

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CASCADES COMPUTER
INNOVATION, LLC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.

Defendant.

Case No. 1:14-cv-5691

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Cascades Computer Innovation, LLC (“Cascades”), alleges the following:

NATURE OF THE SUIT

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

PARTIES

2. Cascades is an Illinois limited liability company having its principal place of business at 500 Skokie Boulevard, Suite 250, Northbrook, Illinois 60062.

3. Samsung Electronics Co., Ltd. (“Samsung”) is a foreign corporation with corporate headquarters at 250, 2-ga, Taepyung-ro, Jung-gu, Seoul 100-742, Republic of Korea.

JURISDICTION AND VENUE

4. Cascades’ claim for patent infringement against Samsung arises under the patent laws of the United States, including 35 U.S.C. §§ 271 and 281. Consequently, this Court has original subject matter jurisdiction over this suit under 28 U.S.C. §§ 1331 and 1338.

5. Samsung imports into and sells products throughout the United States. It also conducts substantial business in this judicial district, including sending products accused of infringement into this judicial district.

6. Samsung is subject to both specific and general personal jurisdiction of this Court because, among other things, it has established continuous and systematic contacts with Illinois and in this judicial district; it has committed acts within Illinois and this judicial district giving rise to this action; and it has minimum contacts with the forum such that the exercise of jurisdiction over it would not offend traditional notions of fair play and substantial justice.

7. Samsung has established distribution networks placing products that are covered by claims of Cascades' '130 patent into the stream of commerce such that those products flow into Illinois and this district.

8. Samsung has also committed acts of patent infringement and/or contributed to others' acts of patent infringement within this district.

9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and/or 1400(b).

PATENT INFRINGEMENT

10. On April 2, 2002, United States Patent No. 6,366,130 (the "'130 patent"), entitled "High Speed Low Power Data Transfer Scheme," was duly and legally issued by the United States Patent and Trademark Office ("PTO").

11. Cascades owns the exclusive license and right to sue for past, present and future infringement of the '130 patent.

12. Samsung is now and has been infringing the '130 patent, literally and under the doctrine of equivalents, by, among other things, making, using, offering to sell, selling, and/or importing products that infringe one or more claims of the '130 patent.

13. Such infringing products include, but are not limited to, DRAM memory products such as Samsung's DDR2 products. An example of an infringing product is Samsung's K4T51083QC 512Mb DDR2 SRAM, although other, more recent generations of DRAM are believed to be covered by the '130 patent in a similar fashion.

14. Samsung was aware of the '130 patent at least as early as April 7, 2011, when Cascades contacted Samsung advising it of the need for a license under the '130 and other patents.

15. The parties actually met in Chicago in June 2011 to attempt a settlement of the infringement issues, but were unsuccessful in reaching agreement.

16. After further investigative effort, on May 9, 2014, Cascades sent Samsung a claim chart comparing claim 1 of the '130 patent against Samsung's K4T51083QC 512Mb DDR2 SRAM, and pointed out that other, more recent generations of DRAM are covered by the '130 claims in a similar fashion.

17. Samsung never responded to Cascades' May 9, 2014 letter or any of Cascades' efforts to follow-up on this letter.

18. Samsung has continued its infringing activities, despite knowing that there was at least an objectively high likelihood that its actions constituted infringement of the '130 patent. This case is, therefore, beyond the norm and, hence, subject to discretionary enhancement of damages under 35 U.S.C. § 284 and attorneys' fees and costs under 35 U.S.C. § 285.

19. Cascades has been and continues to be damaged by Samsung's actions.

PRAYER FOR RELIEF

WHEREFORE, Cascades prays for the following relief:

A. A judgment finding that Samsung has infringed the '130 patent under 35 U.S.C. § 271(a), (b) and (c);

- B. A judgment that the '130 patent is valid and enforceable;
- C. A permanent injunction enjoining Samsung, its agents, officers, assigns and others acting in concert with them, from infringing, inducing infringement of and/or contributing to infringement of the '130 patent;
- D. An award of damages adequate to compensate Cascades for the infringement of the '130 patent that has occurred;
- E. An award of pre-judgment interest and post-judgment interest on the damages awarded;
- F. A judgment that Cascades is entitled to discretionary enhancement of its damages and other relief provided by 35 U.S.C. § 284;
- G. A determination that this is an exceptional case and an award of Cascades' attorneys' fees pursuant to 35 U.S.C. § 285 and any other applicable statute or law, and an award to Cascades of its costs; and,
- H. Such other further relief as the Court deems reasonable.

JURY DEMAND

Plaintiff demands a trial by jury on all issues triable to a jury.

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