

1 GOKALP BAYRAMOGLU (Cal. Bar No. 268222)  
2 gokalp@bayramoglu-legal.com  
3 BAYRAMOGLU LAW OFFICES LLC  
4 8275 South Eastern Ave  
5 Las Vegas Nevada 89123  
6 Telephone: 702.724.2628  
7 Facsimile: 702.446.9401

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9 *Attorney for Plaintiff*

10 *Digital Empire Limited*  
11

12 **IN THE UNITED STATES DISTRICT COURT**  
13 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

14  
15 DIGITAL EMPIRE LIMITED  
16 Plaintiff,  
17 V.  
18 SHENZHEN LAIBAO HI-TECH CO., LTD  
19 Defendant.  
20  
21  
22

CIVIL ACTION NO.  
**'14CV1608 BAS KSC**  
JURY TRIAL DEMANDED  
Complaint Filed: July 7, 2014

23 **COMPLAINT FOR PATENT INFRINGEMENT**  
24

25 Plaintiff Digital Empire Limited (“Plaintiff”) files this Complaint for  
26 patent infringement against Defendant Shenzhen Laibao Hi-Tech Co., Ltd.  
27 (“Defendant”). Plaintiff demands a trial by jury and alleges as follows:

28 **Parties**

29 1. Plaintiff Digital Empire Limited is Samoa Corporation  
30 with its principal place of business at Offshore Chambers, P.O. Box  
31 217, Apia, Samoa.

1           2.    On information and belief, Shenzhen Laibao Hi-Tech Co.,  
2           Ltd. is a corporation organized and existing under the laws of People's  
3           Republic of China (PRC). On information and belief, Defendant is a  
4           nonresident of California who engages in business in this state, but  
5           does not maintain a regular place of business in this state or a  
6           designated agent for service of process in this state. On information  
7           and belief, Defendant resides in this jurisdiction within the meaning of  
8           28 U.S.C §1400(b). This proceeding arises, in part, out of business  
9           done in this state. Defendant may be served with process in People's  
10          Republic of China pursuant to the Hague Convention on the Service  
11          Abroad of Judicial and Extrajudicial Documents, Article 1, November  
12          15, 1965 T.I.A.S. No.6638, 20 U.S.T. 361 (U.S Treaty 1969).  
13          Defendant regularly conducts and transacts business in California,  
14          throughout the United States, and within the Southern District of  
15          California, itself and/or through one or more subsidiaries, affiliates,  
16          business divisions, or business units.

17          3.    On information and belief, Defendant Shenzhen Laibao  
18          Hi-Tech Co., Ltd. is a corporation organized and existing under the  
19          laws of the People's Republic of China (PRC) and having its principal  
20          place of business at No.9, Langshan No.2 Road, North District of  
21          Shenzhen Hi-Tech Industrial Park, Nanshan District, Shenzhen, China. On

1 information and belief, Defendant Shenzhen Laibao Hi-Tech Co., Ltd.  
2 have continuous sales and marketing presence in this district.

3 4. On information and belief, Defendant Shenzhen Laibao  
4 Hi-Tech Co., Ltd. sells and/or offers to sell touchscreens (“Laibao  
5 Panels”) which are used in various devices such as smartphones,  
6 tablets, and computers that are intended for sale in the United States.  
7 On information and belief, products containing the Laibao Panels are  
8 sold in this judicial district, in California, and elsewhere in the United  
9 States through various means.

10 **JURISDICTION AND VENUE**

11 5. This action arises under the patent laws of the United  
12 States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C § 271. This Court  
13 has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and  
14 1338(a).

15 6. This Court has personal jurisdiction over Defendant  
16 because Defendant has substantial contacts with and conduct business  
17 in the State of California and in this judicial district, and have been  
18 infringing, contributing to the infringement of and/or actively inducing  
19 others to infringe claims of the Patents-in-Suit in California and  
20 elsewhere in the United States. On information and belief, Defendant  
21 has actively induced their customers such as ASUSTek Computer,  
22 Inc., ASUS Computer International (America) (collectively “ASUS”),  
23 and GOOGLE Inc. to make, use, and sell products that practice one or  
24 more claims of the Patent-in-Suit in this judicial district.



1           13. Upon information and belief, Defendant has infringed and  
2 if not enjoined, will continue to infringe one or more claims of the  
3 '169 Patent by performing, without authority, one or more of the  
4 following acts: (1) making, having made, using, importing, offering  
5 for sale, or selling in the United States the Laibao Panels that infringe  
6 one or more claims of the '169 Patent, in violation of 35 U.S.C.  
7 §271(a); (2) inducing infringement of one or more claims of the '169  
8 Patent in violation of 35 U.S.C. §271(b); and/or (3) contributing to the  
9 infringement of one or more claims of the '169 Patent in violation of  
10 35 U.S.C. §271(c).

11           14. Upon information and belief, Defendant's acts of direct  
12 infringement of the '169 Patent, literal and/or under the doctrine of  
13 equivalents, include making, having made, using, offering to sell, or  
14 selling, in this district or elsewhere in the United States, the Laibao  
15 Panels that practice one or more claims of the '169 Patent, including  
16 but not limited to the touchscreens used in ASUS Memo Pad 7, ASUS  
17 Memo Pad 10, ASUS Memo Pad ME181C notebook computers, and  
18 GOOGLE Nexus 7 pads.

19           15. Upon information and belief, Defendant has contributed to  
20 and continue to contribute to the infringement of one or more claims  
21 of the '169 Patent by offering to sell, and selling to their customers,  
22 such as ASUS and GOOGLE, in this district and elsewhere in the  
23 United States, the accused Laibao Panels that constitute a material  
24 component of a device, system, combination or composition covered  
25 by the '169 Patent, and that the customers have utilized said products  
26 in a manner that infringes one or more claims of the '169 Patent.

27           16. Upon information and belief, Defendant has been aware,

1 prior to filing of this action, that its products accused of infringement,  
2 including but not limited to the accused Laibao Panels, are especially  
3 made and/or adapted for use(s) that infringe one or more claims of the  
4 '169 Patent and are, therefore, not staple articles or commodities of  
5 commerce suitable for substantial non-infringing use.

6 17. Upon information and belief, Defendant has induced and  
7 continue to induce infringement of one or more claims of the '169  
8 Patent in this district and elsewhere in the United States, by, among  
9 other things, actively encouraging, or otherwise causing their  
10 customers, such as ASUS, to use the Laibao Panels that practice one  
11 or more claims of the '169 Patent, including, but not limited to, the  
12 touchscreens used in ASUS Memo Pad 7, ASUS Memo Pad 10,  
13 ASUS Memo Pad ME181C notebook computers and GOOGLE Nexus  
14 7 pads.

15 18. Upon information and belief, Defendant has had  
16 knowledge of the '169 Patent prior to the filing of the Complaint in  
17 this action, and continue to encourage, or otherwise cause their  
18 customers to use the Laibao Panels that infringe one or more claims of  
19 the '169 Patent.

20 19. Upon information and belief, Defendant has specifically  
21 intended that their customers use the Laibao Panels that infringe one  
22 or more claims of the '169 Patent by, at minimum, providing designs,  
23 datasheets and specifications of the accused Laibao Panels to their  
24 customers such as ASUS and GOOGLE.

25 20. Upon information and belief, Defendant has knowingly  
26 sold and/or offered the Laibao Panels that infringe one or more claims  
27 of the '169 Patent to their customers such as ASUS and GOOGLE by,

1 at minimum, actively providing technical support to help their  
2 customers integrate such Laibao Panels into the end-products sold in  
3 the United States, including but not limited to, smartphones and  
4 tablets.

5 21. Upon information and belief, Defendant's acts of  
6 infringing the '169 Patent have been willful and in deliberate  
7 disregard of DIGITAL EMPIRE LIMITED's patent rights.

8 22. As a result of Defendant's infringement of the '169 Patent,  
9 DIGITAL EMPIRE LIMITED has suffered and will continue to suffer  
10 damages.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Plaintiff DIGITAL EMPIRE LIMITED asks this  
13 Court to enter judgment in its favor against Defendant and grant the  
14 following relief:

15 1. An adjudication that Defendant has infringed, and continue  
16 to infringe, the Patent-in-Suit as alleged above;

17 2. An accounting of all damages sustained by DIGITAL  
18 EMPIRE LIMITED as a result of Defendant's acts of infringement of the  
19 Patent-in-Suit;

20 3. An award to DIGITAL EMPIRE LIMITED of actual  
21 damages adequate to compensate DIGITAL EMPIRE LIMITED for  
22 Defendant's acts of patent infringement, together with prejudgment and  
23 post-judgment interest;

24 4. An award to DIGITAL EMPIRE LIMITED of enhanced  
25 damages, up to, and including, trebling of DIGITAL EMPIRE  
26 LIMITED's damages pursuant to 35 U.S.C. § 284 for Defendant's willful  
27 infringement;





1 **CERTIFICATE OF FILING**

2 I hereby certify that on July 7, 2014 I electronically filed the foregoing  
3 document with the clerk of the Court using the CM/ECF system.

4 /s/ Gokalp Bayramoglu

5 Gokalp Bayramoglu