



Plaintiffs Lenovo (United States) Inc. and Lenovo PC International Limited (collectively “Lenovo”) file this Complaint for Patent Infringement against Tranxition Corporation (“Tranxition”), and allege as follows:

### **PARTIES**

1. Plaintiff Lenovo (United States) Inc. (“Lenovo US”) is a Delaware corporation and has a principal place of business at 1009 Think Place, Morrisville, North Carolina 27560.

2. Plaintiff Lenovo PC International Limited (“Lenovo PC Int’l”) is a limited company organized under the laws of Hong Kong and maintains a principal place of business at 23/F, Lincoln House, 979 King’s Road, Quarry Bay, Hong Kong.

3. On information and belief, Defendant Tranxition is a Delaware corporation with its principal place of business at either Maddox Building, 1231 NW Hoyt Street, Suite 206, Portland, Oregon 97209 or 516 SE Morrison St., Ste. 242, Portland, Oregon 97214.

### **JURISDICTION AND VENUE**

4. Lenovo alleges that this Court has jurisdiction over the subject matter of these claims under, without limitation, 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this District under 28 U.S.C. §§ 1391 (b)-(c) and 1400(b) because Tranxition is subject to personal jurisdiction in this District; has committed acts of patent infringement in this District, including, on information and belief, selling or offering to sell infringing products to customers in this District; or has a regular and established place of business in this District.

### **FACTUAL BACKGROUND**

6. On January 30, 2001, the USPTO issued U.S. Patent No. 6,182,212 titled “Method and System for Automated Migration of User Settings to a Replacement Computer

System,” (hereafter “the ’212 patent”). A true and correct copy of the ’212 patent is attached hereto as Exhibit A.

7. Lenovo PC Int’l is the owner of all rights, title and interest in the ’212 patent, with the full and exclusive right to bring suit to enforce this patent and recover for past infringement.

8. Lenovo US is an exclusive licensee of the ’212 patent.

### **CLAIM FOR RELIEF**

#### **Infringement of U.S. Patent No. 6,182,212**

9. Lenovo incorporates paragraphs 1 through 8 as though full set forth herein.

10. In violation of 35 U.S.C. § 271, Tranxition has infringed, and is continuing to infringe either literally and/or under the doctrine of equivalents, the ’212 patent by practicing one or more claims of the ’212 patent in the manufacture, use, offering for sale, or sale of migration products and services including, but not limited to, Migrate7, PT Pro, and LiveManage (hereafter the “Accused Products”).

11. In violation of 35 U.S.C. § 271, Tranxition has infringed, and is continuing to infringe, the ’212 patent by contributing to and/or actively inducing others to infringe one or more claims of the ’212 patent by the manufacture, use, offering for sale, sale, or supply of migration products and services including, but not limited to, the Accused Products.

12. As a result of Tranxition’s infringement, Lenovo has suffered and will continue to suffer damages.

13. Lenovo is entitled to recover from Tranxition the damages it has sustained as a result of Tranxition’s infringing acts in an amount subject to proof at trial. Lenovo is also entitled to its costs of suit and interest.

14. Tranxition has been on notice of the ’212 patent since at least September 5, 2003. Tranxition’s acts of infringement were willful and in conscious disregard for Lenovo’s patent

rights, and the resulting damage to Lenovo is such as to warrant the trebling of damages to provide just compensation pursuant to 35 U.S.C. § 284.

15. Unless Tranxition is enjoined by this Court from continuing its infringement of the '212 patent, Lenovo will suffer additional irreparable harm and impairment of the value of its patent rights and is, therefore, entitled to a permanent injunction against further infringement.

### **PRAYER FOR RELIEF**

WHEREFORE, Lenovo prays for judgment as follows:

- a. That Tranxition be found to have infringed the '212 patent and that such infringement be found to have been willful;
- b. That Tranxition be ordered to account for and pay over to Lenovo cumulative damages adequate to compensate Lenovo for Tranxition's infringement of the '212 patent;
- c. That the amount of Lenovo's recovery be increased as provided by law, up to three times, and that interest and costs be awarded to Lenovo pursuant to 35 U.S.C. § 284;
- d. That Tranxition, its officers, directors, agents, servants, employees, attorneys, confederates, representatives and any person and/or entities acting for, with, by, through, in concert with, or in participation with them, or any of them, be enjoined permanently from:
  - i. further infringement of the '212 patent pursuant to 35 U.S.C. § 271, either directly or contributorily; and
  - ii. inducing others to infringe the '212 patent.
- e. Declaring this an exceptional case under 35 U.S.C. § 285 and awarding Lenovo its attorneys' fees, costs, and expenses in this action;
- f. That Lenovo be awarded prejudgment interest; and

g. Such other and further relief as this Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

In accordance with Rule 38 of the Federal Rules of Civil Procedure and Local Rule CV-38, Lenovo respectfully demands a jury trial of all issues triable to a jury in this action.

Dated: February 12, 2015

Respectfully submitted,

By: /s/ Kenneth L. Walhood

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