

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**ROUND ROCK RESEARCH, LLC**

**Plaintiff,**

**v.**

**HTC CORPORATION and  
HTC AMERICA, INC.**

**Defendants.**

**Civil Action No. \_\_\_\_\_**

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Round Rock Research, LLC (“Round Rock Research”), for its Complaint against defendants, HTC Corporation (“HTC”) and HTC America, Inc. (“HTC America”) (collectively, the “Defendants”) hereby alleges as follows:

**The Parties**

1. Plaintiff Round Rock Research is a Delaware limited liability company with its principal place of business at 26 Deer Creek Lane, Mount Kisco, NY 10549.
2. Defendant HTC is a corporation organized and existing under the laws of Taiwan with its principal place of business in Taoyuan City, Taiwan and its principal United States office at 13920 SE Eastgate Way, Suite 400, Bellevue, Washington 98005.
3. Defendant HTC America is a corporation organized and existing under the laws of Texas, with its principal place of business at 13920 SE Eastgate Way, Suite 400, Bellevue, Washington 98005.

**Nature of the Action**

4. This is a civil action for the infringement of United States Patent Nos. 5,255,109 (“the ‘109 Patent”) (attached as Exhibit A), 6,002,613 (“the ‘613 Patent”) (attached as Exhibit B), 6,625,444 (“the ‘444 Patent”) (attached as Exhibit C), 7,021,520 (“the ‘520 Patent”) (attached as Exhibit D), and 7,101,727 (“the ‘727 Patent”) (attached as Exhibit E) (collectively, “the Patents-in-Suit”) under the Patent Laws of the United States 35 U.S.C. §1 *et seq.*

**Jurisdiction and Venue**

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§1331 and 1338(a).

6. This Court has personal jurisdiction over Defendants HTC and HTC America because, *inter alia*, each Defendant has committed, aided, abetted, contributed to and/or participated in the commission of patent infringement in this judicial district and elsewhere that led to foreseeable harm and injury to Plaintiff Round Rock Research.

7. This Court also has personal jurisdiction over Defendants HTC and HTC America because among other things, Defendants have established minimum contacts within the forum such that the exercise of jurisdiction over Defendants will not offend traditional notions of fair play and substantial justice. On information and belief, Defendants have placed products that practice the claimed inventions of the Patents-in-Suit into the stream of commerce with the reasonable expectation and/or knowledge that purchasers and users of such products were located within this judicial district. On information and belief, Defendants sold, advertised, marketed, and distributed in this judicial district products that practice the claimed inventions of the Patents-in-Suit.

8. Venue is proper in this judicial district as to each Defendant pursuant to 28 U.S.C. §§1391 and 1400.

**The Patents-In-Suit**

9. On October 19, 1993, the '109 Patent, titled "Heat Dissipating LCD Display," was duly and legally issued by the United States Patent and Trademark Office. Round Rock Research is the assignee of all rights, title, and interest in the '109 Patent, and it possesses all rights to sue and recover for any current or past infringement of the '109 Patent.

10. On December 14, 1999, the '613 Patent, titled "Data Communication For Memory," was duly and legally issued by the United States Patent and Trademark Office. Round Rock Research is the assignee of all rights, title, and interest in the '613 Patent, and it possesses all rights to sue and recover for any current or past infringement of the '613 Patent.

11. On September 23, 2003, the '444 Patent, titled "Method of Programming a Telephone," was duly and legally issued by the United States Patent and Trademark Office. Round Rock Research is the assignee of all rights, title, and interest in the '444 Patent, and it possesses all rights to sue and recover for any current or past infringement of the '444 Patent.

12. On April 4, 2006, the '520 Patent, titled "Stacked Chip Connection Using Stand Off Stitch Bonding," was duly and legally issued by the United States Patent and Trademark Office. Round Rock Research is the assignee of all rights, title, and interest in the '520 Patent, and it possesses all rights to sue and recover for any current or past infringement of the '520 Patent.

13. On September 5, 2006, the '727 Patent, titled "Passivation Planarization," was duly and legally issued by the United States Patent and Trademark Office. Round Rock Research is the assignee of all rights, title, and interest in the '727 Patent, and it possesses all rights to sue and recover for any current or past infringement of the '727 Patent.

**Count I**

**Infringement of U.S. Patent No. 5,255,109**

14. The Defendants infringed and continue to infringe the '109 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, directly and/or indirectly, by making, using, offering for sale, selling, and/or importing into the United States infringing smartphones devices, including but not limited to the HTC HD2 smartphone and any other HTC smartphone similarly constructed using a heat-spreading plate.

15. Round Rock Research has been damaged by Defendants' infringement of the '109 Patent.

16. Upon information and belief, the Defendants continue to infringe the '109 Patent despite knowledge of the patent. The Defendants' infringement of the '109 Patent has been and continues to be willful.

**Count II**

**Infringement of U.S. Patent No. 6,002,613**

17. The Defendants infringed and continue to infringe the '613 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, directly and/or indirectly, by making, using, offering for sale, selling, and/or importing into the United States infringing smartphones devices, including but not limited to the Google Nexus One™ smartphone and other smartphone devices similarly containing mDDR memory.

18. Round Rock Research has been damaged by Defendants' infringement of the '613 Patent.

19. Upon information and belief, the Defendants continue to infringe the '613 Patent despite knowledge of the patent. The Defendants' infringement of the '613 Patent has been and continues to be willful.

**Count III**

**Infringement of U.S. Patent No. 6,625,444**

20. The Defendants infringed and continue to infringe the '444 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, directly and/or indirectly, by using, offering for sale, and/or selling in the United States smartphones devices that practice the claimed inventions, including but not limited to the HTC Dash 3G™ smartphone and other smartphone devices capable of interacting with GOOG 411, BING 411, and/or similar directory assistance services.

21. Round Rock Research has been damaged by Defendants' infringement of the '444 Patent.

22. Upon information and belief, the Defendants continue to infringe the '444 Patent despite knowledge of the patent. The Defendants' infringement of the '444 Patent has been and continues to be willful.

**Count IV**

**Infringement of U.S. Patent No. 7,021,520**

23. The Defendants infringed and continue to infringe the '520 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, directly and/or indirectly, by using, offering for sale, selling, and/or importing into the United States infringing smartphones devices, including but not limited to the Droid Eris™ by HTC smartphone and other devices containing microSD memory cards and/or similarly constructed memory cards.

24. Round Rock Research has been damaged by Defendants' infringement of the '520 Patent.

25. Upon information and belief, the Defendants continue to infringe the '520 Patent despite knowledge of the patent. The Defendants' infringement of the '520 Patent has been and continues to be willful.

**Count V**

**Infringement of U.S. Patent No. 7,101,727**

26. The Defendants infringed and continue to infringe the '727 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, by using, offering for sale, selling, and/or importing into the United States infringing smartphones devices, including but not limited to the Google Nexus One™ smartphone and similar devices containing Omnivision imager chips and/or similarly constructed imager chips.

27. Round Rock Research has been damaged by Defendants' infringement of the '727 Patent.

28. Upon information and belief, the Defendants continue to infringe the '727 Patent despite knowledge of the patent. The Defendants' infringement of the '727 Patent has been and continues to be willful.

**Prayer For Relief**

Wherefore, Plaintiff Round Rock Research respectfully requests that this Court enter judgment against Defendants HTC Corporation and HTC America, Inc. as follows:

- a) The Defendants have infringed, induced infringement of, and/or contributorily infringed, literally or under the doctrine of equivalents, U.S. Patent No. 5,255,109;
- b) The Defendants have infringed, induced infringement of, and/or contributorily infringed, literally or under the doctrine of equivalents, U.S. Patent No. 6,002,613;
- c) The Defendants have infringed, induced infringement of, and/or contributorily infringed, literally or under the doctrine of equivalents, U.S. Patent No. 6,625,444;
- d) The Defendants have infringed, induced infringement of, and/or contributorily infringed, literally or under the doctrine of equivalents, U.S. Patent No. 7,021,520;
- e) The Defendants have infringed, induced infringement of, and/or contributorily infringed, literally or under the doctrine of equivalents, U.S. Patent No. 7,101,727;

- f) The Defendants' infringement has been willful;
- g) An award to Round Rock Research of the damages to which it is entitled under 35 U.S.C. §284 for Defendants' past infringement and any continuing or future infringement up until the date Defendants are finally and permanently enjoined from further infringement, including both compensatory damages and enhanced/treble damages for willful infringement, and order a full accounting of same;
- h) This case is exceptional under 35 U.S.C. §285;
- i) An award to Round Rock Research of pre-judgment and post-judgment interest on its damages; and
- j) An award to Round Rock Research of such other and further relief in law or equity to which the Court deems just and proper.

**Demand For Jury Trial**

Round Rock Research hereby demands a trial by jury on all claims and issues so triable.

DATED: October 1, 2010

/s/ Brian E. Farnan  
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