U.S. INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC

In the Matter of **Certain Electronic Devices, Including Mobile Phones and Tablet Computers, and Components Thereof**	**Investigation No. 337-TA-_____**

COMPLAINT UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED

Complainants:

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4	Certified Copy of U.S. Patent No. 6,393,260
5	Certified Copy of U.S. Patent No. 6,728,530
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I. INTRODUCTION

1. Nokia Corporation, Nokia Inc., and Intellisync Corporation (collectively, "Nokia" or "Complainants") file this complaint pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), based on the unlawful importation into the United States, the sale for importation into the United States, and/or the sale within the United States after importation of certain electronic devices, including mobile phones and tablet computers, and components thereof.

2. The proposed Respondents are HTC Corporation; HTC America, Inc.; and Exedea, Inc. (collectively, "Respondents").

3. The complaint is directed to Respondents' imported electronic devices, including mobile phones and tablet computers, and components thereof that infringe U.S. Patent Nos. 5,570,369 ("the '369 Patent"); 5,884,190 ("the '190 Patent"); 6,141,664 ("the '664 Patent"); 6,393,260 ("the '260 Patent"); 6,728,530 ("the '530 Patent"); 7,106,293 ("the '293 Patent"); 7,209,911 ("the '911 Patent"); 7,366,529 ("the '529 Patent"); and 7,415,247 ("the '247 Patent") (collectively, the "Asserted Patents"). Such products include at least the HTC Amaze 4G mobile phone, HTC HD7S mobile phone, HTC Inspire 4G mobile phone, HTC MyTouch 4G Slide mobile phone, HTC One S mobile phone, HTC Radar 4G mobile phone, HTC Rezound mobile phone, HTC Rhyme mobile phone, HTC Sensation 4G mobile phone, HTC Vivid mobile phone, HTC Flyer tablet computer, and HTC Jetstream tablet computer (collectively, the "Accused Products").[1] The following table provides a summary of which Accused Products infringe which of the claims of the Asserted Patents:

[1] The identification of a specific model or type of electronic device is not intended to limit the scope of the investigation. Discovery may reveal that additional HTC products infringe the asserted patent claims and/or that additional claims are infringed, and any remedy should extend to all infringing electronic devices.

U.S. Patent No.	Asserted Claims	Accused Products
5,570,369	Claims 1, 2, 3, 5, 6, 7, 8, and 9	HTC Amaze 4G HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC Sensation 4G HTC Vivid
5,884,190	Claim 1	HTC Amaze 4G HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC One S HTC Rezound HTC Rhyme HTC Sensation 4G HTC Vivid
6,141,664	Claims 3, 4, 21, 27, 28, 37, 38, 43, 44, 61, 67, 68, 77, and 78	HTC Amaze 4G HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC One S HTC Rezound HTC Rhyme HTC Sensation 4G HTC Vivid
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U.S. Patent No.	Asserted Claims	Accused Products
		HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC One S HTC Rezound HTC Rhyme HTC Sensation 4G HTC Vivid
7,366,529	Claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 30	HTC Amaze 4G HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC One S HTC Rezound HTC Rhyme HTC Sensation 4G HTC Vivid
7,415,247	Claims 2, 10, 11, 14, 18, 19, 21, and 23	HTC Amaze 4G HTC Inspire 4G HTC Flyer HTC Jetstream HTC MyTouch 4G Slide HTC Radar 4G HTC Rezound HTC Rhyme HTC Sensation 4G HTC Vivid

4. On information and belief, the Accused Products are manufactured and/or sold for importation into the United States, imported into the United States, and/or sold after importation into the United States by or on behalf of Respondents.

5. An industry as required by 19 U.S.C. §§ 1337(a)(2) and (3) exists or is in the process of being established in the United States relating to articles protected by the Asserted Patents.

6. Nokia seeks as relief a permanent exclusion order prohibiting entry into the United States of Respondents' infringing electronic devices, including mobile phones and tablet computers. Nokia also requests that such an exclusion order prohibit Respondents from importing into the United States key components of the accused electronic devices, such as the

chipsets containing the infringing functionality, so as to prevent Respondents from circumventing any exclusion order directed to its electronic devices. *See, e.g.,* Exs. 20, 23, and 28.

7. Nokia also requests permanent cease and desist orders prohibiting Respondents from importing, admitting or withdrawing from a foreign trade zone, marketing, advertising, demonstrating, warehousing inventory, distributing, offering for sale, selling, licensing, repairing, programming, or updating electronic devices, including mobile phones and tablet computers.

II. COMPLAINANTS

A. Nokia Corporation

8. Nokia Corporation is a company organized under the laws of Finland, with its principal place of business at Keilalahdentie 4, PO Box 226, Espoo, Finland.

9. Nokia Corporation was founded in 1865 and is one of the world's largest manufacturer of mobile phones. Nokia pioneered the early evolution of mobile communications. Beginning in the early 1980's, Nokia introduced the first car phone and portable phone to operate on the Nordic Mobile Telephone ("NMT") network, which was the first international cellular network. Nokia also provided base stations and switches for NMT networks. Then, in 1987, Nokia launched the first handheld mobile phone for NMT networks – known as the "Mobira Cityman."

10. Nokia was also one of the key developers of Global System for Mobile communications ("GSM") technology, which was adopted in 1987 as the European standard for digital mobile technology. Nokia delivered its first GSM network to the Finnish company Radiolinja in 1989 and launched its first digital handheld GSM phone – the Nokia 1011 – in

1992. Throughout the 1990s, Nokia's core business was manufacturing mobile phones and telecommunications systems.

11. Nokia's innovations have continued throughout the wireless era to the smartphones of the present day, bringing several "firsts" in the industry. For example, in 1996, Nokia introduced the Nokia 9000 Communicator, which was the first all-in-one phone, fax, calendar, email, and Internet device in a hand-portable size. The Nokia 8110i, introduced in 1997, was the first mobile phone with a dynamic menu supporting Smart Messaging. Just two years later, Nokia introduced the Nokia 7110, the first mobile phone compliant with Wireless Application Protocol 1.1, which provided access to mobile Internet services, such as banking, email, and news, and was the first phone with predictive text input.

12. The new century brought even further Nokia advances. In 2002, Nokia launched its third generation ("3G") phone – the Nokia 6650. That same year, Nokia also unveiled the Nokia 7650, a phone with a built-in camera, and the Nokia 3650, Nokia's video capture phone. The following year, Nokia rolled out its 5140, the first Push-to-Talk GSM handset. In 2006, Nokia introduced the N95, which was the first such device with built-in Global Positioning System ("GPS") technology, and, in 2008, Nokia released the E71, the world's slimmest smartphone. In 2010, Nokia pioneered the N8, the first smartphone with built-in 720P High Definition video and a 12 megapixel camera.

13. In February of 2011, Nokia announced it would release a new line of smartphones that use the Microsoft Windows Phone operating system, designed to offer enhanced hardware optimization, software customization, and language support. Nokia Windows-based phones for the U.S. market include the Lumia 710, which was released in the United States in January 2012, and the Lumia 900, which was released in the United States in April 2012.

14. Research is one of the keys to Nokia's success and the necessary cornerstone for its cutting-edge products. As of December 2011, Nokia had a research and development presence in 16 countries with nearly 35,000 people to support these activities. With tens of billions of dollars spent over the years on research and development, Nokia has achieved the innovations embodied in the Asserted Patents and in over 10,000 other patent families in its portfolio. Nokia continues to be a leader in mobile communications worldwide, investing billions of dollars in research and development in 2011 alone, and earmarking considerable additional expenditures for 2012.

B. Nokia Inc.

15. Nokia Inc. is a corporation existing under the laws of the State of Delaware, with its principal place of business in Sunnyvale, California. Nokia Inc. is a wholly owned subsidiary of Nokia Corporation.

16. As of January 2012, Nokia had over 2,000 employees in the United States, and their combined salaries total in the hundreds of millions of dollars. Over 1,600 of these U.S.-based Nokia employees work in research and development or in ongoing product maintenance that support Nokia's products sold in the United States, including those protected by the Asserted Patents. Additional information regarding Nokia Corporation and Nokia Inc. may be found in Exhibit 70, which includes Nokia Corporation's 2011 Annual Report.

C. Intellisync Corporation

17. Intellisync Corporation is a corporation existing under the laws of the State of California, with its principal place of business in Sunnyvale, California. Intellisync Corporation is a wholly-owned subsidiary of Nokia Inc.

III. PROPOSED RESPONDENTS

A. HTC Corporation

18. Proposed Respondent HTC Corporation is a company organized under the laws of Taiwan, with its principal place of business at 23 Xinghua Road, Taoyuan City, Taoyuan County 330, Taiwan, Republic of China. HTC Corporation, among other things, is engaged in the manufacture, importation into the United States, and sale after importation into the United States of mobile phones and tablet computers, including the Accused Products.

B. HTC America, Inc.

19. Proposed Respondent HTC America, Inc. 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. HTC America, Inc. is a wholly owned subsidiary of HTC Corporation. HTC America, Inc., among other things, is engaged in services related to the importation into the United States and sale after importation into the United States of mobile phones and tablet computers, including the Accused Products. On information and belief, such services include the marketing, repair, and after-sale service of mobile phones and tablet computers, including the Accused Products.

C. Exedea, Inc.

20. Proposed Respondent Exedea, Inc. is a corporation organized and existing under the laws of Texas, with its principal place of business at 5950 Corporate Drive, Houston, Texas 77036. Exedea, Inc. is a wholly owned subsidiary of HTC Corporation. Exedea, Inc. is engaged in in the importation, distribution, and sale of HTC products in the United States, including the Accused Products.

21. HTC Corporation; HTC America, Inc.; and Exedea, Inc. (collectively, "HTC") are in the business of importing into the United States and selling after importation into the United

States the Accused Products, including mobile phones and tablet computers. HTC sells the Accused Products within the United States by various means, including via online and retail stores and through telecommunication service providers. Further, on information and belief, HTC performs several services to support the importation into the United States and sale after importation into the United States of the Accused Products, including marketing of the Accused Products, providing online interactive tutorials for the Accused Products, distributing software and user manuals for the Accused Products, and offering after-sale technical support of for the Accused Products.

22. Additional information regarding HTC may be found in Exhibit 69, which includes HTC Corporation's 2010 Annual Report.

IV. THE TECHNOLOGY AND ACCUSED PRODUCTS AT ISSUE

23. The Accused Products are certain electronic devices, including mobile phones and tablet computers, and components thereof.

24. The Asserted Patents are a reflection of the breadth of Nokia's extensive dedication and investment in technology. Ever since the introduction of Nokia's first car phone in 1981, Nokia has continuously endeavored to make the world's best mobile phones and enhance the user's experience with diverse and advanced functionality. Whether it is designing more reliable mobile phones that drop fewer calls, pioneering the first smartphones that synchronize seamlessly with computers, or developing some of the first mobile phones with built-in GPS, Nokia has taken great strides to stay ahead of its competition. Nokia's innovations have been applied in many electronic devices other than mobile phones, such as mobile tablets, portable music players, and computers.

25. Mobile phones have come a long way since the car phones and briefcase phones of the 1980s. Today's mobile phones not only make phone calls, they are also GPS devices,

internet browsers, electronic mail devices, electronic book readers, social networking platforms, and so much more. Not only do smartphones have many functions, they also have different processes for connecting to a network and sending information over that network, depending on the type of information that is being sent or received. For example, smartphones have Wi-Fi, GPS, and Bluetooth capabilities for connecting to wireless devices and sending and receiving applications, software upgrades, email, text messages, and voice information.

26. With so many features, it is fair to say that today's smartphones are an extension of our desktop computers. Smartphones put at our fingertips critical information previously stored only on computers, like contacts, calendars, notes, and even music. In order to have this information on the go, a mobile phone must be able to synchronize easily with a computer. As explained below, the '664 and '911 Patents relate to, for example, technology that allows mobile devices to synchronize select types of information with high storage computers. The '530 Patent relates to, for example, technology that allows the maintenance of a local calendar on a mobile device as well as on a network-based calendar, and then further allows retrieval and display of information from both calendar sources on the mobile device.

27. Because mobile phones today perform so many multifaceted services, the ability to preserve power is also a fundamental part of any mobile phone. Nokia has long been an innovator in this area. The '369 Patent introduces, for example, a technology that optimizes power consumption of a mobile phone by providing sufficient power to receive a portion of a message that is necessary to reconstruct the entire incoming message.

28. Further, today's multi-standard and multi-band wireless infrastructure requires cellphone hardware to be designed with built-in flexibility and superb performance. Modern direct conversion technology provides a versatile solution for high-frequency radio receiver designs and offers a cost benefit and potential performance advantage over traditional receiver

solutions. One of the main disadvantages of direct conversion technology, however, is the spurious signals that are generated in the conversion process, which cause interference. The '260 Patent provides, for example, a method for attenuating such spurious signals in radio transceivers that use the direct conversion technology.

29. In order for a mobile phone to enjoy compatibility with different network carriers in the United States and abroad, it must possess the necessary hardware to handle the varying systems, but must do so in a user-friendly and compact device. The '247 Patent offers technology for mobile phone compatibility across distinct and differing signals systems and for varying frequency ranges using fewer hardware elements.

30. Complex, multi-service smartphones, which incorporate an array of applications, are used at all times of the day and night, both indoors and outdoors, subjecting them to varying lighting conditions. Adjusting the mobile phone display according to the varying lighting conditions can improve the clarity and visibility of the display, while at the same time, optimizing battery consumption. The '293 Patent describes a method and device that measures the ambient light and adjusts the illumination of the device's display accordingly.

31. A multitude of applications on today's smartphones rely on servers residing on a network, such as the internet, to provide the applications with data. For example, an email application relies on a mail server to receive email messages, and social networking applications rely on dedicated network servers to exchange information with a user's "friends." Enabling a smartphone to receive data for a particular application from a network server when the server has new information for the device provides the user with timely delivery of information, while preserving battery life by reducing unnecessary polling. The '529 Patent introduces, for example, technology that enables a device to receive a message having information relating to

one or more of the device's applications and address and store the received data for that particular application.

32. In addition to connecting to the cellular network to place calls, today's mobile phones can connect to communication networks to transmit and receive data, such as through an internet browser or a custom application (an "app") that interacts with a remote server. Nokia recognized that it would be advantageous to enable a mobile phone user to share the mobile phone's connectivity amongst his or her other devices. The '190 Patent describes a method for making a data transmission connection from a computer to a mobile communication network through a telecommunication terminal.

V. THE ASSERTED PATENTS AND NON-TECHNICAL DESCRIPTION OF THE INVENTIONS[2]

A. Ownership of the Asserted Patents

33. Intellisync Corporation owns by assignment the entire right, title, and interest in and to the '911 and '664 Patents. Nokia Corporation owns the entire right, title, and interest in and to the remainder of the Asserted Patents.[3] Copies of the assignments for each of the Asserted Patents are attached as Exhibits 10-18.[4]

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[2] All non-technical descriptions of the inventions herein are presented to give a general background of those inventions. Such statements are not intended to be used, nor should be used, for purposes of patent claim interpretation. Complainants present these statements subject to, and without waiver of, their right to argue that claim terms should be construed in a particular way, as contemplated by claim interpretation jurisprudence and the relevant evidence.

[3] The assignment of the '190 and '530 Patents from Nokia Mobile Phones Limited to Nokia Corporation occurred when the companies were merged on September 11, 2008. On May 1, 2012, these assignments were recorded with the U.S. Patent and Trademark Office. *See* Ex. 72.

[4] Nokia has requested certified copies of each patent, assignment, and prosecution history from the U.S. Patent and Trademark Office. To the extent the copies attached to this complaint are not certified, Nokia will provide certified copies as soon as they are available.

B. The '369 Patent

34. The '369 Patent, entitled "Reduction of Power Consumption in a Mobile Station," issued on October 29, 1996, to inventor Harri Jokinen. The '369 Patent issued from U. S. Patent Application Serial No. 08/404,040, filed on March 14, 1995, and expires on March 14, 2015.

35. A certified copy of the '369 Patent is attached as Exhibit 1.

36. A certified copy of the prosecution history of the '369 Patent and copies of each reference cited in the '369 Patent and its prosecution history are included in Appendices A and B, respectively.

37. The '369 Patent has thirteen claims, two of which are independent claims. Complainants are asserting claims 1, 2, 3, 5, 6, 7, 8, and 9.

38. The '369 Patent is directed to controlling the power consumption of a mobile station in a cellular radio system. The '369 Patent discloses, for example, that a mobile station can receive a portion of a message and determine whether the entire message can be reconstructed from the portion of the message received. This enables the mobile station receiver to save power by providing sufficient power to receive only the portion of the message necessary to construct the entire message.

C. The '190 Patent

39. The '190 Patent, entitled "Method for Making a Data Transmission Connection from a Computer to a Mobile Communication Network for Transmission of Analog and/or Digital Signals," issued on March 16, 1999, to inventors Olli-Pekka Lintula, Petri Tapig Nykánen, and Arto Juhani Suomi. The '190 Patent issued from U.S. Application Serial No. 08/663,330, filed on June 7, 1996, and expires on June 7, 2016.

40. A certified copy of the '190 Patent is attached as Exhibit 2.

41. A certified copy of the prosecution history of the '190 Patent and copies of each reference cited in the '190 Patent and its prosecution history are included in Appendices C and D, respectively.

42. The '190 Patent has twenty-five claims, two of which are independent claims. Complainants are asserting claim 1.

43. The '190 Patent is directed to a method for making a data transmission connection from a computer to a mobile communication network through a telecommunication terminal, such as a mobile phone. In one embodiment, the telecommunication terminal determines the available mobile communication networks, selects one of the available networks, and sets an appropriate operation mode for connection to the network.

D. The '664 and '911 Patents

44. The '664 and '911 Patents each claim priority to the same parent application, U.S. Patent Application Serial No. 08/748,645, filed on November 13, 1996.

45. The '664 Patent, entitled "Synchronization Of Databases With Date Range," issued on October 31, 2000, to inventor David J. Boothby. The '664 Patent issued from U.S. Patent Application Serial Number 08/748,645, filed on November 13, 1996, and expires on November 13, 2016.

46. The '911 Patent, entitled "Synchronization Of Databases Using Filters," issued on April 24, 2007, to inventors David J. Boothby and David W. Morgan. The '911 Patent issued from United States Patent Application Serial Number 09/776,452, filed on February 2, 2001, and expires on November 13, 2016.

47. Certified copies of the '664 and '911 Patents are attached as Exhibits 3 and 7, respectively.

48. A certified copy of the prosecution history of the '664 Patent and copies of each reference cited in the '664 Patent and its prosecution history are included in Appendices E and F, respectively.

49. A certified copy of the prosecution history of the '911 Patent and copies of each reference cited in the '911 Patent and its prosecution history are included in Appendices M and N, respectively.

50. The '664 Patent, as amended by the ex parte reexamination certificate issued November 22, 2005, has fifty-six claims, four of which are independent claims. Complainants are asserting claims 3, 4, 21, 27, 28, 37, 38, 43, 44, 61, 67, 68, 77, and 78.

51. The '911 Patent has fourteen claims, four of which are independent claims. Complainants are asserting claims 2, 6, 9, 10, 11, 12, 13, and 14.

52. Synchronizing mobile phones with personal computers has become almost second nature today. Before this was the case, however, the inventors of the '664 and '911 Patents helped develop the synchronization technology that allows two devices with disparity in storage capacity to sync with each other. Specifically, the inventors came up with a filter that allows a large capacity computer to sync selected information with a much smaller mobile device.

53. The '664 Patent discloses, for example, synchronizing the records of two databases across a date range. In one embodiment, a person can use a scheduling or contact application on a desktop computer, and a similar type of application on a handheld device. The '664 Patent allows the user to synchronize the entries on one computer with the entries on the handheld device within a specified date range, and vice versa. The database records falling outside of the specified date range are not synchronized.

54. The '911 Patent discloses, for example, synchronizing the records of two databases based on specified criteria. In one embodiment, a person can use an email application

on a desktop or server computer, and a similar type of application on a handheld device. The '911 Patent further discloses that the user can synchronize the entries on one computer with the entries on the handheld device matching a specified criteria, and vice versa. The database records that do not match the specified criteria are not synchronized.

E. The '260 Patent

55. The '260 Patent, entitled "Method for Attenuating Spurious Signals and Receiver," issued on May 21, 2002, to inventors Simo Murtojarvi, Antti Rauhala, and Harri Kimppa. The '260 Patent issued from U.S. Patent Application Serial No. 09/292,301, filed on April 15, 1999, and expires on April 15, 2019.

56. A certified copy of the '260 Patent is attached as Exhibit 4.

57. A certified copy of the prosecution history of the '260 Patent and copies of each reference cited in the '260 Patent and its prosecution history are included in Appendices G and H, respectively.

58. The '260 Patent has eleven claims, two of which are independent claims. Complainants are asserting claims 6, 8, 10, and 11.

59. The '260 Patent discloses, for example, a method and receiver for attenuating spurious signals, which can be caused by balance errors in the mixer when radio signals are mixed to a second frequency in a radio transceiver. The '260 Patent teaches that such attenuation can be achieved by balancing of mixed signals through adjustment of transistor bias voltages and/or currents in the mixer circuit.

F. The '530 Patent

60. The '530 Patent, entitled "Calendar-Display Apparatus, and Associated Method, for a Mobile Terminal," issued on April 27, 2004, to inventors Eeva-Liisa Heinonen, Jaakko Itävaara, Heidi Karves, Kai Kronström, Kari Lehtinen, Jari Mononen, Petri Nykänen, and Mikko

Virtanen. The '530 Patent issued from U.S. Application Serial Number 09/472,756, filed on December 28, 1999, and expires on December 28, 2019.

61. A certified copy of the '530 Patent is attached as Exhibit 5.

62. A certified copy of the prosecution history of the '530 Patent and copies of each reference cited in the '530 Patent and its prosecution history are included in Appendices I and J, respectively.

63. The '530 Patent has eighteen claims, two of which are independent claims. Complainants are asserting claims 1, 2, 3, 4, 7, 8, 9, 10, 14, 15, 16, 17, and 18.

64. The '530 Patent discloses, for example, a method and apparatus for displaying locally stored or generated calendar items together with remotely stored or generated calendar items on a mobile terminal. In one embodiment, the method provides for the retrieval of remotely stored calendar items through a communication network and for the display of such items simultaneously with calendar items that are stored locally on the mobile device.

G. The '293 Patent

65. The '293 Patent, entitled "Lighting Control Method And Electronic Device," issued on September 12, 2006, to inventor Risto Pirhonen. The '293 Patent issued from U.S. Patent Application Serial No. 10/294,220, filed on November 14, 2002, and expires on January 10, 2024.

66. A certified copy of the '293 Patent is attached as Exhibit 6.

67. A certified copy of the prosecution history of the '293 Patent and copies of each reference cited in the '293 Patent and its prosecution history are included in Appendices K and L, respectively.

68. The '293 Patent has fifteen claims, three of which are independent claims. Complainants are asserting claims 7, 9, 10, 11, and 13.

69. The '293 Patent discloses, for example, adjusting the illumination of a device's display according to ambient lighting. In one embodiment, an electronic device measures the ambient light and adjusts the illumination of the device's display accordingly. In this way, the invention improves the clarity and visibility of the display in different lighting conditions.

H. The '529 Patent

70. The '529 Patent, entitled "Communication Network Terminal Supporting A Plurality Of Applications," issued on August 29, 2008, to inventors Seppo Alanara, Pekka Isomursu, Juhani Miettunen, Mikko Lietsalmi, Kalevi Kaartinen, Peter Decker, Arto Lehtonen, Pete Pihko, Teemu Tarnanen, Hannu H. Kari, Jari Maenpaa, Petri Nykanen, Mikko Terho, and Patrik Gustafsson. The '529 Patent issued from U.S. Patent Application Serial No. 11/062,176, filed on February 18, 2005, and expires on February 20, 2017.

71. A copy of the '529 Patent is attached as Exhibit 8.

72. A copy of the prosecution history of the '529 Patent and copies of each reference cited in the '529 Patent and its prosecution history are included in Appendices O and P, respectively.

73. The '529 Patent has thirty-five claims, seven of which are independent claims. Complainants are asserting claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 30.

74. Before the invention of the '529 Patent, there was a need for the ability to efficiently send and receive information related to different applications on a mobile device. The invention of the '529 Patent discloses a technology that enables a mobile device having many applications to receive data-containing messages relating to one or more of the device's applications and address and store the received data for that application.

I. The '247 Patent

75. The '247 Patent, entitled "Method And Arrangement For Transmitting And Receiving RF Signals Through Various Radio Interfaces Of Communication Systems," issued on August 19, 2008, to inventors Risto Vaisanen and Kim Kaltiokallio. The '247 Patent issued from U.S. Patent Application Serial No. 09/856,746, filed on November 25, 1999, and expires on November 25, 2019.

76. A certified copy of the '247 Patent is attached as Exhibit 9.

77. A certified copy of the prosecution history of the '247 Patent and copies of each reference cited in the '247 Patent and its prosecution history are included in Appendices Q and R, respectively.

78. The '247 Patent has twenty-three claims, ten of which are independent claims. Complainants are asserting claims 2, 10, 11, 14, 18, 19, 21, and 23.

79. Before the invention of the '247 Patent, there was a need for mobile stations that could be used for more than one radio frequency system, as the different radio frequency systems might use, for example, different frequency bands, different modulation techniques, different multiplexing, and different coding schemes. The invention of the '247 Patent teaches that multiple systems can be accommodated with fewer hardware elements than previously used.

J. Foreign Counterparts of the Asserted Patents

80. A list of each foreign patent, each foreign patent application, and each foreign application that has been denied, abandoned, or withdrawn corresponding to the Asserted Patents, with an indication of the prosecution status of each such foreign patent application, is attached as Exhibit 19.

K. Licensees Under the Asserted Patents

81. Licensees to one or more of the Asserted Patents are identified in Confidential Exhibit 68.

VI. HTC'S INFRINGEMENT OF THE ASSERTED PATENTS

82. As discussed in detail below, HTC's Accused Products are electronic devices, including mobile phones and tablet computers, and components thereof that infringe the '369, '190, '664, '260, '530, '293, '529, '911, and/or '247 Patents and are manufactured abroad by or for HTC and sold for importation into the United States, imported into the United States, and/or sold within the United States after importation. Information regarding representative Accused Products discussed below can be found in Exhibits 63-67.

83. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 1, 2, 3, 5, 6, 7, 8, and 9 of the '369 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '369 Accused Devices").

84. An exemplary claim chart showing infringement of independent claim 1 of the '369 Patent by the HTC Inspire 4G is attached as Exhibit 20.

85. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claim 1 of the '190 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC One S, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '190 Accused Devices").

86. An exemplary claim chart showing infringement of independent claim 1 of the '190 Patent by the HTC Sensation 4G is attached as Exhibit 21.

87. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 3, 4, 21, 27, 28, 37, 38, 43, 44, 61, 67, 68, 77, and 78 of the '664 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC One S, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '664 Accused Devices").

88. An exemplary claim chart showing infringement of independent claims 3, 28, 43, and 68 of the '664 Patent by the HTC Inspire 4G is attached as Exhibit 22.

89. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 6, 8, 10, and 11 of the '260 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC Radar 4G, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '260 Accused Devices").

90. An exemplary claim chart showing infringement of independent claim 6 of the '260 Patent by the HTC Sensation 4G is attached as Exhibit 23.

91. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 1, 2, 3, 4, 7, 8, 9, 10, 14, 15, 16, 17, and 18 of the '530 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC One S, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '530 Accused Devices").

92. An exemplary claim chart showing infringement of independent claims 1 and 14 of the '530 Patent by the HTC Vivid is attached as Exhibit 24.

93. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 7, 9, 10, 11, and 13 of the '293 Patent with respect to at least the

following electronic devices: HTC Rhyme and HTC Vivid (collectively, the "HTC '293 Accused Devices").

94. An exemplary claim chart showing infringement of independent claims 7 and 13 of the '293 Patent by the HTC Vivid is attached as Exhibit 25.

95. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 30 of the '529 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC One S, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '529 Accused Devices").

96. An exemplary claim chart showing infringement of independent claims 1, 12, 23, and 25 of the '529 Patent by the HTC Inspire 4G is attached as Exhibit 27.

97. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 2, 6, 9, 10, 11, 12, 13, and 14 of the '911 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC One S, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '911 Accused Devices").

98. An exemplary claim chart showing infringement of independent claims 2 and 6 of the '911 Patent by the HTC Inspire 4G is attached as Exhibit 26.

99. HTC directly infringes, contributes to the infringement of, and induces the infringement of at least claims 2, 10, 11, 14, 18, 19, 21, and 23 of the '247 Patent with respect to at least the following electronic devices: HTC Amaze 4G, HTC Inspire 4G, HTC Flyer, HTC Jetstream, HTC MyTouch 4G Slide, HTC Radar 4G, HTC Rezound, HTC Rhyme, HTC Sensation 4G, and HTC Vivid (collectively, the "HTC '247 Accused Devices").

100. An exemplary claim chart showing infringement of independent claims 2, 18, and 23 of the '247 Patent by the HTC Sensation 4G is attached as Exhibit 28.

A. Direct Infringement

101. HTC directly infringes the Asserted Patents through its sale for importation, importation, and/or sale after importation of the Accused Products.

102. On information and belief, HTC imports into the United States at least the HTC Accused Products.

103. HTC, directly and through authorized agents, sells and offers for sale the HTC Accused Products within the United States to end users.

104. On information and belief, HTC sells and offers for sale the HTC Accused Products to wireless system operators, distributors, independent retailers, and other resellers in the United States.

105. On information and belief, HTC tests or operates the HTC Accused Products in the United States, thereby performing the claimed methods and directly infringing any asserted claims of the Asserted Patents requiring such operation.

B. Contributory Infringement

106. HTC also contributes to infringement of the Asserted Patents by selling for importation into the United States, importing into the United States, and/or or selling within the United States after importation the HTC Accused Products, and the non-staple constituent parts of those devices, that embody a material part of the inventions described in the Asserted Patents. These devices are known by HTC to be especially made or especially adapted for use in the infringement of the Asserted Patents.

107. Specifically, HTC sells the HTC Accused Products to resellers and end users with knowledge that the devices infringe. End users of those electronic devices directly infringe the Asserted Patents.

108. HTC has had knowledge and notice of the Asserted Patents and its infringement thereof since at least May 2, 2012, when Nokia sent a letter to HTC concerning such allegations. HTC has also had knowledge and notice of the Asserted Patents and its infringement as of the date of the filing of this complaint.

C. Induced Infringement

109. HTC also induced, and continues to induce, infringement of the Asserted Patents by encouraging and facilitating others to perform acts known by HTC to infringe the Asserted Patents with the specific intent that those performing the acts infringe the Asserted Patents. Upon information and belief, HTC did so with knowledge or willful blindness of the Asserted Patents. HTC, upon information and belief, inter alia, advertises the HTC Accused Products, publishes datasheets and promotional literature describing the operation of those devices, creates and/or distributes user manuals for the HTC Accused Products, and offers support and technical assistance to its customers designed to induce those customers to perform the specific acts of direct infringement.

VII. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

110. Respondents sell for importation into the United States, import into the United States, and/or sell after importation into the United States the Accused Products. Examples of Accused Products were purchased at retail locations in the United States. *See* Ex. 39.

111. HTC's Accused Products are manufactured abroad, sold for importation into the United States, imported into the United States, and/or sold after importation into the United States by HTC and/or their authorized agents. *See* Ex. 39. For example, Exhibit 69 contains

HTC's Annual Report for fiscal year 2010.[5] That Annual Report indicates that HTC's manufacturing facilities for its mobile phones and tablet computers are located in Taiwan and China. *See* Ex. 69 at 92. The Annual Report also indicates that 50.6% of HTC's sales in 2010 were in North America. *Id.*

112. Exhibits 40-49 and 51 contain photographs of the HTC One S mobile phone, HTC Amaze 4G mobile phone, HTC Flyer tablet computer, HTC HD7S mobile phone, HTC Inspire 4G mobile phone, HTC Jetstream tablet computer, HTC MyTouch 4G Slide mobile phone, HTC Radar 4G mobile phone, HTC Rezound mobile phone, HTC Rhyme mobile phone, and HTC Vivid mobile phone purchased from retailers in the United States. The photographs show, inter alia, that these mobile phones themselves, as well as their packaging, indicate that they were "Made in Taiwan."

113. Exhibit 50 contains photographs of the HTC Sensation 4G purchased from a retailer in the United States. These photographs show, inter alia, that this mobile phone and its packaging indicate that the mobile phone was "Made in China."

VIII. HARMONIZED TARIFF SCHEDULE NUMBERS

114. On information and belief, the Accused Products have been imported into the United States under at least the following Harmonized Tariff Schedule numbers: 8517.12.00 (mobile phones); and 8471.30.01, 8471.49.00, or 8471.50.01 (mobile tablets and computers).

IX. RELATED LITIGATION

115. Concurrent with the instant litigation, Nokia filed complaints in the U.S. District Court for the District of Delaware alleging infringement of the Asserted Patents against Respondents.

[5] HTC's Annual Report for fiscal year 2011 is not yet available.

116. Aside from the above-mentioned parallel district court matter, Nokia has not litigated the Asserted Patents against Respondents before any other court or agency.

117. Nokia, however, has litigated the '911 and '664 Patents against other parties in prior litigation. For example, Nokia previously asserted those patents against Apple Inc. before the U.S. International Trade Commission in Inv. No. 337-TA-771, *Certain Electronic Devices, Including Mobile Phones, Mobile Tablets, Portable Music Players, & Computers, & Components Thereof*, and before the U.S. District Court for the District of Delaware in *Nokia Corp. et al v. Apple Inc.*, 1:11-cv-259 (GMS). Both the ITC investigation and the corresponding parallel district court matter were terminated based on a settlement agreement in June 2011.

118. In addition, Intellisync f/k/a Pumatech Inc. has litigated the '664 Patent against multiple third parties before the U.S. District Court for the Northern District of California in *Pumatech, Inc. v. Synchrologic, Inc.*, Case No. 02-cv-5708 (filed Dec. 5, 2002) and in *Pumatech, Inc. v. Extended Systems, Inc.*, Case No. 02-cv-1916 (filed Dec. 5, 2002). On information and belief, these cases were both terminated based on a settlement agreement or other out-of-court arrangement in September 2003 and March 2004, respectively.

X. DOMESTIC INDUSTRY

119. An industry as required by Section 337(a)(2) and as defined by Section 337(a)(3) exists or is in the process of being established in the United States. Nokia already offers in the U.S. market two models of mobile phones that practice the Asserted Patents, the Lumia 710 and Lumia 900, and has already spent millions of dollars in the United States to create, test, and support these models for use by U.S. consumers. Moreover, Nokia continues to take the necessary tangible steps to further establish a domestic industry for the Lumia 710, Lumia 900, and other Windows-based mobile phones by budgeting additional and substantial resources to ensure that these products are fully developed, are available, and are serviced properly in the

United States. Thus, Nokia's past, present, and future activities as they relate to the Lumia 710 and Lumia 900 support both a current and future domestic industry relating to products that practice the Asserted Patents.

A. Nokia's Practice of the Asserted Patents

120. As stated above, for purposes of this complaint, Nokia submits the Lumia 710 and the Lumia 900 as representative mobile phones that practice the Asserted Patents. The following table provides a summary of the each of the Asserted Patents being practiced by these Nokia products:

U.S. Patent No.	Nokia Product
5,570,369	Lumia 710 & Lumia 900
5,884,190	Lumia 900[6]
6,141,664	Lumia 710 & Lumia 900
6,393,260	Lumia 710 & Lumia 900
6,728,530	Lumia 710 & Lumia 900
7,106,293	Lumia 710 & Lumia 900
7,209,911	Lumia 710 & Lumia 900
7,366,529	Lumia 710 & Lumia 900
7,415,247	Lumia 710 & Lumia 900

121. In addition, Nokia is actively designing new mobile phones in the United States, which may also practice the Asserted Patents.

122. Photographs of Nokia's Lumia 710 mobile phone are included in Exhibit 52, and Confidential Exhibit 63 contains technical information thereon.

[6] It is expected that, in short order, the Lumia 710 will also practice the '190 Patent. It already has the capability to do so, however, that patented technology is currently disabled on the Lumia 710 until Nokia receives approval from the U.S. Federal Communications Commission ("FCC") to utilize this feature. Once the FCC grants the necessary approval, Nokia intends to enable the functionality on the Lumia 710 via a software update.

123. Photographs of Nokia's Lumia 900 mobile phone are included in Exhibit 53, and Confidential Exhibits 64-66 contains technical information thereon.

124. Confidential Exhibit 54 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claim 1 of the '369 Patent.

125. Exhibit 55 contains a claim chart showing that Nokia's Lumia 900 mobile phone practices at least claim 1 of the '190 Patent.

126. Exhibit 56 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claims 3, 28, 43, and 68 of the '664 Patent.

127. Confidential Exhibit 57 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claim 6 of the '260 Patent.

128. Exhibit 58 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claims 1 and 14 of the '530 Patent.

129. Exhibit 59 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claims 7 and 13 of the '293 Patent.

130. Exhibit 61 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claims 1, 12, 23, and 25 of the '529 Patent.

131. Exhibit 60 contains a claim chart showing that Nokia's Lumia 710 mobile phone practices at least claims 2 and 6 of the '911 Patent.

132. Confidential Exhibit 62 contains a claim chart showing that Nokia's Lumia 900 mobile phone practices at least claims 2, 10, 18, and 23 of the '247 Patent.

B. Nokia's Investments in the United States Relating to Products that Practice the Asserted Patents

133. Nokia has made, and continues to make, substantial investments in the United States to create and support the products that practice the Asserted Patents.

134. In 2011, Nokia began development of a new line of smartphones for the U.S. market that use the Microsoft Windows Phone operating system.

135. The first of these Windows-based mobile phones, Nokia's Lumia 710, was released in the United States in January 2012.

136. The second of these Windows-based mobile phones, Nokia's Lumia 900, was released in the United States in April 2012.

137. Nokia has expended considerable resources on plant and equipment, labor and capital, and engineering and research and development to support its Windows-based mobile phones in the United States. These expenditures continue as Nokia further improves the Lumia 710 and Lumia 900 mobile phones and also seeks to develop new Windows-based mobile phones. A discussion of both current and future representative expenditures is set forth below.

1. Significant Investment in Plant and Equipment

138. Nokia has spent, and continues to spend, significant sums on its domestic facilities supporting the products that practice the Asserted Patents. For example, the Lumia 710 and Lumia 900 mobile phones were both developed in Nokia's San Diego, California facility, in which Nokia has made, and continues to make, extensive investments.

139. In addition, Nokia maintains several other locations throughout the United States that support activities related to these mobile phones, including, but not limited to, Burlington, Massachusetts; Bellevue, Washington; and Sunnyvale, California. *See* Confidential Ex. 71. Such expenditures for facilities supporting the Lumia 710 and Lumia 900 will continue.

140. Nokia has also made, and continues to make, significant domestic investments in equipment used to test and develop the Lumia 710 and Lumia 900. From 2011 to 2012, Nokia spent millions of dollars in the United States on such equipment. *See* Confidential Ex. 71.

141. In addition to expenditures already made, Nokia has budgeted millions of dollars more to be spent in the United States on equipment used to test and develop the Lumia 710 and Lumia 900, as well as other Windows-based mobile phones. *See* Confidential Ex. 71.

2. Significant Employment of Labor and Capital

142. Nokia has engaged in, and continues to engage in, significant employment of labor and capital in the United States.

143. As of January 2012, Nokia had over 2,000 U.S.-based employees, and their combined salaries total in the hundreds of millions of dollars. *See* Confidential Ex. 71.

144. The majority of these employees work in research and development or in ongoing product maintenance supporting Nokia's products in sold in the United States, including those that practice the Asserted Patents. Many of them were specifically dedicated to the development and testing of the Lumia 710 and Lumia 900 mobile phones. *See* Confidential Ex. 71.

145. In addition to employment expenditures already made, Nokia has budgeted ample amounts of money to be spent in the United States on salaries for the continued development of the Lumia 900 in the second quarter of 2012. *See* Confidential Ex. 71.

3. Substantial Investments in Engineering and Research and Development

146. Nokia has made, and continues to make, substantial investment in engineering and research and development activities that support the products that practice the Asserted Patents.

147. For example, just since 2011, Nokia has spent millions of dollars in the United States on the development of the Lumia 710 and Lumia 900. These expenditures include, but are not limited to, direct program costs and costs for building prototypes of these mobile phones. *See* Confidential Ex. 71.

148. In addition to expenditures already made, Nokia has budgeted additional expenditures to be spent on the further development of Lumia 900 for the remainder of 2012. *See* Confidential Ex. 71.

149. Nokia's engineers also continue to design new mobile phones to be used in conjunction with the Windows Phone operating system. *See* Confidential Ex. 71.

150. Once initial development is complete for any Nokia mobile phone produced for the U.S. market, including, but not limited to, the Lumia 710 or Lumia 900, that phone undergoes rigorous testing. *See* Confidential Ex. 71.

151. Even after Nokia makes a new mobile phone available for sale domestically, Nokia continues to work on in-market activities, which involve, inter alia, product support and quality control. Nokia has spent sizeable resources in the United States on in-market activities for the Lumia 710 and Lumia 900. *See* Confidential Ex. 71.

152. In addition to expenditures already made, Nokia has budgeted additional expenditures to be spent on domestic in-market activities to support the Lumia 710 and Lumia 900 for the remainder of 2012. *See* Confidential Ex. 71.

153. Nokia has also budgeted millions of dollars for warranty and repair of the products that practice the Asserted Patents, including the Lumia 710 and Lumia 900 mobile phones. Nokia CARE, currently based out of Nokia's Irving, Texas facility, is responsible for providing these services. *See* Confidential Ex. 71.

154. Further, Nokia has budgeted millions of dollars to be spent domestically in 2012 for salaries and materials that support the Lumia 710 and Lumia 900. *See* Confidential Ex. 71.

XI. REQUEST FOR RELIEF

155. Complainants request that the U.S. International Trade Commission:

a. Institute an immediate investigation, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to violations of Section 337 based upon the sale for importation into the United States, the importation into the United States, and/or the sale within the United States after importation of Respondents' electronic devices, including mobile phones and tablet computers, and components thereof that infringe one or more claims of the Asserted Patents;

b. Determine that there has been a violation of Section 337 by each Respondent;

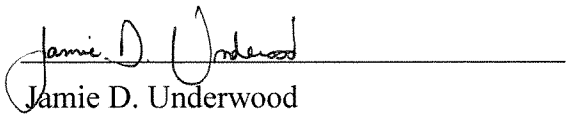
c. Issue a permanent exclusion order, pursuant to 19 U.S.C. § 1337(d), prohibiting entry into the United States all of Respondents' electronic devices, including mobile phones and tablet computers, and components thereof that infringe one or more claims of the Asserted Patents;

d. Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), prohibiting Respondents, or their parents, subsidiaries, or other affiliates, from importing, admitting or withdrawing from a foreign trade zone, marketing, advertising, demonstrating, warehousing inventory, distributing, offering for sale, selling, licensing, repairing, programming, or updating electronic devices, including mobile phones and tablet computers, and components thereof that infringe one or more claims of the Asserted Patents; and

e. Grant such other and further relief as the Commission deems just and proper based on the facts determined by the investigation and the authority of the Commission.

Dated: May 2, 2012

Respectfully submitted,



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