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10 **Attorneys for Plaintiff**  
**Zyrcuits IP LLC**

11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

<p>14 <b>Zyrcuits IP LLC,</b></p> <p>15 Plaintiff,</p> <p>16 v.</p> <p>17 <b>Somfy Systems, Inc.,</b></p> <p>18 Defendant.</p>	<p>Case No.</p> <p>Patent Case</p> <p>Jury Trial Demanded</p>
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20 **COMPLAINT FOR PATENT INFRINGEMENT**

21 Plaintiff Zyrcuits IP LLC (“Plaintiff”), through its attorneys, complains of Somfy Systems,  
22 Inc. (“Defendant”), and alleges the following:

23  
24 **PARTIES**

25 A. Plaintiff Zyrcuits IP LLC is a corporation organized and existing under the laws of  
26 Texas that maintains its principal place of business at 6009 W Parker Rd,Ste 149 - 1013, Plano,  
27 TX 75093.

1 B. Defendant Somfy Systems, Inc. is a corporation organized and existing under the  
2 laws of New Jersey that maintains an established place of business at 121 Herrod Blvd, Dayton,  
3 NJ 08810.

4 **Article I. JURISDICTION**

5 C. This is an action for patent infringement arising under the patent laws of the United  
6 States, Title 35 of the United States Code.

7 D. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and  
8 1338(a).

9 E. This Court has personal jurisdiction over Defendant because it has engaged in  
10 systematic and continuous business activities in this District, and is incorporated in this District's  
11 state. As described below, Defendant has committed acts of patent infringement giving rise to this  
12 action within this District.

13 **VENUE**

14 F. Venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant has  
15 committed acts of patent infringement in this District, has an established place of business in this  
16 District at 15301 Barranca Pkwy, Irvine, CA 92618. In addition, Plaintiff has suffered harm in this  
17 district.

18 **PATENT-IN-SUIT**

19 G. Plaintiff is the assignee of all right, title and interest in United States Patent No.  
20 6,671,307 (the "'307 Patent"); (the "Patent-in-Suit"); including all rights to enforce and prosecute  
21 actions for infringement and to collect damages for all relevant times against infringers of the  
22 Patent-in-Suit. Accordingly, Plaintiff possesses the exclusive right and standing to prosecute the  
23 present action for infringement of the Patent-in-Suit by Defendant.

24 **The '307 Patent**

1 H. The '307 Patent is entitled "Spread-spectrum high data rate system and method,"  
2 and issued 12/30/2003. The application leading to the '307 Patent was filed on 10/2/2001. A true  
3 and correct copy of the '307 Patent is attached hereto as Exhibit 1 and incorporated herein by  
4 reference.

5 I. The '307 Patent is valid and enforceable.

6 **COUNT 1: INFRINGEMENT OF THE '307 PATENT**

7 J. Plaintiff incorporates the above paragraphs herein by reference.

8 K. **Direct Infringement.** Defendant has directly infringed claim 4 of the '307 Patent  
9 in at least this District by making, using, offering to sell, selling and/or importing, without  
10 limitation, at least the Defendant products identified in the charts incorporated into this Count  
11 below (among the "Exemplary Defendant Products") that infringe claim 4 of the '307 Patent also  
12 identified in the charts incorporated into this Count below literally or by the doctrine of  
13 equivalents. On information and belief, numerous other devices that infringe the claims of the '307  
14 Patent have been made, used, sold, imported, and offered for sale by Defendant and/or its  
15 customers.  
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18 L. Defendant also has directly infringed, literally or under the doctrine of equivalents,  
19 claim 4 of the '307 Patent, by having its employees internally test and use these Exemplary  
20 Products.

21 M. Exhibit 2 includes a claim chart comparing claim 4 to the Exemplary Defendant  
22 Products. As set forth in this charts, the Exemplary Defendant Products practice the technology  
23 claimed by the '307 Patent. Accordingly, the Exemplary Defendant Products incorporated in  
24 these charts satisfy all elements claim 4 of the '307 Patent.

25  
26 N. Plaintiff therefore incorporates by reference in its allegations herein the claim  
27 charts of Exhibit 2.  
28

1 O. Plaintiff is entitled to recover damages adequate to compensate for Defendant's  
2 infringement.

3 **JURY DEMAND**

4 P. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully  
5 requests a trial by jury on all issues so triable.

6 **Article II. PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully requests the following relief:  
8

- 9 A. A judgment that the '307 Patent is valid and enforceable;
- 10 B. A judgment that Defendant has infringed, contributorily infringed, and/or induced  
11 infringement of one or more claims of the '307 Patent;
- 12 C. An accounting of all damages not presented at trial;
- 13 D. A judgment that awards Plaintiff all appropriate damages under 35 U.S.C. § 284 for  
14 Defendant's past infringement and, with respect to the '307 patent including pre- or  
15 post-judgment interest, costs, and disbursements as justified under 35 U.S.C. § 284;
- 16 E. And, if necessary, to adequately compensate Plaintiff for Defendant's infringement,  
17 an accounting:
- 18 i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and  
19 that Plaintiff be awarded its reasonable attorneys' fees against Defendant that it  
20 incurs in prosecuting this action;
- 21 ii. that Plaintiff be awarded costs, and expenses that it incurs in prosecuting this  
22 action; and
- 23 iii. that Plaintiff be awarded such further relief at law or in equity as the Court  
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1 Dated: September 29, 2020

Respectfully submitted,

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11 **Counsel for Plaintiff**  
12 **Zyrcuits IP LLC**

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