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2013-1 P 3:09  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EDL

**CV 13 5112**

*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EJT TECHNOLOGIES INC.,

Plaintiff,

v.

HUAWEI TECHNOLOGIES CO. LTD.;  
HUAWEI DEVICE CO., LTD.; HUAWEI  
DEVICE USA INC.; HUAWEI  
TECHNOLOGIES USA INC.; AND  
FUTUREWEI TECHNOLOGIES, INC.

Defendants.

Case No.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiff EJT Technologies Inc. ("EJT") hereby brings this action against Huawei Technologies Co., Ltd. ("Huawei Technologies"); Huawei Device Co., Ltd. ("Huawei Device"); Huawei Device USA Inc. ("Huawei Device USA"); Huawei Technologies USA Inc. ("Huawei Technologies USA"); and Futurewei Technologies, Inc. ("Futurewei") (collectively, "Defendants") for infringement of United States Patent No. 6,223,295 (the "295 patent"), and alleges as follows:

**NATURE OF THE ACTION AND PARTIES**

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*

2. EJT Technologies Inc. is a corporation organized and existing under the laws of the State of Delaware with its principal place of business in Newark, Delaware.

FILE VIA FAX

COMPLAINT FOR PATENT INFRINGEMENT



1           11.     This Court has personal jurisdiction over Huawei Technologies. Upon information  
2 and belief, Huawei Technologies conducts business in this State and is selling and offering to sell,  
3 and has within a reasonable period prior to the filing of this action, sold and offered to sell  
4 portable devices, such as the U8650 smartphone, to customers in this State and in this District,  
5 either directly or indirectly. Upon information and belief, Huawei Technologies has placed  
6 portable devices, including the infringing portable devices, such as the U8650 smartphone, into  
7 the stream of commerce, knowing or reasonably expecting that such portable devices will be  
8 used, sold, or offered to be sold in this State and in this District. Upon information and belief,  
9 Huawei Technologies has intentionally established distribution channels to offer portable devices  
10 for sale and to sell portable devices, including the infringing portable devices, in this State and in  
11 this District.

12           12.     This Court has personal jurisdiction over Huawei Device. Upon information and  
13 belief, Huawei Device conducts business in this State and is selling and offering to sell, and has  
14 within a reasonable period prior to the filing of this action, sold and offered to sell portable  
15 devices, such as the U8650 smartphone, to customers in this State and in this District, either  
16 directly or indirectly. Upon information and belief, Huawei Device has placed portable devices,  
17 including the infringing portable devices, such as the U8650 smartphone, into the stream of  
18 commerce, knowing or reasonably expecting that such portable devices will be used, sold, or  
19 offered to be sold in this State and in this District. Upon information and belief, Huawei Device  
20 has intentionally established distribution channels to offer portable devices for sale and to sell  
21 portable devices, including the infringing portable devices, in this State and in this District.

22           13.     This Court has personal jurisdiction over Huawei Device USA. Upon information  
23 and belief, Huawei Device USA conducts business in this State and is selling and offering to sell,  
24 and has within a reasonable period prior to the filing of this action, sold and offered to sell  
25 portable devices, such as the U8650 smartphone, to customers in this State and in this District,  
26 either directly or indirectly. Upon information and belief, Huawei Device USA has placed  
27 portable devices, including the infringing portable devices, such as the U8650 smartphone, into  
28 the stream of commerce, knowing or reasonably expecting that such portable devices will be

1 used, sold, or offered to be sold in this State and in this District. Upon information and belief,  
2 Huawei Device USA has intentionally established distribution channels to offer portable devices  
3 for sale and to sell portable devices, including the infringing portable devices, in this State and in  
4 this District.

5 14. This Court has personal jurisdiction over Huawei Technologies USA. Upon  
6 information and belief, Huawei Technologies USA conducts business in this State and is selling  
7 and offering to sell, and has within a reasonable period prior to the filing of this action, sold and  
8 offered to sell portable devices, such as the U8650 smartphone, to customers in this State and in  
9 this District, either directly or indirectly. Upon information and belief, Huawei Technologies  
10 USA has placed portable devices, including the infringing portable devices, such as the U8650  
11 smartphone, into the stream of commerce, knowing or reasonably expecting that such portable  
12 devices will be used, sold, or offered to be sold in this State and in this District. Upon  
13 information and belief, Huawei Technologies USA has intentionally established distribution  
14 channels to offer portable devices for sale and to sell portable devices, including the infringing  
15 portable devices, in this State and in this District.

16 15. This Court has personal jurisdiction over Futurewei. Upon information and belief,  
17 Futurewei conducts business in this State and is selling and offering to sell, and has within a  
18 reasonable period prior to the filing of this action, sold and offered to sell portable devices, such  
19 as the U8650 smartphone, to customers in this State and in this District, either directly or  
20 indirectly. Upon information and belief, Futurewei has placed portable devices, including the  
21 infringing portable devices, such as the U8650 smartphone, into the stream of commerce,  
22 knowing or reasonably expecting that such portable devices will be used, sold, or offered to be  
23 sold in this State and in this District. Upon information and belief, Futurewei has intentionally  
24 established distribution channels to offer portable devices for sale and to sell portable devices,  
25 including the infringing portable devices, in this State and in this District.

#### 26 VENUE

27 16. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391  
28 (d), and 1400(b) because each Defendant has committed acts of infringement in this District and

1 is deemed to reside in this District for purposes of this action.

2 17. Moreover, venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because  
3 one or more of the Huawei entities maintain an established and regular place of business in this  
4 district, specifically in the cities of Santa Clara, San Jose and/or Walnut Creek, California.

5 **INTRADISTRICT ASSIGNMENT**

6 18. Pursuant to Local Rule 3-2(c), Intellectual Property Actions are assigned on a  
7 district-wide basis.

8 **COUNT I**

9 **DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,223,295**

10 19. EJT re-alleges and incorporates by reference the allegations of Paragraphs 1-18  
11 above as if fully stated herein.

12 20. Huawei Technologies has directly infringed, and continues to directly infringe, at  
13 least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(a), either literally and/or under the  
14 doctrine of equivalents, by making, using, selling, or offering for sale in the United States, and/or  
15 importing into the United States, portable devices, including but not limited to the U8650  
16 smartphone, encompassed by at least claims 1 and 2 of the '295 patent.

17 21. Huawei Device has directly infringed, and continues to directly infringe, at least  
18 claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(a), either literally and/or under the  
19 doctrine of equivalents, by making, using, selling, or offering for sale in the United States, and/or  
20 importing into the United States, portable devices, including but not limited to the U8650  
21 smartphone, encompassed by at least claims 1 and 2 of the '295 patent.

22 22. Huawei Device USA has directly infringed, and continues to directly infringe, at  
23 least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(a), either literally and/or under the  
24 doctrine of equivalents, by making, using, selling, or offering for sale in the United States, and/or  
25 importing into the United States, portable devices, including but not limited to the U8650  
26 smartphone, encompassed by at least claims 1 and 2 of the '295 patent.

27 23. Huawei Technologies USA has directly infringed, and continues to directly  
28 infringe, at least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(a), either literally and/or

1 under the doctrine of equivalents, by making, using, selling, or offering for sale in the United  
2 States, and/or importing into the United States, portable devices, including but not limited to the  
3 U8650 smartphone, encompassed by at least claims 1 and 2 of the '295 patent.

4 24. Futurewei has directly infringed, and continues to directly infringe, at least claims  
5 1 and 2 of the '295 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of  
6 equivalents, by making, using, selling, or offering for sale in the United States, and/or importing  
7 into the United States, portable devices, including but not limited to the U8650 smartphone,  
8 encompassed by at least claims 1 and 2 of the '295 patent.

9 25. Defendants had notice of the '295 patent at least as early as October 24, 2013,  
10 when EJT sent each Defendant written notice of infringement, and by the filing and serving of the  
11 present Complaint.

12 26. As a result of Defendants' infringement of the '295 patent, EJT has suffered  
13 monetary damages that are adequate to compensate it for the infringement under 35 U.S.C. § 284,  
14 but in no event less than a reasonable royalty.

15 27. Defendants' continued and knowing infringement constitutes willful infringement  
16 under 35 U.S.C. § 284, entitling EJT to treble damages.

## 17 **COUNT II**

### 18 **INDUCED INFRINGEMENT OF U.S. PATENT NO. 6,223,295**

19 28. EJT re-alleges and incorporates by reference the allegations of Paragraphs 1-27  
20 above as if fully stated herein.

21 29. Huawei Technologies has induced infringement, and continues to induce  
22 infringement, of at least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(c), either  
23 literally and/or under the doctrine of equivalents, by providing portable devices, including but not  
24 limited to the U8650 smartphone, along with instructions, user manuals, or technical assistance  
25 actively directing, encouraging, or assisting infringement of the '295 patent, and/or by providing  
26 a system where one of the core and common features leads to third party infringement of the '295  
27 patent.

28

1           30.     Huawei Device has induced infringement, and continues to induce infringement,  
2 of at least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(c), either literally and/or under  
3 the doctrine of equivalents, by providing portable devices, including but not limited to the U8650  
4 smartphone, along with instructions, user manuals, or technical assistance actively directing,  
5 encouraging, or assisting infringement of the '295 patent, and/or by providing a system where one  
6 of the core and common features leads to third party infringement of the '295 patent.

7           31.     Huawei Device USA has induced infringement, and continues to induce  
8 infringement, of at least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(c), either  
9 literally and/or under the doctrine of equivalents, by providing portable devices, including but not  
10 limited to the U8650 smartphone, along with instructions, user manuals, or technical assistance  
11 actively directing, encouraging, or assisting infringement of the '295 patent, and/or by providing  
12 a system where one of the core and common features leads to third party infringement of the '295  
13 patent.

14           32.     Huawei Technologies USA has induced infringement, and continues to induce  
15 infringement, of at least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(c), either  
16 literally and/or under the doctrine of equivalents, by providing portable devices, including but not  
17 limited to the U8650 smartphone, along with instructions, user manuals, or technical assistance  
18 actively directing, encouraging, or assisting infringement of the '295 patent, and/or by providing  
19 a system where one of the core and common features leads to third party infringement of the '295  
20 patent.

21           33.     Futurewei has induced infringement, and continues to induce infringement, of at  
22 least claims 1 and 2 of the '295 patent under 35 U.S.C. § 271(c), either literally and/or under the  
23 doctrine of equivalents, by providing portable devices, including but not limited to the U8650  
24 smartphone, along with instructions, user manuals, or technical assistance actively directing,  
25 encouraging, or assisting infringement of the '295 patent, and/or by providing a system where one  
26 of the core and common features leads to third party infringement of the '295 patent.

27           34.     Defendants had notice of the '295 patent at least as early as October 24, 2013,  
28 when EJT sent each Defendant written notice of infringement, and by the filing and serving of the

1 present Complaint.

2 35. As a result of Defendants' infringement of the '295 patent, EJT has suffered  
3 monetary damages that are adequate to compensate it for the infringement under 35 U.S.C. § 284,  
4 but in no event less than a reasonable royalty.

5 36. Defendants' continued and knowing infringement constitutes willful infringement  
6 under 35 U.S.C. § 284, entitling EJT to treble damages.

7 **PRAYER FOR RELIEF**

8 EJT respectfully prays for relief as follows:

9 A. that each Defendant be adjudged to have infringed the '295 patent;

10 B. that the Court order an accounting for damages by virtue of each Defendant's  
11 infringement of the '295 patent;

12 C. that the Court award damages to EJT against each Defendant, in an amount no less  
13 than a reasonable royalty, pursuant to 35 U.S.C. § 284;

14 D. that the Court award EJT pre-judgment and post-judgment interest and its costs;

15 E. that the Court award EJT increased damages in an amount three times the damages  
16 found by the jury or assessed by the Court for the willful infringement of the patents-in-suit  
17 pursuant;

18 F. that this case be declared an exceptional case within the meaning of 35 U.S.C. §  
19 285 and that EJT be awarded the attorneys' fees, costs, and expenses that it incurs prosecuting  
20 this action; and

21 G. that EJT be awarded such other and further relief as this Court deems just and  
22 proper.

23 **DEMAND FOR JURY TRIAL**

24 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, EJT Technologies Inc.  
25 demands a jury trial for all issues so triable.

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Dated: November 1, 2013

Respectfully submitted,

/s/ Michael C. Ting  
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EJT TECHNOLOGIES INC.

# Exhibit A



US006223295B1

(12) **United States Patent**  
**Wang et al.**

(10) **Patent No.:** **US 6,223,295 B1**

(45) **Date of Patent:** **Apr. 24, 2001**

(54) **MEANS FOR SAVING ELECTRICAL POWER**

(75) **Inventors:** **Gary Wang; Chieh Feng Wu**, both of Taipei (TW)

(73) **Assignee:** **Sillitek Corporation**, Taipei (TW)

(\*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) **Appl. No.:** **09/116,581**

(22) **Filed:** **Jul. 16, 1998**

(51) **Int. Cl.<sup>7</sup>** ..... **G06F 1/26**

(52) **U.S. Cl.** ..... **713/320**

(58) **Field of Search** ..... **713/320, 321, 713/323, 324, 330, 340; 340/545.5**

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\* cited by examiner

*Primary Examiner*—Robert Beausoleil

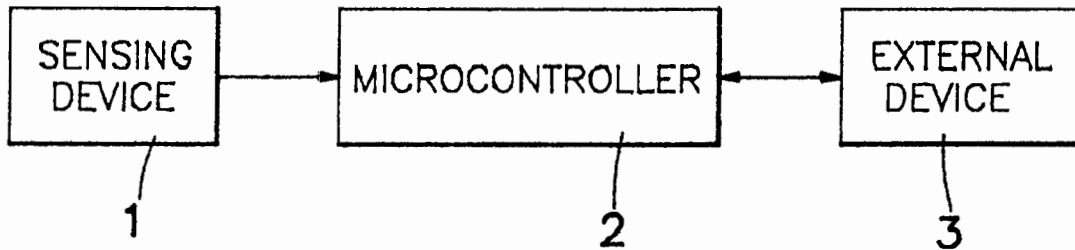
*Assistant Examiner*—Xuong Chung-Trans

(74) *Attorney, Agent, or Firm*—Rosenberg, Klein & Lee

(57) **ABSTRACT**

Disclosed is a system for saving electrical power (II) comprising an external device, a control unit and a sensing device which is a directive switch and can sense the variation of angle. One end of the sensing device is connected to ground, another end of the sensing device is connected to the input of the control unit. The microcontroller will be switched to a power down mode from normal operation if the external device is not being accessed for a specific duration. Therefore, the PSEN pin of the microcontroller will be switched from a logical high state to a logical low state. At this time, the microcontroller will be triggered to recover the normal operation of external device if the sensing device senses angle change, thus reducing electrical power and prolonging the battery life.

**8 Claims, 5 Drawing Sheets**



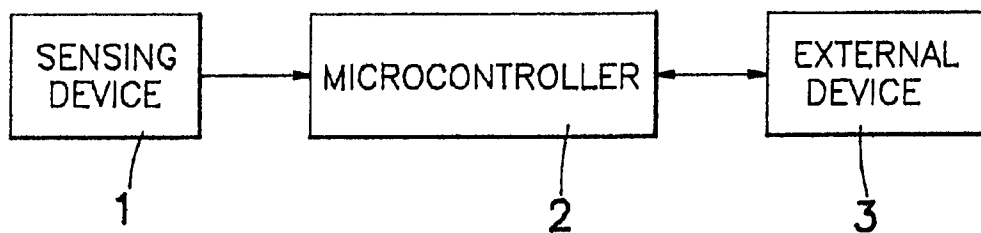


FIG. 1

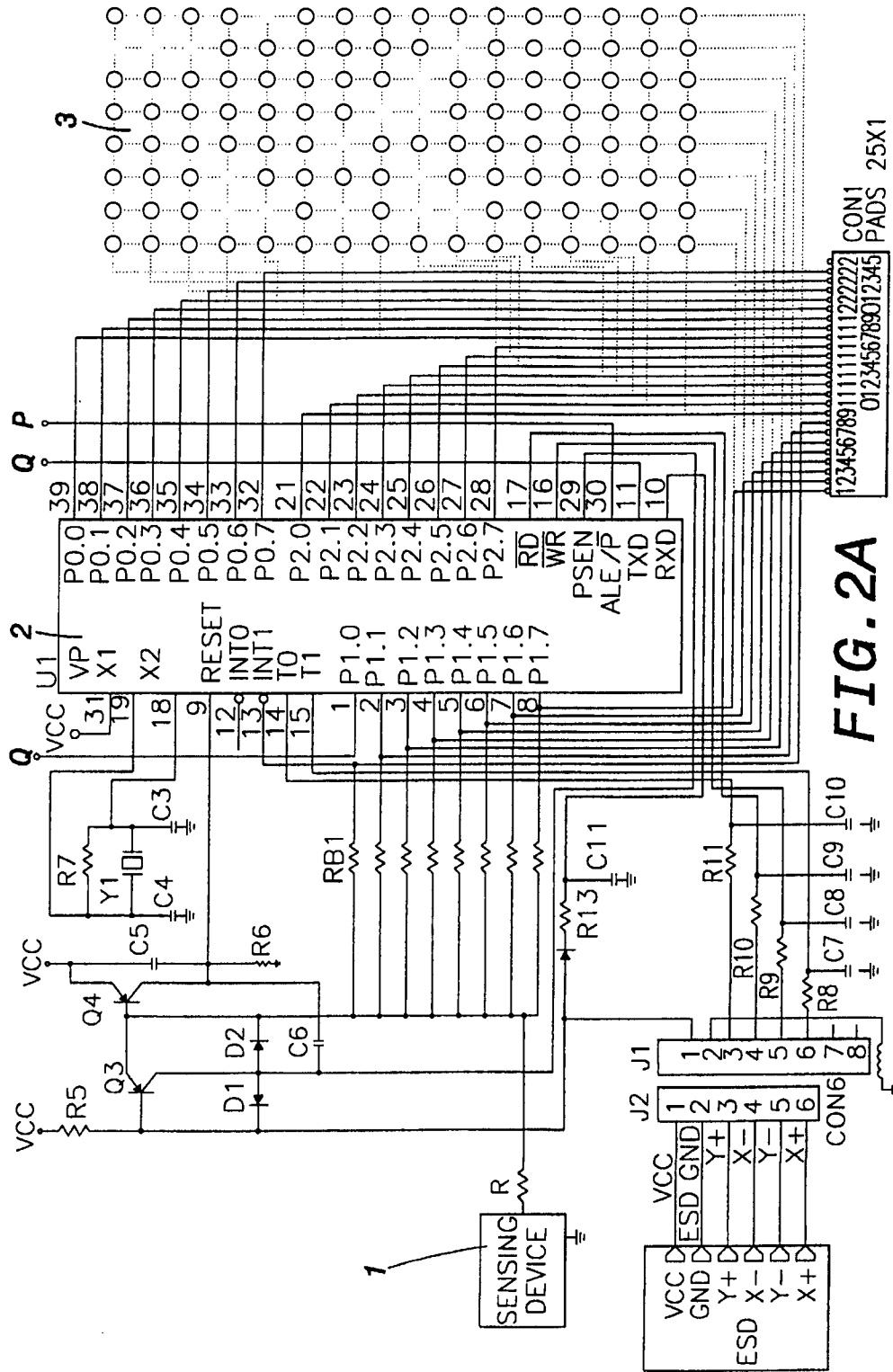


FIG. 2A

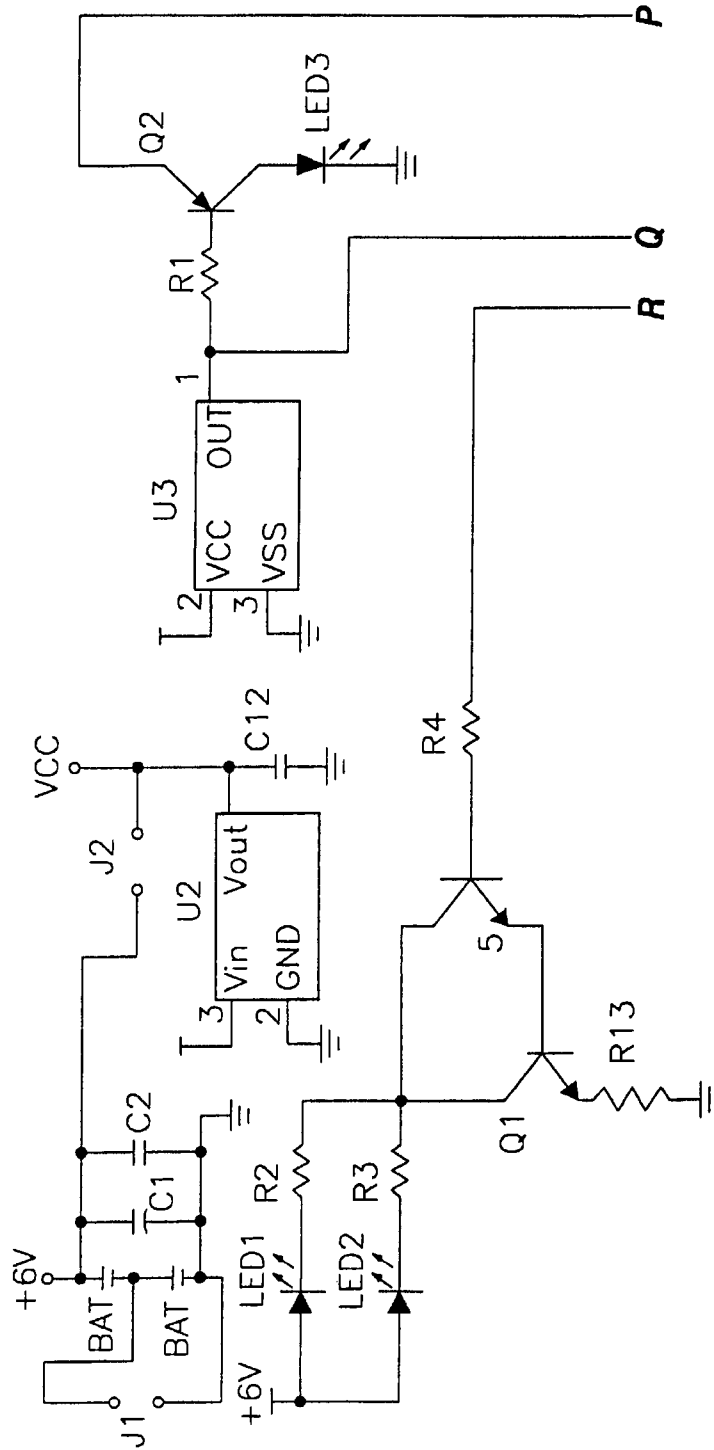


FIG. 2B

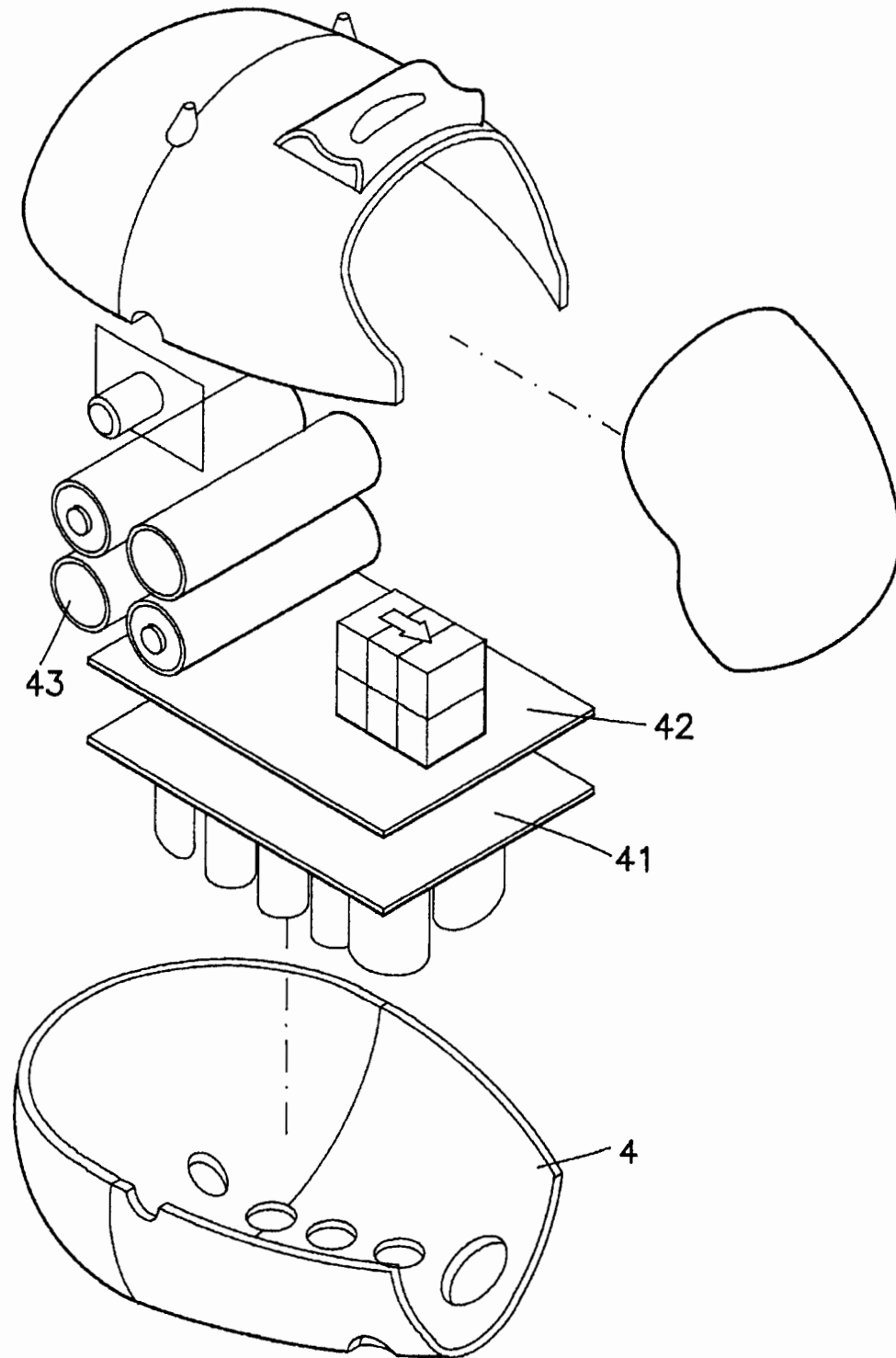


FIG. 3

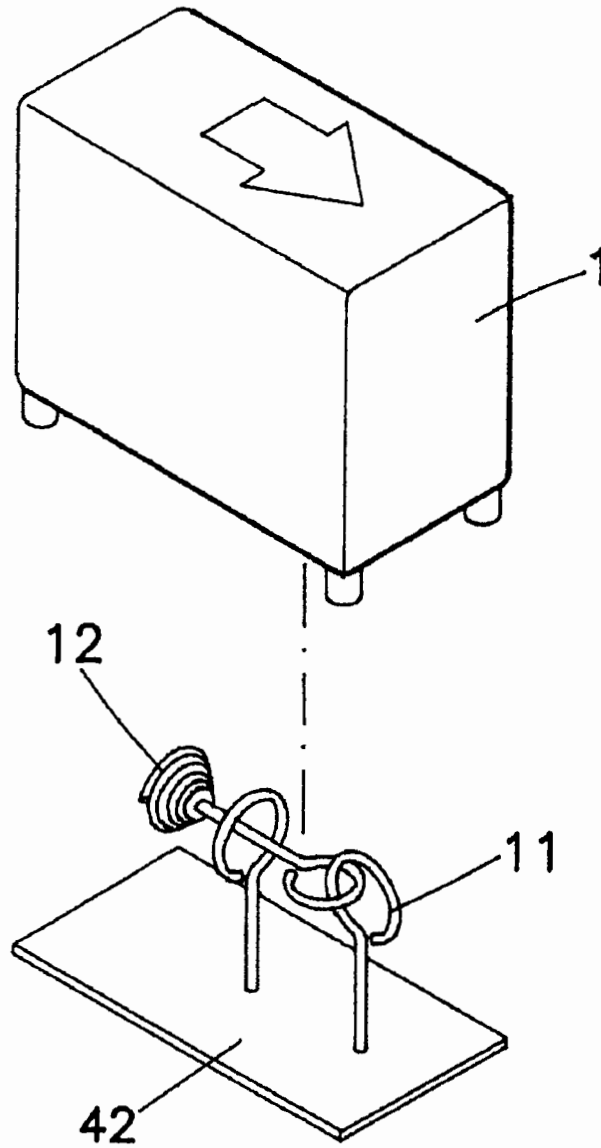


FIG. 4



## MEANS FOR SAVING ELECTRICAL POWER

## FIELD OF THE INVENTION

The present invention relates to a means for saving electrical power(II), more particularly, to a means with a directive device to control the microcontroller in a power down mode, thus reducing electrical power and prolonging the battery life.

## BACKGROUND OF THE INVENTION

The electrical-power saving functions by microcontroller can be realized by following two ways. The first way is an idle mode, wherein the microcontroller is in an idle (without working) state while the devices connecting with the microcontroller (such as oscillators, counters, or serial interrupt unit) remain functioning. In this idle mode operation, the operating current for microcontroller is about 1 mA.

Another way for saving electrical-power is power down mode, wherein the oscillator and the microcontroller are both in off state. In this power-down mode, the operating current for microcontroller is below 10 uA.

The microcontroller is generally designed to switch from normal state to a power-saving state when the external devices connected to the microcontroller are idle for a specific period. At the power-saving state, the microcontroller is in an off state and can not function. The conventional device is designed to trigger the microcontroller to a workable state by a power switch. However, the operating current for the microcontroller triggered by the power switch is about 200-400 uA. The current consumption is excessively large.

## SUMMARY OF THE INVENTION

The object of the present invention is to provide a means with a directive device to control the microcontroller in a power down mode, thus reducing electrical power and prolonging the battery life.

To achieve above function, the present invention provides a means for saving electrical power (II) comprising a directive switch arranged within a wireless remote controller of tumbler configuration (with rounded bottom), by which the direction switch is kept upright or inclined with a specific angle when the remote controller not being used and the direction switch is swung to send a triggering signal to the micro-controller if the remote controller being used.

The various objects and advantages of the present invention will be more readily understood from the following detailed description when read in conjunction with the appended drawing, in which:

## BRIEF DESCRIPTION OF DRAWING

FIG. 1 shows the block diagram of the means according to a preferred embodiment of the present invention;

FIGS. 2A and 2B shows a circuit diagram for implementing the block diagram in FIG. 1;

FIG. 3 shows the perspective view of sensing means according a preferred embodiment of the present invention;

FIG. 4 is a schematic diagram of the sensing means in FIG. 3.

## NUMERAL

1. sensing device
- 11 metal ring
- 12 pendulum

2. microcontroller
3. external device
4. main body of remote controller
- 41 circuit board
- 42 base
- 43 battery set

## DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

FIG. 1 shows the block diagram of the means according to a preferred embodiment of the present invention, and FIG. 2A and 2B shows a circuit diagram for implementing the block diagram in FIG. 1. As shown in FIG. 1, the means for saving electrical power (II) comprising a sensing device 1, a microcontroller 2 and an external device 3. The microcontroller 2 comprises an 8051 microprocessor U1, an oscillator Y1, resistors R5-R7, RB1, transistors Q3 and Q4, diodes D1 and D2, and capacitors C6, C7. The pins of PSEN (program-stored enable) and RESET of the microprocessor U1 are connected to the collector of transistor Q3 and Q4 respectively. The pins in output port of the microprocessor U1 (P0.0-P0.7, P1.0-P1.7, P2.0-P2.7) are connected to the external device 3. In the preferred embodiment, the external device 3 is a keyboard scanning matrix means. The pins P1.1-P1.7 are connected to the base of the transistor Q4 through resistor RB1. The emitter of transistor Q3 is connected to one end of the sensing device 1. The another end of the sensing device 1 is grounded. The sensing device 1 is a directive switch which can sense the variation of angle (about 25 degree).

The microcontroller 2 is designed to sense whether the external device 3 has been subjected to external force for every specific time (about 2 sec). The microcontroller 2 will be in a power down mode if the external device 3 is sensed to have no external force. At this time, the PSEN pin of the microprocessor U1 will be switched from a logical high state to a logical low state. The RESET pin is in a logical high state.

The microcontroller 2 will be switched from normal operation to a power down mode when the external device 3 is sensed to have no external force. The PSEN pin of the microcontroller 2 will be switched from a logical high state to a logical low state. At this time, the transistor Q4 is turned on if the angle of the sensing device 1 changes. The microcontroller 2 is triggered such that the RESET pin thereof is in a logical low state, and the external device 3 is recovered to normal state.

FIGS. 3 and 4 show the perspective view of sensing means according the preferred embodiment of the present invention. The main body of the remote controller 4 is of a tumbler shape and houses a circuit board 41, a base 42 upon the circuit board 41, a sensing device 1 on the base 42. Both leads of the sensing device 1 are connected to the circuit on circuit board 41.

In this embodiment, the sensing device 1 is a gravity-type directive switch comprising a metal ring 11 and a pendulum 12. Moreover, a battery set 43 is arranged on one side of the base 42 to provide electric power and necessary weight for providing gravity force.

In other words, the battery set 43 is also functioned as center of gravity of the main body 4 to keep the main body upright or inclined with a specific angle. Moreover, if an external force is applied to the main body 4 (the remote controller is being used), the angle of the sensing device 1 changes (about 25 degree). At this time, the RESET pin of the microcontroller is triggered to recover the normal function of the external device 3.

Although the present invention has been described with reference to the preferred embodiment thereof, it will be understood that the invention is not limited to the details thereof. Various substitutions and modifications have suggested in the foregoing description, and other will occur to those of ordinary skill in the art. For examples, the sensing device can be a mercury switch. Therefore, all such substitutions and modifications are intended to be embraced within the scope of the invention as defined in the appended claims.

What is claimed is:

1. A remote control with a system for saving electrical power, comprising:

- (a) a housing capable of maintaining a predetermined spatial orientation;
- (b) a keyboard mounted in said housing to be subject to an application of external forces;
- (c) a control unit disposed within said housing and operatively coupled to said keyboard, said control unit being switched to a power-down mode of operation responsive to said keyboard being devoid of said application of external forces for a predetermined time duration, said power-down mode of operation operatively disabling said keyboard;
- (d) a sensing unit mounted within said housing and operatively coupled to said control unit, said sensing

unit being adapted to sense a change of said predetermined spatial orientation of said housing, whereby said control unit is returned to an operative mode responsive to said sensing unit sensing a deviation from said predetermined spatial orientation of said housing.

2. The remote control as in claim 1, wherein said control unit includes a micro-controller.

3. The remote control as in claim 1, wherein said sensing device includes a gravity-type switch.

4. The remote control as in claim 1, wherein said sensing device includes a mercury switch.

5. The remote control as in claim 1, wherein said sensing device comprises a metal ring and a pendulum.

6. The remote control as in claim 1, further comprising a battery power source disposed within said housing, said battery power source establishing a center of gravity of said remote control for maintaining said housing in said predetermined spatial orientation until displaced by a user.

7. The remote control as in claim 1, wherein said housing has a tumbler-shaped configuration.

8. The remote control as in claim 1, wherein said predetermined time duration approximates two seconds.

\* \* \* \* \*