

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

Flexiworld Technologies, Inc.,

Plaintiff,

v.

**Amazon.com, Inc.,
Amazon.com Services, Inc., and
Amazon Web Services, Inc.,**

Defendants.

Case No.

Patent Case

Jury Trial Demanded

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Flexiworld Technologies, Inc., files this Original Complaint for patent infringement against Amazon.com, Inc., Amazon.com LLC, Amazon.com Services, Inc., and Amazon Web Services, Inc., alleging as follows:

NATURE OF THE SUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. Plaintiff **Flexiworld Technologies, Inc.** (“Plaintiff” or “Flexiworld”) is a Washington corporation with its principal place of business at 2716 SE 169th Ave Q147, Vancouver, WA.

3. Defendant **Amazon.com, Inc.** (“AI”) is a Delaware corporation with a principal place of business located at 410 Terry Avenue North, Seattle, Washington 98109.

4. Defendant **Amazon.com Services, Inc.** (“ASI”) is a Delaware corporation with a principal place of business located at 410 Terry Avenue North, Seattle, Washington 98109. ASI is registered to do business in Texas and can be served via its registered agent, Corporation

Service Company dba CSC – Lawyers Incorporating Service Company at 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

5. Defendant **Amazon Web Services, Inc. (“AWSI”)** is a Delaware corporation with a principal place of business located at 410 Terry Avenue North, Seattle, Washington 98109. AWSI is registered to do business in Texas and can be served via its registered agent, Corporation Service Company dba CSC – Lawyers Incorporating Service Company at 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

6. Defendants AI, ALLC, ASI, and AWSI are each individually liable and are jointly and severally liable for infringement of the Patents-in-Suit. Under theories of alter ego, single business enterprise liability, and agency, the conduct of each can be attributed to and considered the conduct of the others for purposes of infringement of the Patents-in-Suit. AI, ALLC, ASI, and AWSI have in the past and continue to hold themselves out as a single entity – “Amazon” – acting in concert, with knowledge of each other’s actions and control over each other.

7. Defendants AI, ALLC, ASI, and AWSI are hereinafter collectively referred to as **“Defendants”** or **“Amazon.”**

JURISDICTION AND VENUE

8. This action arises under the patent laws of the United States, 35 U.S.C. § 101, *et seq.* This Court’s jurisdiction over this action is proper under the above statutes, including 35 U.S.C. § 271, *et seq.*, 28 U.S.C. § 1331 (federal question jurisdiction), and § 1338 (jurisdiction over patent actions).

9. Amazon is subject to personal jurisdiction in this Court. In particular, this Court has personal jurisdiction over Amazon because Amazon has engaged in continuous, systematic, and substantial activities within this State, including substantial marketing and sales of products within this State and this District. Furthermore, upon information and belief, this Court has

personal jurisdiction over Amazon because Amazon has committed acts giving rise to Flexiworld's claims for patent infringement within and directed to this District.

10. Upon information and belief, Amazon has committed acts of infringement in this District and has one or more regular and established places of business within this District under the language of 28 U.S.C. § 1400(b). Thus, venue is proper in this District under 28 U.S.C. § 1400(b).

11. Amazon maintains a permanent physical presence within the Western District of Texas, conducting business from at least its locations at 11501 and 11601 Alterra Parkway, Austin, Texas 78758.

12. Upon information and belief, Amazon has conducted and does conduct substantial business in this forum, directly and/or through subsidiaries, agents, representatives, or intermediaries, such substantial business including but not limited to: (i) at least a portion of the infringements alleged herein; (ii) purposefully and voluntarily placing one or more infringing products into the stream of commerce with the expectation that they will be purchased by consumers in this forum; or (iii) regularly doing or soliciting business, engaging in other persistent courses of conduct, or deriving substantial revenue from goods and services provided to individuals in Texas and in this judicial district.

13. Venue is proper in the Western District of Texas pursuant to 28 U.S.C. §1391 and 28 U.S.C. § 1400(b).

FLEXIWORLD AND THE PATENTS-IN-SUIT

14. Flexiworld is a pioneer and leading innovator in the field of pervasive wireless technologies.

15. Flexiworld was founded by American scientist and inventor William Ho Chang and is an innovator engaged in research and development of technologies for wireless applications and embedded solutions in short-range wireless (*e.g.*, Bluetooth, WiFi) and mobile device markets.

16. Flexiworld has significantly contributed to the innovation of wireless devices such as mobile phones, notebooks, PDAs, digital cameras, wireless television, wireless printers, and wireless audio devices, etc.

17. Flexiworld was voted the best early stage company in the Pacific Northwest in 2002 and Flexiworld's business plan was also voted, consecutively, as the top 2 among the "Ten Best" in 2002 and in 2003 by the Business Journal in Silicon Valley, USA.

18. Flexiworld's innovative work and results have been widely recognized in the industry. The company's patents have been repeatedly forward cited by major technology companies worldwide, including by Amazon.

19. Flexiworld develops wireless applications and embedded solutions for the short-range wireless and mobile device market.

20. William H. Chang, one of the named co-inventors on the Patents-in-Suit, is the founder and President of Flexiworld. Mr. Chang has been granted over 77 United States patents and over 91 patents worldwide on his inventions.

21. Christina Ying Liu, one of the named co-inventors on the Patents-in-suit, is a Flexiworld shareholder. Ms. Liu has been granted over 60 United States patents and over 70 patents worldwide on her inventions.

22. This cause of action asserts infringement of United States Patent Nos. 8,332,521 ("the '521 Patent"), 8,989,064 ("the '064 Patent"), 9,110,622 ("the '622 Patent"), 10,133,527

(“the ’527 Patent”), 10,140,072 (“the ’072 Patent”), 10,162,596 (“the ’596 Patent”), 10,387,087 (“the ’087 Patent”), 10,481,846 (“the ’846 Patent”), 10,489,096 (“the ’096 Patent”), and 10,642,576 (“the ’576 Patent”) (collectively, the “Patents-in-Suit”).

The ’521 Patent

23. The ’521 Patent, entitled “Internet-pad specification, the internet-pad specification may include a touch sensitive screen, a digital camera, a document application, icons over the touch sensitive screen for user selection, a wireless communication unit for wireless connectivity, a digital content application for playing digital content, and an operating system supporting application programming interface,” duly and legally issued on December 11, 2012, from U.S. Patent Application No. 12/903,048, filed on October 12, 2010, naming William Ho Chang and Christina Ying Liu as the inventors. A true and correct copy of the ’521 Patent is attached hereto as **Exhibit 1** and is incorporated by reference.

24. The ’521 Patent claims patent-eligible subject matter under 35 U.S.C. § 101.

25. Flexiworld is the owner and assignee of all rights, title, and interest in and under the ’521 Patent.

26. An assignment of the ’521 Patent from inventors Chang and Liu to Flexiworld is recorded at the United States Patent and Trademark Office (“PTO”) at Reel/Frame 026177/0419.

27. Flexiworld has standing to sue for infringement of the ’521 Patent.

The ’064 Patent

28. The ’064 Patent, entitled “Wireless controller wire connectable to output devices such as televisions for accessing digital content and for wireless communication with mobile information apparatus,” duly and legally issued on March 24, 2015, from U.S. Patent Application No. 11/929,445, filed on October 30, 2007, naming William Ho Chang and Christina Ying Liu as

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