

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ROTATABLE TECHNOLOGIES LLC,**

**Plaintiff,**

**v.**

- 1. ACER AMERICA CORPORATION;**
- 2. ADOBE SYSTEMS  
INCORPORATED**
- 3. ARCHOS S.A.;**
- 4. ARCHOS, INC.;**
- 5. ASUSTEK COMPUTER INC.;**
- 6. ASUS COMPUTER  
INTERNATIONAL;**
- 7. MOTOROLA MOBILITY, INC.;**
- 8. OPERA SOFTWARE  
INTERNATIONAL ASA.;**
- 9. SAMSUNG ELECTRONICS, USA,  
INC.; AND**
- 10. SONY MOBILE  
COMMUNICATIONS (USA) INC.**

**Defendants.**

**CIVIL ACTION NO. 2:12-CV-263**

**JURY TRIAL DEMANDED**

**PLAINTIFF'S ORIGINAL COMPLAINT**

This is an action for patent infringement in which Rotatable Technologies LLC (“Rotatable Technologies”) makes the following allegations against Acer America Corporation; Adobe Systems Incorporated; Archos S.A.; Archos, Inc.; ASUSTek Computer Inc.; ASUS Computer International; Motorola Mobility, Inc.; Opera Software International ASA; Samsung Electronics USA, Inc., and Sony Mobile Communications (USA) Inc. (collectively, “Defendants”):

## **PARTIES**

1. Rotatable Technologies is a limited liability company formed under the laws of the State of Texas with a principle place of business located at 815 Brazos Street, Suite 500, Austin, Texas 78701.

2. Defendant Acer America Corporation (“Acer”) is a corporation organized and existing under the laws of the State of California with a principle place of business located at 333 W. San Carlos Street, Suite 1500, San Jose, California 95110. Acer can be served via its registered agent for service of process: C T Corporation System, 818 W. Seventh St., Los Angeles, California 90017.

3. Defendant Archos S.A. is a corporation organized and existing under the laws of France with a principle place of business located at 12, rue Ampere, Igny, 91430 France.

4. Defendant Archos, Inc. (“Archos”) is a corporation organized and existing under the laws of the State of California, and a subsidiary of Archos SA, with a principle place of business located at 7951 E. Maplewood Avenue, Suite 260, Greenwood Village, Colorado 80111. Archos can be served via its registered agent for service of process: National Registered Agents, Inc., 2875 Michelle Dr., Ste. 100, Irvine, California 92606.

5. Defendant Adobe Systems Incorporated (“Adobe”) is a corporation organized and existing under the laws of the State of Delaware with a principle place of business located at 345 Park Ave, Mailstop A15-TAX, San Jose, California 95110. Adobe can be served via its registered agent for service of process: Corporation Service Company, 2711 Centerville Rd., Ste. 400, Wilmington, Delaware.

6. Defendant ASUSTek Computer Inc. (“ASUSTek”) is a corporation organized and existing under the laws of Taiwan with a principle place of business located at 4f, 150, Li-Te Road, Beitou District, Taipei City, Taiwan.

7. Defendant ASUS Computer International (“Asus”) is a corporation organized and existing under the laws of the State of California, and a subsidiary of ASUSTek, with a principle place of business located at 800 Corporate Way, Fremont, California 94539. Asus can be served via its registered agent for service of process: Godwin Yan, 800 Corporate Way, Fremont, California 94539.

8. Defendant Motorola Mobility, Inc. (“Motorola”) is a corporation organized and existing under the laws of the State of Delaware with a principal place of business located at 600 North U.S. Highway 45, Libertyville, Illinois 60048. Motorola can be served via its registered agent for service of process: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

9. Defendant Opera Software International ASA. (“Opera”) is a corporation organized and existing under the laws Norway with a principal place of business located at 1875 South Grant Street, Suite #750, San Mateo, California 94402. Opera can be served via its registered agent for service of process: CT Corporation System, 818 W. Seventh St., Los Angeles, California 90017.

10. Defendant Samsung Electronics, USA, Inc. (“Samsung”) is a corporation organized and existing under the laws of the State of Delaware with a principal place of business located at 105 Challenger Road, Ridgefield Park, New Jersey 07660. Samsung can be served via its registered agent for service of process: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

11. Defendant Sony Mobile Communications (USA) Inc., (“Sony Mobile”) is a corporation organized and existing under the laws of the State of Delaware with a principle place of business located at 3333 Piedmont Rd., Ste. 600, Atlanta, Georgia 30305. Sony Mobile can be

served via its registered agent for service of process: Capitol Services, Inc., 1675 South State Street, Suite B, Dover, Delaware 19901.

**JURISDICTION AND VENUE**

12. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284 - 85, among others. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

13. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, each Defendant has transacted business in this district, and has committed and/or induced acts of patent infringement in this district.

14. Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to each Defendant's substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this district.

15. Joinder of the Defendants is proper pursuant to 35 U.S.C. § 299(a) at least because each Defendant's infringing products includes, complies with, and/or utilizes the android operating system, the practice of which by each Defendant necessarily results in infringement of the patent-in-suit. In addition, questions of fact common to all of the Defendants will arise in the action at least because, upon information and belief, Defendants' infringing acts arise from their common acts of including, complying with and/or utilizing the android operating system.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 6,326,978**

16. On December 4, 2001, United States Patent No. 6,326,978 (the “’978 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention entitled “Display Method for Selectively Rotating Windows on a Computer Display”. A true and correct copy of the ’978 patent is attached hereto as Exhibit A.

17. Rotatable Technologies is the owner of the ’978 patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the ’978 patent against infringers, and to collect damages for all relevant times.

18. Acer directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Iconia Tablet) that infringed one or more claims of the ’978 patent.

19. Adobe directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Adobe Reader for Android) that infringed one or more claims of the ’978 patent.

20. Archos S.A. and Archos directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its 101 G9 Tablet) that infringed one or more claims of the ’978 patent.

21. Asus and ASUSTek directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Asus EEE Pad TF201 Tablet) that infringed one or more claims of the ’978 patent.

22. Motorola directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Droid XyBoard 8.2 Tablet) that infringed one or more claims of the '978 patent.

23. Opera directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Opera Mini Web Browser software) that infringed one or more claims of the '978 patent.

24. Samsung directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Nexus S) that infringed one or more claims of the '978 patent.

25. Sony Mobile directly or through intermediaries, made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems (including at least its Xperia Play 4G) that infringed one or more claims of the '978 patent.

### **JURY DEMAND**

Rotatable Technologies hereby requests a trial by jury on all issues so triable by right.

### **PRAYER FOR RELIEF**

Rotatable Technologies requests that the Court find in its favor and against Defendants, and that the Court grant Rotatable Technologies the following relief:

a. Judgment that one or more claims of the '978 patent have been infringed, either literally and/or under the doctrine of equivalents, by Defendants and/or by others to whose infringement Defendants have contributed and/or by others whose infringement has been induced by Defendants;

b. A permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in

active concert therewith from infringement, inducing infringement of, or contributing to infringement of the '978 patent;

c. Judgment that Defendants account for and pay to Rotatable Technologies all damages and costs incurred by Rotatable Technologies, caused by Defendants' infringing activities and other conduct complained of herein;

d. That Rotatable Technologies be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;

e. That this Court declare this an exceptional case and award Rotatable Technologies reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

f. That Rotatable Technologies be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: May 1, 2012

Respectfully submitted,

By: /s/ Hao Ni

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