

1 RUSS, AUGUST & KABAT
Alexander C.D. Giza, State Bar No. 212327
2 Email: agiza@raklaw.com
Fredricka Ung, State Bar No. 253794
3 Email: fung@raklaw.com
12424 Wilshire Boulevard, 12th Floor
4 Los Angeles, California 90025
Telephone: (310) 826-7474
5 Facsimile: (310) 826-6991

6 Attorneys for Plaintiff
AIM IP, LLC
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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SOUTHERN DIVISION**

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12 AIM IP, LLC, a California
limited liability company,

13 Plaintiff,

14 vs.

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16 FUTUREWEI TECHNOLOGIES,
INC. DBA HUAWEI, a Texas
17 corporation.

18 Defendant.
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Case No. _____

**AIM IP, LLC'S COMPLAINT FOR
PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

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Plaintiff AIM IP, LLC (“AIM IP”) alleges as follows:

1. This case is an action for patent infringement under the Patent Laws of the United States, as set forth in 35 U.S.C. §§ 271 and 280 through 285.

PARTIES

2. AIM IP is a limited liability company organized under the laws of the State of California, with its principal place of business located at 26522 La Alameda Avenue, Suite 360, Mission Viejo, California 92691.

3. On information and belief, Defendant Futurewei Technologies, Inc. dba Huawei (“Huawei”) is a corporation organized under the laws of the State of Texas, with its principal place of business located at 1700 Alma Drive, Suite 100, Plano, Texas 75075, and is doing business in this Judicial District and elsewhere.

JURISDICTION AND VENUE

4. This Court has federal subject matter jurisdiction over this action under 28 U.S.C. §§1331, 1332(a)(1), 1332(c)(1) and 1338(a).

5. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(a), 1391(c), and 1400(b), including without limitation because Huawei is advertising, marketing, using, selling, and/or offering to sell products in this Judicial District.

FIRST CAUSE OF ACTION FOR PATENT INFRINGEMENT

6. AIM IP repeats and realleges the allegations contained in paragraphs 1 through 5 above, inclusive, as if fully repeated and restated herein.

7. While working at Rockwell International Corporation in the mid-1990s, Adil Benyassine, Huan-Yu Su, and Eyal Shlomot invented a new signal compression technique using index mapping and shared quantization tables. Building on the well-established vector quantization technique, the inventors developed a new system using index mapping to efficiently share encoder and decoder memory. The invention could be applied to the problem of coding speech signals and background noise during silence periods. The index mapping

1 technique allowed for faithful representation and reproduction of the original
2 signal and noise using a minimal amount of memory.

3 8. The inventors presented this technology to the International
4 Telecommunications Union (ITU) working group, and Rockwell properly
5 disclosed the corresponding patent application on June 5, 1996. Benyassine, Su
6 and Shlomot applied for a U.S. Patent on August 23, 1996.

7 9. The ITU adopted the technology in the ITU Recommendation G.729
8 Annex B in November 1996. G.729 is used for many audio data compression
9 applications, especially bandwidth-sensitive applications like Voice over Internet
10 Protocol (VoIP).

11 10. The invention issued as United States Patent No. 5,920,853 (“the ’853
12 patent” or “the AIM patent”) entitled “Signal Compression Using Index Mapping
13 Technique For The Sharing Of Quantization Tables” on July 6, 1999. The ’853
14 patent is entitled “Signal Compression Using Index Mapping Technique for the
15 Sharing of Quantization Tables.” AIM IP is the owner by assignment of the ’853
16 patent. A true and correct copy of the ’853 Patent is attached as Exhibit A.

17 11. Upon information and belief, Huawei has been and now is infringing
18 the ’853 Patent in the State of California, in this Judicial District, and elsewhere in
19 the United States by, among other things, advertising, marketing, using, selling,
20 and/or offering to sell products including, but not limited to, the Huawei IP Phone
21 eSpace 7820, Huawei IP PBX eSpace U1910, Huawei IP PBX eSpace U1911,
22 Huawei IP PBX eSpace U1930, Huawei IP PBX eSpace U1960, Huawei IP PBX
23 eSpace U1980, Huawei Unified Gateway eSpace U2980, Huawei Unified Gateway
24 eSpace U2990, Huawei eSpace 8850 Video Phone, Huawei eSpace 7910 VoIP
25 Phone, Huawei eSpace 7950 VoIP Phone, Huawei eSpace 7820 VoIP Phone,
26 Huawei eSpace 7830 VoIP Phone, Huawei eSpace 7850 VoIP Phone, Huawei
27 eSpace 7870 Color VoIP Phone, Huawei IP Phone eSpace 6805, Huawei eSpace
28 7900 Series IP Phone, Huawei IP Phone eSpace 7820, Huawei IP Phone eSpace

1 7810, Huawei IP Phone eSpace 7830, Huawei IP Phone eSpace 7850, and Huawei
 2 IP Phone eSpace 7870, which support or utilize one or more of the encoder and/or
 3 decoder systems claimed in the '853 Patent.

4 12. As a result of Huawei's infringement of the '853 Patent, AIM IP has
 5 suffered monetary damages in an amount not yet determined, and will continue to
 6 suffer damages in the future unless Huawei's infringing activities are enjoined by
 7 this Court.

8 13. Huawei's wrongful acts have damaged and will continue to damage
 9 AIM IP irreparably, and AIM IP has no adequate remedy at law for those wrongs
 10 and injuries. In addition to their actual damages, AIM IP is entitled to a
 11 preliminary and permanent injunction restraining and enjoining Huawei and its
 12 agents, servants and employees, and all persons acting thereunder, in concert with,
 13 or on their behalf, from infringing the '853 Patent.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, AIM IP respectfully requests that this Court enter:

16 1. A judgment in favor of AIM IP that Huawei has infringed the '853
 17 Patent;

18 2. An injunction enjoining Huawei and its officers, directors, agents,
 19 servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all
 20 others acting in concert or privity with any of them from infringing the '853
 21 Patent;

22 3. A judgment and order requiring Huawei to pay AIM IP its damages,
 23 costs, expenses, and prejudgment and post-judgment interest for Huawei's
 24 infringement of the '853 Patent as provided under 35 U.S.C. § 284; and

25 4. Any and all other relief to which AIM IP may show itself to be
 26 entitled.

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JURY TRIAL DEMANDED

AIM IP hereby demands a trial by jury of all issues so triable.

Dated: February 6, 2014

Respectfully submitted,

RUSS AUGUST & KABAT

By: /s/ Alexander C.D. Giza
Alexander C.D. Giza

Alexander C.D. Giza, State Bar No. 212327
Email: agiza@raklaw.com
Fredricka Ung, State Bar No. 253794
Email: fung@raklaw.com
12424 Wilshire Boulevard, 12th Floor
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Telephone: (310) 826-7474
Facsimile: (310) 826-6991

Attorneys for Plaintiff
AIM IP, LLC