

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

MR TECHNOLOGIES, GMBH,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION,

Defendant.

Case No. 6:22-cv-00612

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.*, in which Plaintiff MR Technologies, GmbH (“MR Technologies” or “Plaintiff”) make the following allegations against Defendant Western Digital Technologies, Inc. (“Defendant” or “Western Digital”):

INTRODUCTION

1. This complaint arises from Defendant’s unlawful infringement of the following United States patents owned by Sues: U.S. Patent No. 9,978,413 (“’413 Patent”); U.S. Patent No. 9,928,864 (“’864 Patent”); U.S. Patent No. 11,133,031 (“’031 Patent”); and U.S. Patent No. 11,138,997 (“’997 Patent”) (collectively the “Asserted Patents”).

PARTIES

2. MR Technologies is a privately held company, having its principal place of business at Nibelungengasse 11/4, 1010 Vienna, Austria.

3. Western Digital Corporation is a Delaware corporation with a principal place of business at 5601 Great Oaks Parkway, San Jose, CA 95519. Western Digital, on information and

belief, designs and manufactures, among other things, magnetic recording media such as hard disk drives. Western Digital may be served with process through its registered agent, the Corporation Service Company, at 251 Little Falls Drive, Wilmington, Delaware, 19808.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant in this action because Defendant has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial justice. Defendant, directly and through subsidiaries or intermediaries, has committed and continue to commit acts of infringement in this District by, among other things, importing, offering to sell, and selling products that infringe the asserted patents.

6. Venue is proper in this District under 28 U.S.C. § 1400(b). Upon information and belief, Defendant has transacted business in this District and has committed acts of direct and indirect infringement in this District by, among other things, making, using, offering to sell, selling, and importing products that infringe the asserted patents. Defendant has at least one regular and established place of business in the District. For example, Western Digital has offices at 3600 W. Parmer Ln, STE 160, Austin, TX 78727, and 7501 N Capital Of Texas Hwy, Austin, TX, 78731-1712.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 9,978,413

7. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

8. MR Technologies is the owner and assignee of United States Patent No. 9,978,413 titled “Multilayer exchange spring recording media.” The ‘413 Patent was duly and legally issued by the United States Patent and Trademark Office on May 22, 2018. MR Technologies is the owner and assignee, possessing all substantial rights, to the ‘413 Patent. A true and correct copy of the ‘413 Patent is attached as Exhibit 1.

9. Defendant makes, uses, offers for sale, sells, and/or imports into the United States certain products and services that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ‘413 Patent, and continue to do so. By way of illustrative example, these infringing products and services include, without limitation, Defendant’s magnetic hard disk drives, including, for example, the Western Digital WD80EFX (8TB), and all versions and variations thereof since the issuance of the ‘413 Patent (“Accused Products”).

10. Defendant has had knowledge of the ‘413 patent from a date no later than October 14, 2021. Defendant has known how the Accused Products are made and has known, or has been willfully blind to the fact, that making, using, offering to sell, and selling the accused products within the United States, or importing the Accused Products into the United States, would constitute infringement.

11. Defendant has induced, and continues to induce, infringement of the ‘413 patent by actively encouraging others (including distributors and end customers) to use, offer to sell, sell, and import the Accused Products. On information and belief, these acts include providing

information and instructions on the use of the Accused Products; providing information, education and instructions supporting sales by distributors; providing the Accused Products to distributors; and indemnifying patent infringement within the United States.

12. Defendant has also infringed, and continue to infringe, claims of the '413 patent by offering to commercially distribute, commercially distributing, making, and/or importing the Accused Products, which are used in practicing the process, or using the systems, of the patent, and constitute a material part of the invention. Defendant knows the components in the Accused Products to be especially made or especially adapted for use in infringement of the patent, not a staple article, and not a commodity of commerce suitable for substantial noninfringing use. Accordingly, Defendant has been, and currently are, contributorily infringing the '413 patent, in violation of 35 U.S.C. § 271(c).

13. The Accused Products satisfy all claim limitations of one or more claims of the '413 Patent. For example, the Accused Products infringe claim 1 of the '413 Patent. One, non-limiting, example of the Accused Products infringement is presented below.

14. The Accused Products include: “[a] magnetic recording medium, comprising.” For example, the Accused Products, including the Western Digital WD80EFX (8TB), have a magnetic recording medium.



<https://www.westerndigital.com/products/internal-drives/wd-red-pro-sata-hdd#WD8003FFBX>

15. Based on information and belief, the Accused Products include: “an essentially non-magnetic substrate.” For example, the Accused Products, including the Western Digital WD80EFX (8TB), have a non-magnetic substrate, as demonstrated by a paper written by engineers at Western Digital, which describes a disk in an HDD product having a non-magnetic substrate, such as glass.

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.