

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

NAVBLAZER, LLC,

Apple

v.

**SAMSUNG ELECTRONICS CO.,
LTD (A KOREAN COMPANY) AND
SAMSUNG ELECTRONICS
AMERICA, INC.,**

Defendants

Case No. 6:20-cv-89

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

NavBlazer, LLC (“NavBlazer”) hereby files this Original Complaint for Patent Infringement against Samsung Electronics Co., LTD (a Korean Company) (“Samsung Electronics”) and Samsung Electronics America, Inc. (“Samsung Electronics America”), (collectively, “Samsung”), and alleges, upon information and belief, as follows:

THE PARTIES

1. NavBlazer is a limited liability company organized and existing under the laws of the State of Florida with its principal place of business at 600 S. Dixie Highway, Suite 605, West Palm Beach, Florida 33401.
2. Upon information and belief, Defendant Samsung Electronics Co., LTD is a company organized and existing under the laws of the Republic of Korea with its principal offices at 250, 2-ga, Taepyong-ro, Jung-gu, Seoul, 100-742, South Korea. Samsung Electronics Co., LTD may be served with process

by serving its wholly owned subsidiary, Samsung Electronics America, Inc., via its registered agent CT Corporation System at 1999 Bryan St., Suite 900, Dallas, TX 75201-3136.

3. Upon information and belief, Samsung Electronics America, Inc. is a company with a principal place of business at 105 Challenger Road, 6th Floor, Ridgefield Park, New Jersey 07660. Samsung Electronics America, Inc. may be served through its registered agent, CT Corporation System, at 1999 Bryan St., Suite 900, Dallas, TX 75201-3136.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this case under 28 U.S.C. §§ 1331, 1332, 1338, and 1367.
5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400(b).
6. This Court has personal jurisdiction over Samsung. Samsung has continuous and systematic business contacts with the state of Texas. Samsung, directly or through subsidiaries or intermediaries (including distributors, retailers, and others), conducts its business extensively throughout Texas, by shipping, distributing, making, using, offering for sale, selling, and advertising (including the provision of interactive web pages) its products and services in the state of Texas and the Western District of Texas. Samsung, directly and through subsidiaries or intermediaries (including distributors, retailers, and others), has purposefully and voluntarily placed infringing products and services into this district and into the stream of commerce with the intention and expectation that they will be purchased and used by consumers in this district. Samsung has offered and sold and continues to offer and sell these infringing products and services in this district, including at physical Samsung stores located within this district. Samsung and its customers also commit additional acts of direct infringement in this district with respect to each asserted patent through their infringing use

of the accused devices, including Samsung's servers, in this district, including when Samsung and its customers put the accused devices into service and receive a benefit, and Samsung is liable for these additional acts of direct infringement and indirect infringement in this district. Samsung has committed acts of infringement, both direct and indirect, in this district with respect to each asserted patent and has a regular and established place of business in this judicial district. For example, Samsung Electronics America maintains regular and established place offices in the Western District of Texas, including at 12100 Samsung Blvd, Austin, Texas 78754 and 2800 Wells Branch Pkwy, Austin, Texas 78728. Further, upon information and belief, Samsung Electronics directs and controls the actions of Samsung Electronics America such that it too maintains regular and established offices in the Western District of Texas, including at 12100 Samsung Blvd, Austin, Texas 78754, and 2800 Wells Branch Pkwy, Austin, Texas 78728. Samsung Electronics also owns and operates a manufacturing facility in Austin, Texas. In addition, Samsung Electronics, and Samsung Electronics America have placed or contributed to placing infringing products into the stream of commerce via an established distribution channel knowing or understanding that such products would be sold and used in the United States, including in the Western District of Texas. On information and belief, Samsung Electronics and Samsung Electronics America also have each derived substantial revenue from infringing acts in the Western District of Texas, including from the sale and use of infringing products. Samsung Electronics America has maintained regular and established places of business at 12100 Samsung Blvd, Austin, Texas 78754 and 2800 Wells Branch Pkwy, Austin, Texas 78728.

U.S. PATENT NOS. 9,075,136 AND 9,885,782

7. NavBlazer is the owner, by assignment, of U.S. Patent No. 9,075,136 and 9,885,782, each entitled “VEHICLE OPERATOR AND/OR OCCUPANT INFORMATION APPARATUS AND METHOD” (hereinafter collectively referred to as “the Patents-in-Suit”).
8. The patent application that issued as the ’782 Patent is a continuation application of U.S. Patent Application Ser. No. 09/259,957, filed March 1, 1999, and entitled “VEHICLE OPERATOR AND/OR OCCUPANT INFORMATION APPARATUS AND METHOD”, now U.S. Pat. No. 9,075,136. U.S. Patent Application Ser. No. 09/259,957, filed March 1, 1999, claims priority to U.S. Provisional Patent Application Ser. No. 60/076,800, filed March 4, 1998, and entitled “VEHICLE OPERATOR AND/OR OCCUPANT INFORMATION APPARATUS AND METHOD.”
9. The Patents-in-Suit are valid, enforceable, and were duly issued in full compliance with Title 35 of the United States Code.
10. The inventions described and claimed in the Patents-in-Suit were invented by Raymond Anthony Joao.
11. The priority date of each of the Patents-in-Suit is at least as early as March 4, 1998.
12. The Patents-in-Suit relate generally to an apparatus and method for providing a user with one or more possible travel routes to a destination, as well as additional information regarding the one or more possible travel routes, such as traffic conditions, road conditions, traffic flow, weather information and/or other useful information.
13. During prosecution of the ’782 Patent, the patent examiner considered whether the claims of the ’782 Patent were eligible under 35 USC §101 in view of the United States Supreme Court’s decision in *Alice*. The patent examiner found that the claims are in fact patent eligible under 35 USC §101 because all pending claims are directed to patent-eligible subject matter, none of the pending claims

are directed to an abstract idea and there would be no preemption of the abstract idea or the field of the abstract idea.

SAMSUNG'S PRODUCTS

14. Upon information and belief, Samsung sells, advertises, offers for sale, uses, or otherwise provides mobile devices that utilize the Android operating system including, but not necessarily limited to, the “Galaxy Fold,” “Galaxy 5G,” “Galaxy S,” “Galaxy Note,” “Galaxy A,” “Galaxy M,” “Galaxy Grand,” “Galaxy On,” “Galaxy C” and “Galaxy J” series of mobile devices (“Accused Instrumentalities”) that infringe the Patents-in Suit.

COUNT I

(Infringement of U.S. Patent No. 9,885,782)

15. Plaintiff incorporates the above paragraphs by reference.
16. Samsung has been on notice of the '782 Patent at least as early as the date it received service of this Original Complaint.
17. Upon information and belief, Samsung has directly infringed and continues to directly infringe at least Claims 1, 2 and 7 of the '782 Patent by making, using, importing, selling, and/or, offering for sale the Accused Instrumentalities.
18. Samsung, with knowledge of the '782 Patent, also infringes at least Claims 1, 2 and 7 of the '782 Patent by inducing others to infringe the '782 Patent. In particular, Samsung intends to induce its customers to infringe the '782 Patent by encouraging its customers to use the Accused Instrumentalities in a manner that results in infringement.
19. Samsung also induces others, including its customers, to infringe at least Claims 1, 2 and 7 of the '782 Patent by providing technical support for the use of the Accused Instrumentalities.

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