

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

Lynk Labs, Inc.,

Plaintiff,

v.

Samsung Electronics Co., Ltd. and Samsung
Electronics America, Inc.

Defendants.

Case No. 6:21-cv-00526

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT
INFRINGEMENT**

Plaintiff, Lynk Labs, Inc. (“Lynk”), files this complaint for patent infringement against Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (together, “Samsung”) and in support thereof alleges and avers as follows:

NATURE OF THE ACTION

1. This is a civil action arising under the patent laws of the United States, 35 U.S.C. § 1 et seq., specifically including 35 U.S.C. § 271, based on Samsung’s infringement of U.S. Patent No. 11,019,697 (the “’697 Patent”). The ’697 Patent is attached hereto as Exhibit A.

THE PARTIES

2. Lynk is a corporation incorporated in the State of Illinois with its principal place of business at 2511 Technology Drive, Suite 108, Elgin, Illinois 60124. Before then, Lynk’s principal place of business was 585 Tollgate Road, Suite E, Elgin, Illinois 60017.

3. Upon information and belief, Defendant Samsung Electronics Co., Ltd. (“Samsung Korea”) is a corporation organized under the laws of South Korea, with its principal place of business at 129 Samsung-Ro, Maetan-3dong, Yeongtong-gu, Suwon-si, Gyeonggi-do, 443-742, South Korea.

4. Upon information and belief, Defendant Samsung Electronics America, Inc. (“Samsung America”) is a wholly-owned subsidiary of Samsung Electronics Co., Ltd. and a corporation organized under the laws of the State of New York, with its principal place of business at 85 Challenger Rd., Ridgefield Park, New Jersey 07660.

5. Defendants Samsung Korea and Samsung America are each individually liable and are jointly and severally liable for infringement of the ’697 Patent. Under theories of alter ego, single business enterprise liability, and agency, the conduct of each can be attributed to and considered the conduct of others for purposes of infringement of the ’697 Patent. SEC and SEA have in the past and continue to hold themselves out in the United States as a single entity—

“Samsung”—acting in concert, with knowledge of each other’s actions and control over each other.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the claims arise under the patent laws of the United States, 35 U.S.C. § 1 et seq., including 35 U.S.C. § 271.

7. This Court has personal jurisdiction over Samsung in this action because its contacts with the Western District of Texas are significant and pervasive. Samsung has committed acts within the Western District of Texas giving rise to this action and Samsung has established minimum contacts with this forum such that the exercise of jurisdiction over Samsung would not offend traditional notions of fair play and substantial justice.

8. Upon information and belief, Samsung has committed and continues to commit acts of infringement in this District by, among other things, (i) availing itself of the rights and benefits of the laws of the State of Texas, (ii) transacting, conducting, and/or soliciting business and engaged in a persistent course of conduct in the State of Texas (and in this District), (iii) deriving substantial revenue from the sales and/or use of products, such as the products accused in this lawsuit (the “Accused Products”), in the State of Texas (and in this District), (iv) purposefully directing activities (directly and/or through intermediaries), such as shipping, distributing, offering for sale, selling, and/or advertising the Accused Products, at residents of the State of Texas (and residents in this District), (v) delivering Accused Products into the stream of commerce with the expectation that the Accused Products will be used and/or purchased by consumers in the State of Texas (and in this District), and (vi) committing acts of patent infringement in the State of Texas (and in this District).

9. Specifically, Samsung has regular and established places of businesses in this District, including at 12100 Samsung Boulevard, Austin, Texas 78754; 7300 Ranch Road 2222, Austin, Texas 78730; and 1700 Scenic Loop, Round Rock, Texas 78681. Upon information and belief, Samsung employs approximately 10,000 employees and contractors in this District serving in a variety of capacities, including the manufacturing and research and development of components used in the Accused Products.

10. Upon information and belief, Samsung's presence in the District continues to grow, as Samsung recently purchased approximately 258 acres of additional land on which it plans to expand its existing facilities in the District with a new \$17 billion factory that is expected to bring 1,800 new permanent jobs to the District in the first 10 years. Samsung is seeking approximately \$1 billion in state and local tax incentives in connection with its planned expansion. *See Exhibit B, Austin American-Statesman, Samsung wants \$1 billion tax incentive for new Austin plant that would create 1,800 jobs (Feb 4, 2021), available at <https://www.statesman.com/story/business/2021/02/04/samsung-austin-expansion-chip-plant-seeks-1-billion-taxpayer-incentives/4309503001/>.*

11. Likewise, Samsung makes, sells, and offers for sale LED lighting and consumer electronic products including, but not limited to, smartphones and tablet computers, throughout the United States, including in this District.

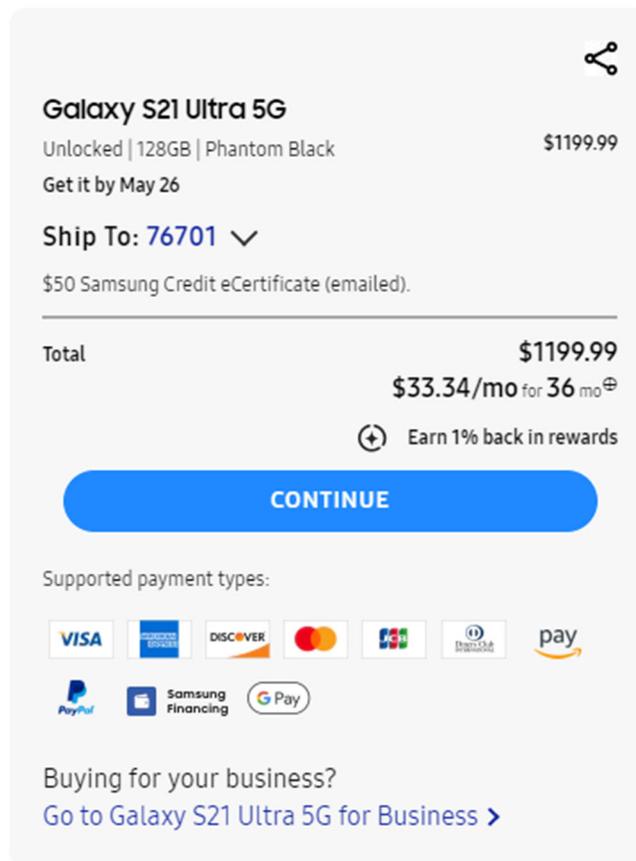
12. Further, Samsung America is registered to do business in the State of Texas, and has appointed CT Corporation System, located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201, as its registered agent.

13. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

14. For instance, venue is proper as to a foreign defendant in any district. 28 U.S.C. § 1391(c)(3); *In re HTC Corp.*, 889 F.3d 1349 (Fed. Cir. 2018). Defendant Samsung Korea is a foreign corporation organized under the laws of Korea, with a principal place of business in Korea.

15. Further, Samsung has committed acts of direct infringement in this District.

16. For example, the accused Samsung Galaxy S21 Ultra is available for sale to customers in this District on the Samsung website:



17. Upon information and belief, the other products accused of infringement in this Complaint are similarly sold in this District through, *inter alia*, the physical and online stores of authorized Samsung retailers such as Best Buy, Target, AT&T, T-Mobile, and Verizon.

FACTUAL BACKGROUND

18. Lynk was founded in 1997 by Mike Miskin, who is and was President and CEO of Lynk. Since its inception, Lynk has been a technology pioneer, challenging industry

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