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 12 *USB Technologies, LLC,*

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

|    |  |   |                              |
|----|--|---|------------------------------|
| 13 | USB Technologies, LLC, a California    | ) | Case No. 2:15-cv-04837       |
| 14 | limited liability company,             | ) |                              |
| 15 | Plaintiff,                             | ) | <b>COMPLAINT FOR PATENT</b>  |
| 16 |  | ) | <b>INFRINGEMENT AND</b>      |
| 17 | v.                                     | ) | <b>PERMANENT INJUNCTION</b>  |
| 18 |  | ) |                              |
| 19 | Sears Holdings Corporation, a Delaware | ) | <b>DEMAND FOR JURY TRIAL</b> |
| 20 | corporation; Sears Roebuck and Co., a  | ) |                              |
| 21 | Delaware corporation; and DOES 1       | ) |                              |
| 22 | through 10, Inclusive,                 | ) |                              |
|    | Defendants.                            | ) |                              |

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

6 **JURISDICTION AND VENUE**

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

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

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

18 **THE PARTIES**

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

22 5. Upon information and belief, Sears Holdings Corporation is a corporation  
23 organized under the laws of the State of Delaware having a place of business at 3333  
24 Beverly Road, Hoffman Estates, Illinois 60179.

25 6. Upon information and belief, Sears Roebuck and Co. is a corporation  
26 organized under the laws of the State of Delaware having a place of business at 3333  
27 Beverly Road, Hoffman Estates, Illinois 60179.

28



1 interface, determining and supporting a connection action automatically based on the  
2 type of system interface circuit detected.

3 13. Each of the products in the GMobi iStick Product Family infringe on the  
4 claims of the ‘866 patent, including, but not limited to claim 1.

5 14. Defendant Sears imports, buys, sells and offers to sell to consumers the  
6 iStick Product Family over a worldwide website, [www.sears.com](http://www.sears.com), without regard to  
7 the patent rights of USB Technologies. A copy of an offer for sale of the GMobi  
8 iStick Product Family on the Sears website is attached herewith as **Exhibit B**.

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

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

23 17. Each of the products in the i-FlashDrive Product Family infringe on the  
24 claims of the ‘866 patent, including, but not limited to claim 1.

25 18. Defendants, buy, sell and offer to sell to consumers the i-FlashDrive  
26 Product Family over a worldwide website, <http://www.sears.com/>, without regard to  
27 the patent rights of USB Technologies. A copy of an offer for sale of the i-FlashDrive  
28 Product Family on the Sears website is attached herewith as **Exhibit C**.

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

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

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

16           22. Defendants, buy, sell and offer to sell to consumers the iBridge Product  
17 Family over a worldwide website, <http://www.sears.com/>, without regard to the patent  
18 rights of USB Technologies. A copy of an offer for sale of the iBridge Product  
19 Family on the Sears website, is attached herewith as **Exhibit D**.

20           23. The Defendant(s) sell(s) and offer(s) to sell the Bidul i-USBKey flash  
21 drive products in various sizes, including 8 GB, 16 GB, and 32 GB (“iUSB Product  
22 Family”).

23           24. The iUSB Product Family are double interface 30 Pin and/or Lightning to  
24 USB flash memory drives. The iUSB Product Family comprises a first transmission  
25 interface, a circuit board with a microprocessor and a plurality of flash memory. The  
26 iUSB Product Family comprises a first bus interface to perform a signal transmission  
27 and a second bus interface circuit different from the flash memory card. The iUSB  
28 Product Family also contains interface detection and switching circuit, for switching

1 to the first interface circuit or the second interface circuit based on an initializing  
2 signal generated from the system interface circuit. The microprocessor within the  
3 iUSB Product Family switches to the right interface, determining and supporting a  
4 connection action automatically based on the type of system interface circuit detected.

5 25. Each of the products in the iUSB Product Family infringe on the claims  
6 of the '866 patent, including, but not limited to claim 1.

7 26. Defendants, buy, sell and offer to sell to consumers the iUSB Product  
8 Family over a worldwide website, <http://www.sears.com/>, without regard to the patent  
9 rights of USB Technologies. A copy of an offer for sale of the iUSB Product Family  
10 on the Sears website, is attached herewith as **Exhibit E**.

11 27. Unless enjoined by this Court, Defendants will continue to infringe  
12 the '866 patent.

13 28. Plaintiff has been, and will continue to be, irreparably harmed by  
14 Defendants' ongoing infringement of the '866 patent.

15 29. This is an exceptional case under 35 U.S.C. § 285 and Plaintiff  
16 should therefore be awarded treble damages pursuant to 35 U.S.C. §284, of any  
17 and all damages awarded for Defendants' infringement of the '866 patent.

18 **COUNT I**

19 **CLAIM FOR PATENT INFRINGEMENT**

20 **UNDER 35 U.S.C. § 271 ('866 PATENT)**

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

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



**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,

DATED: June 25, 2015

**COTMAN IP LAW GROUP, PLC**

s/ Rasheed M. McWilliams

By: \_\_\_\_\_

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