

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

KT IMAGING USA, LLC,

Plaintiff

-against-

PANASONIC CORPORATION and  
PANASONIC CORPORATION OF NORTH  
AMERICA,

Defendants

Civil Action No.: 4:19-CV-485

**Jury Trial Demanded**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff KT Imaging USA, LLC (“KTI” or “Plaintiff”), by way of this Complaint against Defendants Panasonic Corporation (“Panasonic-Japan”) and Panasonic Corporation of North America (“Panasonic-North America”) (collectively “Panasonic” or “Panasonic Defendants”), alleges as follows:

**PARTIES**

1. Plaintiff KT Imaging USA, LLC is a limited liability company organized and existing under the laws of the State of Texas, having its principal place of business at 106 E 6<sup>th</sup> Street, Suite 900, Austin, TX 78701.
2. On information and belief, Defendant Panasonic-Japan is a Japanese corporation with an address at 1006 Oaza Kadoma Kadoma-shi Osaka 571-8501 Japan.
3. On information and belief, Defendant Panasonic North-America is a Delaware corporation with its principal place of business at Two Riverfront Plaza, 828 McCarter Highway, Newark, NJ 07102.

**JURISDICTION AND VENUE**

4. This is an action under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*, for infringement by the Panasonic Defendants of claims of U.S. Patent No. 6,876,544; U.S. Patent No. 7,196,322; and U.S. Patent No. 8,004,602 (collectively “the Patents-in-Suit”).
5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
6. Panasonic-Japan is subject to personal jurisdiction of this Court because, *inter alia*, on information and belief, (i) Panasonic-Japan has committed and continues to commit acts of patent infringement in the State of Texas, including by making, using, offering to sell, selling, and/or importing the accused products into Texas; (ii) Panasonic-Japan purposefully supplies and directs the accused products for storage, warehousing, and sales by distributors and resellers in the State of Texas; and (iii) Panasonic-Japan delivers its products into the stream of commerce with the expectation that they will be purchased by consumers in the State of Texas. In addition, or in the alternative, this Court has personal jurisdiction over Panasonic-Japan pursuant to Fed. R. Civ. P. 4(k)(2).
7. Panasonic-North America is subject to personal jurisdiction in this Court because, *inter alia*, on information and belief, (i) has committed and continues to commit acts of patent infringement in the State of Texas, including by making, using, offering to sell, selling, and/or importing the accused products into Texas; and (ii) has a regular and established place of business in the State of Texas.
8. Venue is proper as to Panasonic-Japan in this district under 28 U.S.C. § 1391(c) because, *inter alia*, Panasonic-Japan is a foreign corporation.
9. Venue is proper as to Panasonic-North America in this district under 28 U.S.C. §§ 1391(b) and 1400(b) because, *inter alia*, Panasonic is subject to personal jurisdiction in this judicial district, Panasonic has regularly conducted business in this judicial district, certain of the

acts complained of herein occurred in this judicial district, and Panasonic has a regular and established place of business in this judicial district located at 3461 Plano Parkway, The Colony, TX 75056.

### **BACKGROUND**

10. On April 5, 2005, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 6,876,544 (“the ’544 Patent”), entitled “Image Sensor Module and Method for Manufacturing the Same.”

11. On March 27, 2007, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 7,196,322 (“the ’322 Patent”), entitled “Image Sensor Package.”

12. On August 23, 2011, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,004,602 (“the ’602 Patent”), entitled “Image Sensor Structure And Integrated Lens Module Thereof.”

13. KTI is the assignee and owner of the right, title, and interest in and to the Patents-in-Suit, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

### **NOTICE**

14. By letter dated June 4, 2019, KTI notified each of the Panasonic Defendants of the existence of the Patents-in-Suit, and of infringement thereof by Panasonic. KTI’s letter identified an exemplary infringing Panasonic product and an exemplary infringed claim for each of the Patents-in-Suit. KTI’s June 4, 2019 letter invited Panasonic to hold a licensing discussion with KTI.

15. As of the date of this Complaint, KTI has not received any response from Panasonic to its letter.

**COUNT I: INFRINGEMENT OF THE '544 PATENT BY PANASONIC**

16. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

17. On information and belief, Panasonic has infringed the '544 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States or importing into the United States the Panasonic Toughpad FZ-G1 tablet and all other tablets and products with substantially similar imaging sensors (“Accused Products”).

18. For example, on information and belief, Panasonic has infringed and continues to infringe at least claim 1 of the '544 Patent by including an image sensor module to be mounted to a printed circuit board in each of the Accused Products. *See* Ex. 1. The front facing image sensor module in the Accused Products comprises a substrate having an upper surface formed with a plurality of first connection points and a lower surface formed with a plurality of second connection points, which is electrically connected to the printed circuit board. *See* Exs. 1-2. The image sensor module further comprises a photosensitive chip mounted to the upper surface of the substrate. *See* Ex. 3. The image sensor module further comprises a plurality of wires for electrically connecting the photosensitive chip to the first connection points on the upper surface of the substrate. *See id.* The image sensor module further comprises a frame layer mounted to the upper surface of the substrate to surround the photosensitive chip, an inner edge of the frame layer being formed with an internal thread from top to bottom, and a transparent layer being fixed by the frame layer such that the photosensitive chip may receive optical signals passing through the transparent layer. *See* Exs. 1-2. The image sensor module further comprises a lens barrel formed with a chamber at a center thereof and an external thread at an outer edge thereof, the external thread being screwed to the internal thread of the frame layer, wherein the lens barrel has a through hole and an aspheric lens from top to bottom. *See* Exs. 1-2.

19. On information and belief, Panasonic has induced infringement of the '544 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

20. On information and belief, Panasonic has committed the foregoing infringing activities without a license.

21. On information and belief, Panasonic knew the '544 Patent existed, knew of an exemplary infringed claim of the '544 Patent, and knew of exemplary infringing Panasonic products while committing the foregoing infringing acts thereby willfully, wantonly and deliberately infringing the '544 Patent.

**COUNT II: INFRINGEMENT OF THE '322 PATENT BY PANASONIC**

22. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

23. On information and belief, Panasonic has infringed the '322 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States or importing into the United States the Accused Products.

24. For example, on information and belief, Panasonic has infringed and continues to infringe at least claim 1 of the '322 Patent by including an image sensor module in each of the Accused Products. *See* Ex. 1 (cross-sectional image of the front facing camera in the FZ-G1 model). The image sensor module in the Accused Products comprises a substrate having an upper surface, and a lower surface on which second electrodes are formed, and a frame layer arranged on the

upper surface of the substrate, a cavity formed between the frame layer and substrate, and a plurality of first electrodes are formed on the frame layer. *See* Exs. 1-2. The image sensor module in the Accused Products further comprises a photosensitive chip mounted on the upper surface of the substrate and located within the cavity, and electrically connected to the first electrodes of the frame layer. *See* Exs. 1-3. The image sensor module in the Accused Products further comprises a lens holder having an upper end face, a lower end face, and an opening penetrating through the lens holder from the upper end face to the lower end face, the upper end of the opening formed with an internal thread and the lower end of the opening formed with a breach, so that the internal diameter of the upper end of the opening is smaller than the lower end of the opening, the lens holder adhered on the upper surface of the substrate by glue, wherein, the frame layer is located within the breach of the lens holder. *See* Ex. 1. The image sensor module of the Accused Product further comprises a lens barrel having an upper end face, a lower end face, and an external thread screwed to the internal thread of the lens holder. *See id.*

25. On information and belief, Panasonic has induced infringement of the '322 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

26. On information and belief, Panasonic has committed the foregoing infringing activities without a license.

27. On information and belief, Panasonic knew the '322 Patent existed, knew of an exemplary infringing claim of the '322 Patent, and knew of exemplary infringing Panasonic products while committing the foregoing infringing acts while committing the foregoing infringing acts, thereby willfully, wantonly and deliberately infringing the '322 Patent.

**COUNT III: INFRINGEMENT OF THE '602 PATENT BY PANASONIC**

28. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

29. On information and belief, Panasonic has infringed the '602 Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products.

30. For example, on information and belief, Panasonic has infringed and continues to infringe at least claim 1 of the '602 Patent by including an image sensor structure with an integrated lens module in the Accused Products. *See* Ex. 4 (cross-sectional image of the rear facing camera in the FZ-G1 model). The image sensor structure in the Accused Products comprises a chip having a plurality of light-sensing elements arranged on a light sensing area of a first surface of the chip, a plurality of first conducting pads arranged around the light-sensing area and electrically connected to the light-sensing elements, and at least one conducting channel passing through the chip and electrically connected to the first conducting pads at one end as well as extending along with a second surface of the chip. *See* Exs. 4-5. The image sensor structure in the Accused Products comprises a lens module comprising a holder having a through hole and a contact surface on a bottom of the holder, wherein the contact surface is combined with the first surface, and at least one lens completely embedded inside the through hole and integrated with the holder. *See* Ex. 4.

31. On information and belief, Panasonic has induced infringement of the '602 Patent pursuant to 35 U.S.C. § 271(b), by actively and knowingly inducing, directing, causing, and

encouraging others, including, but not limited to, its partners, resellers, distributors, customers, and end users, to make, use, sell, and/or offer to sell in the United States, and/or import into the United States, the Accused Products by, among other things, providing the accused products and incorporated image sensor technology, specifications, instructions, manuals, advertisements, marketing materials, and technical assistance relating to the installation, set up, use, operation, and maintenance of said products.

32. On information and belief, Panasonic has committed the foregoing infringing activities without a license.

33. On information and belief, Panasonic knew the '602 Patent existed, knew of an exemplary infringed claim of the '602 Patent, and knew of exemplary infringing Panasonic products while committing the foregoing infringing acts while committing the foregoing infringing acts, thereby willfully, wantonly and deliberately infringing the '602 Patent.

#### **PRAYER FOR RELIEF**

WHEREFORE, KTI prays for judgment in its favor against the Panasonic Defendants for the following relief:

A. Entry of judgment in favor of KTI against the Panasonic Defendants on all counts;

B. Entry of judgment that the Panasonic Defendants, jointly and severally, have infringed the Patent-in-Suit;

C. Entry of judgment that the Panasonic Defendants' infringement of the Patents-in-Suit has been willful;

D. An order permanently enjoining the Panasonic Defendants from infringing the Patent-in-Suit;

E. Award of compensatory damages adequate to compensate KTI for the Panasonic Defendants' infringement of the Patent-in-Suit, in no event less than a reasonable royalty trebled as provided by 35 U.S.C. § 284;

F. Award of reasonable attorneys' fees and expenses against the Panasonic Defendants pursuant to 35 U.S.C. § 285;

G. KTI's costs;

H. Pre-judgment and post-judgment interest on KTI's award; and

I. All such other and further relief as the Court deems just or equitable.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Fed. R. Civ. Proc., Plaintiff hereby demands trial by jury in this action of all claims so triable.

Dated: July 3, 2019

Respectfully submitted,

/s/ Stafford Davis w/ permission of lead atty  
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