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**Attorneys for Plaintiff
Cedar Lane Technologies Inc.**

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

Cedar Lane Technologies Inc.,

Plaintiff,

v.

Genesis Digital, LLC,

Defendant.

Case No. '19CV2282 BAS BGS

Patent Case

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Cedar Lane Technologies Inc. ("Cedar Lane"), through its attorneys,
complains of Genesis Digital, LLC ("Gensis Digital"), and alleges the following:

PARTIES

1
2 1. Plaintiff Cedar Lane Technologies Inc. is a corporation organized and
3 existing under the laws of Canada that maintains its principal place of business at
4 560 Baker Street, Suite 1, Nelson, BC V1L 4H9.

5 2. Defendant Genesis Digital, LLC is a corporation organized and existing
6 under the laws of California that maintains an established place of business at 7660
7 Fay Ave. #H184, La Jolla, CA 92083.

JURISDICTION

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9
10 3. This is an action for patent infringement arising under the patent laws
11 of the United States, Title 35 of the United States Code.

12 4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§
13 1331 and 1338(a).

14 5. This Court has personal jurisdiction over Defendant because it has
15 engaged in systematic and continuous business activities in this District, and is
16 incorporated in this District's state. As described below, Defendant has committed
17 acts of patent infringement giving rise to this action within this District.

VENUE

18
19 6. Venue is proper in this District under 28 U.S.C. § 1400(b) because
20 Defendant has committed acts of patent infringement in this District, has an
21 established place of business in this District, and is incorporated in this District's
22 state. In addition, Cedar Lane has suffered harm in this district.

PATENT-IN-SUIT

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24
25 7. Cedar Lane is the assignee of all right, title and interest in United States
26 Patent No. 6,806,889 (the "'889 Patent"); (the "Patent-in-Suit"); including all rights
27 to enforce and prosecute actions for infringement and to collect damages for all
28

1 relevant times against infringers of the Patent-in-Suit. Accordingly, Cedar Lane
 2 possesses the exclusive right and standing to prosecute the present action for
 3 infringement of the Patent-in-Suit by Defendant.

4 **The '889 Patent**

5
 6 8. The '889 Patent is entitled "Interactive applications," and issued
 7 10/19/2004. The application leading to the '889 Patent was filed on 12/3/1999. A
 8 true and correct copy of the '889 Patent is attached hereto as Exhibit 1 and
 9 incorporated herein by reference.

10 9. The '889 Patent is valid and enforceable.

11 **COUNT 1: INFRINGEMENT OF THE '889 PATENT**

12 10. Cedar Lane incorporates the above paragraphs herein by reference.

13 11. **Direct Infringement.** Defendant has been and continues to directly
 14 infringe one or more claims of the '889 Patent in at least this District by making,
 15 using, offering to sell, selling and/or importing, without limitation, at least the
 16 Gensis Digital products identified in the charts incorporated into this Count below
 17 (among the "Exemplary Gensis Digital Products") that infringe at least the
 18 exemplary claims of the '889 Patent also identified in the charts incorporated into
 19 this Count below (the "Exemplary '889 Patent Claims") literally or by the doctrine
 20 of equivalents. On information and belief, numerous other devices that infringe the
 21 claims of the '889 Patent have been made, used, sold, imported, and offered for sale
 22 by Defendant and/or its customers.

23 12. Defendant also has and continues to directly infringe, literally or under
 24 the doctrine of equivalents, the Exemplary '889 Patent Claims, by having its
 25 employees internally test and use these Exemplary Products.

26 13. The service of this Complaint upon Defendant constitutes actual
 27 knowledge of infringement as alleged here.
 28

1 14. Despite such actual knowledge, Defendant continues to make, use, test,
2 sell, offer for sale, market, and/or import into the United States, products that
3 infringe the '889 Patent. On information and belief, Defendant has also continued to
4 sell the Exemplary Gensis Digital Products and distribute product literature and
5 website materials inducing end users and others to use its products in the customary
6 and intended manner that infringes the '889 Patent. Thus, on information and belief,
7 Defendant is contributing to and/or inducing the infringement of the '889 Patent.

8 15. **Induced Infringement.** Defendant actively, knowingly, and
9 intentionally has been and continues to induce infringement of the '889 Patent,
10 literally or by the doctrine of equivalents, by selling Exemplary Gensis Digital
11 Products to their customers for use in end-user products in a manner that infringes
12 one or more claims of the '889 Patent.

13 16. **Contributory Infringement.** Defendant actively, knowingly, and
14 intentionally has been and continues materially contribute to their own customers'
15 infringement of the '889 Patent, literally or by the doctrine of equivalents, by selling
16 Exemplary Gensis Digital Products to their customers for use in end-user products
17 in a manner that infringes one or more claims of the '889 Patent. Moreover, the
18 Exemplary Gensis Digital Products are not a staple article of commerce suitable for
19 substantial noninfringing use.

20 17. Exhibit 2 includes charts comparing the Exemplary '889 Patent Claims
21 to the Exemplary Gensis Digital Products. As set forth in these charts, the
22 Exemplary Gensis Digital Products practice the technology claimed by the '889
23 Patent. Accordingly, the Exemplary Gensis Digital Products incorporated in these
24 charts satisfy all elements of the Exemplary '889 Patent Claims.

25 18. Cedar Lane therefore incorporates by reference in its allegations herein
26 the claim charts of Exhibit 2.

Defendant's infringement.

JURY DEMAND

respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Cedar Lane respectfully requests the following relief:

- A. A judgment that the '889 Patent is valid and enforceable;
- B. A judgment that Defendant has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '889 Patent;
- C. An accounting of all damages not presented at trial;
- D. A judgment that awards Cedar Lane all appropriate damages under 35 U.S.C. § 284 for Defendant's past infringement, and any continuing or future infringement of the Patent-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 Cedar Lane for Defendant's infringement, an accounting:
 - i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Cedar Lane be awarded its reasonable attorneys' fees against Defendant that it incurs in prosecuting this action;
 - ii. that Cedar Lane be awarded costs, and expenses that it incurs in prosecuting this action; and
 - iii. that Cedar Lane be awarded such further relief at law or in equity as the Court deems just and proper.

1
2 Dated: November 29, 2019 Respectfully submitted,

3 /s/ Kirk J. Anderson

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19 **Cedar Lane Technologies Inc.**