1 2 3 4 5 6 7 8	Daniel C. Cotman (CBN 218315) dan@cotmanip.com Rasheed McWilliams (CBN 281832) rasheed@cotmanip.com Obi I. Iloputaife (CBN 192271) obi@cotmanip.com COTMAN IP LAW GROUP, PLC One Colorado 35 Hugus Alley, Suite 210 Pasadena, California 91103 (626) 405-1413/FAX: (626) 316-7577 Attorneys for Plaintiff USB Technologies, LLC,	
10	UNITED STATES DISTRICT COURT	
11	CENTRAL DISTRICT OF CALIFORNIA	
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13	LICD Trademater in LLC a C 1'C	C N- 0.15 - 0.4700
14	USB Technologies, LLC, a California) limited liability company,)	Case No. 2:15-cv-04798
15		COMPLAINT FOR PATENT
16	Plaintiff,)	INFRINGEMENT AND PERMANENT INJUNCTION
	v.)	
17)	DEMAND FOR JURY TRIAL
18	ABT Electronics, Inc. dba Abt.com, an)	DEMIND FOR SURFIRM
19	Illinois corporation; and DOES 1 through) 5, Inclusive,)	
20	3, inclusive,)	
21	Defendants.	
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	1 COMPLAINT	
	COMPLAINI	

Plaintiff USB Technologies, LLC, ("USB Technologies"), by and through its undersigned counsel, for its Complaint against ABT Electronics, Inc. d/b/a Abt.com ("ABT"), and Does 1-10 (collectively, "Defendants")] makes the following allegations. These allegations are made upon information and belief.

JURISDICTION AND VENUE

- 1. This is an action for patent infringement arising under the patent laws of the United States, including 35 U.S.C. §§ 271, 281, and 283-285.
- 2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § § 1331 and 1338(a) because it arises under United States Patent law.
- 3. Venue is proper in this District pursuant to 28 U.S.C. §1391(b) and (c). On information and belief, Defendants are subject to this Court's personal jurisdiction in that the acts and transactions complained of herein include the import and sale of infringing goods, identified herein, through the State of California and specifically in this District. Furthermore, Defendants' sales transactions are initiated nationwide over the Internet, including sales targeted to the State of California and this District, thereby purposefully availing themselves of the benefits of the state.

THE PARTIES

- 4. USB Technologies is a limited liability company organized under the laws of the State of California and has an office and principal place of business at 35 Hugus Alley, Suite 210 Pasadena, California 91103.
- 5. Upon information and belief, ABT Electronics, Inc. is a corporation organized under the laws of the State of Illinois having a place of business at 1200 Milwaukee Avenue, Glenview, Illinois 60025.
- 6. The true names and capacities, whether individual, corporate or otherwise of the Defendants named herein as DOES 1 through 5, inclusive, are unknown to Plaintiff, who therefore sues Defendants by such fictitious names. Plaintiff will ask leave of Court to amend this Complaint and insert the true names and capacities of said Defendants when the same have been ascertained.

7. Plaintiff is informed and believes and, upon such, alleges that each of the Defendants designated herein as "DOE" are allegedly responsible in some manner for the events and happenings herein alleged, and that Plaintiff's damages as alleged herein were proximately caused by such Defendants.

FACTS

- 8. USB Technologies is the owner, by assignment, of U.S. Patent No. 7,809,866 ("the '866 Patent"), which was duly and legally issued on October 5, 2010 by the United States Patent and Trademark Office. A copy of U.S. Patent No. 7,809,866 is attached to this complaint as **Exhibit A**.
 - 9. The claims of the '866 Patent are valid and enforceable.
- 10. The Defendant(s) sell(s) and offer(s) to sell the General Mobile Technology Company ("GMobi") iStick Lightning to USB flash drive products in various sizes, including 8 GB, 16 GB, 32 GB, 64 GB and 128 GB ("GMobi iStick Product Family").
- 11. The GMobi iStick Product Family are double interface Lightning to USB flash memory drives. The GMobi iStick Product Family comprises a first transmission interface, a circuit board with a microprocessor and a plurality of flash memory. The GMobi iStick Product Family comprises a first bus interface to perform a signal transmission and a second bus interface circuit different from the flash memory card. The GMobi iStick Product Family also contains interface detection and switching circuit, for switching to the first interface circuit or the second interface circuit based on an initializing signal generated from the system interface circuit. The microprocessor within the GMobi iStick Product Family switches to the right interface, determining and supporting a connection action automatically based on the type of system interface circuit detected.
- 12. Each of the products in the GMobi iStick Product Family infringe on the claims of the '866 patent, including, but not limited to claim 1.

- 13. Defendant ABT imports, buys, sells and offers to sell to consumers the iStick Product Family over a worldwide website, www.abt.com, without regard to the patent rights of USB Technologies. A copy of an offer for sale of the GMobi iStick Product Family on the ABT website, is attached herewith as **Exhibit B**.
- 14. Unless enjoined by this Court, Defendants will continue to infringe the '866 patent.
- 15. Plaintiff has been, and will continue to be, irreparably harmed by Defendants' ongoing infringement of the '866 patent.
- 16. This is an exceptional case under 35 U.S.C. § 285 and Plaintiff should therefore be awarded treble damages pursuant to 35 U.S.C. §284, of any and all damages awarded for Defendants' infringement of the '866 patent.

COUNT I

<u>CLAIM FOR PATENT INFRINGEMENT</u> <u>UNDER 35 U.S.C. § 271 ('866 PATENT)</u>

- 17. USB Technologies hereby incorporates by reference the allegations of paragraphs 1 through 16 of this Complaint as if fully set forth herein.
- 18. Defendants have imported, offered to sell and provide, have sold and provided, and continue to offer to sell and provide in the United States and in this District, products and services, namely the GMobi iStick Product Family, that infringe one or more claims of the '866 Patent, including, but not limited to, Claim 1.
- 19. Defendants' infringement of the '866 Patent has been and continues to be willful.
- 20. Unless enjoined by this Court, Defendants will continue to infringe the '866 Patent.
- 21. As a direct and proximate result of Defendants' infringement of the '866 Patent, USB Technologies has been and will continue to be damaged in an amount yet to be determined, including but not limited to Plaintiff's lost profits and/or reasonable royalties.

PRAYER FOR RELIEF 1 WHEREFORE, Plaintiff prays for relief against Defendants as follows: 2 3 A. For a preliminary injunction to issue against each Defendant, its agents, servants, employees, successors and assigns and all others in concert and privity with 4 it from making, using, offering to sell, selling, or importing into the United States any 5 product infringing on the claims of United States Patent No. 7,809,866; 6 For a permanent injunction to issue against each Defendant, its agents, B. 7 8 servants, employees, successors and assigns and all others in concert and privity with it from making, using, offering to sell, selling, or importing into the United States any 9 product infringing on claims of United States Letters Patent No. 7,809,866; 10 An award of damages in an amount to be determined at trial, but not less 11 than a reasonable royalty and/or Plaintiff's lost profits as a result of each Defendant's 12 infringing actions; 13 D. A finding that each Defendant's infringement has been willful; 14 A trebling, pursuant to 35 U.S.C. § 284, of any and all damages awarded E. 15 for each Defendant's infringement of the '866 Patent; 16 F. A finding that this is an exceptional case under 35 U.S.C. § 285; 17 An award, pursuant to 35 U.S.C. § 285, of reasonable attorneys' fees; G. 18 An award of interest and costs; and H. 19 I. For such other and further relief as may be just and equitable. 20 /// 21 22 /// 23 /// 24 25 26 27 28

DEMAND FOR TRIAL BY JURY Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury. Respectfully submitted, **COTMAN IP LAW GROUP, PLC** DATED: June 24, 2015 s/ Rasheed M. McWilliams By:_____ Daniel C. Cotman Rasheed M. McWilliams Obi I. Iloputaife COTMAN IP LAW GROUP, PLC One Colorado | 35 Hugus Alley, Suite 210 Pasadena Ca, 91103 Telephone: (626) 405-1413 Facsimile: (626) 316-7577 Attorneys for Plaintiff USB Technologies, LLC