

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

KT IMAGING USA, LLC,

Plaintiff

-against-

LG ELECTRONICS, INC. and  
LG ELECTRONICS U.S.A., INC.,

Defendants

Civil Action No.: 4:20-cv-338

**Jury Trial Demanded**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff KT Imaging USA, LLC (“KTI” or “Plaintiff”), by way of this Complaint against Defendants LG Electronics, Inc. (“LG-Korea”) and LG Electronics U.S.A., Inc. (“LG-USA”) (collectively “LG” or “Defendants”), alleges as follows:

**PARTIES**

1. Plaintiff KT Imaging USA, LLC is a limited liability company organized and existing under the laws of the State of Texas, having its principal place of business at 106 E 6<sup>th</sup> Street, Suite 900, Austin, TX 78701.
2. On information and belief, Defendant LG-Korea is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business at LG Twin Towers 20, Yeouido-Dong, Yeongdeungpo-Gu, Seoul, South Korea, 150-721.
3. On information and belief, Defendant LG-USA is a wholly-owned subsidiary of LG-Korea, with a principal place of business at 1000 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. LG-USA has a regular and established place of business in the Eastern District of Texas at 2151-2155 Eagle Parkway, Fort Worth, Texas 76177. LG-USA is registered to do business in the state

of Texas and may be served with process at its registered agent for process at the United States Corporation Company, 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

### **JURISDICTION AND VENUE**

4. This is an action under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*, for infringement by LG of claims of U.S. Patent No. 6,590,269 and its Ex Parte Reexamination Certificate; U.S. Patent No. 6,876,544; U.S. Patent No. 7,196,322; U.S. Patent No. 7,511,261; U.S. Patent No. 8,004,602; and U.S. Patent No. 8,314,481 (collectively “the Patents-in-Suit”).

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. LG-Korea is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) LG-Korea has committed and continues to commit acts of patent infringement in the State of Texas, including by making, using, offering to sell, selling, and/or importing the accused products into Texas; (ii) LG-Korea purposefully supplies and directs the accused products for storage, warehousing, and sales by distributors and resellers in the State of Texas; and (iii) LG-Korea delivers its products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. In addition, or in the alternative, this Court has personal jurisdiction over LG-Korea pursuant to Fed. R. Civ. P. 4(k)(2).

7. LG-USA is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) LG-USA has committed and continues to commit acts of patent infringement in the State of Texas, including by making, using, offering to sell, selling, and/or importing the accused products into Texas; (ii) LG-USA purposefully supplies and directs the accused products for storage, warehousing, and sales by distributors and resellers in the State of Texas; (iii) LG-USA delivers its products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas; (iv) LG-USA derives substantial revenue from its activities in

this District; and (v) LG-USA has purposefully established substantial, systematic and continuous contacts with this District such that it should reasonably expect to be haled into court in this District. LG-USA has also registered with the Texas Secretary of State Office to do business in the State of Texas and has appointed a registered agent for service of process in the State of Texas.

8. Venue is proper as to LG-Korea in this District under 28 U.S.C. § 1391(c) because, *inter alia*, LG-Korea is a foreign corporation.

9. Venue is proper as to LG-USA in this District under 28 U.S.C. § 1400(b) because, *inter alia*, on information and belief, LG-USA has committed acts of infringement in the District and/or has contributed to or induced acts of patent infringement by others in this District, and has a regular and established place of business within the District. For example, on information and belief, LG-USA has offices at 2151-2155 Eagle Parkway, Fort Worth, Texas 76177.

### **BACKGROUND**

10. On July 8, 2003, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,590,269 (“the ’269 Patent”), entitled “Package Structure for a Photosensitive Chip.”

11. On April 5, 2005, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,876,544 (“the ’544 Patent”), entitled “Image Sensor Module and Method for Manufacturing the Same.”

12. On March 27, 2007, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 7,196,322 (“the ’322 Patent”), entitled “Image Sensor Package.”

13. On November 20, 2012, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,314,481 (“the ’481 Patent”), entitled “Substrate Structure for an Image Sensor Package and Method for Manufacturing the Same.”

14. KTI is the assignee and owner of the right, title, and interest in and to the Patents-in-Suit, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

15. On March 10, 2019, KTI notified LG of the existence of the '544, '322, '261, and '602 Patents. KTI also notified LG that LG infringes the '544 and '322 Patents.

16. LG has infringed and continues to infringe the Patents-in-Suit by making, using, selling, or offering for sale in the United States, or importing into the United States smartphones, tablets, and laptops with front and/or rear image sensor technology claimed in the Patents-in-Suit. Attachment A to this Complaint provides a non-exhaustive listing of Accused Products. Attachment B to this Complaint provides a listing of Exhibits comprising exemplary teardown images for certain Accused Products.

#### **COUNT I: INFRINGEMENT OF THE '269 PATENT BY LG**

17. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

18. On information and belief, LG has infringed the '269 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States or importing into the United States the Accused Products and all other products with substantially similar imaging sensors.

19. For example, on information and belief, LG has infringed and continues to infringe at least claim 2 of the '269 Patent by including a front facing package structure including a photosensitive chip in the LG G5 product. *See* Ex. 1 (LG G5 front facing package structure). The front facing package structure in the Accused Products comprises a substrate having an upper surface and a lower surface opposite to the upper surface. *See* Ex. 2. The front facing package structure further comprises a frame layer having a first surface and a second surface opposite to the first surface, the frame layer being formed on the substrate with the first surface contacting the upper surface of

the substrate, so as to form a cavity with the substrate. *See* Ex. 1. The front facing package structure further comprises a photosensitive chip placed on the upper surface of the substrate and within the cavity. *See* Ex. 2. The front facing package structure further comprises a plurality of wires for electrically connecting the substrate to the photosensitive chip. *See* Ex. 3. The front facing package structure further comprises a transparent layer arranged on the frame layer to cover the photosensitive chip, wherein the second surface of the frame layer is formed with a depression in which the transparent layer is placed to cover the photosensitive chip. *See* Ex. 1. The front facing package further comprises a plurality of projections each having a suitable height and formed within depression layer of the frame layer. *See* Ex. 4.

20. On information and belief, LG has induced infringement of the '269 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

21. On information and belief, LG has committed the foregoing infringing activities without a license.

22. On information and belief, LG knew the '269 Patent existed and knew of exemplary infringing LG products while committing the foregoing infringing acts thereby willfully, wantonly and deliberately infringing the '269 Patent.

#### **COUNT II: INFRINGEMENT OF THE '544 PATENT BY LG**

23. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

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