex. 72	2011 Nissan Navigation System Owner’s Manual (“Nissan Manual”)
Ex. 73	2011 Infiniti Navigation System Owner’s Manual (“Infiniti Manual”)
Ex. 74	2011 Suzuki SX4 Brochure (“Suzuki Brochure”)
Ex. 75	2011 Porsche Communication Management (“Porsche Manual”)
Ex. 76	Excerpt of 2011 Jaguar XF Owner’s Handbook (“Jaguar Manual”)
Ex. 77	Excerpt of 2011 Land Rover Range Rover Owner’s Handbook (“Land Rover Manual”)
Ex. 78	Excerpt of 2011 Toyota 4Runner Navigation Manual, introduction (“Toyota Manual Intro”)
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Ex. 80	Excerpt of Volkswagen webpage (“Volkswagen Webpage”)
Ex. 81	Volvo S60 & XC60 Volvo Navigation System Operating Manual, Web Edition (“Volvo Manual”)
Ex. 82	<b>Confidential:</b> [REDACTED]
Ex. 83	<b>Confidential:</b> [REDACTED]
Ex. 84	Kinematic Azimuth Alignment of INS using GPS Velocity Information, A.O. Salycheva and M.E. Cannon, January 26-28, 2004

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<b>Exhibit</b>	<b>Document</b>
Ex. 85	Crossbow, Datum Transformations of NAV420 Reference Frames, Giri Baleri
Ex. 86	Accuracy Improvement of Low Cost INS/GPS for Land Applications, E.H. Shin and Dr. N. El-sheimy, ION NTM 2002, 28-30 January 2002
Ex. 87	SiRF GPS solution for Car and Navigation system applications, Jerry Juan, March 23, 2006
Ex. 88	SiRF's Federated Filter Architecture for Automotive Dead Reckoning, Keith Brodie, GPS 99
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Ex. 94	<b>Confidential:</b> Declaration of Dr. Blaine F. Nye
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## PUBLIC VERSION

### APPENDICES

<b>Appendix</b>	<b>Document</b>
App. A	Certified copy of the prosecution history of U.S. Patent No. 6,374,180
App. B	Certified copy of the prosecution history of U.S. Patent No. 6,178,380
App. C	Certified copy of the prosecution history of U.S. Patent No. 6,029,111
App. D	Certified copy of the prosecution history of U.S. Patent No. 5,862,511
App. E	Each technical reference identified in the prosecution history of U.S. Patent No. 6,374,180
App. F	Each technical reference identified in the prosecution history of U.S. Patent No. 6,178,380
App. G	Each technical reference identified in the prosecution history of U.S. Patent No. 6,029,111
App. H	Each technical reference identified in the prosecution history of U.S. Patent No. 5,862,511

## PUBLIC VERSION

### I. INTRODUCTION

1. This complaint is filed by Beacon Navigation GmbH (“Beacon”) under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based on the unlawful importation into the United States, the sale for importation, and/or the sale within the United States after importation by automotive companies of certain automotive global positioning system (“GPS”) navigation systems, components thereof, and products containing same that infringe at least one or more of the following claims of the following patents: claims 1-4, 7-9, and 15 of U.S. Patent No. 6,374,180 (“the ’180 patent”); claims 1-4, 18-21, and 25-31 of U.S. Patent No. 6,178,380 (“the ’380 patent”); claims 1-3, 5, 10-12, and 17-21 of U.S. Patent No. 6,029,111 (“the ’111 patent”); and claims 1 and 3 of U.S. Patent No. 5,862,511 (“the ’511 patent”) (jointly, “Asserted Claims” of “Asserted Patents”) (“Complaint”).

2. The Asserted Patents are the results of efforts by Magellan Navigation, Inc., one of the first companies to develop consumer global positioning system (“GPS”) navigation solutions. Among its many contributions to the field, Magellan Navigation, Inc. obtained the four Asserted Patents based on patent applications filed between 1995 and 2000, before GPS navigation was widely adopted. As shown throughout this Complaint, these inventions are used in GPS navigation systems by all of the world’s largest automobile companies. And to this day, [REDACTED] products remain licensed and the licensee continues to implement the patents in dozens of products that are developed here in the United States.

3. A certified copy of the ’180 patent is attached as Ex. 1. Beacon owns all right, title and interest in the ’180 patent. Certified copies of the recorded assignments demonstrating the chain of title of the ’180 patent are attached as Ex. 5.

## PUBLIC VERSION

4. A certified copy of the '380 patent is attached as Ex. 2. Beacon owns all right, title and interest in the '380 patent. Certified copies of the recorded assignments demonstrating the chain of title of the '380 patent are attached as Ex. 6.

5. A certified copy of the '111 patent is attached as Ex. 3. Beacon owns all right, title and interest in the '111 patent. Certified copies of the recorded assignments demonstrating the chain of title of the '111 patent are attached as Ex. 7.

6. A certified copy of the '511 patent is attached as Ex. 4. Beacon owns all right, title and interest in the '511 patent. Certified copies of the recorded assignments demonstrating the chain of title of the '511 patent are attached as Ex. 8.

7. The proposed respondents are: Audi AG; Audi of America, Inc.; Audi of America, LLC (jointly, "Audi"); Bayerische Motoren Werke AG; BMW of North America, LLC; BMW Manufacturing Co., LLC (jointly, "BMW"); Chrysler Group LLC ("Chrysler"); Ford Motor Company ("Ford"); General Motors Company ("GM"); Honda Motor Co., Ltd.; Honda North America, Inc.; American Honda Motor Co., Inc.; Honda Manufacturing of Alabama, LLC; Honda Manufacturing of Indiana, LLC; Honda of America Mfg., Inc. (jointly, "Honda"); Hyundai Motor Company; Hyundai Motor America; Hyundai Motor Manufacturing Alabama, LLC (jointly, "Hyundai"); Kia Motors Corp.; Kia Motors America, Inc.; Kia Motors Manufacturing Georgia, Inc. (jointly, "Kia"); Mazda Motor Corporation; Mazda Motor of America, Inc. (jointly, "Mazda"); Daimler AG; Mercedes-Benz USA, LLC; Mercedes-Benz U.S. International, Inc. (jointly, "Mercedes"); Nissan Motor Co., Ltd.; Nissan North America, Inc. (jointly, "Nissan"); Dr. Ing. h.c. F. Porsche AG; Porsche Cars North America, Inc. (jointly, "Porsche"); Saab Automobile AB; Saab Cars North America, Inc. (jointly, "Saab"); Suzuki Motor Corporation; American Suzuki Motor Corporation (jointly, "Suzuki"); Jaguar Land Rover

## PUBLIC VERSION

North America, LLC; Jaguar Cars Limited; Land Rover (jointly, "Jaguar/Land Rover"); Toyota Motor Corporation; Toyota Motor North America, Inc.; Toyota Motors Sales, U.S.A. Inc.; Toyota Motor Engineering & Manufacturing North America, Inc.; Toyota Motor Manufacturing, Indiana, Inc.; Toyota Motor Manufacturing, Kentucky, Inc.; Toyota Motor Manufacturing, Mississippi, Inc. (jointly, "Toyota"); Volkswagen AG; Volkswagen Group of America, Inc.; Volkswagen Group of America Chattanooga Operations, LLC (jointly, "Volkswagen"); Volvo Car Corporation; and Volvo Cars of North America, LLC (jointly, "Volvo") (collectively, "Proposed Respondents"). Although each group of Proposed Respondents is referred to jointly by a common name, each instance in which that common name is used is intended to be a reference to each of the individual respondents. For example, wherever the joint name "BMW" is used in this Complaint or in supporting exhibits, the statement is intended to apply to each of respondents Bayerische Motoren Werke AG; BMW of North America, LLC; and BMW Manufacturing Co., LLC.

8. The accused products are certain automotive GPS navigation systems, components thereof, and products containing same ("Accused Products"). Illustrative examples of the Accused Products include automotive GPS navigation systems and automobiles containing GPS navigation systems.

9. The remedy sought in this Complaint extends only to automotive GPS navigation systems, components thereof, and products containing same that infringe the Asserted Patents. For example, the remedy sought includes automobiles with infringing GPS navigation systems that are sold for importation, imported, or sold after importation, in the United States, by the Proposed Respondents. Although exemplary Accused Products are identified in this Complaint, the investigation should include products that have GPS navigation systems substantially similar

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to those in the vehicles identified in this Complaint, for example, those in other models and those in vehicles designated by other years.

10. The remedy sought in this Complaint does not extend to automobiles that do not contain a GPS navigation system. Beacon does not seek the exclusion from the United States of automobiles that do not have a GPS navigation system. Beacon believes that the majority of the Proposed Respondents' vehicles that are sold for importation, imported, or sold after importation in the United States do not have a GPS navigation system.

11. The identification of a specific claim or product is not intended to limit the scope of this investigation or the scope of the remedy sought against a given Proposed Respondent. While Beacon was able to verify that the Asserted Claims are infringed by exemplary Accused Products, it is impossible and/or impracticable to identify all of the Proposed Respondents' products that practice any claim of the Asserted Patents, in part because to do so would require information that is not currently available to Beacon as it is not publicly available (such as source code, schematics, and/or circuit designs). If information establishing additional acts of infringement becomes available to Beacon, through discovery in this case or otherwise, Beacon intends to seek permission to include such acts.

12. Exhibits 11-28 show in detail how the Proposed Respondents' Accused Products infringe the asserted independent claims. A breakdown of which independent claims are asserted against which Proposed Respondents follows:

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<b>SUMMARY OF ASSERTED INDEPENDENT CLAIMS</b>				
	<b>6,374,180</b>	<b>6,178,380</b>	<b>6,029,111</b>	<b>5,862,511</b>
Audi	Claim 1	Claims 1, 26 and 29	Claims 1, 10 and 17	
BMW	Claim 1		Claims 1, 10 and 17	Claims 1 and 3
Chrysler	Claim 1	Claims 1, 26 and 29	Claims 1, 10 and 17	Claims 1 and 3
Ford	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	
GM	Claim 1	Claims 1, 18, 26 and 29	Claims 1 and 17	
Honda	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	Claims 1 and 3
Hyundai	Claim 1	Claims 1, 26 and 29	Claims 1 and 17	Claims 1 and 3
Kia	Claim 1	Claims 1, 18, 26 and 29	Claims 1 and 17	Claims 1 and 3
Mazda	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	Claims 1 and 3
Mercedes	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	Claims 1 and 3
Nissan	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	
Porsche	Claim 1		Claims 1, 10 and 17	
Saab	Claim 1			
Suzuki	Claim 1	Claims 1, 26 and 29	Claims 1 and 17	Claims 1 and 3
Jaguar/Land Rover	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	Claims 1 and 3
Toyota	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	
Volkswagen	Claim 1	Claims 1, 26 and 29	Claims 1 and 17	Claims 1 and 3
Volvo	Claim 1	Claims 1, 18, 26 and 29	Claims 1, 10 and 17	

13. Beacon believes that during the course of the investigation it will be shown that one or more Proposed Respondents infringe other claims of the Asserted Patents (independent and/or dependent) that may not be currently asserted against a given Proposed Respondent, and Beacon intends to include such assertions in this investigation.

14. An industry as required by 19 U.S.C. § 1337(a)(2) and (3) exists in the United States relating to articles protected by the Asserted Patents.

15. As set forth more fully in paragraph 343, Beacon seeks permanent exclusion orders barring importation into the United States of the Proposed Respondents' Accused Products. Beacon also seeks cease and desist orders prohibiting the Proposed Respondents' sale for importation into the United States, importation, sale after importation into the United States, offer for sale, solicitation of sales, advertising, testing, technical support and other commercial

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activity related to the Proposed Respondents' automotive GPS navigation systems, products containing same, and components thereof, that infringe the Asserted Patents.

### II. COMPLAINANT

#### A. Beacon Navigation GmbH

16. Beacon is a Swiss company with limited liability with its principal place of business at Beacon Navigation GmbH, c/o Acton Treuhand AG, Innere Güterstrasse 4, 6304 Zug, Switzerland. Beacon holds all right, title and interest in the '180, '380, '111, and '511 patents. Ex. 5; Ex. 6; Ex. 7; Ex. 8. Beacon is a licensing entity which seeks to exploit the Asserted Patents by license and, if necessary, enforcement. As discussed further below, Beacon's licensee has made significant investment in plant and equipment, significant investment in labor and capital, and substantial investment in the exploitation of the Asserted Patents, including engineering and research and development, in the United States. Beacon is relying on its licensee's activities in the United States to satisfy the domestic industry requirement.

17. Beacon's licensing business includes the formulation of licensing strategies, identification of products and companies that have in the past, currently do, or prospectively could, utilize the technology described in the Asserted Patents, analysis of such products, negotiation of licenses to the Asserted Patents, and the enforcement of the Asserted Patents.

### III. PROPOSED RESPONDENTS

#### A. Audi

18. On information and belief, proposed respondent Audi AG is a corporation organized under the laws of Germany with its principal place of business at Ettinger Strasse, D-85045, Ingolstadt, Germany. On information and belief, proposed respondent Audi of America, Inc. is a corporation organized under the laws of New Jersey with its principal place of business

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at 3800 W. Hamlin Road, Auburn Hills, MI 48326. On information and belief, proposed respondent Audi of America, LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 2200 Ferdinand Porsche Dr., Herndon, VA 20171. On information and belief, Audi AG is a parent company to Audi of America, Inc. and Audi of America, LLC.

19. Audi is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Audi performs several services to support the importation and/or sale of the Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 291-292 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Audi's infringement includes other products and acts that will be revealed through discovery.

### B. BMW

20. On information and belief, proposed respondent Bayerische Motoren Werke AG is a corporation organized under the laws of Germany with its principal place of business at Petuelring 130, D-80788, Munich, Germany. On information and belief, proposed respondent BMW of North America, LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 300 Chestnut Ridge Rd., Woodcliff Lake, NJ 07677. On information and belief, proposed respondent BMW Manufacturing Co., LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 1400 Hwy. 101 S., Greer, SC 29651-6731. On information and belief, Bayerische



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Motoren Werke AG is a parent company to BMW of North America, LLC and BMW Manufacturing Co., LLC.

21. BMW is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, BMW performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 293-294 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and BMW's infringement includes other products and acts that will be revealed through discovery.

### C. Chrysler

22. On information and belief, proposed respondent Chrysler Group LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 1000 Chrysler Drive, Auburn Hills, MI 48326.

23. Chrysler is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Chrysler performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 295-296 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused

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Products. The specific instance(s) described in this Complaint are exemplary, and Chrysler's infringement includes other products and acts that will be revealed through discovery.

**D. Ford**

24. On information and belief, proposed respondent Ford Motor Company is a corporation organized under the laws of Delaware with its principal place of business at One American Road, Dearborn, MI 48126.

25. Ford is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Ford performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 297-298 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Ford's infringement includes other products and acts that will be revealed through discovery.

**E. GM**

26. On information and belief, proposed respondent General Motors Company is a corporation organized under the laws of Delaware with its principal place of business at 300 Renaissance Center, Detroit, MI 48265.

27. GM is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, GM performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services

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such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 299-300 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and GM's infringement includes other products and acts that will be revealed through discovery.

### F. Honda

28. On information and belief, proposed respondent Honda Motor Co., Ltd. is a corporation organized under the laws of Japan with its principal place of business at 1-1, 2-chome, Minami-Aoyama, Minato-ku, Tokyo 107-8556 Japan. On information and belief, proposed respondent Honda North America, Inc. is a corporation organized under the laws of California with its principal place of business at 700 Van Ness Ave., Torrance, California 90501. On information and belief, proposed respondent American Honda Motor Co., Inc. is a corporation organized under the laws of California with its principal place of business at 1919 Torrance Blvd., Torrance, California 90501. On information and belief, proposed respondent Honda Manufacturing of Alabama, LLC is a limited liability company organized under the laws of Alabama with its principal place of business at 1800 Honda Drive, Lincoln, AL 35096. On information and belief, proposed respondent Honda Manufacturing of Indiana, LLC is a limited liability company organized under the laws of Indiana with its principal place of business at 2755 North Michigan Ave., Greensburg, IN 47240. On information and belief, proposed respondent Honda of America Mfg., Inc. is a corporation organized under the laws of Ohio with its principal place of business at 24000 Honda Pkwy., Marysville, OH 43040. On information and belief Honda Motor Co., Ltd. is a parent company to Honda North America, Inc., American Honda

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Motor Co., Inc., Honda Manufacturing of Alabama, LLC, Honda Manufacturing of Indiana, LLC and Honda of America Mfg., Inc.

29. Honda is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Honda performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 301-302 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Honda's infringement includes other products and acts that will be revealed through discovery.

**G. Hyundai**

30. On information and belief, proposed respondent Hyundai Motor Company is a corporation organized under the laws of the Republic of Korea with its principal place of business at 231 Yangjae-Dong, Seocho-Gu, Seoul, 137-938 South Korea. On information and belief, proposed respondent Hyundai Motor America is a corporation organized under the laws of California with its principal place of business at 10550 Talbert Ave., Fountain Valley, CA 92708. On information and belief, proposed respondent Hyundai Motor Manufacturing Alabama, LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 700 Hyundai Blvd., Montgomery, AL 36105. On information and belief, Hyundai Motor Company is a parent company to Hyundai Motor America and Hyundai Motor Manufacturing of Alabama, LLC.

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31. Hyundai is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Hyundai performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 303-304 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Hyundai's infringement includes other products and acts that will be revealed through discovery.

### H. Kia

32. On information and belief, proposed respondent Kia Motors Corp. is a corporation organized under the laws of the Republic of Korea with its principal place of business at 231 Yangjae-dong, Seocho-gu, Seoul, 137-938 South Korea. On information and belief, proposed respondent Kia Motors America, Inc. is a corporation organized under the laws of California with its principal place of business at 111 Peters Canyon Road, Irvine, CA 92606. On information and belief, Kia Motors Manufacturing Georgia, Inc. is a corporation organized under the laws of Delaware with its principal place of business at 7777 Kia Parkway, West Point, Georgia 31833. On information and belief, Kia Motors Corp. is a parent company to Kia Motors America, Inc. and Kia Motors Manufacturing Georgia, Inc.

33. Kia is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Kia performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services

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such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 305-306 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Kia's infringement includes other products and acts that will be revealed through discovery.

### I. Mazda

34. On information and belief, proposed respondent Mazda Motor Corporation is a corporation organized under the laws of Japan with its principal place of business at 3-1 Shinchi, Fuchu-Cho, Aki-gun, Hiroshima 730-867 Japan. On information and belief, proposed respondent Mazda Motor of America, Inc. is a corporation organized under the laws of California with its principal place of business at 7755 Irvine Center Dr., Irvine, CA 92623. On information and belief, Mazda Motor Corporation is a parent company to Mazda Motor of America, Inc.

35. Mazda is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Mazda performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 307-308 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Mazda's infringement includes other products and acts that will be revealed through discovery.

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### J. Mercedes

36. On information and belief, proposed respondent Daimler AG is a corporation organized under the laws of Germany with its principal place of business at Mercedesstrasse 137, 70327 Stuttgart, Germany. On information and belief, proposed respondent Mercedes-Benz USA, LLC is a limited liability company organized under the laws of Delaware with its principal place of business at One Mercedes Drive, Montvale, NJ 07645. On information and belief, proposed respondent Mercedes-Benz U.S. International, Inc. is a corporation organized under the laws of Alabama with its principal place of business at One Mercedes Drive, Vance, AL 35490. On information and belief, Daimler AG is a parent company to Mercedes-Benz USA, LLC and Mercedes-Benz U.S. International, Inc.

37. Mercedes is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Mercedes performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 309-310 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Mercedes' infringement includes other products and acts that will be revealed through discovery.

### K. Nissan

38. On information and belief, proposed respondent Nissan Motor Co., Ltd. is a corporation organized under the laws of Japan with its principal place of business at 1-1, Takashima 1-chome, Nishi-ku, Yokohama-shi, Kanagawa 220-8686 Japan. On information and

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belief, proposed respondent Nissan North America, Inc. is a corporation organized under the laws of California with its principal place of business at One Nissan Way, Franklin, TN 37067. On information and belief, Nissan Motor Co., Ltd. is a parent company to Nissan North America, Inc.

39. Nissan is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Nissan performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 311-312 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Nissan's infringement includes other products and acts that will be revealed through discovery.

**L. Porsche**

40. On information and belief, proposed respondent Dr. Ing. h.c. F. Porsche AG is a corporation organized under the laws of Germany with its principal place of business at Porscheplatz 1, D-70435 Stuttgart, Germany. On information and belief, proposed respondent Porsche Cars North America, Inc. is a corporation organized under the laws of Delaware with its principal place of business at 980 Hammond Dr., Ste. 1000, Atlanta, GA 30328. On information and belief, Dr. Ing. h.c. F. Porsche AG is a parent company to Porsche Cars North America, Inc.

41. Porsche is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Porsche performs several services to support the importation and/or sale of Accused Products into and within the



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United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 313-314 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Porsche's infringement includes other products and acts that will be revealed through discovery.

### M. Saab

42. On information and belief, proposed respondent Saab Automobile AB is a corporation organized under the laws of Sweden with its principal place of business at 461 80 Trollhattan, Sweden. On information and belief, proposed respondent Saab Cars North America, Inc. is a corporation organized under the laws of Delaware with its principal place of business at 4327 Delemere Ct., Royal Oak, MI 48073. On information and belief, Saab Automobile AB is a parent company to Saab Cars North America, Inc.

43. Saab is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Saab performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 315-316 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Saab's infringement includes other products and acts that will be revealed through discovery.

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**N. Suzuki**

44. On information and belief, proposed respondent Suzuki Motor Corporation is a corporation organized under the laws of Japan with its principal place of business at 300 Takatsuka-cho, Minami-ku, Hamamatsu City, 432-8611 Japan. On information and belief, proposed respondent American Suzuki Motor Corporation is a corporation organized under the laws of California with its principal place of business at 3251 E. Imperial Hwy., Brea, CA 92821. On information and belief, Suzuki Motor Corporation is a parent company to American Suzuki Motor Corporation.

45. Suzuki is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Suzuki performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 317-318 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Suzuki's infringement includes other products and acts that will be revealed through discovery.

**O. Jaguar/Land Rover**

46. On information and belief, proposed respondent Jaguar Land Rover North America, LLC is a corporation organized under the laws of Delaware with its principal place of business at 555 MacArthur Blvd., Mahwah, NJ 07430. On information and belief, proposed respondent Jaguar Cars Limited is a corporation organized under the laws of England and Wales with its principal place of business at Abbey Road, Whitley, Coventry CV3 4LF United

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Kingdom. On information and belief, proposed respondent Land Rover is a company organized under the laws of England and Wales with its principal place of business at Banbury Road, Gaydon, Warwickshire CV35 0RR United Kingdom. On information and belief, Tata Motors Limited is a parent to Jaguar Land Rover North America, LLC, Jaguar Cars Limited, and Land Rover.

47. Jaguar/Land Rover is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Jaguar/Land Rover performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 319-320 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Jaguar/Land Rover's infringement includes other products and acts that will be revealed through discovery.

**P. Toyota**

48. On information and belief, proposed respondent Toyota Motor Corporation is a corporation organized under the laws of Japan with its principal place of business at 1 Toyota-cho, Toyota City, Aichi Prefecture 471-8571 Japan. On information and belief, proposed respondent Toyota Motor North America, Inc. is a corporation organized under the laws of California with its principal place of business at 19001 S. Western Avenue, Torrance, CA 90501. On information and belief, proposed respondent Toyota Motor Sales, U.S.A., Inc. is a corporation organized under the laws of California with its principal place of business at 19001

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S. Western Ave., Torrance, CA 90501. On information and belief, proposed respondent Toyota Motor Engineering & Manufacturing North America, Inc. is a corporation organized under the laws of Kentucky with its principal place of business at 25 Atlantic Ave., Erlanger, KY 41018. On information and belief, proposed respondent Toyota Motor Manufacturing, Indiana, Inc. is a corporation organized under the laws of Indiana with its principal place of business at 4000 Tulip Tree Dr., Princeton, IN 47670. On information and belief, proposed respondent Toyota Motor Manufacturing, Kentucky, Inc. is a corporation organized under the laws of Kentucky with its principal place of business at 1001 Cherry Blossom Way, Georgetown, KY 40324. On information and belief, proposed respondent Toyota Motor Manufacturing, Mississippi, Inc. is a corporation organized under the laws of Mississippi with its principal place of business at 1200 Magnolia Way, Blue Springs, MS 38828. On information and belief, Toyota Motor Corporation is a parent company to Toyota Motor North America, Inc., Toyota Motor Sales, U.S.A., Inc., Toyota Motor Engineering & Manufacturing North America, Inc., Toyota Motor Manufacturing, Indiana, Inc., Toyota Motor Manufacturing, Kentucky, Inc., Toyota Motor Manufacturing, Mississippi, Inc.

49. Toyota is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Toyota performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 321-322 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The

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specific instance(s) described in this Complaint are exemplary, and Toyota's infringement includes other products and acts that will be revealed through discovery.

**Q. Volkswagen**

50. On information and belief, proposed respondent Volkswagen AG is a corporation under the laws of Germany with its principal place of business at Brieffach 1849, Wolfsburg, 38436 Germany. On information and belief, proposed respondent Volkswagen Group of America, Inc. is a corporation organized under the laws of New Jersey with its principal place of business at 2200 Ferdinand Porsche Dr., Herndon, VA 20171. On information and belief, proposed respondent Volkswagen Group of America Chattanooga Operations, LLC is a limited liability company organized under the laws of Tennessee with its principal place of business at 2200 Ferdinand Porsche Dr., Herndon, VA 20171. On information and belief, Volkswagen AG is a parent company to Volkswagen Group of America, Inc. and Volkswagen Group of America Chattanooga Operations, LLC.

51. Volkswagen is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Volkswagen performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 323-324 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Volkswagen's infringement includes other products and acts that will be revealed through discovery.

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### R. Volvo

52. On information and belief, proposed respondent Volvo Car Corporation is a corporation organized under the laws of Sweden with its principal place of business at 405 31 Goteborg, Sweden. On information and belief, proposed respondent Volvo Cars of North America, LLC is a limited liability company organized under the laws of Delaware with its principal place of business at 1 Volvo Dr., Rockleigh, NJ 07647. On information and belief, Volvo Car Corporation is a parent to Volvo Cars of North America, LLC.

53. Volvo is involved in the design, development, manufacture, sale for importation, importation, and/or sale after importation of Accused Products. Further, Volvo performs several services to support the importation and/or sale of Accused Products into and within the United States, including marketing of Accused Products, repair of Accused Products, after-sale services such as supporting and configuring Accused Products, and/or interfacing with U.S.-based customers and distributors to conform Accused Products to customer requests. Paragraphs 325-326 of this complaint describe specific instance(s) of sales for importation, importation into the United States and/or sales in the United States after importation of Accused Products. The specific instance(s) described in this Complaint are exemplary, and Volvo's infringement includes other products and acts that will be revealed through discovery.

### IV. THE TECHNOLOGY AT ISSUE

54. The technology at issue relates generally to apparatuses and methods for navigation systems. The Asserted Patents relate to various aspects of navigation systems, including: searching for points of interest across categories ('180 patent), displaying a current road name in a designated display location ('380 patent), and dead reckoning to determine a vehicle position using GPS velocity information ('111 patent and '511 patent). The discussion

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herein is not intended to interpret the meaning of, or limit the scope of, any of the claims of the Asserted Patents.

**A. U.S. Patent No. 6,374,180**

**1. Identification and Ownership of the '180 Patent**

55. United States Patent No. 6,374,180, entitled "Points of Interest for a Navigation System," issued on April 16, 2002 to assignee Magellan DIS, Inc. Ex. 1. The '180 patent issued from Application No. 09/661,982, filed on September 18, 2000, which does not claim priority to any other application, patent, or publication. The '180 patent has no Certificates of Correction.

56. The '180 patent has 18 claims, including 2 independent claims and 16 dependent claims. Beacon is currently asserting claims 1-4, 7-9, and 15 in this investigation, although it is anticipated that during the course of this investigation it will be discovered that additional independent and dependent claims will be found to be infringed, and those additional claims should likewise be the subject of this investigation.

57. The Asserted Claims of the '180 patent are valid, enforceable, and in full force until the '180 patent expires on September 18, 2020.

58. Beacon owns by assignment the entire right, title, and interest in and to the '180 patent. Ex. 5.

59. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by a certified copy of the prosecution history of the '180 patent and three copies thereof. App. A. Further, this Complaint is accompanied by four copies of each technical reference identified in the prosecution history of the '180 patent. App. E.

## PUBLIC VERSION

### 2. Non-Technical Description of the Invention Claimed in the '180 Patent

60. The '180 patent describes and claims an invention which enables a user to search for identifiable locations, also known as points of interest, across categories. Currently asserted claims 1-4, 7-9, and 15 are directed to a method for searching for points of interest containing a character string and displaying the results according to vehicle information, for example sorting the results by distance from current location. This non-technical description does not limit or interpret the claims of the '180 patent.

### 3. Foreign Counterparts

61. The public foreign patents and patent applications related to the '180 patent are identified in Ex. 9. On information and belief, no other foreign applications or patents corresponding to the '180 patent have been filed, abandoned, or rejected.

### 4. Licenses

62. As required under Commission Rule 210.12(a)(9)(iii), a list of known licensed entities is attached to this Complaint as Confidential Ex. 10.

## B. U.S. Patent No. 6,178,380

### 1. Identification and Ownership of the '380 Patent

63. United States Patent No. 6,178,380, entitled "Street Identification for a Map Zoom of a Navigation System," issued on January 23, 2001 to assignee Magellan, DIS, Inc. Ex. 2. The '380 patent issued from Application No. 09/176,630, filed on October 22, 1998, which does not claim priority to any other application, patent, or publication. The '380 patent has no Certificates of Correction.

64. The '380 patent has 31 claims, including 4 independent claims and 27 dependent claims. Beacon is currently asserting claims 1-4, 18-21, and 25-31 in this investigation, although



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it is anticipated that during the course of this investigation it will be discovered that additional independent and dependent claims will be found to be infringed, and those additional claims should likewise be the subject of this investigation.

65. The Asserted Claims of the '380 patent are valid, enforceable, and in full force until the '380 patent expires on October 22, 2018.

66. Beacon owns by assignment the entire right, title, and interest in and to the '380 patent. Ex. 6.

67. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by a certified copy of the prosecution history of the '380 patent and three copies thereof. App. B. Further, this Complaint is accompanied by four copies of each technical reference identified in the prosecution history of the '380 patent. App. F.

### **2. Non-Technical Description of the Invention Claimed in the '380 Patent**

68. The '380 patent describes and claims an invention for displaying a current road segment name in a designated location. Currently asserted claims 1-4, 18-21, and 25-31 are directed to an apparatus/method for displaying the current road segment name in a location not adjacent to the current road segment at least when the map is zoomed out. This non-technical description does not limit or interpret the claims of the '380 patent.

### **3. Foreign Counterparts**

69. The public foreign patents and patent applications related to the '380 patent are identified in Ex. 9. On information and belief, no other foreign applications or patents corresponding to the '380 patent have been filed, abandoned, or rejected.

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### 4. Licenses

70. As required under Commission Rule 210.12(a)(9)(iii), a list of known licensed entities is attached to this Complaint as Confidential Ex. 10.

### C. U.S. Patent No. 6,029,111

#### 1. Identification and Ownership of the '111 Patent

71. United States Patent No. 6,029,111, entitled "Vehicle Navigation System and Method Using GPS Velocities," issued on February 22, 2000 to assignee Magellan Dis, Inc. Ex.

3. The '111 patent issued from Application No. 08/579,902, filed on December 28, 1995, which does not claim priority to any other application, patent, or publication. The '111 patent has one Certificate of Correction, dated November 6, 2007.

72. The '111 patent has 28 claims, including 6 independent claims and 22 dependent claims. Beacon is currently asserting claims 1-3, 5, 10-12, and 17-21 in this investigation, although it is anticipated that during the course of this investigation it will be discovered that additional independent and dependent claims will be found to be infringed, and those additional claims should likewise be the subject of this investigation.

73. The Asserted Claims of the '111 patent are valid, enforceable, and in full force until the '111 patent expires on December 28, 2015.

74. Beacon owns by assignment the entire right, title, and interest in and to the '111 patent. Ex. 7.

75. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by a certified copy of the prosecution history of the '111 patent and three copies thereof. App. C. Further, this Complaint is accompanied by four copies of each technical reference identified in the prosecution history of the '111 patent. App. G.

## PUBLIC VERSION

### **2. Non-Technical Description of the Invention Claimed in the '111 Patent**

76. The '111 patent describes and claims aspects of dead reckoning position determination based on GPS velocity information. Currently asserted claims 1-3, 5, 10-12, and 17-21 are directed to an apparatus/method for determining a vehicle's current position by propagating a prior position based on velocity information. This non-technical description does not limit or interpret the claims of the '111 patent.

### **3. Foreign Counterparts**

77. The foreign patents and patent applications reported as related to the '111 patent are identified in Ex. 9. On information and belief, no other foreign applications or patents corresponding to the '111 patent have been filed, abandoned, or rejected.

### **4. Licenses**

78. As required under Commission Rule 210.12(a)(9)(iii), a list of known licensed entities is attached to this Complaint as Confidential Ex. 10.

## **D. U.S. Patent No. 5,862,511**

### **1. Identification and Ownership of the '511 Patent**

79. United States Patent No. 5,862,511, entitled "Vehicle Navigation System and Method," issued on January 19, 1999 to assignee Magellan DIS, Inc. Ex. 4. The '511 patent issued from Application No. 580,150, filed on December 28, 1995, which does not claim priority to any other application, patent, or publication. The '511 patent has no Certificates of Correction.

80. The '511 patent has 17 claims, including 14 independent claims and 3 dependent claims. Beacon is currently asserting claims 1 and 3 in this investigation, although it is anticipated that during the course of this investigation it will be discovered that additional

## PUBLIC VERSION

independent and dependent claims will be found to be infringed, and those additional claims should likewise be the subject of this investigation.

81. The Asserted Claims of the '511 patent are valid, enforceable, and in full force until the '511 patent expires on December 28, 2015.

82. Beacon owns by assignment the entire right, title, and interest in and to the '511 patent. Ex. 8.

83. Pursuant to Commission Rule 210.12(c), this Complaint is accompanied by a certified copy of the prosecution history of the '511 patent and three copies thereof. App. D. Further, this Complaint is accompanied by four copies of each technical reference identified in the prosecution history of the '511 patent. App. H.

### **2. Non-Technical Description of the Invention Claimed in the '511 Patent**

84. The '511 patent describes and claims aspects of dead reckoning position determination based on GPS velocity information. Currently asserted claims 1 and 3 are directed to an apparatus/method for determining a vehicle's current position by propagating a prior position based on velocity information. This non-technical description does not limit or interpret the claims of the '511 patent.

### **3. Foreign Counterparts**

85. The foreign patents and patent applications reported as related to the '511 patent are identified in Ex. 9. On information and belief, no other foreign applications or patents corresponding to the '511 patent have been filed, abandoned, or rejected.

### **4. Licenses**

86. As required under Commission Rule 210.12(a)(9)(iii), a list of known licensed entities is attached to this Complaint as Confidential Ex. 10.

**PUBLIC VERSION**

**V. UNLAWFUL AND UNFAIR ACTS OF PROPOSED RESPONDENTS – PATENT INFRINGEMENT**

87. The Proposed Respondents have engaged in unfair trade practices, including the sale for importation, importation, and/or sale after importation of certain automotive GPS navigation systems, components thereof, and products containing same that infringe the Asserted Patents. Charts that apply the independent Asserted Claims to exemplary Accused Products are attached to this Complaint as Exhibits 11-28, which are further supported by the declaration of Dr. Philip Dafesh. Ex. 95.

**A. Audi**

88. On information and belief, Audi sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Audi Q7 and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as “Audi Accused Products”). Charts showing how the Audi Q7 practices the ’180, ’380, and ’111 patents are attached as Ex. 11.

**1. Direct Infringement**

89. On information and belief, Audi makes, uses, sells, offers for sale, and/or imports Audi Accused Products in or into the United States, thereby directly infringing the ’380 and ’111 patents.

90. On information and belief, others directly infringe the ’180, ’380, and ’111 patents, for example automotive dealers in the United States directly infringe the ’380 and ’111 patents by offering to sell and selling Audi’s Accused Products in the United States, and consumers directly infringe the ’180, ’380, and ’111 patents by using Audi’s Accused Products in the United States.

## PUBLIC VERSION

### 2. Contributory Infringement

91. Audi has knowledge of each of the Asserted Patents and the infringing acts.

Beacon sent a letter to Audi on September 28, 2011 informing Audi that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Audi.

92. On information and belief, Audi contributes to the infringement of the '180, '380, and '111 patents.

93. On information and belief, Audi offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Audi knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

94. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using Audi's Accused Products in the United States.

### 3. Induced Infringement

95. Audi has knowledge of each of the Asserted Patents and the infringing acts.

Beacon sent a letter to Audi on September 28, 2011 informing Audi that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Audi.

## PUBLIC VERSION

96. On information and belief, Audi induces infringement of the '180, '380, and '111 patents.

97. Audi induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

98. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Audi's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Audi's Accused Products in the United States.

### **B. BMW**

99. On information and belief, BMW sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the BMW M3, Mini Cooper Hardtop, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "BMW Accused Products"). Charts showing how the BMW M3 and/or Mini Cooper Hardtop practice the '180, '111, and '511 patents are attached as Ex. 12.

## PUBLIC VERSION

### 1. Direct Infringement

100. On information and belief, BMW makes, uses, sells, offers for sale, and/or imports BMW Accused Products in or into the United States, thereby directly infringing the '111 and '511 patents.

101. On information and belief, others directly infringe the '180, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '111 and '511 patents by offering to sell and selling BMW's Accused Products in the United States, and consumers directly infringe the '180, '111, and '511 patents by using BMW's Accused Products in the United States.

### 2. Contributory Infringement

102. BMW has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to BMW on September 28, 2011 informing BMW that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '111, and '511 patents by BMW.

103. On information and belief, BMW contributes to the infringement of the '180, '111, and '511 patents.

104. On information and belief, BMW offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '111, and '511 patents. The Accused Products constitute a material part of the invention, BMW knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.



## PUBLIC VERSION

105. On information and belief, others directly infringe the '180, '111, and '511 patents, for example consumers directly infringe the '180, '111, and '511 patents by using BMW's Accused Products in the United States.

### 3. Induced Infringement

106. BMW has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to BMW on September 28, 2011 informing BMW that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '111, and '511 patents by BMW.

107. On information and belief, BMW induces infringement of the '180, '111, and '511 patents.

108. BMW induces others to infringe the '180, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '111, and '511 patents.

109. On information and belief, others directly infringe the '180, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '111 and '511 patents by offering to sell and selling BMW's Accused Products in the United States, and consumers directly infringe the '180, '111, and '511 patents by using BMW's Accused Products in the United States.

### C. Chrysler

110. On information and belief, Chrysler sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Chrysler

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300, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as “Chrysler Accused Products”). Charts showing how the Chrysler 300 practices the ’180, ’380, ’111, and ’511 patents are attached as Ex. 13.

### 1. Direct Infringement

111. On information and belief, Chrysler makes, uses, sells, offers for sale, and/or imports Chrysler Accused Products in or into the United States, thereby directly infringing the ’380, ’111 and ’511 patents.

112. On information and belief, others directly infringe the ’180, ’380, ’111, and ’511 patents, for example automotive dealers in the United States directly infringe the ’380, ’111 and ’511 patents by offering to sell and selling Chrysler’s Accused Products in the United States, and consumers directly infringe the ’180, ’380, ’111, and ’511 patents by using Chrysler’s Accused Products in the United States.

### 2. Contributory Infringement

113. Chrysler has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Chrysler on September 28, 2011 informing Chrysler that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the ’180, ’380, ’111, and ’511 patents by Chrysler.

114. On information and belief, Chrysler contributes to the infringement of the ’180, ’380, ’111, and ’511 patents.

115. On information and belief, Chrysler offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in

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practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Chrysler knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

116. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Chrysler's Accused Products in the United States.

### **3. Induced Infringement**

117. Chrysler has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Chrysler on September 28, 2011 informing Chrysler that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Chrysler.

118. On information and belief, Chrysler induces infringement of the '180, '380, '111, and '511 patents.

119. Chrysler induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

120. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111 and '511 patents by offering to sell and selling Chrysler's Accused Products in the United States, and

## PUBLIC VERSION

consumers directly infringe the '180, '380, '111, and '511 patents by using Chrysler's Accused Products in the United States.

### **D. Ford**

121. On information and belief, Ford sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Ford Fusion, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "Ford Accused Products"). Charts showing how the Ford Fusion practices the '180, '380, and '111 patents are attached as Ex. 14.

#### **1. Direct Infringement**

122. On information and belief, Ford makes, uses, sells, offers for sale, and/or imports Ford Accused Products in or into the United States, thereby directly infringing the '380 and '111 patents.

123. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Ford's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Ford's Accused Products in the United States.

#### **2. Contributory Infringement**

124. Ford has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Ford on September 28, 2011 informing Ford that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the

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United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Ford.

125. On information and belief, Ford contributes to the infringement of the '180, '380, and '111 patents.

126. On information and belief, Ford offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Ford knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

127. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using Ford's Accused Products in the United States.

### **3. Induced Infringement**

128. Ford has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Ford on September 28, 2011 informing Ford that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Ford.

129. On information and belief, Ford induces infringement of the '180, '380, and '111 patents.

130. Ford induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by

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providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

131. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Ford's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Ford's Accused Products in the United States.

### **E. GM**

132. On information and belief, GM sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Chevrolet Equinox, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "GM Accused Products"). Charts showing how the Chevrolet Equinox practices the '180, '380, and '111 patents are attached as Ex. 15.

#### **1. Direct Infringement**

133. On information and belief, GM makes, uses, sells, offers for sale, and/or imports GM Accused Products in or into the United States, thereby directly infringing the '380 and '111 patents.

134. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling GM's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using GM's Accused Products in the United States.

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### **2. Contributory Infringement**

135. GM has knowledge of each of the Asserted Patents and the infringing acts.

Beacon sent a letter to GM on September 28, 2011 informing GM that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by GM.

136. On information and belief, GM contributes to the infringement of the '180, '380, and '111 patents.

137. On information and belief, GM offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, GM knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

138. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using GM's Accused Products in the United States.

### **3. Induced Infringement**

139. GM has knowledge of each of the Asserted Patents and the infringing acts.

Beacon sent a letter to GM on September 28, 2011 informing GM that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by GM.

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140. On information and belief, GM induces infringement of the '180, '380, and '111 patents.

141. GM induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

142. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling GM's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using GM's Accused Products in the United States.

### F. Honda

143. On information and belief, Honda sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Honda Fit, Acura MDX, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "Honda Accused Products"). Charts showing how the Honda Fit and/or Acura MDX practice the '180, '380, '111, and '511 patents are attached as Ex. 16.



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### 1. Direct Infringement

144. On information and belief, Honda makes, uses, sells, offers for sale, and/or imports Honda Accused Products in or into the United States, thereby directly infringing the '380, '111, and '511 patents.

145. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Honda's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Honda's Accused Products in the United States.

### 2. Contributory Infringement

146. Honda has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Honda on September 28, 2011 informing Honda that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Honda.

147. On information and belief, Honda contributes to the infringement of the '180, '380, '111, and '511 patents.

148. On information and belief, Honda offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Honda knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

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149. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Honda's Accused Products in the United States.

### 3. Induced Infringement

150. Honda has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Honda on September 28, 2011 informing Honda that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Honda.

151. On information and belief, Honda induces infringement of the '180, '380, '111, and '511 patents.

152. Honda induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

153. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Honda's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Honda's Accused Products in the United States.

### G. Hyundai

154. On information and belief, Hyundai sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Hyundai

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Veracruz, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as “Hyundai Accused Products”). Charts showing how the Hyundai Veracruz practices the ’180, ’380, ’111, and ’511 patents are attached as Ex. 17.

### 1. Direct Infringement

155. On information and belief, Hyundai makes, uses, sells, offers for sale, and/or imports Hyundai Accused Products in or into the United States, thereby directly infringing the ’380, ’111, and ’511 patents.

156. On information and belief, others directly infringe the ’180, ’380, ’111, and ’511 patents, for example automotive dealers in the United States directly infringe the ’380, ’111, and ’511 patents by offering to sell and selling Hyundai’s Accused Products in the United States, and consumers directly infringe the ’180, ’380, ’111, and ’511 patents by using Hyundai’s Accused Products in the United States.

### 2. Contributory Infringement

157. Hyundai has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Hyundai on September 28, 2011 informing Hyundai that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the ’180, ’380, ’111, and ’511 patents by Hyundai.

158. On information and belief, Hyundai contributes to the infringement of the ’180, ’380, ’111, and ’511 patents.

159. On information and belief, Hyundai offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in

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practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Hyundai knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

160. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Hyundai's Accused Products in the United States.

### **3. Induced Infringement**

161. Hyundai has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Hyundai on September 28, 2011 informing Hyundai that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Hyundai.

162. On information and belief, Hyundai induces infringement of the '180, '380, '111, and '511 patents.

163. Hyundai induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

164. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Hyundai's Accused Products in the United States, and

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consumers directly infringe the '180, '380, '111, and '511 patents by using Hyundai's Accused Products in the United States.

### H. Kia

165. On information and belief, Kia sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Kia Sportage, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "Kia Accused Products"). Charts showing how the Kia Sportage practices the '180, '380, '111, and '511 patents are attached as Ex. 18.

#### 1. **Direct Infringement**

166. On information and belief, Kia makes, uses, sells, offers for sale, and/or imports Kia Accused Products in or into the United States, thereby directly infringing the '380, '111, and '511 patents.

167. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Kia's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Kia's Accused Products in the United States.

#### 2. **Contributory Infringement**

168. Kia has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Kia on September 28, 2011 informing Kia that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the

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United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Kia.

169. On information and belief, Kia contributes to the infringement of the '180, '380, '111, and '511 patents.

170. On information and belief, Kia offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Kia knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

171. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Kia's Accused Products in the United States.

### **3. Induced Infringement**

172. Kia has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Kia on September 28, 2011 informing Kia that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Kia.

173. On information and belief, Kia induces infringement of the '180, '380, '111, and '511 patents.

174. Kia induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or

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by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

175. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Kia's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Kia's Accused Products in the United States.

### **I. Mazda**

176. On information and belief, Mazda sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Mazda CX-9 and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as "Mazda Accused Products"). Charts showing how the Mazda CX-9 practices the '180, '380, '111, and '511 patents are attached as Ex. 19.

#### **1. Direct Infringement**

177. On information and belief, Mazda makes, uses, sells, offers for sale, and/or imports Mazda Accused Products in or into the United States, thereby directly infringing the '380, '111, and '511 patents.

178. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Mazda's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Mazda's Accused Products in the United States.

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### 2. Contributory Infringement

179. Mazda has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Mazda on September 28, 2011 informing Mazda that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Mazda.

180. On information and belief, Mazda contributes to the infringement of the '180, '380, '111, and '511 patents.

181. On information and belief, Mazda offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Mazda knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

182. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Mazda's Accused Products in the United States.

### 3. Induced Infringement

183. Mazda has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Mazda on September 28, 2011 informing Mazda that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Mazda.



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184. On information and belief, Mazda induces infringement of the '180, '380, '111, and '511 patents.

185. Mazda induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

186. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Mazda's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Mazda's Accused Products in the United States.

### **J. Mercedes**

187. On information and belief, Mercedes sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Mercedes E350, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "Mercedes Accused Products"). Charts showing how the Mercedes E350 practices the '180, '380, '111, and '511 patents are attached as Ex. 20.

#### **1. Direct Infringement**

188. On information and belief, Mercedes makes, uses, sells, offers for sale, and/or imports Mercedes Accused Products in or into the United States, thereby directly infringing the '380, '111, and '511 patents.

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189. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Mercedes' Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Mercedes' Accused Products in the United States.

### 2. Contributory Infringement

190. Mercedes has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Mercedes on September 28, 2011 informing Mercedes that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Mercedes.

191. On information and belief, Mercedes contributes to the infringement of the '180, '380, '111, and '511 patents.

192. On information and belief, Mercedes offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Mercedes knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

193. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Mercedes' Accused Products in the United States.

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### 3. Induced Infringement

194. Mercedes has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Mercedes on September 28, 2011 informing Mercedes that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Mercedes.

195. On information and belief, Mercedes induces infringement of the '180, '380, '111, and '511 patents.

196. Mercedes induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

197. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Mercedes' Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Mercedes' Accused Products in the United States.

#### K. Nissan

198. On information and belief, Nissan sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Nissan 370Z, the Infiniti G37, and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as "Nissan Accused Products"). Charts

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showing how the Nissan 370Z and/or Infiniti G37 practice the '180, '380, and '111 patents are attached as Ex. 21.

### 1. Direct Infringement

199. On information and belief, Nissan makes, uses, sells, offers for sale, and/or imports Nissan Accused Products in or into the United States, thereby directly infringing the '380 and '111 patents.

200. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Nissan's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Nissan's Accused Products in the United States.

### 2. Contributory Infringement

201. Nissan has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Nissan on September 28, 2011 informing Nissan that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Nissan.

202. On information and belief, Nissan contributes to the infringement of the '180, '380, and '111 patents.

203. On information and belief, Nissan offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Nissan knows the same to be especially made or

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especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

204. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using Nissan's Accused Products in the United States.

### 3. Induced Infringement

205. Nissan has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Nissan on September 28, 2011 informing Nissan that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Nissan.

206. On information and belief, Nissan induces infringement of the '180, '380, and '111 patents.

207. Nissan induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

208. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Nissan's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Nissan's Accused Products in the United States.

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### L. Porsche

209. On information and belief, Porsche sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Porsche Cayenne and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as “Porsche Accused Products”).

Charts showing how the Porsche Cayenne practices the '180 and '111 patents are attached as Ex. 22.

#### 1. **Direct Infringement**

210. On information and belief, Porsche makes, uses, sells, offers for sale, and/or imports Porsche Accused Products in or into the United States, thereby directly infringing the '111 patent.

211. On information and belief, others directly infringe the '180 and '111 patents, for example automotive dealers in the United States directly infringe the '111 patent by offering to sell and selling Porsche's Accused Products in the United States, and consumers directly infringe the '180 and '111 patents by using Porsche's Accused Products in the United States.

#### 2. **Contributory Infringement**

212. Porsche has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Porsche on September 28, 2011 informing Porsche that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180 and '111 patents by Porsche.

213. On information and belief, Porsche contributes to the infringement of the '180 and '111 patents.

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214. On information and belief, Porsche offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180 and '111 patents. The Accused Products constitute a material part of the invention, Porsche knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

215. On information and belief, others directly infringe the '180 and '111 patents, for example consumers directly infringe the '180 and '111 patents by using Porsche's Accused Products in the United States.

### **3. Induced Infringement**

216. Porsche has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Porsche on September 28, 2011 informing Porsche that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180 and '111 patents by Porsche.

217. On information and belief, Porsche induces infringement of the '180 and '111 patents.

218. Porsche induces others to infringe the '180 and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180 and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180 and '111 patents.

219. On information and belief, others directly infringe the '180 and '111 patents, for example automotive dealers in the United States directly infringe the '111 patent by offering to

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sell and selling Porsche's Accused Products in the United States, and consumers directly infringe the '180 and '111 patents by using Porsche's Accused Products in the United States.

### M. Saab

220. On information and belief, Saab sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Saab 9-3 and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as "Saab Accused Products"). A chart showing how the Saab 9-3 practices the '180 patent is attached as Ex. 23.

#### 1. **Direct Infringement**

221. On information and belief, others directly infringe the '180 patent, for example consumers directly infringe the '180 patent by using Saab's Accused Products in the United States.

#### 2. **Contributory Infringement**

222. Saab has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Saab on September 28, 2011 informing Saab that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180 patent by Saab.

223. On information and belief, Saab contributes to the infringement of the '180 patent.

224. On information and belief, Saab offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180 patent. The Accused Products constitute a material part of the invention, Saab knows the same to be especially made or especially adapted for use in



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an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

225. On information and belief, others directly infringe the '180 patent, for example consumers directly infringe the '180 patent by using Saab's Accused Products in the United States.

### 3. Induced Infringement

226. Saab has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Saab on September 28, 2011 informing Saab that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180 patent by Saab.

227. On information and belief, Saab induces infringement of the '180 patent.

228. Saab induces others to infringe the '180 patent by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180 patent patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180 patent.

229. On information and belief, others directly infringe the '180 patent, for example consumers directly infringe the '180 patent by using Saab's Accused Products in the United States.

### N. Suzuki

230. On information and belief, Suzuki sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Suzuki SX4 and/or other automobiles manufactured outside the United States equipped with substantially

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similar GPS navigation systems (referred to as “Suzuki Accused Products”). Charts showing how the Suzuki SX4 practices the ’180, ’380, ’111, and ’511 patents are attached as Ex. 24.

### 1. Direct Infringement

231. On information and belief, Suzuki makes, uses, sells, offers for sale, and/or imports Suzuki Accused Products in or into the United States, thereby directly infringing the ’380, ’111, and ’511 patents.

232. On information and belief, others directly infringe the ’180, ’380, ’111, and ’511 patents, for example automotive dealers in the United States directly infringe the ’380, ’111, and ’511 patents by offering to sell and selling Suzuki’s Accused Products in the United States, and consumers directly infringe the ’180, ’380, ’111, and ’511 patents by using Suzuki’s Accused Products in the United States.

### 2. Contributory Infringement

233. Suzuki has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Suzuki on September 28, 2011 informing Suzuki that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the ’180, ’380, ’111, and ’511 patents by Suzuki.

234. On information and belief, Suzuki contributes to the infringement of the ’180, ’380, ’111, and ’511 patents.

235. On information and belief, Suzuki offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the ’180, ’380, ’111, and ’511 patents. The Accused Products constitute a material part of the invention, Suzuki knows the same to be especially

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made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

236. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Suzuki's Accused Products in the United States.

### 3. Induced Infringement

237. Suzuki has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Suzuki on September 28, 2011 informing Suzuki that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Suzuki.

238. On information and belief, Suzuki induces infringement of the '180, '380, '111, and '511 patents.

239. Suzuki induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

240. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Suzuki's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Suzuki's Accused Products in the United States.

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### **O. Jaguar/Land Rover**

241. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars sell for importation, import and/or sell after importation in the United States Accused Products, including but not limited to the Jaguar XJ and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as “Jaguar Accused Products”); and Jaguar Land Rover North America, LLC and Land Rover sell for importation, import and/or sell after importation in the United States Accused Products, including but not limited to the Land Rover Range Rover and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as “Land Rover Accused Products”) (jointly referred to as “Jaguar/Land Rover Accused Products”). Charts showing how the Jaguar XJ and/or Land Rover Range Rover practice the ’180, ’380, ’111, and ’511 patents are attached as Ex. 25.

#### **1. Direct Infringement**

242. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars make, use, sell, offer for sale, and/or import Jaguar Accused Products in or into the United States, thereby directly infringing the ’380, ’111, and ’511 patents. On information and belief, Jaguar Land Rover North America, LLC and Land Rover make use, sell, offer for sale, and/or import Land Rover Accused Products in or into the United States, thereby directly infringing the ’380, and ’111 patents

243. On information and belief, others directly infringe the ’180, ’380, ’111, and ’511 patents, for example automotive dealers in the United States directly infringe the ’380, ’111, and ’511 patents by offering to sell and selling Jaguar’s Accused Products in the United States, automotive dealers in the United States directly infringe the ’380 and ’111 patents by offering to sell and selling Land Rover’s Accused Products in the United States, consumers directly infringe

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the '180, '380, '111, and '511 patents by using Jaguar's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Land Rover's Accused Products in the United States.

### 2. Contributory Infringement

244. Jaguar/Land Rover has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Jaguar/Land Rover on September 28, 2011 informing Jaguar/Land Rover that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Jaguar Land Rover North America, LLC and Jaguar Cars, and asserting infringement of the '180, '380, and '111 patents by Jaguar Land Rover North America, LLC and Land Rover.

245. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars contribute to the infringement of the '180, '380, '111, and '511 patents. On information and belief, Jaguar Land Rover North America, LLC and Land Rover contribute to the infringement of the '180, '380, and '111 patents.

246. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars offer to sell within the United States, sell within the United States, and/or import into the United States Accused Products for use in practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Jaguar Land Rover North America, LLC and Jaguar Cars knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

247. On information and belief, Jaguar Land Rover North America, LLC and Land Rover offers to sell within the United States, sells within the United States, and/or imports into

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the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Jaguar Land Rover North America, LLC and Land Rover knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

248. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Jaguar's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Land Rover's Accused Products in the United States.

### **3. Induced Infringement**

249. Jaguar/Land Rover has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Jaguar/Land Rover on September 28, 2011 informing Jaguar/Land Rover that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Jaguar Land Rover North America, LLC and Jaguar Cars, and asserting infringement of the '180, '380, and '111 patents by Jaguar Land Rover North America, LLC and Land Rover

250. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars induce infringement of the '180, '380, '111, and '511 patents. On information and belief, Jaguar Land Rover North America, LLC and Land Rover induce infringement of the '180, '380, and '111 patents.

251. Jaguar Land Rover North America, LLC and Jaguar Cars induce others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting

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infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents. Jaguar Land Rover North America, LLC and Land Rover induce others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

252. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Jaguar's Accused Products in the United States, automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Land Rover's Accused Products in the United States, consumers directly infringe the '180, '380, '111, and '511 patents by using Jaguar's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Land Rover's Accused Products in the United States.

### **P. Toyota**

253. On information and belief, Toyota sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Toyota 4Runner, Lexus RX 350, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as "Toyota Accused Products"). Charts showing how the Toyota 4Runner and/or Lexus RX 350 practice the '180, '380, and '111 patents are attached as Ex. 26.

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### 1. Direct Infringement

254. On information and belief, Toyota makes, uses, sells, offers for sale, and/or imports Toyota Accused Products in or into the United States, thereby directly infringing the '380 and '111 patents.

255. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Toyota's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Toyota's Accused Products in the United States.

### 2. Contributory Infringement

256. Toyota has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Toyota on September 28, 2011 informing Toyota that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Toyota.

257. On information and belief, Toyota contributes to the infringement of the '180, '380, and '111 patents.

258. On information and belief, Toyota offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Toyota knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.



## PUBLIC VERSION

259. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using Toyota's Accused Products in the United States.

### 3. Induced Infringement

260. Toyota has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Toyota on September 28, 2011 informing Toyota that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Toyota.

261. On information and belief, Toyota induces infringement of the '180, '380, and '111 patents.

262. Toyota induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

263. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Toyota's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Toyota's Accused Products in the United States.

### Q. Volkswagen

264. On information and belief, Volkswagen sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the

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Volkswagen Routan, other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems, and/or automobiles manufactured in the United States equipped with substantially similar imported GPS navigation systems or components of GPS navigation systems (referred to as “Volkswagen Accused Products”). Charts showing how the Volkswagen Routan practices the '180, '380, '111, and '511 patents are attached as Ex. 27.

### 1. Direct Infringement

265. On information and belief, Volkswagen makes, uses, sells, offers for sale, and/or imports Volkswagen Accused Products in or into the United States, thereby directly infringing the '380, '111, and '511 patents.

266. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Volkswagen's Accused Products in the United States, and consumers directly infringe the '180, '380, '111, and '511 patents by using Volkswagen's Accused Products in the United States.

### 2. Contributory Infringement

267. Volkswagen has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Volkswagen on September 28, 2011 informing Volkswagen that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Volkswagen.

268. On information and belief, Volkswagen contributes to the infringement of the '180, '380, '111, and '511 patents.

269. On information and belief, Volkswagen offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in

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practicing the patented processes of the '180, '380, '111, and '511 patents. The Accused Products constitute a material part of the invention, Volkswagen knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

270. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example consumers directly infringe the '180, '380, '111, and '511 patents by using Volkswagen's Accused Products in the United States.

### **3. Induced Infringement**

271. Volkswagen has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Volkswagen on September 28, 2011 informing Volkswagen that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, '111, and '511 patents by Volkswagen.

272. On information and belief, Volkswagen induces infringement of the '180, '380, '111, and '511 patents.

273. Volkswagen induces others to infringe the '180, '380, '111, and '511 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, '111, and '511 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, '111, and '511 patents.

274. On information and belief, others directly infringe the '180, '380, '111, and '511 patents, for example automotive dealers in the United States directly infringe the '380, '111, and '511 patents by offering to sell and selling Volkswagen's Accused Products in the United States,

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and consumers directly infringe the '180, '380, '111, and '511 patents by using Volkswagen's Accused Products in the United States.

### **R. Volvo**

275. On information and belief, Volvo sells for importation, imports and/or sells after importation in the United States Accused Products, including but not limited to the Volvo XC60 and/or other automobiles manufactured outside the United States equipped with substantially similar GPS navigation systems (referred to as "Volvo Accused Products"). Charts showing how the Volvo XC60 practices the '180, '380, and '111 patents are attached as Ex. 28.

#### **1. Direct Infringement**

276. On information and belief, Volvo makes, uses, sells, offers for sale, and/or imports Volvo Accused Products in or into the United States, thereby directly infringing the '380 and '111 patents.

277. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Volvo's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Volvo's Accused Products in the United States.

#### **2. Contributory Infringement**

278. Volvo has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Volvo on September 28, 2011 informing Volvo that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Volvo.

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279. On information and belief, Volvo contributes to the infringement of the '180, '380, and '111 patents.

280. On information and belief, Volvo offers to sell within the United States, sells within the United States, and/or imports into the United States Accused Products for use in practicing the patented processes of the '180, '380, and '111 patents. The Accused Products constitute a material part of the invention, Volvo knows the same to be especially made or especially adapted for use in an infringement of such patent, and the Accused Products are not a staple article or commodity of commerce suitable for substantial noninfringing use.

281. On information and belief, others directly infringe the '180, '380, and '111 patents, for example consumers directly infringe the '180, '380, and '111 patents by using Volvo's Accused Products in the United States.

### **3. Induced Infringement**

282. Volvo has knowledge of each of the Asserted Patents and the infringing acts. Beacon sent a letter to Volvo on September 28, 2011 informing Volvo that it may be infringing the Asserted Patents. Also, on October 11, 2011 Beacon filed a district court complaint in the United States District Court for the District of Delaware asserting infringement of the '180, '380, and '111 patents by Volvo.

283. On information and belief, Volvo induces infringement of the '180, '380, and '111 patents.

284. Volvo induces others to infringe the '180, '380, and '111 patents by providing Accused Products along with instructions, user manuals, and/or technical assistance actively directing, encouraging, or assisting infringement of the '180, '380, and '111 patents, and/or by providing a system where one of the core and common features leads to third party infringement of the '180, '380, and '111 patents.

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285. On information and belief, others directly infringe the '180, '380, and '111 patents, for example automotive dealers in the United States directly infringe the '380 and '111 patents by offering to sell and selling Volvo's Accused Products in the United States, and consumers directly infringe the '180, '380, and '111 patents by using Volvo's Accused Products in the United States.

### **VI. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE**

286. The Proposed Respondents have sold for importation, imported, and/or sold after importation in the United States Accused Products, as identified below.

287. The United States National Highway Traffic Safety Administration requires that all "passenger cars, multipurpose passenger vehicles, trucks, buses, trailers (including trailer kits), incomplete vehicles, and motorcycles" bear a 17-character vehicle identification number ("VIN"). (49 C.F.R. 565.1 *et seq.*) The VIN is assigned by the automobile manufacturer, and must be affixed on the car in a location that is not designed to be removed. Typically, the VIN is listed at least on a sticker inside the driver's door panel, as well as on a panel on the dash-board facing out the windshield just above the steering wheel.

288. The first three digits of the VIN identify the manufacturer, make and type of the motor vehicle. The first digit typically identifies the country of final assembly, for example vehicles with VINs that begin in the letter "J" are manufactured in Japan, those that begin in the number "3" are manufactured in Mexico, etc. A sampling of codes as relevant to the exemplary Accused Products follows:

2 = Canada  
J = Japan  
3 = Mexico  
K = Republic of Korea  
W = Germany  
Y = Sweden  
S = England

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289. The VIN of each of the exemplary Accused Products begins in a character indicating that the automobile was made outside the United States. The exemplary Accused Products were all offered for sale or sold in the United States. This proves that the exemplary Accused Products were each manufactured abroad and imported into the United States. The VIN for each exemplary Accused Product is identified below and in the supporting claim charts at Exhibits 11-28.

290. Even for automobiles that were finally assembled in the United States, many such automobiles use GPS navigation systems manufactured abroad and imported into the United States. Such products are similarly embodied in the scope of this Complaint.

**A. Audi**

291. On information and belief, Audi sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Audi Q7 with GPS navigation. One 2011 Audi Q7 bears the VIN WA1LMAFE1BD010584, indicating that it was manufactured in Germany.

292. The Audi Q7 is available at Audi dealers nationwide, including but not limited to Audi of Oakland, 2560 Webster St., Oakland, CA 94612. Ex. 30.

**B. BMW**

293. On information and belief, BMW sells for importation, imports and/or sells after importation in the United States Accused Products, for example the BMW M3 with GPS navigation, the Mini Cooper Hardtop with GPS navigation, and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 BMW M3 bears the VIN WBSKG9C51BE646291, indicating that it was manufactured in Germany. One 2011 Mini Cooper Hardtop bears the VIN WMWSU3C57BT252140, indicating that it was manufactured in Germany.

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294. The BMW M3 is available at BMW dealers nationwide, including but not limited to Stevens Creek BMW, 4343 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 31. The Mini Cooper Hardtop is available at Mini dealers nationwide, including but not limited to Mini of Stevens Creek, 4201 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 32.

### C. Chrysler

295. On information and belief, Chrysler sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Chrysler 300 with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Chrysler 300 bears the VIN 2C3CA5CG4BH559277, indicating that it was manufactured in Canada.

296. The Chrysler 300 is available at Chrysler dealers nationwide, including but not limited to Stevens Creek Chrysler/Jeep/Dodge, 4100 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 33.

### D. Ford

297. On information and belief, Ford sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Ford Fusion with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Ford Fusion bears the VIN 3FAHP0JA6BR343135, indicating that it was manufactured in Mexico.

298. The Ford Fusion is available at Ford dealers nationwide, including but not limited to Frontier Ford, 3701 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 34.

### E. GM

299. On information and belief, GM sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Chevrolet Equinox with GPS



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navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Chevrolet Equinox bears the VIN 2CNFLGE53B6370623, indicating that it was manufactured in Canada.

300. The Chevrolet Equinox is available at GM dealers nationwide, including but not limited to Courtesy Chevrolet, 3640 Stevens Creek Boulevard, San Jose, CA 95117. Ex. 35.

**F. Honda**

301. On information and belief, Honda sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Honda Fit with GPS navigation, the Acura MDX with GPS navigation, and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Honda Fit bears the VIN JHMGE8H67BC014744, indicating that it was manufactured in Japan. One 2011 Acura MDX bears the VIN 2HNYD2H74BH534146, indicating that it was manufactured in Canada.

302. The Honda Fit is available at Honda dealers nationwide, including but not limited to Honda of Stevens Creek, 4590 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 36. The Acura MDX is available at Acura dealers nationwide, including but not limited to AutoWest Acura, 4747 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 37.

**G. Hyundai**

303. On information and belief, Hyundai sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Hyundai Veracruz with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Hyundai Veracruz bears the VIN KM8NUDCC5BU167033, indicating that it was manufactured in the Republic Korea.

304. The Hyundai Veracruz is available at Hyundai dealers nationwide, including but not limited to Cammisa Hyundai, 1025 Rollins Road, Burlingame, CA 94010. Ex. 38.

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### H. Kia

305. On information and belief, Kia sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Kia Sportage with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Kia Sportage bears the VIN KNDPC3A25B7144581, indicating that it was manufactured in the Republic of Korea.

306. The Kia Sportage is available at Kia dealers nationwide, including but not limited to Kia Stevens Creek, 4333 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 39.

### I. Mazda

307. On information and belief, Mazda sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Mazda CX-9 with GPS navigation. One 2011 Mazda CX-9 bears the VIN JM3TB3DV4B0317403, indicating that it was manufactured in Japan.

308. The Mazda CX-9 is available at Mazda dealers nationwide, including but not limited to Oak Tree Mazda, 4250 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 40.

### J. Mercedes

309. On information and belief, Mercedes sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Mercedes E350 with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Mercedes E350 bears the VIN WDDHF5GB5BA328202, indicating that it was manufactured in Germany.

310. The Mercedes E350 is available at Mercedes dealers nationwide, including but not limited to Autobahn Motors, 700 Island Parkway, Belmont, CA 94002. Ex. 41.

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### **K. Nissan**

311. On information and belief, Nissan sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Nissan 370Z with GPS navigation and the Infiniti G37 with GPS navigation. One 2011 Nissan 370Z bears the VIN JN1AZ4FH9AM301359, indicating that it was manufactured in Japan. One 2011 Infiniti G37 bears the VIN JN1CV6FE9BM951686, indicating that it was manufactured in Japan.

312. The Nissan 370Z is available at Nissan dealers nationwide, including but not limited to Universal City Nissan, 3550 Cahuenga Blvd. W, Los Angeles, CA 90068. Ex. 42. The Infiniti G37 is available at Infiniti dealers nationwide, including but not limited to Frontier Infiniti, 4355 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 43.

### **L. Porsche**

313. On information and belief, Porsche sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Porsche Cayenne with GPS navigation. One 2011 Porsche Cayenne bears the VIN WP1AB2A27BLA54535, indicating that it was manufactured in Germany.

314. The Porsche Cayenne is available at Porsche dealers nationwide, including but not limited to Porsche of Stevens Creek, 4155 Stevens Creek Boulevard, Santa Clara, CA 95051. Ex. 44.

### **M. Saab**

315. On information and belief, Saab sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Saab 9-5 with GPS navigation. One 2011 Saab 9-5 bears the VIN YS3GR4BJ8B4002293, indicating that it was manufactured in Sweden.

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316. The Saab 9-5 is available at Saab dealers nationwide, including but not limited to B&B Saab, 1011 East El Camino Real, Sunnyvale, CA 94087. Ex. 45.

### **N. Suzuki**

317. On information and belief, Suzuki sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Suzuki SX4 with GPS navigation. One 2010 Suzuki SX4 bears the VIN JS2YA5A97A6300777, indicating that it was manufactured in Japan.

318. The Suzuki SX4 is available at Suzuki dealers nationwide, including but not limited to Momentum Kia & Suzuki of Vallejo, 4325 Sonoma Blvd., Vallejo, CA 94590. Ex. 46.

### **O. Jaguar/Land Rover**

319. On information and belief, Jaguar Land Rover North America, LLC and Jaguar Cars Limited sell for importation, import and/or sell after importation in the United States Accused Products, for example the Jaguar XJ with GPS navigation. On information and belief, Jaguar Land Rover North America, LLC and Land Rover sell for importation, import and/or sell after importation in the United States Accused Products, for example the Land Rover Range Rover with GPS navigation. One 2011 Jaguar XJ bears the VIN SAJWA1CB9BLV15625, indicating that it was manufactured in England. One 2011 Land Rover Range Rover bears the VIN SALMF1E41BA345528, indicating that it was manufactured in England.

320. The Jaguar XJ is available at Jaguar dealers nationwide, including but not limited to San Jose British Motors, 4040 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 47. The Land Rover Range Rover is available at Land Rover dealers nationwide, including but not limited to Land Rover of San Jose, 5080 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 48.

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### **P. Toyota**

321. On information and belief, Toyota sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Toyota 4Runner with GPS navigation, the Lexus RX 350 with GPS navigation, and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Toyota 4Runner bears the VIN JTEBU5JR2B5041822, indicating that it was manufactured in Japan. One 2011 Lexus RX 350 bears the VIN 2T2BK1BA9BC108183, indicating that it was manufactured in Canada.

322. The Toyota 4Runner is available at Toyota dealers nationwide, including but not limited to Putnam Toyota, 50 California Drive, Burlingame, CA 94010. Ex. 49. The Lexus RX 350 is available at Lexus dealers nationwide, including but not limited to Lexus Stevens Creek, 3333 Stevens Creek Boulevard, San Jose, CA 95117. Ex. 50.

### **Q. Volkswagen**

323. On information and belief, Volkswagen sells for importation, imports and/or sells after importation in the United States Accused Products, for example the Volkswagen Routan with GPS navigation and/or automobiles manufactured in the United States equipped with imported GPS navigation systems. One 2011 Volkswagen Routan bears the VIN 2V4RW3DG5BR739930, indicating that it was manufactured in Canada.

324. The Volkswagen Routan is available at Volkswagen dealers nationwide, including but not limited to Stevens Creek Volkswagen, 4490 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 51.

### **R. Volvo**

325. On information and belief, Volvo sells for importation, imports and/or sells after importation in the United States at least the Volvo XC60 with GPS navigation. One 2011 Volvo XC60 bears the VIN YV4902DZXB2199235, indicating that it was manufactured in Sweden.

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326. The Volvo XC60 is available at Volvo dealers nationwide, including but not limited to Smythe Volvo, 4600 Stevens Creek Boulevard, San Jose, CA 95129. Ex. 52.

### **VII. HARMONIZED TARIFF SCHEDULE ITEM NUMBERS**

327. On information and belief, the Harmonized Tariff Schedule of the United States item number under which the infringing GPS navigation systems, components thereof, and products containing same have been imported into the United States may include at least the following HTSUS numbers: 8529.90 and 8526.91.

### **VIII. RELATED PROCEEDINGS**

328. On October 11, 2011, Beacon filed complaints in the United States District Court for the District of Delaware asserting infringement of the Asserted Patents, including separate complaints against each of Audi, BMW, Chrysler, Ford, GM, Honda, Hyundai, Kia, Mazda, Mercedes, Nissan, Porsche, Saab, Suzuki, Jaguar/Land Rover, Toyota, Volkswagen, and Volvo, and a complaint against Fuji Heavy Industries Ltd., Fuji Heavy Industries U.S.A., Inc. and Subaru of America, Inc. (collectively "Defendants"). The complaints allege that each of the Defendants makes, uses, offers to sell, sells, and/or imports, in or into the United States products that infringe the Asserted Patents. The Defendants have not yet answered these complaints.

329. On the same date, Beacon filed complaints in the United States District Court for the District of Delaware asserting infringement of four other patents owned by Beacon, namely U.S. Patents Nos. 5,878,368; 6,163,269; 6,360,167; and 5,819,201. Defendants have not yet answered these complaints.

330. There are no other related court or agency proceedings of which Beacon is aware, including litigation, investigations, or proceedings in the U.S. Patent and Trademark Office.

**IX. DOMESTIC INDUSTRY**

331. A domestic industry in the United States, relating to the GPS navigation technology protected by the Asserted Patents, exists under 19 U.S.C. § 1337(a)(3)(A), (B), and (C), comprising significant investment in plant and equipment, significant investment in labor and capital, and substantial investment in the exploitation of the Asserted Patents, including engineering and research and development. At this time, Beacon only asserts that a domestic industry exists based on information from January 2009 through July 2011, as set forth in more detail below and in the supporting declaration of Dr. Blaine F. Nye. Ex. 94.

**A. Beacon's Licensee's Domestic Industry**

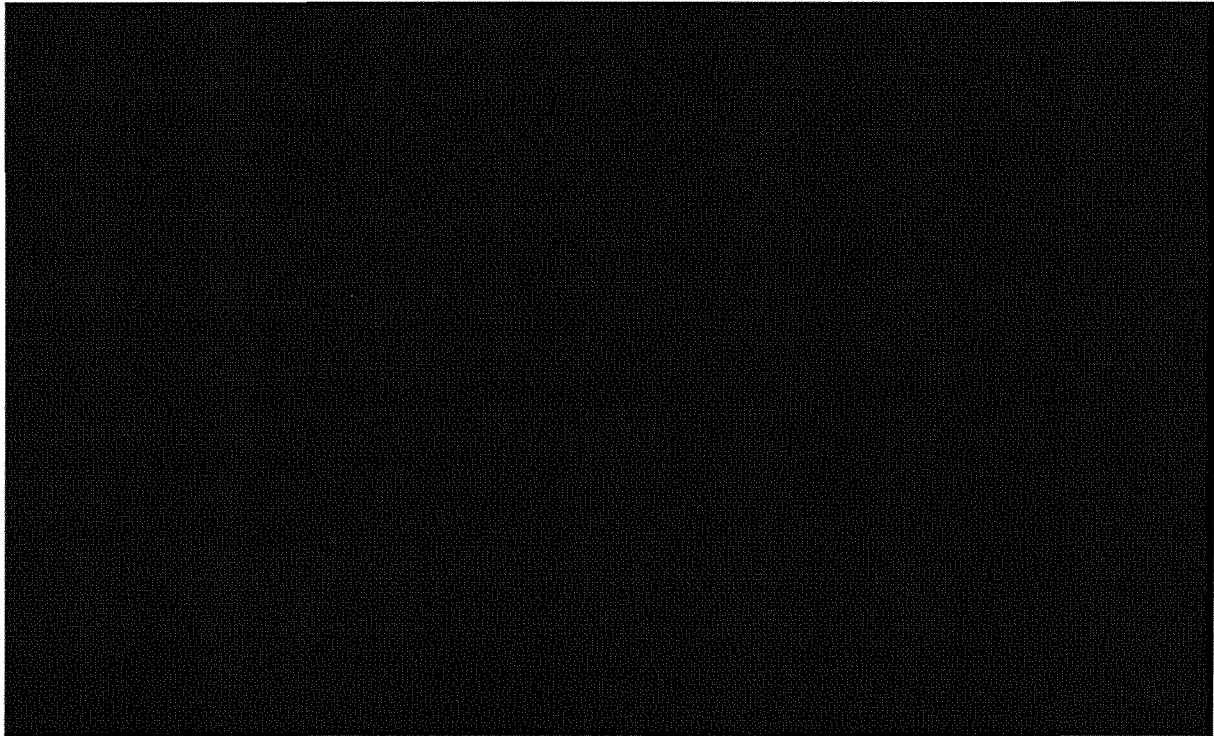
332. The Asserted Patents are licensed to [REDACTED]

[REDACTED] Ex. 53. [REDACTED]

333. As shown in Ex. 29, [REDACTED]

practice each of the Asserted Patents, as do other [REDACTED] products in the [REDACTED]

families. These products include at least those shown in the below chart ("Domestic Industry Products"), which are also listed in Ex. 56:



334. While only certain independent claims are charted in Ex. 29, the Domestic Industry Products may practice other independent and dependent claims of the Asserted Patents and Beacon intends to rely on such other claims if it becomes necessary or appropriate in the course of the investigation to do so. This includes at least claims 1-4, 7, 8 and 15 of the '180 patent; claims 1-4, 26-27, and 29-30 of the '380 patent; 1, 2, 5, and 17-19 of the '111 patent; and claims 1 and 3 of the '511 patent.

335. [REDACTED] designs, engineers, researches, develops, performs quality control, and tests the Domestic Industry Products. [REDACTED] substantial investment in developing, promoting, and maintaining a domestic industry related to the Asserted Patents establishes the economic prong of the domestic industry requirement under 19 U.S.C. § 1337(a)(3)(A), (B), and (C).



**PUBLIC VERSION**

**1. Significant Investment in Plant and Equipment**

336. The Domestic Industry Products were developed through significant investment in plant and equipment in the United States, satisfying the requirements of 19 U.S.C. § 1337(a)(3)(A).

337. From January 2009 through July 2011, [REDACTED] on investment in the U.S. related to plant and equipment for the Domestic Industry Products. This includes [REDACTED] facilities in the U.S. occupying a total of [REDACTED] approximately [REDACTED] of which is used for Domestic Industry Products. [REDACTED] has a [REDACTED] square foot facility located at [REDACTED] and a [REDACTED] square foot facility located at [REDACTED]. The combined total rents for these facilities from January 2009 through July 2011 were [REDACTED] of which [REDACTED] is attributable to the Domestic Industry Products. Ex. 94 (Declaration of Dr. Blaine F. Nye, ¶ 8).

338. [REDACTED] U.S. capital investment in equipment from January 2009 through July 2011 attributable to the Domestic Industry Products, presented as a depreciation expense on the capital cost, is approximately [REDACTED]. This includes [REDACTED]. [REDACTED] Ex. 94 (Declaration of Dr. Blaine F. Nye, ¶ 9).

**2. Significant Investment in Labor and Capital**

339. The Domestic Industry Products were developed through significant investment in labor and capital in the United States, satisfying the requirements of 19 U.S.C. § 1337(a)(3)(B).

340. From January 2009 through July 2011, [REDACTED] spent approximately [REDACTED] in the U.S. related to labor or capital for the Domestic Industry Products. This includes payments to U.S.-based employees, consultants, contractors, and agents responsible for the [REDACTED]

PUBLIC VERSION

[REDACTED] of the Domestic Industry Products. At the end of July 2011, [REDACTED] employed [REDACTED] people involved in the design and production of the Domestic Industry Products. [REDACTED] of these people were permanent employees in [REDACTED] were permanent employees in [REDACTED] and [REDACTED] were temporary workers. Ex. 94 (Declaration of Dr. Blaine F. Nye, ¶ 10).

**3. Substantial Investment in Exploitation of the Asserted Patents**

341. [REDACTED] has made substantial investment in the exploitation of the Asserted Patents for Domestic Industry Products, including engineering, research, and development, satisfying the requirements of 19 U.S.C. § 1337(a)(3)(A).

342. Between January 2009 and July 2011, [REDACTED] spent approximately [REDACTED] on investment in the U.S. related to research and development for the Domestic Industry Products. Ex. 94 (Declaration of Dr. Blaine F. Nye, ¶ 11).

**X. RELIEF REQUESTED**

343. WHEREFORE, by reason of the foregoing, Beacon respectfully requests that the United States International Trade Commission:

(a) Institute an immediate investigation, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337(a)(1)(B)(i) and (b)(1), with respect to the violations of Section 337 by the Proposed Respondents based upon their sale for importation, importation and/or sale after importation in or into the United States of Accused Products, including certain automotive GPS navigation systems, components thereof, and products containing same that infringe claims of the Asserted Patents, including at least claims 1-4, 7-9, and 15 of the '180 patent, claims 1-4, 18-21, and 25-31 of the '380 patent, claims 1-3, 5, 10-12, and 17-21 of the '111 patent, and claims 1 and 3 of the '511 patent;

(b) Schedule and conduct a hearing on said unlawful acts;

**PUBLIC VERSION**

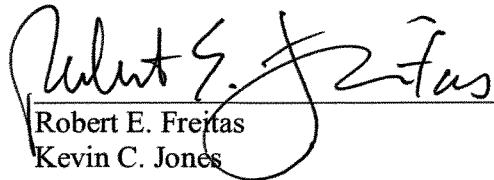
(c) Issue limited exclusion orders pursuant to 19 U.S.C. § 1337(d)(1), barring from entry into the United States the Accused Products, including certain automotive GPS navigation systems, components thereof, and products containing same that infringe claims of the Asserted Patents, including at least claims 1-4, 7-9, and 15 of the '180 patent, claims 1-4, 18-21, and 25-31 of the '380 patent, claims 1-3, 5, 10-12, and 17-21 of the '111 patent, and claims 1 and 3 of the '511 patent;

(d) Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), directing the Proposed Respondents to cease and desist from selling for importation into the United States, importing, selling after importation into the United States, offering for sale, marketing, advertising, demonstrating, sampling, warehousing inventory for distribution, distributing, licensing, testing, providing technical support, use, or other related commercial activity involving certain automotive GPS navigation systems, components thereof, and products containing same that infringe claims of the Asserted Patents, including at least claims 1-4, 7-9, and 15 of the '180 patent, claims 1-4, 18-21, and 25-31 of the '380 patent, claims 1-3, 5, 10-12, and 17-21 of the '111 patent, and claims 1 and 3 of the '511 patent; and

(e) Grant such other and further relief as the Commission deems just and proper based on the facts determined by the investigation and the authority of the Commission.

Dated: 10/21/2011

Respectfully submitted,



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**PUBLIC VERSION**

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GmbH

## VERIFICATION OF COMPLAINT

I, Tim A. Williams, declare, in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), under penalty of perjury, that the following statements are true:

1. I am CEO of Beacon Navigation GmbH, and I am duly authorized to sign this Complaint on behalf of Complainant Beacon Navigation GmbH;
2. I have read the foregoing Complaint;
3. To the best of my knowledge, information, and belief, based on reasonable inquiry, the foregoing Complaint is well-founded in fact and is warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
4. The allegations and other factual contentions have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
5. The foregoing Complaint is not being filed for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

Executed: 10/10/11



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Tim A. Williams, Ph.D.  
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