

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

MESA DIGITAL LLC,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
)	Judge
)	
CATERPILLAR INC.,)	
)	
Defendant.)	

**COMPLAINT FOR PATENT INFRINGEMENT & LR 3.2 NOTICE OF NO
PUBLICALLY HELD AFFILIATES**

Mesa Digital LLC (“Mesa”) brings this patent-infringement action against Caterpillar Inc. (“Caterpillar”).

Parties

1. Plaintiff Mesa is a limited liability company organized under the laws of New Mexico with a principal place of business located in Albuquerque, New Mexico.

Pursuant to LR 3.2, Mesa has no publically held affiliates.

2. Caterpillar is a Delaware corporation, having its principal place of business in Peoria, Illinois.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*

4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court may exercise personal jurisdiction over Caterpillar. Caterpillar conducts continuous and systematic business in this District; and this patent-infringement case arises directly from Caterpillar's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Caterpillar would be consistent with the Illinois long-arm statute and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

Infringement of U.S. Patent No. 9,031,537

7. Mesa is the exclusive owner of United States Patent No. 9,031,537 (the “‘537 patent”).

8. The ‘537 patent is valid and enforceable.

9. Caterpillar has been and is directly infringing at least claim 1 of the ‘537 patent. Caterpillar makes, uses, and sells mobile devices, including the Cat S42 (hereinafter, the “Accused Devices”). Caterpillar infringes claim 1 of the ‘537 patent by making, using, and selling the Accused Devices.

a. Claim 1 is an electronic wireless hand held multimedia device. The Accused Devices are electronic wireless hand held multimedia devices.

b. Claim 1 includes “at least one of a wireless unit and a tuner unit supporting bi-directional data communications of data including video and text for the electronic wireless hand held multimedia device with remote data resources over cellular telecommunications networks, over wireless local area networks and over a direct

wireless connection with electronic devices located within short range using Bluetooth communications after accepting a passcode from a user of the electronic wireless hand held multimedia device during the communications[.]” The Accused Devices comprise at least one of a wireless unit and a tuner unit supporting bi-directional data communications of data including video and text for the electronic wireless hand held multimedia device with remote data resources over cellular telecommunications networks [cellular network], over wireless local area networks [Radio/IEEE 802.11] and over a direct wireless connection with electronic devices located within short range using Bluetooth communications after accepting a passcode from a user of the electronic wireless hand held multimedia device during the communications [Bluetooth 5.0]. With respect to each of these forms of bi-directional data communications, the communication is established after accepting a passcode from a user of the Accused Device.

c. Claim 1 includes “a touch sensitive display screen configured to display the data including video and text received by the electronic wireless hand held multimedia device by selecting a particular data represented by a soft button on the touch sensitive display screen of the electronic wireless hand held multimedia device[.]” The Accused Devices include claim 1’s display screen with soft-button selection.

d. Claim 1 includes “a microprocessor configured to facilitate operation of and communications by the electronic wireless hand held multimedia device.” The Accused Devices include a Quadcore Processor.

Prayer for Relief

WHEREFORE, Mesa prays for the following relief against Caterpillar:

- (a) Judgment that Caterpillar has directly infringed claim 1 of the '537 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) For injunctive relief; and
- (e) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Mesa demands a trial by jury on all matters and issues triable by jury.

Date: December 23, 2020

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