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15 *Attorneys for Plaintiff*
16 *Better Mouse Company, LLC.*

17 **IN THE UNITED STATES DISTRICT COURT**
18 **FOR THE CENTRAL DISTRICT**
19 **OF CALIFORNIA**

20 **BETTER MOUSE COMPANY, LLC,**

21 Plaintiff,

22 v.

23 **VTIN TECHNOLOGY CO., LIMITED**

24 Defendant.

25 **Civil Action No.**

26 **ORIGINAL COMPLAINT**

27 **JURY TRIAL DEMANDED**

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COMPLAINT

Plaintiff Better Mouse Company, LLC (“BMC”) files this original complaint against VTIN TECHNOLOGY Co., Limited (“VicTsing” or “Defendant”), alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

PARTIES

1. BMC is a limited liability company formed under the laws of the State of Texas, with a principal place of business in Tyler, Texas.

2. Defendant VTIN TECHNOLOGY Co., Limited, is a company organized and existing under the laws of Hong Kong with its principal place of business at room 605, 6/F, Fa Yuen Commercial Bld. Fa Yuen Street, Mongko Kowloon Hong Kong 999077. On information and belief, Defendant maintains a place of business at 1278 Kifer Road, Sunnyvale, CA 94086. VicTsing conducts business in and is doing business in California and in this District and elsewhere in the United States, including, without limitation, using, promoting, offering to sell, importing and/or selling VicTsing Gaming Mouse that incorporate DPI-on-the-fly that embody the patented technology, and enabling end-user purchasers to use such devices in this District. VicTsing may be served with process at: 1278 Kifer Road, Sunnyvale, CA 94086.

JURISDICTION AND VENUE

3. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. §§ 1331 and 1338(a).

1 4. Venue is proper in this district under 28 U.S.C. §§ 1400(b). Defendant has a place
2 of business within this District and has committed the acts of which are the subject of this
3 complaint.

4 5. Defendant is subject to this Court’s specific and general personal jurisdiction under
5 due process and/or the California Long Arm Statute due at least to Defendant’s substantial business
6 in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly
7 doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving
8 substantial revenue from goods and services provided to individuals in California and in this
9 district.
10

11 **THE TECHNOLOGY**

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14 6. The patent-in-suit, U.S. Patent No. 7,532,200 (“the ‘200 Patent”), titled “Apparatus
15 for Setting Multi-Stage Displacement Resolution of a Mouse,” teaches a device capable of setting
16 the resolution for a computer mouse, often measured in “dots-per-inch” (DPI). The resolution
17 determines how much the mouse cursor moves on a computer screen for each corresponding
18 movement of the mouse itself by the user. For example, if the DPI ratio is 1:1, the cursor moves
19 one “dot” on the screen per inch of motion by the mouse. Depending on an individual user’s needs,
20 that ratio (resolution) can be adjusted to provide the user with a customized experience. For
21 example, a user playing computer games may wish for more precise control of the cursor and
22 adjust the resolution so that each movement on the screen requires a larger movement of the mouse
23 itself.
24

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26 7. In the prior art, adjusting the resolution generally required installing a software
27 driver on a connected computer, and changing the resolution within that software program. The
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1 user first needed to install the software, which required a separate item such as a CD-ROM. Next,
2 the user must locate the installed software on the computer and then determine how to adjust the
3 desired parameter within the software. In contrast, the inventor of the technology described in the
4 ‘200 Patent developed a mouse that includes a button and/or switch on the mouse for adjusting the
5 resolution by hand to generate a resolution value, without using a software driver or tool that is
6 external to the mouse. Among other advantages, this approach allows the user to directly adjust
7 the mouse’s resolution quickly and easily, without using a software driver or tool on the connected
8 computer.
9

10 8. BMC is the owner of the ‘200 Patent with all substantive rights in and to that patent,
11 including the sole and exclusive right to prosecute this action and enforce the ‘200 patent against
12 infringers, and to collect damages for all relevant times.
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14 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,532,200**

15 9. On May 12, 2009, the ‘200 Patent was duly and legally issued by the United States
16 Patent and Trademark Office.
17

18 10. BMC is the owner of the ‘200 Patent with all substantive rights in and to that patent,
19 including the sole and exclusive right to prosecute this action and enforce the ‘200 Patent against
20 infringers, and to collect damages for all relevant times.
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22 11. VicTsing made, had made, used, imported, provided, supplied, distributed, sold,
23 and/or offered for sale computer mice and other devices (“the accused products”), including, for
24 example, at least the VicTsing PC006 Gaming Mouse, which infringes one or more claims of the
25 ‘200 Patent.
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Home > mouse > VicTsing Wireless Gaming Mouse



VicTsing Wireless Gaming Mouse

5 Adjustable DPI Values (2400, 2000, 1600, 1200, 800)

2.4G Wireless Connection

Quiet Button And Durable Clicking

Advanced Energy-Saving Chip

Work perfectly for Windows 7/8/10/XP/Vista/ME/2000/Mac10.x, etc.

Note: For Mac OS, the sided buttons are not available.



BUY AT AMAZON US

<https://www.victsing.com/collections/mouse/products/victsing-wireless-gaming-mouse>

12. By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 6 of the '200 Patent. Defendant's infringement in this regard is ongoing.

13. Defendant has infringed the '200 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale systems that comprise an apparatus for setting multi-stage displacement resolution of a mouse generated by the mouse in a two-dimensional space.



14. The accused products include a an N-stage switch for setting a resolution value, the N-stage switch circuit having a switching button capable of being manually switched to one of positions 1 to N, and accordingly activating a connected resolution setting pin to indicate a state, where N is a positive integer.

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15. The accused products include a mouse micro controller with a register, coupled to the X-Y axis plane displacement detector and the switching circuit, the mouse micro controller determining the resolution value based on the state of the connected resolution setting pins.



16. The accused products include setting a mouse resolution based on the resolution value and storing the resolution value in the register.

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17. The accused products include the mouse micro controller responding to the distance and moving direction sensed by the X-Y axis plane displacement detector to provide a control signal to a computer connected to the mouse, thereby moving the mouse cursor on a screen of the computer, the mouse cursor being moved directly based on the resolution value stored in the register.

18. BMC has been damaged as a result of the infringing conduct by VicTsing alleged above. Thus, VicTsing is liable to BMC in an amount that adequately compensates BMC for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

1 19. BMC and/or its predecessors-in-interest have satisfied all statutory obligations
2 required to collect pre-filing damages for the full period allowed by law for infringement of the
3 '200 Patent.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, BMC respectfully requests:
6

7 A. That Judgment be entered that Defendant has infringed at least one or more
8 claims of the '200 Patent, directly and/or indirectly, literally and/or under the doctrine
9 of equivalents;

10 B. An award of damages sufficient to compensate BMC for Defendant's
11 infringement under 35 U.S.C. § 284, including an enhancement of damages on account
12 of Defendant's willful infringement;

13 C. That the case be found exceptional under 35 U.S.C. § 285 and that BMC be
14 awarded its reasonable attorneys' fees;

15 D. Costs and expenses in this action;

16 E. An award of prejudgment and post-judgment interest; and

17 F. Such other and further relief as the Court may deem just and proper.
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, BMC respectfully
demands a trial by jury on all issues triable by jury.

Respectfully submitted,

Dated: November 9, 2020

INSIGHT, PLC

/s/ Steven W. Ritcheson

STEVEN W. RITCHESON

Attorney for Plaintiff

Better Mouse Company, LLC

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JURY TRIAL DEMAND

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

Respectfully submitted,

Dated: November 9, 2020

/s/ Steven W. Ritcheson, Esq.
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