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21 *Attorneys for Plaintiff*
22 **KINGLITE HOLDINGS INC.**

23 UNITED STATES DISTRICT COURT
24 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

25 KINGLITE HOLDINGS INC., a
26 Seychelles Company,

27 Plaintiff,

28 v.

MICRO-STAR INTERNATIONAL
CO., LTD., a Taiwan Corporation, and
MSI COMPUTER CORP., a California
Corporation.

Defendants.

Case No. CV _____

COMPLAINT

JURY TRIAL DEMANDED

1 Plaintiff, Kinglite Holdings Inc. (“Kinglite”) alleges by way of complaint
 2 against Defendants, Micro-Star International Co., Ltd. and MSI Computer Corp.
 3 (“Defendants”) as follows:

4 **FACTUAL BACKGROUND**

5 **Plaintiff**

6 1. Kinglite is a company incorporated under the laws of the Republic of
 7 the Seychelles with its principal place of business at 7 Temasek Boulevard, #15-
 8 01A Suntec Tower One, Singapore 038987.

9 2. Kinglite is the owner of the following United States patents that are
 10 being asserted in this action (“Asserted Patents”):

U.S. Patent No.	Title	Application Date	Issue Date	Exhibit No.
6,791,572 (“572”)	Generating Media Output During Bios Boot-Up	Dec. 10, 1999	Sep. 14, 2004	A
6,892,304 (“304”)	System And Method For Securely Utilizing Basic Input And Output System (Bios) Services	Oct. 3, 2000	May 10, 2005	B
5,732,268 (“268”)	Extended Bios Adapted To Establish Remote Communication For Diagnostics And Repair	Feb. 26, 1996	Mar. 24, 1998	C
6,487,656 (“656”)	System And Method For Providing Functionalities To System Bios	Dec. 10, 1999	Nov. 26, 2002	D
6,373,498 (“498”)	Displaying Images During Boot-Up And Shut Down	Jun. 18, 1999	Apr. 16, 2002	E
6,523,123 (“123”)	Method And Apparatus For Providing Intelligent Power Management	Jul. 27, 2001	Feb. 18, 2003	F
6,401,202 (“202”)	Multitasking During Bios Boot-Up	Jun. 18, 1999	June 4, 2002	G
6,519,659 (“659”)	Method And System For Transferring An Application Program From System Firmware To A Storage Device	Jun. 18, 1999	Feb. 11, 2003	H
5,836,013 (“013”)	Method And Apparatus For Compressing System Read Only Memory In A Computing System	Aug. 11, 1994	Nov. 10, 1998	I
8,095,783 (“783”)	Media Boot Loader	May 11, 2004	Jan. 10, 2012	J
5,987,604 (“604”)	Method And Apparatus For Providing Execution Of System Management Mode Services In Virtual Mode	Oct. 7, 1997	Nov. 16, 1999	K

1	6,263,412 (“412”)	Method And Apparatus For RAM Emulation Using A Processor Register Set	Jun. 24, 1998	Jul. 17, 2001	L
2	6,633,976 (“976”)	Method Of Storing BIOS Modules And Transferring Them to Memory For Execution	Aug. 10, 2000	Oct. 14, 2003	M

4 **Defendants**

5 3. Micro-Star International Co., Ltd. (“MSI Taiwan”) is a Taiwanese
6 corporation with its principal place of business at No. 69, Lide Street, Zhonghe
7 District, New Taipei City 235, Taiwan. It is one of the world’s largest
8 motherboard and graphics card manufacturers. MSI Taiwan also manufactures
9 laptops, all-in-one computers, servers, industrial computers, and multimedia
10 devices.

11 4. MSI Computer Corp. (“MSI USA”) is a California corporation with
12 its principal place of business at 901 Canada Court, City of Industry, California
13 91748. On information and belief, it is a subsidiary of MSI Taiwan and provides
14 technical, sales, customer service, and marketing support to MSI Taiwan and its
15 customers in the United States.

16 5. According to its website, www.msi.com, MSI Taiwan is doing
17 business in the United State through MSI USA.

18 6. Defendants import, offer for sale, and/or sell motherboards, graphics
19 cards, laptops, all-in-one computers, servers, industrial computers, and multimedia
20 devices that practice the inventions of the patents in-suit (“Accused Products”).

21 **Unified Extensible Firmware Interface**

22 7. The Unified Extensible Firmware Interface (“UEFI”) is a specification
23 that defines a software interface between an operating system and platform
24 firmware, also referred to in the industry as a Basic Input/Output System
25 (“BIOS”).

26 8. UEFI, which has been updated over the years in a series of releases,
27 was developed under the aegis of the UEFI Forum, an alliance between several
28 leading technology companies to modernize the booting process. The board of

1 directors includes representatives from eleven “Promoter” companies: AMD,
2 American Megatrends, Apple, Dell, HP, IBM, Insyde Software, Intel, Lenovo,
3 Microsoft, and Phoenix Technologies.

4 9. The inventions of the following patents (“Phoenix UEFI patents”) are
5 contained in each version of UEFI: ‘304, ‘202, ‘659, ‘013, ‘783, ‘604, ‘412, and
6 ‘976.

7 10. The Accused Products incorporate a BIOS that complies with a
8 version of UEFI and thus practices the inventions of the Phoenix UEFI patents.

9 **JURISDICTION AND VENUE**

10 11. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§
11 1331 and 1338(a).

12 12. Venue is proper in this Judicial District pursuant to 28 U.S.C. §
13 1400(b).

14 13. At all relevant times, Defendants have conducted business through
15 MSI USA and sold the Accused Products in this Judicial District through its
16 network of distributors, a number of which are based or have retail outlets in this
17 Judicial District.

18 **COUNT I – INFRINGEMENT OF THE ‘572 PATENT**

19 14. Kinglite incorporates by reference the allegations contained in
20 paragraphs 1-13, above.

21 15. Defendants’ importation, sale and/or offer to sell the Accused
22 Products constitute direct infringement of the claims of the ‘572 Patent pursuant to
23 35 U.S.C. § 271.

24 16. Kinglite has been injured by such infringement.

25 **COUNT II – INFRINGEMENT OF THE ‘304 PATENT**

26 17. Kinglite incorporates by reference the allegations contained in
27 paragraphs 1-16, above.

28 18. Defendants’ importation, sale and/or offer to sell the Accused

1 Products constitute direct infringement of the claims of the '304 Patent pursuant to
2 35 U.S.C. § 271.

3 19. Kinglite has been injured by such infringement.

4 **COUNT III – INFRINGEMENT OF THE '268 PATENT**

5 20. Kinglite incorporates by reference the allegations contained in
6 paragraphs 1-19, above.

7 21. Defendants' importation, sale and/or offer to sell the Accused
8 Products constitute direct infringement of the claims of the '268 Patent pursuant to
9 35 U.S.C. § 271.

10 22. Kinglite has been injured by such infringement.

11 **COUNT IV – INFRINGEMENT OF THE '656 PATENT**

12 23. Kinglite incorporates by reference the allegations contained in
13 paragraphs 1-22, above.

14 24. Defendants' importation, sale and/or offer to sell the Accused
15 Products constitute direct infringement of the claims of the '656 Patent pursuant to
16 35 U.S.C. § 271.

17 25. Kinglite has been injured by such infringement.

18 **COUNT V – INFRINGEMENT OF THE '498 PATENT**

19 26. Kinglite incorporates by reference the allegations contained in
20 paragraphs 1-25, above.

21 27. Defendants' importation, sale and/or offer to sell the Accused
22 Products constitute direct infringement of the claims of the '498 Patent pursuant to
23 35 U.S.C. § 271.

24 28. Kinglite has been injured by such infringement.

25 **COUNT VI – INFRINGEMENT OF THE '123 PATENT**

26 29. Kinglite incorporates by reference the allegations contained in
27 paragraphs 1-28, above.

28 30. Defendants' importation, sale and/or offer to sell the Accused

1 Products constitute direct infringement of the claims of the '123 Patent pursuant to
2 35 U.S.C. § 271.

3 31. Kinglite has been injured by such infringement.

4 **COUNT VII – INFRINGEMENT OF THE '202 PATENT**

5 32. Kinglite incorporates by reference the allegations contained in
6 paragraphs 1-31, above.

7 33. Defendants' importation, sale and/or offer to sell the Accused
8 Products constitute direct infringement of the claims of the '202 Patent pursuant to
9 35 U.S.C. § 271.

10 34. Kinglite has been injured by such infringement.

11 **COUNT VIII – INFRINGEMENT OF THE '659 PATENT**

12 35. Kinglite incorporates by reference the allegations contained in
13 paragraphs 1-34, above.

14 36. Defendants' importation, sale and/or offer to sell the Accused
15 Products constitute direct infringement of the claims of the '659 Patent pursuant to
16 35 U.S.C. § 271.

17 37. Kinglite has been injured by such infringement.

18 **COUNT IX – INFRINGEMENT OF THE '013 PATENT**

19 38. Kinglite incorporates by reference the allegations contained in
20 paragraphs 1-37, above.

21 39. Defendants' importation, sale and/or offer to sell the Accused
22 Products constitute direct infringement of the claims of the '013 Patent pursuant to
23 35 U.S.C. § 271.

24 40. Kinglite has been injured by such infringement.

25 **COUNT X – INFRINGEMENT OF THE '783 PATENT**

26 41. Kinglite incorporates by reference the allegations contained in
27 paragraphs 1-40, above.

28 42. Defendants' importation, sale and/or offer to sell the Accused

1 Products constitute direct infringement of the claims of the '783 Patent pursuant to
2 35 U.S.C. § 271.

3 43. Kinglite has been injured by such infringement.

4 **COUNT XI – INFRINGEMENT OF THE '604 PATENT**

5 44. Kinglite incorporates by reference the allegations contained in
6 paragraphs 1-43, above.

7 45. Defendants' importation, sale and/or offer to sell the Accused
8 Products constitute direct infringement of the claims of the '604 Patent pursuant to
9 35 U.S.C. § 271.

10 46. Kinglite has been injured by such infringement.

11 **COUNT XII – INFRINGEMENT OF THE '412 PATENT**

12 47. Kinglite incorporates by reference the allegations contained in
13 paragraphs 1-46, above.

14 48. Defendants' importation, sale and/or offer to sell the Accused
15 Products constitute direct infringement of the claims of the '412 Patent pursuant to
16 35 U.S.C. § 271.

17 49. Kinglite has been injured by such infringement.

18 **COUNT XIII – INFRINGEMENT OF THE '976 PATENT**

19 50. Kinglite incorporates by reference the allegations contained in
20 paragraphs 1-49, above.

21 51. Defendants' importation, sale and/or offer to sell the Accused
22 Products constitute direct infringement of the claims of the '976 Patent pursuant to
23 35 U.S.C. § 271.

24 52. Kinglite has been injured by such infringement.

1 **PRAYERS FOR RELIEF**

2 WHEREFORE, Kinglite respectfully requests that this Court:

- 3 a) Find that Defendants infringe the Kinglite patents;
- 4 b) Order Defendants to pay Kinglite damages equal to no less than a
- 5 reasonable royalty to compensate for the infringement of the Kinglite patents
- 6 pursuant to 35 U.S.C. § 284;
- 7 c) Order Defendants to pay Kinglite prejudgment interest;
- 8 d) Enjoin Defendants from further infringement of the Kinglite patents;
- 9 and
- 10 e) Award such other relief the Court finds just and equitable.

11 DATED: April 18, 2014

VICK LAW GROUP, APC

12 By: /s/ Scott Vick

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21 *Attorneys for Plaintiff*

22 **KINGLITE HOLDINGS INC.**

1
2 **DEMAND FOR JURY TRIAL**

3 Plaintiff hereby demands a trial by jury on all claims so triable pursuant to
4 Fed. R. Civ. Proc. § 38(b).

5 DATED: April 18, 2014

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