

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

TRAFFIC INFORMATION, LLC

*Plaintiff,*

VS.

HUAWEI TECHNOLOGIES CO., LTD.,  
INRIX, INC., METROPCS WIRELESS, INC.,  
CELLULAR USA INC., PERSONAL  
COMMUNICATIONS DEVICES, LLC,  
TELENAV, INC., UTSTARCOM, INC. and  
ZTE (USA) INC.

*Defendants.*



Case No. \_\_\_\_\_

## JURY TRIAL DEMANDED

# COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Traffic Information, LLC (“Traffic”) brings this action against defendants Huawei Technologies Co., Ltd. (“Huawei”), Inrix, Inc. (“Inrix”), MetroPCS Wireless, Inc. (“MetroPCS”), Cellular USA Inc. (“Cellular USA”), Personal Communications Devices, LLC (“PCD”), TeleNav, Inc. (“TeleNav”), UTStarcom, Inc. (“UTStarcom”) and ZTE (USA) Inc. (“ZTE”), and alleges:

## THE PARTIES

**1.** Traffic is a limited liability company organized and existing under the laws of the State of Texas.

2. On information and belief, Huawei is a Chinese company with a principal place of business at HQ Office Building, Huawei Industrial Base, Bantian, Longgang District, Shenzhen 518129, People's Republic of China, where it may be served with process. Huawei has its North American Headquarters located within this judicial district at 1700 Alma Drive, Suite 100, Plano, Texas 75075, and is doing business in this judicial district.

3. On information and belief, Inrix is a corporation organized and existing under the laws of Delaware, has a principal place of business at 10210 NE Points Drive, Suite 300, Kirkland, Washington 98033-7872, has designated its registered agent for purposes of service of process as National Registered Agents, Inc., 160 Greentree Drive, Suite 101, Dover, Delaware 19904, and is doing business in this judicial district.

4. On information and belief, MetroPCS is a corporation organized and existing under the laws of Delaware, has a principal place of business at 2250 Lakeside Blvd., Richardson, Texas 75082-4304, has designated its registered agent for purposes of service of process in Texas as Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company, 211 East 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701-3334, and is doing business in this judicial district.

5. On information and belief, Cellular USA is a corporation organized and existing under the laws of Texas, has a principal place of business at 2401 South Stemmons Freeway, Lewisville, Texas 75067, has designated its registered agent for purposes of service of process in Texas as Ameer Ali Mehdi, 2208 Grand Canyon Court, Carrollton, Texas 75006-1532, and is doing business in this judicial district.

6. On information and belief, PCD is a limited liability company organized and existing under the laws of Delaware, has a principal place of business at 555 Wireless Blvd., Hauppauge, New York 11788, has designated its registered agent for purposes of service of process as Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, and is doing business in this judicial district.

7. On information and belief, TeleNav is a corporation organized and existing under the laws of Delaware, has a principal place of business at 1130 Kifer Road, Sunnyvale, California 94086, has designated its registered agent for purposes of service of process Corporation Service

Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, and is doing business in this judicial district.

8. On information and belief, UTStarcom is a corporation organized and existing under the laws of Delaware, has a principal place of business at 1275 Harbor Bay Parkway, Alameda, California 94502-6553, has designated its registered agent for purposes of service of process in Texas as C T Corporation System, 350 North Saint Paul Street, Dallas, Texas 75201-4240, and is doing business in this judicial district.

9. On information and belief, ZTE is a corporation organized and existing under the laws of New Jersey, has a principal place of business at 2425 N. Central Expressway, Suite 323, Richardson, Texas 75080, has designated its registered agent for purposes of service of process in Texas as Li Mo, 4585 Spencer Drive, Plano, Texas 75024-6355, and is doing business in this judicial district.

#### **JURISDICTION AND VENUE**

10. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.

11. Subject-matter jurisdiction over Traffic's claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

12. On information and belief, each defendant has solicited business in the State of Texas, transacted business within the State of Texas and attempted to derive financial benefit from residents of the State of Texas, including benefits directly related to the instant patent infringement cause of action set forth herein.

**13.** On information and belief, each defendant has placed its allegedly infringing products and services into the stream of commerce throughout the United States with the expectation that they will be used by consumers in this judicial district.

**14.** Each defendant is subject to personal jurisdiction in Texas and this judicial district, and is doing business in this judicial district.

**15.** Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and (c) and 1400(b).

#### **INFRINGEMENT OF THE '606 PATENT**

**16.** Traffic realleges and incorporates by reference the allegations in paragraphs 1-15.

**17.** On August 31, 2004, U.S. Patent No. 6,785,606 ("the '606 patent"), entitled "System For Providing Traffic Information," a copy of which is attached hereto as Exhibit A, was duly and legally issued. Traffic is the owner by assignment of all right, title and interest in and to the '606 patent, including the right to sue for and recover all past, present and future damages for infringement of the '606 patent.

**18.** Each defendant, alone and in conjunction with others, has in the past and continues to infringe, contribute to infringement, and/or induce infringement of the '606 patent by making, using, selling, offering to sell and/or importing, and/or causing others to use, traffic information systems and products and services that alone or in combination with other devices are covered by at least one claim of the '606 patent, and are liable for infringement of the '606 patent pursuant to 35 U.S.C. § 271.

**19.** Each defendant's acts of infringement have caused damage to Traffic, and Traffic is entitled to recover from each defendant the damages sustained by Traffic as a result of each defendant's wrongful acts in an amount subject to proof at trial.

**20.** As a consequence of the infringement complained of herein, Traffic has been irreparably damaged to an extent not yet determined and will continue to be irreparably damaged by such acts in the future unless each defendant is enjoined by this Court from committing further acts of infringement.

**PRAYER FOR RELIEF**

**WHEREFORE**, Traffic prays for entry of judgment that:

- A.** Each defendant has each infringed the '606 patent;
- B.** Each defendant account for and pay to Traffic all damages caused by its individual and/or joint infringement of the '606 patent as complained of herein in accordance with 35 U.S.C. § 284;
- C.** Traffic be granted permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining each defendant, its officers, agents, servants, employees and those persons in active concert or participation with them from further acts of patent infringement;
- D.** Traffic be granted pre-judgment and post-judgment interest on the damages caused to it by reason of each defendant's patent infringement complained of herein;
- E.** Traffic be granted its reasonable attorneys' fees;
- F.** Costs be awarded to Traffic; and,
- G.** Traffic be granted such other and further relief as the Court may deem just and proper under the circumstances.

**DEMAND FOR JURY TRIAL**

Traffic demands trial by jury on all claims and issues so triable.

Respectfully submitted,

Dated: April 30, 2010

By: /s/ Elizabeth L. DeRieux

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