

1 RYAN E. HATCH
California Bar No. 235577
2 ryan@ryanehatch.com
Law Office of Ryan E. Hatch, P.C.
3 13323 Washington Blvd., Suite 100
Los Angeles, CA 90066
4 Telephone: 310-279-5076

5 DAVID A. SKEELS (*admitted pro hac vice*)
Texas Bar No. 24041925
6 dskeels@whitakerchalk.com
WHITAKER CHALK SWINDLE & SCHWARTZ PLLC
7 301 Commerce Street, Suite 3500
Fort Worth, Texas 76102
8 Telephone: (817) 878-0500
Facsimile: (817) 878-0501

9 CABRACH J. CONNOR (*admitted pro hac vice*)
10 Texas Bar No. 24036390
cab@connorkudlaclee.com
11 CONNOR KUDLAC LEE PLLC
609 Castle Ridge Road, Suite 450
12 Austin, Texas 78746
Telephone: 512-777-1254
13 Facsimile: 888-387-1134

14 Attorneys for PINN, INC.

15
16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 PINN, INC.,
19 Plaintiff,
20 v.
21 APPLE INC.,
22 Defendant.

Lead Case No. 8:19-cv-1805-DOC-JDE
SECOND AMENDED COMPLAINT
FOR PATENT INFRINGEMENT
AGAINST GOOGLE LLC
DEMAND FOR JURY TRIAL

District Judge: David O. Carter
Magistrate Judge: John D. Early
Technical Special Master: David Keyzer

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25 PINN, INC.,
26 Plaintiff,
27 v.
28 GOOGLE LLC,
Defendant.

CASE NO. 8:19-cv-1840-DOC-JDE
CONSOLIDATED CASE

PINN, INC.,
Plaintiff,

v.

SAMSUNG ELECTRONICS
AMERICA, INC.,
Defendant.

CASE NO. 8:19-cv-1856-DOC-JDE
CONSOLIDATED CASE

Pinn, Inc. files this Second Amended Complaint against Google LLC for infringement of U.S. Patent Nos. 9,807,491 (the “’491 Patent”), 10,455,066 (the “’066 Patent”), and 10,609,198 (the “’198 Patent”).

PARTIES

1. Pinn, Inc. is a California Corporation with its headquarters and principal place of business at 2522 Chambers Rd., Suite 100, Tustin, CA 92780.

2. Defendant Google LLC is Delaware limited liability company with its principal place of business in Mountain View, California. Defendant is registered to do business in California.

3. Google has appeared and may be served through its counsel of record.

JURISDICTION AND VENUE

4. Pinn brings this action for patent infringement under the patent laws of the United States, including 35 U.S.C. §§ 154, 271, 281, and 283-285. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Google is subject to the general and specific personal jurisdiction of this Court based upon its regularly conducted business in the State of California and in this judicial district, including conduct giving rise to this action.

6. Google has committed, and continues to commit, acts of direct and indirect infringement in California, within this district, and throughout the United States, by, among other things, making, using, selling, or offering for sale in the United States, and/or importing into the United States, wireless earbud devices and systems that embody one or more of the inventions claimed in the ’491, ’066, and ’198 Patents.

1 or that may arise under, the Asserted Patents, including the right to pursue and recover
2 any and all monetary and equitable remedies for infringement.

3 **The '491 Patent: "Electronic Device with Wireless Earbud"**

4 16. On October 31, 2017, the United States Patent and Trademark Office
5 ("USPTO") issued the '491 Patent following a full examination of U.S. Pat. App. Ser.
6 No. 15/625,935, which was filed June 16, 2017, and claims priority to PCT App. No.
7 PCT/US2016/025936 (filed April 4, 2016) and U.S. Prov. App. No. 62/142,978 (filed
8 April 3, 2015).

9 17. Exhibit A is a true and correct copy of the '491 Patent.

10 18. The '491 Patent describes a personal wireless media station that includes
11 a main body and wireless earbud.

12 19. In reference to one disclosed embodiment, the '491 Patent describes an
13 apparatus comprising a main body, a wireless earbud configured for plugging into a
14 connection hole of the main body to form a single integrated body, a user input button,
15 at least one processor, and at least one memory.

16 20. Claim 1 of the '491 Patent recites:

17 1. An apparatus comprising:

18 a main body comprising a connection hole, a user
19 input button, at least one processor and at least one
20 memory; and

21 a wireless earbud configured for plugging into the
22 connection hole of the main body to form a single
integrated body with the main body,

23 wherein the wireless earbud has wireless
24 communication capability for wirelessly pairing with a
25 smartphone and is configured to receive audio data from
26 the smartphone and to play audio using the audio data
from the smartphone when wirelessly paired with the
smartphone,

27 wherein in addition to wireless communication
28 capability for wireless pairing with the smartphone, the
wireless earbud comprises an earbud connector for

connecting with an electric circuit of the main body for wired communication capability with the main body when plugged into the connection hole,

wherein, when wireless earbud is plugged into the connection hole, the wireless earbud is configured to perform wired two-way data communication with the main body,

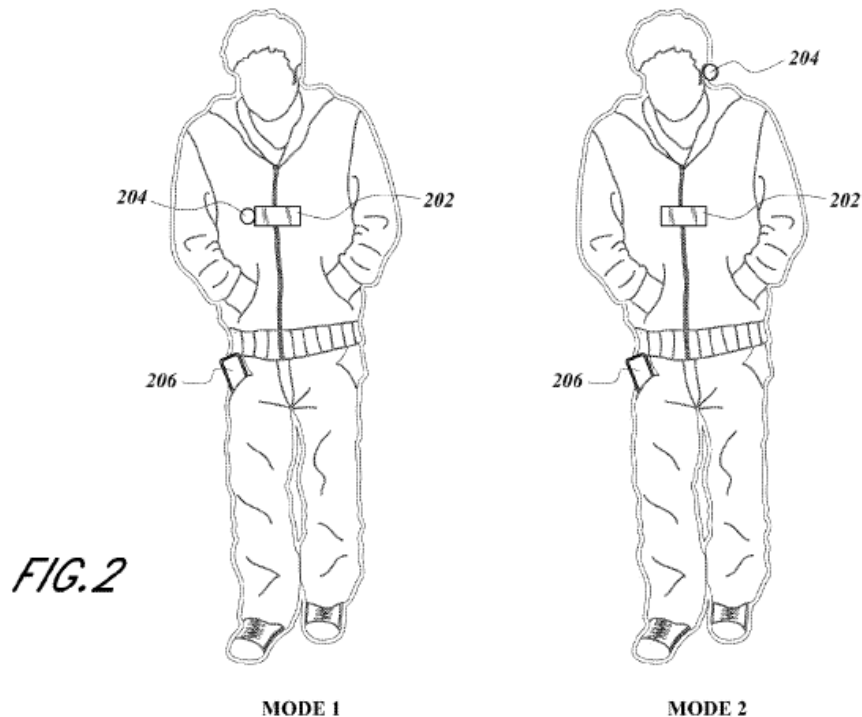
wherein the at least one processor of the main body is configured to execute computer program instructions stored in the at least one memory

for initiating the wireless pairing with the smartphone in response to pressing of the user input button provided on the main body,

for initiating battery charging of the wireless earbud in response to the wireless earbud's plugging into the connection hole, and

for turning off the wireless pairing with the smartphone when the wireless earbud is being charged.

21. Figure 2 illustrates certain exemplary uses of an embodiment of the '491 Patent:



22. The technologies and innovations recited in the claims of the '491 Patent, including Claim 1, provide inventive concepts and do not claim an abstract idea. The

1 individual elements of the '491 Patent claims, including claim 1, were not well-
2 understood, routine, or conventional to persons of skill in the art at the time of the
3 invention. Instead, the claims of the '491 Patent are directed to unconventional,
4 inventive concepts that implement technical solutions to solve various problems,
5 including problems unique to wireless earbud pairing, and that enhance the operation
6 and functionality of wireless earbuds. As one example, the '491 Patent provides a
7 technical solution that eliminates the need to have unobstructed access to a
8 smartphone's inputs and outputs and facilitates pairing between the smartphone and
9 the wireless earbud. *See, e.g.*, '491 Patent at 1:14-26.

10 23. Technological solutions taught by the '491 Patent provide advantages
11 over, and improvements to, the state of the art at the time. For example, the teachings
12 of the '491 Patent improve the performance of a wireless earbud system by
13 simplifying the pairing process and by providing a mechanism for charging wireless
14 earbuds when away from a traditional power source.

15 24. The inventions and the limitations recited in the claims of the '491
16 Patent, whether alone or in combination with other limitations, embody a number of
17 inventive concepts. For example, claim 1 of the '491 Patent describes a consumer
18 product or system featuring distributed intelligence and an earbud that communicates
19 wirelessly with a smartphone and communicates via wired two-way communication
20 with the main body. The main body is configured to initiate wireless pairing with a
21 smartphone when a user presses the input button on the main body. When plugged
22 into the connection holes, the wireless earbuds are configured such that the earbud
23 batteries are charged by the main body and perform two-way data communication
24 with the main body. *See, e.g.*, '491 Patent at 1:45-49.

25 **The '066 Patent: "Mobile System with Wireless Earbud"**

26 25. On October 22, 2019, the USPTO issued the '066 Patent following a full
27 examination of U.S. Pat. App. Ser. No. 15/563,937, which was filed October 2, 2017,
28 and claims priority to PCT App. No. PCT/US2016/025936 (filed April 4, 2016) and

1 U.S. Prov. App. Nos. 62/199,943 (filed July 31, 2015) and 62/142,978 (filed April 3,
2 2015).

3 26. The USPTO published the '937 App. on May 10, 2018.

4 27. Since May 10, 2018, papers in the '937 App. file have been available to
5 the public.

6 28. On August 28, 2019, the USPTO allowed claims 23-60 of the '937 App.
7 (sometimes referred to as the "'937 App. Published Claims").

8 29. The August 28, 2019 Notice of Allowance is publicly available.

9 30. On September 3, 2019, Pinn paid the issue fee.

10 31. U.S. Pat. No. 10,455,066 issued from the '937 App. with claims
11 substantially identical to the '937 App. Published Claims listed in Exhibit B.

12 32. Exhibit C is a true and correct copy of the '066 Patent.

13 33. Original claim 23 of the '937 App. (final claim 1 in the '066 Patent)
14 recites:

15 A mobile system comprising:

16 a base station comprising a connection hole, a user
17 input button, at least one processor, at least one memory,
18 and circuitry; and

19 a wireless earbud configured for plugging into the
20 connection hole of the base station to form an integrated
21 body with the base station,

22 wherein the system is capable of wirelessly pairing
23 with a smartphone for the wireless earbud to receive
24 audio data originated from the smartphone,

25 wherein, in response to pressing of the user input
26 button, the at least one processor is configured to execute
27 computer program instructions stored in the at least one
28 memory to initiate processing for the wireless pairing
with the smartphone such that the wireless earbud
receives audio data originated from the smartphone and
plays audio using the audio data from the smartphone,

wherein, in response to plugging the wireless
earbud into the connection hole, the at least one processor
is configured to execute computer program instructions

1 stored in the at least one memory to initiate charging of a
 2 battery of the wireless earbud,

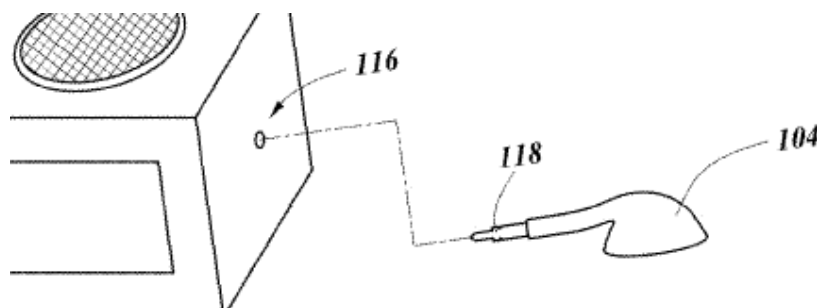
3 wherein, when the wireless earbud is plugged into
 4 the connection hole of the base station, the wireless
 5 earbud is configured to electrically connect with the
 6 circuitry of the base station and further configured to
 7 performing wired data communication with the base
 8 station.

9 34. The particular combination of elements in claim 23 of the '937 App. was
 10 not well-understood, routine, or conventional to persons of skill in the art at the time
 11 of the invention. Instead, the '066 Patent, including claim 1, is directed to
 12 unconventional, inventive concepts disclosed in the specification.

13 35. Whether alone or in combination with other limitations, the claimed
 14 inventions and limitations recited in the '066 Patent embody a number of inventive
 15 concepts. Claim 1, for example, describes, among other things, a mobile system
 16 having distributed intelligence. The system enables wireless pairing of an earbud and
 17 smartphone in response to pressing a user input button and includes a base station
 18 featuring a connection hole into which an earbud is plugged for charging and wired
 19 data communication.

20 36. For example, in one embodiment described in claim 21 of the '066
 21 Patent, “the at least one processor is configured to execute computer program
 22 instructions stored in the at least one memory to turn off the wireless pairing while
 23 the wireless earbud is being charged.”

24 37. As illustrated in Figure 1 (excerpted below), the earbud connector of the
 25 wireless earbud is mateable with the main body connector of the main body. The



1 specification further describes: “The wireless earbud and the main body form a single
2 integrated body when the earbud connector and the main body connector are
3 connected with each other.”

4 **The ’198 Patent:**

5 **“Personal Media System Including Base Station and Wireless Earbud”**

6 38. Mr. Kim filed U.S. Pat. App. No. 15/694,736 (the “’736 App.”) on
7 September 1, 2017, as a continuation of U.S. Pat. App. Ser. No. 15/625,935 (filed
8 June 16, 2017), which is a continuation of PCT App. No. PCT/US2016/025936 (filed
9 April 4, 2016), claiming priority to U.S. Prov. App. No. 62/142,978.

10 39. The USPTO published the ’736 App. on December 28, 2017.

11 40. Since December 28, 2017, all papers in the ’736 App. file have been
12 available to the public.

13 41. On June 19, 2019, the USPTO allowed claims 1-29 of the ’736 App.
14 (sometimes referred to as the “’736 App. Published Claims,” as shown in Exhibit E).
15 On January 4, 2020, after a request for continued examination, the USPTO again
16 provided its “Reasons for Allowance” with respect to the ’736 App. On January 29,
17 2020, Pinn received a Notice of Allowance for the ’736 App. On February 12, 2020,
18 Pinn paid the issue fee. On March 11, 2020, the USPTO mailed an “Issue
19 Notification,” which, for the first time, assigned a patent number to the ’736 App. and
20 specified an issue date of March 31, 2020.

21 42. On March 31, 2020, the ’198 Patent issued with claims substantially
22 identical to the ’736 App. Published Claims previously disclosed to Google. Exhibit
23 D is also a true and correct copy of the ’198 Patent.

24 43. Claim 1 of the ’198 Patent recites:

25 A mobile system comprising:

26 a mobile base station comprising a connection
27 hole, a user input button, at least one processor, at least
28 one memory, a circuitry; and a wireless earbud
configured for plugging into the connection hole of the

1 mobile bases station to form an integrated body with the
2 mobile base station,

3 wherein, while the wireless earbud is plugged in
4 the connection hole of the mobile base station, the
5 wireless earbud is configured to electrically connect with
6 the circuitry of the mobile base station and further
7 configured to perform wired data communication with
8 the mobile base station, wherein, while the wireless
9 earbud is plugged in the connection hole of the mobile
10 base station, the circuitry of the mobile base station is
11 configured to obtain characteristics of the wireless earbud
12 and send the characteristics to the at least one processor,

13 wherein, while the wireless earbud is plugged in
14 the connection hole of the mobile base station, the at least
15 one processor is configured to execute computer program
16 instructions stored in the at least one memory to initiate
17 charging of a battery of the wireless earbud,

18 wherein the wireless earbud has wireless
19 communication for wireless pairing with a smartphone to
20 perform data communication with the smartphone,

21 wherein the mobile system is configured to
22 generate sound when a mobile application installed on the
23 smartphone is searching for the mobile system while the
24 wireless earbud is paired with the smartphone,

25 wherein, in response to pressing of the user input
26 button of the mobile base station, the at least one
27 processor is configured to execute computer program
28 instructions stored in the at least one memory to initiate
processing for the wireless pairing,

wherein the wireless earbud is not capable of
wirelessly sending data to the mobile base station.

22 *See* Ex. C, Claim 1.

23 44. The particular combination of elements as recited in claim 1 of the '198
24 Patent was not well-understood, routine, or conventional to persons of skill in the art
25 at the time of the invention. Instead, the claimed subject matter is directed to
26 unconventional, inventive concepts disclosed in the specification.

27 45. Whether alone or in combination with other limitations, the claimed
28 inventions and limitations recited in the '198 Patent embody a number of inventive

1 concepts. Claim 1, for example, describes, among other things, a mobile system
2 featuring distributed intelligence. The system enables wireless pairing of an earbud
3 and smartphone to perform data communication with the smartphone and enables
4 emission of sound when a mobile application installed on the smartphone is searching
5 for the mobile system while the earbud is paired.

6 46. The specification of the '198 Patent describes at least one embodiment
7 that features an application for finding a personal wireless media station within the
8 station's communication ranges and for monitoring and controlling various features
9 of the personal wireless media station, such as battery level.

10 47. In at least one embodiment of the device finder, Pinn Finder beeps and
11 blinks when the mobile app is searching for the Pinn device.

12 48. Pinn previously provided notice of the '198 Patent, including the claims
13 of the '198 Patent. Pinn's notice made clear that Pinn would amend its complaint to
14 allege infringement of the patent that issued from the '736 App., i.e., the '198 Patent.

15
16 **PINN, INC.**



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20 49. Pinn was founded by Seung Jin ("Sean") Kim in 2015, with a vision
21 toward designing and developing wearable technology that enhances the smartphone
22 experience and eliminates frustrating phone problems like trying to locate and retrieve
23 your phone quickly to answer an incoming call.

24 50. Pinn is headquartered, and Mr. Kim resides, in Irvine, California.

25 51. Pinn's product inventory, company files, and documents relating to the
26 Patents in Suit and claims in this lawsuit are located in Irvine.

27 52. Sean Kim received a bachelor's degree in Music Composition and
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1 Orchestra Conduction from Seoul National University in 2003. In addition to being
2 an accomplished composer, Mr. Kim is an entrepreneur and inventor.

3 53. While serving as an IP and business consultant to Deca International
4 Corporation, Mr. Kim developed and helped Deca commercialize a variety of GPS-
5 based golf rangefinders, voice-based products, and laser-based rangefinders.

6 54. After Deca, Mr. Kim worked with AQ Corporation, a mobile nearfield
7 communication company. He assisted AQ in developing its intellectual property
8 assets and helped direct AQ's research and development efforts. While at AQ, Mr.
9 Kim worked on the design of an interactive, event-specific digital signage platform
10 for use on mobile devices, called Anniver.

11 55. Recognizing the need for a personal media system with simplified
12 operation and structure, Mr. Kim conceived of the Pinn device in 2014 and founded
13 Pinn Inc. the following year to develop a first-generation wearable product that would
14 provide consumers with an easier way to use their smartphones, by simplifying and
15 enhancing the wireless capabilities and operation of the device. Mr. Kim recognized
16 that a system having distributed intelligence and processing, along with an integrated
17 modular design, would improve ease of use and functionality.

18 56. The USPTO recognized Mr. Kim's innovations by granting the first of
19 his Pinn patents, the '491 Patent, in 2017.

20 57. Pinn proved Mr. Kim's concept in October 2015 and successfully
21 launched the Pinn product soon after. Pinn became available to the public in 2017.

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58. Pinn includes a wireless earbud that is docked and integrated into the Pinn clip or main body.

59. Pinn wirelessly connects to a user’s smartphone via Bluetooth.



GOOGLE’S PIXEL BUDS WITH CHARGING CASE

60. Google introduced the Google Pixel Buds in October 2017.

61. Google advertised results from testing conducted on Pixel Buds in September 2017.

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62. Google Pixel Buds are sold with a case, as shown below.



63. Google publishes the following description of the Pixel Buds:

What are Google Pixel Buds?

Meet the Google Pixel Buds. Designed for high-quality audio as they fit comfortably in your ear.

Google Pixel Buds

Google Pixel Buds are a pair of wireless earbuds that allow you to listen to media, answer calls, talk to your Assistant, translate languages, and express yourself through sleek design and intuitive controls.

Pixel Buds work best in a variety of settings including your daily commute, gym sessions, weekend walks, or even at home.

[Buy Now](#)



64. Pixel Buds connect wirelessly to a compatible smartphone via Bluetooth.

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65. The Google Pixel Buds case features “magnetized pockets” for storing and charging the Pixel Bud earbuds.

How to charge your Google Pixel Buds

Match the L & R indicators of the Pixel Buds to the charging case magnetized pockets.

Once they're in, press down to make sure the charging pins are firmly in place. After placing your earbuds in their pockets, secure the cord by wrapping it around the rim of the charging case so you can carry Pixel Buds while they are charging.

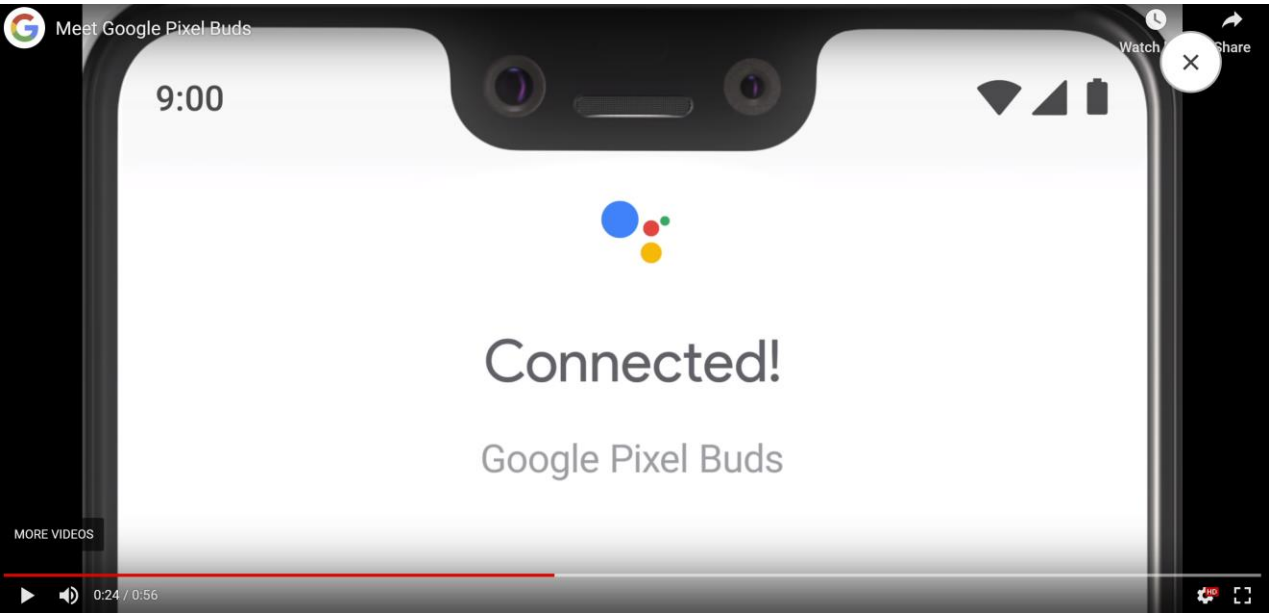


66. The magnetized pockets formed in the Pixel Bud case are configured to hold the earbuds firmly in place.



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71. The image below shows a smartphone screen display indicating successful pairing with the Google Pixel Buds:

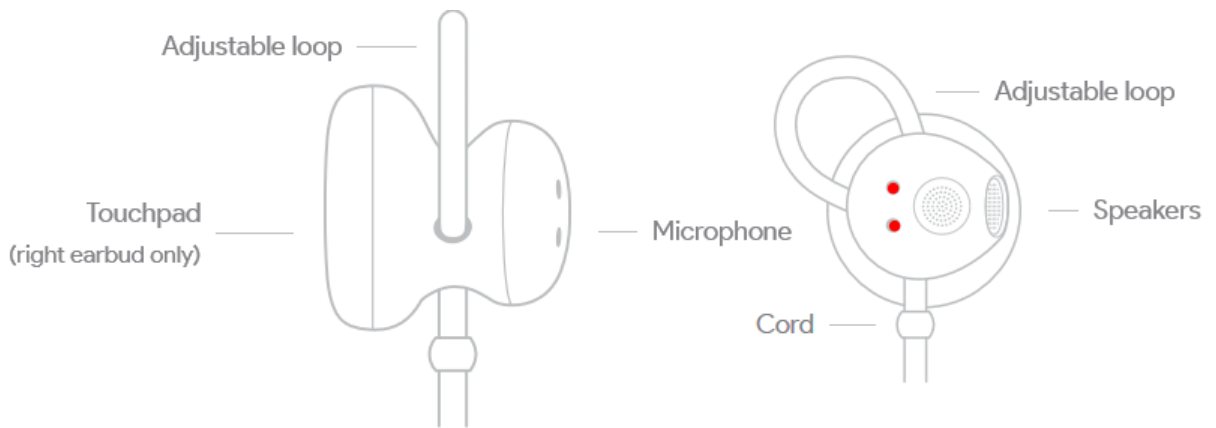


72. Each Google Pixel Buds earbud has two charging pins that electrically connect with contacts in the magnetized pockets of the case.

73. The image below shows two electrical contacts in each magnetized pocket:



1 74. The image below shows the charging pins (in red) on the Pixel Bud
2 earbud:



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11 75. The Safety, Warranty & Regulatory Guide for Google Pixel Buds that is
12 published by Google states: “The contacts in the charging case contain nickel and
13 those contacts come in contact with the earbuds.”

14 76. The Safety, Warranty & Regulatory Guide for Google Pixel Buds
15 provides the following statement describing the charging pin contacts on each
16 wireless earbud:

17 **Materials**

18 Google Pixel Buds are made from plastics, polymers and stainless steel. The charging pin contacts are gold
19 plated copper alloy. The pockets within the charging case which hold the earbuds may be made from a material
20 which contains brominated flame retardants.

21 <https://support.google.com/googlepixelbuds/answer/7549807?hl=en>.

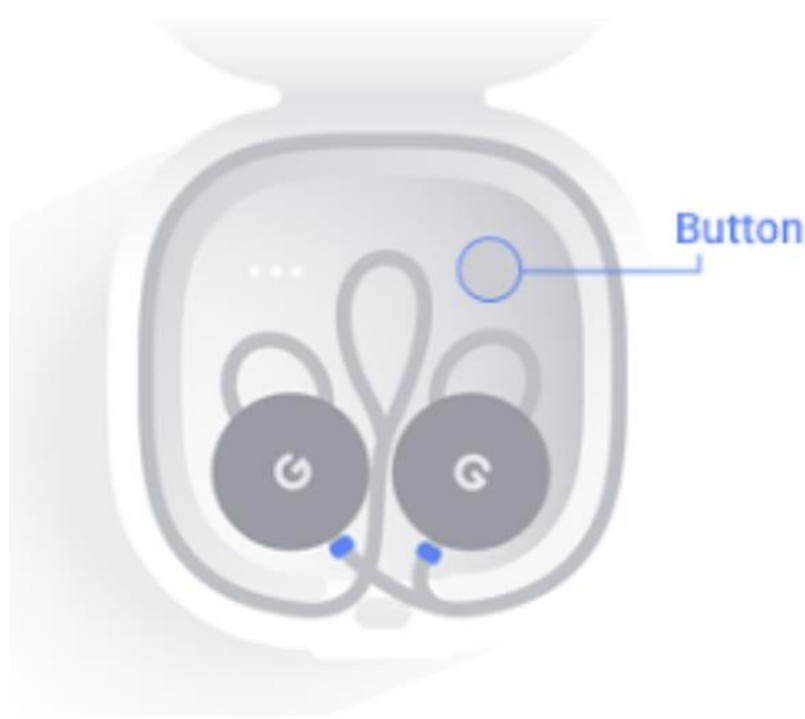
22 77. In normal charging operation, each Pixel Buds earbud connects to an
23 electric circuit in the main body of the case.

24 78. When the Pixel Buds earbuds are place in the case, a wired connection
25 is made via the charging pins and the charging pin contacts in each magnetized pocket.

26 79. When the Pixel Buds earbuds are placed in the magnetized pockets of
27 the case, a wired connection between the case and the earbuds enables two-way data
28 communication between the case and the earbuds.

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80. The Pixel Buds case features a user input button shown below:



81. In normal charging operation, the Pixel Buds earbuds receive a charging signal via wired connection between the case and earbuds.

82. Google published the following description of the case:

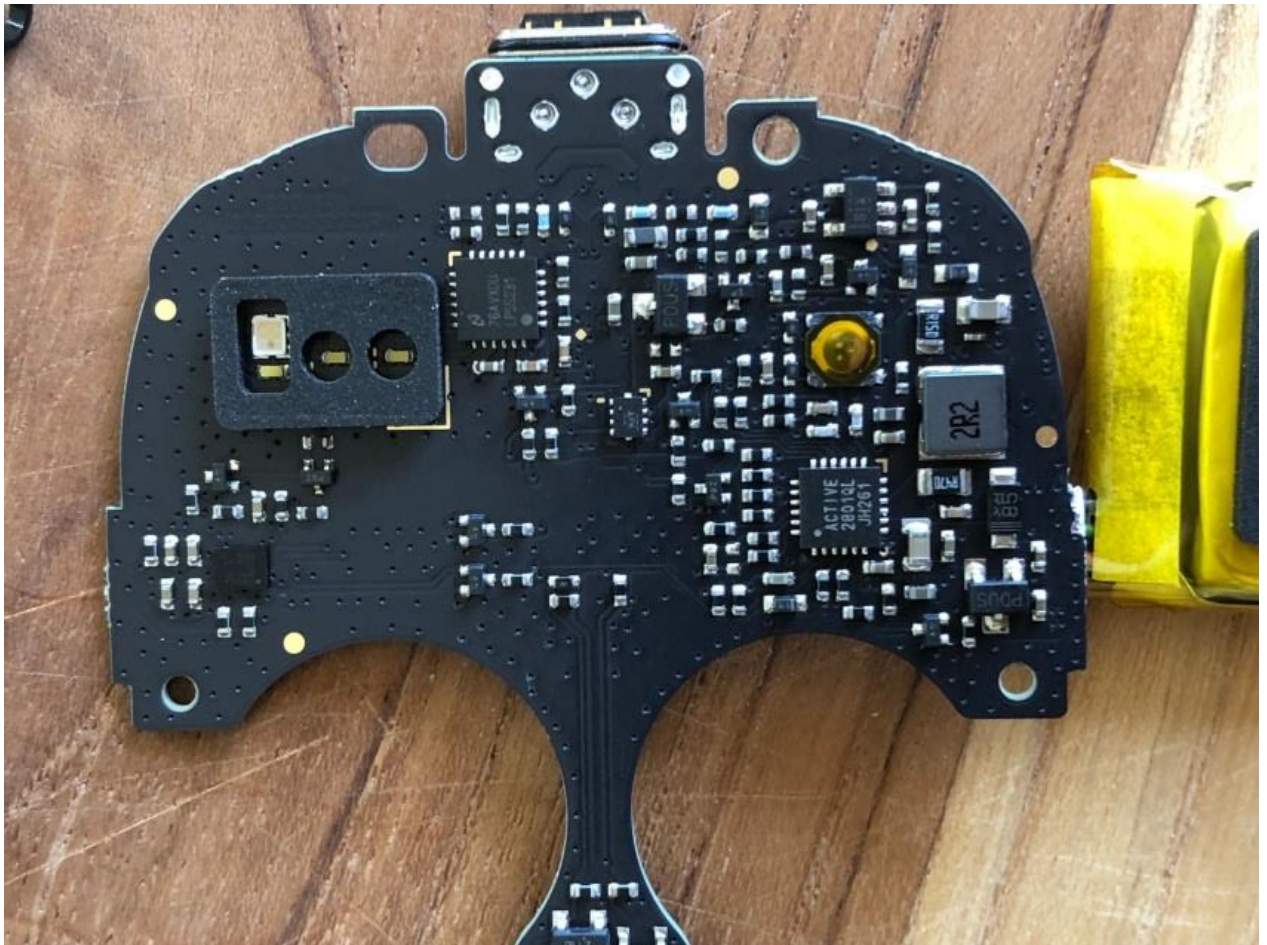
The Google Pixel Buds Charging Case

The charging case for the Google Pixel Buds is a sleek and lightweight way to carry your earbuds when you're not using them.

Note: Charge safely. Before charging, please make sure that you read and follow the safety information about charging Google Pixel Buds at <https://g.co/pixelbuds/SafetyInfo> or in the 'Be Safe' guide included with your Google Pixel Buds.

Your charging case allows you to pair your Pixel Buds with your phone, check the battery levels of both your case and Pixel Buds and recharge your Pixel Buds when they're low on power. Along with up to five hours of listening time that you'll get from a single charge on your Pixel Buds, the charging case holds multiple additional charges. If the charging case is also fully charged, altogether, you'll receive up to 24 hours of listening time.

1 83. The Google Pixel Buds case comprises at least one processor and
2 memory.



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18 84. At least one processor of the Pixel Buds case main body (e.g., the Active-
19 Semi ACT2801 chip shown in the picture above) is configured to execute instructions
20 for initiating battery charging of the wireless earbuds in response to the earbuds being
21 placed in their pockets.

22 How to charge your Google Pixel Buds

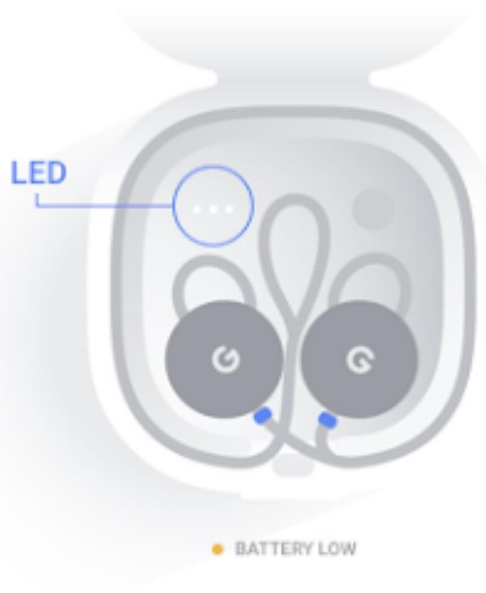
23 Match the L & R indicators of the Pixel Buds to the charging case magnetized pockets.

24 Once they're in, press down to make sure the charging pins are firmly in place. After placing your earbuds in their
25 pockets, secure the cord by wrapping it around the rim of the charging case so you can carry Pixel Buds while
26 they are charging.

27 85. A green LED light appears, indicating that the Pixel Buds are charging.
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A green LED light will appear, indicating that your Pixel Buds are charging.



86. At least one processor in the Pixel Buds case main body is configured to execute instructions for initiating Bluetooth pairing in response to pressing the user input button.

87. Google published the following instructions for wirelessly pairing the Google Pixel Buds with a smartphone:

Step 2. Manually pair Google Pixel Buds

1. On your mobile device's Bluetooth menu, tap on the Google Pixel Buds headphones to pair them with your phone.
2. Hold the case button for 3 seconds; if you see one white LED pulsing , your device is ready to pair.
3. Look for a pop-up notification on your phone that will take you through the rest of setup.
4. On certain Android devices, you may need to look for your Google Pixel Buds in the Bluetooth setting menu and add them as a new device.

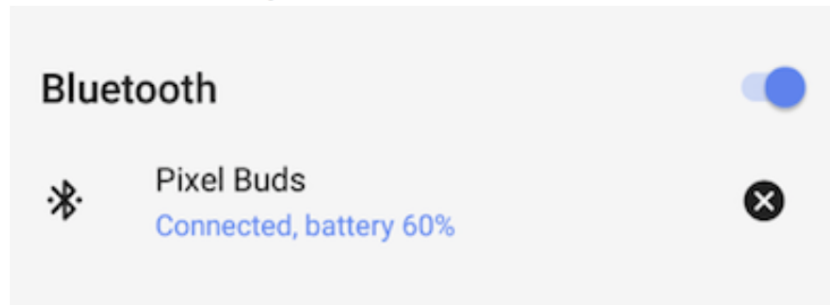
88. At least one processor of the Pixel Buds case main body is configured to execute instructions for turning off Bluetooth pairing during charging.

89. Instructions executed by the processor(s) in the charging case are stored in memory located in the main body of the charging case.

1 90. Google’s Pixel Buds are configured to provide battery status to a
2 smartphone for display on a mobile application of the smartphone.

3 4 How to check the battery level of your Pixel Buds


5 Bluetooth settings (Requires a Pixel 2 or Pixel 2 XL phone)



11 12 Headphones settings in Google Assistant

13 1. Press and hold the center button on your phone to invoke your Google Assistant



15 2. Tap on  Headphones Settings



18 91. Google publishes how-to instructions and encourages users to check
19 battery level and pair Google Pixel Buds with a compatible smartphone.

20 92. Google Pixel Buds earbuds are incapable of wirelessly communicating
21 with the case.

22 93. When the Google Pixel Buds earbuds are wirelessly paired with a
23 compatible smartphone (e.g., Google Pixel 2), a mobile application of the smartphone
24 may be used to control various functions such as volume adjustment.

25 Basic Voice Commands

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- "Play some pop music"
 - "Louder / Quieter"
 - "Increase / Decrease Volume"
 - "Next"
 - "Stop / Start"
 - "Tell me the latest news"

1 94. When the Google Pixel Buds are wirelessly paired with a compatible
2 smartphone (e.g., Google Pixel 2), the system comprising the wireless earbuds and
3 smartphone is configured to enable control of functions by a mobile application on
4 the smartphone (e.g., Google Assistant).

5 95. Google publishes the following instructions for using Pixel Buds with
6 the Google Assistant mobile application:

7 Request Media

8 Touch & hold the right earbud while you talk to request media.

9 Example: *"Play rock music"*



10 If you haven't chosen a preferred media service, your Google Assistant will ask you to select a service
11 the first time you request music and then it will begin playing your media. For more information on
12 selecting a preferred music service, go [here](#). Subscriptions and fees may apply.

13 Music service supported by the Google Assistant include:

- 14 • Google Play Music
- 15 • Spotify
- 16 • YouTube
- 17 • YouTube Music

18 Radio services supported by the Google Assistant include:

- 19 • iHeartRadio
- 20 • TuneIn

21 Basic Voice Commands

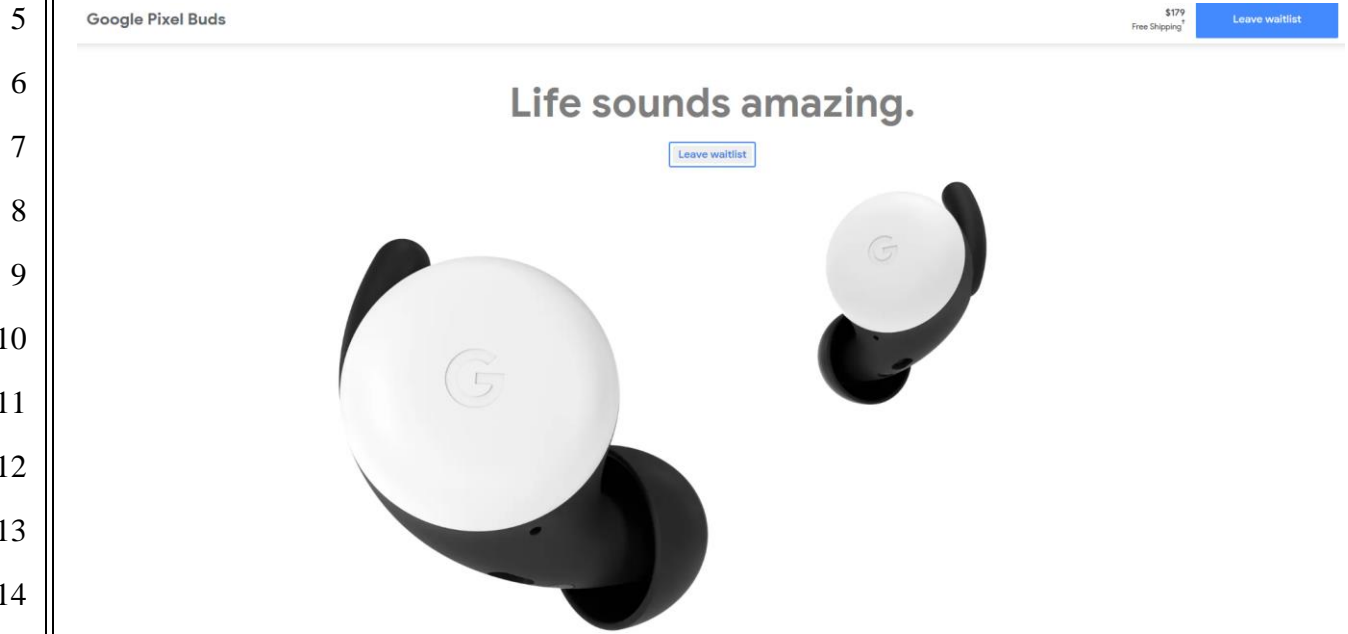
- 22 • *"Play some pop music"*
- 23 • *"Louder / Quieter"*
- 24 • *Increase / Decrease Volume"*
- 25 • *"Next"*
- 26 • *"Stop / Start"*
- 27 • *"Tell me the latest news"*

28 96. Google sells Pixel Buds wireless earbuds with a charging case base station that includes connection holes for plugging in the earbuds, a user input button for initiating pairing and other functions, processors, memory, and circuitry for charging and controlling Bluetooth communication and two-way data communication

1 between the earbuds and charging case.

2 97. Google has used, tested, developed, and introduced its new Pixel Buds 2
3 product that will be available to consumers in Spring 2020.

4 98. Google advertises the Pixel Buds 2 on its website for \$179:



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16 99. The Pixel Buds 2 feature a charging case that includes connection holes
17 for plugging in the earbuds, a user input button for initiating pairing and other
18 functions, processors, memory, and circuitry for charging and controlling Bluetooth
19 communication and two-way data communication between the earbuds and charging
20 case.



1
2 100. Pinn’s Preliminary Infringement Contentions and any amendments
3 thereto identify Google’s Accused Products and the Asserted Claims infringed by
4 Google.

5 **NOTICE**

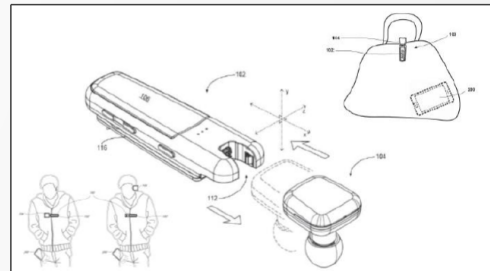
6 101. In October of 2016, on behalf of Pinn, Mr. Kim contacted Google by e-
7 mail and provided information about Pinn, its technology, and the inventions claimed
8 in the Patents in Suit.

9 102. In emails to Ryan Beauchamp (Google Product Manager), Brian
10 Rakowski (Vice President of Product Management), M G Siegler (General Partner,
11 Google Ventures), Sarah Xie (Manager, Mobile Apps Partnership), and Hector
12 Balasch (Sr. Strategic Partner Manager), Mr. Kim provided details about Pinn, Inc., a
13 link to Pinn’s website, and documentation about the Pinn technology.

14 103. Mr. Kim provided a list of Pinn’s intellectual property assets at the time
15 and specifically identified the pending application from which the ’491 Patent issued:

16 **IP Portfolio**

- 17 • US Patent Application (Utility) – 62/142,978
- 18 • US Patent Application (Utility) – 62/199,943
- 19 • PCT Application (Utility – Merged above 2 applications) – PCT/US2016/025936
- 20 • US Patent Application (Design) – 29/534,923
- 21 • US Patent Application (Utility) – 62/318,146
- 22 • Trademark Application – 86/761,666 (Issued)
- 23 • A New US Patent Application (Utility) is preparing for filing on November, 2016



24 Pinn Inc.

25 www.mypinn.com

26 104. Google has been aware of Pinn’s ’491 Patent since at least the date it was
27 cited during prosecution of Google’s later-filed patent applications. Google filed U.S.
28

1 Application Ser. No. 16/237,947, on January 2, 2019, which relates to certain features
 2 of the Google Pixel Buds.


3 105. After receiving Mr. Kim’s e-mails and before the USPTO published
 4 Google’s ’947 Application, Google identified Pinn’s foreign patent application by
 5 listing publication no. 2016/161454 on an invention disclosure statement submitted
 6 to the Patent Examiner on April 12, 2019.

7 106. The excerpt below is from the invention disclosure statement submitted
 8 to the USPTO in connection with Google’s own patent application:

FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²ⁱ	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	2016161454	WO	A1	2016-10-06	Pinn, Inc		
If you wish to add additional Foreign Patent Document citation information please click the Add button								Add

14 107. The image below is from Pinn’s international patent application that
 15 Google identified to the USPTO:

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)
 (19) World Intellectual Property Organization
 International Bureau
 (43) International Publication Date
 6 October 2016 (06.10.2016)



(10) International Publication Number
WO 2016/161454 A1

(51) International Patent Classification: *H04M 1/60* (2006.01)
 (21) International Application Number: **PCT/US2016/025936**
 (22) International Filing Date: 4 April 2016 (04.04.2016)
 (25) Filing Language: English
 (26) Publication Language: English
 (30) Priority Data:
 62/142,978 3 April 2015 (03.04.2015) US
 62/199,943 31 July 2015 (31.07.2015) US
 (71) Applicant: **PINN, INC.**, [US/US]; 2512 Chambers Road, Suite 204, Tustin, CA 92780 (US).
 (72) Inventors: **KIM, Seung, Jin**; 2 Bowie Pl, Irvine, CA 92602 (US). **STONE, Jason, Frederick**; 237 Cuesta Dr., South San Francisco, CA 94080 (US). **PASCUAL, Vincent, Sarcia**; 1400 Crescent Dr., Brentwood, CA 94513 (US). **FISHER, H., Lawson**; 4670 Alpine Road, Portola Valley, CA 94028 (US). **MISHRA, Devjeet**; 274 Park Ave., Westbury, NY 11590 (US).
 (74) Agent: **CHRISTENSEN, Michael, R.**; Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14th Floor, Irvine, CA 92614 (US).
 (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.
 (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, ST, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, KM, ML, MR, NE, SN, TD, TG).

27 108. Pinn’s ’491 and ’066 Patents are continuations of International
 28 Application No. PCT/US2016/025936.

1 109. Google had knowledge of International Application No.
2 PCT/US2016/025936 at least as early as April 12, 2019.

3 110. Adam Champy is named as a co-inventor on Google’s ’947 Patent
4 Application that references Pinn’s patent application. He also is Product Manager for
5 Google Pixel Buds.

6 111. Pinn has complied with 35 U.S.C. § 287.

7 **COUNT 1: DIRECT INFRINGEMENT OF U.S. PATENT NO. 9,807,491**

8 112. Pinn realleges and incorporates by reference the allegations set forth in
9 the preceding paragraphs as if set forth here in full.

10 113. As the owner of the ’491 Patent, Pinn holds all substantial rights in and
11 to the ’491 Patent, including the right to exclude others from practicing its patented
12 inventions, the right to enforce the ’491 Patent, and the right to sue and recover
13 damages for infringement of, the ’491 Patent.

14 114. Google has no authority or license to practice the inventions claimed in
15 the ’491 Patent.

16 115. The ’491 Patent is valid and enforceable and was duly issued in full
17 compliance with Title 35 of the United States Code after a full and fair examination
18 by the USPTO.

19 116. Google has infringed and continues to infringe the claims charted in
20 Pinn’s Preliminary Infringement Contentions for the ’491 Patent (claims 1, 9, and 10)
21 by, among other things, making, using, selling, and offering for sale in the United
22 States, and/or importing into the United States – without license or authority –
23 products, devices, or systems, including Google Pixel Buds 1 and 2 (the “Accused
24 Products”) that fall within the scope of one or more claims of the ’491 Patent in
25 violation of at least 35 U.S.C. § 271(a).

26 117. Google’s infringing conduct has been, and continues to be, willful,
27 intentional, and carried out with actual knowledge of the ’491 Patent.

28 118. Since receiving notice of the ’491 Patent, Google has continued to

1 perform acts of infringement and has taken no steps to modify the Accused Products
2 to avoid infringement or to instruct end users and customers how to use the Accused
3 Products in a way that avoids infringement.

4 119. As a result of Google’s past infringing conduct, Google is liable to Pinn
5 in an amount that adequately compensates it for Google’s infringement, which, by
6 law, can be no less than a reasonable royalty, together with interest and costs as fixed
7 by this Court under 35 U.S.C. § 284.

8 120. As a result of Google’s ongoing infringing conduct described in this
9 Count, Pinn will continue to be damaged unless Google is enjoined from further
10 infringement.

11 **COUNT 2: INDIRECT INFRINGEMENT OF U.S. PATENT NO. 9,807,491**

12 121. Plaintiff realleges and incorporates by reference the factual allegations
13 set forth in the preceding paragraphs as if set forth here in full.

14 122. Google is liable for indirect infringement of claims 1, 9, and 10 of the
15 ’491 Patent by knowingly encouraging, aiding, and directing others (e.g., end users
16 and customers) to use and operate the Accused Products in an infringing manner and
17 to perform the claimed methods of the ’491 Patent.

18 123. Google has actual knowledge of Pinn’s ’491 Patent and has been and is
19 on notice of the ’491 Patent, the Accused Products that infringe the ’491 Patent, and
20 the manner in which such products infringe.

21 124. Google encourages, directs, aids, and abets the use, assembly,
22 configuration, and installation of the Accused Products.

23 125. Google provides to end users and customers products and components
24 having no substantial non-infringing uses and intends them to be combined with a
25 smartphone or other system components to infringe the ’491 Patent.

26 126. Google specifically intends the Accused Products to be used and
27 operated to infringe one or more claims of the ’491 Patent.

28 127. By providing manuals, advertising, instructional documentation and

1 videos, and technical support, Google encourages and instructs end users and
2 customers to use and operate the Accused Products in an infringing manner.

3 128. For example, despite having knowledge of the '491 Patent, Google has
4 provided, and continues to provide, instructional materials, such as user guides, owner
5 manuals, and online resources (e.g., <https://support.google.com/googlepixelbuds>) that
6 teach and encourage customers and other end users to use the Accused Products in an
7 infringing manner. Google actively induces infringement of the '491 Patent.

8 129. The Accused Products include hardware components and software
9 instructions that operate in concert to perform specific, intended functions that
10 constitute material parts of the inventions claimed in the '491 Patent and are not staple
11 articles of commerce suitable for substantial non-infringing use.

12 130. For example, the Accused Products include circuitry configured to
13 operate in combination with software instructions to perform specific functions, such
14 as pairing, playing audio data received from a smartphone, and initiating charging of
15 wireless earbuds, as claimed in the '491 Patent. Such hardware and software have no
16 substantial non-infringing use.

17 131. Google's infringing conduct has been and continues to be willful,
18 intentional, and carried out with actual knowledge of the '491 Patent.

19 132. Since receiving notice of the '491 Patent, Google has continued to
20 perform acts of indirect infringement and has taken no steps to modify the Accused
21 Products or to instruct end users or customers how to use the Accused Products in a
22 way to avoid infringement.

23 133. As a result of Google's past infringing conduct, Google is liable to Pinn
24 in an amount that adequately compensates it for Google's infringement, which by law
25 can be no less than a reasonable royalty, together with interest and costs as fixed by
26 this Court under 35 U.S.C. § 284.

27 134. As a result of Google's ongoing infringing conduct described in this
28 Count, Pinn will continue to be damaged unless Google is enjoined from further

1 infringement.

2 **COUNT 3: DIRECT INFRINGEMENT OF U.S. PATENT NO. 10,455,066**

3 135. Pinn realleges and incorporates by reference the factual allegations set
4 forth in the preceding paragraphs as if set forth here in full.

5 136. Pinn is the owner, by assignment, of the '066 Patent and holds all
6 substantial rights in and to the '066 Patent including the right to enforce any patent
7 that may issue therefrom and the right to pursue and recover all infringement damages
8 that may flow from infringement of any such patent.

9 137. The Patent Office published the '937 App. on May 10, 2018.

10 138. The Patent Office allowed Claims 23-60 of the '937 App. on August 28,
11 2019.

12 139. Claims 23-60 issued as '066 Claims 1-38 in a form substantially identical
13 to those shown in Exhibit B.

14 140. The '066 Patent issued in full compliance with Title 35 of the United
15 States Code and is valid and enforceable.

16 141. Google has practiced and is currently practicing the claims charted in
17 Pinn's Preliminary Infringement Contentions for the '066 Patent (claims 1, 4, 6, 8, 9,
18 10, 14, 21, 26, 28, 30, 34, 36, and 38) by, among other things, making, using, selling,
19 and offering for sale in the United States, and/or importing in to the United States,
20 products, devices, or systems including the Accused Products, that fall within the
21 scope of these claims.

22 142. Google has no authority or license to practice the inventions claimed in
23 the '066 Patent.

24 143. As a result of its infringing conduct, Google is liable to Pinn in an amount
25 that adequately compensates Plaintiff for Google's conduct, including damages in an
26 amount no less than a reasonable royalty, together with interest and costs as fixed by
27 this Court.

28 144. As a result of Google's ongoing infringing conduct described in this

1 Count, Pinn will continue to be damaged unless Google is enjoined from further
2 infringement.

3 **COUNT 4: INDIRECT INFRINGEMENT OF U.S. PATENT NO. 10,455,066**

4 145. Plaintiff realleges and incorporates by reference the factual allegations
5 set forth in the preceding paragraphs as if set forth here in full.

6 146. Google is liable for indirect infringement of the claims charted in Pinn’s
7 Preliminary Infringement Contentions for the ’066 Patent (claims 1, 4, 6, 8, 9, 10, 14,
8 21, 26, 28, 30, 34, 36, and 38) by knowingly encouraging, aiding, and directing others
9 (e.g., end users and customers) to use and operate the Accused Products in an
10 infringing manner and to perform the claimed methods of the ’066 Patent.

11 147. Google has actual knowledge of Pinn’s ’066 Patent and has been and is
12 on notice of the ’066 Patent, the Accused Products that infringe the ’066 Patent, and
13 the manner in which such products infringe.

14 148. Google encourages, directs, aids, and abets the use, assembly,
15 configuration, and installation of the Accused Products.

16 149. Google provides to end users and customers products and components
17 having no substantial non-infringing uses and intends them to be combined with a
18 smartphone or other system components to infringe the ’066 Patent.

19 150. Google specifically intends for the Accused Products to be used and
20 operated to infringe one or more claims of the ’066 Patent.

21 151. By providing manuals, advertising, instructional documentation and
22 videos, and technical support, Google encourages and instructs end users and
23 customers to use and operate the Accused Products in an infringing manner.

24 152. For example, despite having knowledge of the ’066 Patent, Google has
25 provided, and continues to provide, instructional materials, such as user guides, owner
26 manuals, and online resources (e.g., <https://support.google.com/googlepixelbuds>) that
27 teach and encourage customers and other end users to use the Accused Products in an
28 infringing manner. Google actively induces infringement of the ’066 Patent.

1 153. The Accused Products include hardware components and software
2 instructions that operate in concert to perform specific, intended functions that
3 constitute material parts of the inventions claimed in the '066 Patent and are not staple
4 articles of commerce suitable for substantial non-infringing use.

5 154. For example, the Accused Products include circuitry configured to
6 operate in combination with software instructions to perform specific functions, such
7 as pairing, playing audio data received from a smartphone, and initiating charging of
8 wireless earbuds, as claimed in the '066 Patent. Such hardware and software have no
9 substantial non-infringing use.

10 155. Google's infringing conduct has been and continues to be willful,
11 intentional, and carried out with actual knowledge of the '066 Patent.

12 156. Since receiving notice of the '066 Patent, Google has continued to
13 perform acts of indirect infringement and has taken no steps to modify the Accused
14 Products or to instruct end users or customers how to use the Accused Products in a
15 way to avoid infringement.

16 157. As a result of Google's past infringing conduct, Google is liable to Pinn
17 in an amount that adequately compensates it for Google's infringement, which by law
18 can be no less than a reasonable royalty, together with interest and costs as fixed by
19 this Court under 35 U.S.C. § 284.

20 158. As a result of Google's ongoing infringing conduct described in this
21 Count, Pinn will continue to be damaged unless Google is enjoined from further
22 infringement.

23 **COUNT 5: DIRECT INFRINGEMENT OF U.S. PAT. NO. 10,609,198**

24 159. Pinn realleges and incorporates by reference the factual allegations set
25 forth in the preceding paragraphs as if set forth here in full.

26 160. As the owner of the '198 Patent, Pinn holds all substantial rights in and
27 to the '198 Patent, including the right to exclude others from practicing its patented
28 inventions, the right to enforce the '198 Patent, and the right to sue and recover

1 damages for infringement of the '198 Patent, including past damages.

2 161. The Patent Office published the '736 App. on December 28, 2017.

3 162. The Patent Office allowed claims 1-29 of the '736 App. on June 19,
4 2019.

5 163. The '198 Patent issued on March 31, 2020.

6 164. Claims 1-29 of the '736 App. issued in a form substantially identical to
7 those shown in Exhibit E. *See also* Exhibit D, '198 Patent.

8 165. Google has no authority or license to practice the inventions claimed in
9 the '198 Patent.

10 166. The '198 Patent is valid, enforceable, and was duly issued in full
11 compliance with Title 35 of the United States Code after a full and fair examination
12 by the USPTO.

13 167. Google has infringed and continues to infringe the claims charted in
14 Pinn's Preliminary Infringement Contentions for the '198 Patent (claims 1, 3, 5, 9,
15 12, 15, 17, 19, 21, 25, 27 and 29) by, among other things, making, using, selling, and
16 offering for sale in the United States, and/or importing in to the United States,
17 products, devices, or systems, including the Accused Products, that fall within the
18 scope of the claims in Pinn's Preliminary Infringement Contentions, in violation of at
19 least 35 U.S.C. § 271(a).

20 168. Since receiving notice of the '198 Patent, Google has continued to
21 perform acts of indirect infringement and has taken no steps to modify the Accused
22 Products or to instruct end users or customers how to use the Accused Products in a
23 way to avoid infringement.

24 169. As a result of Google's past infringing conduct, Google is liable to Pinn
25 in an amount that adequately compensates it for Google's infringement, which, by
26 law, can be no less than a reasonable royalty, together with interest and costs as fixed
27 by this Court under 35 U.S.C. § 284.

28 170. As a result of Google's ongoing infringing conduct described in this

1 Count, Pinn will continue to be damaged unless Google is enjoined from further
2 infringement.

3 **COUNT 6: INDIRECT INFRINGEMENT OF U.S. PATENT NO. 10,609,198**

4 171. Plaintiff realleges and incorporates by reference the factual allegations
5 set forth in the preceding paragraphs as if set forth here in full.

6 172. Google is liable for indirect infringement of the claims charted in Pinn’s
7 Preliminary Infringement Contentions for the ’198 Patent (claims 1, 3, 5, 9, 12, 15,
8 17, 19, 21, 25, 27 and 29) since at least as early as February 20, 2020, the date the
9 patent issued, or the publication date of the claims that issued from the ’736 App., if
10 not earlier, because it knowingly encourages, aids, and directs others (e.g., end users
11 and customers) to use and operate the Accused Products in an infringing manner and
12 to perform the claimed methods of the ’198 Patent.

13 173. Since that time, Google has specifically intended, and continues to
14 specifically intend, for persons who acquire and use the Accused Products, including
15 Google’s customers (e.g., individual users, etc.), to use such devices and systems in a
16 manner that infringes the ’198 Patent. This is evident when Google encourages and
17 instructs customers and other end users in the use and operation of the Accused
18 Products, via advertisement, technical material, instructional material, instructional
19 videos, or otherwise.

20 174. The USPTO published the ’736 App. on December 28, 2017.

21 175. On June 19, 2019, the USPTO allowed claims 1-29 of the ’736 App.

22 176. Google has actual knowledge of Pinn’s ’198 Patent claims and has been
23 and is on notice of the ’198 Patent claims, the Accused Products that infringe the
24 claimed subject matter of the ’198 Patent, and the manner in which such products
25 infringe.

26 177. Google encourages, directs, aids, and abets the use, assembly,
27 configuration, and installation of the Accused Products, which have no substantial
28 non-infringing uses.

1 178. Google specifically intends for the Accused Products to be used and
2 operated to infringe one or more claims of the '198 Patent.

3 179. By providing manuals, advertising, instructional documentation and
4 videos, and technical support, Google encourages and instructs end users and
5 customers to use and operate the Accused Products in an infringing manner.

6 180. For example, despite having knowledge of the '198 Patent, Google has
7 provided, and continues to provide, instructional materials, such as user guides, owner
8 manuals, and online resources (e.g., https://store.google.com/us/product/pixel_buds)
9 along with other instructional materials and documentation provided or made
10 available by Google to customers after purchase, that teach and encourage customers
11 and other end users to use the Accused Products in an infringing manner. Google
12 actively induces infringement of the '198 Patent.

13 181. The Accused Products include hardware components and software
14 instructions that operate in concert to perform specific, intended functions that
15 constitute material parts of the inventions claimed in the '198 Patent and are not staple
16 articles of commerce suitable for substantial non-infringing use.

17 182. Such hardware and software include a charging case comprising a
18 connection hole, input button, processors, memory and circuitry, and a wireless
19 earbud configured for plugging into the connection hole of the charging base to form
20 an integrated body with the charging case.

21 183. For example, the Accused Products include circuitry configured to
22 operate in combination with software instructions to perform specific functions, such
23 as pairing, playing audio data received from a smartphone, performing wired data
24 communication between the earbuds and base, and initiating charging of wireless
25 earbuds, claimed in the '198 Patent. Such hardware and software have no substantial
26 non-infringing uses.

27 184. Since receiving notice of the '198 Patent, Google has continued to
28 perform acts of indirect infringement and has taken no steps to modify the Accused

1 Products or instruct end users or customers how to use the Accused Products in a way
2 to avoid infringement.

3 185. As a result of Google’s past infringing conduct, Google is liable to Pinn
4 in an amount that adequately compensates it for Google’s infringement, which by law
5 can be no less than a reasonable royalty, together with interest and costs as fixed by
6 this Court under 35 U.S.C. § 284.

7 186. As a result of Google’s ongoing infringing conduct described in this
8 Count, Pinn will continue to be damaged unless Google is enjoined from further
9 infringement.

10 **NOTICE OF REQUIREMENT OF LITIGATION HOLD**

11 187. Google is hereby notified that it is legally obligated to locate, preserve,
12 and maintain all records, notes, drawings, documents, data, communications,
13 materials, electronic recordings, audio/video/photographic recordings, and digital
14 files, including edited and unedited or “raw” source material, and other information
15 and tangible things that Google knows, or reasonably should know, may be relevant
16 to actual or potential claims, counterclaims, defenses, and/or damages by any party or
17 potential party in this lawsuit, whether created or residing in hard copy form or in the
18 form of electronically stored information (hereafter, “Potential Evidence”). As used
19 above, the phrase “electronically stored information” includes, without limitation:
20 computer files (and file fragments), e-mail (both sent and received, whether internally
21 or externally), information concerning e-mail (including but not limited to logs of e-
22 mail history and usage, header information, and deleted but recoverable e-mails), text
23 files (including drafts, revisions, and active or deleted word processing documents),
24 instant messages, audio recordings and files, video footage and files, audio files,
25 photographic footage and files, spreadsheets, databases, calendars, telephone logs,
26 contact manager information, internet usage files, and all other information created,
27 received, or maintained on any and all electronic and/or digital forms, sources and
28 media, including, without limitation, any and all hard disks, removable media,

1 peripheral computer or electronic storage devices, laptop computers, mobile phones,
2 personal data assistant devices, Blackberry devices, iPhones, Pixels, video cameras
3 and still cameras, and any and all other locations where electronic data is stored. These
4 sources may also include any personal electronic, digital, and storage devices of any
5 and all of Defendant's agents, resellers, or employees, if Defendant's electronically
6 stored information resides there.

7 188. Google is hereby further notified and forewarned that any alteration,
8 destruction, negligent loss, or unavailability, by act or omission, of any Potential
9 Evidence may result in damages or a legal presumption by the Court and/or jury that
10 the Potential Evidence is not favorable to Defendant's claims and/or defenses. To
11 avoid such a result, Defendant's preservation duties include, but are not limited to,
12 the requirement that Defendant immediately notify its agents and employees to halt
13 and/or supervise the auto-delete functions of Defendant's electronic systems and
14 refrain from deleting Potential Evidence, either manually or through a policy of
15 periodic deletion.

16 **PRAYER FOR RELIEF**

17 Pinn prays for the following relief:

- 18 (i) Judgment that Google has directly infringed the Asserted Patents;
19 (ii) Judgment that Google has indirectly infringed the Asserted Patents;
20 (iii) Judgment that the Asserted Patents are valid and enforceable;
21 (iv) An award of damages adequate to compensate Pinn for Google's direct
22 and indirect infringement up to and including the date such judgment is entered, to
23 the full extent damages are available under 35 U.S.C. §§ 154(d), 284, or otherwise,
24 along with prejudgment and post-judgment interest at the highest allowable rates;
25 (v) An award of enhanced and/or treble damages, pursuant to 35 U.S.C. §
26 284;
27 (vi) Judgment that this case is exceptional, along with a corresponding award
28 of reasonable attorney fees, pursuant to 35 U.S.C. § 285;

1 (vii) Costs and disbursements, pursuant to Fed. R. Civ. P. 54(d), 28 U.S.C. §
2 1920, 35 U.S.C. § 284, or otherwise;

3 (viii) An accounting;

4 (ix) A permanent injunction, or, alternatively (if the Court declines to grant
5 injunctive relief), and to the extent calculable, damages adequate to compensate Pinn
6 for Google's ongoing or future infringement; and

7 (x) Such other and further relief, whether at law or in equity, as the Court
8 deems just and proper.

9 **DEMAND FOR JURY TRIAL**

10 Pinn demands trial by jury for all issues so triable pursuant to Fed. R. Civ. P.
11 38(b) and Civil L.R. 3-6(a).

12 Dated: April 17, 2020

By: /s/ Cabrach J. Connor

13 Ryan E. Hatch
14 California Bar No. 235577
ryan@ryanehatch.com
15 Law Office of Ryan E. Hatch, P.C.
13323 Washington Blvd., Suite 100
16 Los Angeles, CA 90066
Telephone: 310-279-5076

17 David A. Skeels (*admitted pro hac vice*)
18 Texas Bar No. 24041925
dskeels@whitakerchalk.com
19 WHITAKER CHALK SWINDLE &
SCHWARTZ PLLC
20 301 Commerce Street, Suite 3500
Fort Worth, Texas 76102
21 Telephone: (817) 878-0500
Facsimile: (817) 878-0501

22 Cabrach J. Connor (*admitted pro hac vice*)
23 Texas Bar No. 24036390
cab@connorkudlaclee.com
24 **CONNOR KUDLAC LEE PLLC**
609 Castle Ridge Road, Suite 450
25 Austin, Texas 78746
Telephone: (512) 777-1254
26 Facsimile: (888) 387-1134

27 *Attorneys for Plaintiff Pinn, Inc.*

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