

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**NATIONAL CHENG KUNG UNIVERSITY**

**Plaintiff,**

**v.**

**GEO SEMICONDUCTOR INC.**

**Defendant.**

**CIVIL ACTION NO.**

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff National Cheng Kung University (“NCKU” or “Plaintiff”) for its Complaint against GEO Semiconductor Inc. (“GEO” or “Defendant”), demands a trial by jury and alleges as follows:

**PARTIES**

1. Plaintiff National Cheng Kung University is a higher education institution with a principal address of No. 1, University Road, Tainan, Taiwan, R.O.C.

2. On information and belief, Defendant GEO is incorporated under the laws of California with its principal place of business at 2350 Mission College Blvd., Suite 1050, Santa Clara, CA 95054. This defendant has appointed Simon Westbrook, 2350 Mission College Blvd., Suite 1050, Santa Clara, CA 95054, as its agent for service of process. On information and belief, GEO regularly conducts and transacts business in the United States, throughout the State of Texas, and within the Eastern District of Texas, either itself and/or through one or more subsidiaries, affiliates, business divisions, or business units and has committed acts of infringement within the meaning of 28 U.S.C. § 1400(b).

## **JURISDICTION AND VENUE**

3. This action arises under the Patent Laws of the United States, namely, 35 U.S.C. §§ 1 et seq. This Court has exclusive subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(2) and (c) and/or 1400(b). On information and belief, GEO has transacted business in this district, and has committed acts of patent infringement in this district, by the making, using and/or selling at least the Realta Advanced Image Processor IC and sxW2 Advanced Geometry Processor.

5. On information and belief, GEO is subject to this Court's general and specific personal jurisdiction because: GEO has minimum contacts within the State of Texas and the Eastern District of Texas and, pursuant to due process and/or the Texas Long Arm Statute, GEO has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Eastern District of Texas; GEO regularly conducts and solicits business within the State of Texas and within the Eastern District of Texas; and causes of action arise directly from GEO's business contacts and other activities in the State of Texas and in the Eastern District of Texas.

## **COUNT I** **INFRINGEMENT OF U.S. PATENT NO. 7,561,078**

6. NCKU is the owner of all rights, title and interest to United States Patent No. 7,561,078 ("the '078 Patent") entitled "System and Method for Encoding a Data Set." The '078 Patent was issued on July 14, 2009 after a full and fair examination by the United States Patent and Trademark Office. The application leading to the '078 Patent was filed on November 9, 2007. Attached as Exhibit "A" is a copy of the '078 Patent.

7. The '078 Patent is generally directed to an improved encoding system for encoding a video data set.

8. On information and belief, GEO has been and now is infringing the '078 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by making, using, importing, selling or offering to sell devices that have an improved encoding system for encoding a video data set according to the '078 Patent. On information and belief, examples of GEO products that infringe the '078 Patent include, but are not limited to, all GEO products using block-orientated motion compensation video compression as embodied in the ITU-T H.264 Standard, including the Realta Advanced Image Processor IC and sxW2 Advanced Geometry Processor, GEO is thus liable for infringement of the '078 Patent pursuant to 35 U.S.C. § 271.

9. As a result of GEO's infringement of the '078 Patent, NCKU has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless GEO's infringing activities are enjoined by this Court.

10. Unless a permanent injunction is issued enjoining GEO and its agent, servants, employees, representatives, affiliates, and all others acting on or in active concert therewith from infringing the '078 Patent, NCKU will be greatly and irreparably harmed.

#### **PRAYER FOR RELIEF**

WHEREFORE, NCKU respectfully requests that this Court enter:

A. A judgment in favor of NCKU that GEO has infringed the '078 Patent, and that such infringement was willful;

B. A permanent injunction enjoining GEO and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringing the '078 Patent;

C. A judgment and order requiring GEO to pay NCKU its damages, costs, expenses, and prejudgment and post-judgment interest for GEO infringement of the '078 Patent as provided under 35 U.S.C. § 284;

D. An award to NCKU for enhanced damages resulting from the knowing, deliberate, and willful nature of Defendants' prohibited conduct with notice being made at least as early as the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;

E. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to NCKU its reasonable attorneys' fees; and

F. Any and all other relief to which NCKU may show itself to be entitled.

**DEMAND FOR JURY TRIAL**

NCKU, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: April 11, 2013

Respectfully submitted,

NATIONAL CHENG KUNG UNIVERSITY

/s/ Winston O. Huff

Winston O. Huff, Attorney in Charge

Texas State Bar No. 24068745

Deborah Jagai

Texas State Bar No. 24048571

W. O. Huff & Associates, PLLC

302 N. Market Street, Suite 450

Dallas, TX 75202

214.749.1220 (Firm)

469.206.2173 (Fax)

[whuff@huffip.com](mailto:whuff@huffip.com)

[djagai@huffip.com](mailto:djagai@huffip.com)

ATTORNEYS FOR PLAINTIFF

NATIONAL CHENG KUNG

UNIVERSITY

**CERTIFICATE OF FILING**

I hereby certify that on April 11, 2013 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system.

Respectfully submitted,

/s/ Winston O. Huff  
Winston O. Huff, Attorney in Charge