

1 Daniel Cotman (CSB 218315)  
2 dan@cotmanip.com  
3 Obi I. Iloputaife (CSB 192271)  
4 obi@cotmanip.com  
5 Jayson S. Sohi (CSB 298176)  
6 jayson@cotmanip.com  
7 **COTMAN IP LAW GROUP, PLC**  
8 35 Hugus Alley, Suite 210  
9 Pasadena, CA 91103  
10 (626) 405-1413/FAX: (626) 316-7577

11 Daniel A. Kent (*pro hac vice*)  
12 dankent@kentrisley.com  
13 (404) 585-4214/FAX: (404) 829-2412  
14 Stephen R. Risley (*pro hac vice*)  
15 steverisley@kentrisley.com  
16 Tel: (404) 585-2101/FAX: (404) 389-9402

17 **KENT & RISLEY LLC**  
18 5755 N Point Pkwy, Suite 57  
19 Alpharetta, GA 30022

20 *Attorneys for Plaintiff Universal Transdata, LLC*

21 **UNITED STATES DISTRICT COURT**  
22 **CENTRAL DISTRICT OF CALIFORNIA**

23 UNIVERSAL TRANSDATA, LLC,

24 Plaintiff,

25 vs.

26 ADESSO, INC.

27 Defendant.

) Case No.: 2:18-cv-6048-PSG-MRW

) **FIRST AMENDED COMPLAINT FOR**  
) **PATENT INFRINGEMENT**

) **DEMAND FOR JURY TRIAL**



1 accessible throughout the United States. On information and belief, the Accused  
2 Products have been sold in the State of California and in this judicial district.

3 5. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b) on the  
4 grounds that Defendant is a California corporation with a registered office in this judicial  
5 district, and on the grounds that Defendant has committed acts of infringement in this  
6 judicial district and has a regular and established place of business in this judicial district.

7 **FACTUAL BACKGROUND**

8 6. Plaintiff is the owner by assignment of all right, title and interest in and to  
9 United States Patent Number 7,028,114, entitled Universal Serial Bus Hub with Wireless  
10 Communication to Remote Peripheral Device (“the ’114 Patent”), including the right to  
11 sue for all past, present, and future infringement, which assignment was duly recorded in  
12 the United States Patent and Trademark Office (“USPTO”).

13 7. A true and correct copy of the ’114 Patent is attached hereto as **Exhibit A**.

14 8. The application that became the ’114 Patent was filed on August 4, 2000,  
15 and assigned U.S. patent application number 09/632,466 (“the ’466 Application”).

16 9. The ’114 Patent issued on April 11, 2006, after full and fair examination by  
17 the United States Patent Office.

18 10. The ’114 Patent is valid and enforceable.

19 11. The term of the ’114 Patent extends through May 24, 2021.

20 12. Claim 1 of the ’114 Patent claims:

21 1. A wireless system for operating a computer having a USB  
22 port comprising:

23  
24 a remote wireless peripheral device having a circuit for  
25 generating device information causing associated operations to  
26 be performed by the computer and an RF transmitter connected  
27 to said circuit for transmitting a wireless signal including said  
28 device information, said circuit and said RF transmitter being  
integral to said peripheral device, said RF transmitter being the  
sole means for communicating said device information from

1 said peripheral device, wherein said associated operations are  
2 not triggered by wireless telephony and said peripheral device  
3 not having any USB communication capability, said peripheral  
4 device being one of a keyboard, a mouse and a joystick; and

5 a Universal Serial Bus (USB) hub including an upstream USB  
6 port adapted to be connected to the computer, and a hub  
7 controller connected between said data reception circuit and  
8 said upstream USB port whereby when said upstream USB port  
9 is connected to the USB port of the computer and said  
10 peripheral device generates said wireless signal to said data  
11 reception circuit, said hub controller converts said wireless  
12 signal to a USB data signal and passes said USB data signal to  
13 said upstream port for causing the associated operations to be  
14 performed by the computer.

12 13. Claim 2 of the '114 Patent claims:

13 2. The wireless system according to claim 1 wherein said peripheral device  
14 is a keyboard and including a mouse having a circuit for generating device  
15 information causing associated operations to be performed by the computer  
16 and an RF transmitter connected to said circuit for transmitting a wireless  
17 signal including said device information, said circuit and said RF transmitter  
18 being integral to said mouse, said RF transmitter being the sole means for  
19 communicating said device information from said mouse and said mouse not  
20 having any USB communication capability, wherein said associated  
21 operations are not triggered by wireless telephony and said hub having  
22 means to distinguish between said keyboard wireless signal and said mouse  
23 wireless signal.

21 14. Claim 3 of the '114 Patent claims:

22 3. A wireless system for operating a computer having a USB  
23 port comprising:

24 a remote wireless peripheral device having a circuit for  
25 generating device information causing associated operations to  
26 be performed by the computer and an RF transmitter connected  
27 to said circuit for transmitting a wireless signal including said  
28 device information, said circuit and said RF transmitter being  
integral to said peripheral device, said RF transmitter being the  
sole means for communicating said device information from  
said peripheral device, wherein said associated operations are

1 not triggered by wireless telephony and said peripheral device  
2 not having any USB communication capability; and

3 a Universal Serial Bus (USB) hub including an upstream USB  
4 port adapted to be connected to the computer, and a hub  
5 controller connected between said data reception circuit and  
6 said upstream USB port whereby when said upstream USB port  
7 is connected to the USB port of the computer and said  
8 peripheral device generates said wireless signal to said data  
9 reception circuit, said hub controller converts said wireless  
10 signal to a USB data signal and passes said USB data signal to  
11 said upstream port for causing the associated operations to be  
12 performed by the computer.

13  
14 15. Claim 4 of the '114 Patent claims:

15 4. The wireless system according to claim 3 wherein said data  
16 reception circuit further includes an RF receiver for receiving  
17 said wireless signal from said peripheral device.

18  
19 16. Claim 5 of the '114 Patent claims:

20 5. The wireless system according to claim 4 wherein said data  
21 reception circuit further includes a signal discriminator  
22 connected between said RF receiver and said hub controller for  
23 receiving said wireless signal from said RF receiver and  
24 presenting said device information in said wireless signal to  
25 said hub controller.

26  
27 17. Claim 6 of the '114 Patent claims:

28 6. The wireless system according to claim 5 wherein said hub  
controller further includes a serial interface engine connected to  
said signal discriminator for converting said device information  
into USB format to form said USB data signal.

9. A wireless Universal Serial Bus (USB) hub and remote  
wireless peripheral devices for communication with a computer  
having a USB port comprising: at least two remote wireless  
peripheral devices each having a circuit for generating device  
information related to operations performed by said peripheral

1 device and an RF transmitter connected to said circuit for  
2 transmitting a wireless signal including said device information,  
3 said circuits and said RF transmitters being integral to said  
4 peripheral devices, said RF transmitters being the sole means  
5 for communicating said device information from said peripheral  
6 devices, wherein said associated operations are not triggered by  
7 wireless telephony and said peripheral devices not having any  
8 USB communication capability, said at least two remote  
9 peripheral devices including a keyboard and a mouse;

10 a data reception circuit for receiving said wireless signals from  
11 said RF transmitters; an upstream USB port adapted to be  
12 connected to the computer;

13 and a hub controller connected between said data reception  
14 circuit and said upstream USB port whereby when said  
15 upstream USB port is connected to the USB port of the  
16 computer and said peripheral devices generate said wireless  
17 signals to said data reception circuit, said hub controller  
18 converts each of said wireless signals to a USB data signal and  
19 passes said USB data signal to said upstream port for  
20 communication of said device information to the computer for  
21 controlling operations of the computer.

22 19. Plaintiff notified Defendant of the '114 Patent and Defendant's infringement  
23 of the '114 Patent prior to filing this action.

24 20. Plaintiff is the owner by assignment of all right, title and interest in and to  
25 United States Patent Number 8,380,901, entitled Universal Serial Bus Hub with Wireless  
26 Communication to Remote Peripheral Device ("the '901 Patent"), including the right to  
27 sue for all past, present, and future infringement, which assignment was duly recorded in  
28 the United States Patent and Trademark Office ("USPTO").

21. A true and correct copy of the '901 Patent is attached hereto as **Exhibit B**.

22. The application that became the '901 Patent was filed on December 28,  
2011, and assigned U.S. patent application number 13/339,355 ("the '355 Application").

1           23. The '901 Patent issued on February 19, 2013, after full and fair examination  
2 by the United States Patent Office.

3           24. The '901 Patent is valid and enforceable.

4           25. The term of the '901 Patent extends through August 4, 2020.

5           26. Claim 8 of the '901 Patent claims:

6               8. A wireless hub comprising:

7                   a wireless communication module configured to receive wireless  
8                   transmission of data from a plurality of peripheral devices, the data  
9                   including error detection information and device information;

10                  a signal discriminator module configured to:

11                   verify, using the error detection information, validity of the data received  
12                   from the plurality of peripheral devices; and

13                   determine, using the device information, the plurality of peripheral devices;  
14                   and

15                  a first Universal Serial Bus (USB) connection,

16                   wherein the apparatus is configured to provide the device information,  
17                   without including the error detection information, to a computing device via  
18                   the first USB connection.

19           27. Claim 9 of the '901 Patent claims:

20               9. The wireless hub of claim 8,

21                   wherein the wireless communication module is further configured to receive  
22                   the data from the plurality of peripheral devices via a plurality of  
23                   communication channels.

24           28. Claim 10 of the '901 Patent claims:

25               10. The wireless hub of claim 8, wherein the wireless communication  
26               module is further configured to:

27                   receive data from a first of the plurality of peripheral devices using a first  
28                   communication channel; and

1 in response to detecting interference in the first communication channel,  
2 change to using a second communication channel to receive the data from  
3 the first peripheral device.

4 29. Claim 11 of the '901 Patent claims:

5 11. The wireless hub of claim 10, wherein the wireless communication  
6 module is further configured to:

7 receive data from a second of the plurality of peripheral devices using a third  
8 communication channel; and

9 in response to detecting interference in the third communication channel,  
10 change to using a fourth communication channel to receive the data from the  
11 second peripheral device.

12 30. Claim 12 of the '901 Patent claims:

13 12. The wireless hub of claim 8,

14 wherein the wireless communication module is further configured to  
15 wirelessly receive data using a plurality of communications channels  
16 comprising a separate communications channel corresponding to each of the  
17 plurality of peripheral devices.

18 31. Plaintiff notified Defendant of the '901 Patent and Defendant's infringement  
19 of the '901 Patent prior to filing this action.

20 32. Plaintiff is the owner by assignment of all right, title and interest in and to  
21 United States Patent Number 8,090,888, entitled Universal Serial Bus Hub with Wireless  
22 Communication to Remote Peripheral Device ("the '888 Patent"), including the right to  
23 sue for all past, present, and future infringement, which assignment was duly recorded in  
24 the United States Patent and Trademark Office ("USPTO").

25 33. A true and correct copy of the '888 Patent is attached hereto as **Exhibit C**.

26 34. The application that became the '888 Patent was filed on April 29, 2010, and  
27 assigned U.S. patent application number 12/770,636 ("the '636 Application").  
28



1           35. The '888 Patent issued on January 3, 2012, after full and fair examination by  
2 the United States Patent Office.

3           36. The '888 Patent is valid and enforceable.

4           37. The term of the '888 Patent extends through August 4, 2020.

5           38. Claim 1 of the '888 Patent claims:

6               1. An apparatus, comprising:

7                   a wireless communication module configured to wirelessly  
8                   receive data from a plurality of peripheral devices, wherein the  
9                   wireless communication module includes:

10                   a multichannel receiver configured to:

11                   receive data from a first peripheral device using a first channel,  
12                   wherein the data received from the first peripheral device  
13                   includes device information and error detection information;  
14                   and

15                   in response to detecting interference in the first channel, change  
16                   to using a second channel to receive the data from the first  
17                   peripheral device;

18                   a signal discriminator configured to verify, using the error  
19                   detection information, validity of the data received from the  
20                   first peripheral device, and to determine a sender of the device  
21                   information;

22                   and a conversion module configured to provide Universal Serial  
23                   Bus (USB) compatible data based on the received data from the  
24                   plurality of peripheral devices;

25                   wherein the apparatus is configured to provide the USB  
26                   compatible data to a computer via a USB connection as data  
27                   that includes the device information without including the error  
28                   detection information.

39. Plaintiff notified Defendant of the '888 Patent and Defendant's infringement  
of the '888 Patent prior to filing this action.

1           40. The '114, '901, and '888 Patents are directed to “a USB hub with capability  
2 to communicate with a plurality of remote wireless peripheral devices without the need to  
3 physically connect the peripheral devices to the hub via a cable connection.”

4           41. The invention of the '114, '901, and '888 Patents provides the further  
5 advantage of a simple hardware design due to the capability of communicating with  
6 multiple remote peripheral devices through a single radio-frequency receiver located on  
7 the USB hub.

8           **COUNT I – DIRECT PATENT INFRINGEMENT OF THE '114 PATENT**

9  
10           42. Plaintiff realleges and incorporates by reference the allegations set forth  
11 above, as if set forth verbatim herein.

12           43. Defendant has directly infringed at least claims 1, 2, 3, 4, 5, 6, and 9 of the  
13 '114 patent in violation of 35 U.S.C. § 271(a) by making, importing, using, selling, or  
14 offering for sale in the United States products that embody the patented invention, and  
15 Defendant will continue to do so unless enjoined by this court.

16           44. Defendant's infringing products include, without limitation, its 2.4 GHz  
17 Wireless Desktop and Optical Mouse and other as-yet-unknown products that similarly  
18 satisfy each element of each asserted claim (collectively, “Accused Products”).

19           45. The Accused Products satisfy each and every element of each asserted claim  
20 of the '114 Patent, as detailed in the preliminary claim chart attached hereto as **Exhibit**  
21 **D**, and incorporated herein by reference, either literally or under the doctrine of  
22 equivalents.

23           46. Defendant's infringing activities are and have been without authority or  
24 license under the '114 Patent.

25           47. Defendant has had actual knowledge of the '114 Patent and Plaintiff's  
26 claims of infringement prior to the filing of this action, at least since receiving pre-suit  
27 notice of the '114 Patent from Plaintiff.  
28

1 48. Defendant's infringement of the '114 Patent has been, and continues to be,  
2 willful and deliberate.

3 49. Plaintiff is entitled to recover from Defendant the damages sustained by  
4 Plaintiff as a result of Defendant's infringing acts in an amount subject to proof at trial,  
5 which, by law, cannot be less than a reasonable royalty, together with interest and costs  
6 as fixed by this Court, pursuant to 35 U.S.C. § 284.

7 50. Defendant's past and continuing infringement of the '114 Patent has  
8 irreparably harmed, and continues irreparably to harm, Plaintiff.

9 51. Defendant's infringing activities will continue unless enjoined by this Court  
10 pursuant to 35 U.S.C. § 283.

11 **COUNT II – INDUCED PATENT INFRINGEMENT OF THE '114 PATENT**

12 52. Plaintiff realleges and incorporates by reference the allegations set forth  
13 above, as if set forth verbatim herein.

14 53. Defendant has actively and intentionally, with prior knowledge of the '114  
15 Patent and Plaintiff's claims of infringement, induced the direct infringement by others of  
16 at least claims 1, 2, 3, 4, 5, 6, and 9 of the '114 Patent in violation of 35 U.S.C. § 271(b),  
17 in making, importing, using, selling, or offering for sale in the United States Accused  
18 Products that embody the patented invention as described in Count I, above.

19 **COUNT III – DIRECT PATENT INFRINGEMENT OF THE '901 PATENT**

20 54. Plaintiff realleges and incorporates by reference the allegations set forth  
21 above, as if set forth verbatim herein.

22 55. Defendant has directly infringed at least claims 8, 9, 10, 11, and 12 of the  
23 '901 patent in violation of 35 U.S.C. § 271(a) by making, importing, using, selling, or  
24 offering for sale in the United States products that embody the patented invention, and  
25 Defendant will continue to do so unless enjoined by this court.  
26  
27  
28

1           56. Defendant’s infringing products include, without limitation, its 2.4 GHz  
2 Wireless Desktop and Optical Mouse and other as-yet-unknown products that similarly  
3 satisfy each element of each asserted claim (collectively, “Accused Products”).

4           57. The Accused Products satisfy each and every element of each asserted claim  
5 of the ’901 Patent, as detailed in the preliminary claim chart attached hereto as **Exhibit**  
6 **E**, and incorporated herein by reference, either literally or under the doctrine of  
7 equivalents.

8           58. Defendant’s infringing activities are and have been without authority or  
9 license under the ’901 Patent.

10           59. Upon information and belief, Defendant had actual knowledge of the ’901  
11 Patent and Plaintiff’s claims of infringement prior to the filing of this action, at least since  
12 receiving pre-suit notice from Plaintiff of the related ’114 Patent.

13           60. Defendant’s infringement of the ’901 Patent has been, and continues to be,  
14 willful and deliberate.

15           61. Plaintiff is entitled to recover from Defendant the damages sustained by  
16 Plaintiff as a result of Defendant’s infringing acts in an amount subject to proof at trial,  
17 which, by law, cannot be less than a reasonable royalty, together with interest and costs  
18 as fixed by this Court, pursuant to 35 U.S.C. § 284.

19           62. Defendant’s past and continuing infringement of the ’901 Patent has  
20 irreparably harmed, and continues irreparably to harm, Plaintiff.

21           63. Defendant’s infringing activities will continue unless enjoined by this Court  
22 pursuant to 35 U.S.C. § 283.

23  
24           **COUNT IV – DIRECT PATENT INFRINGEMENT OF THE ’888 PATENT**

25           64. Plaintiff realleges and incorporates by reference the allegations set forth  
26 above, as if set forth verbatim herein.

27           65. Defendant has directly infringed at least claim 1 of the ’888 patent in  
28 violation of 35 U.S.C. § 271(a) by making, importing, using, selling, or offering for sale

1 in the United States products that embody the patented invention, and Defendant will  
2 continue to do so unless enjoined by this court.

3 66. Defendant’s infringing products include, without limitation, its 2.4 GHz  
4 Wireless Desktop and Optical Mouse and other as-yet-unknown products that similarly  
5 satisfy each element of each asserted claim (collectively, “Accused Products”).

6 67. The Accused Products satisfy each and every element of each asserted claim  
7 of the ’888 Patent, as detailed in the preliminary claim chart attached hereto as **Exhibit F**,  
8 and incorporated herein by reference, either literally or under the doctrine of equivalents.

9 68. Defendant’s infringing activities are and have been without authority or  
10 license under the ’888 Patent.

11 69. Upon information and belief, Defendant had actual knowledge of the ’888  
12 Patent and Plaintiff’s claims of infringement prior to the filing of this action, at least since  
13 receiving pre-suit notice from Plaintiff of the related ’114 Patent.

14 70. Defendant’s infringement of the ’888 Patent has been, and continues to be,  
15 willful and deliberate.

16 71. Plaintiff is entitled to recover from Defendant the damages sustained by  
17 Plaintiff as a result of Defendant’s infringing acts in an amount subject to proof at trial,  
18 which, by law, cannot be less than a reasonable royalty, together with interest and costs  
19 as fixed by this Court, pursuant to 35 U.S.C. § 284.

20 72. Defendant’s past and continuing infringement of the ’888 Patent has  
21 irreparably harmed, and continues irreparably to harm, Plaintiff.

22 73. Defendant’s infringing activities will continue unless enjoined by this Court  
23 pursuant to 35 U.S.C. § 283.

24  
25 **JURY DEMAND**

26 74. Plaintiff hereby demands a trial by jury of all issues so triable pursuant to  
27 Fed. R. Civ. P. 38.

**PRAYER FOR RELIEF**

1  
2 Plaintiff respectfully requests that the Court find in its favor and against Defendant,  
3 and that the Court grant Plaintiff the following relief:

- 4 A. An adjudication that one or more claims of the '114 Patent have been  
5 infringed, either literally and/or under the doctrine of equivalents, by  
6 Defendant;
- 7 B. A permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendant  
8 from further acts of infringement with respect to the claims of the '114  
9 Patent;
- 10 C. An adjudication that one or more claims of the '901 Patent have been  
11 infringed, either literally and/or under the doctrine of equivalents, by  
12 Defendant;
- 13 D. A permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendant  
14 from further acts of infringement with respect to the claims of the '901  
15 Patent;
- 16 E. An adjudication that one or more claims of the '888 Patent have been  
17 infringed, either literally and/or under the doctrine of equivalents, by  
18 Defendant;
- 19 F. A permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendant  
20 from further acts of infringement with respect to the claims of the '888  
21 Patent;
- 22 G. An accounting and an award to Plaintiff of damages adequate to compensate  
23 Plaintiff for the Defendant's acts of infringement, together with pre-  
24 judgment and post-judgment interest and costs pursuant to 35 U.S.C. § 284;
- 25 H. That Defendant's infringement be found to be willful, and that the Court  
26 award enhanced damages pursuant to 35 U.S.C. § 284;  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- I. That this Court declare this to be an exceptional case and award Plaintiff its reasonable attorneys' fees and expenses in accordance with 35 U.S.C. § 285; and
- J. Any further relief that this Court deems just and proper.

Dated: March 27, 2019

Respectfully submitted,  
**COTMAN IP LAW GROUP, PLC**  
By: /s/ Jayson S. Sohi  
Jayson S. Sohi

**KENT & RISLEY LLC**  
By: /s/ Daniel A. Kent  
Daniel A. Kent (*pro hac vice*)

*Attorneys for Plaintiff*  
*Universal Transdata, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 27, 2019, a true and correct copy of the above and foregoing **FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT** was filed with the District Court’s CM.ECF system, which provides service to all counsel of record.

Dated: March 27, 2019

By: /s/ Stephanie Cruz

Stephanie Cruz

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28