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*Attorneys for Plaintiff  
Better Mouse Company, LLC.*

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

**BETTER MOUSE COMPANY, LLC,**

Plaintiff,

v.

**KINGSTON TECHNOLOGY  
COMPANY, INC.,**

Defendant.

**Civil Action No.**

**ORIGINAL COMPLAINT**

**JURY TRIAL DEMANDED**

1 **COMPLAINT**

2 Plaintiff Better Mouse Company, LLC (“BMC”) files this original complaint against  
3 Kingston Technology Company, Inc., (“Kingston” or “Defendant”), alleging, based on its own  
4 knowledge as to itself and its own actions, and based on information and belief as to all other  
5 matters, as follows:  
6

7 **PARTIES**

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

10 2. Defendant Kingston Technology Company, Inc., is a company organized and  
11 existing under the laws of the state of Delaware with its principal place of business at 17600  
12 Newhope Street, Fountain Valley, CA 92708. Kingston conducts business in and is doing business  
13 in California and in this District and elsewhere in the United States, including, without limitation,  
14 using, promoting, offering to sell, importing and/or selling HyperX branded gaming mouse that  
15 incorporate DPI-on-the-fly that embody the patented technology, and enabling end-user  
16 purchasers to use such devices in this District. Kingston may be served thru its registered agent:  
17 Corporation Service Company, 251 Little Falls Drive, Wilmington, Delaware 19808.  
18  
19

20 **JURISDICTION AND VENUE**

21 3. This is an action for infringement of a United States patent arising under 35 U.S.C.  
22 §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action  
23 under 28 U.S.C. §§ 1331 and 1338(a).  
24

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



1 '200 Patent developed a mouse that includes a button and/or switch on the mouse for adjusting the  
2 resolution by hand to generate a resolution value, without using a software driver or tool that is  
3 external to the mouse. Among other advantages, this approach allows the user to directly adjust  
4 the mouse's resolution quickly and easily, without using a software driver or tool on the connected  
5 computer.

6  
7 8. BMC is the owner of the '200 Patent with all substantive rights in and to that patent,  
8 including the sole and exclusive right to prosecute this action and enforce the '200 patent against  
9 infringers, and to collect damages for all relevant times.

10 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,532,200**

11  
12 9. On May 12, 2009, the '200 Patent was duly and legally issued by the United States  
13 Patent and Trademark Office.

14 10. BMC is the owner of the '200 Patent with all substantive rights in and to that patent,  
15 including the sole and exclusive right to prosecute this action and enforce the '200 Patent against  
16 infringers, and to collect damages for all relevant times.

17 11. Kingston made, had made, used, imported, provided, supplied, distributed, sold,  
18 and/or offered for sale computer mice and other devices ("the accused products"), including, for  
19 example, at least the HyperX Pulsefire Core; Pulsefire Dart; Pulsefire FPS Pro; Pulsefire Raid; and  
20 Pulsefire Surge gaming mouse, which infringe one or more claims of the '200 Patent.  
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- Pixart 3327 optical sensor
- 6200 DPI / 220 IPS / 30G
- Customizable with HyperX NGenuity software
- Weight: 87g
- Part Number: HX-MC004B

**\$29.99**



### Specifications

Mouse	
Ergonomics:	Symmetrical
Sensor:	Pixart PAW3327
Resolution:	up to 6,200 DPI
DPI presets:	800 / 1600 / 2400 / 3200 DPI
Speed:	220 IPS

<https://www.hyperxgaming.com/us/mice/pulsefire-core-rgb-gaming-mouse>

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- Pixart 3389 Sensor
- 16,000 DPI / 450 IPS / 50G
- Customizable with HyperX NGENUITY software
- Part Number: HX-MC003B

\$44.99



### Specifications

#### Mouse

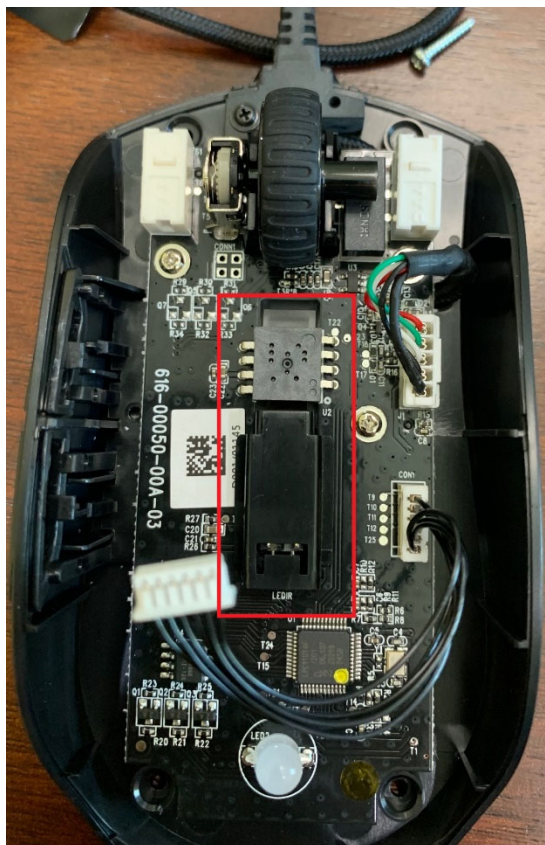
Ergonomic:	Ergonomic
Sensor:	Pixart PMW3389
Resolution:	Up to 16,000 DPI
DPI presets:	800 / 1600 / 3200 DPI
Speed:	450ips

<https://www.hyperxgaming.com/us/mice/pulsefire-fps-pro-rgb-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.

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14. The accused products include 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.







1. General description

The LPC11U1x are an ARM Cortex-M0 based, low-cost 32-bit MCU family, designed for 8/16-bit microcontroller applications, offering performance, low power, simple instruction set and memory addressing together with reduced code size compared to existing 8/16-bit architectures.

The LPC11U1x operate at CPU frequencies of up to 50 MHz.

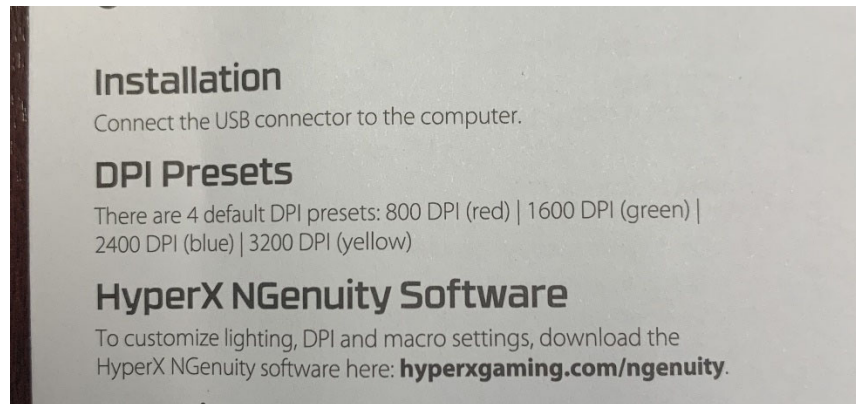
Equipped with a highly flexible and configurable Full Speed USB 2.0 device controller, the LPC11U1x brings unparalleled design flexibility and seamless integration to today's demanding connectivity solutions.

The peripheral complement of the LPC11U1x includes up to 32 kB of flash memory, 6 kB of SRAM data memory, one Fast-mode Plus I<sup>2</sup>C-bus interface, one RS-485/EIA-485 USART with support for synchronous mode and smart card interface, two SSP interfaces, four general purpose counter/timers, a 10-bit ADC, and up to 40 general purpose I/O pins.

For additional documentation related to the LPC11U1x parts, see [Section 15 "References"](#).

Source: <https://www.nxp.com/docs/en/data-sheet/LPC11U1X.pdf>

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



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

1 computer, the mouse cursor being moved directly based on the resolution value stored in the  
2 register.

3 18. BMC has been damaged as a result of the infringing conduct by Defendant alleged  
4 above. Thus, Defendant is liable to BMC in an amount that adequately compensates BMC for such  
5 infringements, which, by law, cannot be less than a reasonable royalty, together with interest and  
6 costs as fixed by this Court under 35 U.S.C. § 284.  
7

8 19. BMC and/or its predecessors-in-interest have satisfied all statutory obligations  
9 required to collect pre-filing damages for the full period allowed by law for infringement of the  
10 '200 Patent.  
11

12 **PRAYER FOR RELIEF**

13 WHEREFORE, BMC respectfully requests:

14 A. That Judgment be entered that Defendant has infringed at least one or more  
15 claims of the '200 Patent, directly and/or indirectly, literally and/or under the doctrine  
16 of equivalents;  
17

18 B. An award of damages sufficient to compensate BMC for Defendant's  
19 infringement under 35 U.S.C. § 284, including an enhancement of damages on account  
20 of Defendant's willful infringement;  
21

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

24 D. Costs and expenses in this action;

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

26 F. Such other and further relief as the Court may deem just and proper.  
27

**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.

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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**Attorney for BETTER MOUSE  
COMPANY LLC**