

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DISPLAY TECHNOLOGIES, LLC,

Plaintiff,

vs.

NISSAN NORTH AMERICA, INC.,

Defendant.

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Case No: 6:22-cv-00516

PATENT CASE

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Display Technologies, LLC (“Plaintiff” and/or “Display”) files this Complaint against Nissan North America, Inc. (“Defendant” and/or “Nissan”) for infringement of United States Patent No. 9,300,723 (the “ ‘723 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with a place of business at 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

4. On information and belief, Defendant is a Delaware corporation with a principal place of business at 300 Nissan Drive, Canton, MS 39046. On information and belief, Defendant also has established place of business at 1 Nissan Way Franklin, TN, 37067. On information and belief, Defendant may be served through its registered agent, Corporation Service Company,

251 Little Falls Drive, Wilmington, DE 19808.

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District at, for example, 5605 Legend Lake Pkwy, Waco, TX 76712.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,300,723)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '723 Patent with sole rights to enforce the '723 Patent and sue infringers.

11. A copy of the '723 Patent, titled "Enabling social interactive wireless communications," is attached hereto as Exhibit A.

12. The '723 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Defendant has infringed and continues to infringe one or more claims, including

at least Claim 12 of the '723 Patent by making, using, and/or selling media systems covered by one or more claims of the '723 Patent. For example, Defendant makes, uses, and/or sells the Nissan car infotainment system, and any similar products ("Product"). Defendant has infringed and continues to infringe the '723 Patent in violation of 35 U.S.C. § 271.

14. Regarding Claim 12, the Product is configured to receive a media file (e.g., music file or songs video) from a wireless mobile device (e.g., mobile phone) over a communication network (e.g. Bluetooth network). The wireless mobile device (e.g., mobile phone) sends data (e.g., music file) to the media system. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



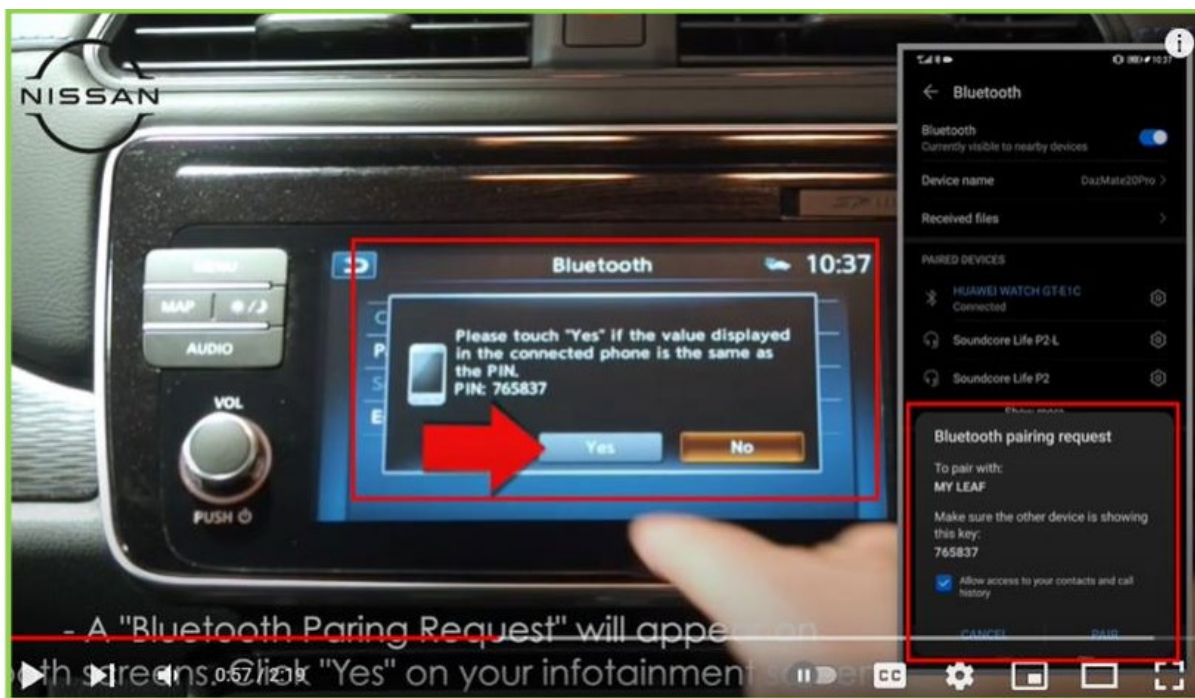
Source: <https://www.nissanusa.com/connect/bluetooth.html>

15. The Product includes a wireless receiver (e.g., Bluetooth receiver). Certain aspects of this element are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: https://www.youtube.com/watch?v=gMQBteNTC_U

16. The Product includes a security measure. For example, the Product must be paired and connected by inputting a password and/or Bluetooth code (i.e., a security measure) to a wireless mobile device (e.g., mobile phone) before receiving a media file. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.youtube.com/watch?v=qMQBteNTC_U

17. The Product is disposed in an accessible relation to at least one interactive computer network (e.g., Bluetooth network) that has a wireless range structured to permit authorized access (e.g., via pairing code) to said at least one interactive computer network. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

Pair your iPhone

You're just moments away from being able to stream your favorite music and access the other great features of Bluetooth. Follow our step-by-step guide below to get connected or explore our Device Compatibility tool for full details based on model, model year and wireless carrier.

Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

STEP	STEP	STEP
1	2	3
Set up your device	Set up your vehicle	Pair your device
Open Settings > Bluetooth on your phone and make sure the functionality is set to On.	Vehicle equipped with navigation: Press Phone button on vehicle audio system > Connect > Connect New Device.	On your Bluetooth compatible device, under Settings > Bluetooth, select MY-CAR.

Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

STEP	STEP
4	5
Confirm pairing	Confirm any popups
Check that the PIN shown on the vehicle and device are the same. If they match, accept the pairing request on your device, then select OK.	Your device and vehicle should now be paired. Confirm any additional popups, and view our Bluetooth quick tips below for advice on how to strengthen your connection.

Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

18. When the wireless mobile device is within the wireless range, the wireless mobile

device is detectable by the media system (e.g., the media system automatically detects a smartphone when the mobile device is within Bluetooth range). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://www.nissanusa.com/connect/bluetooth.html>

19. At least one digital media file (e.g., music file) is initially disposed on the wireless mobile device (e.g., the mobile phone includes one or more music files). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

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Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>



Source: <https://www.nissanusa.com/connect/bluetooth.html>

20. The media system is structured to detect the wireless mobile device disposed within the wireless range (e.g., media system automatically detects the mobile phone when it is within Bluetooth range). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.youtube.com/watch?v=gMQBteNTC_U

21. A communication link (e.g., Bluetooth) is structured to dispose the media system and the wireless mobile device (e.g. mobile phone) in a communicative relation with one another via the at least one interactive computer network. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.youtube.com/watch?v=qMQBteNTC_U

22. The communication link is initiated by the media system. The devices will automatically connect when the units are in range. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

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STEP	STEP	STEP
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Set up your device	Set up your vehicle	Pair your device
Open Settings > Bluetooth on your phone and make sure the functionality is set to On.	Vehicle equipped with navigation: Press Phone button on vehicle audio system > Connect > Connect New Device.	On your Bluetooth compatible device, under Settings > Bluetooth, select MY-CAR.

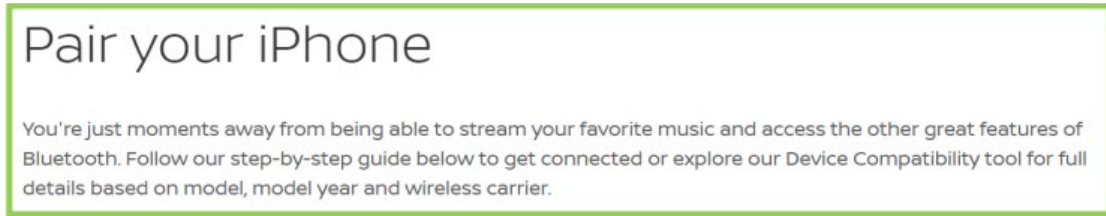
Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

STEP	STEP
4	5
Confirm pairing	Confirm any popups
Check that the PIN shown on the vehicle and device are the same. If they match, accept the pairing request on your device, then select OK.	Your device and vehicle should now be paired. Confirm any additional popups, and view our Bluetooth quick tips below for advice on how to strengthen your connection.

Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

23. The wireless mobile device and the media system are structured to transmit the

at least one digital media file there between via the communication link (e.g., media system allows for the transmission of files between itself and the wireless mobile device; e.g., the mobile device transmits the music file to the media system). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>



Source: <https://www.nissanusa.com/connect/bluetooth.html>

24. The communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system (e.g., the media system bypasses the security measure of the Bluetooth network). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: https://www.youtube.com/watch?v=gMQBteNTC_U

<p>STEP 1</p> <p>Set up your device</p> <p>Open Settings > Bluetooth on your phone and make sure the functionality is set to On.</p>	<p>STEP 2</p> <p>Set up your vehicle</p> <p>Vehicle equipped with navigation: Press Phone button on vehicle audio system > Connect > Connect New Device.</p>	<p>STEP 3</p> <p>Pair your device</p> <p>On your Bluetooth compatible device, under Settings > Bluetooth, select MY-CAR.</p>
<p>STEP 4</p> <p>Confirm pairing</p> <p>Check that the PIN shown on the vehicle and device are the same. If they match, accept the pairing request on your device, then select OK.</p>	<p>STEP 5</p> <p>Confirm any popups</p> <p>Your device and vehicle should now be paired. Confirm any additional popups, and view our Bluetooth quick tips below for advice on how to strengthen your connection.</p>	

Source: <https://www.nissanusa.com/connect/bluetooth/phone-setup-guide.html>

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Source: <https://www.nissanusa.com/connect/bluetooth.html>

Connecting cellular phone/audio device

To use the Bluetooth® device with the in-vehicle system for the first time, the device connection operation is required.

1. Touch [Settings] on the Launch Bar.
2. Touch [Bluetooth] and touch [Connect Device]. A message is displayed.
3. Touch [Yes] to connect a cellular phone. Touch [No] to connect an audio device and operate as guided by the system. (Operations may differ depending on the device.)



INFO:

- Up to 5 Bluetooth® devices can be connected. If 5 devices are already connected, one of the devices must first be deleted before another device can be connected.

Source: <https://owners.nissanusa.com/content/techpub/common/2018/2018-Nissan-connect-navigation-manual.pdf>

25. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

26. Defendant's actions complained of herein are causing irreparable harm and

monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

27. Plaintiff is in compliance with 35 U.S.C. § 287.

DEMAND FOR JURY TRIAL

28. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,300,723 (or, in the alternative, awarding Plaintiff running royalties from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: May20, 2022.

Respectfully submitted,

/s/ Jay Johnson

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