

1 Peter J. Corcoran, III, Esq. M.S., LL.M. (SBN 224181)  
CORCORAN IP LAW PLLC  
2 4142 McKnight Road  
Texarkana, TX 75503  
3 T: (903) 701-2481  
F: (844) 362-3291  
4 [peter@corcoranip.com](mailto:peter@corcoranip.com)

5 Isaac Rabicoff  
*(Pro Hac Vice Admission Forthcoming)*  
6 RABICOFF LAW LLC  
7 73 W. Monroe St  
Chicago, IL 60603  
8 773-669-4590  
9 [isaac@rabilaw.com](mailto:isaac@rabilaw.com)

10 *Attorneys for Plaintiff*  
*BE Labs, Inc.*

11  
12 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14 **WESTERN DIVISION**

15 **BE Labs, Inc.,**

16 Plaintiff,

17 v.

18 **Tenda Technology, Inc.,**

19 Defendant.  
20  
21

Case No. 2:19-cv-2639

**COMPLAINT – JURY TRIAL  
DEMANDED**

22 Plaintiff, **BE Labs, Inc.** (“BE Labs”), through its attorney, Isaac Rabicoff,  
23 complains of **Tenda Technology, Inc.** (“Tenda”) and alleges the following:  
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**Parties**

1  
2 1. Plaintiff BE Labs, Inc. is a corporation organized and existing under the  
3 laws of New York that maintains its principal place of business at 1285 Greenbriar  
4 Lane, North Belmore, NY 11710.  
5

6 2. Defendant Tenda Technology, Inc. is a corporation organized and  
7 existing under the laws of California that maintains its principal place of business at  
8 295 Brea Canyon Rd., City of Industry, CA 91789.  
9

**Jurisdiction**

10  
11 3. This is an action for patent infringement arises under the patent laws of  
12 the United States, Title 35 of the United States Code.  
13

14 4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§  
15 1331 and 1338(a).  
16

17 5. This Court has personal jurisdiction over Tenda because it has engaged  
18 in systematic and continuous business activities in the Central District of California.  
19 Specifically, Tenda is incorporated in the state of California and provides its full  
20 range of services to residents in this District. As described below, Tenda has  
21 committed acts of patent infringement giving rise to this action within this District.  
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23

**Venue**

24  
25 6. Venue is proper in this District under 28 U.S.C. § 1400(b) because  
26 Tenda has committed acts of patent infringement in this District, and Tenda is  
27 incorporated in the state of California. In addition, BE Labs has suffered harm in  
28

1 this District.

2 **Patents-in-Suit**

3 7. BE Labs is the assignee of all right, title and interest in United States  
4 Patent Nos. 7,827,581 (the “’581 Patent”) and 9,344,183 (the “’183 Patent”),  
5 collectively the “Patents-in-Suit,” including all rights to enforce and prosecute  
6 actions for infringement and to collect damages for all relevant times against  
7 infringers of the Patents-in-Suit. Accordingly, BE Labs possesses the exclusive  
8 right and standing to prosecute the present action for infringement of the Patents-in-  
9 Suit by Tenda.  
10

11 **The ’581 Patent**

12 8. On November 2, 2010, the United States Patent and Trademark Office  
13 issued the ’581 Patent. The ’581 Patent is titled “Wireless Multimedia System.” The  
14 application leading to the ’581 Patent was filed on February 28, 2001 and claims  
15 priority to a provisional application filed in 2000. A true and correct copy of the  
16 ’581 Patent is attached hereto as Exhibit A.  
17

18 9. The ’581 Patent is valid and enforceable.

19 10. The invention claimed in the ’581 Patent relates to a wireless  
20 distribution system for home or business use that receives signals that are then re-  
21 broadcast throughout the site by low energy transmissions to end units. Ex. A at  
22 1:24-29. A wireless media center receives signals from one or more sources, and the  
23 signals are broadcasted to video end units for televisions and radios, and  
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1 communications end units for telephones and data. *Id.* at 1:54-56. Data channels tell  
2 the wireless distribution system which program and data signals should be sent. *Id.*  
3 at 1:57-58.

4 **The '183 Patent**

5  
6 11. On May 17, 2016, the United States Patent and Trademark Office  
7 issued the '183 Patent. The '183 Patent is titled "Wireless Multimedia System." The  
8 application leading to the '183 Patent was filed on October 1, 2010 and is a  
9 continuation of the application that issued as the '581 Patent. A true and correct  
10 copy of the '183 Patent is attached hereto as Exhibit B.

12 12. The '183 Patent is valid and enforceable.

13  
14 13. The '183 Patent is related to the '581 Patent and, therefore, the  
15 invention in the '183 Patent also relates to a wireless distribution system for home or  
16 business use that receives signals that are then re-broadcast throughout the site by  
17 low energy transmissions to end units. Ex. B at 1:29-45.

18  
19 **COUNT I: INFRINGEMENT OF THE '581 PATENT**

20 14. BE Labs incorporates the above paragraphs herein by reference.

21 15. **Direct Infringement.** Tenda has been and continues to directly  
22 infringe one or more claims of the '581 Patent in at least this District by making,  
23 using, offering to sell, selling and/or importing, without limitation, at least the  
24 AC1200 ("Exemplary Tenda Products") that infringe at least exemplary claims 1, 6,  
25 and 28 of the '581 Patent (the "Exemplary '581 Patent Claims") literally or by the  
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27  
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1 doctrine of equivalence. On information and belief, numerous other devices that  
2 infringe the claims of the Patents-in-Suit have been made, used, sold, imported, and  
3 offered for sale by Tenda and/or its customers.  
4

5       16.    **Induced Infringement.** Tenda actively, knowingly, and intentionally  
6 has been and continues to induce infringement of the '581 Patent, literally or by the  
7 doctrine of equivalence, by selling Exemplary Tenda Products to their customers for  
8 use in end-user products in a manner that infringes one or more claims of the '581  
9 Patent.  
10

11       17.    **Contributory Infringement.** Tenda actively, knowingly, and  
12 intentionally has been and continues materially contribute to their own customers'  
13 infringement of the '581 Patent, literally or by the doctrine of equivalence, by  
14 selling Exemplary Tenda Products to their customers for use in end-user products in  
15 a manner that infringes one or more claims of the '581 Patent.  
16  
17

18       18.    The filing of this Complaint constitutes notice in accordance with 35  
19 U.S.C. § 287.  
20

21       19.    Despite such notice, Tenda continues to make, use, test, sell, offer for  
22 sale, market, and/or import into the United States, products that infringe the '581  
23 Patent. On information and belief, Tenda has also continued to sell the Exemplary  
24 Tenda Products and distribute product literature and website materials inducing end  
25 users and others to use its products in the customary and intended manner that  
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1 infringes the '581 Patent. Thus, on information and belief, Tenda is contributing to  
2 and/or inducing the infringement of the '581 Patent.

3           20. Exhibit C includes charts comparing the Exemplary '581 Patent Claims  
4 to the AC1200. As set forth in these charts, this Exemplary Tenda Product practices  
5 the technology claimed by the '581 Patent. Accordingly, the Exemplary Tenda  
6 Products incorporated in these charts satisfy all elements of the Exemplary '581  
7 Patent Claims.  
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10           21. BE Labs therefore incorporates by reference in its allegations herein the  
11 claim charts of Exhibit C.  
12

13           22. BE Labs is entitled to recover damages adequate to compensate for  
14 Tenda's infringement.  
15

## 16                           **COUNT II: INFRINGEMENT OF THE '183 PATENT**

17           23. BE Labs incorporates the above paragraphs herein by reference.

18           24. **Direct Infringement.** Tenda has been and continues to directly  
19 infringe one or more claims of the '183 Patent in at least this District by making,  
20 using, offering to sell, selling and/or importing, without limitation, at least the  
21 AC1200 ("Exemplary Tenda Products") that infringe at least exemplary claim 1 of  
22 the '183 Patent (the "Exemplary '183 Patent Claim") literally or by the doctrine of  
23 equivalence. On information and belief, numerous other devices that infringe the  
24 claims of the Patents-in-Suit have been made, used, sold, imported, and offered for  
25 sale by Tenda and/or its customers.  
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1           25.    **Induced Infringement.** Tenda actively, knowingly, and intentionally  
2 has been and continues to induce infringement of the '183 Patent, literally or by the  
3 doctrine of equivalence, by selling Exemplary Tenda Products to their customers for  
4 use in end-user products in a manner that infringes one or more claims of the '183  
5 Patent.  
6

7           26.    **Contributory Infringement.** Tenda actively, knowingly, and  
8 intentionally has been and continues materially contribute to their own customers'  
9 infringement of the '183 Patent, literally or by the doctrine of equivalence, by  
10 selling Exemplary Tenda Products to their customers for use in end-user products in  
11 a manner that infringes one or more claims of the '183 Patent.  
12

13           27.    The filing of this Complaint constitutes notice in accordance with 35  
14 U.S.C. § 287.  
15

16           28.    Despite such notice, Tenda continues to make, use, test, sell, offer for  
17 sale, market, and/or import into the United States, products that infringe the '183  
18 Patent. On information and belief, Tenda has also continued to sell the Exemplary  
19 Tenda Products and distribute product literature and website materials inducing end  
20 users and others to use its products in the customary and intended manner that  
21 infringes the '183 Patent. Thus, on information and belief, Tenda is contributing to  
22 and/or inducing the infringement of the '183 Patent.  
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26           29.    Exhibit D includes charts comparing the Exemplary '183 Patent Claim  
27 to the AC1200. As set forth in these charts, this Exemplary Tenda Product practices  
28

1 the technology claimed by the '183 Patent. Accordingly, the Exemplary Tenda  
2 Products incorporated in these charts satisfy all elements of the Exemplary '183  
3 Patent Claim.

4  
5 30. BE Labs therefore incorporates by reference in its allegations herein the  
6 claim charts of Exhibit D.

7  
8 31. BE Labs is entitled to recover damages adequate to compensate for  
9 Tenda's infringement.

### 10 **Jury Demand**

11 Under Rule 38(b) of the Federal Rules of Civil Procedure, BE Labs  
12 respectfully requests a trial by jury on all issues so triable.

### 14 **Prayer for Relief**

15 WHEREFORE, BE Labs respectfully requests the following relief:

- 16  
17 A. A judgment that the '581 Patent and the '183 Patent are valid and  
18 enforceable.
- 19  
20 B. A judgment that Tenda has infringed, contributorily infringed, and/or  
21 induced infringement of one or more claims of the '581 Patent;
- 22  
23 C. A judgment that Tenda has infringed, contributorily infringed, and/or  
24 induced infringement of one or more claims of the '183 Patent;
- 25  
26 D. An accounting of all damages not presented at trial;
- 27  
28 E. A judgment that awards BE Labs all appropriate damages under 35  
U.S.C. § 284 for Tenda's past infringement, and any continuing or



1 future infringement of the Patents-in-Suit, up until the date such  
2 judgment is entered, including pre- or post-judgment interest, costs, and  
3 disbursements as justified under 35 U.S.C. § 284 and, if necessary, to  
4 adequately compensate BE Labs for Tenda's infringement, an  
5 accounting:  
6

- 7
- 8 i. that this case be declared exceptional within the meaning of 35  
9 U.S.C. § 285 and that BE Labs be awarded its reasonable attorneys'  
10 fees against Tenda that it incurs in prosecuting this action;
  - 11 ii. that BE Labs be awarded costs, and expenses that it incurs in  
12 prosecuting this action; and
  - 13 iii. that BE Labs be awarded such further relief at law or in equity as the  
14 Court deems just and proper.  
15

16 Dated: April 6, 2019

Respectfully submitted,

17 */s/ Peter Corcoran*

18 Peter J. Corcoran, III (SBN 224181)

19 CORCORAN IP LAW PLLC

4142 McKnight Road

20 Texarkana, TX 75503

T: (903) 701-2481

21 F: (844) 362-3291

[peter@corcoranip.com](mailto:peter@corcoranip.com)

22 Isaac Rabicoff

23 *(Pro Hac Vice Admission Forthcoming)*

RABICOFF LAW LLC

24 73 W Monroe St

Chicago, IL 60603

25 773-669-4590

[isaac@rabilaw.com](mailto:isaac@rabilaw.com)

26 *Attorneys for Plaintiff*

27 *BE Labs, Inc.*