

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

CHIMEI INNOLUX CORPORATION,	)	
	)	
Plaintiff,	)	
	)	Civil Action No.
v.	)	
	)	JURY TRIAL DEMANDED
SONY CORPORATION, SONY	)	
CORPORATION OF AMERICA, SONY	)	
ELECTRONICS INC., and SONY	)	
COMPUTER ENTERTAINMENT	)	
AMERICA, LLC,	)	
	)	
Defendants.	)	

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Chimei Innolux Corporation (“CMI”) hereby asserts the following claims for patent infringement against defendants Sony Corporation, Sony Corporation of America, Sony Electronics, Inc, and Sony Computer Entertainment America, LLC (collectively, “Sony”), and alleges as follows.

**INTRODUCTION**

1. CMI is an industry-leading designer, high volume manufacturer, and supplier of liquid-crystal-display (“LCD”) panels and related display products. CMI has invested tens of millions of dollars in developing innovative technologies for the manufacture and construction of LCD panels and related products such as flat panel televisions, computer monitors, computer system devices, and other consumer electronics products. That considerable investment is reflected in, and safeguarded by, CMI’s extensive patent portfolio.

2. Sony is engaged in widespread infringement of CMI’s patents through, among other things, Sony’s unlicensed manufacture, repair, use, importation, and sale of consumer

electronic products including televisions, computer monitors, notebooks, cameras, and video gaming consoles. This action seeks redress for Sony's infringing activities.

**PARTIES**

3. CMI is a corporation organized and existing under the laws of Taiwan, having a principal place of business at No. 160, Kesyue Rd. Jhunan Science Park, Miaoli County 350, Taiwan R.O.C. CMI is a leading developer and manufacturer of innovative electronic components, specializing in the design and production of LCD panels and related products such as flat panel televisions, computer monitors, computer system devices, and other consumer electronics products. CMI maintains a number of sales and support offices in the United States.

4. CMI is informed and believes that defendant Sony Corporation is a Japanese corporation, with its headquarters at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan, and is doing business in this District, in conjunction with its wholly-owned subsidiaries including those identified herein.

5. CMI is informed and believes that defendant Sony Corporation of America ("Sony America") is a New York corporation, with its headquarters at 550 Madison Avenue, New York, NY 10022, and is a wholly-owned subsidiary of Sony Corporation conducting business within this District.

6. CMI is informed and believes that defendant Sony Electronics, Inc. ("Sony Electronics") is a Delaware corporation, with its headquarters at 16530 Via Esprillo, San Diego, CA 92127, and is a wholly-owned subsidiary of Sony Corporation of America or Sony Corporation conducting business within this District.

7. CMI is informed and believes that defendant Sony Computer Entertainment America, LLC ("Sony Computer Entertainment") is a Delaware corporation, with its

headquarters at 919 East Hillsdale Boulevard, Foster City, CA 94404, and is a wholly-owned subsidiary of Sony Corporation of America or Sony Corporation conducting business within this District.

8. Sony is one of the largest manufacturers and sellers of consumer electronic products in the United States, and one of the largest in this District. Sony's established distribution network includes national distributors and resellers, and Sony distributes to national and local retailers that have stores in this District. By shipping into, offering to sell in, using, or selling products that infringe the patents in suit in this District, or by inducing or causing those acts to occur, Sony has transacted and continues to transact business and perform works and services in this District, has contracted to supply services and things in this judicial district, has caused and continues to cause injury and damages in this District by acts and omissions in this District, and has caused and continues to cause injury and damages in this District by acts or omissions outside of this District while deriving substantial revenue from services or things used or consumed within this District, and will continue to do so unless enjoined by this Court.

#### **JURISDICTION AND VENUE**

9. This is an action for patent infringement arising under the patent laws of the United States of America, 35 U.S.C. § 1, et seq., including § 271. This Court has subject matter jurisdiction over the matters asserted herein under 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Sony because, among other reasons, Sony has done business in this District, has committed and continues to commit acts of patent infringement in this District, has harmed and continues to harm CMI in this District, has purposefully availed itself of the rights and benefits of Delaware law, and has substantial and continuing contacts with Delaware. In addition, jurisdiction is also proper over Sony Electronics

and Sony Computer Entertainment because they are both Delaware corporations organized and existing under the state laws of Delaware. CMI is also informed and believes, and thereon alleges, that Sony has placed infringing devices into the stream of commerce by shipping those products into this District or knowing that the devices would be shipped into this District.

11. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)–(d) and 1400(b) because, among other reasons, Sony is subject to personal jurisdiction in this District, has committed acts of infringement in this District, and is subject to suit in this District.

**FIRST CLAIM FOR RELIEF**

**(Infringement of U.S. Patent No. 6,134,092)**

12. CMI incorporates by reference paragraphs 1 through 11.

13. United States Patent No. 6,134,092 (“the ’092 patent”), entitled “Illumination Device for Non-Emmissive Displays,” was duly and legally issued on October 17, 2000 in the name of inventors David G. Pelka, John M. Pupovich, and Thomas W. Dowland, Jr. CMI is the owner of all right, title, and interest in the ’092 patent, including the right to recover for past, present and future infringements and violations thereof. A copy of the ’092 patent is attached as Exhibit A.

14. CMI is informed and believes, and thereon alleges, that in violation of 35 U.S.C. § 271 at least defendants Sony Corporation, Sony America, and Sony Electronics have been and are currently infringing, inducing others to infringe, and committing acts of contributory infringement of one or more claims of the ’092 patent by, among other things, making, using, offering to sell, selling, and importing into the United States, without authority or license from CMI, products falling within the scope of one or more claims of the ’092, including electronic products incorporating displays and using point light sources for backlighting. This group of

products includes, by way of example and without limitation, Sony “Bravia” television models such as KDL-40EX600, Sony “VAIO” notebook models such as VPCY115FXBI, and Sony “Cyber-shot” digital camera models such as DSC-WX1.

15. Unless enjoined, defendants will continue to infringe the ’092 patent, and CMI will suffer irreparable injury as a direct and proximate result of defendants’ conduct.

16. CMI has been damaged by defendants’ conduct, and until an injunction issues will continue to be damaged in an amount yet to be determined.

### **SECOND CLAIM FOR RELIEF**

#### **(Infringement of U.S. Patent No. 6,671,019)**

17. CMI incorporates by reference paragraphs 1 through 16.

18. U.S. Patent No. 6,671,019 (“the ’019 patent”), entitled “Electrode Patterns for Liquid Crystal Cells,” was duly and legally issued on December 30, 2003 in the name of inventors Rolfe G. Petschek and Donald B. Taber. CMI is the owner of all right, title, and interest in the ’019 patent, including the right to recover for past, present and future infringements and violations thereof. A copy of the ’019 patent is attached as Exhibit B.

19. CMI is informed and believes, and thereon alleges, that in violation of 35 U.S.C. § 271 at least defendants Sony Corporation, Sony America, and Sony Electronics have been and are currently infringing, inducing others to infringe, and committing acts of contributory infringement of one or more claims of the ’019 patent by, among other things, making, using, offering to sell, selling, and importing into the United States, without authority or license from CMI, products falling within the scope of one or more claims of the ’019, including liquid crystal display devices such as flat screen televisions. This group of products includes, by way of

example and without limitation, Sony "Bravia" television models such as KDL-32EX400 and KDL-40EX600.

20. Unless enjoined, defendants will continue to infringe the '019 patent, and CMI will suffer irreparable injury as a direct and proximate result of defendants' conduct.

21. CMI has been damaged by defendants' conduct, and until an injunction issues will continue to be damaged in an amount yet to be determined.

**THIRD CLAIM FOR RELIEF**

**(Infringement of U.S. Patent No. 5,732,241)**

22. CMI incorporates by reference paragraphs 1 through 21.

23. U.S. Patent No. 5,732,241 ("the '241 patent"), entitled "Random Access Cache Memory Controller and System," was duly and legally issued on March 24, 1998 in the name of inventor Alfred K. Chan. CMI is the owner of the entire right, title, and interest in the '241 patent, including the right to recover for past, present and future infringements and violations thereof. A copy of the '241 patent is attached as Exhibit C.

24. CMI is informed and believes, and thereon alleges, that in violation of 35 U.S.C. § 271, at least defendants Sony Corporation, Sony America, and Sony Computer Entertainment have been and are currently infringing, inducing others to infringe, and committing acts of contributory infringement of one or more claims of the '241 patent by, among other things, making, using, offering to sell, selling, and importing into the United States, without authority or license from CMI, products falling within the scope of one or more claims of the '241, including computerized devices with cache memories. This group of products includes, by way of example and without limitation, Sony video gaming consoles such as the PlayStation 3.

25. Unless enjoined, defendants will continue to infringe the '241 patent, and CMI will suffer irreparable injury as a direct and proximate result of defendants' conduct.

26. CMI has been damaged by defendants' conduct, and until an injunction issues will continue to be damaged in an amount yet to be determined.

**PRAYER FOR RELIEF**

WHEREFORE, CMI prays for relief as follows:

1. For a judicial determination that the '092 patent, the '019 patent, and the '241 patent are valid and enforceable;

2. For a judicial determination that Sony has infringed, induced others to infringe, and committed acts of contributory infringement of one or more claims of the '092 patent, the '019 patent, and the '241 patent.

3. For an order enjoining Sony and its affiliates, subsidiaries, officers, directors, employees, agents, representatives, licensees, successors, assigns, and all those acting for it and on its behalf, or acting in concert with it directly or indirectly, from further acts of infringement of the '092 patent, the '019 patent, and the '241 patent;

4. For damages resulting from infringement of the '092 patent, the '019 patent, and the '241 patent by Sony in an amount to be determined at trial, including an accounting for determination of an appropriate amount of damages;

5. For a determination that Sony's infringement of the '092 patent, the '019 patent, and the '241 patent is willful and that the damages be increased under 35 U.S.C. § 284 to three times the amount found or measured;

6. For a determination that this case is exceptional pursuant to 35 U.S.C. § 285, and an award of enhanced damages as well as attorneys' fees and costs;

7. For an award of supplemental damages and interest on all damages; and
8. For an award of such other and further relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**


CMI hereby demands a trial by jury on all issues so triable.

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