

1 Steven A. Nielsen (CSB 133864)  
100 Larkspur Landing Circle, Suite 216  
Larkspur, CA 94939  
2 415-272-8210  
3 [Steve@NielsenPatents.com](mailto:Steve@NielsenPatents.com)

4 Isaac Rabicoff  
(*Pro Hac Vice Motion to be Filed*)  
5 RABICOFF LAW LLC  
73 W Monroe St  
6 Chicago, IL 60603  
773-669-4590  
7 [isaac@rabilaw.com](mailto:isaac@rabilaw.com)

8 *Attorneys for Plaintiff*  
9 *Pebble Tide LLC*

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

<p>12 <b>Pebble Tide LLC,</b> 13 <b>Plaintiff,</b> 14 <b>v.</b> 15 <b>Logitech Inc.,</b> 16 <b>Defendant.</b></p>	<p><b>Case No. 3:19-cv-02287 - LB</b> <b>Patent Case</b> <b>Jury Trial Demanded</b></p>
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18 **FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

19 Plaintiff Pebble Tide LLC ("Pebble Tide"), through its attorneys, complains of Logitech  
20 Inc. ("Logitech"), and alleges the following:  
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22 **PARTIES**

23 1. Plaintiff Pebble Tide LLC is a corporation organized and existing under the laws of  
24 Texas that maintains its principal place of business at 5570 FM423, Suite 250-2023, Frisco, TX  
25 75036.  
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**The '739 Patent**

1 8. The '739 Patent is entitled "System for capturing and outputting digital content over  
2 a network that includes the internet," and issued 4/16/2019. The application leading to the '739  
3 Patent was filed on 3/15/2018. A true and correct copy of the '739 Patent is attached hereto as  
4 Exhibit 1 and incorporated herein by reference.  
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6 9. The '739 Patent is valid and enforceable.

**The '411 Patent**

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8 10. The '411 Patent is entitled "Method for capturing, storing, accessing, and outputting  
9 digital content," and issued 5/28/2019. The application leading to the '411 Patent was filed on  
10 3/16/2018. A true and correct copy of the '411 Patent is attached hereto as Exhibit 2 and  
11 incorporated herein by reference.  
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13 11. The '411 Patent is valid and enforceable.

**PROBLEMS IN THE PRIOR ART SOLVED BY THE PATENTS-IN-SUIT, AND INVENTIVE CONCEPTS  
DESCRIBED IN THE SPECIFICATION AND CAPTURED IN THE CLAIMS**

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15 12. THE DECLARATION OF INVENTOR WILLIAM HO CHANG provides expert testimony  
16 demonstrating, among other things, problems in the prior art solved by the Patents-in-Suit, and  
17 inventive concepts described in the specification and captured in the claims. *See* Exhibit 5.  
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19 13. Pebble Tide therefore incorporates THE DECLARATION OF INVENTOR WILLIAM HO  
20 CHANG, attached hereto as Exhibit 5, into the pleadings here. *See* Exhibit 5.

**COUNT 1: INFRINGEMENT OF THE '739 PATENT**

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22 14. Pebble Tide incorporates the above paragraphs herein by reference.

23 15. **Direct Infringement.** Defendant has been and continues to directly infringe one or  
24 more claims of the '739 Patent in at least this District by making, using, offering to sell, selling  
25 and/or importing, without limitation, at least Logitech Circle 2 home security camera (among the  
26 "Exemplary Logitech Products") that infringe at least exemplary claims 1-2, 4-8 of the '739 Patent  
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1 (the "Exemplary '739 Patent Claims") literally or by the doctrine of equivalence. On information  
2 and belief, numerous other devices that infringe the claims of the '739 Patent have been made,  
3 used, sold, imported, and offered for sale by Defendant and/or its customers.

4 16. Defendant also has and continues to directly infringe, literally or under the doctrine  
5 of equivalents, the Exemplary '739 Patent Claims, by having its employees internally test and use  
6 these Exemplary Products.

7 17. The filing of the original Complaint, on April 26, 2019, constituted notice and  
8 actual knowledge of infringed as alleged here. D.I. 1.

9 18. **Willful Infringement.** Despite such actual knowledge, Defendant continues to  
10 make, use, test, sell, offer for sale, market, and/or import into the United States, products that  
11 infringe the '739 Patent. On information and belief, Defendant has also continued to sell the  
12 Exemplary Logitech Products and distribute product literature and website materials inducing end  
13 users and others to use its products in the customary and intended manner that infringes the '739  
14 Patent. Thus, on information and belief, Defendant is contributing to and/or inducing the  
15 infringement of the '739 Patent.

16 19. **Induced Infringement.** Defendant actively, knowingly, and intentionally has been  
17 and continues to induce infringement of the '739 Patent, literally or by the doctrine of equivalence,  
18 by selling Exemplary Logitech Products to their customers for use in end-user products in a  
19 manner that infringes one or more claims of the '739 Patent.

20 20. **Contributory Infringement.** Defendant actively, knowingly, and intentionally has  
21 been and continues materially contribute to their own customers' infringement of the '739 Patent,  
22 literally or by the doctrine of equivalence, by selling Exemplary Logitech Products to their  
23 customers for use in end-user products in a manner that infringes one or more claims of the '739  
24 Patent.



1 infringe the '411 Patent. On information and belief, Defendant has also continued to sell the  
2 Exemplary Logitech Products and distribute product literature and website materials inducing end  
3 users and others to use its products in the customary and intended manner that infringes the '411  
4 Patent. Thus, on information and belief, Defendant is contributing to and/or inducing the  
5 infringement of the '411 Patent.

6           29.     **Induced Infringement.** Defendant actively, knowingly, and intentionally has been  
7 and continues to induce infringement of the '411 Patent, literally or by the doctrine of equivalence,  
8 by selling Exemplary Logitech Products to their customers for use in end-user products in a  
9 manner that infringes one or more claims of the '411 Patent.

10           30.     **Contributory Infringement.** Defendant actively, knowingly, and intentionally has  
11 been and continues materially contribute to their own customers' infringement of the '411 Patent,  
12 literally or by the doctrine of equivalence, by selling Exemplary Logitech Products to their  
13 customers for use in end-user products in a manner that infringes one or more claims of the '411  
14 Patent.

15           31.     Exhibit 4 includes charts comparing the Exemplary '411 Patent Claims to the  
16 Exemplary Logitech Products. As set forth in these charts, the Exemplary Logitech Products  
17 practice the technology claimed by the '411 Patent. Accordingly, the Exemplary Logitech  
18 Products incorporated in these charts satisfy all elements of the Exemplary '411 Patent Claims.

19           32.     Pebble Tide therefore incorporates by reference in its allegations herein the claim  
20 charts of Exhibit 4.

21           33.     Pebble Tide is entitled to recover damages adequate to compensate for Defendant's  
22 infringement.

**JURY DEMAND**

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34. Under Rule 38(b) of the Federal Rules of Civil Procedure, Pebble Tide respectfully requests a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Pebble Tide respectfully requests the following relief:

- A. A judgment that the '739 Patent is valid and enforceable;
- B. A judgment that the '411 Patent is valid and enforceable;
- C. A judgment that Defendant has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '739 Patent;
- D. A judgement that Defendant has willfully infringed one or more claims of the '739 Patent, and that Plaintiff is entitled to treble damages;
- E. A judgment that Defendant has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '411 Patent;
- F. A judgement that Defendant has willfully infringed one or more claims of the '411 Patent, and that Plaintiff is entitled to treble damages;
- G. An accounting of all damages not presented at trial;
- H. A judgment that awards Pebble Tide all appropriate damages under 35 U.S.C. § 284 for Defendant's past infringement, and any continuing or future infringement of the Patents-in-Suit, up until the date such judgment is entered, including pre- or post-judgment interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Pebble Tide for Defendant's infringement, an accounting:

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- i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Pebble Tide be awarded its reasonable attorneys' fees against Defendant that it incurs in prosecuting this action;
- ii. that Pebble Tide be awarded costs, and expenses that it incurs in prosecuting this action; and
- iii. that Pebble Tide be awarded such further relief at law or in equity as the Court deems just and proper.

Dated: August 23, 2019

Respectfully submitted,

/s/ Steven A. Nielsen  
 100 Larkspur Landing Circle, Suite 216  
 Larkspur, CA 94939  
 415-272-8210  
[Steve@NielsenPatents.com](mailto:Steve@NielsenPatents.com)

/s/ Isaac P. Rabicoff  
 Isaac P. Rabicoff  
*(Pro Hac Vice Motion to be Filed)*  
[isaac@rabilaw.com](mailto:isaac@rabilaw.com)  
 Rabicoff Law LLC  
 73 W. Monroe St.  
 Chicago, IL 60603  
 (773) 669-4590

**Counsel for Plaintiff**