

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DISPLeIGH, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS AMERICA, INC., and
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC,

Defendants.

Case No.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Displeigh, LLC (“Displeigh” or “Plaintiff”) makes the following allegations against Samsung Electronics America, Inc and Samsung Telecommunications America, LLC.

PARTIES

1. Plaintiff Displeigh is a Texas limited liability company with its principal place of business at 911 NW Loop 281, Longview, TX 75604.

2. On information and belief, Samsung Electronics America, Inc. (“SEA”) is a New York corporation with its principal place of business at 85 Challenger Rd., Ridgefield Park, NJ 07660. SEA may be served through its registered agent CT Corporation System, 350 N. Saint Paul St., Ste. 2900, Dallas, TX 75201.

3. On information and belief, Samsung Telecommunications America, LLC, (“STA”) is a Delaware limited liability company with its principal place of business at 1301 East Lookout Dr., Richardson, TX 75082. STA may be served through its registered agent

Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company, 211 E. 7th St., Ste. 620, Austin, TX 78701.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendants have transacted business in this district, and have committed and/or induced acts of patent infringement in this district.

COUNT I INFRINGEMENT OF U.S. PATENT NO. 7,411,578

6. Plaintiff is the owner by assignment of United States Patent No. 7,411,578 (“the ’578 Patent”) entitled “Digital Photo Album”, including all rights to recover for past and future acts of infringement. The ’578 Patent issued on August 12, 2008. A true and correct copy of the ’578 Patent is attached as Exhibit A.

7. On information and belief, SEA and STA (collectively “Samsung”) have been and now are directly infringing the ’578 Patent in this judicial district, and elsewhere in the United States. Acts of infringement by Samsung include, without limitation, making, using, offering for sale, and/or selling within the United States, and/or importing into the United States, devices covered by one or more claims of the ’578 Patent that operate as picture frames configured to electronically display digital images, including at least Samsung’s touchscreen interface smartphones and tablets (collectively “Accused Products”). Samsung is thus liable for infringement of the ’578 Patent under 35 U.S.C. § 271(a).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendants have infringed, directly, and/or indirectly, by way of inducing and/or contributing to the infringement of the '578 Patent;
2. A judgment and order requiring Defendants to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '578 Patent as provided under 35 U.S.C. § 284;
3. 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; and
4. Any and all other relief to which Plaintiff may show itself to be entitled.

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.

October 31, 2011

Respectfully submitted,

/s/ Kirk L. Pittard

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