

**IN THE UNITED STATES DISTRICT COURT  
OF DELAWARE**

CYPALEO LLC,

Plaintiff,

vs.

VOXX INTERNATIONAL  
CORPORATION,

Defendant.

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Case No:

**PATENT CASE**

**COMPLAINT**

Plaintiff Cypaleo LLC (“Plaintiff” or “Cypaleo”) files this Complaint against Voxx International Corporation (“Defendant”) for infringement of United States Patent No. 5,638,427 (hereinafter “the ‘427 Patent”).

**PARTIES AND JURISDICTION**

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking damages.
2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.
3. Plaintiff is a Texas limited liability company with its principal office located at 3415 Custer Rd., Suite 120-D, Plano, Texas 75023.
4. On information and belief, Defendant is a Delaware corporation, with a place of business located at 180 Marcus Blvd, Hauppauge, New York 11788.
5. On information and belief, this Court has personal jurisdiction over Defendant

because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were used, imported, offered for sale, and/or sold in this District.

**VENUE**

7. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District.

**COUNT I**  
**(INFRINGEMENT OF UNITED STATES PATENT NO. 5,638,427)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '427 Patent with sole rights to enforce the '427 Patent and sue infringers.

11. A copy of the '427 Patent, titled "Operator-controlled Interactive Communication Device," is attached hereto as Exhibit A.

12. At the time relevant to the allegations herein, the '427 Patent was valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. On information and belief, Defendant infringed one or more claims, including at least claim 1, of the '427 Patent by making, using, importing, selling, and/or offering for sale interactive communication devices covered by at least Claim 1 of the '427 Patent. Defendant infringed the '427 Patent in violation of 35 U.S.C. § 271.

14. On information and belief, during the period that the '427 Patent was in force,

Defendant sold, offered to sell, and/or used interactive communication devices, including, without limitation, the Jensen VM9216BT multimedia system (“the Product”), and any similar devices, which infringed at least Claim 1 of the ‘427 Patent. The Product is an interactive device that may be used to transmit and receive data.

15. The Product has a display (e.g., TFT display) that can display messages that are either generated within the Product (e.g., internal prompt messages) or received by the Product from an external source (e.g., Pandora radio error messages).

16. The Product has an input device (e.g., USB input) by which a user can input data to the Product (e.g., a user can send media files stored on an external USB device to the Product for playback).

17. The Product has a communication transmission interface (e.g., wired and wireless communication interfaces) that can connect the Product to a transmission medium.

18. On information and belief, the Product has a telephone handset connector (e.g., Bluetooth module with profile for handset devices) that can connect a telephone handset for external communication over the transmission medium.

19. The Product has a computer connector (e.g., Bluetooth module containing a profile for a mobile phone connection) that can connect a computer (e.g., a smartphone) to the Product for external communication over the communication transmission interface. The connection also allows for reprogramming memory of the Product (e.g., the Product uses Bluetooth to sync contacts located on the smartphone).

20. The Product has a remote interactive communication connector (e.g., Bluetooth module with profile for audio player connection) that can connect a communication system within a machine being monitored (e.g., the Bluetooth module allows for the Product to

connect to a variety of Bluetooth devices and, during the connection, monitor the connected device with respect to its functionality and possible errors).

21. On information and belief, the input device and the remote interactive communication connector provide the Product with the flexibility to be used with a machine having a remote interactive communication system (e.g., a Bluetooth headset or a smartphone) and a machine without a remote interactive communication system (e.g., USB storage devices).

22. On information and believe 35 U.S.C. § 287 was complied with at all relevant times.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

- (a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;
- (b) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;
- (c) Award Plaintiff pre-judgment and post-judgment interest and costs; and
- (d) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: April 10, 2018

Respectfully submitted,

*/s/Stamatios Stamoulis*

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**STAMATIOS STAMOULIS**

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