

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SEIKO EPSON CORPORATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. _____
	)	
GIANTPLUS TECHNOLOGY, CO., LTD.,	)	<b>DEMAND FOR JURY TRIAL</b>
GIANTPLUS HOLDING L.L.C.,	)	
LEAPFROG ENTERPRISES, INC. and	)	
MATTEL, INC.,	)	
	)	
Defendants.	)	

**COMPLAINT**

Plaintiff Seiko Epson Corporation ("Seiko Epson") hereby alleges for its Complaint against Giantplus Technology, Co., Ltd., Giantplus Holding L.L.C. (together "Giantplus"), LeapFrog Enterprises, Inc. ("LeapFrog") and Mattel, Inc. ("Mattel") (collectively, "Defendants") as follows:

**PARTIES**

1. Plaintiff Seiko Epson is a corporation organized and existing under the laws of Japan, with a place of business at 3-3-5 Owa, Suwa-shi, Nagano, Japan. Among its many areas of research and technology, Seiko Epson is a pioneer in the field of liquid crystal display (LCD) technology, and has led the industry for more than 40 years, particularly in the field of mid and small-sized LCDs.

2. Defendant Giantplus Technology Co., Ltd. is a company organized under the laws of Taiwan, Republic of China, with a place of business at No. 15, Industrial Rd., Lu-Chu Li, Toufen Chen, Miaoli, Taiwan, Republic of China. Giantplus Technology Co., Ltd.

manufactures and sells LCD modules and other related products to customers worldwide, including to toy manufacturers such as LeapFrog and Mattel.

3. Defendant Giantplus Holding L.L.C. is a Delaware company and, upon information and belief, is a wholly owned subsidiary of Defendant Giantplus Technology Co., Ltd. Upon information and belief, Giantplus Holding L.L.C. markets and provides customer service and support for Giantplus products in the United States, and conducts investment activities in the United States for Giantplus's affiliate companies located in China.

4. Defendant LeapFrog is a Delaware corporation with a place of business at 6401 Hollis Street, Emeryville, California. LeapFrog designs, manufactures and sells educational toy products to customers worldwide.

5. Defendant Mattel is a Delaware corporation with a place of business at 333 Continental Blvd., El Segundo, California. Mattel designs, manufactures and sells toy products to customers worldwide, including Fisher-Price branded toy products.

### **JURISDICTION AND VENUE**

6. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §271 *et. seq.*

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

8. This Court has personal jurisdiction over the Defendants at least because:

(a) Upon information and belief, Defendants have committed and continue to commit acts of patent infringement in this District, as alleged in this Complaint;

(b) Defendants Mattel and LeapFrog are incorporated in Delaware;  
and

(c) Defendant Giantplus Technology, Co., Ltd.'s U.S. subsidiary company, Defendant Giantplus Holding L.L.C., is a Delaware company, and, upon information and belief, markets Giantplus products and provides customer service and support from and within this District.

9. Venue in this district is proper pursuant to 28 U.S.C. §§1391(b), (c) and (d), and 1400(b).

### **FACTUAL BACKGROUND**

10. Seiko Epson is the assignee and sole and exclusive owner of all right, title and interest in United States Patent No. RE38,292 ("292 Patent"), issued on October 28, 2003, and entitled "Method To Prevent Static Destruction Of An Active Element Comprised In A Liquid Crystal Display Device." A copy of the 292 Patent is attached hereto as Exhibit A.

11. Seiko Epson is the assignee and sole and exclusive owner of all right, title and interest in United States Patent No. 6,297,862 ("862 Patent"), issued on October 2, 2001, and entitled "Light Shielding Structure Of A Substrate For A Liquid Crystal Device, Liquid Crystal Device and Projection Type Display Device." A copy of the 862 Patent is attached hereto as Exhibit B.

12. Seiko Epson is the assignee and sole and exclusive owner of all right, title and interest in United States Patent No. 6,833,900 ("900 Patent"), issued on December 21, 2004, and entitled "Electro-Optical Device And Electronic Apparatus." A copy of the 900 Patent is attached hereto as Exhibit C.

13. Upon information and belief, Defendant Giantplus supplies LCD modules to Defendants LeapFrog and Mattel.

14. Upon information and belief, Defendants LeapFrog and Mattel have offered to sell, sold and continue to sell toy products throughout the United States (directly or through affiliates) that incorporate Defendant Giantplus's LCD modules.

**COUNT I**  
**(Infringement of U.S. Patent No. RE38,292)**

15. Seiko Epson realleges and incorporates by reference the allegations set forth in paragraphs 1-14.

16. Giantplus has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 292 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain LCD modules, including but not limited to Giantplus LCD modules LM758A01-1C, LM824A02-1A and LM847A01.

17. LeapFrog has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 292 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain toy products incorporating infringing LCD modules including, but not limited to, LeapFrog's Didj Custom Educational Gaming System and Leapster Explorer Learning Game System.

18. Mattel has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 292 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain toy products incorporating infringing LCD modules including, but not limited to, Mattel's Fisher-Price Kid Tough Portable DVD Player.

19. Seiko Epson has provided Defendants with notice of the 292 Patent and their infringement of it.

20. As a direct and proximate result of Defendants' infringement of the 292 Patent, Seiko Epson has suffered and will continue to suffer serious irreparable injury and damage in an amount not yet determined for which Seiko Epson is entitled to relief.

21. As a direct and proximate result of Defendants' infringement of the 292 Patent, Seiko Epson will continue to suffer irreparable injury unless Defendants' infringement of the 292 Patent is enjoined.

**COUNT II**  
**(Infringement of U.S. Patent No. 6,297,862)**

22. Seiko Epson realleges and incorporates by reference the allegations set forth in paragraphs 1-21.

23. Giantplus has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 862 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain LCD modules, including but not limited to Giantplus LCD module LM824A02-1A.

24. LeapFrog has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 862 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain toy products incorporating infringing LCD modules including, but not limited to, LeapFrog's Leapster Explorer Learning Game System.

25. As a direct and proximate result of Defendants' infringement of the 862 Patent, Seiko Epson has suffered and will continue to suffer serious irreparable injury and damage in an amount not yet determined for which Seiko Epson is entitled to relief.

26. As a direct and proximate result of Defendants' infringement of the 862 Patent, Seiko Epson will continue to suffer irreparable injury unless Defendants' infringement of the 862 Patent is enjoined.

**COUNT III**  
**(Infringement of U.S. Patent No. 6,833,900)**

27. Seiko Epson realleges and incorporates by reference the allegations set forth in paragraphs 1-26.

28. Giantplus has been infringing and continues to infringe, literally and/or under the doctrine of equivalents, one or more claims of the 900 Patent by making, using, offering to sell, selling and/or importing in/into the United States certain LCD modules, including but not limited to Giantplus LCD module LM956801-1A.

29. As a direct and proximate result of Giantplus's infringement of the 900 Patent, Seiko Epson has suffered and will continue to suffer serious irreparable injury and damage in an amount not yet determined for which Seiko Epson is entitled to relief.

30. As a direct and proximate result of Giantplus's infringement of the 900 Patent, Seiko Epson will continue to suffer irreparable injury unless Giantplus's infringement of the 900 Patent is enjoined.

**PRAYER FOR RELIEF**

WHEREFORE, Seiko Epson respectfully requests the following relief from this Court:

a. A finding that Defendants have infringed one or more claims of the 292, 862 and 900 Patents in violation of 35 U.S.C. § 271;

b. An injunction pursuant to 35 U.S.C. § 283, enjoining Defendants and their officers, agents, servants, employees, attorneys and all persons in active concert or participation with them, from any further acts of infringement of the 292, 862 and/or 900 Patents;

c. Damages in an amount to be determined at trial;

d. Interest on the damages and costs incurred in this action;

e. Enhanced damages under 35 U.S.C. § 284;

f. Reasonable attorney's fees incurred in connection with this action pursuant to 35 U.S.C. § 285; and

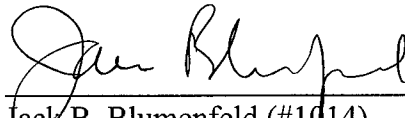
g. Such other and further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Seiko Epson demands trial by jury on all issues so triable, pursuant to Fed. R. Civ.

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