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10 *Attorneys for Plaintiff,*
11 *SPIGEN KOREA CO., LTD.*

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 SPIGEN KOREA CO., LTD., a Republic
15 of Korea corporation,

16 Plaintiff,

17 v.

18 ISPEAK CO., LTD., a Republic of Korea
19 corporation; VERUS U.S.A., LLC, a
20 California limited liability company;
21 DOES 1 through 10, inclusive,

22 Defendants.

CASE No.:

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

23 Plaintiff SPIGEN KOREA CO., LTD. (hereinafter "SPIGEN" or "Plaintiff"),
24 for its Complaint for Patent Infringement against Defendants ISPEAK CO., LTD.
25 and VERUS U.S.A., LLC (hereinafter collectively "Defendants"), alleges as follows:

26 **JURISDICTION AND VENUE**

27 1. This is an action for patent infringement arising under the patent laws of
28 the United States, Title 35, United States Code.

2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

3. This Court has personal jurisdiction over all the Defendants by virtue of their transacting, doing, and soliciting business in this District, and because a substantial part of the relevant events occurred in this District.

4. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d), and 1400(b).

PARTIES

5. Plaintiff, SPIGEN KOREA CO., LTD. (“SPIGEN” or “Plaintiff”), is a corporation organized and existing under the laws of Republic of Korea, with its principal place of business at 371-37 Kasandong, STX V-Tower #1709, Geumcheon-gu, Seoul, Republic Of Korea.

6. Plaintiff is informed and believe, and thereon alleges, that defendant, ISPEAK CO., LTD. (“ISPEAK”) is a corporation organized and existing under the laws of Republic of Korea, with its principal place of business at 116-18, Baengma-ro 502beon-gil, Ilsandong-gu, Goyang-si, Gyeonggi-do, 410-843, Republic of Korea.

7. Plaintiff is informed and believe, and thereon allege, that defendant VERUS U.S.A., LLC (“VERUS USA”) is a California corporation, with its principal place of business at 255 Berry Street, Brea, CA 92821, the U.S.A.

8. Plaintiff is unaware of the true names and capacities, whether individual, corporate, or otherwise, of the Defendants named herein as Does 1 through 10, inclusive, but is informed and believe, and thereon alleges, that each of the fictitiously named defendants engaged in, or is in some manner responsible for, the wrongful conduct alleged herein. Plaintiff therefore sues these defendants by such fictitious names and will amend this complaint to state their true names and capacities when such names have been discovered.

INFRINGEMENT OF U.S. PATENT NO. 9,049,283

9. SPIGEN is the owner of all right, title, and interest in the U.S. Patent

1 No. 9,049,283 (the “‘283 Patent”), entitled “Case Having a Storage Compartment for
2 Electronic Devices”, duly and properly issued by the U.S. Patent and Trademark
3 Office on June 2, 2015. A copy of the ‘283 patent is attached as Exhibit A.

4 10. Defendants have been and/or are directly infringing and/or inducing
5 infringement of and/or contributorily infringing one or more claims of the ‘283
6 patent by, without SPIGEN’S permission, among other things, making, using,
7 offering to sell or selling in the United States, or importing into the United States,
8 products that are covered by the claims of the ‘283 patent, including, by way of
9 example and not limitation, Verus iPhone 6 Case [Damda Slide] [Card Slot], Verus
10 iPhone 6 Plus Case [Damda Slide] [Card Slot], Galaxy S6 Card Slot Wallet ID Case
11 [VERUS Damda Slide], Galaxy S6 EDGE Card Slot Wallet ID Case [VERUS
12 Damda Slide], and Galaxy Note 4 Card Slot Wallet ID Case [VERUS Damda Slide].
13 *See* Exhibit B.

14 11. Defendants have profited through infringement of the ‘283 Patent. As a
15 result of Defendants’ unlawful infringement of the ‘283 Patent, SPIGEN has suffered
16 and will continue to suffer damages. SPIGEN is entitled to recover from Defendants
17 the damages suffered by SPIGEN as a result of Defendants’ unlawful acts.

18 12. Defendants’ infringement is, on information and belief, willful, making
19 this an exceptional case, entitling SPIGEN to enhanced damages and reasonable
20 attorney’s fees and costs.

21 13. On information and belief, Defendants intend to continue their unlawful
22 infringing activity, and SPIGEN continues to and will continue to suffer irreparable
23 harm — for which there is no adequate remedy at law — from such unlawful
24 infringing activity unless Defendants are enjoined by this Court.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, in consideration of the foregoing, SPIGEN prays for relief as
27 follows:

28 1. For a judgment declaring that Defendants have infringed one or more

1 claims of the '283 Patent of SPIGEN;

2 2. For a judgment awarding SPIGEN compensatory damages as a result of
3 Defendants' infringement of the '283 Patent, together with interest and costs, and in
4 no event less than a reasonable royalty;

5 3. For a judgment declaring that Defendants' infringement of the '283
6 Patent has been willful and deliberate;

7 4. For a judgment awarding SPIGEN treble damages and pre-judgment
8 interest under 35 U.S.C. § 284 as a result of Defendants' willful and deliberate
9 infringement of the '283 Patent;

10 5. For a judgment declaring that this case is exceptional and awarding
11 SPIGEN its expenses, costs, and attorney's fees in accordance with 35 U.S.C. §§ 284
12 and 285 and Rule 54(d) of the Federal Rules of Civil Procedure;

13 6. For a grant of a permanent injunction pursuant to 35 U.S.C. § 283,
14 enjoining the Defendants from further acts of infringement; and

15 7. For such other and further relief as the Court deems just and proper.

16
17 Dated: July 1, 2015

Respectfully submitted,

East West Law Group

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20 By: /s/ Heedong Chae
21 HeeDong Chae
22 Chong Roh
23 Attorneys for Plaintiff
24 SPIGEN KOREA CO., LTD.
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JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: July 1, 2015

East West Law Group

By: /s/ Heedong Chae

HeeDong Chae

Chong Roh

Attorneys for Plaintiff

SPIGEN KOREA CO., LTD.