

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD.,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC.,
VERIZON BUSINESS NETWORK
SERVICES, INC., VERIZON ENTERPRISE
SOLUTIONS, LLC, CELLCO
PARTNERSHIP D/B/A VERIZON
WIRELESS, INC., VERIZON DATA
SERVICES LLC, VERIZON BUSINESS
GLOBAL, LLC, AND VERIZON
SERVICES CORP.

Defendants.

CIVIL ACTION NO. 2:20-cv-00030

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT

Plaintiff Huawei Technologies Co. Ltd. (“Huawei”) files this Original Complaint against Defendants Verizon Communications, Inc., Verizon Business Network Services, Inc., Verizon Enterprise Solutions LLC, Cellco Partnership d/b/a Verizon Wireless, Inc., Verizon Data Services LLC, Verizon Business Global, LLC, and Verizon Services Corp. (collectively “Defendants” or “Verizon”) for patent infringement under 35 U.S.C. § 271. Plaintiff alleges, based on its own personal knowledge with respect to its own actions and based upon information and belief with respect to all others’ actions, as follows:

THE PARTIES

1. Huawei Technologies Co. Ltd. is a Chinese corporation with its principal place of business at Bantian, Longgang District, Shenzhen, People’s Republic of China.
2. Defendant Verizon Communications, Inc. is a Delaware corporation with

its principal place of business at 1095 Avenue of the Americas, New York, NY 10036.

Verizon Communications, Inc. has designated The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 as its agent for service of process.

3. Defendant Verizon Business Network Services, Inc. is a Delaware corporation with its principal place of business at 22001 Loudoun County Parkway, Ashburn, Virginia 20147. Verizon Business Network Services, Inc. has designated CT Corporation System, 1999 Bryan St., Suite 900, Dallas, Texas 75201 as its agent for service of process.

4. Defendant Verizon Enterprise Solutions LLC is a Delaware limited liability company with its principal place of business at One Verizon Way, Basking Ridge, New Jersey 07920. Verizon Enterprise Solutions LLC has designated The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 as its agent for service of process.

5. Defendant Cellco Partnership d/b/a Verizon Wireless, Inc. is a General Partnership with its principal place of business at One Verizon Way, Basking Ridge, New Jersey 07920. Cellco Partnership d/b/a Verizon Wireless, Inc. has designated The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 as its agent for service of process.

6. Defendant Verizon Data Services LLC is a Delaware limited liability company with its principal place of business at One East Telecom Parkway, B3E, Temple Terrace, Florida 33637. Verizon Data Services LLC has designated CT Corporation System, 1999 Bryan St., Suite 900, Dallas, Texas 75201 as its agent for service of

process.

7. Defendant Verizon Business Global, LLC is a Delaware corporation with its principal place of business at One Verizon Way, Basking Ridge, New Jersey. Verizon Business Global, LLC may be served with process via its registered agent Corporation Trust Company, Corporation Trust Company Center, 1209 Orange Street, Wilmington, Delaware 19801.

8. Defendant Verizon Services Corp. is a Delaware corporation with its principal place of business at 1717 Arch Street, 21st Floor, Philadelphia, PA 19103. Verizon Services Corp. may be served with process via its registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

9. On information and belief, Verizon Business Network Services, Inc., Verizon Enterprise Solutions LLC, Cellco Partnership d/b/a Verizon Wireless, Inc., Verizon Data Services LLC, Verizon Business Global, LLC, and Verizon Services Inc. are direct or indirect subsidiaries of Verizon Communications Inc. On information and belief, Verizon Communications Inc. directs or controls the actions of these entities including by inducing and contributing to the actions complained of herein.

JURISDICTION AND VENUE

10. This action includes a claim of patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

11. This Court has personal jurisdiction over Defendants. Defendants conduct business and have committed acts of patent infringement and have induced acts of patent infringement by others in this district and have contributed to patent infringement by others in this district, the State of Texas, and elsewhere in the United States.

12. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b) because,

defendants have committed acts of infringement and have regular and established places of business in this judicial district.

ASSERTED PATENTS

13. On September 18, 2012, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,270,433 (“the ’433 patent”), entitled “Sending Method, Receiving and Processing Method and Apparatus for Adapting Payload Bandwidth for Data Transmission.” A copy of the ’433 patent is attached as Exhibit A.

14. On April 21, 2015, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,014,151 (“the ’151 patent”), entitled “Method and Apparatus for Transmitting Low-Rate Traffic Signal in Optical Transport Network.” A copy of the ’151 patent is attached as Exhibit B.

15. On March 26, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,406,236 (“the ’236 patent”), entitled “Method and Apparatus for Transporting Client Signal in Optical Transport Network.” A copy of the ’236 patent is attached as Exhibit C.

16. On September 2, 2014, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,824,505 (“the ’505 patent”), entitled “Method and Apparatus for Transporting Client Signals in an Optical Transport Network.” A copy of the ’505 patent is attached as Exhibit D.

17. On April 12, 2016, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,312,982 (“the ’982 patent”), entitled “Method and Apparatus for Mapping and De-Mapping in an Optical Transport Network.” A copy of the ’982 patent is attached as Exhibit E.

FACTUAL ALLEGATIONS

18. By way of background, Huawei was founded in 1987 and has become a global leader of information and communication technology. Huawei's telecom network equipment, IT products and solutions, and smart devices, such as telepresence products, transport and core network equipment, fixed and radio access products, and fiber infrastructure products, are deployed and used in 170 countries and regions and serve more than three billion people around the world. Indeed, together with telecom carriers, Huawei has built over 1,500 networks. In fiscal year 2019, Huawei was recognized as a world technology leader with over \$100 billion in sales, ranking in the top 61 of the Global Fortune 500 in 2019.

19. Huawei has heavily invested in research and development ("R&D"), routinely spending over 10% of its annual revenue on innovation. In 2018 alone, Huawei invested over \$14 billion in research and development. About 45% of Huawei's global workforce – over 80,000 employees in 2018 – work in R&D. And, in the past decade through 2018, Huawei has invested near \$73 billion in research and development.

20. Huawei's dedication to R&D in the telecommunications industry over the past three decades has been a major contributor to telecommunication advances from the Wired Communication Age, into the Wireless Age, and developing from 2G to 3G to 4G to 5G.

21. Similarly, Huawei has dedicated significant R&D resources in the optical networking field for over 20 years. As a result, Huawei has developed an end-to-end wavelength division multiplexing ("WDM") and OTN intelligent optical transport solution that is applicable to the backbone core layer, metro core layer, metro aggregation layer, and metro edge access layer along with Data Center Interconnect (DCI) scenarios.

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