

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RESONANT SYSTEMS, INC., d/b/a
RevelHMI,

Plaintiff,

v.

SONY GROUP CORPORATION and SONY
INTERACTIVE ENTERTAINMENT, INC.,

Defendants.

Case No.

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT AGAINST SONY GROUP
CORPORATION AND SONY INTERACTIVE ENTERTAINMENT, INC.**

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 Resonant Systems, Inc., doing business as RevelHMI (“Plaintiff” or “RevelHMI”) makes the following allegations against Defendants Sony Group Corporation and Sony Interactive Entertainment, Inc. (collectively “Defendants” or “Sony”):

INTRODUCTION

1. This complaint arises from Sony’s unlawful infringement of the following United States patents owned by Plaintiff, which relate to improvements in haptic feedback devices: United States Patent Nos. 8,860,337 (the “’337 Patent”), 9,369,081 (the “’081 Patent”), and 9,941,830 (the “’830 Patent”) (collectively, the “Asserted Patents”).

PARTIES

2. Plaintiff is a corporation organized and existing under the laws of the state of Washington, with a place of business at 520 South King Street, Seattle, Washington 98104. Plaintiff is the sole owner by assignment of all right, title, and interest in the Asserted Patents, including the right to recover damages for past, present, and future infringement.

3. On information and belief, Defendant Sony Group Corporation is a publicly traded corporation organized under the laws of Japan, with its principal place of business at 1-7-1 Konan Minato-ku, Tokyo, 108-0075 Japan.

4. On information and belief, Defendant Sony Interactive Entertainment, Inc. is a company organized under the laws of Japan, with its principal place of business at 1-7-1 Konan Minato-ku, Tokyo, 108-0075 Japan.

JURISDICTION AND VENUE

5. 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).

6. This Court has personal jurisdiction over Sony in this action because Sony 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 Sony would not offend traditional notions of fair play and substantial justice. Sony, directly and through subsidiaries or intermediaries, has committed and continues to commit acts of infringement in this District by, among other things, importing, offering to sell, and selling products that infringe the Asserted Patents, and inducing others to do the same.

7. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b). Defendants Sony Group Corporation and Sony Interactive, Inc. are both foreign corporations. Venue is proper as to a foreign defendant in any district. 28 U.S.C. § 1391(c)(3).

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 8,860,337

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

9. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 8,860,337, entitled “Linear vibration modules and linear-resonant vibration modules.” The ’337 Patent was duly and legally issued by the United States Patent and Trademark Office on October 14, 2014. A true and correct copy of the ’337 Patent is attached as Exhibit 1.

10. On information and belief, Sony makes, uses, offers for sale, sells, and/or imports certain products with linear vibration motor technology, including without limitation Sony PlayStation 5 DualSense Wireless Controller (collectively, “Accused Products”), that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ’337 Patent. The Accused Products satisfy all claim limitations of one or more claims of the ’337 Patent. A claim chart comparing exemplary independent claim 2 of the ’337 Patent to representative Accused Products is attached as Exhibit 2.

11. Sony also knowingly and intentionally induces infringement of one or more claims of the ’337 Patent in violation of 35 U.S.C. §271 (b). Through pre-filing communications from Plaintiff, and through at least the filing and service of this Complaint, Sony has had knowledge of the ’337 Patent and the infringing nature of the Accused Products. Despite this knowledge of

the '337 Patent, Sony continues to make, use, sell, and offer for sale the Accused Products, and to actively encourage and instruct customers and other companies to make, use, sell, import, and offer for sale the Accused Products in ways that directly infringe the '337 Patent. Sony does so knowing and intending that these companies will commit these infringing acts.

12. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Sony has injured Plaintiff and is liable for infringement of the '337 Patent pursuant to 35 U.S.C. § 271.

13. As a result of Sony's infringement of the '337 Patent, Plaintiff is entitled to monetary damages in an amount adequate to compensate for Sony's infringement, but in no event less than a reasonable royalty for the use made of the invention by Sony, together with interest and costs as fixed by the Court.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 9,369,081

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

15. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 9,369,081, entitled "Linear vibration modules and linear-resonant vibration modules." The '081 Patent was duly and legally issued by the United States Patent and Trademark Office on June 14, 2016. A true and correct copy of the '081 Patent is attached as Exhibit 3.

16. On information and belief, Sony makes, uses, offers for sale, sells, and/or imports products with linear vibration motor technology, including without limitation Sony PlayStation 5 DualSense Wireless Controller (collectively, "Accused Products"), that directly infringe, literally

and/or under the doctrine of equivalents, one or more claims of the '081 Patent. The Accused Products satisfy all claim limitations of one or more claims of the '081 Patent. A claim chart comparing exemplary independent claim 1 of the '081 Patent to representative Accused Products is attached as Exhibit 4.

17. Sony also knowingly and intentionally induces infringement of one or more claims of the '081 Patent in violation of 35 U.S.C. §271 (b). Through pre-filing communications from Plaintiff, and through at least the filing and service of this Complaint, Sony has had knowledge of the '081 Patent and the infringing nature of the Accused Products. Despite this knowledge of the '081 Patent, Sony continues to make, use, sell, and offer for sale the Accused Products, and to actively encourage and instruct customers and other companies to make, use, sell, import, and offer for sale the Accused Products in ways that directly infringe the '081 Patent. Sony does so knowing and intending that these companies will commit these infringing acts.

18. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Sony has injured Plaintiff and is liable for infringement of the '081 Patent pursuant to 35 U.S.C. § 271.

19. As a result of Sony's infringement of the '081 Patent, Plaintiff is entitled to monetary damages in an amount adequate to compensate for Sony's infringement, but in no event less than a reasonable royalty for the use made of the invention by Sony, together with interest and costs as fixed by the Court.

COUNT III

INFRINGEMENT OF U.S. PATENT NO. 9,941,830

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

21. Plaintiff owns by assignment all rights, title, and interest, including the right to recover damages for past, present, and future infringement, in U.S. Patent No. 9,941,830, entitled “Linear vibration modules and linear-resonant vibration modules.” The ’830 Patent was duly and legally issued by the United States Patent and Trademark Office on April 18, 2018. A true and correct copy of the ’830 Patent is attached as Exhibit 5.

22. On information and belief, Sony makes, uses, offers for sale, sells, and/or imports products with linear vibration motor technology, including without limitation Sony PlayStation 5 DualSense Wireless Controller (collectively, “Accused Products”), that directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the ’830 Patent. The Accused Products satisfy all claim limitations of one or more claims of the ’830 Patent. A claim chart comparing exemplary independent claim 1 of the ’830 Patent to representative Accused Products is attached as Exhibit 6.

23. Sony also knowingly and intentionally induces infringement of one or more claims of the ’830 Patent in violation of 35 U.S.C. §271 (b). Through pre-filing communications from Plaintiff, and through at least the filing and service of this Complaint, Sony has had knowledge of the ’830 Patent and the infringing nature of the Accused Products. Despite this knowledge of the ’830 Patent, Sony continues to make, use, sell, and offer for sale the Accused Products, and to actively encourage and instruct customers and other companies to make, use, sell, import, and offer for sale the Accused Products in ways that directly infringe the ’830 Patent. Sony does so knowing and intending that these companies will commit these infringing acts.

24. By making, using, offering for sale, selling and/or importing into the United States the Accused Products, Sony has injured Plaintiff and is liable for infringement of the ’830 Patent pursuant to 35 U.S.C. § 271.

25. As a result of Sony's infringement of the '830 Patent, Plaintiff is entitled to monetary damages in an amount adequate to compensate for Sony's infringement, but in no event less than a reasonable royalty for the use made of the invention by Sony, together with interest and costs as fixed by the Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

a. A judgment in favor of Plaintiff that Sony has infringed, either literally and/or under the doctrine of equivalents, the '337, '081, and '830 Patents;

b. A judgment and order requiring Sony to pay Plaintiff its damages, costs, expenses, and pre-judgment and post-judgment interest for Sony's infringement of the '337, '081, and '830 Patents;

c. A judgment and order requiring Sony to pay Plaintiff compulsory ongoing licensing fees, as determined by the Court;

d. A judgment and order requiring Sony to provide an accounting and to pay supplemental damages to Plaintiff, including without limitation, pre-judgment and post-judgment interest and compensation for infringing products released after the filing of this case that are not colorably different from the Accused Products;

e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees against Sony; and

f. Any and all other relief as the Court may deem appropriate and just under the circumstances.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: October 26, 2022

Respectfully submitted,

/s/ Reza Mirzaie

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