

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

**In the Matter of**

**CERTAIN DIGITAL PHOTO FRAMES  
AND IMAGE DISPLAY DEVICES AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINT OF TECHNOLOGY PROPERTIES LIMITED, LLC  
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

**COMPLAINANT**

Technology Properties Limited, LLC  
20883 Stevens Creek Blvd., Suite 100  
Cupertino, CA 95014  
Telephone: (408) 446-4222

**COUNSEL FOR COMPLAINANT**

James C. Otteson  
David A. Caine  
Thomas T. Carmack  
Xiang Long  
AGILITY IP LAW, LLC  
1900 University Circle, Suite 201  
East Palo Alto, CA 94303  
Telephone: (650) 227-4800

Andrew W. Spangler  
SPANGLER LAW P.C.  
208 N. Green St., Suite 300  
Longview, TX 75601  
Telephone: (903) 753-9300

**RESPONDENTS**

Action Electronics Co., Ltd.  
No. 198, Zhongyuan Rd.  
Zhongli City, Taoyuan  
County 320, Taiwan

Aiptek International Inc.  
No.19, Industry E. Rd IV. Science Park  
Hsinchu 300, Taiwan

Aluratek, Inc.  
14831 Myford Road  
Tustin, California 92780

Audiovox Corporation  
180 Marcus Boulevard  
Happauge, New York 11788

CEIVA Logic, Inc.  
214 E. Magnolia Boulevard  
Burbank, California 91502

## RESPONDENTS

Circus World Displays Ltd.  
4080 Montrose Road  
Niagara Falls, L2H 1J9  
Canada

Coby Electronics Corporation  
1991 Marcus Ave., Suite 301  
Lake Success, New York 11042

Curtis International, Ltd.  
315 Attwell Drive, Etobicoke  
Ontario, M9W 5C1, Canada

Digital Spectrum Solutions, Inc.  
17821 Mitchell N  
Irvine, California 92614

Eastman Kodak Company  
343 State Street  
Rochester, New York, 14650

Mustek Systems, Inc.  
25, R&D Road II, Science-Based Industrial  
Park, Hsin Chu, Taiwan

Nextar Inc.  
1661 Fairplex Drive  
La Verne, California 91750

Pandigital  
6375 Clark Ave Suite 100  
Dublin, California 94568

Royal Consumer Information Products, INc.  
379 Campus Drive  
Somerset, New Jersey 08875

Sony Corporation  
1-7-1 Konan, Minato-ku  
Tokyo 108-0075, Japan

Transcend Information, Inc.  
No.70, XingZhong Road  
NeiHu Dist., Taipei, Taiwan

ViewSonic Corporation  
381 Brea Canyon Road  
Walnut, California 91789

Win Accord Ltd.  
12F, No. 225, Sec. 5  
Nan Jing E. Road  
Song Shan District  
Taipei, Taiwan 105

WinAccord U.S.A., Inc.  
2526 Qume Drive, Suite 24  
San Jose, California, 95131

**TABLE OF CONTENTS**

|      |  |    |
|------|--|----|
| I.   | INTRODUCTION .....   | 1  |
| II.  | COMPLAINANT .....  | 2  |
| III. | THE PROPOSED RESPONDENTS .....   | 4  |
| IV.  | THE TECHNOLOGY AND PRODUCTS AT ISSUE. ....                                 | 9  |
| V.   | THE PATENTS IN SUIT AND NON-TECHNICAL DESCRIPTIONS OF THE INVENTIONS. .... | 11 |
| A.   | Overview and Ownership of the Asserted Patents.....                        | 11 |
| 1.   | The '623 Patent.....   | 11 |
| 2.   | The '549 Patent.....   | 12 |
| 3.   | The '443 Patent.....   | 13 |
| 4.   | The '424 Patent.....   | 14 |
| B.   | Non-Technical Description of the Asserted Patents.....                     | 15 |
| 1.   | Non-Technical Description of the '623 Patent.....                          | 15 |
| 2.   | Non-Technical Description of the '549 Patent.....                          | 15 |
| 3.   | Non-Technical Description of the '443 Patent.....                          | 16 |
| 4.   | Non-Technical Description of the '424 Patent.....                          | 16 |
| VI.  | UNLAWFUL AND UNFAIR ACTS OF RESPONDENTS – PATENT INFRINGEMENT.....         | 17 |
| A.   | Action Electronics Co., Ltd.....   | 17 |
| B.   | AIPTEK International Inc.....  | 19 |
| C.   | Aluratek, Inc.....   | 20 |
| D.   | Audiovox Corporation.....  | 23 |
| E.   | CEIVA Logic, Inc.....  | 25 |
| F.   | Circus World Displays Ltd.....   | 26 |
| G.   | Coby Electronics Corporation.....  | 27 |
| H.   | Curtis International, Ltd.....   | 30 |
| I.   | Digital Spectrum Solutions, Inc.....                                       | 31 |
| J.   | Eastman Kodak Company.....   | 33 |

|  |    |
|--|----|
| K. Mustek Systems, Inc. ....   | 34 |
| L. Nextar Inc.....   | 37 |
| M. Pandigital. ....  | 38 |
| N. Royal Consumer Information Products, Inc. ....  | 41 |
| O. Sony Corporation and Sony Corporation of America (“Sony”).....  | 44 |
| P. Transcend Information, Inc.....   | 45 |
| Q. ViewSonic Corporation. ....   | 46 |
| R. WinAccord.....  | 47 |
| VII. HARMONIZED TARIFF SCHEDULE ITEM NUMBERS.....  | 50 |
| VIII. RELATED LITIGATION .....   | 51 |
| IX. THE DOMESTIC INDUSTRY .....  | 51 |
| A. OnSpec, TPL’s Predecessor-in-Interest, Developed Products and Technology That<br>Formed the Genesis of the CORE Flash Patent Portfolio, and Resulted in the<br>Applications that Led to the Asserted Patents..... | 52 |
| B. A Domestic Industry for the Asserted Patents Exists as a Result of TPL’s Substantial<br>Investments in its CORE Flash Licensing Program.....  | 53 |
| X. RELIEF REQUESTED.....   | 56 |

## EXHIBITS TO COMPLAINT

- Exhibit 1: U.S. Patent No. 6,976,623
- Exhibit 2: U.S. Patent No. 7,162,549
- Exhibit 3: U.S. Patent No. 7,295,443
- Exhibit 4: U.S. Patent No. 7,522,424
- Exhibit 5: Recorded assignments for U.S. Patent No. 6,976,623
- Exhibit 6: Recorded assignments for U.S. Patent No. 7,162,549
- Exhibit 7: Recorded assignments for U.S. Patent No. 7,295,443
- Exhibit 8: Recorded assignments for U.S. Patent No. 7,522,424
- Confidential Exhibit 9: List of entities licensed under U.S. Patents Nos. 6,976,623, 7,162,549, 7,295,443 and 7,522,424
- Exhibit 10: Claim Chart applying U.S. Patent No. 7,522,424 to accused Action Electronics Co., Ltd. product
- Exhibit 11: Notice Letter to Action Electronics Co., Ltd.
- Exhibit 12: Claim Chart applying U.S. Patent No. 7,295,443 to accused Action Electronics Co., Ltd. product
- Exhibit 13: Claim Chart applying U.S. Patent No. 7,522,424 to accused Aiptek International Inc. product
- Exhibit 14: Notice Letter to Aiptek International Inc.
- Exhibit 15: Claim Chart applying U.S. Patent No. 7,295,443 to accused Aiptek International Inc. product
- Exhibit 16: Claim Chart applying U.S. Patent No. 7,522,424 to accused Aluratek, Inc. product
- Exhibit 17: Notice Letter to Aluratek, Inc.
- Exhibit 18: Claim Chart applying U.S. Patent No. 7,295,443 to accused Aluratek, Inc. product
- Exhibit 19: Claim Chart applying U.S. Patent No. 7,162,549 to accused Aluratek, Inc. product
- Exhibit 20: Claim Chart applying U.S. Patent No. 6,976,623 to accused Aluratek, Inc. product

- Exhibit 21: Claim Chart applying U.S. Patent No. 7,522,424 to accused Audiovox Corporation product
- Exhibit 22: Notice Letter to Audiovox Corporation
- Exhibit 23: Claim Chart applying U.S. Patent No. 7,295,443 to accused Audiovox Corporation product
- Exhibit 24: Claim Chart applying U.S. Patent No. 7,162,549 to accused Audiovox Corporation product
- Exhibit 25: Claim Chart applying U.S. Patent No. 7,522,424 to accused CEIVA Logic, Inc. product
- Exhibit 26: Notice Letter to CEIVA Logic, Inc.
- Exhibit 27: Claim Chart applying U.S. Patent No. 7,295,443 to accused CEIVA Logic, Inc. product
- Exhibit 28: Claim Chart applying U.S. Patent No. 7,522,424 to accused Circus World Displays, Ltd. product
- Exhibit 29: Notice Letter to Circus World Displays, Ltd.
- Exhibit 30: Claim Chart applying U.S. Patent No. 7,295,443 to accused Circus World Displays Ltd. product
- Exhibit 31: Claim Chart applying U.S. Patent No. 7,522,424 to accused Coby Electronics Corporation product
- Exhibit 32: Notice Letter to Coby Electronics Corporation
- Exhibit 33: Claim Chart applying U.S. Patent No. 7,295,443 to accused Coby Electronics Corporation product
- Exhibit 34: Claim Chart applying U.S. Patent No. 7,162,549 to accused Coby Electronics Corporation product
- Exhibit 35: Claim Chart applying U.S. Patent No. 6,976,623 to accused Coby Electronics Corporation product
- Exhibit 36: Claim Chart applying U.S. Patent No. 7,522,424 to accused Curtis International, Ltd. product
- Exhibit 37: Notice Letter to Curtis International, Ltd.

- Exhibit 38: Claim Chart applying U.S. Patent No. 7,295,443 to accused Curtis International, Ltd. product
- Exhibit 39: Claim Chart applying U.S. Patent No. 7,522,424 to accused Digital Spectrum Solutions, Inc. product
- Exhibit 40: Notice Letter to Digital Spectrum Solutions, Inc.
- Exhibit 41: Claim Chart applying U.S. Patent No. 7,295,443 to accused Digital Spectrum Solutions, Inc. product
- Exhibit 42: Claim Chart applying U.S. Patent No. 7,162,549 to accused Digital Spectrum Solutions, Inc. product
- Exhibit 43: Claim Chart applying U.S. Patent No. 7,522,424 to accused Eastman Kodak Company product
- Confidential Exhibit 44: Letter from Eastman Kodak Company confirming knowledge of CORE Flash Portfolio
- Exhibit 45: Claim Chart applying U.S. Patent No. 7,295,443 to accused Eastman Kodak Company product
- Exhibit 46: Claim Chart applying U.S. Patent No. 7,522,424 to accused Mustek Systems, Inc.
- Exhibit 47: Notice Letter to Mustek Systems, Inc.
- Exhibit 48: Claim Chart applying U.S. Patent No. 7,295,443 to accused Mustek Systems, Inc. product
- Exhibit 49: Claim Chart applying U.S. Patent No. 7,162,549 to accused Mustek Systems, Inc. product
- Exhibit 50: Claim Chart applying U.S. Patent No. 7,522,424 to accused Nextar Inc. product
- Exhibit 51: Notice Letter to Nextar Inc.
- Exhibit 52: Claim Chart applying U.S. Patent No. 7,295,443 to accused Nextar Inc. product
- Exhibit 53: Claim Chart applying U.S. Patent No. 7,522,424 to accused Pandigital product
- Exhibit 54: Notice Letter to Pandigital
- Exhibit 55: Claim Chart applying U.S. Patent No. 7,295,443 to accused Pandigital product
- Exhibit 56: Claim Chart applying U.S. Patent No. 7,162,549 to accused Pandigital product

- Exhibit 57: Claim Chart applying U.S. Patent No. 6,976,623 to accused Pandigital product
- Exhibit 58: Claim Chart applying U.S. Patent No. 7,522,424 to accused Royal Consumer Information Products, Inc. product
- Exhibit 59: Notice Letter to Royal Consumer Information Products, Inc.
- Exhibit 60: Claim Chart applying U.S. Patent No. 7,295,443 to accused Royal Consumer Information Products, Inc. product
- Exhibit 61: Claim Chart applying U.S. Patent No. 7,162,549 to accused Royal Consumer Information Products, Inc. product
- Exhibit 62: Claim Chart applying U.S. Patent No. 6,976,623 to accused Royal Consumer Information Products, Inc. product
- Exhibit 63: Claim Chart applying U.S. Patent No. 7,522,424 to accused Sony Corporation product
- Confidential Exhibit 64: 11/30/09 e-mail from Sony confirming review of CORE Flash Portfolio materials
- Exhibit 65: Claim Chart applying U.S. Patent No. 7,295,443 to accused Sony Corporation product
- Exhibit 66: Claim Chart applying U.S. Patent No. 7,522,424 to accused Transcend Information, Inc. product
- Exhibit 67: Notice Letter to Transcend Information, Inc.
- Exhibit 68: Claim Chart applying U.S. Patent No. 7,295,443 to accused Transcend Information, Inc. product
- Exhibit 69: Claim Chart applying U.S. Patent No. 7,522,424 to accused ViewSonic Corporation product
- Exhibit 70: Notice Letter to ViewSonic Corporation
- Exhibit 71: Claim Chart applying U.S. Patent No. 7,295,443 to accused ViewSonic Corporation product
- Exhibit 72: Claim Chart applying U.S. Patent No. 7,522,424 to accused WinAccord USA, Inc. product
- Exhibit 73: Notice Letter to WinAccord USA, Inc.



- Exhibit 74: Claim Chart applying U.S. Patent No. 7,295,443 to accused WinAccord USA, Inc. product
- Exhibit 75: Claim Chart applying U.S. Patent No. 7,162,549 to accused WinAccord USA, Inc. product
- Exhibit 76: Declaration of Cory Smith
- Exh. 76-A: Receipt for Action Electronics “Home 7” DPF - 1600018” Digital Photo Frame
  - Exh. 76-B: Receipt for Aiptek Inc. “P8i26” Digital Photo Frame
  - Exh. 76-C: Receipt for Aluratek, Inc. “ADMPPF315F” Digital Photo Frame
  - Exh. 76-D: Receipt for Audiovox Corporation “DPF808” Digital Photo Frame
  - Exh. 76-E: Receipt for CEIVA Logic, Inc. “CEIVA Pro 80™ Starter Pack” Digital Photo Frame
  - Exh. 76-F: Receipt for Circus World Displays Ltd. “MAG-PF0901M” Digital Photo Frame
  - Exh. 76-G: Receipt for Coby Electronics Corporation “DP1052” Digital Photo Frame
  - Exh. 76-H: Receipt for Curtis International Ltd. “SDPF752” Digital Photo Frame
  - Exh. 76-I: Receipt for Digital Spectrum Solutions, Inc. “MF-801” Digital Photo Frame
  - Exh. 76-J: Receipt for Eastman Kodak Company “P730M” Digital Photo Frame
  - Exh. 76-K: Receipt for Mustek Systems, Inc. “PF-A720BM” Digital Photo Frame
  - Exh. 76-L: Receipt for Nextar Inc. “N3-504-CST” Digital Photo Frame
  - Exh. 76-M: Receipt for Pandigital PI8004W01 Digital Photo Frame
  - Exh. 76-N: Receipt for Pandigital PI1002DW Digital Photo Frame
  - Exh. 76-O: Receipt for Royal Consumer Information Products, Inc. “PF120 256 12” Digital Photo Frame
  - Exh. 76-P: Receipt for Sony Corporation “DPF-D710” Digital Photo Frame
  - Exh. 76-Q: Receipt for Transcend Information, Inc. “P730” Digital Photo Frame
  - Exh. 76-R: Receipt for ViewSonic Corporation “DPF8-CAM” Digital Photo Frame

|                          |   |
|--------------------------|---|
| Exh. 76-S:               | Receipt for WinAccord USA, Inc. "OR17D-05" Digital Photo Frame  |
| Confidential Exhibit 77: | Confidential Exhibit of Dwayne Hannah   |
| Exh. 77-1                | TPL's Standard Licensing Program Letter for CORE Flash  |
| Conf. Exh. 77-2          | TPL's Standard License Agreement for CORE Flash   |
| Exh. 77-3                | List of OnSpec Products Developed Through the Innovations Taught by Asserted Patents                                      |
| Conf. Exh. 77-4          | On Spec's Revenues from Sales of Controller Chips   |
| Conf. Exh. 77-5          | Claim Chart Showing How the On Spec 90C46D-LF Chip, in the Sony VRD-MC Multi-Flash-Card Reader, Practices the '424 Patent |
| Conf. Exh. 77-6          | Claim Chart Showing How the On Spec 90C46D-LF Chip, in the Sony VRD-MC Multi-Flash-Card Reader, Practices the '443 Patent |
| Conf. Exh. 77-7          | Claim Chart Showing How the On Spec 90C46D-LF Chip, in the Sony VRD-MC Multi-Flash-Card Reader, Practices the '549 Patent |
| Conf. Exh. 77-8          | Claim Chart Showing How the Addonics PCMCIA Flash Digiadapter Extreme Practices the '424 Patent                           |
| Conf. Exh. 77-9          | Claim Chart Showing How the Addonics PCMCIA Flash Digiadapter Extreme Practices the '443 Patent                           |
| Conf. Exh. 77-10         | Claim Chart Showing How the Addonics PCMCIA Flash Digiadapter Extreme Practices the '549 Patent                           |
| Conf. Exh. 77-11         | Claim Chart Showing How the Addonics Internal SATA/USB Digidrive Practices the '424 Patent                                |
| Conf. Exh. 77-12         | Claim Chart Showing How the Addonics Internal SATA/USB Digidrive Practices the '443 Patent                                |
| Conf. Exh. 77-13         | Claim Chart Showing How the Addonics Internal SATA/USB Digidrive Practices the '549 Patent                                |
| Conf. Exh. 77-14         | Claim Chart Showing How the Addonics Pocket ESATA/USB Digidrive Practices the '424 Patent                                 |

|                  |   |
|------------------|---|
| Conf. Exh. 77-15 | Claim Chart Showing How the Addonics Pocket ESATA/USB Digidrive Practices the '443 Patent |
| Conf. Exh. 77-16 | Claim Chart Showing How the Addonics Pocket ESATA/USB Digidrive Practices the '549 Patent |
| Conf. Exh. 77-17 | Claim Chart Showing How the CompuApps OmniFlash IDE741 Practices the '424 Patent          |
| Conf. Exh. 77-18 | Claim Chart Showing How the CompuApps OmniFlash IDE741 Practices the '443 Patent          |
| Conf. Exh. 77-19 | Claim Chart Showing How the CompuApps MS-UM100-1 Practices the '424 Patent                |
| Conf. Exh. 77-20 | Claim Chart Showing How the CompuApps MS-UM100-1 Practices the '443 Patent                |
| Conf. Exh. 77-21 | Claim Chart Showing How the CompuApps MS-UM100-1 Practices the '623 Patent                |
| Conf. Exh. 77-22 | Claim Chart Showing How the CompuApps xSil145-G-ES1 Practices the '424 Patent             |
| Conf. Exh. 77-23 | Claim Chart Showing How the CompuApps xSil145-G-ES1 Practices the '443 Patent             |
| Conf. Exh. 77-24 | Claim Chart Showing How the CompuApps xSil145-G-ES1 Practices the '549 Patent             |
| Conf. Exh. 77-25 | Claim Chart Showing How the CompuApps xSil146-G Practices the '424 Patent                 |
| Conf. Exh. 77-26 | Claim Chart Showing How the CompuApps xSil146-G Practices the '443 Patent                 |
| Conf. Exh. 77-27 | Claim Chart Showing How the CompuApps xSil146-G Practices the '549 Patent                 |
| Exh. 77-28       | Schedule of CORE Flash Patents  |
| Exh. 77-29       | Example of Licensee Brookstone's Use the CORE Flash logo in its Marketing Materials       |
| Conf. Exh. 77-30 | A List of the Companies Offered Licenses to the CORE Flash Portfolio                      |

- Conf. Exh. 77-31 A List of All the Licensed Entities Under the CORE Flash Licensing Program
- Conf. Exh. 77-32 Claim Chart showing how the Synaps 15" Digital Photo Frame, a product of TPL's licensee Four Star Group, practices the '424 Patent
- Conf. Exh. 77-33 Claim Chart showing how the 4DPF100 Digital Photo Frame, a product of TPL's licensee Gear Head, practices the '424 Patent
- Conf. Exh. 77-34 Claim Chart showing how the CR7500H 58-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '443 Patent
- Conf. Exh. 77-35 Claim Chart showing how the CR7500M 58-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '424 Patent
- Conf. Exh. 77-36 Claim Chart showing how the GiiNii 8" Digital Photo Frame, a product of TPL's licensee GiiNii, practices the '424 Patent
- Conf. Exh. 77-37 Claim Chart showing how the IdeaPad Z560-09144D, a product of TPL's licensee Lenovo, practices the '424 Patent
- Conf. Exh. 77-38 Claim Chart showing how the 13" MacBook Pro, a product of TPL's licensee Apple, practices the '443 Patent
- Conf. Exh. 77-39 Claim Chart showing how the Synaps 15" Digital Photo Frame, a product of TPL's licensee Four Star Group, practices the '443 Patent
- Conf. Exh. 77-40 Claim Chart showing how the 4DPF100 Digital Photo Frame, a product of TPL's licensee Gear Head, practices the '443 Patent
- Conf. Exh. 77-41 Claim Chart showing how the GiiNii 8" Digital Photo Frame, a product of TPL's licensee GiiNii, practices the '443 Patent
- Conf. Exh. 77-42 Claim Chart showing how the IdeaPad Z560-09144D, a product of TPL's licensee Lenovo, practices the '443 Patent
- Conf. Exh. 77-43 Claim Chart showing how the PM00525-A Universal Media Reader, a product of TPL's licensee Belkin, practices the '549 Patent
- Conf. Exh. 77-44 Claim Chart showing how the CR4200 23-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '549 Patent

- Conf. Exh. 77-45 Claim Chart showing how the CR7400M 58-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '549 Patent
- Conf. Exh. 77-46 Claim Chart showing how the 4DPF100 Digital Photo Frame, a product of TPL's licensee Gear Head, practices the '549 Patent
- Conf. Exh. 77-47 Claim Chart showing how the IdeaPad Z560-09144D, a product of TPL's licensee Lenovo, practices the '549 Patent
- Conf. Exh. 77-48 Claim Chart showing how the H320-4041-1JU Desktop PC, a product of TPL's licensee Lenovo, practices the '549 Patent
- Conf. Exh. 77-49 Claim Chart showing how the PM00525-A Universal Media Reader, a product of TPL's licensee Belkin, practices the '623 Patent
- Conf. Exh. 77-50 Claim Chart showing how the CR4200 23-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '623 Patent
- Conf. Exh. 77-51 Claim Chart showing how the CR7400M 58-in-1 Card Reader, a product of TPL's licensee Gear Head, practices the '623 Patent
- Conf. Exh. 77-52 Claim Chart showing how the H320-4041-1JU Desktop PC, a product of TPL's licensee Lenovo, practices the '623 Patent

## APPENDICES TO COMPLAINT

Appendix A: File history for U.S. Patent No. 6,976,623

Appendix B: Copies of each reference mentioned in the file history for U.S. Patent No. 6,976,623

Appendix C: File history for U.S. Patent No. 7,162,549

Appendix D: Copies of each reference mentioned in the file history for U.S. Patent No. 7,162,549

Appendix E: File history for U.S. Patent No. 7,295,443

Appendix F: Copies of each reference mentioned in the file history for U.S. Patent No. 7,295,443

Appendix G: File history for U.S. Patent No. 7,522,424

Appendix H: Copies of each reference mentioned in the file history for U.S. Patent No. 7,522,424

## I. INTRODUCTION

1. This Complaint is filed by Technology Properties Limited LLC (hereinafter, “TPL”) requesting that the United States International Trade Commission commence an investigation under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), to remedy the unlawful importation into the United States, the sale for importation, and/or the sale within the United States after importation, by manufacturers, importers, or consignees (or any agent of the owner, importer or consignee) of certain digital photo frames and image display devices and components thereof (collectively, “Accused Products”) that infringe one or more of the following United States Letters Patent (collectively the “Asserted Patents”):

- Claims 1, 2, 9, 19, 17 and 18 of U.S. Patent No. 6,976,623 (“the ‘623 Patent”) (Exhibit 1);
- Claims 1, 7, 11, 17, 19 and 21 of U.S. Patent No. 7,162,549 (“the ‘549 Patent”) (Exhibit 2);
- Claims 1, 3, 4, 7, 9, 11, 12 and 14 of U.S. Patent No. 7,295,443 (“the ‘443 Patent”) (Exhibit 3); and
- Claims 25, 26, 28 and 29 of U.S. Patent No. 7,522,424 (“the ‘424 Patent”) (Exhibit 4).

2. On information and belief, the Proposed Respondents have engaged in violations of Section 337 through the unlicensed importation into the United States, the sale for importation, and/or the sale within the United States after importation of Accused Products that infringe one or more claims of the Asserted Patents to the detriment of the domestic industry of TPL and its licensees in the United States relating to the Asserted Patents.

3. An industry as required by 19 U.S.C. § 1337(a)(2) and (3) exists in the United States relating to products protected by the Asserted Patents.

4. As relief, TPL seeks an order, pursuant to Section 337(d), to permanently exclude from entry into the United States Respondents' infringing digital photo frames and image display devices. Pursuant to Section 337(f), TPL further seeks a permanent cease and desist order directing Respondents to immediately discontinue importing, selling, marketing, advertising, distributing, offering for sale, transferring and/or soliciting U.S. agents or distributors for Respondents' digital photo frames and image display devices. Finally, TPL seeks any other relief the ITC deems proper.

## **II. COMPLAINANT**

5. The owner of the Asserted Patents is MCM Portfolio LLC ("MCM"), a Delaware limited liability company with its principal place of business at 20883 Stevens Creek Blvd. Suite 100, Cupertino, California 95014. TPL is MCM's exclusive licensee to the Asserted Patents. *See* Exhibits 5-8. As part of that exclusive license, TPL has the sole and exclusive right to assert and/or grant licenses under the Asserted Patents.

6. TPL is a California limited liability company with its principal place of business at 20883 Stevens Creek Blvd. Suite 100, Cupertino, California 95014. TPL specializes in advanced product development and commercialization relating to distributed digital media applications. In addition, TPL maintains an extensive licensing program across a broad array of industries, which it drives through both internal development and the acquisition of intellectual property assets.

7. In April 2006, TPL participated in the acquisition of a company called OnSpec Electronics, Inc., (hereinafter "OnSpec") that had researched and developed a pioneering line of



chip products for controlling the connection of input/output interfaces related to flash memory. Since 2006, TPL has continued to make significant investment in the development of the OnSpec product line and related intellectual property, which TPL calls CORE Flash. Today, CORE Flash technology includes I/O interface control related to various flash media formats, including Memory Stick, CompactFlash, Secure Digital, MultiMediaCard, Smart Media, xD and Microdrives, to USB 1.1, USB 2.0, IDE, PCMCIA, CompactFlash and 8 or 16-bit general purpose interfaces. TPL continues to make significant investment in the design, development, and marketing of CORE Flash products (including controller chips for digital photo frames) under the OnSpec brand.

8. OnSpec's controller chips are ideally suited for digital photo frames, because they uniquely integrate connectivity and multiple flash card standards in a compatible manner—all within a single system-on-a-chip architecture. The space and cost savings resulting from OnSpec's "system on chip" integration and the flexibility of supporting all types of flash card standards provide necessary flexibility to digital photo frame manufacturers, which enables them to offer a full line of products based on one standard platform architecture.

9. Along with OnSpec's technology, TPL also participated in the acquisition of OnSpec's intellectual property relating to the CORE Flash technology, including a series of domestic and foreign patents and applications. In addition, TPL has continued to seek patent protection for its CORE Flash technology, and has the exclusive rights to a broad array of related patents, including the Asserted Patents. This and other intellectual property comprises the CORE Flash Portfolio, which is the subject of an extensive licensing program, through which TPL provides access to the Asserted Patents.

10. TPL provides access to the Asserted Patents through its CORE Flash Licensing Program. TPL has been successful in its licensing efforts, and the CORE Flash Licensing Program currently includes 18 licensed entities across a variety of industries, such as computers, consumer electronics, audio/visual products, and more.

### **III. THE PROPOSED RESPONDENTS**

11. On information and belief, Proposed Respondent Action Electronics Co., Ltd. (“Action”) is a Taiwanese corporation with a principal place of business at No. 198, Zhongyuan Rd., Zhongli City, Taoyuan County 320, Taiwan. On information and belief, and as stated more fully in Paragraphs 68-71, Proposed Respondent Action is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

12. On information and belief, Proposed Respondent AIPTEK International Inc. (“AIPTEK”) is a Taiwanese corporation with a principal place of business at No.19, Industry E. Rd IV., Science Park, Hsinchu 300, Taiwan. On information and belief, and as stated more fully in Paragraphs 72-75, Proposed Respondent AIPTEK is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

13. On information and belief, Proposed Respondent Aluratek, Inc. (“Aluratek”) is a California corporation with a principal place of business at 14831 Myford Road, Tustin, California 92780. On information and belief, and as stated more fully in Paragraphs 76-81, Proposed Respondent Aluratek is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

14. On information and belief, Proposed Respondent Audiovox Corporation (“Audiovox”) is a Delaware corporation with a principal place of business at 180 Marcus Blvd., Happaage, New York 11788. On information and belief, and as stated more fully in Paragraphs 82-86, Proposed Respondent Audiovox is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

15. On information and belief, Proposed Respondent CEIVA Logic Inc. (“CEIVA”), is a Delaware corporation with a principal place of business at 214 E. Magnolia Blvd., Burbank, California 91502. On information and belief, and as stated more fully in Paragraphs 87-90, Proposed Respondent CEIVA, is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

16. On information and belief, Proposed Respondent Circus World Displays Ltd. (“CWD”) is a Canadian corporation with a principal place of business at 4080 Montrose Road, Niagara Falls, L2H 1J9, Canada. On information and belief, and as stated more fully in Paragraphs 91-94, Proposed Respondent CWD is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices under the brand name “BlueTronics.”

17. On information and belief, Proposed Respondent Coby Electronics Corporation (“Coby”) is a New York corporation with a principal place of business at 1991 Marcus Ave., Suite 301, Lake Success, New York 11042. On information and belief, and as stated more fully in Paragraphs 95-100, Proposed Respondent Coby is engaged in one or more of the manufacture,

importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

18. On information and belief, Proposed Respondent Curtis International, Ltd. (“Curtis”) is a Canadian corporation with a principal place of business at 315 Attwell Drive, Etobicoke, Ontario, M9W 5C1, Canada. On information and belief, and as stated more fully in Paragraphs 101-104, Proposed Respondent Curtis is engaged in the sale after importation into the United States of infringing digital photo frames and image display devices under the brand name “Sylvania.” On information and believe, Curtis may also be engaged in one or more of the manufacture, importation or sale for importation of digital photo frames and image display devices.

19. On information and belief, Proposed Respondent Digital Spectrum Solutions, Inc. (“DSS”) is a California corporation with a principal place of business at 17821 Mitchell N, Irvine, California 92614. On information and belief, and as stated more fully in Paragraphs 105-109, Proposed Respondent DSS is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

20. On information and belief, Proposed Respondent Eastman Kodak Company (“Kodak”) is a New Jersey corporation with a principal place of business at 343 State Street, Rochester, New York, 14650. On information and belief, and as stated more fully in Paragraphs 110-113, Proposed Respondent Kodak is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

21. On information and belief, Proposed Respondent Mustek Systems, Inc. (“Mustek”) is a Taiwanese corporation with a principal of business at 25, R&D Road II, Science-Based Industrial Park, Hsin Chu, Taiwan. On information and belief, and as stated more fully in Paragraphs 114-118, Proposed Respondent Mustek is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

22. On information and belief, Proposed Respondent Nextar, Inc. (“Nextar”) is a California corporation with a principal of business at 1661 Fairplex Drive, La Verne, California 91750. On information and belief, and as stated more fully in Paragraphs 119-122, Proposed Respondent Nextar is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

23. On information and belief, Proposed Respondent Pandigital, Inc. (“Pandigital”) is a Delaware corporation with a principal of business at 6375 Clark Ave Suite 100, Dublin California 94568. On information and belief, and as stated more fully in Paragraphs 123-128, Proposed Respondent Pandigital is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

24. On information and belief, Proposed Respondent Royal Consumer Information Products, Inc. (“Royal”) is a Delaware corporation with a principal of business at 379 Campus Drive Somerset, New Jersey 08875. On information and belief, and as stated more fully in Paragraphs 129-134, Proposed Respondent Royal is engaged in one or more of the manufacture,

importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

25. On information and belief, Proposed Respondent Sony Corporation is a Japanese corporation with a principal of business at 1-7-1 Konan, Minato-ku, Tokyo 108-0075, Japan. Proposed Respondent Sony Corporation of America (“SCA,” and collectively with Sony Corporation, “Sony”)) is a New York corporation with a principal of business at 1 550 Madison Avenue, New York, New York 10022. On information and belief, and as stated more fully in Paragraphs 135-138, Sony is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

26. On information and belief, Proposed Respondent Transcend Information, Inc. (“Transcend”) is a Taiwanese corporation with a principal of business at No.70, XingZhong Rd., NeiHu Dist., Taipei, Taiwan. On information and belief, and as stated more fully in Paragraphs 139-142, Proposed Respondent Transcend is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

27. On information and belief, Proposed Respondent ViewSonic Corporation (“ViewSonic”) is a Delaware corporation with a principal of business at 381 Brea Canyon Road, Walnut, California 91789. On information and belief, and as stated more fully in Paragraphs 143-146, Proposed Respondent ViewSonic is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

28. On information and belief, Proposed Respondent WinAccord Ltd. (“WinAccord TW”) is a Taiwanese corporation with a principal place of business at No. 159, Ken Chou Rd., Taipei, Taiwan. On information and belief, Proposed Respondent WinAccord USA, Inc. (“WinAccord USA,” and collectively with WinAccord TW, “WinAccord”) is a California corporation with a principal place of business at 2526 Qume Drive, Suite 24, San Jose, California, 95131. On information and belief, and as stated more fully in Paragraphs 147-151, Proposed Respondent WinAccord is engaged in one or more of the manufacture, importation, sale for importation, or sale after importation into the United States of infringing digital photo frames and image display devices.

#### **IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE.**

29. The technologies at issue relate to hardware used in a broad range of devices, including digital photo frames and other digital image display/viewing devices that incorporate flash memory card readers. In general, the Asserted Patents relate to flash memory card readers, including controller devices and pin mapping.

30. The Accused Products include digital photo frames and digital image display devices that incorporate a flash memory card reader. The Accused Products are imported into and sold within the United States by or on behalf of Respondents.

31. The proliferation of digital image capture devices – such as digital still cameras, camcorders, and mobile phones with integrated cameras – has popularized a variety of flash media formats, such as Smart Media, CompactFlash, Secure Digital, MultiMedia Card, xD Picture Card, and Memory Stick, and other types of flash media capable of storing digital images.

32. This heterogeneity of storage formats presents a potential problem for digital image display devices that must interface with different types of flash memory cards. The inventions of the Asserted Patents overcome this problem by enabling the production of multi-card readers that can accept and read virtually all types of flash memory formats in a single physical device. These multi-card readers are more convenient than other solutions such as transfer cables or wireless transfer technologies, which are more cumbersome, expensive and complicated for users, as well as less standardized.

33. Accordingly, to ensure universal compatibility, electronic devices that must interface with multiple flash formats have adopted the CORE Flash technology claimed by the Asserted Patents. Among such devices are digital photo frames, which are small LCD screens for displaying digital images.

34. Although the evolution of digital photo frame technology has made use of several means of receiving images over the years, the widespread popularity of digital photo frames coincides with their almost universal adoption of multi-card flash memory readers covered by the Asserted Patents. The integration of multi-card readers with digital photo frames has resulted in hassle-free compatibility and ease of use that make the technology affordable and accessible to consumers of all demographics. Being able to plug any memory card from an image capture device directly into a digital photo frame eliminates the complexity and compatibility issues associated with alternative image transfer means, like those described above. As such, the use of the multi-card reader technology protected by the Asserted Patents has been instrumental to the widespread adoption of digital photo frame products by the general public in the United States.



**V. THE PATENTS IN SUIT AND NON-TECHNICAL DESCRIPTIONS OF THE INVENTIONS.**

**A. Overview and Ownership of the Asserted Patents.**

**1. The '623 Patent.**

35. United States Patent No. 6,976,623 entitled "Flash Juke Box," issued on December 20, 2005 to Sreenath Mambakkam, et al. Exhibit 1. The '623 Patent issued from Application No. 10/065,771 filed on November 18, 2002. *Id.*

36. The '623 Patent has 3 independent claims and 16 dependent claims. Exhibit 1. TPL is currently asserting one or more of independent claims 1, 9, and 17 and one or more of dependent claims 2, 10, and 18 against certain Respondents, as stated herein. Further investigation and discovery may lead to the assertion of additional claims of the '623 Patent against one or more Respondents.

37. TPL is the exclusive licensee of the '623 Patent. The recorded assignments of the '623 Patent are attached as Exhibit 5.<sup>1</sup>

38. Pursuant to Commission Rule 210.12(c), a certified copy of the prosecution history of the '623 Patent, and four copies are attached hereto. *See* Appendix A. Pursuant to Commission Rule 210.12(c) four copies of each reference mentioned in the '623 Patent and/or its prosecution history are also attached hereto. *See* Appendix B.

39. There are no foreign counterpart patents or patent applications for the '623 Patent, and no foreign counterpart patent applications have been denied, abandoned or withdrawn.

---

<sup>1</sup> Exhibit 5 contains certified copies of all of the recorded assignments for the '623 patent except for the latest assignment recorded July 21, 2011, for which TPL submits an uncertified copy as part of Exhibit 6. TPL has ordered a certified copy of the July 21, 2011 assignment and will provide it to the Commission as soon as TPL receives it from the PTO.

40. As required under Commission Rule 210.12(a)(9)(iii), a list of entities licensed under the '623 Patent is attached to this Complaint as Confidential Exhibit 9. On information and belief, there are no other current licenses involving the '623 Patent.

**2. The '549 Patent.**

41. United States Patent No. 7,162,549 entitled "Multimode Controller For Intelligent And 'Dumb' Flash Cards," issued on January 9, 2007 to inventor Sreenath Mambakkam, et al. Exhibit 2. The '549 Patent issued from Application No. 10/264,466 filed on October 4, 2002. *Id.*

42. The '549 Patent has 3 independent claims and 19 dependent claims. Exhibit 2. TPL is currently asserting one or more of independent claims 1, 7, and 11 and one or more of dependent claims 17, 19, and 21 against certain Respondents, as stated herein. Further investigation and discovery may lead to the assertion of additional claims of the '549 Patent against one or more Respondents.

43. TPL is the exclusive licensee of the '549 Patent in the United States. The recorded assignments of the '549 Patent are attached as Exhibit 6.<sup>2</sup>

44. Pursuant to Commission Rule 210.12(c), a certified copy of the prosecution history of the '549 Patent, and four copies are attached hereto. *See* Appendix C. Pursuant to Commission Rule 210.12(c) four copies of each reference mentioned in the '549 Patent and/or its prosecution history are also attached hereto. *See* Appendix D.

45. The '549 Patent and its counterpart patents or patent applications are listed below. US 12/251,591 is a pending reissue of the '549 Patent.

---

<sup>2</sup> Exhibit 6 contains certified copies of all of the recorded assignments for the '549 patent except for the latest assignment dated July 21, 2011, for which TPL submits an uncertified copy as part of Exhibit 6. TPL has ordered a certified copy of the July 21, 2011 assignment and will provide it to the Commission as soon as TPL receives it from the PTO.

| Status  | Country | Appl. No.  | Filed     | Issued    | Pat. No.  |
|---------|---------|------------|-----------|-----------|-----------|
| Issued  | US      | 10/264,466 | 04-Oct-02 | 09-Jan-07 | 7,162,549 |
| Pending | US      | 12/351,691 | 09-Jan-09 |           |           |
| Issued  | Taiwan  | 092127401  | 03-Oct-03 | 21-Nov-05 | I243995   |

Aside from the foreign patent documents listed above, there are no foreign counterpart applications that have been denied, abandoned or withdrawn.

46. As required under Commission Rule 210.12(a)(9)(iii), a list of entities licensed under the '549 Patent is attached to this Complaint as Confidential Exhibit 9. On information and belief, there are no other current licenses involving the '549 Patent.

### 3. The '443 Patent.

47. United States Patent No. 7,295,443 entitled "Smartconnect Universal Flash Media Card Adapters," issued on November 13, 2007 to inventor Sreenath Mambakkam, et al. Exhibit 3. The '443 Patent issued from Application No. 11/492,556 filed on July 24, 2006. *Id.*

48. The '443 Patent has 2 independent claims and 12 dependent claims. Exhibit 3. TPL is currently asserting one or more of independent claims 1 and 9 and one or more of dependent claims 3, 4, 7, 11, 12, and 14 against certain Respondents, as stated herein. Further investigation and discovery may lead to the assertion of additional claims of the '443 Patent against one or more Respondents.

49. TPL is the exclusive licensee of the '443 Patent. The recorded assignments of the '443 Patent are attached as Exhibit 7.<sup>3</sup>

---

<sup>3</sup> Exhibit 7 contains certified copies of all of the recorded assignments for the '443 Patent except for the latest assignment dated July 21, 2011, for which TPL submits an uncertified copy as part of Exhibit 7. TPL has ordered a certified copy of the July 21, 2011 assignment and will provide it to the Commission as soon as TPL receives it from the PTO.

50. Pursuant to Commission Rule 210.12(c), a certified copy of the prosecution history of the '443 Patent, and four copies are attached hereto. *See* Appendix E. Pursuant to Commission Rule 210.12(c) four copies of each reference mentioned in the '443 Patent and/or its prosecution history are also attached hereto. *See* Appendix F.

51. There are no foreign counterpart patents or patent applications for the '443 Patent, and no foreign counterpart patent applications have been denied, abandoned or withdrawn.

52. As required under Commission Rule 210.12(a)(9)(iii), a list of entities licensed under the '443 Patent is attached to this Complaint as Confidential Exhibit 9. On information and belief, there are no other current licenses involving the '443 Patent.

#### **4. The '424 Patent.**

53. United States Patent No. 7,522,424 entitled "Smartconnect Universal Flash Media Card Adapters," issued on April 21, 2009 to inventor Sreenath Mambakkam, et al. Exhibit 4. The '424 Patent issued from Application No. 11/858,086 filed on September 19, 2007. *Id.*

54. The '424 Patent has 6 independent claims and 24 dependent claims. Exhibit 4. TPL is currently asserting one or more of independent claims 25 and 28 and one or more of dependent claims 26 and 29 against certain Respondents, as stated herein. Further investigation and discovery may lead to the assertion of additional claims of the '424 Patent against one or more Respondents.

55. TPL is the exclusive licensee of the '424 Patent. The recorded assignments of the '424 Patent are attached as Exhibit 8.<sup>4</sup>

---

<sup>4</sup> Exhibit 8 contains certified copies of all of the recorded assignments for the '424 patent except for the latest assignment dated July 21, 2011, for which TPL submits an uncertified copy as part of Exhibit 8. TPL has ordered a certified copy of the July 21, 2011 assignment and will provide it to the Commission as soon as TPL receives it from the PTO.

56. Pursuant to Commission Rule 210.12(c), a certified copy of the prosecution history of the '424 Patent, and four copies are attached hereto. *See* Appendix G. Pursuant to Commission Rule 210.12(c) four copies of each reference mentioned in the '424 Patent and/or its prosecution history are also attached hereto. *See* Appendix H.

57. There are no foreign counterpart patents or patent applications for the '424 Patent, and no foreign counterpart patent applications have been denied, abandoned or withdrawn.

58. As required under Commission Rule 210.12(a)(9)(iii), a list of entities licensed under the '424 Patent is attached to this Complaint as Confidential Exhibit 9. On information and belief, there are no other current licenses involving the '424 Patent.

**B. Non-Technical Description of the Asserted Patents.**

**1. Non-Technical Description of the '623 Patent.**

59. The '623 Patent discloses a memory card reader having a number of interfaces to read at least two different types of memory cards, and to provide parallel read/write access to both cards to enable the transfer of data from one card to the other. The invention permits faster data transfer between flash cards by providing parallel read/write access to both while transferring data between cards.

**2. Non-Technical Description of the '549 Patent.**

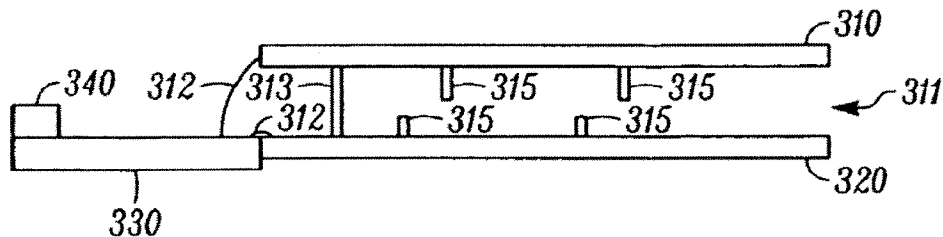
60. The '549 Patent discloses a controller chip that interfaces with a flash memory card which may (or may not) have a controller for error correction. Using firmware, the disclosed controller chip conducts bad block mapping in the event that the flash memory card does not have a controller for error correction. This permits a flash adapter with the disclosed controller chip to conduct bad block mapping in the adapter rather than in, for example, a host computer.

61. This invention is especially important for consumers who use xD-Picture Cards or Smart Media cards, as these flash memory cards do not include an error correction controller.

### 3. Non-Technical Description of the '443 Patent.

62. The '443 Patent discloses a multi-media memory port. The port has a flat top and a flat bottom that define a slot between them for receiving multiple types of flash memory cards. There are contact pins in molded plastic that extend from either the top or the bottom of the port (or both); these contact pins allow the port to receive electrical signals from a flash memory card. The port also includes a controller chip that maps a set of signal lines to a subset of the contact pins based on the type of flash memory card inserted into the reader.

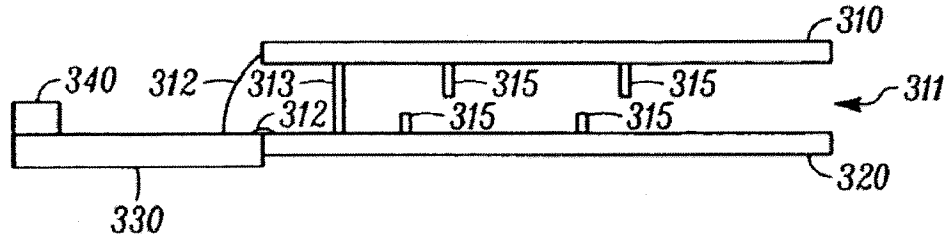
63. The invention allows a single-slot molded plastic flash card reader to use a single controller to interface with multiple types of flash memory cards, including CompactFlash (CF), MultiMediaCard (MMC) and Secure Digital (SD), etc. Figure 3 (reproduced below), illustrates one embodiment of the '443 Patent:



### 4. Non-Technical Description of the '424 Patent.

64. The '424 Patent discloses a single-slot flash memory card reader that has a number of sets of contact pins mounted in a single slot reader at locations adapted to interface with the electrical contacts of different types of flash memory cards. The patent discloses a set of interconnection pins, 315 as illustrated in Figure 3, reproduced below. A controller maps

power, ground and/or data signals between the interconnection pins and the proper contact pins, depending on the type of card in the slot.



65. The invention also permits the use of a single controller in a single-slot reader that accepts multiple flash card types, including MultiMediaCard, Secure Digital and others.

#### **VI. UNLAWFUL AND UNFAIR ACTS OF RESPONDENTS – PATENT INFRINGEMENT.**

66. Each Respondent has engaged in unfair trade practices, including the manufacture abroad, sale for importation into the United States, importation into the United States, and/or sale in the United States after importation of certain electronic devices that infringe one or more of the Asserted Claims of the Asserted Patents. Exemplary instances of such unfair trade practices and infringing products (the “Accused Products”) are provided below for each Respondent.

67. Exemplary instances of importation and sale of infringing products are set forth below.

##### **A. Action Electronics Co., Ltd.**

68. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Action is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Action Accused Products include at least the following: Home 7” DPF - 1600018. Exemplary instances of importation and sale of infringing Action products are set forth below.

69. On information and belief, the Action Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 10. The photographs of the Home 7" DPF - 1600018 in the attached claim chart indicate that the device is a digital photo frame that is "Manufactured In China." *See* Exhibit 10 at 2. The Home 7" DPF - 1600018 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 10 at 2 (Home 7" DPF - 1600018 available for purchase from RadioShack); *see also* Exhibit 76 (C. Smith Decl.) ¶ 2, 76-A (confirming purchase in U.S.).

70. On information and belief, Action infringes directly and/or induces or contributes to the direct infringement of at least claims 25, 26, 28, and 29 of the '424 Patent. On information and belief, Action directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Action Accused Products in the United States. TPL provided notice of the '424 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated July 1, 2009. Exhibit 11. Action confirmed its awareness of the '424 Patent by no later than July 30, 2009. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused Home 7" DPF - 1600018 is attached to this Complaint as Exhibit 10.

71. On information and belief, Action infringes directly and/or induces or contributes to the direct infringement of at least claims 9 and 14 of the '443 Patent. On information and belief, Action directly infringes at least claims 9 and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Action Accused Products in the United States. TPL provided notice of the '443 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated July 1, 2009. Exhibit 11. Action confirmed its awareness of the '443 Patent by no later than July 30, 2009. An exemplary chart that applies independent claim 9 and



dependent claim 14 of the '443 Patent to the accused Home 7" DPF - 1600018 is attached to this Complaint as Exhibit 12.

**B. AIPTEK International Inc.**

72. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, AIPTEK is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the AIPTEK Accused Products include at least the following product: P8i26. Exemplary instances of importation and sale of infringing AIPTEK products are set forth below.

73. On information and belief, the AIPTEK Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 13. The photographs of the P8i26 label in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 13 at 2. The P8i26 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 13 at 2 (P8i26 available for purchase from online retailer NewEgg); *see also* Exhibit 76 (C. Smith Decl.) ¶ 4, 76-B (confirming purchase in U.S.).

74. On information and belief, AIPTEK infringes directly and/or induces or contributes to the direct infringement of at least claims 25, 26, 28, and 29 of the '424 Patent. On information and belief, AIPTEK directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the AIPTEK Accused Products in the United States. TPL provided notice of the '424 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated June 27, 2011. Exhibit 14. An

exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused P8i26 is attached to this Complaint as Exhibit 13.

75. On information and belief, AIPTEK infringes directly and/or induces or contributes to the direct infringement of at least claims 9, 11, and 12 of the '443 Patent. On information and belief, AIPTEK directly infringes at least claims 9, 11 and 12 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the AIPTEK Accused Products in the United States. TPL provided notice of the '443 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated June 27, 2011. Exhibit 14. An exemplary chart that applies independent claim 9 and dependent claims 11 and 12 of the '443 Patent to the accused P8i26 is attached to this Complaint as Exhibit 15.

**C. Aluratek, Inc.**

76. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Aluratek is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Aluratek Accused Products include at least the following: ADMPF315F. Exemplary instances of importation and sale of infringing Aluratek products are set forth below.

77. On information and belief, the Aluratek Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 16. The photographs of the rear label of the ADMPF315F in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 16 at 2. The ADMPF315F is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 16 at

2 (ADMPPF315F available directly from Aluratek in its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶ 6, 76-C (confirming purchase in U.S. from Amazon.com).

78. On information and belief, Aluratek directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Aluratek Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused ADMPPF315F is attached to this Complaint as Exhibit 16.

79. On information and belief, Aluratek directly infringes at least claims 9, 11, 12, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Aluratek Accused Products in the United States. TPL provided notice of the '443 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated April 2, 2008. Exhibit 17. Aluratek confirmed its awareness of the '443 Patent by no later than August 21, 2008. An exemplary chart that applies independent claim 9 and dependent claims 11, 12 and 14 of the '443 Patent to the accused ADMPPF315F is attached to this Complaint as Exhibit 18.

80. On information and belief, Aluratek infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, Aluratek directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the Aluratek Accused Products in the United States. On information and belief, Aluratek induces infringement of claims 7 and 19 of the '549 Patent. Aluratek sells the ADMPPF315F, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use the USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable

the device to perform the claimed method, as shown in Exhibit 17. Furthermore, Aluratek provides users with explicit instructions for a host connection, and thus intends to induce the infringement. *See* Exhibit 19 at 20. On information and belief, Aluratek induces infringement of claims 11 and 21 of the '549 Patent. Aluratek sells the ADMPF315F, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 18. Furthermore, Aluratek provides users with explicit instructions for a host connection, and thus intends to induce the infringement. *See* Exhibit 19 at 20. TPL provided notice of the '549 patent by letter (with an enclosed disk identifying the CORE Flash patents) dated April 2, 2008. Exhibit 17. Aluratek confirmed its awareness of the '549 Patent by no later than August 21, 2008. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused ADMPF315F is attached to this Complaint as Exhibit 19.

81. On information and belief, Aluratek infringes directly and/or induces the direct infringement of at least claims 1, 2, 9, 10, 17, and 18 of the '623 Patent. On information and belief, Aluratek directly infringes at least claims 1, 2, 9, and 10 of the '623 Patent by importing, offering for sale, selling, testing and/or using certain of the Aluratek Accused Products in the United States. On information and belief, Aluratek induces the infringement of claims 17 and 18 of the '623 Patent. Aluratek sells the ADMPF315F, which performs the indicated method when a user connects the device to a computing device and relevant flash storage systems. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to

a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 20. Furthermore, Aluratek provides explicit support for multiple relevant flash storage systems and a computing device. *See* Exhibit 20 at 14, 15. TPL provided notice of the '623 patent by letter (with an enclosed disk identifying the CORE Flash patents) dated April 2, 2008. Exhibit 17. Aluratek confirmed its awareness of the '623 Patent by no later than August 21, 2008. An exemplary chart that applies independent claims 1, 9, and 17 and dependent claims 2, 10, and 18 of the '623 Patent to the accused ADMPF315F is attached to this Complaint as Exhibit 20.

**D. Audiovox Corporation.**

82. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Audiovox is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Audiovox Accused Products include at least the following: DPF808. Exemplary instances of importation and sale of infringing Audiovox products are set forth below.

83. On information and belief, the Audiovox Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 21. The photographs of the DPF808 in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 21 at 2. The DPF808 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 21 at 2 (DPF808 available directly from Audiovox in its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶ 8, 76-D (confirming DPF808 purchase in U.S. from retailer DiscountsJungle through Amazon.com).

84. On information and belief, Audiovox directly infringes at least claims 25, 26, 28 and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Audiovox Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claim 26 and 29 of the '424 Patent to the accused DPF808 is attached to this Complaint as Exhibit 21.

85. On information and belief, Audiovox directly infringes at least claims 9, 11, 12 and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Audiovox Accused Products in the United States. TPL provided notice of the '443 Patent in a October 15, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 22. An exemplary chart that applies independent claim 9 and dependent claims 11, 12 and 14 of the '443 Patent to the accused DPF808 is attached to this Complaint as Exhibit 23.

86. On information and belief, Audiovox infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, Audiovox directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the Audiovox Accused Products in the United States. On information and belief, Audiovox induces infringement of claims 7 and 19 of the '549 Patent. Audiovox sells the DPF808, which performs the indicated method when a user connects the device to a computing device and a flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 24. Furthermore, Audiovox provides explicit instructions for both relevant flash storage systems and a host connection. *See* Exhibit 24 at 16. On information and belief, Audiovox induces infringement of claims 11 and 21 of the '549

Patent. Audiovox sells the DPF808, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 24. Furthermore, Audiovox provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 24 at 16. TPL provided notice of the '549 patent by letter (with an enclosed disk identifying the CORE Flash patents) dated October 15, 2008. Exhibit 22. Audiovox confirmed its awareness of the '549 Patent by no later than January 9, 2009. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused DPF808 is attached to this Complaint as Exhibit 24.

**E. CEIVA Logic, Inc.**

87. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, CEIVA is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the CEIVA Accused Products include at least the following: CEIVA Pro 80. Exemplary instances of importation and sale of infringing CEIVA products are set forth below.

88. On information and belief, the CEIVA Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 25. The photographs of the CEIVA Pro 80 packaging in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 25 at 2. The CEIVA Pro 80 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 25 at 2

(CEIVA Pro 80 sold directly by CEIVA through its online retail store); *see also* Exhibit 76 (C. Smith Decl.) ¶ 10, 76-E (confirming purchase in U.S.).

89. On information and belief, CEIVA directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the CEIVA Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused CEIVA Pro 80 is attached to this Complaint as Exhibit 25.

90. On information and belief, CEIVA directly infringes at least claims 9, 10, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the CEIVA Accused Products in the United States. TPL provided notice of the '443 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated October 31, 2008. Exhibit 26. An exemplary chart that applies independent claim 9 and dependent claims 10 and 14 of the '443 Patent to the accused CEIVA Pro 80 is attached to this Complaint as Exhibit 27.

**F. Circus World Displays Ltd.**

91. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Circus World Displays Ltd. ("CWD") is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the CWD Accused Products include at least the following: MAG-PF0901M. Exemplary instances of importation and sale of infringing CWD products are set forth below.

92. On information and belief, the CWD Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 28. The photographs of the MAG-PF0901M packaging in the attached claim chart indicate that the device is a digital photo frame



“Made In China.” *See* Exhibit 28 at 3. The MAG-PF0901M is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 28 at 2 (MAG-PF0901M available from retailer ShopTronics through Amazon.com); *see also* Exhibit 76 (C. Smith Decl.) ¶ 12, 76-F (confirming purchase in U.S.).

93. On information and belief, CWD directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the CWD Accused Products in the United States. TPL provided notice of the '424 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated June 27, 2011. Exhibit 29. CWD confirmed its awareness of the '424 Patent by no later than July 13, 2011. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused MAG-PF0901M is attached to this Complaint as Exhibit 28.

94. On information and belief, CWD directly infringes at least claims 9 and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the CWD Accused Products in the United States. TPL provided notice of the '443 Patent by letter (with an enclosed disk identifying the CORE Flash patents) dated June 27, 2011. Exhibit 29. CWD confirmed its awareness of the '443 Patent by no later than July 13, 2011. An exemplary chart that applies independent claim 9 and dependent claim 14 of the '443 Patent to the accused MAG-PF0901M is attached to this Complaint as Exhibit 30.

**G. Coby Electronics Corporation.**

95. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Coby is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On

information and belief, the Coby Accused Products include at least the following: DP1052.

Exemplary instances of importation and sale of infringing Coby products are set forth below.

96. On information and belief, the Coby Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 31. The photographs of the DP1052 in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 31 at 2. The DP1052 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 31 at 2 (DP1052 available from online retailer Amazon.com); *see also* Exhibit 76 (C. Smith Decl.) ¶ 14, 76-G (confirming purchase in U.S.).

97. On information and belief, Coby directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the Coby Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the ’424 Patent to the accused DP1052 is attached to this Complaint as Exhibit 31.

98. On information and belief, Coby directly infringes at least claims 9, 11, 12, and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the Coby Accused Products in the United States. TPL provided notice of the ’443 Patent in a February 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 32. Coby confirmed its awareness of the ’443 Patent by no later than September 16, 2008. An exemplary chart that applies independent claim 9 and dependent claims 11, 12, and 14 of the ’443 Patent to the accused DP1052 is attached to this Complaint as Exhibit 33.

99. On information and belief, Coby infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the ’549 Patent. On information and belief, Coby directly infringes at least claims 1 and 17 of the ’549 Patent by importing, offering

for sale, selling, testing and/or using certain of the Coby Accused Products in the United States. On information and belief, Coby induces infringement of claims 7 and 19 of the '549 Patent. Coby sells the DP1052, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 34. Furthermore, Coby provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 34 at 15, 23. On information and belief, Coby induces infringement of claims 11 and 21 of the '549 Patent. Coby sells the DP1052, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 34. Furthermore, Coby provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 34 at 15, 23. TPL provided notice of the '549 patent by letter (with an enclosed disk identifying the CORE Flash patents) dated February 21, 2008. Exhibit 32. Coby confirmed its awareness of the '549 Patent by no later than September 16, 2008. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused DP1052 is attached to this Complaint as Exhibit 34.

100. On information and belief, Coby infringes directly and/or induces the direct infringement of at least claims 1, 2, 9, 10, 17, and 18 of the '623 Patent. On information and belief, Coby directly infringes at least claims 1, 2, 9, and 10 of the '623 Patent by importing, offering for sale, selling, testing and/or using certain of the Coby's Accused Products in the

United States. On information and belief, Coby induces the infringement of claims 17 and 18 of the '623 Patent. Coby sells the DP1052, which performs the indicated method when a user connects the device to a computing device and relevant flash storage systems. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 35. Furthermore, Coby provides explicit support for both multiple relevant flash storage systems and a computing device. *See* Exhibit 35 at 14-15. TPL provided notice of the '623 patent by letter (with an enclosed disk identifying the CORE Flash patents) dated February 21, 2008. Exhibit 32. Coby confirmed its awareness of the '549 Patent by no later than September 16, 2008. An exemplary chart that applies independent claims 1, 9, and 17 and dependent claims 2, 10, and 18 of the '623 Patent to the accused DP1052 is attached to this Complaint as Exhibit 35.

**H. Curtis International, Ltd.**

101. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Curtis is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Curtis Accused Products include at least the following: Sylvania SDPF752. Exemplary instances of importation and sale of infringing Curtis products are set forth below.

102. On information and belief, the Curtis Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 36. The photographs of the Sylvania SDPF752 in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 36 at 3. The Sylvania SDPF752 is imported into the United

States and sold after importation in the United States through retailers. *See* Exhibit 76 (C. Smith Decl.) ¶ 16, 76-H (confirming purchase in U.S. from retailer JK Games through Amazon.com).

103. On information and belief, Curtis directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Curtis Accused Products in the United States. TPL provided notice of the '424 Patent in a November 3, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 37. Curtis confirmed its awareness of the '424 Patent by no later than May 6, 2011. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused Sylvania SPDF752 is attached to this Complaint as Exhibit 36.

104. On information and belief, Curtis directly infringes at least claims 9 and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Curtis Accused Products in the United States. TPL provided notice of the '443 Patent in a November 3, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 37. Curtis confirmed its awareness of the '443 Patent by no later than May 6, 2011. An exemplary chart that applies independent claim 9 and dependent claim 14 of the '443 Patent to the accused Sylvania SPDF752 is attached to this Complaint as Exhibit 38.

**I. Digital Spectrum Solutions, Inc.**

105. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, DSS is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the DSS Accused Products include at least the following: MF-801. Exemplary instances of importation and sale of infringing DSS products are set forth below.

106. On information and belief, the DSS Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 39. The photographs of the MF-801 in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 39 at 3. The MF-801 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 39 at 2 (MF-801 available directly from DSS through its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶ 18, 76-I (confirming purchase in U.S. from retailer The Price Pros through Amazon.com).

107. On information and belief, DSS directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the DSS Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the ’424 Patent to the accused MF-801 is attached to this Complaint as Exhibit 39.

108. On information and belief, DSS directly infringes at least claims 9, 11, 12, and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the DSS Accused Products in the United States. TPL provided notice of the ’443 Patent in a November 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 40. DSS confirmed its awareness of the ’443 Patent by no later than February 20, 2009. An exemplary chart that applies independent claim 9 and dependent claims 11, 12, and 14 of the ’443 Patent to the accused MF-801 is attached to this Complaint as Exhibit 41.

109. On information and belief, DSS infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the ’549 Patent. On information and belief, DSS directly infringes at least claims 1 and 17 of the ’549 Patent by importing, offering for sale, selling, testing and/or using certain of the DSS Accused Products in the United States.

On information and belief, DSS induces infringement of claims 7 and 19 of the '549 Patent.

DSS sells the MF-801, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 42. Furthermore, DSS provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 42 at 15, 18-20, 26. On information and belief, DSS induces infringement of claims 11 and 21 of the '549 Patent. DSS sells the MF-801, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 42. Furthermore, DSS provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 42 at 18-20, 27-28. TPL provided notice of the '549 patent in a November 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 40. DSS confirmed its awareness of the '549 Patent by no later than February 20, 2009. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused MF-081 is attached to this Complaint as Exhibit 42.

**J. Eastman Kodak Company.**

110. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Kodak is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On

information and belief, the Kodak Accused Products include at least the following: P730M. Exemplary instances of importation and sale of infringing Kodak products are set forth below.

111. On information and belief, the Kodak Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 43. The photographs of the P730M in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 43 at 3. The P730M is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 43 (P730M directly from Kodak through its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶¶ 20, 76-J (confirming purchase in U.S. from retailer SupremeElectronics through Amazon.com).

112. On information and belief, Kodak directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the Kodak Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the ’424 Patent to the accused P730M is attached to this Complaint as Exhibit 43.

113. On information and belief, Kodak directly infringes at least claims 9 and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the Kodak Accused Products in the United States. Kodak has had notice of the CORE Flash Portfolio, including the ’443 Patent, since at least as early November 2008. *See* Confidential Exhibit 44. An exemplary chart that applies independent claim 9 and dependent claim 14 of the ’443 Patent to the accused P730M is attached to this Complaint as Exhibit 45.

**K. Mustek Systems, Inc.**

114. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Mustek is engaged in the manufacture, importation, sale for



importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Mustek Accused Products include at least the following: PF-A720BM. Exemplary instances of importation and sale of infringing Mustek products are set forth below.

115. On information and belief, the Mustek Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 46. The photographs of the PF-A720BM in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 46 at 2. The PF-A720BM is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 46 at 2 (PF-A720BM available from online retailer Amazon.com); *see also* Exhibit 76 (C. Smith Decl.) ¶¶ 22, 76-K (confirming purchase in U.S.).

116. On information and belief, Mustek directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the Mustek Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the ’424 Patent to the accused PF-A720BM is attached to this Complaint as Exhibit 46.

117. On information and belief, Mustek directly infringes at least claims 9 and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the Mustek Accused Products in the United States. TPL provided notice of the ’443 Patent in a November 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 47. Mustek confirmed its awareness of the ’443 Patent by no later than February 19, 2009. An exemplary chart that applies independent claim 9 and dependent claim 14 of the ’443 Patent to the accused PF-A720BM is attached to this Complaint as Exhibit 48.

118. On information and belief, Mustek infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, Mustek directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the Mustek Accused Products in the United States. On information and belief, Mustek induces infringement of claims 7 and 19 of the '549 Patent. Mustek sells the PF-A720BM, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 49. Furthermore, Mustek provides explicit support for relevant flash storage systems. *See* Exhibit 49 at 11, 23. On information and belief, Mustek induces infringement of claims 11 and 21 of the '549 Patent. Mustek sells the PF-A720BM, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 49. Furthermore, Mustek provides explicit support for relevant flash storage systems. *See* Exhibit 49 at 19, 24. TPL provided notice of the '549 patent in a November 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 47. Mustek confirmed its awareness of the '549 Patent by no later than February 19, 2009. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused PF-A720BM is attached to this Complaint as Exhibit 49.

**L. Nextar Inc.**

119. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Nextar is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Nextar Accused Products include at least the following: N3-504-CST. Exemplary instances of importation and sale of infringing Nextar products are set forth below.

120. On information and belief, the Nextar Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 50. The photographs of the N3-504-CST in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 50 at 2. The N3-504-CST is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 50 at 2 (N3-504-CST available from retailer Computer Geeks); *see also* Exhibit 76 (C. Smith Decl.) ¶ 24, 76-L (confirming purchase in U.S. from Computer Geeks through Amazon.com).

121. On information and belief, Nextar directly infringes at least claims 25, 26, 28, and 29 of the ‘424 Patent by importing, offering for sale, selling, testing and/or using certain of the Nextar Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the ‘424 Patent to the accused N3-504-CST is attached to this Complaint as Exhibit 50.

122. On information and belief, Nextar directly infringes at least claims 9 and 14 of the ‘443 Patent by importing, offering for sale, selling, testing and/or using certain of the Nextar Accused Products in the United States. TPL provided notice of the ‘443 Patent in a March 11, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 51. Nextar

confirmed its awareness of the '443 Patent by no later than April 6, 2009. An exemplary chart that applies independent claim 9 and dependent claim 14 of the '443 Patent to the accused N3-504-CST is attached to this Complaint as Exhibit 52.

**M. Pandigital.**

123. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Pandigital is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Pandigital Accused Products include at least the following: PI8004W01 and PI1002DW. Exemplary instances of importation and sale of infringing Pandigital products are set forth below.

124. On information and belief, the Pandigital Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 53, 55. The photographs of the PI8004W01 in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 53 at 2. The photographs of the PI1002DW in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 55 at 3. The PI8004W01 and PI1002DW are imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 53 at 2; (PI8004W01 available from online retailer Amazon.com); Exhibit 55 at 3 (PI1002DW available directly from Pandigital through its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶¶ 26, 28, 76-M, 76-N (confirming purchase in U.S. from Amazon.com).

125. On information and belief, Pandigital directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Pandigital Accused Products in the United States. An exemplary chart that applies

independent claims 25 and 28 and dependent claim 26 and 29 of the '424 Patent to the accused PI8004W01 is attached to this Complaint as Exhibit 53.

126. On information and belief, Pandigital directly infringes at least claims 9, 11, 12, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Pandigital Accused Products in the United States. TPL provided notice of the '443 Patent in a February 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 54. Pandigital confirmed its awareness of the '443 Patent by no later than January 30, 2009. An exemplary chart that applies independent claim 9 and dependent claims 11, 12, and 14 of the '443 Patent to the accused PI8004W01 is attached to this Complaint as Exhibit 55.

127. On information and belief, Pandigital infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, Pandigital directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the Pandigital Accused Products in the United States. On information and belief, Pandigital induces infringement of claims 7 and 19 of the '549 Patent. Pandigital sells the PI8004W01, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 56. Furthermore, Pandigital provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 56 at 7, 19, 27. On information and belief, Pandigital induces infringement of claims 11 and 21 of the '549 Patent. Pandigital sells the PI8004W01, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the

claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 56. Furthermore, Pandigital provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 56 at 19-20, 29. TPL provided notice of the '549 patent in a February 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 54. Pandigital confirmed its awareness of the '549 Patent by no later than January 30, 2009. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused PI8004W01 is attached to this Complaint as Exhibit 56.

128. On information and belief, Pandigital infringes directly and/or induces the direct infringement of at least claims 1, 2, 9, 10, 17, and 18 of the '623 Patent. On information and belief, Pandigital directly infringes at least claims 1, 2, 9, and 10 of the '623 Patent by importing, offering for sale, selling, testing and/or using certain of the Pandigital's Accused Products in the United States. On information and belief, Pandigital induces the infringement of claims 17 and 18 of the '623 Patent. Pandigital sells the PI1002DW, which performs the indicated method when a user connects the device to a computing device and relevant flash storage systems. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 57. Furthermore, Pandigital provides explicit support for both multiple relevant flash storage systems and a computing device. *See* Exhibit 57 at 5. TPL provided notice of the '623 patent in a February 21, 2008 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 54. Pandigital confirmed its awareness of the '623 Patent by no later than January 30, 2009. An exemplary chart that

applies independent claims 1, 9, and 17 and dependent claims 2, 10, and 18 of the '623 Patent to the accused P11002DW is attached to this Complaint as Exhibit 57.

**N. Royal Consumer Information Products, Inc.**

129. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Royal is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Royal Accused Products include at least the following: PF120 256 12". Exemplary instances of importation and sale of infringing Royal products are set forth below.

130. On information and belief, the Royal Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibit 58. The photographs of the PF120 256 12" in the attached claim chart indicates that the device is a digital photo frame "Made In China." *See* Exhibit 58 at 2. The PF120 256 12" is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 58 at 2 (PF120 256 12" available directly from Royal through its online retail site RoyalSupplies.com); *see also* Exhibit 76 (C. Smith Decl.) ¶ 30, 76-O (confirming purchase in U.S.).

131. On information and belief, Royal directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Royal Accused Products in the United States. TPL provided notice of the '424 Patent in an August 27, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 59. Royal confirmed its awareness of the '424 Patent by no later than December 31, 2009. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused PF120 256 12" is attached to this Complaint as Exhibit 58.

132. On information and belief, Royal directly infringes at least claims 9, 11, 12, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Royal Accused Products in the United States. TPL provided notice of the '443 Patent in an August 27, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 59. Royal confirmed its awareness of the '443 Patent by no later than December 31, 2009. An exemplary chart that applies independent claim 9 and dependent claims 11, 12, and 14 of the '443 Patent to the accused PF120 256 12" is attached to this Complaint as Exhibit 60.

133. On information and belief, Royal infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, Royal directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the Royal Accused Products in the United States. On information and belief, Royal induces infringement of claims 7 and 19 of the '549 Patent. Royal sells the PF120 256 12", which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 61. Furthermore, Royal provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 61 at 10, 15-16, 23. On information and belief, Royal induces infringement of claims 11 and 21 of the '549 Patent. Royal sells the PF120 256 12", which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete



the claimed apparatus, as shown in Exhibit 60. Furthermore, Royal provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 61 at 10, 15-16, 23. TPL provided notice of the '549 Patent in an August 27, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 59. Royal confirmed its awareness of the '549 Patent by no later than December 31, 2009. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused PF120 256 12" is attached to this Complaint as Exhibit 61.

134. On information and belief, Royal infringes directly and/or induces the direct infringement of at least claims 1, 2, 9, 10, 17, and 18 of the '623 Patent. On information and belief, Royal directly infringes at least claims 1, 2, 9, and 10 of the '623 Patent by importing, offering for sale, selling, testing and/or using certain of Royal's Accused Products in the United States. On information and belief, Royal induces the infringement of claims 17 and 18 of the '623 Patent. Royal sells the PF120 256 12", which performs the indicated method when a user connects the device to a computing device and relevant flash storage systems. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 62. Furthermore, Royal provides explicit support for both multiple relevant flash storage systems and a computing device. *See* Exhibit 62 at 17-19, 21. TPL provided notice of the '623 Patent in an August 27, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 59. Royal confirmed its awareness of the '623 Patent by no later than December 31, 2009. An exemplary chart that applies independent claims 1, 9, and 17 and dependent claims 2, 10, and 18 of the '623 Patent to the accused PF120 256 12" is attached to this Complaint as Exhibit 62.

**O. Sony Corporation and Sony Corporation of America (“Sony”).**

135. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Sony Corporation and Sony Corporation of America (collectively “Sony”) are engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Sony Accused Products include at least the following: Sony DPF-D710. Exemplary instances of importation and sale of infringing Sony products are set forth below.

136. On information and belief, the Sony Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 63. The photographs of the DPF-D710 in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 63 at 2. The DPF-D710 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 63 at 2 (DPF-D710 available from online retailer Amazon.com); *see also* Exhibit 76 (C. Smith Decl.) ¶ 32, 76-P (confirming purchase in U.S.).

137. On information and belief, Sony directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the Sony Accused Products in the United States. An exemplary chart that applies independent claims 25 and 28 and dependent claim 26 and 29 of the ’424 Patent to the accused DPF-D710 is attached to this Complaint as Exhibit 63.

138. On information and belief, Sony directly infringes at least claims 1, 3, 4, 7, 9, 11, 12, and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the Sony Accused Products in the United States. Sony was aware of the ’443 Patent by no later than November 30, 2009. *See* Confidential Exhibit 64 (11/30/09 e-mail from Sony

confirming its review of CORE Flash patent materials). An exemplary chart that applies claims 1, 3, 4, 7, 9, 11, 12, and 14 of the '443 Patent to the accused DPF-D710 is attached to this Complaint as Exhibit 65.

**P. Transcend Information, Inc.**

139. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, Transcend is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the Transcend Accused Products include at least the following: PF730. Exemplary instances of importation and sale of infringing Transcend products are set forth below.

140. On information and belief, the Transcend Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 66. The photographs of the PF730 in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 66 at 3. The PF730 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 66 at 2 (PF730 available directly from Transcend through its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶¶ 34, 76-Q (confirming purchase in U.S. from online retailer Amazon.com).

141. On information and belief, Transcend directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the Transcend Accused Products in the United States. TPL provided notice of the '424 Patent in a September 25, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 67. Transcend confirmed its awareness of the '424 Patent by no later than March 10, 2010. An

exemplary chart that applies independent claims 25 and 28 and dependent claim 26 and 29 of the '424 Patent to the accused PF730 is attached to this Complaint as Exhibit 66.

142. On information and belief, Transcend directly infringes at least claims 9, 11, 12, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the Transcend Accused Products in the United States. TPL provided notice of the '443 Patent in a September 25, 2009 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 67. Transcend confirmed its awareness of the '443 Patent by no later than March 10, 2010. An exemplary chart that applies independent claim 9 and dependent claim 11, 12, and 14 of the '443 Patent to the accused PF730 is attached to this Complaint as Exhibit 68.

**Q. ViewSonic Corporation.**

143. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, ViewSonic is engaged in the manufacture, importation, sale for importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the ViewSonic Accused Products include at least the following: DPF8-CAM. Exemplary instances of importation and sale of infringing ViewSonic products are set forth below.

144. On information and belief, the ViewSonic Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 69. The photographs of the DPF8-CAM in the attached claim chart indicate that the device is a digital photo frame "Made In China." *See* Exhibit 69 at 2. The DPF8-CAM is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 69 at 2 (DPF8-CAM available directly from Viewsonic through its online store); *see also* Exhibit 76 (C. Smith Decl.) ¶ 36, 76-R (confirming purchase in U.S. through online retailer NewEgg).

145. On information and belief, ViewSonic directly infringes at least claims 25, 26, 28, and 29 of the '424 Patent by importing, offering for sale, selling, testing and/or using certain of the ViewSonic Accused Products in the United States. TPL provided ViewSonic with notice of the '424 Patent by no later than May 7, 2009. *See* Exhibit 70. On information and belief, ViewSonic also contributes to infringement of at least claims 25, 26, 28, and 29 of the '424 Patent. In particular, one or more of the Accused Products are specially adapted for an infringing use of one or more of the Asserted Claims, and the Accused Products are not staple articles of commerce suitable for substantial noninfringing use. An exemplary chart that applies independent claims 25 and 28 and dependent claims 26 and 29 of the '424 Patent to the accused DPF8-CAM is attached to this Complaint as Exhibit 69.

146. On information and belief, ViewSonic directly infringes at least claims 9, 11, 12, and 14 of the '443 Patent by importing, offering for sale, selling, testing and/or using certain of the ViewSonic Accused Products in the United States. TPL provided ViewSonic with notice of the '443 patent by no later than May 7, 2009. *See* Exhibit 70. On information and belief, ViewSonic also contributes to infringement of at least claims 9, 11, 12, and 14 of the '443 Patent. In particular, one or more of the Accused Products are specially adapted for an infringing use of one or more of the Asserted Claims, and the Accused Products are not staple articles of commerce suitable for substantial noninfringing use. An exemplary chart that applies independent claims 9 and dependent claims 11, 12, and 14 of the '443 Patent to the accused DPF8-CAM is attached to this Complaint as Exhibit 71.

**R. WinAccord.**

147. On information and belief, either by itself or through its subsidiaries, or through third parties acting on its behalf, WinAccord is engaged in the manufacture, importation, sale for

importation, or sale after importation into the United States of infringing electronic devices. On information and belief, the WinAccord Accused Products include at least the following: PI8004W01 and PI1002DW. Exemplary instances of importation and sale of infringing WinAccord products are set forth below.

148. On information and belief, the WinAccord Accused Products are assembled in a foreign country and imported into the United States. *See* Exhibits 72. The photographs of the OR17D-05 in the attached claim chart indicate that the device is a digital photo frame “Made In China.” *See* Exhibit 72 at 3. The OR17D-05 is imported into the United States and sold after importation in the United States through retailers. *See* Exhibit 76 (C. Smith Decl.) at ¶ 38, 76-S (confirming purchase in U.S. directly from WinAccord).

149. On information and belief, WinAccord directly infringes at least claims 25, 26, 28, and 29 of the ’424 Patent by importing, offering for sale, selling, testing and/or using certain of the WinAccord Accused Products in the United States. TPL provided notice of the ’424 Patent in an August 22, 2011 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 73. An exemplary chart that applies independent claims 25 and 28 and dependent claim 26 and 29 of the ’424 Patent to the accused OR17D-05 is attached to this Complaint as Exhibit 72.

150. On information and belief, WinAccord directly infringes at least claims 9, 11, 12, and 14 of the ’443 Patent by importing, offering for sale, selling, testing and/or using certain of the WinAccord Accused Products in the United States. TPL provided notice of the ’443 Patent in an August 22, 2011 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 73. An exemplary chart that applies independent claim 9 and dependent claims 11, 12, and 14 of the ’443 Patent to the accused OR17D-05 is attached to this Complaint as Exhibit 74.

151. On information and belief, WinAccord infringes directly and/or induces the direct infringement of at least claims 1, 7, 11, 17, 19, and 21 of the '549 Patent. On information and belief, WinAccord directly infringes at least claims 1 and 17 of the '549 Patent by importing, offering for sale, selling, testing and/or using certain of the WinAccord Accused Products in the United States. On information and belief, WinAccord induces infringement of claims 7 and 19 of the '549 Patent. WinAccord sells the OR17D-05, which performs the claimed method when a user connects the device to a computing device and relevant flash storage system. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to enable the device to perform the claimed method, as shown in Exhibit 75. Furthermore, WinAccord provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 75 at 3, 19-20, 28. On information and belief, WinAccord induces infringement of claims 11 and 21 of the '549 Patent. WinAccord sells the OR17D-05, which contains an apparatus that a user could connect to a computing device and a flash storage system, thereby completing the claimed apparatus. It is reasonable that a user would: (a) identify the relevant ports; (b) use a USB port for connection to a computing device; and (c) use the memory card ports for the flash storage systems to complete the claimed apparatus, as shown in Exhibit 75. Furthermore, WinAccord provides explicit support for both relevant flash storage systems and a host connection. *See* Exhibit 75 at 3, 19-20, 28. TPL provided notice of the '549 patent in a August 22, 2011 letter (with an enclosed disk identifying the CORE Flash patents). Exhibit 73. An exemplary chart that applies independent claims 1, 7, 11 and dependent claims 17, 19 and 21 of the '549 Patent to the accused OR17D-05 is attached to this Complaint as Exhibit 75.

152. For the Commission's convenience, TPL provides the following table, which summarizes the patent claims infringed by each Respondent as set forth in the preceding paragraphs:

|   | US '443 |   |   |   | US '424 |    |    |    | US '549 |    |    |    | US '623 |   |    |    |    |    |   |   |   |    |    |    |
|---|---------|---|---|---|---------|----|----|----|---------|----|----|----|---------|---|----|----|----|----|---|---|---|----|----|----|
|   | 1       | 3 | 4 | 7 | 9       | 11 | 12 | 14 | 25      | 26 | 28 | 29 | 1       | 7 | 11 | 17 | 19 | 21 | 1 | 2 | 9 | 10 | 17 | 18 |
| Action Electronics Co., Ltd.              |         |   |   |   | x       |    |    | x  | x       | x  | x  |    |         |   |    |    |    |    |   |   |   |    |    |    |
| Aiptek International Inc.                 |         |   |   |   | x       | x  | x  |    | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Aluratek, Inc.                            |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  | x | x | x | x  | x  | x  |
| Audiovox Corporation                      |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  |   |   |   |    |    |    |
| CEIVA Logic, Inc.                         |         |   |   |   | x       |    |    | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Circus World Displays Ltd.                |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Coby Electronics Corporation              |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Curtis International, Ltd.                |         |   |   |   | x       |    |    | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Digital Spectrum Solutions, Inc.          |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  |   |   |   |    |    |    |
| Eastman Kodak Company                     |         |   |   |   | x       |    |    | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Mustek Systems, Inc.                      |         |   |   |   | x       |    |    | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  |   |   |   |    |    |    |
| Nextar Inc.                               |         |   |   |   | x       |    |    | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Pandigital                                |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  | x | x | x | x  | x  | x  |
| Royal Consumer Information Products, Inc. |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  | x | x | x | x  | x  | x  |
| Sony Corporation                          | x       | x | x | x | x       | x  | x  | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| Transcend Information, Inc.               |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| ViewSonic Corporation                     |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  |         |   |    |    |    |    |   |   |   |    |    |    |
| WinAccord USA, Inc.                       |         |   |   |   | x       | x  | x  | x  | x       | x  | x  | x  | x       | x | x  | x  | x  | x  |   |   |   |    |    |    |

**VII. HARMONIZED TARIFF SCHEDULE ITEM NUMBERS**

153. On information and belief, the Harmonized Tariff Schedule of the United States (“HTSUS”) item number(s) under which the infringing electronic products, components thereof, and products containing same have been imported into the United States may be classified under at least 8528, 8528.59, 8528.59.10, 8528.59.15, 8528.59.20, 8528.59.25, 8528.59.30.50, 8528.59.35, 8528.59.40, 8528.59.45, 8528.59.50. These HTSUS classifications are intended for illustration only and are not intended to be restrictive of the accused devices and products.



## VIII. RELATED LITIGATION

154. Concurrent with the filing of this complaint, Complainant is filing a civil action in the United States District Court for the Eastern District of Texas accusing Respondents of infringing the Asserted Patents.

155. On February 8, 2008 ASUSTek Computer, Inc. (“ASUSTek”) filed an action for declaratory judgment of patent noninfringement against TPL, Patriot Scientific Corporation (“PSC”), Alliacense Limited and MCM in the United States District Court for the Northern District of California (Case No. 5:08-cv-00884-JF). Among other patents that are not asserted here, ASUSTek’s complaint included a declaratory judgment claim involving the ’623 Patent. All claims were dismissed on February 23, 2009, pursuant to settlement.

156. On April 25, 2008 TPL and MCM filed a complaint against ASUSTek in the United States District Court for the Eastern District of Texas (2:08-cv-00175-TJW), alleging infringement of the ’443 and ’549 Patents. The case was dismissed on February 12, 2009 based on settlement.

157. On April 25, 2008 TPL, MCM and PSC filed a complaint against ASUSTek in the United States District Court for the Eastern District of Texas (2:08-cv-00177-TJW) alleging infringement of, *inter alia*, the ’623 Patent. The case was dismissed on March 6, 2009 based on settlement.

158. There have been no other court or agency actions, domestic or foreign, involving the Asserted Patents.

## IX. THE DOMESTIC INDUSTRY

159. As required by Section 337(a)(2) and defined by Section 337(a)(3), a domestic industry exists in the United States in connection with the Asserted Patents. In particular, TPL

has made substantial investments in the exploitation of the Asserted Patents through its significant licensing activities, which have resulted in numerous licensees whose products practice the inventions claimed in the '424, '443, '549 and '623 Patents. The fact that many TPL licensees make and sell products covered by the Asserted Patents demonstrates that there is a strong nexus between TPL's substantial CORE Flash licensing program and the specific patents asserted in this Complaint.

**A. OnSpec, TPL's Predecessor-in-Interest, Developed Products and Technology That Formed the Genesis of the CORE Flash Patent Portfolio, and Resulted in the Applications that Led to the Asserted Patents.**

160. As noted above, TPL participated in the acquisition of OnSpec in April 2006. OnSpec was an employee-funded company founded in 1989 in Northern California. Its business focused on the development and sale of System-On-Chip semiconductor products. From its inception, OnSpec attracted interest and awareness in the industry. From its innovative parallel port products that launched an industry of connected peripherals to its Flash USB solutions, OnSpec demonstrated technology leadership and aggressive innovation. In what eventually led to TPL's CORE Flash Portfolio – including the Asserted Patents – OnSpec designed, manufactured and marketed technology solutions that interface with Memory Stick, CompactFlash, Secure Digital, MultiMediaCard, Smart Media, xD, and Microdrives to USB 1.1, USB 2.0, IDE, PCMCIA, SATA, CompactFlash and 8 or 16 bit general purpose architectures. *See Confidential Exhibit 76 (Conf. Decl. of Dwayne Hannah, ¶¶ 5-6; Exhibit 77-3 (list of OnSpec products used in conjunction with products that practice the Asserted Patents)).*

161. OnSpec made extensive use of the inventions claimed in the Asserted Patents in several products. It sold its “system on chip” controller devices to manufacturers of consumer electronics products, such as digital photo frames. OnSpec's product line of controller chips was

used in products similar to those sold by Respondents to provide compatibility with various flash card standards (CompactFlash, MemoryStick, SecureDigital, xD, and Smart Media). *See* Conf. Exh. 77, ¶ 7; Conf. Exh. 77-4 (showing sales of OnSpec controller chips that make use of inventions claimed in Asserted Patents).

162. OnSpec made significant investments in plant, equipment, labor and capital in the United States with respect to the research, development and engineering of products that practiced the Asserted Patents, as described in paragraphs 9-12 of the Confidential Declaration of Dwayne Hannah (Conf. Exhibit 77).

163. As shown in the claim charts in Confidential Exhibits 77-5, 77-6 and 77-7, OnSpec controller chips are used in products that practice the Asserted Patents, including the Sony VRD-MC6 Multi-Flash-Card Reader, which includes the OnSpec 90C46D-LF controller chip. This product practices the '424, '443 and '549 patents. In addition, OnSpec chips are used in a range of other products that practice all four of the Asserted Patents, as shown in the 20 claim charts in Confidential Exhibits 77-8 through 77-27.

**B. A Domestic Industry for the Asserted Patents Exists as a Result of TPL's Substantial Investments in its CORE Flash Licensing Program.**

164. California-based TPL has made and continues to make substantial investments in the exploitation of the Asserted Patents in the United States through its CORE Flash Licensing Program, thus establishing a domestic industry under 19 U.S.C. § 1337(a)(3)(C).

165. TPL's substantial domestic investments in its licensing program for the CORE Flash Portfolio, including the Asserted Patents, are set forth in detail in the Confidential Hannah Declaration (Conf. Exh. 77), ¶¶ 13-26. For example, TPL has employed a team of IP legal and R&D employees who have worked to analyze and license the CORE Flash Portfolio. Conf. Exh. 77, ¶¶ 14, 21. TPL also employs teams of many other specialists to: (a) procure products of

potential licensees; (b) deconstruct and “tear down” products of potential licensees (including detailed photography of the products); (c) analyze “tear down” reports and prepare claim charts; (d) correspond with potential licensees; (e) make in-person presentations and negotiate licenses; and (f) ensure licensee compliance with royalty and reporting obligations. These California-based teams of TPL employees include Business Analysts, Inventory Control Specialists, Reverse Engineering Specialists, Operations Analysts, Document Production Specialists, Licensing Coordinators and Licensing Executives. TPL has also spent substantial resources to purchase the products of potential licensees for tear-down and analysis. Conf. Exh. 77 (Conf. Hannah Decl.), ¶¶ 15-25.

166. TPL also leases property for its headquarters in Cupertino, California, where all of the employees engaged in the CORE Flash licensing program are based. Conf. Hannah Decl. (Conf. Exh. 77), ¶ 24.

167. TPL has contacted several hundred potential licensees in furtherance of the licensing of its CORE Flash Portfolio, which includes the Asserted Patents. Conf. Hannah Decl. (Conf. Exh. 77), ¶ 25; Conf. Exh. 77-30. TPL has also been successful in licensing the CORE Flash Portfolio. Conf. Exh. 77, ¶ 26. As evidence of the success of TPL’s licensing program, a list of entities licensed under the CORE Flash Portfolio, including the Asserted Patents, is included in Confidential Exhibit 77-31.

168. As required by Commission precedent, including *Multimedia Display*, 337-TA-694 (Comm’n Opin., July 22, 2011), there is a strong nexus between the Asserted Patents and TPL’s substantial domestic investments in the licensing of its CORE Flash Portfolio.

169. As an initial matter, the Asserted Patents are closely related to the other patents in the CORE Flash Portfolio. This demonstrates that the Asserted Patents fit together congruently

with the other patents in the portfolio because they all cover a specific technology: flash memory card adapters that make it much easier for consumers to use multiple types of flash memory cards with a variety of products. The entire CORE Flash Portfolio, including the Asserted Patents, resulted from the same six fundamental patent applications, including the earliest filed application: Application No. 09/610,904, filed on July 6, 2000, which issued on August 20, 2002 as U.S. Patent No. 6,438,638 (“the ‘638 Patent”).

170. The inventors of the ‘638 Patent were Larry Jones, Sreenath Mambakkam and Arockiyaswamy Venkidu. The application for the ‘638 Patent was an “ancestor” application for three of the four Asserted Patents, the ‘424 Patent, the ‘443 Patent and the ‘549 Patent. The ‘638 Patent was also incorporated by reference in the asserted ‘623 Patent. All four of the Asserted Patents include the same three inventors as the ‘638 Patent. In addition, the ‘638 application was an “ancestor” application for at least twelve of the other 24 issued patents in the CORE Flash Portfolio. Thus, the ‘424 Patent, the ‘443 Patent, the ‘549 Patent and the ‘623 Patent are all closely related to well over half of the other patents in the portfolio.

171. The application that led to the ‘623 Patent is another one of the six fundamental applications in the CORE Flash portfolio. Moreover, the ‘623 Patent incorporates by reference the application that led to ‘638 Patent, as well as the applications that led to three other patents in the CORE Flash Portfolio: U.S. Patent Nos. 6,859,369, 7,222,205 and 6,832,281.

172. As discussed above in paragraphs 59-65, the Asserted Patents are all directed to closely related technology. All four patents relate to flash memory card readers. The ‘623 Patent claims a card reader system that allows transfers from one memory card to another. The ‘549 Patent is directed to a controller chip for a memory card reader (like the controller chips in the systems covered by all four patents), and permits the flash memory card reader to do error

correction. The '443 and '424 Patents cover ports or slots in flash memory card readers, including slots that can accommodate multiple types of memory cards. Thus, all four of the Asserted Patents are related to each other, as well as the other patents in the CORE Flash Portfolio.

173. As shown in the 21 claim charts attached to the Confidential Declaration of Dwayne Hannah (Conf. Exh. 77), many CORE Flash licensee products actually practice the four Asserted Patents. *See* Conf. Exhs. 77-32 through 77-52. This demonstrates a strong nexus between TPL's substantial domestic investments in its licensing program and the specific Asserted Patents in this case. *See Multimedia Display*, 337-TA-694 (Comm'n Opin., July 22, 2011) at 10-12.

174. For example, multiple models of personal computers from two different CORE Flash licensees include memory card readers that practice all of the Asserted Patents. *See, e.g.*, Confidential Exhibits 77-37, 77-38, 77-42, 77-47, 77-48, 77-52. In addition, digital photo frames from at least three different CORE Flash licensees practice three of the Asserted Patents. *See, e.g.*, Confidential Exhibits 77-32, 77-33, 77-39, 77-40, 77-41, 77-46. Finally, multiple CORE Flash licensees make and sell flash memory card readers that practice all of the Asserted Patents. *See, e.g.*, Confidential Exhibits 77-34, 77-35, 77-43, 77-44, 77-45, 77-49, 77-50, 77-51.

175. Thus, TPL has a domestic industry based on its substantial domestic investments in its CORE Flash licensing program, which has led to multiple licensees whose products practice the Asserted Claims in this Complaint.

#### **X. RELIEF REQUESTED.**

WHEREFORE, by reason of the foregoing, Complainant TPL respectfully requests that the United States 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(a)(1)(B)(i) and (b)(1), with respect to violations of Section 337 based upon the importation, sale for importation, and sale after importation into the United States of Respondents' digital photo frames and image display devices and components thereof that infringe one or more of the asserted claims of the Asserted Patents;

(b) Schedule and conduct a hearing on said unlawful acts and, following said hearing;

(c) Issue a permanent limited exclusion order pursuant to 19 U.S.C. § 1337(d) barring from entry into the United States all of digital photo frames and image display devices and components thereof that infringe one or more of the asserted claims of the Asserted Patents;

(d) Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), directing each Respondent to cease and desist from importing, marketing, advertising, demonstrating, warehousing inventory for distribution, offering for sale, selling, distributing, licensing, or using Respondents' imported digital photo frames and image display devices and components thereof that infringe one or more of the asserted 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: August 23, 2011

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "James C. Otteson", written over a horizontal line.

James C. Otteson

David A. Caine

Thomas T. Carmack

Xiang Long

AGILITY IP LAW, LLP

1900 University Circle, Suite 201

East Palo Alto, California 94303

Telephone: (650) 227-4800

Andrew W. Spangler

SPANGLER LAW P.C.

208 N. Green St., Suite 300

Longview, Texas 75601

Telephone: (903) 753-9300

Counsel for Complainant

Technology Properties Limited LLC

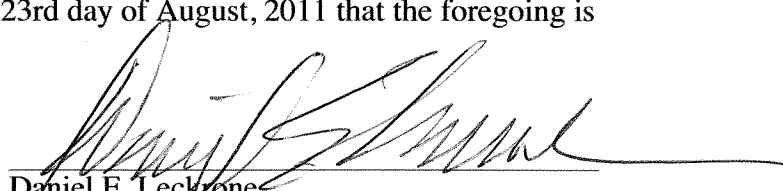


## VERIFICATION OF COMPLAINT

I, Daniel E. Leckrone, am Chairman and CEO of Technology Properties Limited LLC (“TPL”), and am duly authorized to execute this complaint on behalf of TPL. I have read the Complaint and am aware of its contents. To the best of my knowledge, information and belief, formed after an inquiry that is reasonable under the circumstances, I hereby certify as follows:

1. The Complaint is not being filed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of the investigation;
2. The claims and other legal contentions in the Complaint are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
3. The allegations and other factual contentions in the Complaint have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

I declare under penalty of perjury on this 23rd day of August, 2011 that the foregoing is true and correct.

  
Daniel E. Leckrone  
Chairman and CEO

Technology Properties Limited LLC