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7 *Attorney(s) for Plaintiff Display Technologies, LLC*

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 **DISPLAY TECHNOLOGIES, LLC,**

11 *Plaintiff,*

12 v.

13 **AP GLOBAL, INC.**

14 *Defendant.*

CASE NO.: 2:20-cv-05041

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

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17 Plaintiff Display Technologies, LLC (“Plaintiff” or “Display”) files this
18 Complaint against AP Global, Inc. (“Defendant” or “AP Global”) for infringement of
19 United States Patent No. 9,300,723 (the “ ‘723 Patent”) and alleges as follows:

20
21 **PARTIES AND JURISDICTION**

22 1. This is an action for patent infringement under Title 35 of the United
23 States Code. Plaintiff is seeking injunctive relief as well as damages.

24
25 2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331
26 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent
27 infringement arising under the United States patent statutes.
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1 3. Plaintiff is a Texas limited liability company with a place of business at
2 1801 NE 123rd Street, Suite 314, North Miami, FL 33161.

3 4. On information and belief, Defendant is a Delaware corporation with a
4 principal place of business at 31352 Via Colinas, Ste. 101, Westlake Village, CA
5 91362. On information and belief, Defendant may be served through its registered
6 agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St.,
7
8 Wilmington, DE 19801.
9

10 5. This Court has personal jurisdiction over Defendant because Defendant
11 has committed, and continues to commit, acts of infringement in this District, has
12 conducted business in this District, and/or has engaged in continuous and systematic
13 activities in this District.
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15 6. Upon information and belief, Defendant's instrumentalities that are
16 alleged herein to infringe were and continue to be used, imported, offered for sale,
17 and/or sold in this District.
18

19 **VENUE**
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21 7. On information and belief, venue is proper in this District under 28
22 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District.
23 Alternatively, acts of infringement are occurring in this District and Defendant has a
24 regular and established place of business in this District.
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COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,300,723)

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3 8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

4 9. This cause of action arises under the patent laws of the United States
5 and, in particular, under 35 U.S.C. §§ 271, *et seq.*
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7 10. Plaintiff is the owner by assignment of the ‘723 Patent with sole rights
8 to enforce the ‘723 Patent and sue infringers.

9 11. A copy of the ‘723 Patent, titled “Enabling social interactive wireless
10 communications,” is attached hereto as Exhibit A.
11

12 12. The ‘723 Patent is valid, enforceable, and was duly issued in full
13 compliance with Title 35 of the United States Code.
14

15 13. Defendant has infringed and continues to infringe one or more claims,
16 including at least Claim 1 of the ‘723 Patent by making, using, and/or selling media
17 systems covered by one or more claims of the ‘723 Patent. For example, Defendant
18 makes, uses, and/or sells the BlueSYNC BX speaker system, and any similar products
19 (“Product”). Defendant has infringed and continues to infringe the ‘723 Patent in
20 violation of 35 U.S.C. § 271.
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23 14. Regarding Claim 1, the Product is a media system. Certain aspects of
24 this element are illustrated in the screenshots below and/or those provided in
25 connection with other allegations herein.
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Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

15. The Product includes at least one media terminal (e.g., BlueSYNC BX) disposed in an accessible relation to at least one interactive computer network (e.g. Bluetooth v2.1). Certain aspects of this element are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

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Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

16. The Product incorporates a wireless range (e.g., 33 foot range) structured to permit authorized access to said at least one interactive computer network (e.g., Bluetooth v2.1). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

Wireless Music Streaming

Equipped with both wireless Bluetooth and NFC capabilities, pair any smartphone or tablet to enjoy premium audio up to 33 feet away. There are no limitations of wires here! Bluetooth v2.1 +EDR gives you CD quality sound that is crisp and clear every time. Use the NFC feature to eliminate the pairing process with "tap-to-pair" connection with supported devices. Simply touch your phone to the N-logo on the front face of the speaker to pair effortlessly. With NFC technology you no longer need to pair your GOgroove Bluetooth device with your phone or tablet every time you want to use it. After a one time introduction, simply touch your NFC capable tablet or smartphone to your device and you are good to GO, and groove! NFC is a simple and fun way to pair instantly!

Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

Bluetooth® audio



Move the function switch to BT. Pair your device. NFC enabled devices can tap to pair on the touch area. Use PIN "0000" if prompted. After initial Bluetooth pairing, BlueSYNC BX will auto-pair to the last device when turned on.

Source: <https://www.accessorypower.com/downloads/BlueSYNC BX SL User Guide ml.pdf>

Secure Simple Pairing (SSP): This is required by Bluetooth v2.1, although a Bluetooth v2.1 device may only use legacy pairing to interoperate with a v2.0 or earlier device. Secure Simple Pairing uses a form of public key cryptography, and some types can help protect against man in the middle, or MITM attacks. SSP has the following authentication mechanisms:

- Passkey Entry: This method may be used between a device with a display and a device with numeric keypad entry (such as a keyboard), or two devices with numeric keypad entry. In the first case, the display presents a 6-digit numeric code to the user, who then enters the code on the keypad. In the second case, the user of each device enters the same 6-digit number. Both of these cases provide MITM protection.

Source: <https://en.wikipedia.org/wiki/Bluetooth>

17. The Product incorporates at least one media node (e.g., mobile phone) disposable within said wireless range (e.g., Bluetooth range), wherein said at least one media node (e.g., mobile phone) is detectable by said at least one media terminal (e.g. BlueSYNC BX). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

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Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

18. The Product incorporates at least one digital media file (e.g., audio file) initially disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range (e.g., Bluetooth range). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://www.accessorypower.com/downloads/BlueSYNC BX SL User Guide ml.pdf>

1 19. The Product incorporates a communication link (e.g., Bluetooth link)
2 structured to dispose said at least one media terminal (e.g., BlueSYNC BX) and said
3 at least one media node (e.g., mobile phone) in a communicative relation with one
4 another via said at least one interactive computer network (e.g., Bluetooth v2.1).
5 Certain aspects of this element are illustrated in the screenshots below and/or those
6 provided in connection with other allegations herein.
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15 Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

16 20. The communication link (e.g., Bluetooth link) is initiated by said at least
17 one media terminal (e.g. BlueSYNC BX). Certain aspects of this element are
18 illustrated in the screenshots below and/or those provided in connection with other
19 allegations herein.
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28 Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

1 21. The at least one media node (e.g. mobile phone) and the at least one
2 media terminal (e.g. BlueSYNC BX) are structured to transmit the at least one digital
3 media file (e.g. audio file) there between via said communication link (e.g. Bluetooth
4 link). Certain aspects of this element are illustrated in the screenshots below and/or
5 those provided in connection with other allegations herein.
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15 22. The communication link (e.g. Bluetooth link) is structured to bypass
16 (e.g. eliminate) at least one media terminal security measure (e.g. using NFC to skip
17 PIN based pairing) for a limited permissible use of the communication link by the
18 media node (e.g. mobile phone) to only transferring the at least one digital media file
19 to, and displaying the at least one digital media file on, the at least one media terminal.
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21 Certain aspects of this element are illustrated in the screenshots below and/or those
22 provided in connection with other allegations herein.
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25 **Wireless Music Streaming**

26 Equipped with both wireless Bluetooth and NFC capabilities, pair any smartphone or tablet to enjoy premium audio up to 33 feet away. There are no limitations of
wires here! Bluetooth v2.1 +EDR gives you CD quality sound that is crisp and clear every time. Use the NFC feature to eliminate the pairing process with "tap-to-pair"
27 connection with supported devices. Simply touch your phone to the N-logo on the front face of the speaker to pair effortlessly. With NFC technology you no longer
need to pair your GOGroove Bluetooth device with your phone or tablet every time you want to use it. After a one time introduction, simply touch your NFC capable
28 tablet or smartphone to your device and you are good to GO, and groove! NFC is a simple and fun way to pair instantly!

Source: <https://www.gogroove.com/bluesync-bx-portable-silver-bluetooth-speaker>

1 23. Defendant's actions complained of herein will continue unless
2 Defendant is enjoined by this court.

3 24. Defendant's actions complained of herein are causing irreparable harm
4 and monetary damage to Plaintiff and will continue to do so unless and until
5 Defendant is enjoined and restrained by this Court.
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7 25. Plaintiff is in compliance with 35 U.S.C. § 287.
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9 **PRAYER FOR RELIEF**

10 WHEREFORE, Plaintiff asks the Court to:

11 (a) Enter judgment for Plaintiff on this Complaint on all causes of action
12 asserted herein;

13 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
14 employees, attorneys, and all persons in active concert or participation with Defendant
15 who receive notice of the order from further infringement of United States Patent No.
16 9,300,723 (or, in the alternative, awarding Plaintiff running royalties from the time of
17 judgment going forward);
18

19 (c) Award Plaintiff damages resulting from Defendant's infringement in
20 accordance with 35 U.S.C. § 284;

21 (d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

22 (e) Award Plaintiff such further relief to which the Court finds Plaintiff
23 entitled under law or equity.
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JURY TRIAL DEMAND

Pursuant to Fed. R. Civ. P. 38(b)(1) and (c), and Civil L.R. 3-6(a), Plaintiff hereby demands a jury trial on all the issues in this action so triable of right by a jury.

Dated: June 8, 2020

Respectfully submitted,

/s/ Stephen M. Lobbin
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