

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

DATAQUILL LIMITED,

Plaintiff,

v.

DDM Brands, LLC, Grupo Akkar LLC,
Techland LLC, and Jose Luis Zreik-
Koumi (a/k/a Jose Luis Zreik),

Defendants.

Case No.

COMPLAINT FOR PATENT
INFRINGEMENT AND JURY
TRIAL DEMANDED

COMPLAINT

This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code, against Defendants DDM Brands, LLC (“DDM”), Grupo Akkar LLC (“Akkar”), Techland LLC (“Techland”), and Jose Luis Zreik-Koumi (“Zreik-Koumi”) (collectively, “the DDM Defendants”) that relates to U.S. patent 6,058,304 (the “Patent-in-Suit”) owned by DataQuill Limited (“DataQuill”). .

PARTIES

1. Plaintiff DataQuill Limited is a limited company organized under the laws of the British Virgin Islands.

2. Defendant DDM Brands, LLC, is a Florida Limited Liability Company. According to its filings with the State of Florida’s Division of Corporations, DDM’s principal place of business is 2323 NW 82nd Avenue, Doral, Florida 33126.

3. According to the United States Postal Service ‘Look Up a Zip Code’ webpage, the correct mailing address is 2323 NW 82nd Avenue, Doral, Florida 33122.

4. According to the State of Florida’s Division of Corporations’ records, DDM’s registered agent is Alonso & Garcia PA, 5805 Blue Lagoon Dr, Ste 200, Miami, FL 33126.

5. According to DDM’s 2017 Florida Limited Liability Company Annual Report filed with the State of Florida, the managers of DDM Brands, LLC, are Luis Sosa and Jose Luis Zreik-Koumi.

6. On February 24, 2016, DDM Brands, LLC, filed an Answer in its patent litigation with plaintiff Blue Spike, LLC, and stated: “DDM admits that it sells the Yezz product line (such as its Andy 3.5 Ei, 3.5 E2i, 3.5EH, 3.5Ei3, 4.5EL LTE, 4.5M, 4E LTE, 4E2i, 4EL2 LTE, 5.5EI, 5Ei, 5EL LTE, 5T, 6Q, A3.5EP, A4E, A4M, A5QP, A6M 1GB, AE2i, 4Ei, AZ4.5, C5Ei, C5ML, C5QL, C5V, C5VP, and 6Q) . . .” *Blue Spike, LLC. v. DDM Brands, LLC*, No. 2:15-cv-01779-RWS (E.D. Tex. Feb. 24, 2016), ECF No. 6 at ¶7.

7. In October 2014, Yezz or DDM Brands, LLC, issued a press release that stated: “Luis Sosa, CEO and founder of DDM Brands and co-founder of YEZZ, was recently named among the top 20 most influential Hispanics in the technology industry. Launched from Miami, FL in 2011, in two short years YEZZ became a

global brand, partnering with industry leaders and top distributors in each region.” The press release further stated: “About YEZZ[.] YEZZ is a trend-setting, mobile brand customizing their devices to the needs of the local consumer to provide the ultimate in mobile communication across the globe. A partner to mobile industry leaders, YEZZ is fast and adaptable, able to readily design, develop and detail a tailored mobile experience. As the creators of the freestyle mobile experience, YEZZ provides truly unlocked devices, giving the consumer the freedom of choice to design their own mobile lifestyle. Learn more about YEZZ by visiting <http://www.sayyezz.com/>, or Instagram [instagram.com/yezzmobile](https://www.instagram.com/yezzmobile).”

8. The LinkedIn page of Luis Sosa states: “As CEO and founder of DDM Brands, Luis leads the design, development, manufacturing and distribution of mobile devices. Luis directs a team that spans globally, with offices in Miami, Europe and China. DDM manufactures YEZZ branded products that focus on delivering mobile devices to the masses in Latin America, while providing them with access to technology and same quality products as other cell phone manufactures - at a fraction of the cost. DDM Brands consists of YEZZ (www.sayyezz.com), NIU www.niuproducts.com, and Parla (www.parlamobile.com).”

9. According to the LinkedIn page of Sosa he was CEO of DDM Brands, LLC, from June 2011 until July 2018. On information and belief, Sosa currently is

an employee of Kripto Mobile Corporation, which is a Florida Corporation, and unaffiliated with DDM Brands.

10. According to the State of Florida's Division of Corporations' records, the State of Florida administratively dissolved DDM Brands, LLC, on September 27, 2019, for failure to file its Annual Report.

11. On information and belief, DDM Brands continues to operate through the website myyezz.com and the import, advertising, sales, and export of Yezz phones.

12. Defendant Grupo Akkar, LLC, is a Florida Limited Liability Company with its principal place of business at 1701 NW 87th Ave Suite 300, Miami, Florida 33172.

13. According to the State of Florida's Division of Corporations' records from 2021, Jose Luis Zreik-Koumi is the manager and president of Grupo Akkar, LLC, and he is Akkar's registered agent of record with an address at 2323 NW 82 Avenue, Miami, FL 33122.

14. According to the United States Postal Service 'Look Up a Zip Code' webpage, the correct mailing address is 2323 NW 82nd Avenue, Doral, Florida 33122.

15. Yezz brand phones are marketed and sold through the myyezz.com website. The URL www.sayyezz.com currently resolves to myyezz.com.

16. According to the Internet Corporation for Assigned Names and Numbers (ICANN) lookup service, the registrant of MYYEZZ.COM is Grupo Akkar LLC and the domain was registered on March 24, 2018.

17. The LinkedIn page of Jose Luis Kreik states his work experience includes being “President of Akkar Group” from “1994-Present.”

18. The LinkedIn page for Akkar Group states: “Akkar Group is one of the largest wireless distributors in the Americas based in USA (Miami, FL). With a vast variety in the product line, Akkar Group delivers excellence and professionalism through its service with a 20-year history in the market. Our quality in service to customers and suppliers creates a close relationship with distributors of leading brands, offering great prices with exceptional terms of sale.”

19. Defendant Techland LLC is a Florida Limited Liability Company with its principal place of business at 1701 NW 87th Ave Suite 300, Miami, Florida 33172.

20. According to the State of Florida’s Division of Corporations’ records, the manager and president of Techland is Jose Luis Zriek-Koumi.

21. The registered agent of Techland is AG Corporate Services LLC, 5805 Blue Lagoon Dr Ste 200, Miami, FL 33126.

22. Techland’s website techlandllc.com states: “TECHLAND Mobile World Group is one of the largest manufacturers and distributors of wireless phones.

The company's headquarter is located in the USA (Miami, FL). With a wide variety of product lines, TECHLAND delivers excellence, professionalism, and experience since 1994 when the cellphone industry was rising. TECHLAND's dedication to quality and service, creates a close relationship with distributors of leading brands, offering great prices and exceptional terms of sale; becoming a globally trusted and successful company by carrying brands such as YEZZ, Apple, Samsung, LG, Motorola, and Huawei."

23. The Techland website states in its webpage on the company's history: "2014[.] Introduction of YEZZ and NIU to the carrier market."

24. Yezz's website myyezz.com states in its Terms and Conditions webpage: "This website is operated by Techland LLC. Throughout the site, the terms 'we', 'us' and 'our' refer to Techland LLC. Techland LLC offers this website, including all information, tools and services available from this site to you, the user, conditioned upon your acceptance of all terms, conditions, policies and notices stated here."

25. The LinkedIn page of Jose Luis Zreik states he is "Chairman of the Board – YEZZ & TECHLAND" in Miami, Florida. The page further states: "Jose Luis Zreik is the chairman as well as founder of TECHLAND LLC, a global distributing company for mobile giants. TECHLAND LLC was founded in Venezuela in 1994. In 1999, [TECHLAND] open[ed] its office in Miami and by

2003 moved its headquarters to US. Jose Luis is also co-founder of YEZZ a global mobile brand that focuses mainly in manufacturing devices for the open market & carriers.”

26. On information and belief, Jose Luis Zreik and Jose Luis Zreik-Koumi are one and the same person.

27. According to Techland LLC’s 2021 Florida Limited Liability Company Annual Report, Zreik-Koumi resides at 1627 Brickell Ave Apt 2701, Miami, FL 33129.

28. For the relevant time periods of this action, the DDM Defendants made, used, imported, offered for sale and sold wireless mobile devices under at least three different brand names in the United States: Yezz, NIU, and Parla.

JURISDICTION AND VENUE

29. This is a civil action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1, et seq., and more particularly 35 U.S.C. § 271.

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

31. This Court has personal jurisdiction over each DDM Defendant pursuant to due process because each defendant has a regular and established place of business or resides in the Southern District of Florida.

32. DDM Brands's principal place of business is 2323 NW 82nd Avenue, Doral, Florida 33122. Zreik's current LinkedIn page describes him as the Chairman of the Board of Yezz and Techland. Zreik-Koumi is Akkar's manager of record with the State of Florida. He has continued to file Annual Reports on behalf of Akkar with the State of Florida, including through January 25, 2021, listing his address as Akkar's registered agent as 2323 NW 82nd Avenue, Miami, Florida 33122.

33. Akkar and Techland's principal place of business is 1701 NW 87th Ave Suite 300, Miami, Florida 33172.

34. Zreik-Koumi resides at 1627 Brickell Ave Apt 2701, Miami, FL 33129.

35. The DDM Defendants have conducted substantial business in this District, including: (i) having solicited business in the State of Florida, transacted business within the State of Florida and attempted to derive financial benefit from residents of the State of Florida in this District, including benefits directly related to the instant patent infringement causes of action set forth herein; (ii) having placed its products and services into the stream of commerce throughout the United States and having been actively engaged in transacting business in Florida and in this District, and (iii) having committed the complained of tortious acts in Florida and in this District.

36. The DDM Defendants directly and/or through subsidiaries and agents (including distributors, retailers, and others), made, imported, shipped, distributed,

offered for sale, sold, used, and advertised (including having offered products and services through its website as well as other retailers) its products and/or services in the United States, the State of Florida and, more particularly, within the Southern District of Florida.

37. The DDM Defendants directly and/or through its subsidiaries and agents (including distributors, retailers, and others), has purposefully and voluntarily placed one or more of its infringing products and/or services, as described below, into the stream of commerce with the expectation that they will be purchased and used by consumers in the Southern District of Florida. These infringing products and/or services have been purchased and used by consumers in the Southern District of Florida. Simply has committed acts of patent infringement within the State of Florida and, more particularly, within the Southern District of Florida.

38. Venue is proper in this District under §1400 (b), which provides that “Any civil action for patent infringement may be brought in the judicial district where the defendant resides, or where the defendant has committed acts of infringement and has a regular and established place of business.” Venue is proper as to Defendant DDM Brands, LLC, because it has committed acts of infringement and has a regular and established place of business in the Southern District of Florida at 2323 NW 82nd Avenue, Doral, Florida 33122.

39. Venue is proper as to Defendants Akkar and Techland because they have committed acts of infringement and have regular and established places of business in the Southern District of Florida at 1701 NW 87th Ave Suite 300, Miami, Florida 33172.

40. Venue is proper as to Defendant Zreik-Koumi because he has committed acts of infringement in the Southern District of Florida and resides in the Southern District of Florida at 1627 Brickell Ave Apt 2701, Miami, FL 33129.

BACKGROUND FACTS REGARDING THE DATAQUILL PATENT

41. DataQuill is the owner of record and assignee of U.S. Patent No. 6,058,304 (“the ’304 Patent”) (the “Patent-in-Suit”).

42. DataQuill has sought to protect its invention through a licensing program (which has on several occasions required litigation). Many of the largest high-tech companies, including HTC, Nokia, Motorola, LG, Samsung, Palm, and Hewlett-Packard, have purchased a license to DataQuill’s patent portfolio. To date, DataQuill has obtained over \$125 million in licensing revenue.

43. The value of DataQuill’s asserted patent is further demonstrated by DataQuill’s repeated success against validity challenges. The Patent-in-Suit has been through a reexamination at the United States Patent and Trademark Office where hundreds of references have been considered. In 2020, the Patent Trial and Appeal Board denied institution of an *inter partes* reexamination of the Patent-in-Suit.

44. In 2021, the United States Patent and Trademark Office ordered a second reexamination of the Patent-in-Suit that is currently pending for claims that are not presently asserted in this complaint.

45. In prior litigations, the Patent-in-Suit withstood heavy scrutiny, including motions for summary judgment of anticipation, obviousness, inequitable conduct, lack of enablement, and lack of an adequate written description—all of which were resolved in DataQuill’s favor. Most recently, a jury returned a verdict finding certain claims of the ’304 Patent valid and infringed in a case against ZTE. The jury determined that DataQuill had been damaged in the amount of \$31,500,000.

THE PATENT-IN-SUIT AND CLAIMS-IN-SUIT

46. DataQuill has the exclusive right to sue and the exclusive right to recover damages for infringement of the Patent-in-Suit during all relevant time periods.

47. On May 2, 2000, the ’304 Patent entitled “Data Entry Systems” was duly and legally issued by the USPTO. On April 13, 2010, the USPTO issued an Ex Parte Reexamination Certificate for the ’304 Patent.

THE DDM DEFENDANT’S INFRINGING PRODUCTS

48. During the damages period, the DDM Defendants made, used, offered for sale, sold, and imported into the United States smartphones under the brand names Yezz, NIU, and Parla, that enable users to browse and download items such

as apps, games, ringtones, music, videos, books, and magazines. On information and belief, these devices include but are not limited to the following **Yezz** handsets: **Andy** model numbers 4E7, 5E5, 4E4, 5EI3, 5E3, 4.7T, 5M LTE, 5.5M LTE VR, 4E3I, 5E2I, 4EI2, 3.5EI2, 6EL LTE, 5E LTE, C5E LTE, 5EI3, 4EL2 LTE, 5EL LTE, 4.5EL LTE, 3.5EI3, 4E LTE, 4E2I, 3.5E2I, C5ML, C5QL, 5T, C5VP, C5V, 5.5EI, 4.5M, 4EI, 3.5EH, 5EI, 3.5EI, 6Q, A5QP, AZ4.5, A3.5 EP, A6M 1GB, A6M, A4M, A4E, A5 1GB, A4.5 1GB, A4.5, A4, A3.5, A5, 3G 3.5 YZ1110, 3G 4.0 YZ1120, 3G 2.8 YZ11, YZ1100; **Epic** model numbers T, T7ED, T7, T7FD; **Monte Carlo** model numbers 55 LTE VR, 55 LTE; **and** 4.5EL LTE, 5M, Art 1, Art 1 Pro, GO1, LIV1, Liv 2 LTE, Liv 1s, Max1 Max 1 Plus. These devices include but are not limited to the following **NIU** handsets: Andy C5.5E2I, LIV 10, Niutek 4.0D, Niutek 4.5D, Andy 4E2I, Niutek N109, Niutek 3G 3.5 N209, Niutek 3.5B, Niutek 3.5D, Niutek 3.5D2, Tek 4D2, Tek 5D. These devices include but are not limited to the following **Parla** handsets: Sonic 3.5S, Sonic 3.5. These devices are a subset of, and collectively referred to as, “Accused DDM Smartphones”.

49. In addition to the specific models listed above, the “Accused DDM Smartphones” are all DDM smartphones that incorporated a touch-sensitive screen and the Android operating system that were offered for sale or sold in the United States between the period that is six years before the filing date of this complaint and the expiration of the Patent-in-Suit.

50. The DDM Defendants directly infringed claims of the Patent-in-Suit under 35 U.S.C. § 271(a) by making, using, offering for sale, selling, and/or importing Accused DDM Smartphones in this District and elsewhere in the United States that include the systems claimed in the Patent-in-Suit and/or by using the methods claimed in the Patent-in-Suit, including, for example, the DDM Defendants' use of said methods during set-up, testing, and demonstration of Accused DDM Smartphones.

51. The DDM Defendants induced the direct infringement of method claims of the Patent-in-Suit pursuant to U.S.C. § 271(b) at least by one or more of making, using, offering for sale, selling and/or importing Accused DDM Smartphones in this District and elsewhere in the United States that were designed and intended to use and/or practice the methods and processes covered by the Patent-in-Suit. Further, the DDM Defendants induced infringement by, for example, providing user guides and other support materials and services to its users and by advertising features that are used, and benefits that are achieved through use of the Patent-in-Suit.

52. Despite the DDM Defendants' awareness of the Patent-in-Suit, the DDM Defendant continued these acts of inducement with specific intent to cause and encourage direct infringement of the Patent-in-Suit with willful blindness that such activities occurred and constitute direct infringement of the Patent-in-Suit.

**THE DDM DEFENDANTS' KNOWLEDGE OF THE PATENT-IN-SUIT,
HOW THE DDM DEFENDANTS INFRINGED IT, AND
HOW THE DDM DEFENDANTS CONTINUED INFRINGEMENT
DESPITE THAT KNOWLEDGE**

53. At least as early as April 25, 2014, DataQuill, through counsel, provided notice to the DDM Defendants through a letter sent via Federal Express regarding the '304 Patent. The letter was addressed to Luis Sosa, DDM's CEO at 1616 NW 84 Avenue, Miami, FL 33126.

54. In its 2013 Florida Limited Liability Company Annual Reports, filed April 28, 2014, DDM reported its CEO was Luis Sosa and its current principal place of business was 1616 NW 84th Avenue, Miami, FL 33126.

55. In its 2014 Florida Limited Liability Company Annual Reports, filed April 28, 2014, DDM reported its CEO was Luis Sosa and its current principal place of business was 1616 NW 84th Avenue, Miami, FL 33126.

56. Between May and July 2014, counsel for DataQuill spoke with DDM's counsel about the notice letter and the potential for settlement.

57. Despite knowledge of the Patent-in-Suit and knowledge of the manner in which the Patent-in-Suit was infringed, neither DDM Brands, LLC, nor the other DDM Defendants continued to infringe, and induce the infringement of, the Patent-in-Suit.

COUNT I: INFRINGEMENT OF PAT. 6,058,304

58. DataQuill reasserts and realleges paragraphs 1 through 56 of this

Complaint as though set forth fully here.

59. The DDM Defendants directly infringed the '304 Patent in the State of Florida, in this judicial district, and elsewhere within the United States by making, using, offering for sale, selling, and/or importing Accused DDM Smartphones that infringe one or more claims of the '304 Patent.

60. Accused DDM Smartphones sold by Simply infringed claim 113 of the '304 Patent, for example as explained in the following paragraphs (60-73).

61. The Accused DDM Smartphones are data entry devices for use in a data entry system.

62. Each Accused DDM Smartphone contains at least one reading sensor. "Reading sensor" has been repeatedly construed by several courts to cover a touchscreen. Each Accused DDM Smartphone has a touchscreen. The touchscreen is a reading sensor responsive to commands and/or sensed commands and data. The touchscreen produces input signals.

63. For example, the touchscreen of each Accused DDM Smartphone is responsive to commands and/or sensed commands and data that enable a user to navigate and download Google Play Products from Google Play.

64. The Accused DDM Smartphones contain a controller coupled to the reading sensor to receive and process input signals from the touchscreen, e.g., circuitry coupled to the touchscreen including the touchscreen controller and

processor. This circuitry responds to commands, sensed commands, and data to control the Accused DDM Smartphones and to select items.

65. The Accused DDM Smartphones' controller is coupled to a communications interface to selectively control transmission over said communications interface of command and or data signals as determined by said input signals processed by the controller.

66. For example, Accused DDM Smartphones' contain a communications interface (e.g., the GSM/GPRS/UMTS/HSDPA/HSUPA/HSPA+/DC-HSDPA/EDGE/CDMA/EV-DO/3G/4G/LTE/FDD-LTE/TD-LTE circuitry). The communications interface is coupled to the controller. The communications interface provides for transmission of commands and/or data signals as determined by input signals processed by the controller in several ways including: commands and/or data signals are transmitted over the communications interface when a user navigates Google Play and selects to view additional information about an item or to rate or review an item or when a user chooses to download an item from Google Play.

67. The Accused DDM Smartphones contain a communications interface (e.g., the GSM/GPRS/UMTS/HSDPA/HSUPA/HSPA+/DC-HSDPA/EDGE/CDMA/EV-DO/3G/4G/LTE/FDD-LTE/TD-LTE circuitry) that directly connects the Accused DDM Smartphones to a wireless telecommunications network. This connection is made over a wireless telecommunications network via

an antenna.

68. The Accused DDM Smartphones contain a touchscreen display coupled to a controller to display commands and/or information under control of the input signals processed by the controller. For instance, the Google Play store displays buttons under the control of input signals the Accused DDM Smartphones' controller processes. The Accused DDM Smartphones' reading sensors, controllers, and displays comprise a unitary assembly. The Accused DDM Smartphones are sold as complete, integrated units. The Accused DDM Smartphones' touchscreens comprise a reading sensor and a display. The controller is located within the Accused DDM Smartphones.

69. The Accused DDM Smartphones contain a communications interface (e.g., the GSM/GPRS/UMTS/HSDPA/HSUPA/HSPA+/DC-HSDPA/EDGE/CDMA/EVDO/3G/4G/LTE/FDD-LTE/TD-LTE circuitry) that is a cellular telephone network interface. The cellular telephone network interface directly connects the Accused DDM Smartphone to a wireless telecommunications network that is a cellular telephone network.

70. Each Accused DDM Smartphones is a data entry device integral with a cellular telephone. The Accused DDM Smartphones comprise both a data entry device and a cellular telephone.

71. The controller is configured to respond to a user update command by

downloading information required for updating information previously stored in the Accused DDM Smartphones. For example, a user can choose to update a user selectable application by tapping the “UPDATE” button. The existing application was previously stored on the Accused DDM Smartphones, and the “UPDATE” button initiates a download of information to update that application. Additionally, when a user accesses Google Play by tapping the Google Play icon, information required for updating applications (e.g., whether an update is available, app permission information) is downloaded from a remote processing center (e.g., one or more of the servers that operate Google Play). An update may be available if the user previously downloaded and stored said app.

72. The Accused DDM Smartphones comprise a touchscreen, which is a carrier. “Carrier” has been construed by multiple courts to mean “a medium that carries one or more data and/or command codes.” The touchscreen is a medium associated with displaying a plurality of data and/or command codes. The data and/or command codes are displayed on the screen as buttons, links, or icons. The touchscreen is associated with displaying a plurality of user selectable items, such as Google Play Products.

73. The Accused DDM Smartphones’ touchscreens carry a plurality of codes representing natural language characters and numbers, as well as commands for controlling operation of the data entry and/or merchandising systems. For natural

language characters and numbers, the Accused DDM Smartphones display a keyboard that can be used to input information. For commands, the touchscreen displays apps, buttons, or links that a user may select to control the system.

74. Each code is associated with a visual representation displayed on the Accused DDM Smartphones' screens. The codes may be product identifications such as links to products on the Google Play store.

75. In addition to claim 101, the DDM Defendants infringed at least independent claims 78, 80-81, 83, and 86 of the '304 Patent and the following dependent claims (as depending from specific independent claims): 13 (12); 45 (44); 55 (53); 40 (78); 59 (78); 60 (78); 32 (81); 34 (81); 35 (81); 44 (78, 81); 53 (78 or 81); 56 (78 or 81); 57 (78 or 81); 20 (86, 83, or 86); 12 (80, 83, 86, or 101); 22 (80, 83, 86, or 101); 23 (80, 83, 86, or 101); and 9 (101).

76. The DDM Defendants are thus liable for infringement of the '304 Patent under 35 U.S.C. § 271(a).

77. With knowledge of the '304 Patent and knowledge of the infringing nature of Accused DDM Smartphones (or, at a minimum, willful blindness thereto), the DDM Defendants encouraged its retailers to directly infringe the '304 Patent by offering to sell and selling these devices to end user consumers. The DDM Defendants knew of and intended to cause its retailers' direct infringement and is

therefore liable for inducing their infringement of the '304 Patent under 35 U.S.C. § 271(b).

78. With knowledge of the '304 Patent and knowledge of the infringing nature of Accused DDM Smartphones (or, at a minimum, willful blindness thereto), the DDM Defendants encouraged end users to directly infringe the '304 Patent by using these devices. The DDM Defendants marketed, promoted, and instructed users to use these devices in an infringing manner. This marketing, promotion, and instruction has specifically included instructions to use the device's functionality to download apps, games, music, videos, books, magazines, and/or ringtones. The DDM Defendants knew of and intended to cause its end users' direct infringement and is therefore liable for inducing their infringement of the '304 Patent under 35 U.S.C. § 271(b).

79. As a result of its infringement of the '304 Patent, the DDM Defendants have damaged DataQuill. The DDM Defendants are liable to DataQuill in an amount to be determined at trial that adequately compensates DataQuill for the infringement, which by law can be no less than a reasonable royalty.

80. Because the DDM Defendants knew of the '304 Patent and its infringement thereof (as detailed above), the DDM Defendants' infringement of the '304 Patent is therefore willful and deliberate, entitling DataQuill to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in

prosecuting this action under 35 U.S.C. § 285.

JURY DEMAND

DataQuill demands a trial by jury on all issues that may be so tried.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff DataQuill requests that this Court enter judgment in its favor and against Defendants DDM Brands, LLC, Grupo Akkar LLC, Techland LLC, and Jose Luis Zreik-Koumi. as follows:

A. Adjudging, finding, and declaring that the DDM Defendants have infringed the above-identified claims of the Patent-in-Suit under 35 U.S.C. § 271;

B. Awarding the past damages arising out of the DDM Defendants' infringement of the Patent-in-Suit to DataQuill in an amount no less than a reasonable royalty, together with prejudgment and post-judgment interest, in an amount according to proof;

C. Adjudging, finding, and declaring that the DDM Defendants' infringement is willful and awarding enhanced damages and fees as a result of that willfulness under 35 U.S.C. § 284;

D. Adjudging, finding, and declaring that the Patent-in-Suit is valid and enforceable;

E. Awarding attorneys' fees, costs, or other damages pursuant to 35 U.S.C. §§ 284 or 285 or as otherwise permitted by law; and

F. Granting DataQuill such other further relief as is just and proper, or as the Court deems appropriate.

Respectfully submitted June 21, 2021,

/s/ Christina Bredahl Gierke
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