

1  
2  
3 UNITED STATES DISTRICT COURT  
4 FOR THE WESTERN DISTRICT OF WASHINGTON  
5 AT SEATTLE

6 **PEARL IP LICENSING LLC,**

7 Plaintiff,

8 v.

9 **HTC AMERICA, INC.,**

10 Defendant.  
11

CASE NO. 20-CV-1850

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

12  
13 Plaintiff Pearl IP Licensing LLC, by and through the undersigned counsel,  
14 files this Complaint for patent infringement against Defendant, and in support  
15 states, all upon information and belief:  
16

17 **PARTIES**

18  
19 1. Plaintiff Pearl IP Licensing LLC (“Pearl IP” or “Plaintiff”) is a limited  
20 liability company organized and existing under the laws of the State of Texas and  
21 having its registered office at 815 Brazos St, Ste 500, Austin, TX 78701 and an  
22 office address at 2108 Dallas Pkwy, Ste 214 - 1042, Plano, TX 750 93-4362.  
23  
24  
25  
26  
27

MANN LAW GROUP PLLC

2. Defendant HTC America, Inc. (“HTC” or “Defendant”) is a corporation organized and existing under the laws of the State of Washington, with a principal place of business at 308 Occidental Avenue South – Suite 300, Seattle, Washington 98104. HTC is registered to do business, and has a registered office, in this State at Cogency Global, Inc., 1780 Barnes Boulevard SW, Tumwater, Washington 98512.

### **JURISDICTION AND VENUE**

3. Defendant conducts business operations within the Western District of Washington. Defendant has directly and/or through subsidiaries or intermediaries committed and continues to commit acts of infringement in this District by, among other things, offering to sell and selling products that infringe the patent-in-suit.

4. Venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d). Defendant is registered to do business in the State of Washington, has an office in the State of Washington, has transacted business in the Western District of Washington and has committed acts of direct infringement in the Western District of Washington.

5. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b). Defendant maintains a regular and established place of business in this District.

**PATENT 6,819,539**

1           6.     U.S. Patent No. 6,819,539, entitled “Method For Circuit Recovery  
2  
3 From Overstress Conditions” (the “539 Patent”) was duly and legally issued on  
4 November 16, 2004. A true and correct copy of the ’539 Patent is attached as  
5 Exhibit A.  
6

7           7.     The ’539 Patent disclosed and exemplified a unique and valuable  
8  
9 apparatus for circuit recovery from overstress conditions, comprising circuits for  
10 detecting an event and resetting a device when the event is a first predetermined  
11 type and circuits for providing recovery when the event is a second predetermined  
12 type. (See ’539 Patent Abstract).  
13

14           8.     Plaintiff is the named assignee of, owns all right, title and interest in,  
15  
16 and has standing to sue and recover all past damages for infringement of the ’539  
17 Patent.  
18

19                   **COUNT I – INFRINGEMENT OF THE ’539 PATENT**

20           9.     Plaintiff restates and incorporates by reference the foregoing  
21  
22 allegations.  
23  
24  
25  
26  
27

10. In violation of 35 U.S.C. §271, Defendant directly infringed at least claim 8 of the '539 Patent by selling apparatus within the scope of claim 8 of the '539 Patent (“Accused Instrumentality”).

11. Attached hereto as Exhibit B, and incorporated herein by reference, is a claim chart detailing the correspondence between one exemplary version of an Accused Instrumentality and claim 8 of the '539 Patent.

12. Defendant has had knowledge of infringement of the '539 Patent at least as of the service of the present Complaint.

13. As a result of Defendant’s infringement of the '539 Patent, Plaintiff has suffered damages.

14. Plaintiff is entitled to a money judgment in an amount adequate to compensate for Defendant’s infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the Court.

15. Plaintiff reserves the right to modify its infringement theories as discovery progresses in this case; it shall not be estopped for infringement contention or claim construction purposes by the claim charts that it provides with this Complaint. The claim chart depicted in Exhibit B is intended to satisfy the

notice requirements of Rule 8(a)(2) of the Federal Rule of Civil Procedure and  
1 does not represent Plaintiff’s preliminary or final infringement contentions or  
2 preliminary or final claim construction positions.  
3

4 **DEMAND FOR JURY TRIAL**

5  
6 16. Plaintiff demands a trial by jury of any and all causes of action.  
7

8 **PRAYER FOR RELIEF**

9  
10 Plaintiff Pearl IP respectfully requests that the Court find in its favor and  
11 against Defendant, and that the Court grant Plaintiff the following relief:

- 12 a. an adjudication that Defendant has infringed the ’539 Patent;  
13  
14 b. an award of damages to be paid by Defendant adequate to compensate

15 Plaintiff for Defendant’s past infringement of the ’539 Patent through its  
16 expiration, including pre-judgment and post-judgment interest, costs, expenses,  
17 and an accounting of all infringing acts; and  
18

19 //  
20 //  
21 //  
22 //  
23 //  
24 //  
25 //  
26 //

# 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.