

1 Steven A. Nielsen, Esq., CSB #133864
2 steve@nielsenpatents.com

3 **ALLMAN & NIELSEN, P.C.**
4 100 Larkspur Landing Circle, Suite 212
5 Larkspur, CA 94939-1743
6 Telephone: (415) 461-2700
7 Facsimile: (415) 461-2726

8 Attorneys for Plaintiff
9 UNORTH LLC a California Limited Liability Company

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNORTH LLC, a California Limited Liability Company

Plaintiff,

vs.

TEGO LLC, a California Limited Liability Company, TEGO POWER, a business entity of an unknown form, TEGO AUDIO, a business entity of an unknown form and Farshad Teharani an individual

Defendants and Roes 1 to 30.

Case No.

PATENT

**COMPLAINT FOR PATENT
INFRINGEMENT UNDER 35 U.S.C.
§ 271**

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, UNORTH LLC, a California Limited Liability Company (“UNorth”) by their undersigned attorneys, brings this Complaint against Defendants TEGO LLC, a California Limited Liability Company (“TEGO LLC”), TEGO POWER a business entity of an unknown form, TEGO AUDIO a business entity of an unknown form and Farshad Teharani an individual and Roes 1 to 30 (collectively, “the Defendants”) for infringement of U.S. Patent

1 No. D694,703 sometimes referred to herein as “the patent-in-suit” or “the ‘703 Patent”
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3 **THE PARTIES**

4 1. Plaintiff UNORTH LLC is a California Limited Liability Company with a
5 principal place of business 250 Santa Ana Ct, Sunnyvale, CA 94085.

6 2. Defendant TEGO LLC appears to be a California Limited Liability
7 Company with a principal place of business at 6245 Bristol Pkwy # 140, Culver City,
8 California 90230.

9 3. TEGO POWER is a business entity of an unknown form that appears to
10 have a principal place of business at 6447 GREEN VALLEY CIR, CULVER CITY, CA
11 90230-7044 and/or 6245 Bristol Pkwy # 140, Culver City, California 90230.

12 4. Based upon Information and belief, UNorth alleges that TEGO POWER is
13 an unregistered fictitious business name and thus TEGO POWER lacks standing to respond
14 to this Complaint.

15 5. Based upon information and belief, UNorth alleges that TEGO POWER is
16 a sole proprietorship of Farshad Teharani.

17 6. TEGO AUDIO is a business entity of an unknown form. TEGO AUDIO
18 appears to be a registered fictitious business name.

19 7. Farshad Teharani is an individual who appears to have a principal place
20 of business at 6447 GREEN VALLEY CIR, CULVER CITY, CA 90230-7044 and/or 6345
21 Bristol Pkwy # 140, Culver City, California 90230.

22 8. Based upon information and belief, UNorth alleges that Farshad Teharani
23 has used and continues to use TEGO POWER as his alter ego.
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1 9. Based upon information and belief, UNorth alleges that Farshad Teharani
2 has used and continues to use TEGO LLC as his alter ego.

3 10. Based upon information and belief, UNorth alleges that Farshad Teharani
4 has used and continues to use TEGO AUDIO as his alter ego.

5 11. Based upon information and belief, UNorth alleges that there exists and
6 at all times relevant herein there existed, a unity of interest and ownership between Farshad
7 Teharani and TEGO LLC, TEGO POWER and TEGO AUDIO, such that the individuality and
8 separateness between Farshad Teharani and TEGO LLC, TEGO POWER and TEGO
9 AUDIO have ceased.

10 12. For example, the TEGO POWER website was purchased by Farshad
11 Teharani as an individual shown in Exhibit I.

12 13. For example, Farshad Teharani is listed as the designer of the infringing
13 PowerGrid, as sold by Fab under the brand Tego Power, as shown in Exhibit G.

14 **JURISDICTION AND VENUE**

15 14. This is an action for patent infringement under the patent laws of the United
16 States, Title 35 of the United States Code. The Court has subject matter jurisdiction over this
17 action pursuant to §§ 28 U.S.C.1331 and 1338(a). Venue lies in this judicial district pursuant
18 to 28 U.S.C. §§ 1391(b) and (c).

19 15. The Defendants have conducted and do conduct business within the State of
20 California, directly or through intermediaries or agents. The Defendants make, sell, offer for
21 sale, advertise, use and induce others to use products that infringe upon the patent-in-suit in
22 this judicial district.

1 16. Venue is proper in this Court under 28 U.S.C. §§1391(b) and because among
2 other reasons, the Defendants are subject to personal jurisdiction in this district, and have
3 committed acts of patent infringement in this judicial district.

4 17. For example, TEGO POWER has and continues to offer for sale its infringing
5 PowerGird at ATYS of 2149 b Union Street, San Francisco, CA 94124, shown herein in
6 Exhibit A, entitled Tego Power – Retail Locations, found on www.TegoPower.com on or
7 about February 17, 2014, further stating “Copyright © Tego Power 2014.”

8 18. For example, the Defendants appear to sell or have offered for sale their
9 infringing PowerGird product on a national basis using Ebay, as shown on Exhibit B.

10 19. For example, the Defendants appear to sell or have offered to sell their
11 infringing PowerGrid product on a national basis using Amazon, as shown on Exhibit C. In
12 the Amazon ad, the PowerGrid product appears to have been sold by TEGO AUDIO.

13 20. TEGO AUDIO purports to be a division of TEGO LLC as shown upon a
14 TEGO POWER website, as found on Exhibit D.

15 21. This Court has personal jurisdiction over the parties to this lawsuit.

16 **INTRADISTRICT ASSIGNMENT**

17 22. As a substantial part of the events giving rise to the claim occurred near
18 San Francisco.

19 **THE PATENT IN SUIT**

20 23. UNorth has an exclusive license agreement to license and enforce the
21 Patent-in-Suit.

22 24. The Patent-in-Suit, U.S. Patent D694,703 is entitled “BATTERY IN
23 SHAPE OF BLOCK.” After a full and fair examination, the U.S. Patent and Trademark Office
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1 duly and legally issued the '703 Patent. A true and correct copy of the '703 Patent is
2 attached hereto as Exhibit E. The '703 Patent is valid and enforceable.

3 **GENERAL ALLEGATIONS**

4 25. The Defendants had actual notice of the '703 Patent by virtue of one or
5 more cease and desist letters written to TEGO LLC.

6 26. The Defendants have manufactured, imported and offered for sale
7 products that infringe upon the '703 Patent. Such products include the PowerGrid product as
8 shown on Exhibit A.

9 27. UNorth is a direct competitor of the Defendants.

10 28. UNorth is a practicing entity, selling its Power Block, a product comports
11 to the ornamental features of the '703 Patent.

12 29. The Defendants have engaged in willful infringement of the patent-in-suit.

13 **COUNT ONE: PATENT INFRINGEMENT**

14 30. UNorth incorporates by reference the preceding paragraphs.

15 31. The Defendants have infringed and are currently infringing the '703
16 Patent in violation of 35 U.S.C. § 271 by making, using, selling, importing, and/or offering for
17 sale, within the United States, California and this judicial district, products embodying the
18 inventions claimed in the '703 Patent, including without limitation the products identified
19 above.

20 32. An ordinary customer familiar with the prior art would believe the
21 ornamental design of the Defendants' infringing products embodies, or constitutes a
22 colorable imitation of, the ornamental designs in the '703 Patent.

23 33. Defendants directly compete with UNorth in the marketplace.

