

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SEOUL SEMICONDUCTOR CO.,
LTD. and SEOUL VIOSYS CO., LTD.

Plaintiffs,

v.

FRY'S ELECTRONICS, INC.

Defendant.

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CIVIL ACTION NO. 18-cv-386

COMPLAINT FOR PATENT INFRINGEMENT AND
DEMAND FOR JURY TRIAL

Plaintiffs Seoul Semiconductor Co., Ltd. (“Seoul Semiconductor”) and Seoul Viosys Co., Ltd. (“Seoul Viosys”), (collectively “Plaintiffs”) for their Complaint against Defendant Fry’s Electronics, Inc. (“Fry’s”) allege as follows:

INTRODUCTION

1. Plaintiffs bring this patent infringement action to protect their valuable patented technology relating to light-emitting diodes (“LEDs”) and LED technology in lighting and televisions. An LED is a semiconductor device that converts electrical energy into light. LEDs have many advantages over conventional light sources, including lower energy consumption, longer lifetime, and smaller size.

2. Seoul Semiconductor was founded in 1992 with around 30 employees in a small space of a commercial building in Bongchen-dong, Seoul. From those 30 employees, Seoul Semiconductor grew into one of the largest manufacturers of LEDs in the world. Seoul Viosys is also a leading company in the LED industry and an affiliate company of Seoul Semiconductor.

3. Seoul Semiconductor’s success is in large part due to its significant investment in innovation and respect for intellectual property. Seoul Semiconductor has invested in research

and development (“R&D”) for the last two decades. Seoul Semiconductor invests over 10% of sales revenue into R&D and owns one of the largest LED patent portfolios in the world, which includes more than 10,000 patents worldwide.

THE PARTIES

4. Plaintiff Seoul Semiconductor is a company organized and existing under the laws of the Republic of Korea, with its principal place of business at 1B-25, 727, Wonsi-dong, Danwon-gu, Ansan-city, Gyeonggi-do, Korea 425-851.

5. Plaintiff Seoul Viosys is a company organized and existing under the laws of the Republic of Korea, with its principal place of business at 65-16, Sandan-ro163beon-gil, Danwon-gu, Ansan-si, Gyeonggi-do, Korea 425-851.

6. On information and belief, Fry’s is a company organized and existing under the laws of the State of California with its principal place of business at 600 East Brokaw Road, San Jose, California 95112.

7. On information and belief, Fry’s is in the business of offering for sale, selling and distributing lighting products including light products based on LED technology and offering for sale, sell and distributing televisions including televisions based on LED technology.

8. Among Fry’s television products are the RCA LED TV LED24G45RQ, the RCA LED TV LED55C55R120Q, and the RCA LED TV LED60B55R120Q.

9. An image of the packaging for the RCA LED TV LED24G45RQ television is provided below left. An image of the RCA LED TV LED24G45RQ television is provided below right.



10. An image of the packaging for the RCA LED TV LED55C55R120Q television is provided below left. An image of the RCA LED TV LED55C55R120Q television is provided below right.



11. An image of the RCA LED TV LED60B55R120Q television is provided below.



12. Among Fry's lighting products are the Ottlite LED Task Lamp 290G59, NTE LED Wall Light 69-LL-10, and the NTE LED Light Bar 69-LL-15.

13. An image of the packaging for the Ottlite LED Task Lamp 290G59 is provided below left. An image of the Ottlite LED Task Lamp 290G59 is provided below right.



14. An image of the packaging for the NTE LED Wall Light 69-LL-10 is provided below left. An image of the NTE LED Wall Light 69-LL-10 is provided below right.



15. The first image below is of the packaging for the NTE LED Light Bar 69-LL-15. The second image below is of the NTE LED Light Bar 69-LL-15.





JURISDICTION AND VENUE

16. This is an action for patent infringement, under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§1331 and 1338(a).

17. This Court has personal jurisdiction over Fry's and, upon information and belief, is amenable to service via its registered agent Phillip L. Sampson, Jr. located at Bracewell & Giuliani, L.L.P., 711 Louisiana Street, Suite 2300, Houston, Texas 77002.

18. Venue is proper within this judicial district under 28 U.S.C. §1400(b) because Fry's has committed acts of infringement in this judicial district and has a regular and established place of business within this judicial district. More specifically, a number of the infringing products were purchased at a Fry's store located at 700 E. Plano Parkway in Plano, Texas, which is within this judicial district.

PATENTS-IN-SUIT

19. On September 9, 2014, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,829,552 ("the '552 Patent"), entitled "Light Emitting Device," to Seo *et al.* Seoul Semiconductor is the owner by assignment of the '552 Patent. A true and correct copy of the '552 Patent is attached hereto as Exhibit 1.

20. On September 3, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,525,212 ("the '212 Patent"), entitled "Light-Emitting Diode Having Electrode Extensions," to Kim *et al.* Seoul Viosys is the owner by assignment of the '212 Patent. A true and correct copy of the '212 Patent is attached hereto as Exhibit 2.

21. On March 8, 2011, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,901,113 ("the '113 Patent"), entitled "Side Illumination Lens and Luminescent Device Using the Same," to Kim *et al.* Seoul Semiconductor is the owner by

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