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10 Attorneys for Plaintiff VIXS SYSTEMS, INC.

11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA

13 VIXS SYSTEMS, INC., a Canadian  
14 corporation,

15 Plaintiff,

16 v.

17 ENTROPIC COMMUNICATIONS, INC.,  
18 a Delaware corporation, DIRECTV LLC,  
19 a Delaware corporation, WISTRON  
20 CORPORATION, a Taiwanese  
21 corporation, WISTRON NEWEB  
22 CORPORATION, a Taiwanese  
23 corporation, and CYBERTAN  
24 TECHNOLOGY, INC., a Taiwanese  
25 corporation,

26 Defendants.

Case No. '14CV0951 JAH DHB

**VIXS SYSTEMS, INC.’S  
COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

27 Plaintiff ViXS Systems, Inc. (hereinafter Plaintiff or “ViXS”) hereby files  
28 this complaint against Defendants Entropic Communications, Inc., DirecTV LLC,  
Wistron Corporation, Wistron NeWeb Corporation, and CyberTAN Technology,  
Inc., and alleges on personal knowledge as to its own activities and on information  
and belief as to the activities of others, as follows:

1 **PARTIES**

2 1. Plaintiff ViXS is a Canadian corporation with its principal place of  
3 business located at 1210 Sheppard Ave. E., Suite 800, Toronto, Ontario, Canada,  
4 M2K 1E3.

5 2. Defendant Entropic Communications, Inc. is a Delaware corporation  
6 with a principal place of business at 6290 Sequence Dr., San Diego, California,  
7 92121. Entropic is a provider of semiconductor solutions for multimedia systems,  
8 including SoCs and MoCA chips for use in set-top boxes, gateways, bridges, and  
9 adapter devices that infringe ViXS patents asserted in this action.

10 3. Defendant DirecTV LLC (“DirecTV”) is a Delaware corporation with  
11 its principal place of business at 2230 East Imperial Highway, El Segundo,  
12 California 90245, and is conducting business in this District. As part of its business,  
13 DirecTV provides customers certain set-top boxes, gateways, bridges, and/or  
14 adapters that contain components provided by Entropic and infringe ViXS patents  
15 asserted in this action.

16 4. Defendant Wistron Corporation (“Wistron”) is a Taiwanese  
17 corporation with its principal place of business at 158, Singshan Road, Heihu,  
18 Taipei, 11469, Taiwan, R.O.C. On information and belief, Wistron is conducting  
19 business in this District. As part of its business, Wistron designs and manufactures  
20 at least component and subsystem assemblies and/or printed circuit board (“PCB”)  
21 assemblies that contain components provided by Entropic and infringe ViXS patents  
22 asserted in this action.

23 5. Defendant Wistron NeWeb Corporation (“WNC”) is a Taiwanese  
24 corporation with its principal place of business at 20 Park Avenue II, Hsinchu  
25 Science Park, Hsinchu 308, Taiwan, R.O.C . On information and belief, WNC is  
26 conducting business in this District. As part of its business, WNC designs and  
27 manufactures set-top boxes, bridges, switches, and/or adapters that contain  
28 components provided by Entropic and infringe ViXS patents asserted in this action.

1           6. Defendant CyberTAN Technology, Inc. (“CyberTAN”) is a Taiwanese  
2 corporation with its principal place of business at 99 Park Avenue III, Hsinchu  
3 Science Park, Hsinchu 308, Taiwan, R.O.C. On information and belief, CyberTAN  
4 conducts business in this district. As part of its business, CyberTAN designs and  
5 manufactures gateways, bridges, adapters, and/or circuit boards that contain  
6 components provided by Entropic and infringe ViXS patents asserted in this action.

7           7. As used herein, the term “Defendants” means individually and/or  
8 collectively Entropic, DirecTV, Wistron, WNC, and CyberTAN.

9   **JURISDICTION AND VENUE**

10           8. This Court has subject matter jurisdiction over the cause of this action  
11 pleaded herein under 28 U.S.C. §§ 1331 and 1338(a) because the action concerns a  
12 federal question arising under the patent laws of the United States, including  
13 U.S.C. § 271.

14           9. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c)  
15 and 1400(b) because, among other reasons, Entropic, DirecTV, Wistron, WNC, and  
16 CyberTAN are subject to personal jurisdiction in this District and have committed  
17 acts of infringement in this District, and at least Entropic and DirecTV each has a  
18 regular and established place of business in this District.

19           10. Upon information and belief, Entropic, DirecTV, Wistron, WNC, and  
20 CyberTAN have placed infringing products including accused products (exemplary  
21 accused products identified below) into the stream of commerce by shipping those  
22 products into this District and/or by knowing that such products would be shipped  
23 into this District. By shipping into, selling, offering to sell, and/or using products  
24 that infringe the patents-in-suit in this District, or by inducing or causing those acts  
25 to occur, Entropic, DirecTV, Wistron, WNC, and CyberTAN have transacted and  
26 continue to transact business and perform work and services in this District, have  
27 supplied and continue to supply services and things in this District, have caused and  
28 continue to cause injury and damages in this District by acts and omissions in this

1 District, and have caused and continue to cause injury and damages in this District  
2 by acts or omissions outside of this District while deriving substantial revenue from  
3 services or things used or consumed within this District, and will continue to do so  
4 unless enjoined by this Court.

5 **FIRST CLAIM FOR RELIEF**

6 **INFRINGEMENT OF U.S. PATENT NO. 7,301,900**

7 11. The allegations of Paragraphs 1-10 are incorporated herein by  
8 reference.

9 12. ViXS is the owner by assignment of all right, title, and interest in and  
10 to United States Patent No. 7,301,900 entitled “Method and Apparatus for Hub-  
11 based Network Access via a Multimedia System” (hereinafter “the ’900 patent”)  
12 (Exhibit A), which was duly and legally issued on November 27, 2007.

13 13. Defendants have made, used, offered to sell, and/or sold within the  
14 United States, and/or imported into the United States, a range of products that  
15 infringe claims of the ’900 patent, literally and/or under the doctrine of equivalents,  
16 in violation of ViXS’s statutory rights. The infringing products include, but are not  
17 limited to, the following products: DirecTV Genie HR34 (believed to be  
18 manufactured at least in part by Wistron and/or WNC and/or CyberTAN), DirecTV  
19 Genie HR24-100, DirecTV HR24-700 (believed to be manufactured at least in part  
20 by Wistron and/or WNC and/or CyberTAN), Wistron 4-port MoCA bridge, as well  
21 as other products that incorporate Entropic MoCA chips, including the Entropic  
22 EN2210, EN 2810, EN2710, EN2550, EN2510, EN3230, EN3530, EN730x, and  
23 EN731x, as well as the Entropic Open RDK for SoCs, and including the following  
24 Entropic boards: EN2710ECA, EN92710 SDK and EVK, EN2510 ECA, EN2510  
25 WECA, EN2580 MBA, EN2580 WMBA, EN93011 SDK and EVK, EN93511 SDK  
26 and EVK, EN93230 MDK. (collectively, “Accused ’900 Products”).

27 14. Defendants have induced and/or are inducing the infringement of the  
28 ’900 patent by making, selling, offering to sell, and/or importing into the United

1 States Accused '900 Products that infringe certain claims of the '900 patent in  
2 violation of ViXS's statutory rights. On information and belief, Defendants were  
3 aware of the '900 patent prior to the filing of this complaint, and, in any event, were  
4 aware of the '900 patent at least as early as the service date of this complaint.  
5 Moreover, on information and belief, Defendants sold and/or offered for sale and/or  
6 imported the Accused '900 Products, and are continuing to do so, to customers and  
7 others specifically intending to actively encourage such customers and others to use  
8 the Accused '900 Products in the United States in a manner that Defendants know  
9 to be infringing. On information and belief, those customers and others in fact used  
10 the Accused '900 Products in the United States in an infringing manner.

11 15. Defendants contributorily infringe the '900 patent through their sale  
12 and offers to sell within the United States and/or imports into the United States of  
13 components of the Accused '900 Products and/or Accused '900 Products for use in  
14 practicing a process, constituting a material part of the '900 patent, knowing the  
15 same to be especially made or especially adapted for use in an infringement of the  
16 Asserted Patents, and not a staple article or commodity of commerce suitable for  
17 substantial noninfringing use. In addition, on information and belief, Defendants  
18 were aware of the '900 patent prior to the filing of this complaint, and, in any event,  
19 were aware of the '900 patent at least as early as the service date of this complaint.

20 16. As a result of Defendants' unlawful infringement of the '900 patent,  
21 ViXS has suffered and will continue to suffer damage. ViXS is entitled to recover  
22 from Defendants the damages adequate to compensate for such infringement, which  
23 have yet to be determined.

24 17. Defendants' acts of infringement of the '900 patent herein have been  
25 made, and/or are being made at the time of service of this complaint, with full  
26 knowledge of ViXS's rights in the patent. On information and belief, Defendants  
27 have acted and/or are continuing to act despite an objectively high likelihood that  
28 their actions constituted direct and/or indirect infringement of a valid patent, and, on

1 information and belief, Defendants knew or should have known of that objectively  
2 high risk. Defendants' acts herein constitute willful and deliberate infringement,  
3 entitling ViXS to enhanced damages under 35 U.S.C. § 284 and reasonable  
4 attorneys' fees and costs.

5 18. Defendants' acts of infringement have caused and will continue to  
6 cause irreparable harm to ViXS unless and until enjoined by this Court.

7 **SECOND CLAIM FOR RELIEF**

8 **INFRINGEMENT OF U.S. PATENT NO. 7,099,951**

9 19. The allegations of Paragraphs 1-18 are incorporated herein by  
10 reference.

11 20. ViXS is the owner by assignment of all right, title, and interest in and  
12 to United States Patent No. 7,099,951 entitled "Method and Apparatus for  
13 Multimedia System" (hereinafter "the '951 patent") (Exhibit B), which was duly  
14 and legally issued on August 29, 2006.

15 21. Defendants have made, used, offered to sell, and/or sold within the  
16 United States, and/or imported into the United States, a range of products that  
17 infringe certain claims of the '951 patent, literally and/or under the doctrine of  
18 equivalents, in violation of ViXS's statutory rights. The infringing products  
19 include, but are not limited to, the following products: DirecTV Genie HR34  
20 (believed to be manufactured at least in part by Wistron and/or WNC and/or  
21 CyberTAN), DirecTV Genie HR24-100, DirecTV HR24-700 (believed to be  
22 manufactured at least in part by Wistron and/or WNC and/or CyberTAN), Wistron  
23 4-port MoCA bridge, as well as other products that incorporate Entropic MoCA  
24 chips, including the Entropic EN2210, EN 2810, EN2710, EN2550, EN2510,  
25 EN3230, EN3530, EN730x, and EN731x, and including the following Entropic  
26 boards: EN2710ECA, EN92710 SDK and EVK, EN2510 ECA, EN2510 WECA,  
27 EN2580 MBA, EN2580 WMBA, EN93011 SDK and EVK, EN93511 SDK and  
28 EVK, EN93230 MDK (collectively, "Accused '951 Products").

1           22. Defendants have induced and/or are inducing the infringement of the  
2 '951 patent by making, selling, offering to sell, and/or importing into the United  
3 States Accused '951 Products that infringe claims of the '951 patent in violation of  
4 ViXS's statutory rights. On information and belief, Defendants were aware of the  
5 '951 patent prior to the filing of this complaint, and, in any event, were aware of the  
6 '951 patent at least as early as the service date of this complaint. Moreover, on  
7 information and belief, Defendants sold and/or offered for sale and/or imported the  
8 Accused '951 Products, and are continuing to do so, to customers and others  
9 specifically intending to actively encourage such customers and others to use the  
10 Accused '951 Products in the United States in a manner that Defendants know to be  
11 infringing. On information and belief, those customers and others in fact used the  
12 Accused '951 Products in the United States in an infringing manner.

13           23. Defendants contributorily infringe the '951 patent through their sale  
14 and offers to sell within the United States and/or imports into the United States of  
15 components of the Accused '951 Products and/or Accused '951 Products for use in  
16 practicing a process, constituting a material part of the '951 patent, knowing the  
17 same to be especially made or especially adapted for use in an infringement of the  
18 Asserted Patents, and not a staple article or commodity of commerce suitable for  
19 substantial noninfringing use. In addition, on information and belief, Defendants  
20 were aware of the '951 patent prior to the filing of this complaint, and, in any event,  
21 were aware of the '951 patent at least as early as the service date of this complaint.

22           24. As a result of Defendants' unlawful infringement of the '951 patent,  
23 ViXS has suffered and will continue to suffer damage. ViXS is entitled to recover  
24 from Defendants the damages adequate to compensate for such infringement, which  
25 have yet to be determined.

26           25. Defendants' acts of infringement of the '951 patent herein have been  
27 made, and/or are being made at the time of service of this complaint, with full  
28 knowledge of ViXS's rights in the patent. On information and belief, Defendants

1 have acted and/or are continuing to act despite an objectively high likelihood that  
2 their actions constituted direct and/or indirect infringement of a valid patent, and, on  
3 information and belief, Defendants knew or should have known of that objectively  
4 high risk. Defendants' acts herein constitute willful and deliberate infringement,  
5 entitling ViXS to enhanced damages under 35 U.S.C. § 284 and reasonable  
6 attorneys' fees and costs.

7 26. Defendants' acts of infringement have caused and will continue to  
8 cause irreparable harm to ViXS unless and until enjoined by this Court.

9 **THIRD CLAIM FOR RELIEF**

10 **INFRINGEMENT OF U.S. PATENT NO. 7,200,855**

11 27. The allegations of Paragraphs 1-26 are incorporated herein by  
12 reference.

13 28. ViXS is the owner by assignment of all right, title, and interest in and  
14 to United States Patent No. 7,200,855 entitled "Method and Apparatus of  
15 Multiplexing a Plurality of Channels in a Multimedia System" (hereinafter "the '855  
16 patent") (Exhibit C), which was duly and legally issued on April 3, 2007.

17 29. Defendants have made, used, offered to sell, and/or sold within the  
18 United States, and/or imported into the United States, a range of products that  
19 infringe certain claims of the '855 patent, literally and/or under the doctrine of  
20 equivalents, in violation of ViXS's statutory rights. The infringing products  
21 include, but are not limited to, the following products: DirecTV Genie HR34  
22 (believed to be manufactured at least in part by Wistron and/or WNC and/or  
23 CyberTAN), DirecTV Genie HR24-100, DirecTV HR24-700 (believed to be  
24 manufactured at least in part by Wistron and/or WNC and/or CyberTAN), Wistron  
25 4-port MoCA bridge, as well as other products that incorporate Entropic MoCA  
26 chips, including the Entropic EN2210, EN 2810, EN2710, EN2550, EN2510,  
27 EN3230, EN3530, EN730x, and EN731x, and including the following Entropic  
28 boards: EN2710ECA, EN92710 SDK and EVK, EN2510 ECA, EN2510 WECA,



1 EN2580 MBA, EN2580 WMBA, EN93011 SDK and EVK, EN93511 SDK and  
2 EVK, EN93230 MDK (collectively, “Accused ’855 Products”).

3 30. Defendants have induced and/or are inducing the infringement of the  
4 ’855 patent by making, selling, offering to sell, and/or importing into the United  
5 States Accused ’855 Products that infringe claims of the ’855 patent in violation of  
6 ViXS’s statutory rights. On information and belief, Defendants were aware of the  
7 ’855 patent prior to the filing of this complaint, and, in any event, were aware of the  
8 ’855 patent at least as early as the service date of this complaint. Moreover, on  
9 information and belief, Defendants sold and/or offered for sale and/or imported the  
10 Accused ’855 Products, and are continuing to do so, to customers and others  
11 specifically intending to actively encourage such customers and others to use the  
12 Accused ’855 Products in the United States in a manner that Defendants know to be  
13 infringing. On information and belief, those customers and others in fact used the  
14 Accused ’855 Products in the United States in an infringing manner.

15 31. Defendants contributorily infringe the ’855 patent through their sale  
16 and offers to sell within the United States and/or imports into the United States of  
17 components of the Accused ’855 Products and/or Accused ’855 Products for use in  
18 practicing a process, constituting a material part of the ’855 patent, knowing the  
19 same to be especially made or especially adapted for use in an infringement of the  
20 Asserted Patents, and not a staple article or commodity of commerce suitable for  
21 substantial noninfringing use. In addition, on information and belief, Defendants  
22 were aware of the ’855 patent prior to the filing of this complaint, and, in any event,  
23 were aware of the ’855 patent at least as early as the service date of this complaint.

24 32. As a result of Defendants’ unlawful infringement of the ’855 patent,  
25 ViXS has suffered and will continue to suffer damage. ViXS is entitled to recover  
26 from Defendants the damages adequate to compensate for such infringement, which  
27 have yet to be determined.

1 33. Defendants’ acts of infringement of the ’855 patent herein have been  
2 made, and/or are being made at the time of service of this complaint, with full  
3 knowledge of ViXS’s rights in the patent. On information and belief, Defendants  
4 have acted and/or are continuing to act despite an objectively high likelihood that  
5 their actions constituted direct and/or indirect infringement of a valid patent, and, on  
6 information and belief, Defendants knew or should have known of that objectively  
7 high risk. Defendants’ acts herein constitute willful and deliberate infringement,  
8 entitling ViXS to enhanced damages under 35 U.S.C. § 284 and reasonable  
9 attorneys’ fees and costs.

10 34. Defendants’ acts of infringement have caused and will continue to  
11 cause irreparable harm to ViXS unless and until enjoined by this Court.

12 **FOURTH CLAIM FOR RELIEF**

13 **INFRINGEMENT OF U.S. PATENT NO. 7,406,598**

14 35. The allegations of Paragraphs 1-34 are incorporated herein by  
15 reference.

16 36. ViXS is the owner by assignment of all right, title, and interest in and  
17 to United States Patent No. 7,406,598 entitled “Method and System for Secure  
18 Content Distribution” (hereinafter “the ’598 patent”) (Exhibit D), which was duly  
19 and legally issued on July 29, 2008.

20 37. Entropic has made, used, offered to sell, and/or sold within the United  
21 States, and/or imported into the United States, a range of products that infringe  
22 certain claims of the ’598 patent, literally and/or under the doctrine of equivalents,  
23 in violation of ViXS’s statutory rights. The infringing products include, but are not  
24 limited to, the following products: Entropic’s SoCs EN753x, EN754x, EN755x,  
25 EN757x, and EN758x (collectively, “Accused ’598 Products”).

26 38. Entropic has induced and/or is inducing the infringement of the ’598  
27 patent by making, selling, offering to sell, and/or importing into the United States  
28 Accused ’598 Products that infringe claims of the ’598 patent in violation of ViXS’s

1 statutory rights. On information and belief, Entropic was aware of the '598 patent  
2 prior to the filing of this complaint, and, in any event, was aware of the '598 patent  
3 at least as early as the service date of this complaint. Moreover, on information and  
4 belief, Entropic sold and/or offered for sale and/or imported the Accused '598  
5 Products, and is continuing to do so, to customers and others specifically intending  
6 to actively encourage such customers and others to use the Accused '598 Products  
7 in the United States in a manner that Entropic knows to be infringing. On  
8 information and belief, those customers and others in fact used the Accused '598  
9 Products in the United States in an infringing manner.

10 39. Entropic contributorily infringes the '598 patent through its sale and  
11 offers to sell within the United States and/or imports into the United States of  
12 components of the Accused '598 Products and/or Accused '598 Products for use in  
13 practicing a process, constituting a material part of the '598 patent, knowing the  
14 same to be especially made or especially adapted for use in an infringement of the  
15 Asserted Patents, and not a staple article or commodity of commerce suitable for  
16 substantial noninfringing use. In addition, on information and belief, Entropic was  
17 aware of the '598 patent prior to the filing of this complaint, and, in any event, was  
18 aware of the '598 patent at least as early as the service date of this complaint.

19 40. As a result of Entropic's unlawful infringement of the '598 patent,  
20 ViXS has suffered and will continue to suffer damage. ViXS is entitled to recover  
21 from Entropic the damages adequate to compensate for such infringement, which  
22 have yet to be determined.

23 41. Entropic's acts of infringement of the '598 patent herein have been  
24 made, and/or are being made at the time of service of this complaint, with full  
25 knowledge of ViXS's rights in the patent. On information and belief, Entropic has  
26 acted and/or are continuing to act despite an objectively high likelihood that its  
27 actions constituted direct and/or indirect infringement of a valid patent, and, on  
28 information and belief, Entropic knew or should have known of that objectively

1 high risk. Entropic's acts herein constitute willful and deliberate infringement,  
2 entitling ViXS to enhanced damages under 35 U.S.C. § 284 and reasonable  
3 attorneys' fees and costs.

4 42. Entropic's acts of infringement have caused and will continue to cause  
5 irreparable harm to ViXS unless and until enjoined by this Court.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, ViXS prays that this Court enters judgment and provides  
8 relief as follows:

9 (a) That Defendants, and each of them, have directly infringed the '900,  
10 '951, and '855 patents, and that Entropic also has infringed the '598 patent;

11 (b) That Defendants, and each of them, have induced and contributed to  
12 infringement of the '900, '951, and '855 patents, and that Entropic also has induced  
13 and contributed to infringement of the '598 patent;

14 (c) That Defendants, and each of them, have willfully infringed the '900,  
15 '951, and '855 patents, and that Entropic also has willfully infringed the '598  
16 patent;

17 (d) That Defendants, and their respective officers, agents, servants,  
18 employees, and those in active concert or participation with them directly or  
19 indirectly, be enjoined from infringing the '900, '951, and '855 patents, and that  
20 Entropic, and its officers, agents, servants, employees, and those in active concert or  
21 participation with them directly or indirectly, be enjoined from infringing the '598  
22 patent;

23 (e) That Defendants, and each of them, be ordered to account for and pay  
24 to ViXS the damages resulting from Defendants' infringement of the '900, '951,  
25 and '855 patents and that the same be held for Entropic concerning the '598 patent,  
26 together with interest and costs, and all other damages permitted by 35 U.S.C. §  
27 284, including enhanced damages up to three times the amount of damages found or  
28 measured;

1 (f) That this action be adjudged an exceptional case and ViXS be awarded  
2 its attorneys' fees, expenses and costs in this action pursuant to 35 U.S.C. § 285;  
3 and

4 (g) That ViXS be awarded such other equitable or legal relief as this Court  
5 deems just and proper under the circumstances.

6 **DEMAND FOR JURY TRIAL**

7 Pursuant to Federal Rule of Civil Procedure 38, Plaintiff ViXS demands a  
8 jury trial on all issues so triable.

9  
10 Dated: April 17, 2014

FISH & RICHARDSON P.C.

11  
12 By: /s/ Christopher S. Marchese  
13 Christopher S, Marchese (SBN  
14 170239)

15 Attorneys for Plaintiff  
16 ViXS Systems, Inc.  
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