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6 Attorneys for Plaintiff
PULSE ELECTRONICS, INC.
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10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 PULSE ELECTRONICS, INC., a
13 Delaware corporation.

14 Plaintiff,

15 v.

16 U.D. Electronic Corp., a Taiwan
corporation,

17 Defendants.
18

CASE NO. '18CV0373 AJB WVG

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

1 This is an action for patent infringement in which Plaintiff Pulse Electronics,
2 Inc. (“Pulse” or “Plaintiff”) makes the following allegations against Defendant U.D.
3 Electronic Corp. (“UDE” or “Defendant”) as follows:

4 **THE PARTIES**

5 1. Pulse is a corporation organized and existing under the laws of the
6 state of Pennsylvania and maintains its principal place of business at 15255
7 Innovation Drive, Suite #100, San Diego, California, 92128.

8 2. On information and belief, UDE is a corporation organized and
9 existing under the laws of Taiwan and maintains its principal place of business at
10 No. 13, Ln. 68, Neixi Rd., Luzhu Dist. Taoyuan City 33852, Taiwan.

11 3. On information and belief, UDE maintains an office at 2430 Camino
12 Ramon, Suite 355 San Ramon, CA 94583-4212.

13 4. On information and belief, UDE does not have any affiliates or
14 subsidiary companies within the United States.

15 **JURISDICTION AND VENUE**

16 5. This action arises under the patent laws of the United States, 35 U.S.C.
17 §§ 1, *et seq.*, including §§ 271 and 281.

18 6. This Court has original and exclusive subject matter jurisdiction over
19 the matters pleaded herein pursuant to 28 U.S.C. §§1331 and 1338(a).

20 7. On information and belief, this Court has personal jurisdiction over
21 Defendant because Defendant has purposely directed contacts with and within
22 California and this judicial district, purposely avails itself of the privilege of
23 conducting activities within California and this judicial district, has continuous and
24 systematic contacts with and within California and this judicial district, transacts
25 substantial business, including generally and specifically in relation to the causes of
26 action and acts of infringement alleged herein, either directly or through agents, on
27 an ongoing basis in California and this judicial district.

28 8. On information and belief, Defendant sells its products directly into

1 the United States and this judicial district directly and/or through one or more
2 distributors.

3 9. Venue is prior in this judicial district pursuant to 28 U.S.C. §§ 1400(b)
4 and 1391.

5 **BACKGROUND**

6 10. Founded in 1947, and present within San Diego County for at least 50
7 years, Pulse is a worldwide leader in electronic component design and
8 manufacturing, including in the design and manufacture of RJ-45 Integrated
9 Connector Modules (“ICM”). Pulse’s engineering design centers and manufacturing
10 facilities supply products to a broad international customer base.

11 11. An RJ-45 ICM is an electrical connector commonly used for Ethernet
12 networking. It looks generally similar to a telephone jack, and may be embodied as
13 either a single port (receptacle) or multi-port device. For example:



23 12. As a testament to Pulse’s innovation, it has been issued more than 100
24 United States and international patents dealing generally with RJ-45 ICM
25 technology. Four of those (U.S.) patents are asserted in this litigation.

26 13. Upon information and belief, Defendant (founded in 2005) is a
27 manufacturer and supplier data communications equipment, including RJ-45 ICMs.
28

THE PATENTS-IN-SUIT

14. Pulse owns all right, title, and interest in U.S. Patent No. 6,773,302 (the “’302 Patent”), U.S. Patent No. 7,959,473 (the “’473 Patent”), U.S. Patent No. 9,178,318 (the “’318 Patent”), and U.S. Patent No. 6,593,840 (the “’840 Patent”) (collectively, the “Patents-in-Suit”).

15. Each of the Patents-in-Suit is valid and enforceable.

16. Pulse is in compliance with the marking requirements under 35 U.S.C. § 287 for each of the Patents-in-Suit.

17. The ’302 Patent, entitled “Advanced Microelectronic Connector Assembly and Method of Manufacturing” was duly and legally issued by the United States Patent and Trademark Office on August 10, 2004 after a full and fair examination. A copy of the ’302 Patent is attached hereto as Exhibit A.

18. The ’473 Patent, entitled “Universal Connector Assembly and Method of Manufacturing” was duly and legally issued by the United States Patent and Trademark Office on June 14, 2011 after a full and fair examination. A copy of the ’473 Patent is attached hereto as Exhibit B.

19. The ’318 Patent, entitled “Shielded Integrated Connector Modules and Assemblies and Methods of Manufacturing the Same” was duly and legally issued by the United States Patent and Trademark Office on November 3, 2015 after a full and fair examination. A copy of the ’318 Patent is attached hereto as Exhibit C.

20. The ’840 Patent, entitled “Electronic Packaging Device with Insertable Leads and Method of Manufacturing” was duly and legally issued by the United States Patent and Trademark Office on July 15, 2003 after a full and fair examination. A copy of the ’840 Patent is attached hereto as Exhibit D.

UDE’S INFRINGING ACTIVITY

21. On information and belief, Defendant makes, uses, offers to sell, sells and/or imports into the United States products that infringe the Patents-in-Suit, including, but not limited to, the following: (i) 1G multi-port ICM products,

1 including, but not limited to, M1, M4, M6, MC, N1, N6, N8, RM, and RN series
2 1G devices; (ii) “Multi-Gigabyte” (e.g., 2.5G/5G) single-port and multi-port ICM
3 products, including, but not limited to, GM2, GM-4, and GM6 series 2.5 or 5G
4 devices; and (iii) 10G single-port and multi-port ICM products, including, but not
5 limited to, GB-6, GM1, GM-4, and GM6 series 10G devices (collectively, the
6 “Accused Products”).

7 22. In addition to Defendant’s making, using, offering to sell, selling,
8 and/or importing into the United States the Accused Products, upon information
9 and belief, the Accused Products underwent an extensive sales cycle that involved
10 Defendant’s substantial U.S.-based use of the Accused Devices, including (a)
11 providing samples and/or prototypes of the Accused Products to potential
12 customers for evaluation, (b) securing “design wins” with potential customers
13 resulting in orders of large volumes of sales of the Accused Products (and
14 associated revenue and profit), and (c) negotiating and entering into sales contracts
15 involving the Accused Products. But for this U.S.-based infringing activity by
16 Defendant, such design wins would not have been achieved and Defendant would
17 not have benefited from the resulting sales and associated revenue and profit.

18 23. On October 14, 2016, Pulse sent a letter to Mr. Gary Chen, Chairman
19 and CEO of UDE, putting UDE on notice that its ICM products infringe one or
20 more claims of a number of U.S. patents, including the ‘473 patent asserted in this
21 litigation. Pulse demanded that UDE immediately cease and desist all infringement
22 activity. A copy of this letter is attached hereto as Exhibit E.

23 24. On October 27, 2016, UDE provided a one-page response which stated
24 that it does not infringe the patents referenced in Pulse’s October 14 letter because
25 UDE “verified that all the connectors [UDE] produced are based on the structure
26 developed with related patents applied by UDE.” Further, UDE suggested that
27 Pulse’s patents were invalid in light of the following prior art: “China Patent No.
28 02234347.4 publication date Jul.30, 2003, US patent No. 2003/002553 A1

1 Publication date: Jan.30, 2003, and US Patent No. 6,659,807 and etc.” A copy of
2 this letter is attached hereto as Exhibit F.

3 25. On February 3, 2017, Pulse sent another letter to UDE indicating that,
4 based on UDE’s October 27, 2016 correspondence, Pulse conducted an additional
5 investigation into UDE’s ICM product line. Pulse identified four patents that it
6 believed were infringed by UDE – the ’302 Patent, the ’473 patent, the ’318 patent,
7 and the ’840 Patent (the Patents-in-Suit in the instant litigation). Further, Pulse
8 attached detailed claim charts illustrating the applicability of selected claims of the
9 referenced patents to a selection of UDE’s products. A copy of this letter is attached
10 hereto as Exhibit G.

11 26. Additionally, in the February 3, 2017 letter, Pulse explained to UDE
12 that the non-infringement and invalidity arguments it made in its October 27, 2016
13 letter demonstrate a fundamental misunderstanding and/or misinterpretation of U.S.
14 patent law. In particular, Pulse states that “the filing or existence of a patent
15 application (or patent stemming therefrom) provides no right for UDE to make, use,
16 sell, or have made its products within the U.S.; at best, it merely provides UDE
17 with the ability to exclude *others* from such activity....” (Emphasis in original.)
18 Further, Pulse explained that UDE’s claim that it “doesn’t infringe one or more
19 claims” of Pulse’s patents is not exculpatory because “only one valid claim of a
20 patent need be infringed for liability to exist”. (Emphasis in original.) Also, Pulse
21 points out that the alleged prior art cited by UDE in its October 27, 2016 letter is “at
22 best cumulative to that already cited in the relevant file histories) and states that the
23 new patents identified in Pulse’s February 3, 2017 letter are highly distinguishable
24 over the prior art cited by UDE.

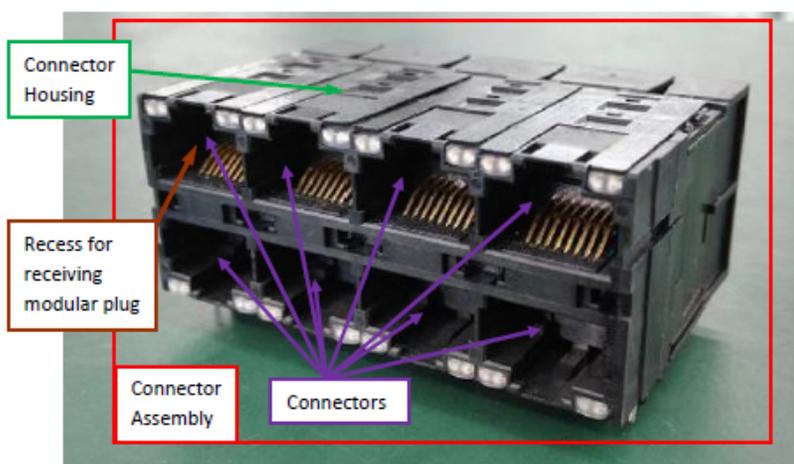
25 27. On March 6, 2017, UDE responded to Pulse’s March 4, 2017 letter
26 stating that Patents-in-Suit are invalid and provided annotations to Pulse’s March 4,
27 2017 claim charts in an effort to support its position. A copy of this letter is
28 attached hereto as Exhibit H.

1 infringe, literally and/or under the doctrine of equivalents, Claim 1 of the '302
2 Patent.

3 34. Defendant's 2x4 1G ICM products look substantially as follows:

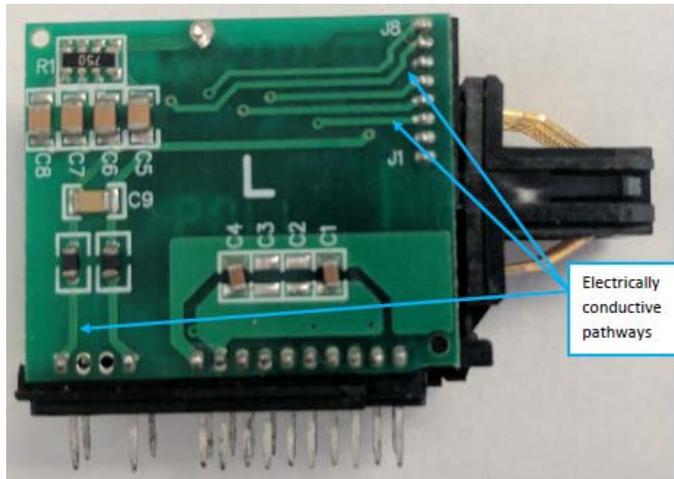
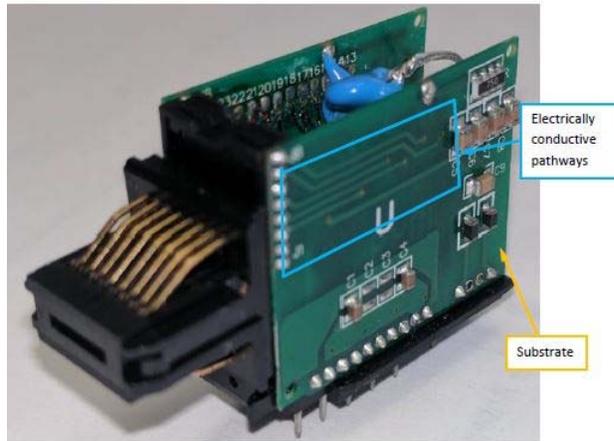


12 35. Independent Claim 1 of the '302 Patent is directed to “[a] connector
13 assembly comprising: a connector housing comprising a connector having: a recess
14 adapted to receive at least a portion of a modular plug, said modular plug having a
15 plurality of terminals disposed thereon....” These claimed features are present in
16 Defendant's 2x4 1G ICM as follows:

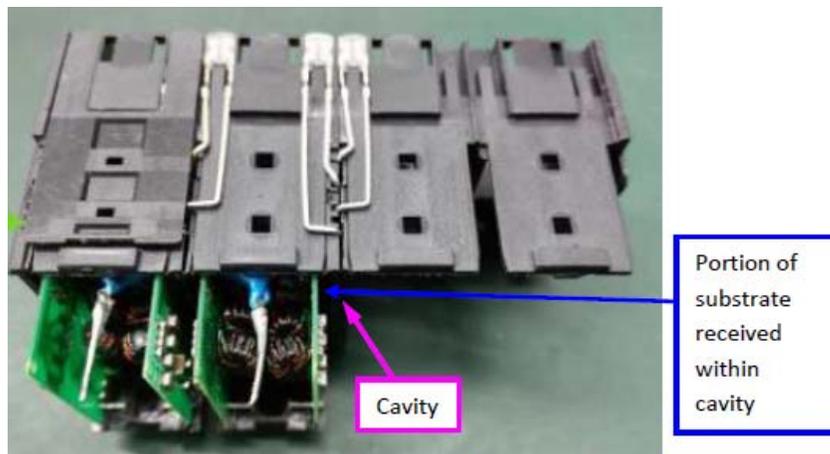


25 36. Claim 1 of the '302 Patent further requires “at least one substrate
26 having at least one electrically conductive pathway associated therewith....” These
27 claimed features are present in Defendant's 2x4 1G ICM as follows:
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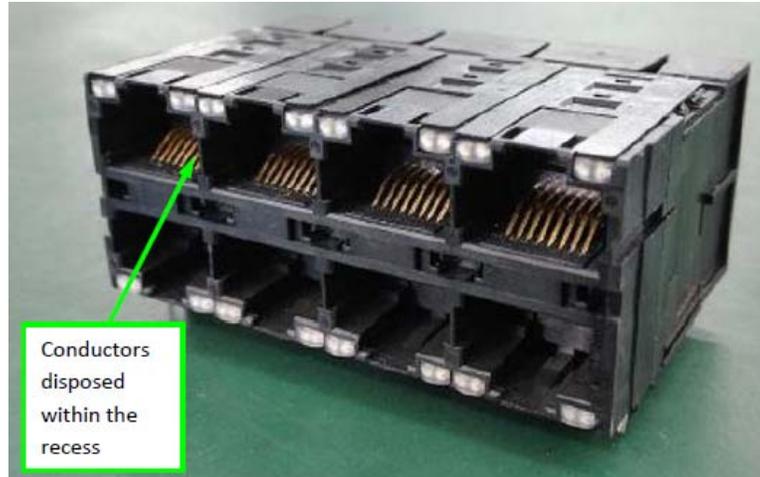
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37. Claim 1 of the '302 Patent further requires “a cavity adapted to receive at least a portion of said at least one substrate...” These claimed features are present in Defendant’s 2x4 1G ICM as follows:

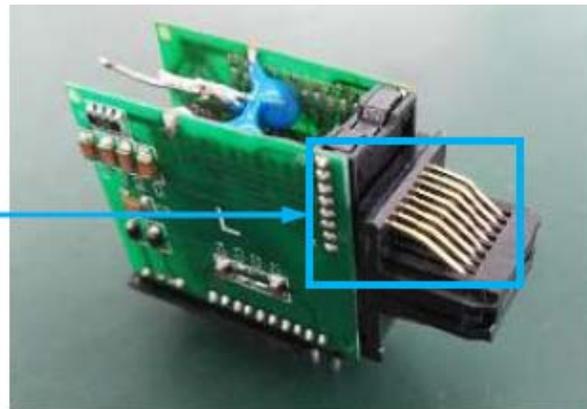


1 38. Claim 1 of the '302 Patent further requires “a plurality of first
2 conductors disposed at least partly within said recess, said first conductors being
3 configured to form an electrical contact with respective ones of said terminals when
4 said modular plug is received within said recess, and form an electrical pathway
5 between said first conductors and said at least one substrate....” These claimed
6 features are present in Defendant’s 2x4 1G ICM as follows:

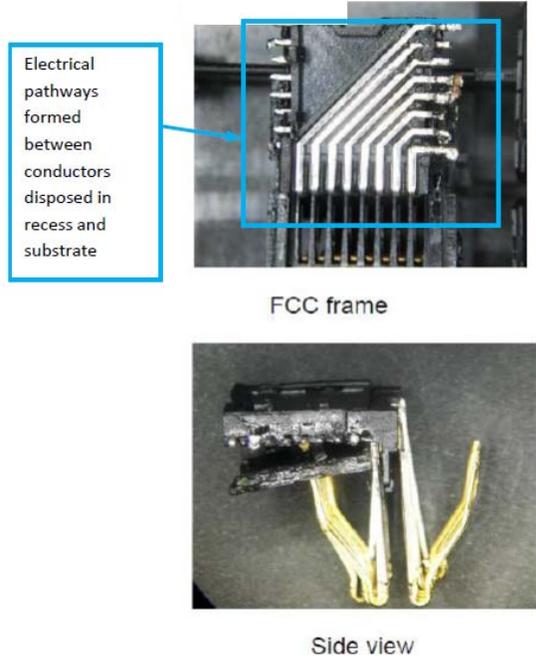


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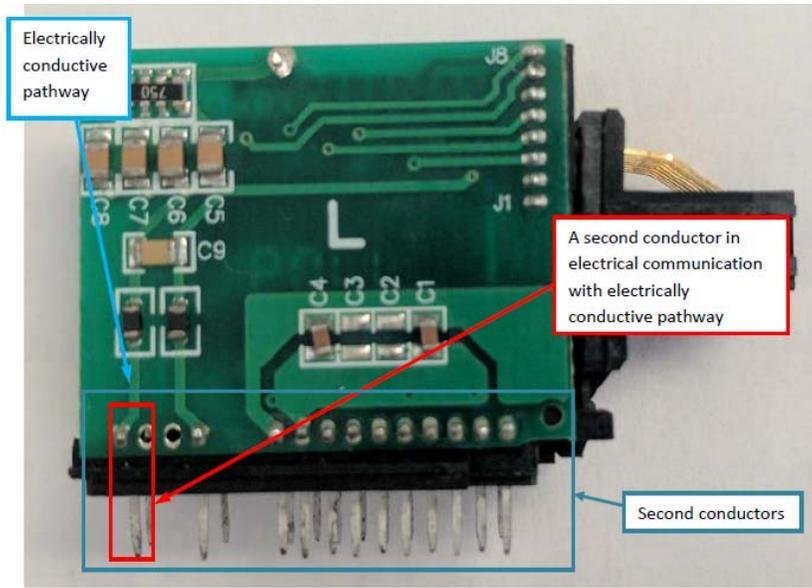
Electrical pathways formed between conductors and substrate (FCC leads mate directly to PCB)



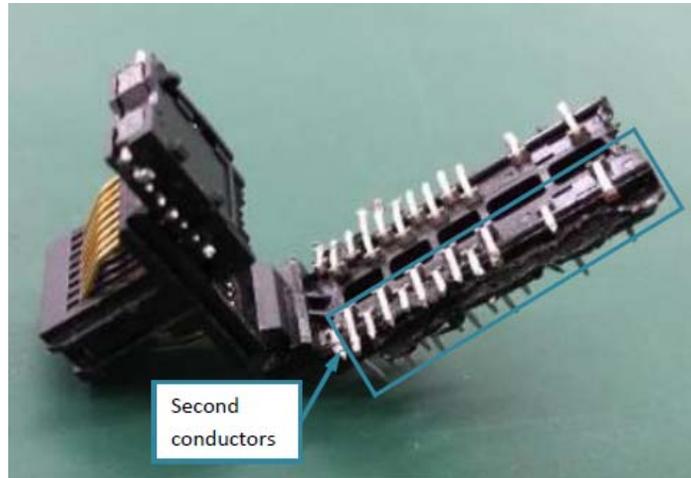
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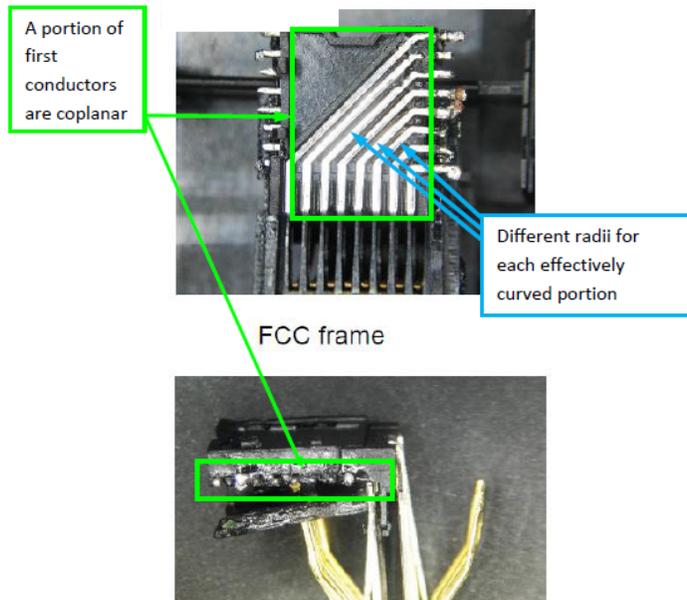
39. Claim 1 of the '302 Patent further requires “a plurality of second conductors, at least one of said second conductors being in electrical communication with said at least one electrically conductive pathway of said at least one substrate....” These claimed features are present in Defendant’s 2x4 1G ICM as follows:



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40. Claim 1 of the '302 Patent further requires “wherein at least a portion of said first conductors are substantially coplanar and each include an effectively curved portion, the effective radius of each said effectively curved portion being different for each of said first conductors.” These claimed features are present in Defendant’s 2x4 1G ICM as follows:



41. For at least the reasons stated in the preceding paragraphs, the Accused Products fall within the scope of at least independent Claim 1 of the '302 Patent.

42. Pulse has been irreparably harmed by Defendants’ acts of infringement of the '302 Patent and will continue to be harmed unless Defendant’s further acts of

1 infringement are enjoined by order of this Court.

2 43. Defendant continues to infringe the '302 Patent since receiving notice
3 of said infringement from Pulse. Defendant's infringement activities have been and
4 continue to be willful, wanton, malicious, bad-faith, deliberate, consciously
5 wrongful, and flagrant, entitling Pulse to increased damages under 35 U.S.C. § 284
6 and making this case exceptional within the meaning of 35 U.S.C. §285.

7 **COUNT 2**

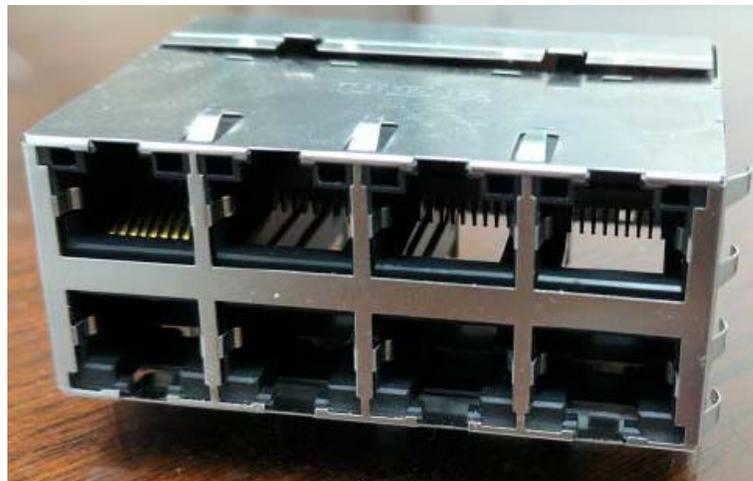
8 **INFRINGEMENT OF THE '473 PATENT**

9 44. Pulse incorporates paragraphs 1 through 43 by reference as if fully
10 stated herein.

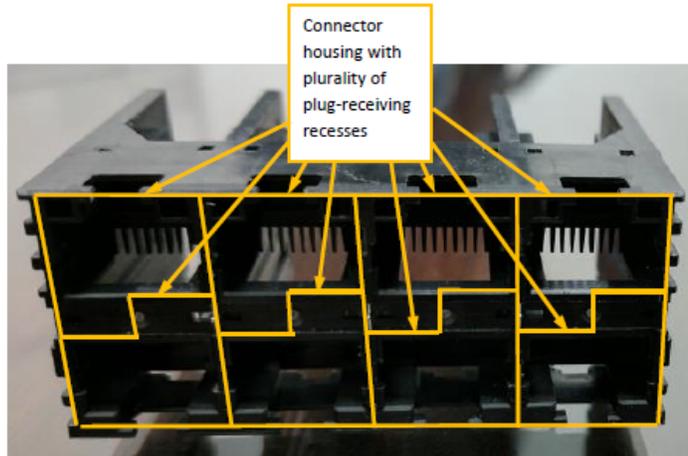
11 45. Defendant has directly infringed, and continues to directly infringe,
12 either literally and/or under the doctrine of equivalents, in violation of 35 U.S.C.
13 § 271(a), by making, using, offering to sell, selling, and/or importing into the
14 United States, without authority, Accused Products that infringe at least Claims 1,
15 16, and 30 of the '473 Patent.

16 46. By way of example, Defendant's 2x4 10G ICM products directly
17 infringe, literally and/or under the doctrine of equivalents, Claim 1 of the '473
18 Patent.

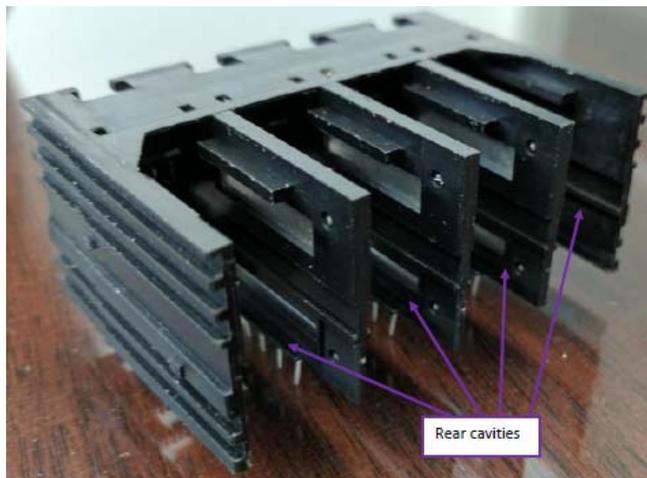
19 47. Defendant's 2x4 10G ICM products look substantially as follows:



1 48. Independent Claim 1 of the '473 patent is directed to “[a] connector
2 assembly comprising: a connector housing comprising a plurality of plug-receiving
3 recesses....” These claimed features are present in Defendant’s 2x4 10G ICM as
4 follows:



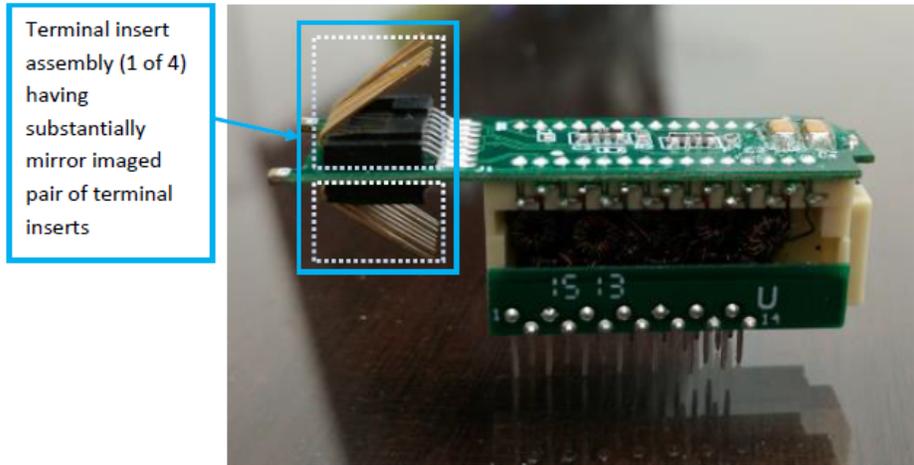
12 49. Claim 1 of the '473 Patent further requires “and at least one rear
13 cavity....” These claimed features are present in Defendant’s 2x4 10G ICM as
14 follows:



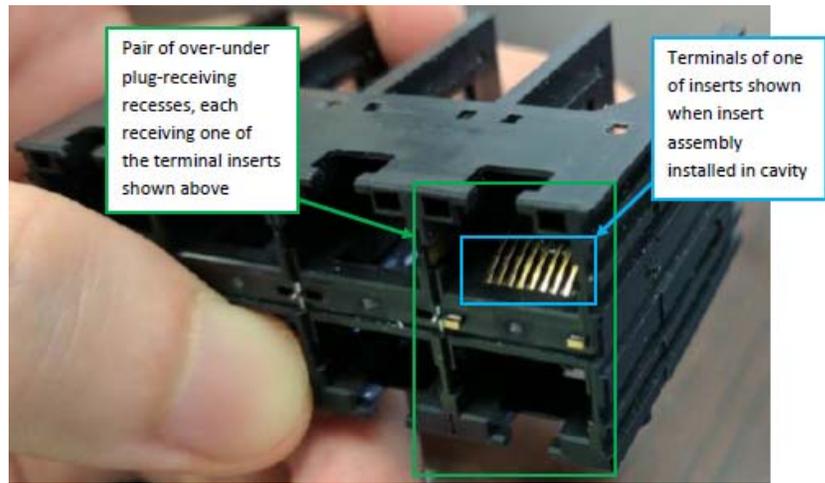
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23 50. Claim 1 of the '473 Patent further requires “a plurality of terminal
24 insert assemblies each comprised of a substantially mirror imaged pair of terminal
25 inserts....” These claimed features are present in Defendant’s 2x4 10G ICM as
26 follows:

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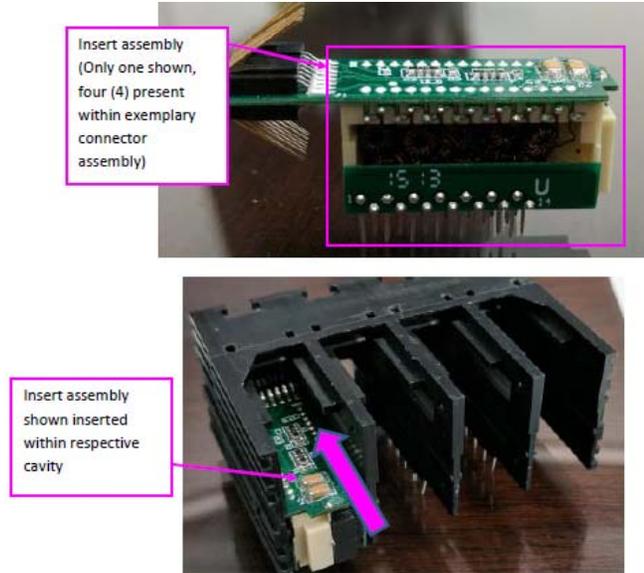


51. Claim 1 of the '473 Patent further requires “such that a given one of the plurality of terminal insert assemblies is received at least partly within at least two of the plug-receiving recesses....” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

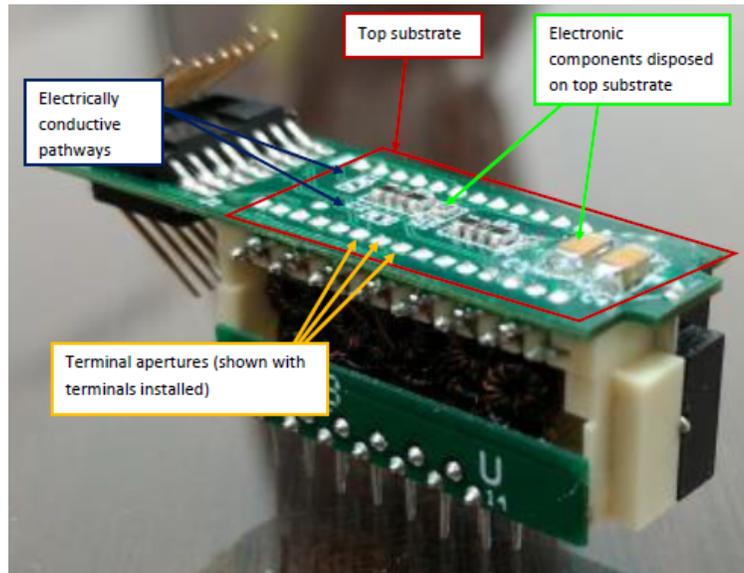


52. Claim 1 of the '473 Patent further requires “a plurality of insert assemblies, each said insert assembly comprising:” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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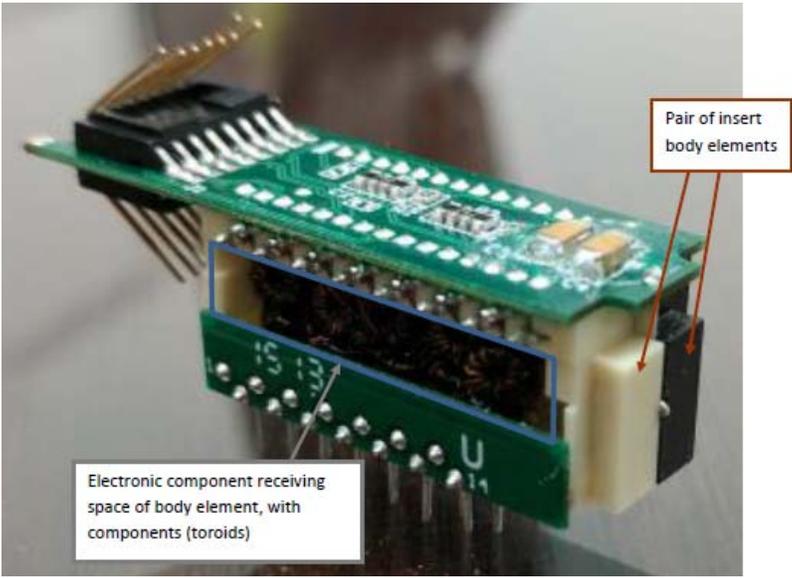
53. Claim 1 of the '473 Patent further requires “a top substrate having a plurality of electrically conductive pathways associated therewith, and at least one electronic component disposed substantially thereon, said top substrate further comprising a plurality of terminal apertures...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:



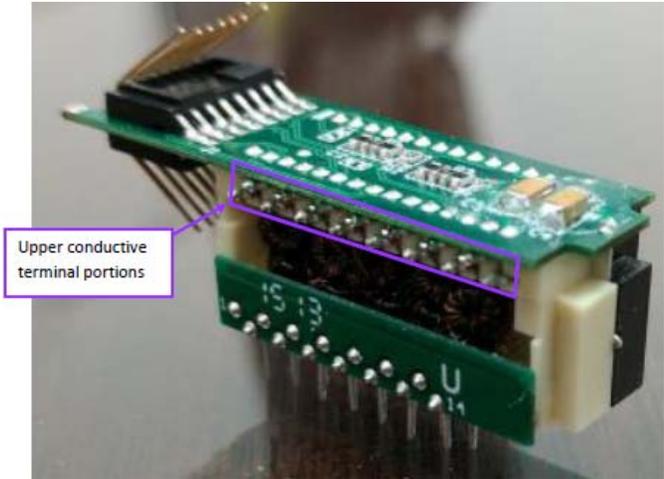
54. Claim 1 of the '473 Patent further requires “a pair of insert body elements comprised of an electronic component receiving space, each of said body elements comprising:” These claimed features are present in Defendant’s 2x4

1 10G ICM as follows:

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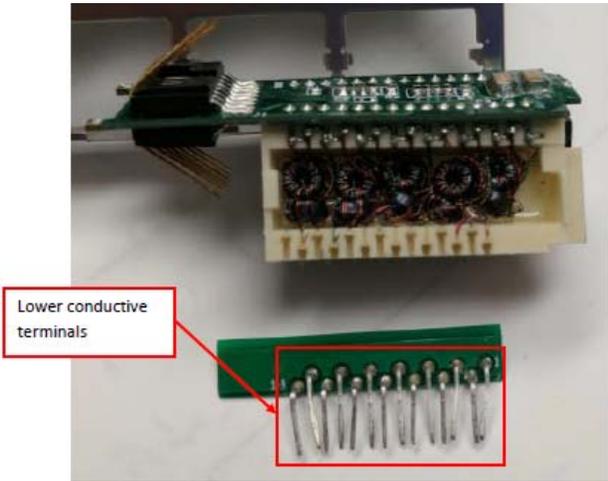


55. Claim 1 of the '473 Patent further requires "a plurality of upper conductive terminal portions..." These claimed features are present in Defendant's 2x4 10G ICM as follows:

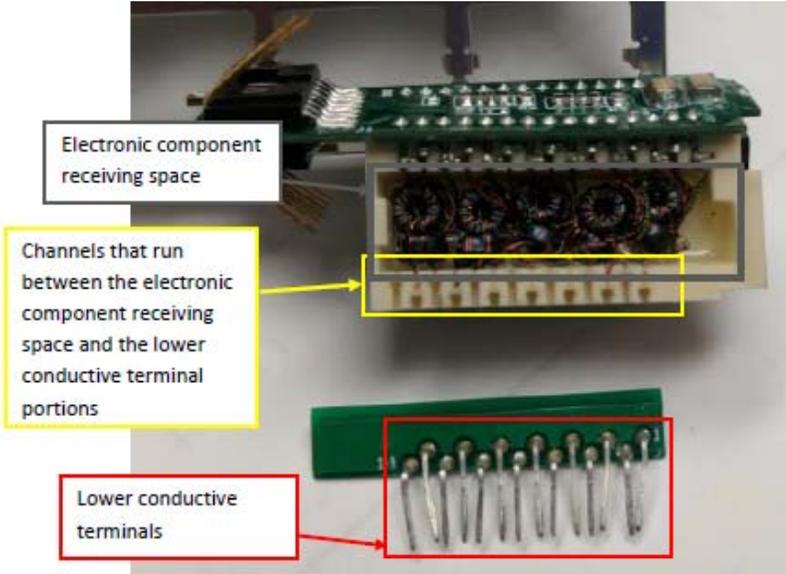


56. Claim 1 of the '473 Patent further requires "a plurality of lower conductive terminal portions..." These claimed features are present in Defendant's 2x4 10G ICM as follows:

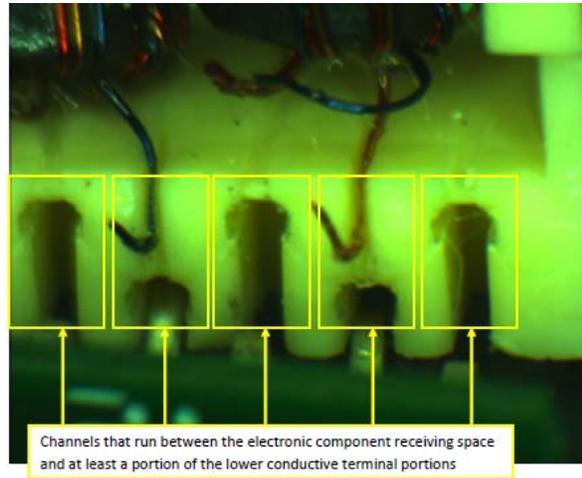
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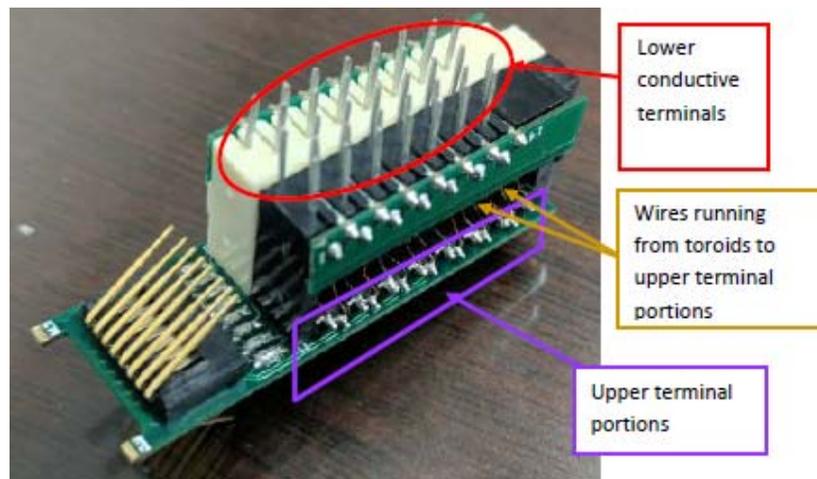
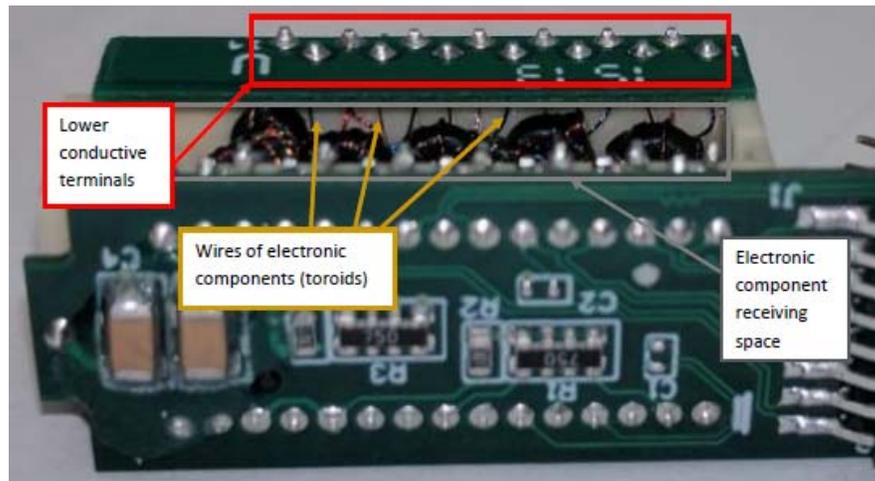
57. Claim 1 of the '473 Patent further requires “a plurality of channels that run between the electronic component receiving space and at least a portion of the lower conductive terminal portions...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:



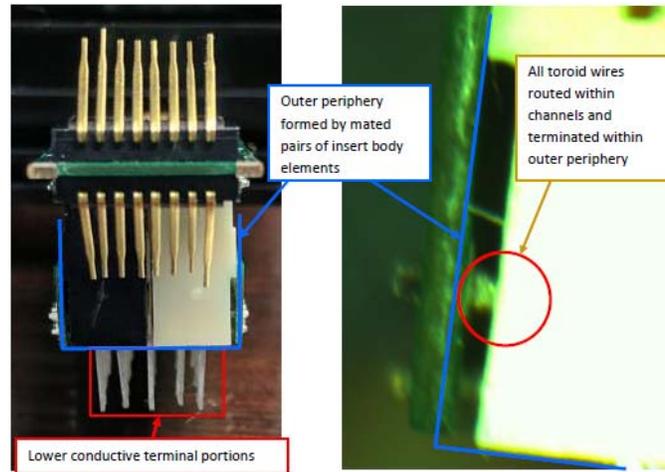
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58. Claim 1 of the '473 Patent further requires “wherein said plurality of channels allow for the routing of wire between the electronic component receiving space and the lower conductive terminal portions....” These claimed features are present in Defendant’s 2x4 10G ICM as follows:



1 59. Claim 1 of the '473 Patent further requires "internal to an outer
2 periphery formed by mated pairs of insert body elements." These claimed features
3 are present in Defendant's 2x4 10G ICM as follows:



12 60. For at least the reasons stated in the preceding paragraphs, the Accused
13 Products fall within the scope of at least independent Claim 1 of the '473 Patent.

14 61. Upon information and belief, based on the information presently
15 available to Pulse absent discovery, in addition to and/or in the alternative to direct
16 infringement, Pulse alleges that Defendant has, since at least as early as receiving
17 Pulse's October 14, 2016 letter (Exhibit E), induced infringement and continues to
18 induce infringement of at least Claims 18, 33, 39, and 41 of the '473 Patent under
19 35 U.S.C. § 271(b).

20 62. Upon information and belief, Defendant continues, since at least as
21 early as receiving Pulse's October 14, 2016 letter (Exhibit E), to actively,
22 knowingly, and intentionally induce infringement of the '473 Patent by making,
23 using, selling, offering for sale, importing, and/or otherwise supplying products
24 and/or services including the Accused Products to third parties, with the knowledge
25 and specific intent that such third parties will use, sell, offer for sale, and/or import,
26 products and/or services supplied by Defendants, including without limitation the
27 10G ICM products, to directly infringe the '473 Patent.

28 63. Upon information and belief, despite Defendant's knowledge of the

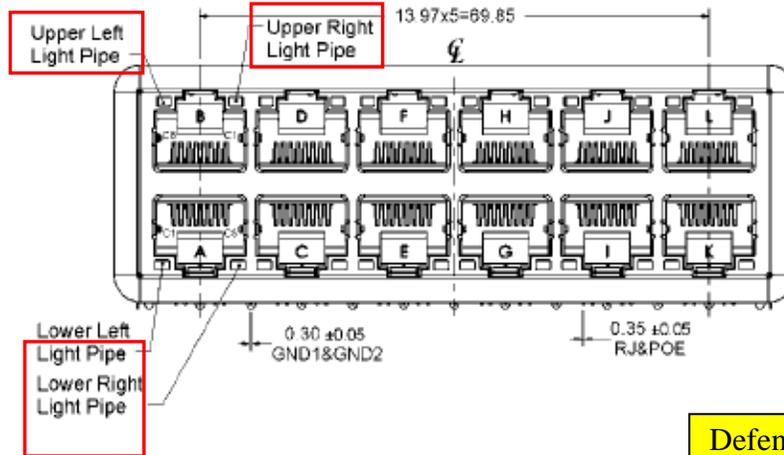
1 existence of the '473 Patent since at least as early as receiving Pulse's October 14,
2 2016 letter (Exhibit E), Defendant continues to encourage, instruct, enable and
3 otherwise aid and abet third parties, including but not limited to Defendant's
4 customers and sales or technical personnel, Defendant's agents, and/or users of the
5 Accused Products to use the Accused Products in a manner that directly infringes
6 the '473 Patent.

7 64. Upon information and belief, Defendant specifically intends that its
8 customers and sales or technical personnel, Defendant's agents, and/or users use the
9 Accused Products in such a way that directly infringes the '473 Patent by, at a
10 minimum, advertising, enticing, encouraging, instructing, and aiding and abetting
11 their customers, agents, and/or users, through the publication and dissemination of
12 marketing materials, detailed operational manuals, Internet sites, and/or technical
13 assistance related to the Accused Products, to use, sell, offer for sale, and/or import,
14 products and/or services supplied by Defendants, including the Accused Products,
15 to directly infringe the '473 Patent.

16 65. Upon information and belief, Defendant knew and knows that its
17 actions, including but not limited to providing detailed operating manuals, approval
18 sheets, and other literature, in relation to the Accused Products, would induce, have
19 induced, and continues to induce direct infringement of the '473 Patent by third
20 parties, including but not limited to Defendant's customers and sales or technical
21 personnel, Defendants' agents, and/or users.

22 66. Specifically, upon information and belief and by way of example,
23 through publication and dissemination of materials such as for example the GM6-
24 MA-0012 "Approval Sheet" (attached hereto as Exhibit K), as well as others,
25 Defendant actively encourages, solicits, enables, and teaches past, current, and
26 prospective customers and/or users of the Accused Products to avail themselves of
27 the so-called "light pipe" based indicators within the Accused Products.
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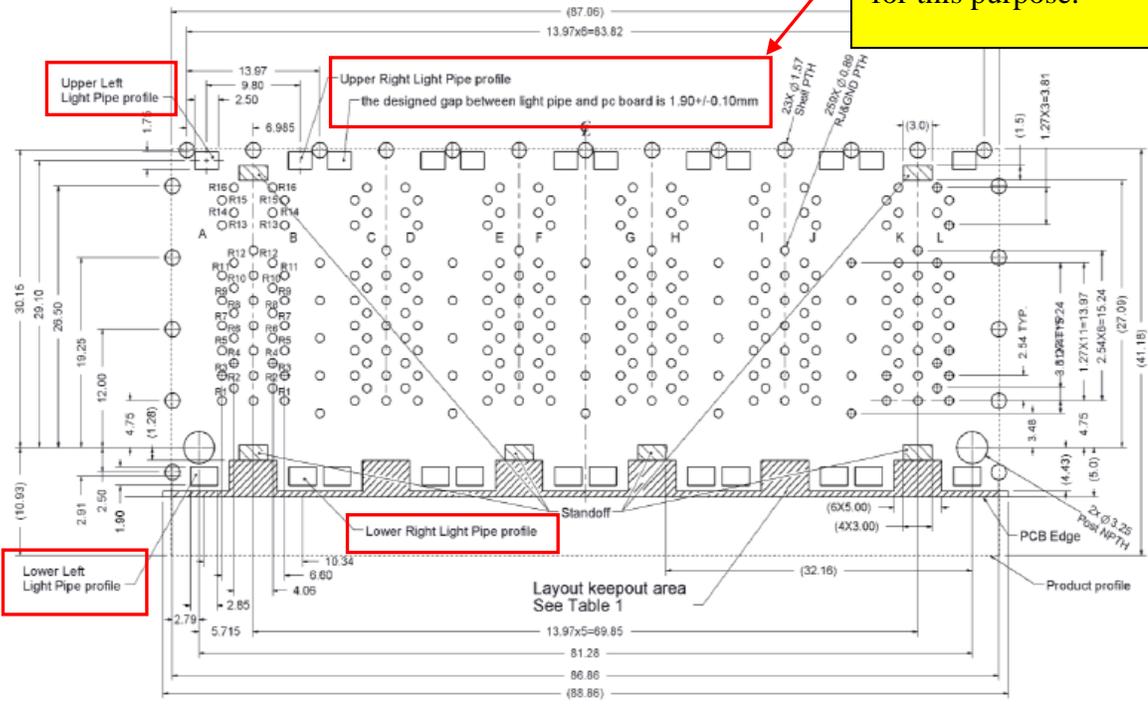
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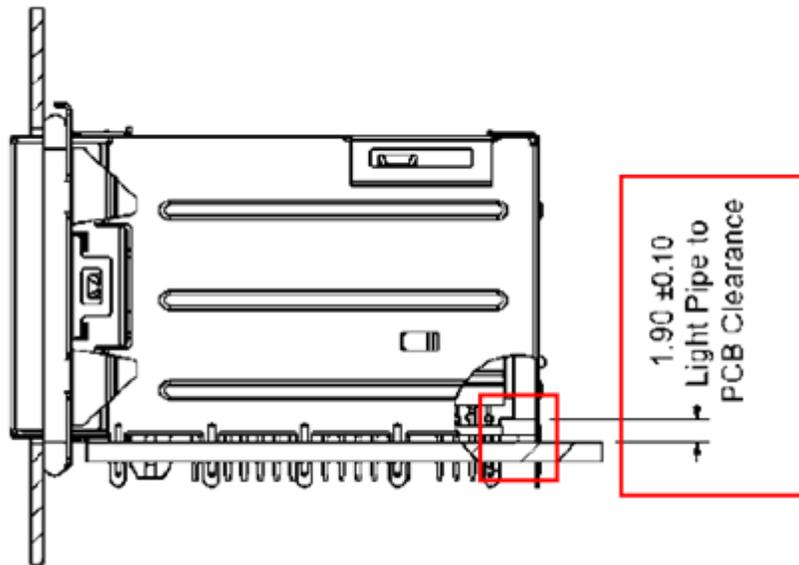
Recommended PCB Layout. Component side of board

All dimension units are "mm".
All dimension tolerances are ± 0.05 mm unless otherwise specified.

Defendant explicitly instructs users/customers on where to place LEDs on PCB to interface with light pipes, and constructs product with particular gap for this purpose.



Customer P/N :
UDE P/N : GM6-MA-0012
Description : RJ45 multiport 2X6
Through Hole
5G Base-T
Contact Area : 30 μ " Min. Gold
LED :Without LED
Light Pipe:Upper/Lower &POE 60W



67. Upon information and belief, based on the information presently available to Pulse absent discovery, in addition to and/or in the alternative to direct infringement, Pulse alleges that Defendant has contributorily infringed, and continues to contributorily infringe, at least Claims 18, 33, 39, and 41 of the '473 Patent under 35 U.S.C. § 271(c).

68. Upon information and belief, Defendant continues to contributorily infringe the '473 patent by making, using, selling, offering for sale, importing, and/or otherwise supplying products including the Accused Products to third parties, including without limitation the 10G ICM products, which are material to practicing the invention of the '473 Patent, and which when used or applied as intended by Defendant, directly infringe the '473 Patent.

69. Upon information and belief, Defendant continues to contributorily infringe the '473 patent by making, using, selling, offering for sale, importing, and/or otherwise supplying products including the Accused Products to third parties, including without limitation the 10G ICM products, which have no substantial non-infringing use or application, and which when used or applied, directly infringe the '473 patent.

1 70. Upon information and belief, Defendant continues to contributorily
2 infringe the '473 patent by making, using, selling, offering for sale, importing,
3 and/or otherwise supplying products including the Accused Products to third
4 parties, including without limitation the 10G ICM products, which Defendant
5 knows are especially made or especially adapted to infringe, and which when used
6 or applied, directly infringe the '473 patent.

7 71. Upon information and belief, Defendant specifically knows that its
8 customers and sales or technical personnel, Defendant's agents, and/or users use the
9 Accused Products in such a way that directly infringes the '473 patent by, at a
10 minimum, advertising, enticing, encouraging, instructing, and aiding and abetting
11 their customers, agents, and/or users, through the publication and dissemination of
12 marketing materials, detailed operational manuals, Internet sites, and/or technical
13 assistance related to the Accused Products, to combine the products supplied by
14 Defendants, including the Accused Products, with one or more other components
15 (including for example light-emitting diodes or LEDs) to directly infringe the '473
16 patent.

17 72. Specifically, upon information and belief and by way of example, as
18 shown for example in the GM6-MA-0012 "Approval Sheet" (attached hereto as
19 Exhibit K), as well as others, Defendant's Accused Products include the so-called
20 "light pipe" based indicators, and further are specifically adapted and configured to
21 interface with LEDs or other light sources (see discussion *supra*) so as to enable
22 third parties including customers and/users to avail themselves of the light pipe-
23 based indication functionality of the Accused Products.

24 73. Further, upon information and belief and by way of example, as shown
25 for example in the GM6-MA-0012 "Approval Sheet" (attached hereto as
26 Exhibit K), as well as others, Defendant's Accused Products have no substantial
27 non-infringing use other than that which directly infringes the '473 Patent.
28 Configuration of the Accused Products to have such light-pipe-based indicating

1 functionality requires specific adaptation of the Accused products, including the
2 inclusion of the light pipe components themselves (provided by Defendant with the
3 Accused Products), thereby requiring significant additional effort in manufacturing
4 by Defendant, and cost to any customer or purchaser.

5 74. Any use of such Accused Products with light pipes without LEDs or
6 other light sources would be at least impractical from a cost perspective, unusual
7 (inconsistent with industry practice), and occasional at best.

8 75. Pulse has been irreparably harmed by Defendants' acts of infringement
9 of the '473 Patent and will continue to be harmed unless Defendant's further acts of
10 infringement are enjoined by order of this Court.

11 76. Defendant continues to infringe the '473 Patent since receiving notice
12 of said infringement from Pulse. Defendant's infringement activities have been and
13 continue to be willful, wanton, malicious, bad-faith, deliberate, consciously
14 wrongful, and flagrant, entitling Pulse to increased damages under 35 U.S.C. § 284
15 and making this case exceptional within the meaning of 35 U.S.C. §285.

16 **COUNT 3**

17 **INFRINGEMENT OF THE '318 PATENT**

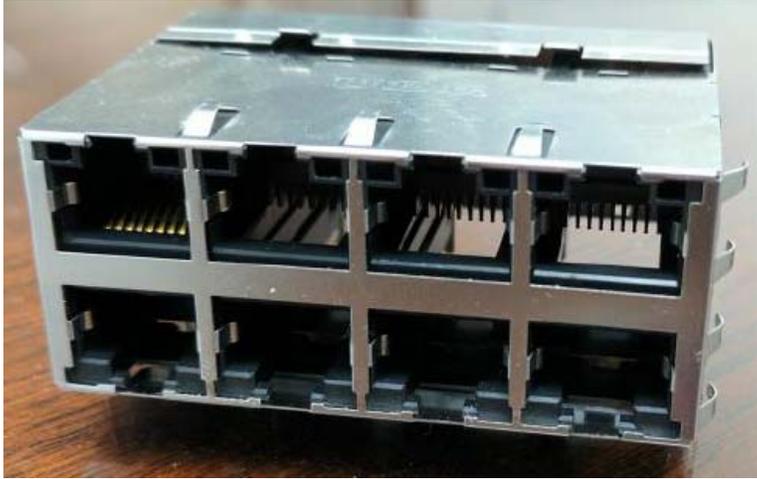
18 77. Pulse incorporates paragraphs 1 through 76 by reference as if fully
19 stated herein.

20 78. Defendant has directly infringed, and continues to directly infringe,
21 either literally and/or under the doctrine of equivalents, in violation of 35 U.S.C.
22 § 271(a), by making, using, offering to sell, selling, and/or importing into the
23 United States, without authority, Accused Products that infringe at least Claims 14
24 and 17 of the '318 Patent.

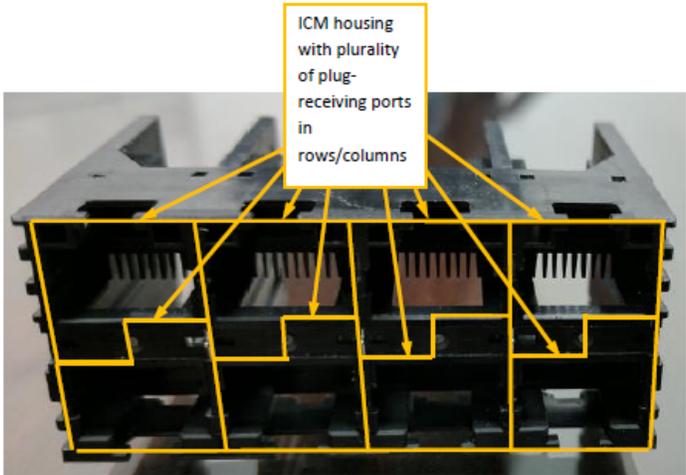
25 79. By way of example, Defendant's 2x4 10G ICM product directly
26 infringes, literally and/or under the doctrine of equivalents, Claim 14 of the '318
27 Patent.

28 80. Defendant's 2x4 10G ICM looks substantially as follows:

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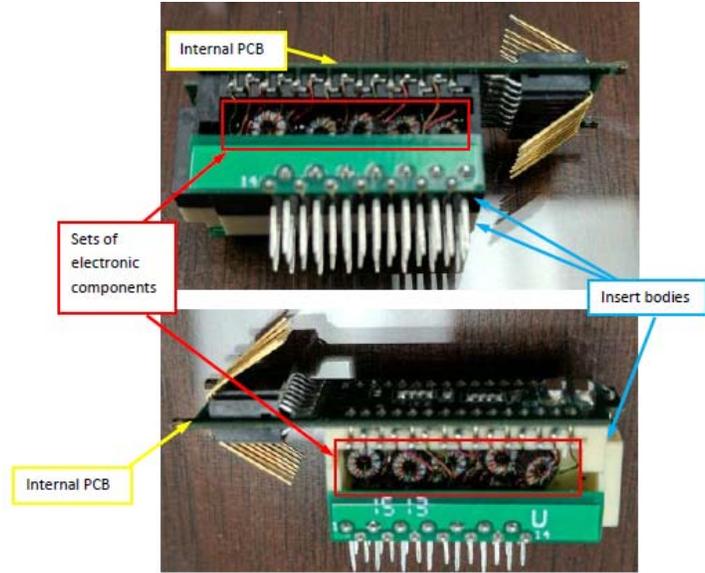


81. Independent Claim 14 of the '318 patent is directed to “[a]n integrated connector module, comprising: a connector housing comprising a plurality of connector ports arranged in a row-and-column fashion...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

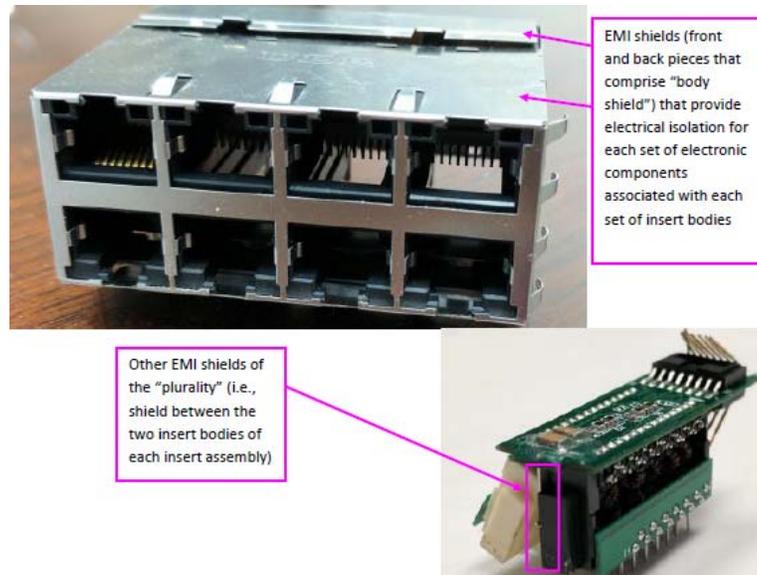


82. Claim 14 of the '318 Patent further requires “a plurality of sets of electronic components disposed within one or more insert bodies, the one or more insert bodies further comprising an internal printed circuit board...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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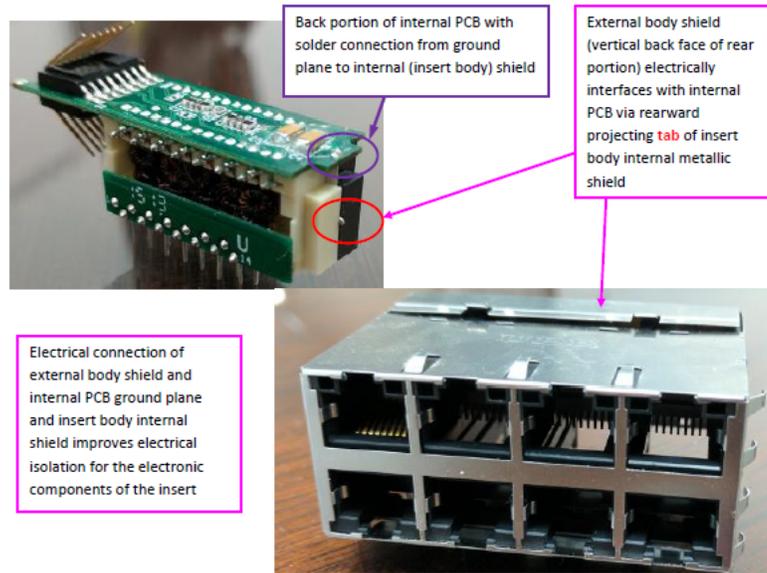


83. Claim 14 of the '318 Patent further requires “a plurality of electromagnetic interference (EMI) shields configured to provide electrical isolation for the plurality of sets of electronic components...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

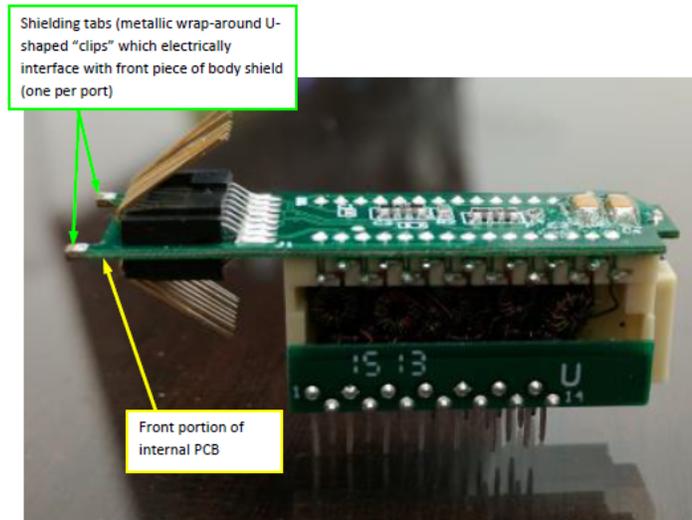


84. Claim 14 of the '318 Patent further requires “the plurality of EMI shields further comprising a body shield that interfaces with the internal printed circuit board at least at a back portion of the internal printed circuit board to improve electrical isolation for the plurality of sets of electronic components....”

1 These claimed features are present in Defendant’s 2x4 10G ICM as follows:



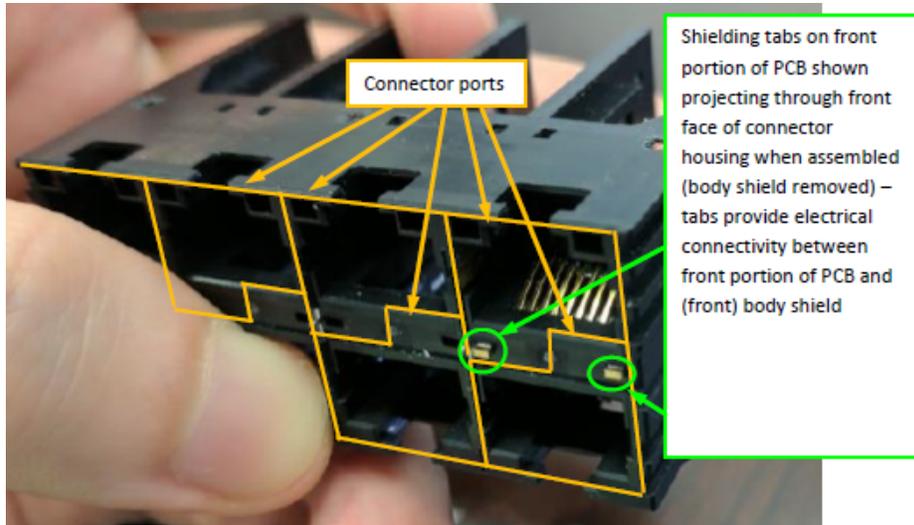
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12 85. Claim 14 of the '318 Patent further requires “a shielding tab disposed
13 at least partly within at least one of the plurality of connector ports...” These
14 claimed features are present in Defendant’s 2x4 10G ICM as follows:



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24 86. Claim 14 of the '318 Patent further requires “the shielding tab
25 configured to provide electrical connectivity between the internal printed circuit
26 board and the body shield at a front portion of the internal printed circuit board.”
27 These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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87. For at least the reasons stated in the preceding paragraphs, the Accused Products fall within the scope of at least independent Claim 14 of the '318 Patent.

88. Pulse has been irreparably harmed by Defendants' acts of infringement of the '318 Patent and will continue to be harmed unless Defendant's further acts of infringement are enjoined by order of this Court.

89. Defendant continues to infringe the '318 Patent since receiving notice of said infringement from Pulse. Defendant's infringement activities have been and continue to be willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, and flagrant, entitling Pulse to increased damages under 35 U.S.C. § 284 and making this case exceptional within the meaning of 35 U.S.C. §285.

COUNT 4
INFRINGEMENT OF THE '840 PATENT

90. Pulse incorporates paragraphs 1 through 89 by reference as if fully stated herein.

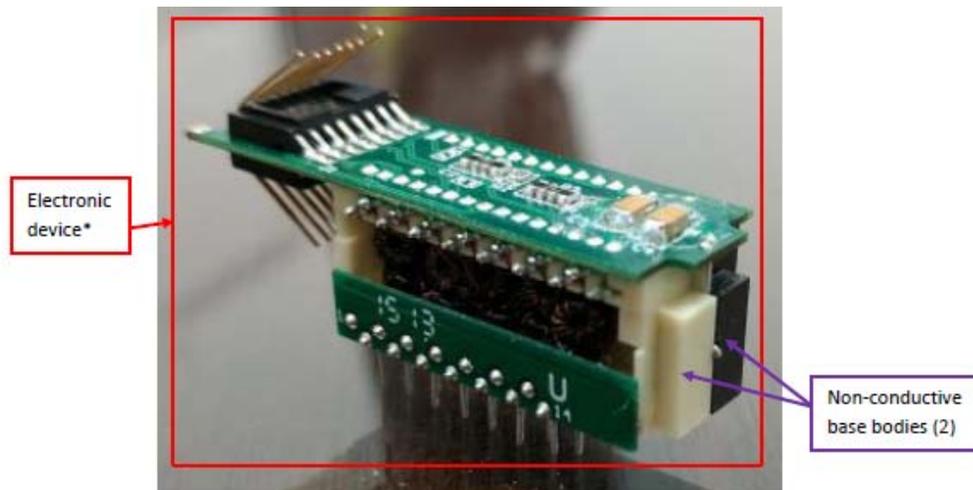
91. Defendant has directly infringed, and continues to directly infringe, either literally and/or under the doctrine of equivalents, in violation of 35 U.S.C. § 271(a), by making, using, offering to sell, selling, and/or importing into the United States, without authority, Accused Products that infringe at least Claims 1, 7, 19, 11, 12, and 16 of the '840 Patent.

1 92. By way of example, Defendant’s 2x4 10G ICM product directly
2 infringes, literally and/or under the doctrine of equivalents, Claim 1 of the ’840
3 Patent.

4 93. The relevant portion of Defendant’s 2x4 10G ICM looks substantially
5 as follows:

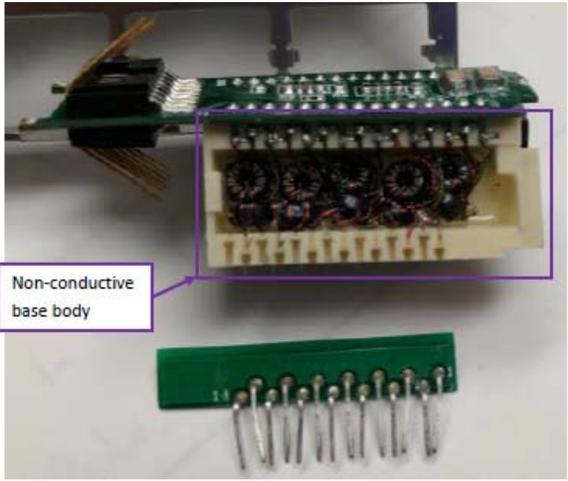


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13 94. Independent Claim 1 of the ’840 patent is directed to “[a]n electronic
14 device, comprising; a non-conducting base body having:” These claimed
15 features are present in Defendant’s 2x4 10G ICM as follows:

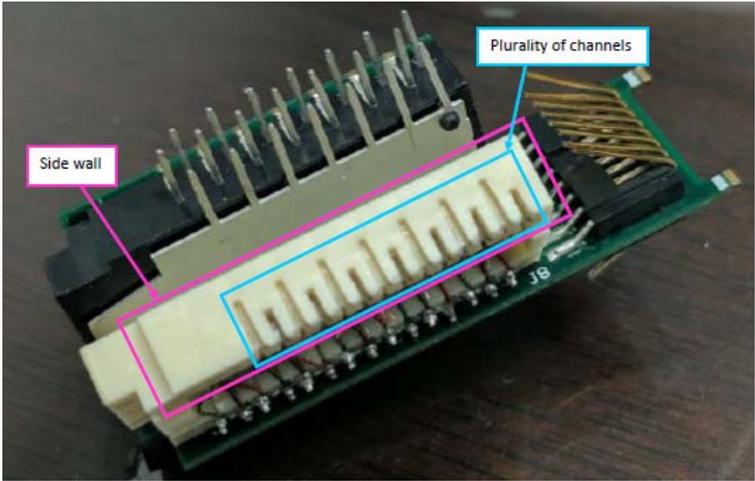


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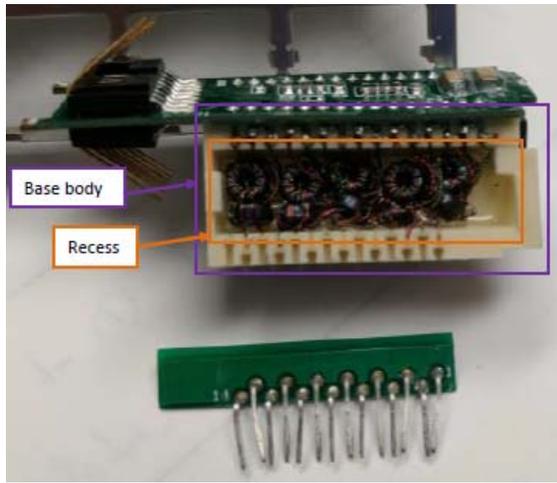


95. Claim 1 of the '840 Patent further requires “at least one side wall, wherein a portion of said at least one side wall defines a plurality of lead channels in said side wall...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

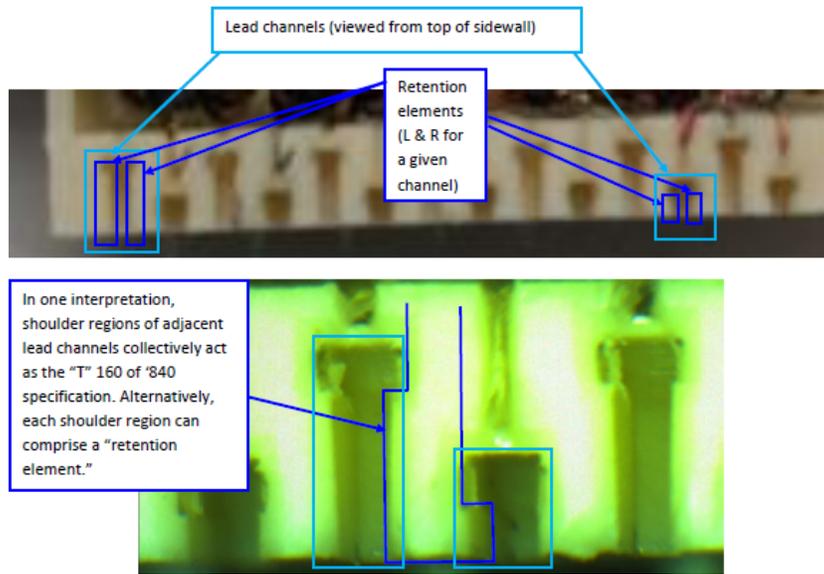


96. Claim 1 of the '840 Patent further requires “a portion of the base body defining at least one recess disposed therein...” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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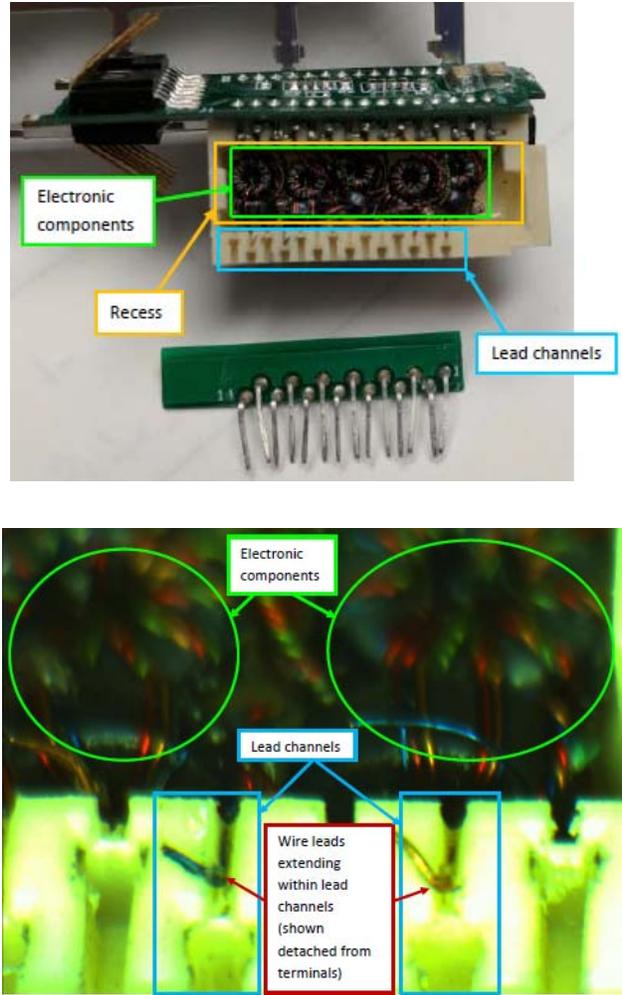


97. Claim 1 of the '840 Patent further requires “at least one retention element disposed in at least one of said plurality of lead channels....” These claimed features are present in Defendant’s 2x4 10G ICM as follows:



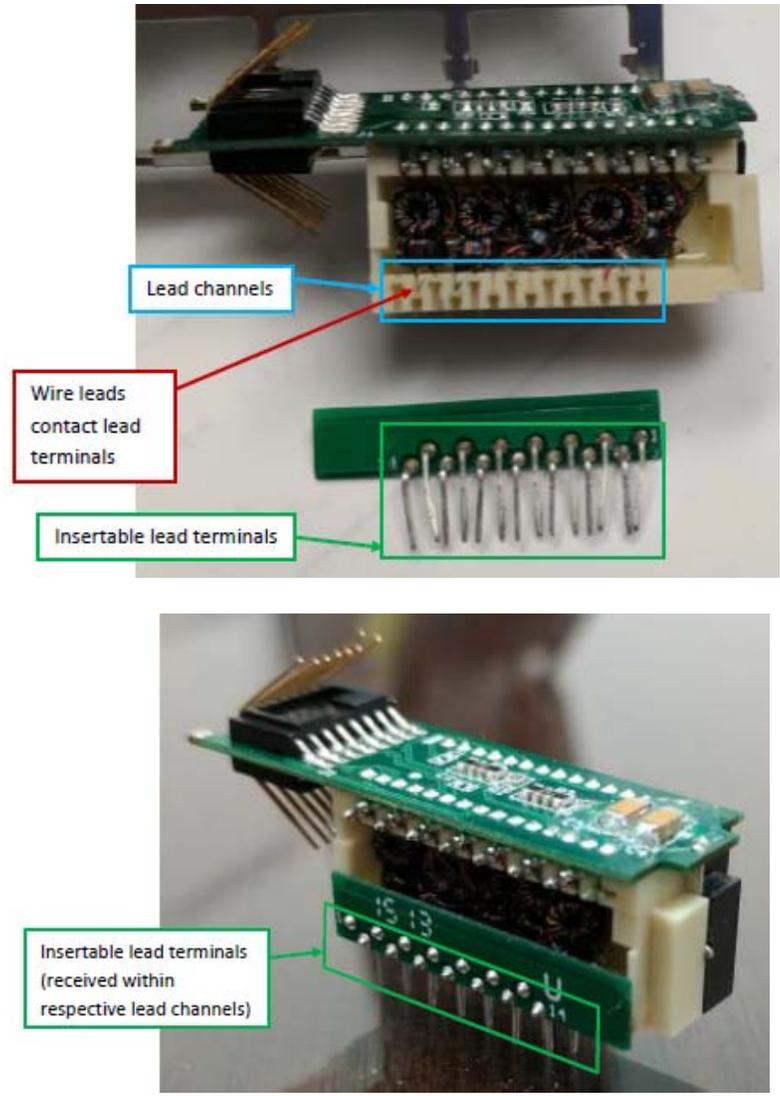
98. Claim 1 of the '840 Patent further requires “at least one electronic component disposed in said at least one recess, said electronic component having a plurality of wire leads, at least one of said plurality of wire leads extending within at least one of said plurality of lead channels....” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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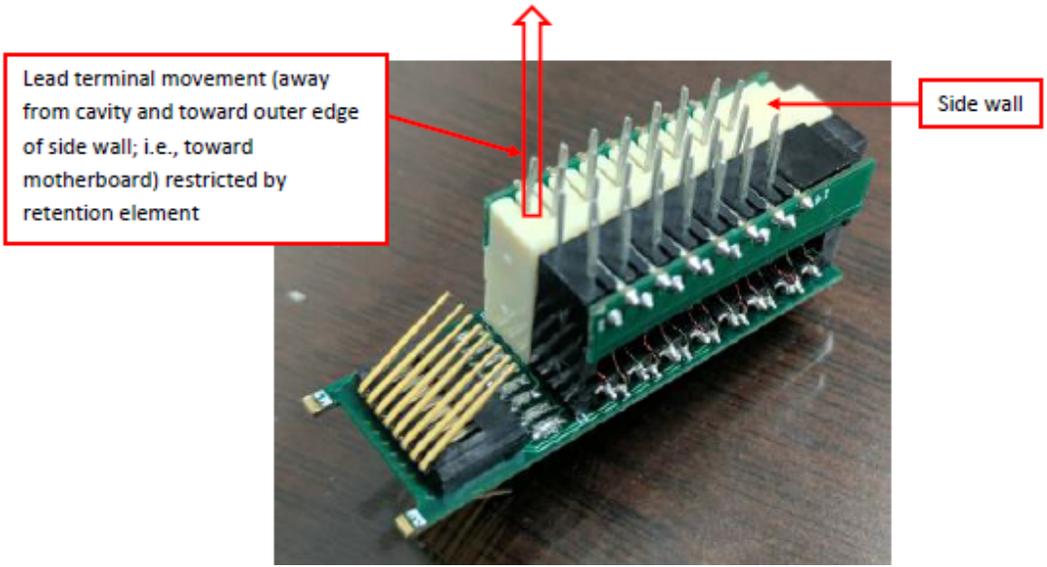
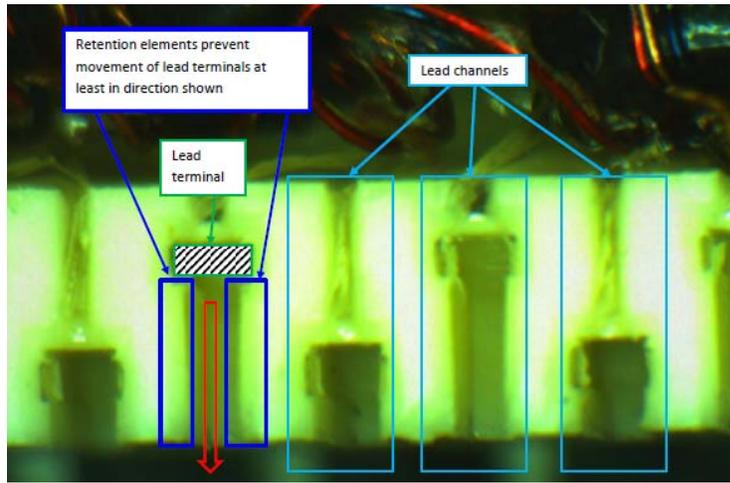
99. Claim 1 of the '840 Patent further requires “a plurality of insertable lead terminals, each of said lead terminals received within a respective one of said plurality of lead channels, at least one of said lead terminals forming a conductive contact with said at least one of said plurality of wire leads....” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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100. Claim 1 of the '840 Patent further requires “wherein movement of said lead terminals within said plurality of lead channels is restricted by said retention element.” These claimed features are present in Defendant’s 2x4 10G ICM as follows:

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101. For at least the reasons stated in the preceding paragraphs, the Accused Products fall within the scope of at least independent Claim 1 of the '840 Patent.

102. Pulse has been irreparably harmed by Defendants' acts of infringement of the '840 Patent and will continue to be harmed unless Defendant's further acts of infringement are enjoined by order of this Court.

103. Defendant continues to infringe the '840 Patent since receiving notice of said infringement from Pulse. Defendant's infringement activities have been and continue to be willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, and flagrant, entitling Pulse to increased damages under 35 U.S.C. § 284 and making this case exceptional within the meaning of 35 U.S.C. § 285.

PRAYER FOR RELIEF

104. Wherefore, Pulse respectfully requests that the Court enters judgment in its favor and grant the following relief:

105. Declare that the Patents-in-Suit are valid, and that the Defendant directly and/or indirectly infringed one or more claims of each of the Patents-in-Suit.

106. Preliminarily and permanently enjoin Defendant, its officers, agents, representatives, distributors, employees, affiliates, parents and subsidiary corporations, attorneys, and other person(s) in active concert or participation with them from infringing, directly or indirectly, the Patents-in-Suit;

107. Award Pulse damages, together with prejudgment and post-judgment interest, in an amount according to proof adequate to compensate Pulse for the Defendants' infringement of the Patents-in-Suit Patents;

108. Award Pulse treble damages pursuant to 35 U.S.C. § 284 as a consequence of Defendant's willful infringement;

109. Declare this case exceptional pursuant to 35 U.S.C. § 285 and award Pulse its costs and attorneys' fees or as otherwise permitted by law; and

110. Grant Pulse such other costs and further relief as is just and proper.

DEMAND FOR JURY TRIAL

111. Pursuant to Federal Rule of Civil Procedure 38(b), Pulse respectfully demands a trial by jury on all issues so triable.

Respectfully submitted,

Dated: February 16, 2018

GAZDZINSKI & ASSOCIATES, P.C.

/s/ Adam S. Garson

ADAM GARSON

FREDERIC G. LUDWIG, III

Attorneys for Plaintiff

Pulse Electronics Inc.