

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

KT IMAGING USA, LLC,

Plaintiff

-against-

SAMSUNG ELECTRONICS CO., LTD. and,  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

Defendants

Civil Action No.: 4:20-cv-339

**Jury Trial Demanded**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff KT Imaging USA, LLC (“KTI” or “Plaintiff”), by way of this Complaint against Defendants Samsung Electronics Co., Ltd. (“Samsung-Korea”) and Samsung Electronics America, Inc. (“Samsung-America”) (collectively “Samsung” 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 Samsung-Korea is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business at 129 Samsung-Ro, Yeongtong-gu, Suwon, Gyeonggi-do, 16677 Korea.
3. On information and belief, Defendant Samsung-America is a wholly-owned subsidiary of Samsung-Korea. On information and belief, Samsung-America is a New York corporation, with

its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660. Samsung-America is registered to do business in the state of Texas and has maintained a regular and established place of business with offices and/or other facilities in this Judicial District at, at least, 6625 Excellence Way, Plano, Texas 75023. On information and belief, Samsung-America can be served with process through its agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, TX 75201.

### **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 Samsung 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. Samsung-Korea is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) Samsung-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) Samsung-Korea purposefully supplies and directs the accused products for storage, warehousing, and sales by distributors and resellers in the State of Texas; and (iii) Samsung-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 Samsung-Korea pursuant to Fed. R. Civ. P. 4(k)(2).

7. Samsung-America is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) Samsung-America 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) Samsung-America purposefully supplies and directs the accused products for storage, warehousing, and sales by distributors and resellers in the State of Texas; (iii) Samsung-America delivers its products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas; (iv) derives substantial revenue from its activities in this District; and (v) 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.

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

9. Venue is proper as to Samsung-America in this District under 28 U.S.C. § 1400(b) because, *inter alia*, on information and belief, Samsung-America 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, Samsung-America has offices at 6625 Excellence Way, Plano, Texas 75023.

### **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 March 31, 2009, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 7,511,261 (“the ’261 Patent”), entitled “Image Sensor Module Structure With Lens Holder Having Vertical Inner and Outer Sidewalls.”

14. On August 23, 2011, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,004,602 (“the ’602 Patent”), entitled “Image Sensor Structure And Integrated Lens Module Thereof.”

15. 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.”

16. 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.

17. On March 11, 2019, KTI notified Samsung of the existence of the ’544, ’322, ’261, and ’602 Patents.

18. Samsung 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 SAMSUNG**

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

20. On information and belief, Samsung 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.

21. For example, on information and belief, Samsung has infringed and continues to infringe at least claim 2 of the '269 Patent by including a rear facing package structure including a photosensitive chip in the Samsung Note 3 product. *See* Ex.1 (Samsung Note 3 rear facing package structure). The rear 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 rear 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 rear facing package structure further comprises a photosensitive chip placed on the upper surface of the substrate and within the cavity. *See* Ex. 1. The rear facing package structure further comprises a plurality of wires for electrically connecting the substrate to the photosensitive chip. *See* Ex. 3. The rear 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* Exs. 1 and 4. The rear facing package further comprises a plurality of projections each having a suitable height and formed within depression layer of the frame layer. *See* Ex. 5.

22. On information and belief, Samsung has induced infringement of the '269 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.