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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-04803
14	limited liability company,	)	
15	Plaintiff,	)	<b>COMPLAINT FOR PATENT</b>
16		)	<b>INFRINGEMENT AND</b>
17	v.	)	<b>PERMANENT INJUNCTION</b>
18		)	
19	Best Buy Co., Inc.; BestBuy.com, LLC;	)	<b>DEMAND FOR JURY TRIAL</b>
20	and DOES 1 through 5, Inclusive,	)	
21	Defendants.	)	
22		)	

1 Plaintiff USB Technologies, LLC, (“USB Technologies”), by and through its  
2 undersigned counsel, for its Complaint against Defendants Best Buy Co., Inc. and  
3 Bestbuy.com, LLC (collectively “Best Buy”); and Does 1-5 (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, Best Buy Co., Inc. is a corporation  
23 organized under the laws of the State of Minnesota having a place of business at 7601  
24 Penn Avenue S., Richfield, Minnesota 55423.

25 6. Upon information and belief, Bestbuy.com LLC is a limited liability  
26 corporation organized under the laws of the State of Minnesota having a place of  
27 business at 7601 Penn Avenue S., Richfield, Minnesota 55423.

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. Defendants sell and offer to sell to consumers the GMobi iStick Product  
6 Family over a worldwide website, [www.bestbuy.com](http://www.bestbuy.com), without regard to the patent  
7 rights of USB Technologies. A copy of an offer for sale of the GMobi iStick Product  
8 Family on the Best Buy 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.bestbuy.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 Best Buy website is attached herewith as **Exhibit C**.

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

4           20. The iUSB Product Family are double interface 30 Pin and/or Lightning to  
5 USB flash memory drives. The iUSB Product Family comprises a first transmission  
6 interface, a circuit board with a microprocessor and a plurality of flash memory. The  
7 iUSB Product Family comprises a first bus interface to perform a signal transmission  
8 and a second bus interface circuit different from the flash memory card. The iUSB  
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 iUSB 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 iUSB 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 iUSB Product  
17 Family over a worldwide website, <http://www.bestbuy.com/>, without regard to the  
18 patent rights of USB Technologies. A copy of an offer for sale of the iUSB Product  
19 Family on the Best Buy website, is attached herewith as **Exhibit D**.

20           23. Unless enjoined by this Court, Defendants will continue to infringe the  
21 ‘866 patent.

22           24. Plaintiff has been, and will continue to be, irreparably harmed by  
23 Defendants’ ongoing infringement of the ‘866 patent.

24           25. This is an exceptional case under 35 U.S.C. § 285 and Plaintiff  
25 should therefore be awarded treble damages pursuant to 35 U.S.C. §284, of any  
26 and all damages awarded for Defendants’ infringement of the ‘866 patent.

27       ///

28       ///

**COUNT I**

**CLAIM FOR PATENT INFRINGEMENT**

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

1  
2  
3  
4 26. USB Technologies hereby incorporates by reference the allegations of  
5 paragraphs 1 through 25 of this Complaint as if fully set forth herein.

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

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

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

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

19 **PRAYER FOR RELIEF**

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

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

25 B. For a permanent injunction to issue against each Defendant, its agents,  
26 servants, employees, successors and assigns and all others in concert and privity with  
27 it from making, using, offering to sell, selling, or importing into the United States any  
28 product infringing on claims of United States Letters Patent No. 7,809,866;

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

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

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