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9 SEMICONDUCTOR ENERGY LABORATORY CO., LTD.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 _____ DIVISION

13 SEMICONDUCTOR ENERGY LABORATORY
14 CO., LTD.,

15 Plaintiff,

16 v.

17 VISIONOX TECHNOLOGY, INC.; VISIONOX
18 AMERICA, INC.; AND NOTHING
TECHNOLOGY LTD.,

19 Defendants.
20

Case No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

21 Plaintiff Semiconductor Energy Laboratory Co., Ltd. (“SEL”), files this Complaint and
22 demand for a jury trial seeking relief for patent infringement by Visionox Technology, Inc.,
23 Visionox America, Inc., and Nothing Technology Ltd. (collectively “Defendants”) of United
24 States Patent Nos. 8,487,841 (“the ’841 patent”), 9,236,404 (“the ’404 patent”), and 11,430,896
25 (“the ’896 patent”) (collectively, “the Asserted Patents”). SEL states and alleges the following:

26 **NATURE OF ACTION**

27 1. This is an action for patent infringement arising under the patent laws of the United
28 States, 35 U.S.C. § 1 *et seq.*, specifically including 35 U.S.C. § 271.

THE PARTIES

2. SEL is a Japan-based research and development company and has a regular and established place of business at 398 Hase, Atsugi-shi, Kanagawa, 243-0036, Japan.

3. Upon information and belief, Visionox Technology, Inc. (“Visionox Technology”) is a China-based display company and has a regular and established place of business at 2/F, Huanyang Building, Building 7, 1 Shangdi East Road, Haidian District, Beijing, 100085, China.

4. Upon information and belief, Visionox America, Inc. (“Visionox America”) is a corporation organized and existing under the laws of California with its principal place of business at 102 Persian Drive, Suite 201, Sunnyvale, California 94089. Upon information and belief, Visionox America is a wholly owned subsidiary of Visionox Technology.

5. Upon information and belief, Nothing Technology Ltd. (“Nothing”) is a United Kingdom-based consumer electronics company and has a regular and established place of business at 80 Cheapside, London, EC2V 6EE, United Kingdom.

JURISDICTION

6. This action arises under the patent laws of the United States, Title 35 U.S.C. § 1, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

7. This Court has personal jurisdiction over Defendants under the Due Process Clause of the United States Constitution and the California Long Arm Statute, CCP § 410.10. Defendants are located in the Northern District of California and/or Defendants have purposely availed themselves of the privilege of conducting activities within this state and District, the claims arise out of or relate to those activities, and personal jurisdiction is reasonable and fair. On information and belief, each of the Defendants, directly or indirectly through intermediaries (including distributors, retailers, and others), makes, uses, ships, distributes, offers for sale, sells, and advertises products in the United States, the State of California, and the Northern District of California. Each Defendant has purposefully and voluntarily sold, or induced or caused to be sold, one or more of its infringing products with the expectation that they will be purchased by consumers in the Northern District of California. On information and belief, these infringing products have been and continue to be purchased by consumers in the Northern District of

1 California. The Defendants have committed acts of patent infringement within the United States
2 and, more particularly, within the Northern District of California.

3 8. In addition, this Court has general personal jurisdiction over Visionox America.
4 Visionox America maintains continuous and systematic contacts with California and with this
5 District, including existing as a corporation organized under the laws of California and
6 maintaining its principal place of business within this District in Sunnyvale, California.

7 9. This Court also has specific personal jurisdiction over Defendants because they
8 have established minimum contacts with California such that personal jurisdiction over
9 Defendants would not offend traditional notions of fair play and substantial justice. The
10 Defendants are subject to this Court's jurisdiction due at least to their substantial business
11 conducted in this forum, directly and/or indirectly through agents and intermediaries, including
12 (i) having solicited business in the State of California and in this District, transacted business
13 within the State of California and in this District, and attempted to derive financial benefit from
14 residents of the State of California and this District; (ii) having placed their products and services
15 into the stream of commerce throughout the United States and having been actively engaged in
16 transacting business in California and in this District; and (iii), either alone or in conjunction with
17 others, having committed acts of infringement within California and in this District. On
18 information and belief, Defendants, directly and/or indirectly through intermediaries, have made,
19 advertised (including through websites), offered to sell, sold, distributed, used, and/or imported
20 into the United States infringing products, and/or have actively induced and/or contributed to the
21 offer for sale, sale, use, and/or importation in the United State of infringing products, within
22 California and within this District. The Defendants have, directly and/or indirectly, through their
23 distribution network, purposefully and voluntarily placed such products in the stream of commerce
24 knowing and expecting them to be purchased and used by consumers in California and in this
25 District. The Defendants have committed direct infringement in California and/or committed
26 indirect infringement based on acts of direct infringement in California.

27 10. On information and belief, Visionox Technology and Visionox America
28 (collectively, "Visionox") researched, developed, made, used, offered for sale, and/or sold

1 AMOLED displays, including the infringing displays, in California. For example, Visionox
2 maintains at least one location in California at which Visionox has conducted and continues to
3 conduct research and development (“R&D”) on AMOLED technology.¹ See Yiming Xiao
4 LinkedIn Profile 3/25/2024, Ex. 1 (describing Yiming Xiao as a Director of R&D at Visionox
5 Technology, working on AMOLED R&D in Milpitas, California); Visionox Technology Website
6 Homepage, Ex. 2 (showing Visionox America’s 102 Persian Drive, Sunnyvale location as
7 “Visionox (America Branch)” on Visionox Technology’s website). Visionox purposefully
8 directed such activities at residents of California and this suit arises from the manufacture, use,
9 offer sale, sale, and/or importation into the U.S. of those infringing displays.

10 11. On information and belief, Visionox America is an agent or alter ego of Visionox
11 Technology, subjecting Visionox Technology to personal jurisdiction in this District. For
12 example, Visionox Technology publicly represents that Visionox America is a wholly owned
13 subsidiary of Visionox Technology at least as of 2023. See, e.g.,
14 [https://vip.stock.finance.sina.com.cn/corp/view/vCB_AllBulletinDetail.php?CompanyCode=8014](https://vip.stock.finance.sina.com.cn/corp/view/vCB_AllBulletinDetail.php?CompanyCode=80140174&gather=1&id=9550001)
15 [0174&gather=1&id=9550001](https://vip.stock.finance.sina.com.cn/corp/view/vCB_AllBulletinDetail.php?CompanyCode=80140174&gather=1&id=9550001) (listing Visionox America as a subsidiary over which Visionox
16 Technology has 100% ownership and voting rights).

17 12. Furthermore, on information and belief, all officers and directors of Visionox
18 America have roles within Visionox Technology or immediately took on a role at Visionox
19 America following a role at Visionox Technology. First, Yubin Yang is the CEO and sole director
20 of Visionox America while serving as the Vice President of Visionox Technology. See
21 12/17/2023 Visionox America CA Statement of Information (“2023 SOI”), Ex. 3 at 1 (reporting
22 Yubin Yang as Visionox America’s CEO and only director);
23

24 ¹ R&D for AMOLED occurred in Sunnyvale and/or Milpitas. Visionox Technology describes
25 Visionox America’s Sunnyvale location as its own “America Branch,” suggesting that the R&D
26 led by Visionox Technology’s Director of R&D, Yiming Xiao, who is based in California,
27 occurred and continues to occur in Sunnyvale. See Visionox Technology Website Homepage, Ex.
28 2; Yiming Xiao LinkedIn Profile 3/25/24, Ex. 1. However, Yiming Xiao described his R&D work
as being based in Milpitas, suggesting that there is a place of business in Milpitas at which
Visionox Technology conducted and continues to conduct its R&D. See Yiming Xiao LinkedIn
Profile 3/25/24, Ex. 1.

1 <https://www.visionox.com/en/contents/191/460.html> (describing Yubin Yang as “Vice President
2 of Visionox” on Visionox Technology’s website). Second, Yiming Xiao is both Visionox
3 Technology’s Director of R&D and Visionox America’s CFO and General Manager. *See* 2023
4 SOI, Ex. 3 at 1 (reporting Yiming Xiao as CFO of Visionox America); Yiming Xiao 3/25/24
5 LinkedIn Profile, Ex. 1 (listing Yiming Xiao’s roles as Director at Visionox Technology and
6 General Manager of Visionox America). Third, Chenwei Zhang is Visionox America’s Secretary,
7 agent for service of process, and Marketing Manager while, or immediately after, acting as
8 Visionox Technology’s Public Relations Manager. *See* 2023 SOI, Ex. 3 at 1 (reporting Chenwei
9 Zhang as Visionox America’s Secretary and agent for service of process); Chenwei Zhang 1/11/24
10 LinkedIn Profile, Ex. 4 (listing Chenwei Zhang’s current role as working in the United States as a
11 “Public Relations Manager” for Visionox Technology); Chenwei Zhang 3/25/24 LinkedIn Profile,
12 Ex. 5 (listing Chenwei Zhang as leaving her role as Public Relations Manager for Visionox
13 Technology in June 2023 and immediately joining Visionox America as its Marketing Manager).

14 13. On information and belief, Visionox America and Visionox Technology have not
15 been, and continue to not be, transacting at arms-length because, for example, of this significant
16 overlap in leadership personnel and/or immediate transfer of talent from Visionox Technology to
17 Visionox America. As a further example, Yiming Xiao described his work in the United States as
18 “expand[ing] the global presence and reputation” of Visionox Technology. Yiming Xiao 1/11/24
19 LinkedIn Profile, Ex. 6.

20 14. As a further example, Nothing has placed and continues to place infringing cell
21 phone displays into the stream of commerce via an established distribution channel with the
22 knowledge and/or intent that those products were sold and continue to be sold in the United States
23 and California, including in this District. Nothing incorporates Visionox Technology’s infringing
24 displays into its Phone (2) smartphone that it markets and has sold to customers in California and
25 within this District. *See* [https://bgr.com/tech/theres-nothing-wrong-with-nothing-phone-2s-
26 boring-specs/](https://bgr.com/tech/theres-nothing-wrong-with-nothing-phone-2s-boring-specs/) (stating that “[w]e’re looking at a 6.7-inch AMOLED screen from Visionox” for the
27 Nothing Phone (2)); [https://gizmodo.com/everything-we-know-about-the-nothing-phone-2-
28 1850607439](https://gizmodo.com/everything-we-know-about-the-nothing-phone-2-1850607439) (stating that the Phone (2) “will feature a 6.72-inch Visionox AMOLED screen”);

1 Nothing Community User Discussion, Ex. 7 (describing a Californian customer using the Nothing
2 Phone (2) in California). Nothing markets its phones directly to customers through its website and
3 through its “Nothing Store” on Amazon.com. *See* <https://us.nothing.tech/pages/phone-2>
4 (marketing and selling the Phone (2) on Nothing’s website);
5 [https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-](https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref_=ast_bln)
6 [2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref =ast bln](https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref_=ast_bln)
7 (marketing and selling the Phone (2) on Nothing’s Amazon storefront);
8 [https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-](https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-Snapdragon/dp/B0BN1S4JBP?ref =ast_sto_dp&th=1)
9 [Snapdragon/dp/B0BN1S4JBP?ref =ast sto_dp&th=1](https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-Snapdragon/dp/B0BN1S4JBP?ref =ast_sto_dp&th=1) (marketing and selling the Phone (2) on
10 Nothing’s Amazon product page for the Phone (2)). Additionally, Nothing is specifically
11 registered to conduct business in California. *See* Nothing CA Statement and Designation by
12 Foreign Corporation, Ex. 8. Nothing also has a “US (California) Addendum” for its website’s
13 Privacy Policy that is specifically directed towards California residents who: use Nothing’s
14 products (including the Phone (2)), website, or apps; contact Nothing’s customer service; request
15 information from Nothing; direct third parties to share data with Nothing; or communicate with
16 Nothing via social media or otherwise. Nothing CA Privacy Policy Addendum, Ex. 9.

17 15. Additionally, Visionox Technology has placed and continues to place infringing
18 cell phone displays into the stream of commerce via an established distribution channel with the
19 knowledge and/or intent that those products were sold and continue to be sold in the United States
20 and California, including in this District. Visionox Technology supplies infringing displays to
21 customers who target the U.S. market and California, including Nothing. On information and
22 belief, Visionox Technology induces Nothing to include its infringing displays into phones sold by
23 Nothing with the knowledge that these phones will be sold in the U.S. and California.

24 16. On information and belief, Visionox Technology actively displayed, advertised,
25 offered for sale, and/or sold in California its infringing displays at the Society for Information
26 Display (“SID”) Display Week. SID Display Week is a convention held in California (2020 and
27 2021 were remote), and Visionox Technology has actively participated in Display Week every
28 year since at least 2018 to, among other things, show its AMOLED display technology. *See, e.g.,*

1 <https://www.accesswire.com/500618/continuing-to-be-in-display-technology-forefront-visionox->
2 [has-made-a-splendid-demonstration-at-the-sid-2018-display-week](https://www.accesswire.com/500618/continuing-to-be-in-display-technology-forefront-visionox-) (describing Visionox
3 Technology’s participation in California in 2018);
4 <https://www.visionox.com/en/contents/191/426.html> (describing Visionox Technology’s
5 participation in California in 2019); <https://www.visionox.com/en/contents/190/397.html>
6 (describing Visionox Technology’s participation in 2022); <https://www.displayweek.org/2022>
7 (stating that Display Week 2022 took place in California);
8 <https://www.visionox.com/en/contents/191/460.html> (describing Visionox Technology’s
9 participation in California in 2023). Because of Visionox Technology’s regular and active
10 participation in California’s SID Display week, Visionox Technology has placed and continues to
11 place infringing cell phone displays into the stream of commerce knowing that many of its
12 products will end up in California.

13 17. Thus, on information and belief, Defendants’ presence and activities in this
14 District, including patent infringement as described below, give rise to the claims set forth herein.

15 **VENUE**

16 18. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(c) and 1400 because
17 the Defendants reside in this District by maintaining a principal place of business here and/or do
18 not reside in the United States and thus may be sued in any judicial district. On information and
19 belief, Visionox America’s office in Sunnyvale is its headquarters. Visionox America conducts
20 activities within this District related to research and development of the infringing displays and/or
21 related to the promotion and marketing of the infringing displays and/or phones containing such
22 displays to U.S. customers. On information and belief, Visionox America facilitates Visionox
23 Technology’s U.S. activities from this District. In addition, venue is proper for Nothing and
24 Visionox Technology because they are not residents of the U.S., so they may be sued in any
25 judicial district. Therefore, venue is proper in this Court.

26 **DIVISIONAL ASSIGNMENT**

27 19. Under Civil L.R. 3-2(c) and General Order No. 44, this case is an intellectual
28 property rights case and thus falls under the district-wide system of assignment.

1 **JOINDER**

2 20. This Court has jurisdiction over this action against the Defendants because the
3 subject matter of the action satisfies the requirements of 35 U.S.C. § 299(a) in that (1) it arises, at
4 least in part, out of the same transaction, occurrence, or series of transactions or occurrences
5 relating to the making, using, importing into the United States, offering for sale, and/or selling of
6 the same products accused of infringing the patents asserted in this action, and (2) questions of
7 fact common to the Defendants will arise in the action.

8 **FACTUAL BACKGROUND**

9 **SEL's Patented Technology**

10 21. The Asserted Patents relate to display and semiconductor devices used in various
11 consumer products.

12 22. The '841 patent relates to technology for the configuration of a semiconductor
13 device having a transistor. The patent also relates to the configuration of an active matrix light
14 emitting device including a semiconductor device having a thin film transistor ("TFT") fabricated
15 on an insulator, such as glass or plastic. In addition, the patent relates to an electronic apparatus
16 using such a light emitting device. The patented invention improves the image quality of displays
17 by reducing brightness irregularities among pixels.

18 23. The '404 patent relates to an active matrix display device with a high aperture ratio
19 or a semiconductor device in which elements are arranged in a matrix and the area of an element is
20 large. The patented invention makes it possible to increase the aperture ratio of a display device
21 without increasing the number of manufacturing steps.

22 24. The '896 patent relates to a highly reliable semiconductor device capable of high-
23 speed operation. The patented invention also provides a semiconductor device including a
24 transistor in which variation in electric characteristics due to a short channel effect is less likely.
25 Further, the patent relates to a semiconductor device in which contact resistances between a source
26 region and a source electrode and between a drain region and a drain electrode are reduced and on-
27 state currents are improved by making the source region and the drain region each have resistance
28 lower than that of a channel.

1 **Defendants' Use of SEL's Innovations**

2 25. Visionox's infringing display panels are a primary component in the Phone (2)
 3 smart phones sold by Nothing.² Upon information and belief, Visionox sells its displays,
 4 including AMOLED displays, to Nothing, who installs the displays into its Phone (2) smartphones
 5 and then imports them into the U.S. for sale to U.S. customers. See [https://bgr.com/tech/theres-](https://bgr.com/tech/theres-nothing-wrong-with-nothing-phone-2s-boring-specs/)
 6 [nothing-wrong-with-nothing-phone-2s-boring-specs/](https://bgr.com/tech/theres-nothing-wrong-with-nothing-phone-2s-boring-specs/) (stating that “[w]e’re looking at a 6.7-inch
 7 AMOLED screen from Visionox” for the Nothing Phone (2)); [https://gizmodo.com/everything-](https://gizmodo.com/everything-we-know-about-the-nothing-phone-2-1850607439)
 8 [we-know-about-the-nothing-phone-2-1850607439](https://gizmodo.com/everything-we-know-about-the-nothing-phone-2-1850607439) (stating that the Phone (2) “will feature a 6.72-
 9 inch Visionox AMOLED screen”); <https://us.nothing.tech/pages/phone-2> (marketing and selling
 10 the Phone (2) to U.S. consumers on Nothing’s website);
 11 [https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-](https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref_ast_bln)
 12 [2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref_ast_bln](https://www.amazon.com/stores/page/C92FBBC6-168B-4042-B2C3-2881897A1136?ingress=2&visitId=fe0b02e9-0493-4ad7-b553-e7157baf6359&ref_ast_bln)
 13 (marketing and selling the Phone (2) to U.S. consumers on Nothing’s Amazon storefront);
 14 [https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-](https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-Snapdragon/dp/B0BN1S4JBP?ref_ast_sto_dp&th=1)
 15 [Snapdragon/dp/B0BN1S4JBP?ref_ast_sto_dp&th=1](https://www.amazon.com/Nothing-Smartphone-Unlocked-Android-Snapdragon/dp/B0BN1S4JBP?ref_ast_sto_dp&th=1) (marketing and selling the Phone (2) to U.S.
 16 consumers on Nothing’s Amazon product page for the Phone (2)).

17 26. Display technology that improves quality, performance, or cost in a smart phone is
 18 critical for both consumers of smart phones and companies who develop and market them. On
 19 information and belief, display capability and performance has been a driver of sales for the smart
 20 phone industry generally for many years.

21 27. For example, Nothing’s advertising and marketing of its displays are a key part of
 22 its sales strategy for the Phone (2), evident by Nothing’s website page for the Phone (2). See
 23 <https://us.nothing.tech/pages/phone-2>. The page first highlights the Phone (2)’s “6.7[] [inch]
 24 flexible LTPO AMOLED display” as a key feature. *Id.* Nothing then emphasizes its [e]nergy
 25 efficient display” and how “[b]eauty lasts.” *Id.* Nothing’s page for the Phone (2) continues to
 26

27
 28 ² Visionox’s infringing displays, including but not limited to those supplied for the Nothing
 Phone (2), along with the phones themselves, are collectively referred to herein as the “Accused
 Products.”

1 focus on the display with statements like “[n]ow bigger and brighter,” “[b]rilliant,” and “[a] killer
2 display that doesn’t murder battery life.” *Id.* Thus, the Phone (2)’s display is a prominent feature
3 of the Phone (2). *See id.*

4 28. SEL’s patented technology, used by Defendants, improves the performance and
5 capability of displays, allowing for an improved experience by end-users. SEL’s technology also
6 results in higher yields, reducing costs to phone providers and consumers.

7 **Licensing Negotiations and Notice of the Asserted Patents**

8 29. Defendants have knowingly used, and are using, SEL’s patented technology
9 without a license. Defendants’ infringement of SEL’s patented technology is willful, as described
10 further below.

11 30. To protect its intellectual property rights and to try to collaborate with Visionox
12 Technology, SEL engaged in extensive negotiations with Visionox Technology regarding
13 Visionox Technology’s products and SEL’s semiconductor technology and patent portfolio since
14 at least February 17, 2022. SEL and Visionox Technology met several more times throughout
15 2022 to 2024 and even met as recently as April 26, 2024. On each occasion, SEL met in good
16 faith to attempt to reach a resolution, providing detailed technical analyses, potential business
17 solutions, and other offers to reach a solution. However, despite these efforts, Visionox
18 Technology has refused to license SEL’s patents on reasonable terms.

19 31. On March 15, 2024, SEL mailed a letter to Visionox, addressed to Visionox
20 Technology’s CEO, Deqiang Zhang. SEL also e-mailed a copy of this letter to SEL’s point of
21 contact at Visionox, Chris He. This letter again invited a discussion of Visionox’s technology and
22 SEL’s patent portfolio, provided specific notice of each of the Asserted Patents, and identified the
23 Asserted Patents’ relevance to the Accused Products. Visionox Technology confirmed receipt of
24 the letter on March 18, 2024.

25 32. On March 15, 2024, SEL mailed a letter to Nothing providing specific notice of
26 each of the Asserted Patents and identifying the Asserted Patents’ relevance to the Accused
27 Products. SEL has not received a response from Nothing regarding this letter.

28

1 33. As a result of Defendants’ disregard for SEL’s patent rights, Defendants’
2 infringement has been, and continues to be, done willfully and with notice of the Asserted Patents.

3 **COUNT I**

4 **(Infringement of U.S. Patent No. 8,487,841)**

5 34. SEL incorporates by reference the allegations in the preceding paragraphs of its
6 Complaint.

7 35. The U.S. Patent and Trademark Office duly and properly issued the ’841 patent,
8 entitled “Semiconductor device and driving method thereof.” SEL is the assignee of all rights,
9 title, and interest in and to the ’841 patent and possesses the exclusive right of recovery for past,
10 present, and future infringement. Each and every claim of the ’841 patent is valid and
11 enforceable. A true and correct copy of the ’841 patent is attached to this Complaint as Exhibit
12 10.

13 36. On information and belief, Defendants have directly infringed at least claims 1, 8,
14 15, and 22 of the ’841 patent, both literally and under the doctrine of equivalents, by making,
15 using, selling, offering for sale, and/or importing into the United States the Accused Products in
16 violation of 35 U.S.C. § 271(a). A chart providing exemplary evidence of infringement of the
17 ’841 patent is attached to this Complaint as Exhibit 11.

18 37. Since at least receipt of SEL’s March 15, 2024 letters informing Defendants that
19 the Accused Products infringe the ’841 patent, Defendants have been willfully making, using,
20 offering to sell, selling, and/or importing into the United States the Accused Products.

21 38. Visionox has also induced and continues to induce infringement of at least
22 claims 1, 8, 15, and 22 of the ’841 patent under 35 U.S.C. § 271(b) by actively and knowingly
23 inducing, directing, causing, and encouraging others, including but not limited to Nothing, to
24 infringe the ’841 patent by making, using, offering to sell, selling, and/or importing into the
25 United States the Accused Products.

26 39. As asserted above, Nothing has directly infringed and is directly infringing at least
27 claims 1, 8, 15, and 22 of the ’841 patent. And Visionox has, for example, actively and knowingly
28 encouraged, educated, and instructed Nothing to use, offer to sell, sell, and/or import into the

1 United States the Accused Products via its Phone (2). Thus, Visionox has knowingly induced and
2 continues to induce others (including Nothing, consumers, and/or end users) to directly infringe
3 the '841 patent. Furthermore, Visionox has acted and continues to act with the specific intent to
4 encourage such infringement by others (including Nothing, consumers, and/or end users) and
5 while knowing that those induced acts constitute infringement of the '841 patent. On information
6 and belief, Visionox's inducement includes, for example, providing marketing materials,
7 operational instructions, manuals, technical specifications, demonstrations, training, and other
8 forms of support and instructions that induce others (including Nothing, consumers, and/or end
9 users) to directly infringe the '841 patent.

10 40. Nothing has also induced and continues to induce infringement of at least claims 1,
11 8, 15, and 22 of the '841 patent under 35 U.S.C. § 271(b) by actively and knowingly inducing,
12 directing, causing, and encouraging others, including but not limited to its consumers and/or end
13 users, to infringe the '841 patent by making, using, offering to sell, selling, and/or importing into
14 the United States the Accused Products.

15 41. Nothing's consumers and/or end users have directly infringed and are directly
16 infringing at least claims 1, 8, 15, and 22 of the '841 patent. And Nothing has, for example,
17 actively and knowingly encouraged, educated, and instructed its consumers and/or end users to use
18 the Accused Products via Nothing's Phone (2). Thus, Nothing has knowingly induced and
19 continues to induce others (including consumers and/or end users) to directly infringe the '841
20 patent. Furthermore, Nothing has acted and continues to act with the specific intent to encourage
21 such infringement by others (including consumers and/or end users) and while knowing that those
22 induced acts constitute infringement of the '841 patent. On information and belief, Nothing's
23 inducement includes, for example, providing marketing materials, operational instructions,
24 manuals, technical specifications, demonstrations, customer support, and other forms of support
25 and instructions that induce others (including consumers and/or end users) to directly infringe the
26 '841 patent.

27 42. Additionally, on information and belief, Visionox America has contributed and
28 continues to contribute to the infringement of at least claims 1, 8, 15, and 22 of the '841 patent by

1 others (including Nothing) under 35 U.S.C. § 271(c). On information and belief, Visionox
2 America's contributory actions include, but are not limited to, offering for sale and/or selling
3 Accused Products to Nothing within the United States, knowing the Accused Products to be
4 especially made or especially adapted for use in an infringement of at least claims 1, 8, 15, and 22
5 of the '841 patent and at least a material part of those claims. The Accused Products, including
6 the functionality contributing to infringement of the '841 patent, are not suitable for substantial
7 noninfringing use.

8 43. Defendants do not have a license or permission to use the '841 patent.

9 44. Defendants' behavior is an egregious case of willful misconduct. Defendants have
10 known of the '841 patent and SEL's allegation that Defendants infringed the patent since at least
11 its receipt of SEL's March 15, 2024 letters and by no later than the filing of this complaint. On
12 information and belief, Defendants have no good faith defense to SEL's infringement allegations
13 yet have deliberately and wantonly continued their infringement.

14 45. SEL has been irreparably harmed by Defendants' infringement of the '841 patent
15 and will continue to be harmed unless and until Defendants' infringement is enjoined by this
16 Court.

17 46. By its actions, Defendants have injured SEL and are liable to SEL for infringement
18 of the '841 patent pursuant to 35 U.S.C. § 271. SEL is entitled to damages as set forth in at least
19 35 U.S.C. §§ 284 and 285.

20 **COUNT II**

21 **(Infringement of U.S. Patent No. 9,236,404)**

22 47. SEL incorporates by reference the allegations in the preceding paragraphs of its
23 Complaint.

24 48. The U.S. Patent and Trademark Office duly and properly issued the '404 patent,
25 entitled "Display Device and Semiconductor Device." SEL is the assignee of all rights, title, and
26 interest in and to the '404 patent and possesses the exclusive right of recovery for past, present,
27 and future infringement. Each and every claim of the '404 patent is valid and enforceable. A true
28 and correct copy of the '404 patent is attached to this Complaint as Exhibit 12.

1 49. On information and belief, Defendants have directly infringed at least claims 1, 12,
2 23, and 34 of the '404 patent, both literally and under the doctrine of equivalents, by making,
3 using, selling, offering for sale, and/or importing into the United States the Accused Products in
4 violation of 35 U.S.C. § 271(a). A chart providing exemplary evidence of infringement of the
5 '404 patent is attached to this Complaint as Exhibit 13.

6 50. Since at least receipt of SEL's March 15, 2024 letters informing Defendants that
7 the Accused Products infringe the '404 patent, Defendants have been willfully making, using,
8 offering to sell, selling, and/or importing into the United States the Accused Products.

9 51. Visionox has also induced and continues to induce infringement of at least claims
10 1, 12, 23, and 34 of the '404 patent under 35 U.S.C. § 271(b) by actively and knowingly inducing,
11 directing, causing, and encouraging others, including but not limited to Nothing, to infringe the
12 '404 patent by making, using, offering to sell, selling, and/or importing into the United States the
13 Accused Products.

14 52. As asserted above, Nothing has directly infringed and is directly infringing at least
15 claims 1, 12, 23, and 34 of the '404 patent. And Visionox has, for example, actively and
16 knowingly encouraged, educated, and instructed Nothing to use, offer to sell, sell, and/or import
17 into the United States the Accused Products via its Phone (2). Thus, Visionox has knowingly
18 induced and continues to induce others (including Nothing, consumers, and/or end users) to
19 directly infringe the '404 patent. Furthermore, Visionox has acted and continues to act with the
20 specific intent to encourage such infringement by others (including Nothing, consumers, and/or
21 end users) and while knowing that those induced acts constitute infringement of the '404 patent.
22 On information and belief, Visionox's inducement includes, for example, providing marketing
23 materials, operational instructions, manuals, technical specifications, demonstrations, training, and
24 other forms of support and instructions that induce others (including Nothing, consumers, and/or
25 end users) to directly infringe the '404 patent.

26 53. Nothing has also induced and continues to induce infringement of at least claims 1,
27 12, 23, and 34 of the '404 patent under 35 U.S.C. § 271(b) by actively and knowingly inducing,
28 directing, causing, and encouraging others, including but not limited to its consumers and/or end

1 users, to infringe the '404 patent by making, using, offering to sell, selling, and/or importing into
2 the United States the Accused Products.

3 54. Nothing's consumers and/or end users have directly infringed and are directly
4 infringing at least claims 1, 12, 23, and 34 of the '404 patent. And Nothing has, for example,
5 actively and knowingly encouraged, educated, and instructed its consumers and/or end users to use
6 the Accused Products via Nothing's Phone (2). Thus, Nothing has knowingly induced and
7 continues to induce others (including consumers and/or end users) to directly infringe the '404
8 patent. Furthermore, Nothing has acted and continues to act with the specific intent to encourage
9 such infringement by others (including consumers and/or end users) and while knowing that those
10 induced acts constitute infringement of the '404 patent. On information and belief, Nothing's
11 inducement includes, for example, providing marketing materials, operational instructions,
12 manuals, technical specifications, demonstrations, customer support, and other forms of support
13 and instructions that induce others (including consumers and/or end users) to directly infringe the
14 '404 patent.

15 55. Additionally, on information and belief, Visionox America has contributed and
16 continues to contribute to the infringement of at least claims 1, 12, 23, and 34 of the '404 patent
17 by others (including Nothing) under 35 U.S.C. § 271(c). On information and belief, Visionox
18 America's contributory actions include, but are not limited to, offering for sale and/or selling
19 Accused Products to Nothing within the United States, knowing the Accused Products to be
20 especially made or especially adapted for use in an infringement of at least claims 1, 12, 23, and
21 34 of the '404 patent and at least a material part of those claims. The Accused Products, including
22 the functionality contributing to infringement of the '404 patent, are not suitable for substantial
23 noninfringing use.

24 56. Defendants do not have a license or permission to use the '404 patent.

25 57. Defendants' behavior is an egregious case of willful misconduct. Defendants have
26 known of the '404 patent and SEL's allegation that Defendants infringed the patent since at least
27 its receipt of SEL's March 15, 2024 letters and by no later than the filing of this complaint. On
28

1 information and belief, Defendants have no good faith defense to SEL's infringement allegations
2 yet have deliberately and wantonly continued their infringement.

3 58. SEL has been irreparably harmed by Defendants' infringement of the '404 patent
4 and will continue to be harmed unless and until Defendants' infringement is enjoined by this
5 Court.

6 59. By its actions, Defendants have injured SEL and are liable to SEL for infringement
7 of the '404 patent pursuant to 35 U.S.C. § 271. SEL is entitled to damages as set forth in at least
8 35 U.S.C. §§ 284 and 285.

9 **COUNT III**

10 **(Infringement of U.S. Patent No. 11,430,896)**

11 60. SEL incorporates by reference the allegations in the preceding paragraphs of its
12 Complaint.

13 61. The U.S. Patent and Trademark Office duly and properly issued the '896 patent,
14 entitled "Semiconductor device and manufacturing method thereof." SEL is the assignee of all
15 rights, title, and interest in and to the '896 patent and possesses the exclusive right of recovery for
16 past, present, and future infringement. Each and every claim of the '896 patent is valid and
17 enforceable. A true and correct copy of the '896 patent is attached to this Complaint as Exhibit
18 14.

19 62. On information and belief, Defendants have directly infringed at least claim 1 of
20 the '896 patent, both literally and under the doctrine of equivalents, by making, using, selling,
21 offering for sale, and/or importing into the United States the Accused Products in violation of
22 35 U.S.C. § 271(a). A chart providing exemplary evidence of infringement of the '896 patent is
23 attached to this Complaint as Exhibit 15.

24 63. Since at least receipt of SEL's March 15, 2024 letters informing Defendants that
25 the Accused Products infringe the '896 patent, Defendants have been willfully making, using,
26 offering to sell, selling, and/or importing into the United States the Accused Products.

27 64. Visionox has also induced and continues to induce infringement of at least claim 1
28 of the '896 patent under 35 U.S.C. § 271(b) by actively and knowingly inducing, directing,

1 causing, and encouraging others, including but not limited to Nothing, to infringe the '896 patent
2 by making, using, offering to sell, selling, and/or importing into the United States the Accused
3 Products.

4 65. As asserted above, Nothing has directly infringed and is directly infringing at least
5 claim 1 of the '896 patent. And Visionox has, for example, actively and knowingly encouraged,
6 educated, and instructed Nothing to use, offer to sell, sell, and/or import into the United States the
7 Accused Products via its Phone (2). Thus, Visionox has knowingly induced and continues to
8 induce others (including Nothing, consumers, and/or end users) to directly infringe the '896
9 patent. Furthermore, Visionox has acted and continues to act with the specific intent to encourage
10 such infringement by others (including Nothing, consumers, and/or end users) and while knowing
11 that those induced acts constitute infringement of the '896 patent. On information and belief,
12 Visionox's inducement includes, for example, providing marketing materials, operational
13 instructions, manuals, technical specifications, demonstrations, training, and other forms of
14 support and instructions that induce others (including Nothing, consumers, and/or end users) to
15 directly infringe the '896 patent.

16 66. Nothing has also induced and continues to induce infringement of at least claim 1
17 of the '896 patent under 35 U.S.C. § 271(b) by actively and knowingly inducing, directing,
18 causing, and encouraging others, including but not limited to its consumers and/or end users, to
19 infringe the '896 patent by making, using, offering to sell, selling, and/or importing into the
20 United States the Accused Products.

21 67. Nothing's consumers and/or end users have directly infringed and are directly
22 infringing at least claim 1 of the '896 patent. And Nothing has, for example, actively and
23 knowingly encouraged, educated, and instructed its consumers and/or end users to use the
24 Accused Products via Nothing's Phone (2). Thus, Nothing has knowingly induced and continues
25 to induce others (including consumers and/or end users) to directly infringe the '896 patent.
26 Furthermore, Nothing has acted and continues to act with the specific intent to encourage such
27 infringement by others (including consumers and/or end users) and while knowing that those
28 induced acts constitute infringement of the '896 patent. On information and belief, Nothing's

1 inducement includes, for example, providing marketing materials, operational instructions,
2 manuals, technical specifications, demonstrations, customer support, and other forms of support
3 and instructions that induce others (including consumers and/or end users) to directly infringe the
4 '896 patent.

5 68. Additionally, on information and belief, Visionox America has contributed and
6 continues to contribute to the infringement of at least claim 1 of the '896 patent by others
7 (including Nothing) under 35 U.S.C. § 271(c). Visionox America's contributory actions include,
8 but are not limited to, offering for sale and/or selling Accused Products to Nothing for importation
9 into the United States, knowing the Accused Products to be especially made or especially adapted
10 for use in an infringement of at least claim 1 of the '896 patent and at least a material part of those
11 claims. The Accused Products, including the functionality contributing to infringement of the
12 '896 patent, are not suitable for substantial noninfringing use.

13 69. Defendants do not have a license or permission to use the '896 patent.

14 70. Defendants' behavior is an egregious case of willful misconduct. Defendants have
15 known of the '896 patent and SEL's allegation that Defendants infringed the patent since at least
16 its receipt of SEL's March 15, 2024 letters and by no later than the filing of this complaint. On
17 information and belief, Defendants have no good faith defense to SEL's infringement allegations
18 yet have deliberately and wantonly continued their infringement.

19 71. SEL has been irreparably harmed by Defendants' infringement of the '896 patent
20 and will continue to be harmed unless and until Defendants' infringement is enjoined by this
21 Court.

22 72. By its actions, Defendants have injured SEL and are liable to SEL for infringement
23 of the '896 patent pursuant to 35 U.S.C. § 271. SEL is entitled to damages as set forth in at least
24 35 U.S.C. §§ 284 and 285.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, SEL respectfully requests that this Court enter judgment against
27 Defendants:

28 a) Finding that Defendants directly infringe the Asserted Patents;

- 1 b) Finding that Defendants induce infringement of the Asserted Patents;
- 2 c) Finding that Visionox America, Inc. contributes to infringement of the Asserted
- 3 Patents;
- 4 d) Finding that Defendants have willfully infringed the Asserted Patents;
- 5 e) Awarding damages adequate to compensate SEL for the patent infringement that
- 6 has occurred, in accordance with 35 U.S.C. § 284, including an assessment of pre-judgment and
- 7 post-judgment interest and costs, and an accounting as appropriate for infringing activity not
- 8 captured within any applicable jury verdict and/or up to the judgment and an award by the Court
- 9 of additional damages for any such acts of infringement;
- 10 f) Awarding SEL an ongoing royalty for Defendants’ post-verdict infringement,
- 11 payable on each product offered by Defendants that is found to infringe one or more of the
- 12 Asserted Patents, and on all future products that are not colorably different from those found to
- 13 infringe, or in the alternative, permanently enjoining Defendants from further infringement;
- 14 g) Awarding all other damages permitted by 35 U.S.C. § 284, including increased
- 15 damages up to three times the amount of compensatory damages found;
- 16 h) Finding that this is an exceptional case and awarding to SEL its costs, expenses,
- 17 and reasonable attorneys’ fees incurred in this action as provided by 35 U.S.C. § 285; and
- 18 i) Providing such other relief, including other monetary and equitable relief, as this
- 19 Court deems just and proper.

DEMAND FOR JURY TRIAL

21 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, SEL demands a trial by
22 jury on all issues on which trial by jury is available under applicable law.

23 Dated: May 7, 2024

FISH & RICHARDSON P.C.

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By: /s/ David M. Barkan
 David M. Barkan

Attorneys for Plaintiff
 SEMICONDUCTOR ENERGY LABORATORY
 CO., LTD.