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Attorneys for Plaintiff
USB Technologies, LLC,

10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**

| | | | |
|----|-------------------------------------|---|------------------------------|
| 13 | | | |
| 14 | USB Technologies, LLC, a California |) | Case No. 2:15-cv-04799 |
| 15 | limited liability company, |) | |
| 16 | |) | COMPLAINT FOR PATENT |
| 17 | Plaintiff, |) | INFRINGEMENT AND |
| 18 | |) | PERMANENT INJUNCTION |
| 19 | |) | |
| 20 | v. |) | |
| 21 | |) | |
| 22 | |) | DEMAND FOR JURY TRIAL |
| 23 | Amazon.com, Inc., a Delaware |) | |
| 24 | corporation; and DOES 1 through 10, |) | |
| 25 | Inclusive, |) | |
| 26 | |) | |
| 27 | Defendants. |) | |
| 28 | |) | |

1 Plaintiff USB Technologies, LLC, (“USB Technologies”), by and through its
2 undersigned counsel, for its Complaint against Defendant Amazon.com, Inc.
3 (“Amazon”); and Does 1-10 (collectively, “Defendants”)] makes the following
4 allegations. These allegations are made upon information and belief.

5 **JURISDICTION AND VENUE**

6 1. This is an action for patent infringement arising under the patent laws of
7 the United States, including 35 U.S.C. §§ 271, 281, and 283-285.

8 2. This Court has subject matter jurisdiction over this action pursuant to 28
9 U.S.C. § § 1331 and 1338(a) because it arises under United States Patent law.

10 3. Venue is proper in this District pursuant to 28 U.S.C. §1391(b) and (c).
11 On information and belief, Defendants are subject to this Court’s personal jurisdiction
12 in that the acts and transactions complained of herein include the import and sale of
13 infringing goods, identified herein, through the State of California and specifically in
14 this District. Furthermore, Defendants’ sales transactions are initiated nationwide
15 over the Internet, including sales targeted to the State of California and this District,
16 thereby purposefully availing themselves of the benefits of the state.

17 **THE PARTIES**

18 4. USB Technologies is a limited liability company organized under the
19 laws of the State of California and has an office and principal place of business at 35
20 Hugus Alley, Suite 210 Pasadena, California 91103.

21 5. Upon information and belief, Amazon.com, Inc. is a corporation
22 organized under the laws of the State of Delaware having a place of business at 410
23 Terry Avenue North, Seattle, Washington 98109.

24 6. The true names and capacities, whether individual, corporate or
25 otherwise of the Defendants named herein as DOES 1 through 10, inclusive, are
26 unknown to Plaintiff, who therefore sues Defendants by such fictitious
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1 names. Plaintiff will ask leave of Court to amend this Complaint and insert the true
2 names and capacities of said Defendants when the same have been ascertained.

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

7 **FACTS**

8 8. USB Technologies is the owner, by assignment, of U.S. Patent No.
9 7,809,866 (“the ‘866 Patent”), which was duly and legally issued on October 5, 2010
10 by the United States Patent and Trademark Office. A copy of U.S. Patent No.
11 7,809,866 is attached to this complaint as **Exhibit A**.

12 9. The claims of the ‘866 Patent are valid and enforceable.

13 10. The Defendant(s) sell(s) and offer(s) to sell the General Mobile
14 Technology Company (“GMobi”) iStick Lightning to USB flash drive products in
15 various sizes, including 8 GB, 16 GB, 32 GB, 64 GB and 128 GB (“GMobi iStick
16 Product Family”).

17 11. The GMobi iStick Product Family are double interface Lightning to USB
18 flash memory drives. The GMobi iStick Product Family comprises a first transmission
19 interface, a circuit board with a microprocessor and a plurality of flash memory. The
20 GMobi iStick Product Family comprises a first bus interface to perform a signal
21 transmission and a second bus interface circuit different from the flash memory card.
22 The GMobi iStick Product Family also contains interface detection and switching
23 circuit, for switching to the first interface circuit or the second interface circuit based
24 on an initializing signal generated from the system interface circuit. The
25 microprocessor within the GMobi iStick Product Family switches to the right
26 interface, determining and supporting a connection action automatically based on the
27 type of system interface circuit detected.
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1 12. Each of the products in the GMobi iStick Product Family infringe on the
2 claims of the ‘866 patent, including, but not limited to claim 1.

3 13. Defendant Amazon sells and offers to sell to consumers the GMobi iStick
4 Product Family over a worldwide website, www.amazon.com, without regard to the
5 patent rights of USB Technologies. A copy of an offer for sale of the GMobi iStick
6 Product Family on the Amazon website, is attached herewith as **Exhibit B**.

7 14. Defendant Amazon also sells, offers to sell and ships to consumers the
8 KaLaiXing ® Hyperdrive iStick in 8 GB, 16 GB, 32 GB, 64 GB and 128 GB sizes
9 (“KaLaiXing ® Product Family”), which is another privately labeled version of the
10 GMobi iStick Product Family, without regard to the patent rights of USB
11 Technologies. A copy of an offer for sale of the KaLaiXing ® iStick Product Family
12 on the Amazon website, is attached herewith as **Exhibit C**.

13 15. The Defendant(s) sell(s) and offer(s) to sell the Photofast i-FlashDrive
14 HD and i-FlashDrive Evo Lightning to USB flash drive products in various sizes,
15 including 16 GB, 32 GB, and 64 GB (“i-FlashDrive Product Family”).

16 16. The i-FlashDrive Product Family are double interface Lightning to USB
17 flash memory drives. The i-FlashDrive Product Family comprises a first transmission
18 interface, a circuit board with a microprocessor and a plurality of flash memory. The i-
19 FlashDrive Product Family comprises a first bus interface to perform a signal
20 transmission and a second bus interface circuit different from the flash memory card.
21 The i-FlashDrive Product Family also contains interface detection and switching
22 circuit, for switching to the first interface circuit or the second interface circuit based
23 on an initializing signal generated from the system interface circuit. The
24 microprocessor within the i-FlashDrive Product Family switches to the right interface,
25 determining and supporting a connection action automatically based on the type of
26 system interface circuit detected.
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1 17. Each of the products in the i-FlashDrive Product Family infringe on the
2 claims of the ‘866 patent, including, but not limited to claim 1.

3 18. Defendants, buy, sell and offer to sell to consumers the i-FlashDrive
4 Product Family over a worldwide website, <http://www.amazon.com/>, without regard
5 to the patent rights of USB Technologies. A copy of an offer for sale of the i-
6 FlashDrive Product Family on the eBay website, is attached herewith as **Exhibit D**.

7 19. The Defendant(s) sell(s) and offer(s) to sell the Leef iBridge Lightning to
8 USB flash drive products in various sizes, including 16 GB, 32 GB, 64 GB and 128
9 GB (“iBridge Product Family”).

10 20. The iBridge Product Family are double interface Lightning to USB flash
11 memory drives. The iBridge Product Family comprises a first transmission interface, a
12 circuit board with a microprocessor and a plurality of flash memory. The iBridge
13 Product Family comprises a first bus interface to perform a signal transmission and a
14 second bus interface circuit different from the flash memory card. The iBridge
15 Product Family also contains interface detection and switching circuit, for switching
16 to the first interface circuit or the second interface circuit based on an initializing
17 signal generated from the system interface circuit. The microprocessor within the
18 iBridge Product Family switches to the right interface, determining and supporting a
19 connection action automatically based on the type of system interface circuit detected.

20 21. Each of the products in the iBridge Product Family infringe on the claims
21 of the ‘866 patent, including, but not limited to claim 1.

22 22. Defendants, buy, sell and offer to sell to consumers the iBridge Product
23 Family over a worldwide website, <http://www.amazon.com/>, without regard to the
24 patent rights of USB Technologies. A copy of an offer for sale of the iBridge Product
25 Family on the eBay website, is attached herewith as **Exhibit E**.

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UNDER 35 U.S.C. § 271 ('866 PATENT)

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2 30. USB Technologies hereby incorporates by reference the allegations of
3 paragraphs 1 through 29 of this Complaint as if fully set forth herein.

4 31. Defendants have imported, offered to sell and provide, have sold and
5 provided, and continue to offer to sell and provide in the United States and in this
6 District, products and services, namely the GMobi iStick Product Family, the i-
7 FlashDrive Product Family, the iBridge Product Family and the iUSB Product Family,
8 that infringe one or more claims of the '866 Patent, including, but not limited to,
9 Claim 1.

10 32. Defendants' infringement of the '866 Patent has been and continues to be
11 willful.

12 33. Unless enjoined by this Court, Defendants will continue to infringe
13 the '866 Patent.

14 34. As a direct and proximate result of Defendants' infringement of the '866
15 Patent, USB Technologies has been and will continue to be damaged in an amount yet
16 to be determined, including but not limited to Plaintiff's lost profits and/or reasonable
17 royalties.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff prays for relief against Defendants as follows:

20 A. For a preliminary injunction to issue against each Defendant, its agents,
21 servants, employees, successors and assigns and all others in concert and privity with
22 it from making, using, offering to sell, selling, or importing into the United States any
23 product infringing on the claims of United States Patent No. 7,809,866;

24 B. For a permanent injunction to issue against each Defendant, its agents,
25 servants, employees, successors and assigns and all others in concert and privity with
26 it from making, using, offering to sell, selling, or importing into the United States any
27 product infringing on claims of United States Letters Patent No. 7,809,866;
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1 C. An award of damages in an amount to be determined at trial, but not less
2 than a reasonable royalty and/or Plaintiff's lost profits as a result of each Defendant's
3 infringing actions;

4 D. A finding that each Defendant's infringement has been willful;

5 E. A trebling, pursuant to 35 U.S.C. § 284, of any and all damages awarded
6 for each Defendant's infringement of the '866 Patent;

7 F. A finding that this is an exceptional case under 35 U.S.C. § 285;

8 G. An award, pursuant to 35 U.S.C. § 285, of reasonable attorneys' fees;

9 H. An award of interest and costs; and

10 I. For such other and further relief as may be just and equitable.

11 **DEMAND FOR TRIAL BY JURY**

12 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby
13 demands a jury trial on all issues and causes of action triable to a jury.

14
15 Respectfully submitted,

16 DATED: June 24, 2015

COTMAN IP LAW GROUP, PLC

s/ Rasheed M. McWilliams

By: _____

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