STEPHEN M. LOBBIN
sml@smlavvocati.com
SML AVVOCATI P.C.
888 Prospect Street, Suite 200
San Diego, California 92037
(949) 636-1391 (Phone)

*Attorney(s) for Plaintiff Display Technologies, LLC*

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

| | |
|---|---|
| **DISPLAY TECHNOLOGIES, LLC,** | **CASE NO.** '22CV0772 TWR DEB |
| **PLAINTIFF,** | **PATENT CASE** |
| **V.** | **JURY TRIAL DEMANDED** |
| **ROSSMAX USA, INC.,** | |
| **DEFENDANT.** | **COMPLAINT** |

Plaintiff Display Technologies, LLC ("Plaintiff" or "Display") files this Complaint against Rossmax USA, Inc. ("Defendant" or "Rossmax USA") for infringement of United States Patent No. 9,300,723 (the " '723 Patent").

## PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

4. On information and belief, Defendant is a company located in California with a principal place of business at 11545 Sorrento Valley Rd, Suite 308, San Diego, CA. 92121 and may be served at this address.

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

## VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is a resident of this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

## COUNT I

## (INFRINGEMENT OF UNITED STATES PATENT NO. 9,300,723)

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq*.

10. Plaintiff is the owner by assignment of the '723 Patent with sole rights to enforce the '723 Patent and sue infringers.

11. A copy of the '723 Patent, titled "Enabling social interactive wireless communications," is attached hereto as Exhibit A.

12. The '723 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Defendant has infringed and continues to infringe one or more claims, including at least Claim 1 of the '723 Patent by making, using, and/or selling media

systems covered by one or more claims of the '723 Patent. For example, Defendant makes, uses, and/or sells the Rossmax BP Meter, associated software, hardware and/or apps (e.g., Rossmax Healthstyle app), and any similar products ("Product"). Defendant has infringed and continues to infringe the '723 Patent in violation of 35 U.S.C. § 271.

14. Regarding Claim 1, the Product is a media system through which a user can view a media file (e.g. camera photos) from a camera, through a media terminal (e.g., smartphone) from a media node (e.g., Bluetooth server) over a communication network (e.g. Bluetooth network) through a communication link (wireless communication). Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.

Source: https://www.rossmax.com/en/products/monitoring/blood-pressure-monitors.html

**Recalling Values from Memory**

In Auto mode, all readings currently saved on the device can be transferred to the App using Bluetooth after successful completion of the binding process. Follow App instructions, and the Bluetooth transfer starts automatically. Data transfer will be halted while performing a measurement or operating the device.

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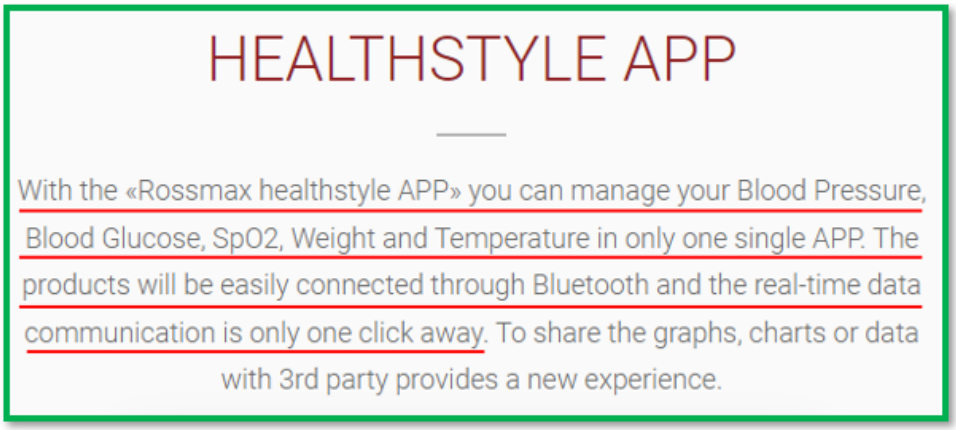
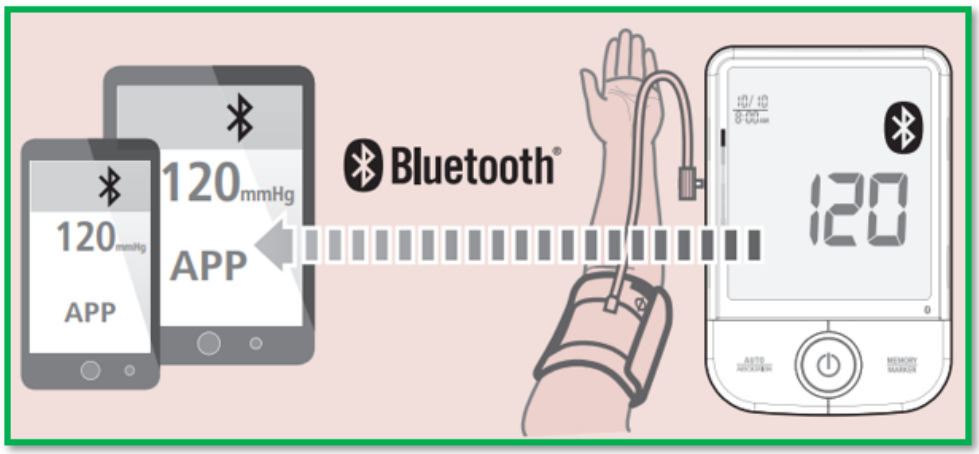
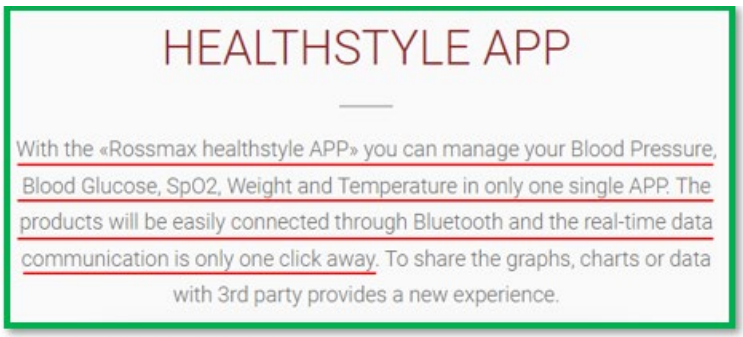



Source: https://www.rossmax.com/en/products.html




Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

15. The Product includes at least one media terminal disposed in an accessible relation to at least one interactive computer network. For example, the Bluetooth network is used for sending camera photos by detecting a smartphone (at least one media terminal) when the App is installed on the smartphone and connected with the medical device through a Bluetooth network (i.e. computer network). Certain aspects of this element are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

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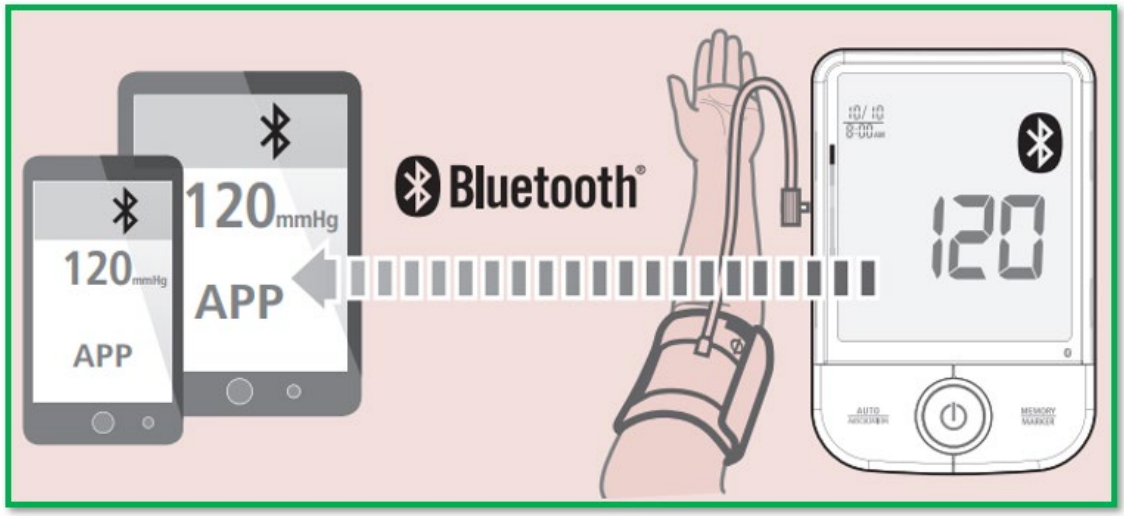
Source: https://www.youtube.com/watch?v=6Xw7C7j-N8k

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The «Rossmax healthstyle APP» gives you a clear overview about your health conditions anytime and anywhere. By syncing your measurements via Bluetooth, you can easily view your history for five different Rossmax products. The APP allows you to share your measurements with 3rd parties.

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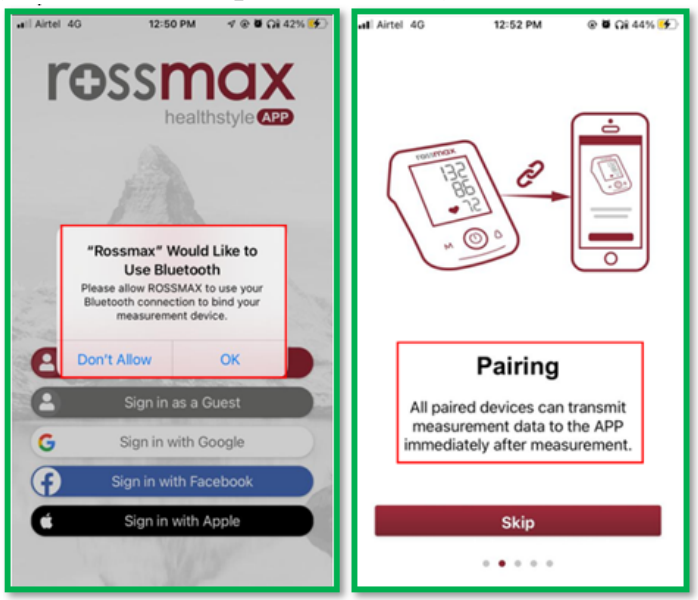
16. A wireless range is structured to permit authorized access to the at least one interactive computer network. For example, the smartphone is connected with the medical device through a Bluetooth network when the medical device is within Bluetooth range (wireless range) that permits the connection of the smartphone by the wireless network (interactive computer network).




Source: Screenshot taken from Smartphone.

> The «Rossmax healthstyle APP» gives you a clear overview about your health conditions anytime and anywhere. By syncing your measurements via Bluetooth, you can easily view your history for five different Rossmax products. The APP allows you to share your measurements with 3rd parties.

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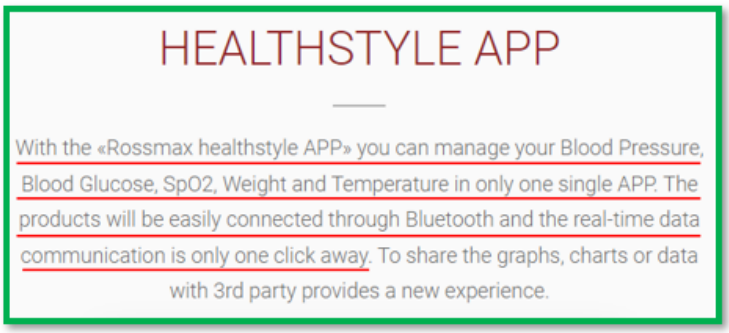


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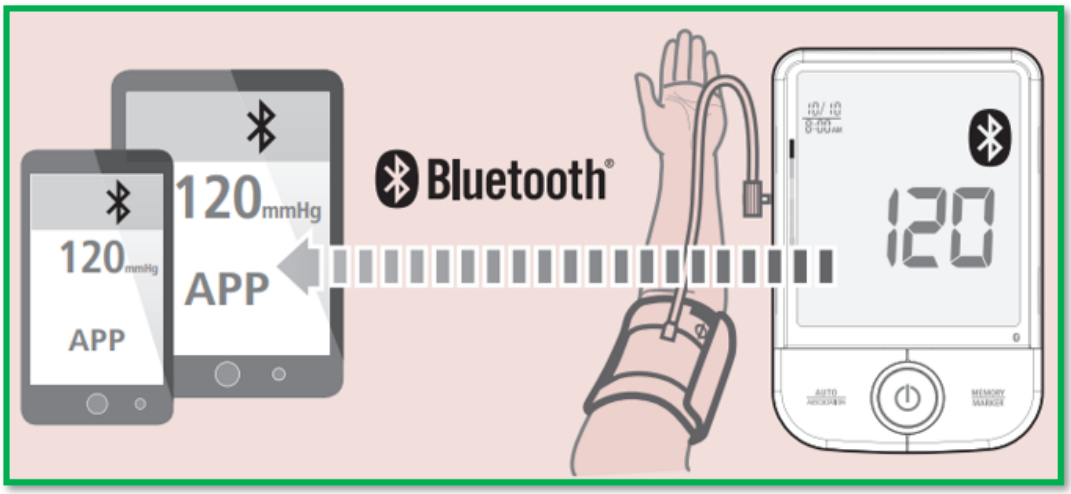
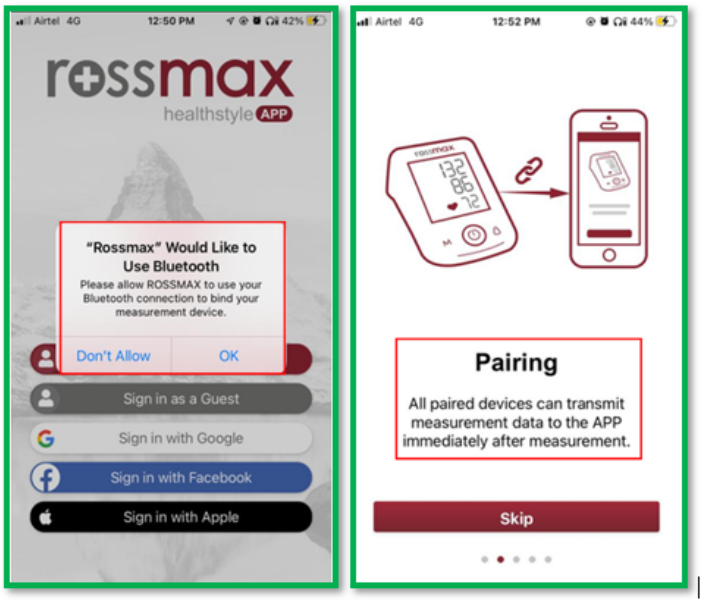



Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

17. At least one media node is disposable within the wireless range, wherein the at least one media node is detectable by the at least one media terminal. For example, the media node (connecting medical device and smartphone through a Bluetooth network) sends Bluetooth signals, which are detected by the smartphone (at least one media terminal) when the smartphone is in the camera's Bluetooth range. Certain aspects of this element are illustrated in the screenshots below and/or those provided in connection with other allegations herein.




Source: Screenshot taken from Smartphone.

The «Rossmax healthstyle APP» gives you a clear overview about your health conditions anytime and anywhere. By syncing your measurements via Bluetooth, you can easily view your history for five different Rossmax products. The APP allows you to share your measurements with 3rd parties.

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## Data Transfer via Bluetooth® (Optional)

### Pairing the Blood Pressure Monitor with your Smartphone

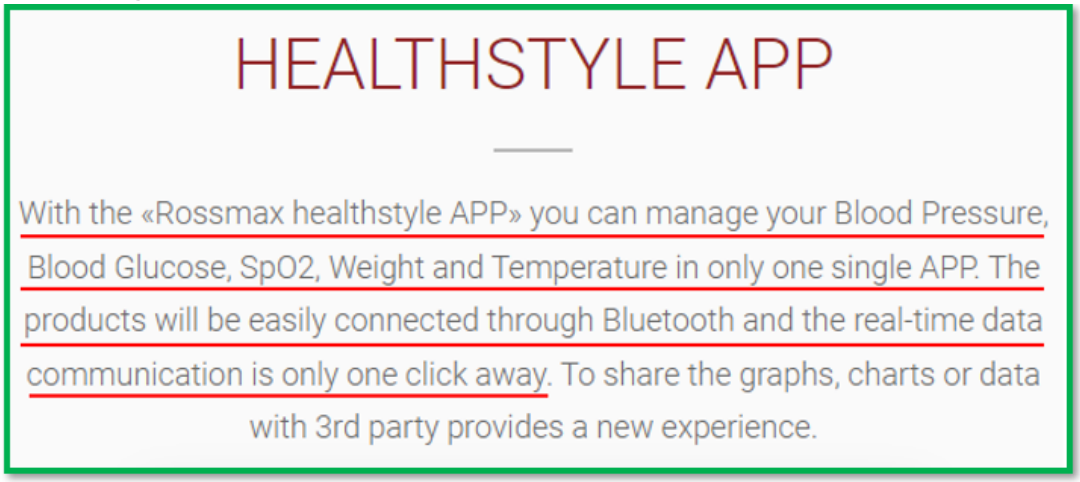
To begin using Bluetooth® for the first time, please visit the website at http://www.rossmax.com for the initial set-up instructions.

1. Download and install the applicable APP onto your smartphone.

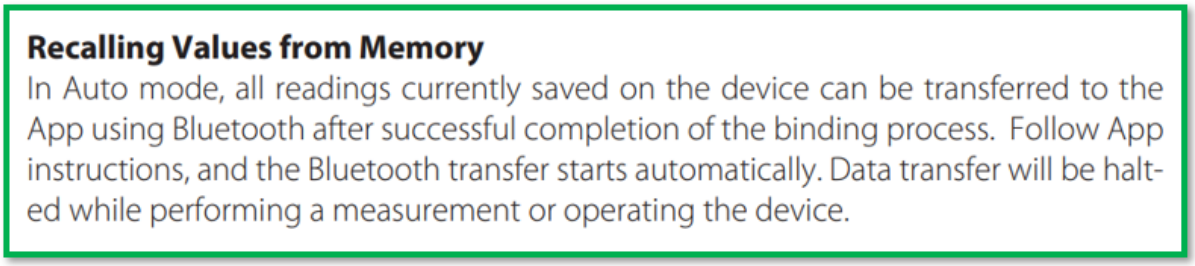
2. To bind this device with your smartphone, turn on the device, Bluetooth® and the App of smartphone, and follow set-up and binding instructions.
3. If the binding is successful, the Bluetooth® symbol ( ) will appear on the display and keep flashing during data transfer. The current measured value will automatically be transferred to the App when the measurement is completed.

Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

18. At least one digital media file is initially disposed on at least one of the at least one media terminal or the at least one media node and the at least one media terminal is structured to detect the at least one media node disposed within the wireless range. For example, the smartphone (media terminal) is connected with the medical device through a Bluetooth when the smartphone comes within range (wireless) of the Bluetooth signals. When the smartphone is connected with the medical device, the user can view photos and digital files of a medical device on the Smartphone (digital media file).




Source: https://www.rossmax.com/en/products.html




Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

- If Bluetooth® has been activated, the data of Systolic and Diastolic pressure is automatically transferred to the App after successful completion of the binding process, please see **Data Transfer via Bluetooth® (Optional)**.

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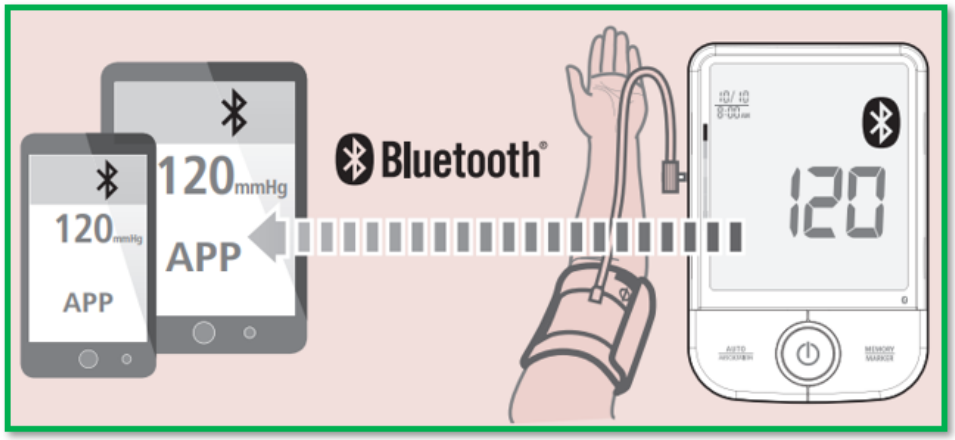



Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

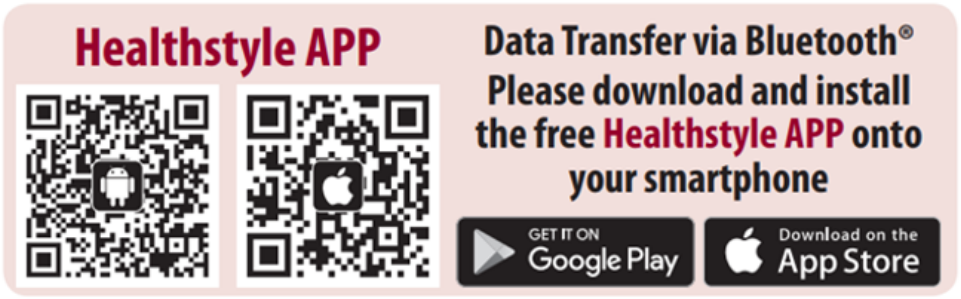
19. A communication link is structured to dispose the at least one media terminal and the at least one media node in a communicative relation with one another via the at least one interactive computer network. For example, the smartphone (media terminal) connects when the medical device (i.e. media node) comes to the Bluetooth range detected by Smartphone (at least one media terminal) through a Bluetooth network (interactive computer network).

## Data Transfer via Bluetooth® (Optional)

**Pairing the Blood Pressure Monitor with your Smartphone**

To begin using Bluetooth® for the first time, please visit the website at http://www.rossmax.com for the initial set-up instructions.

1. Download and install the applicable APP onto your smartphone.




2. To bind this device with your smartphone, turn on the device, Bluetooth® and the App of smartphone, and follow set-up and binding instructions.
3. If the binding is successful, the Bluetooth® symbol ( ) will appear on the display and keep flashing during data transfer. The current measured value will automatically be transferred to the App when the measurement is completed.

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- If Bluetooth® has been activated, the data of Systolic and Diastolic pressure is automatically transferred to the App after successful completion of the binding process, please see **Data Transfer via Bluetooth® (Optional)**.

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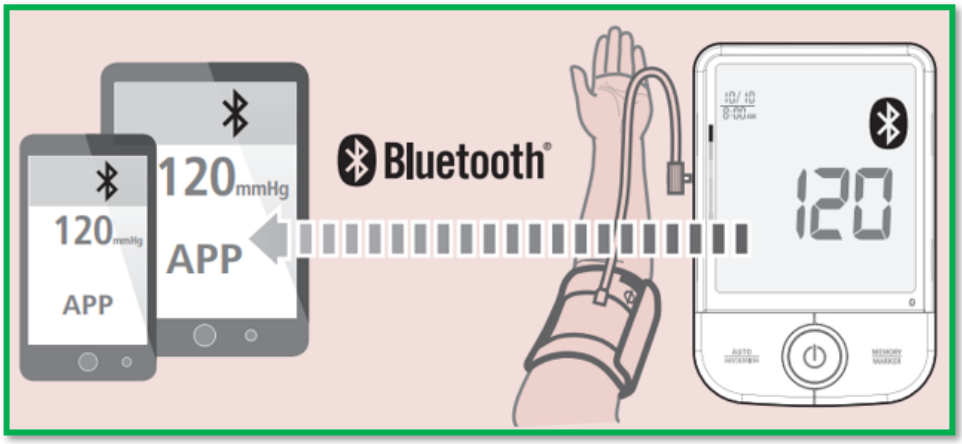
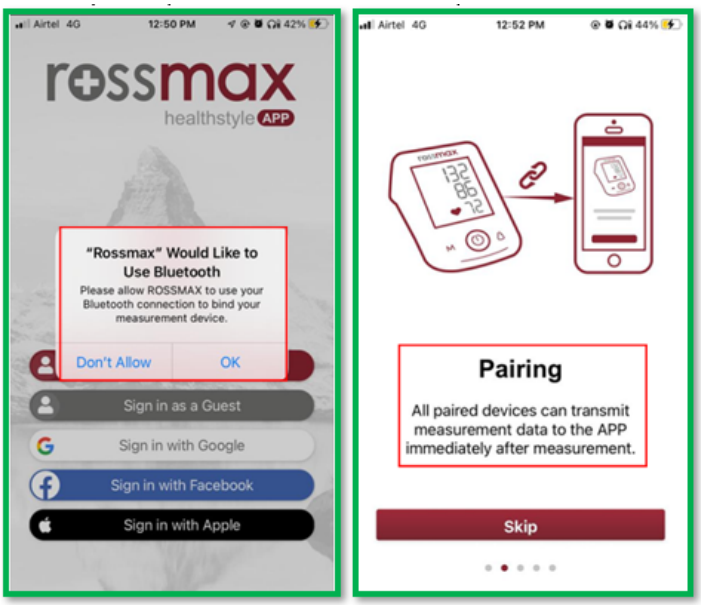



Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

20. The communication link is initiated by the at least one media terminal. For example, the communication link, i.e., Bluetooth network, which is the link between smartphone and the medical device (i.e., media node) whenever the medical device (i.e., media node) comes to Bluetooth range of Smartphone (at least one media terminal).




Source: Screenshot taken from Smartphone.

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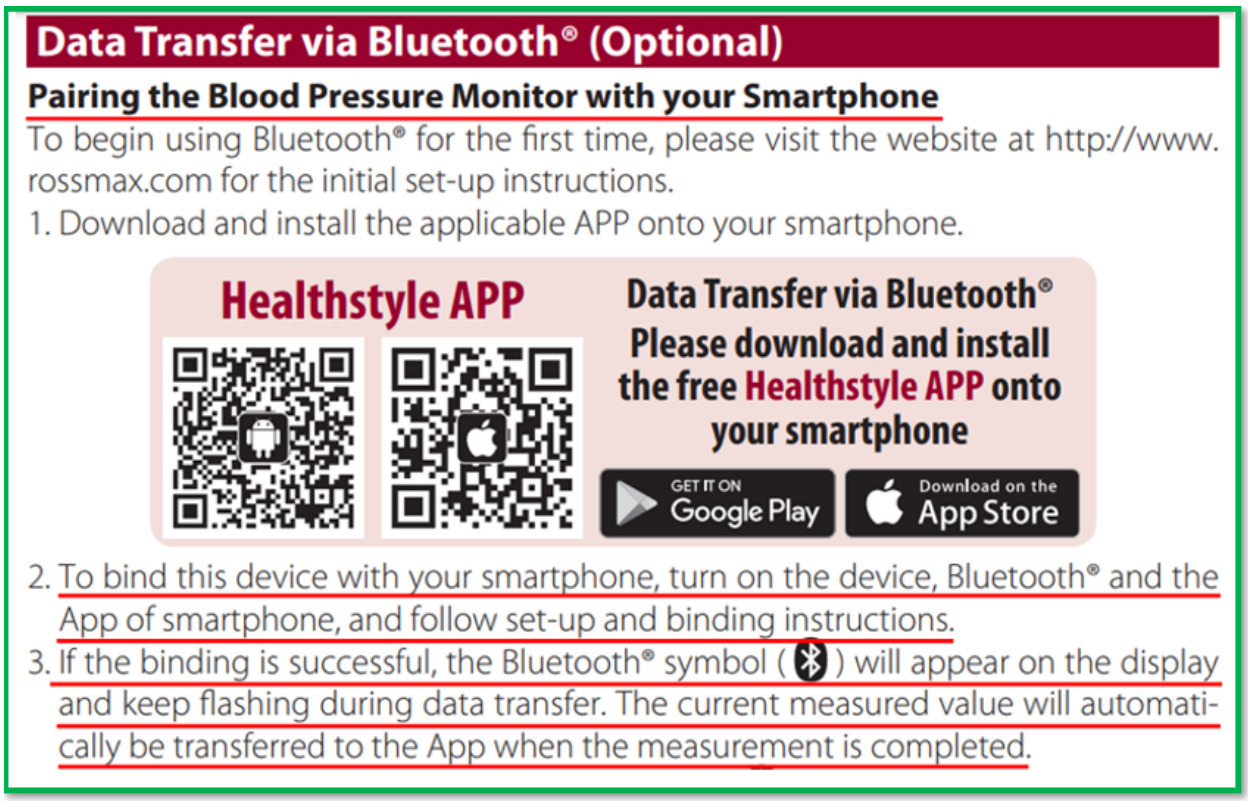


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21. The at least one media node and the at least one media terminal are structured to transmit the at least one digital media file therebetween via the communication link. For example, the smartphone is connected with the medical device through a Bluetooth network (media node) when the smartphone (media terminal) is within the Bluetooth range. The user can then view photos and digital files of the medical device on the smartphone (digital media file).

## Data Transfer via Bluetooth® (Optional)

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1. Download and install the applicable APP onto your smartphone.

2. To bind this device with your smartphone, turn on the device, Bluetooth® and the App of smartphone, and follow set-up and binding instructions.
3. If the binding is successful, the Bluetooth® symbol ( ) will appear on the display and keep flashing during data transfer. The current measured value will automatically be transferred to the App when the measurement is completed.

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## HEALTHSTYLE APP

With the «Rossmax healthstyle APP» you can manage your Blood Pressure, Blood Glucose, SpO2, Weight and Temperature in only one single APP. The products will be easily connected through Bluetooth and the real-time data communication is only one click away. To share the graphs, charts or data with 3rd party provides a new experience.

Source: https://www.rossmax.com/en/products.html

**Recalling Values from Memory**

In Auto mode, all readings currently saved on the device can be transferred to the App using Bluetooth after successful completion of the binding process. Follow App instructions, and the Bluetooth transfer starts automatically. Data transfer will be halted while performing a measurement or operating the device.

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• If Bluetooth® has been activated, the data of Systolic and Diastolic pressure is automatically transferred to the App after successful completion of the binding process, please see **Data Transfer via Bluetooth® (Optional)**.

Source: https://www.rossmax.com/downloads/IBs/OBM_IB_X9(2)NA18_EN.pdf

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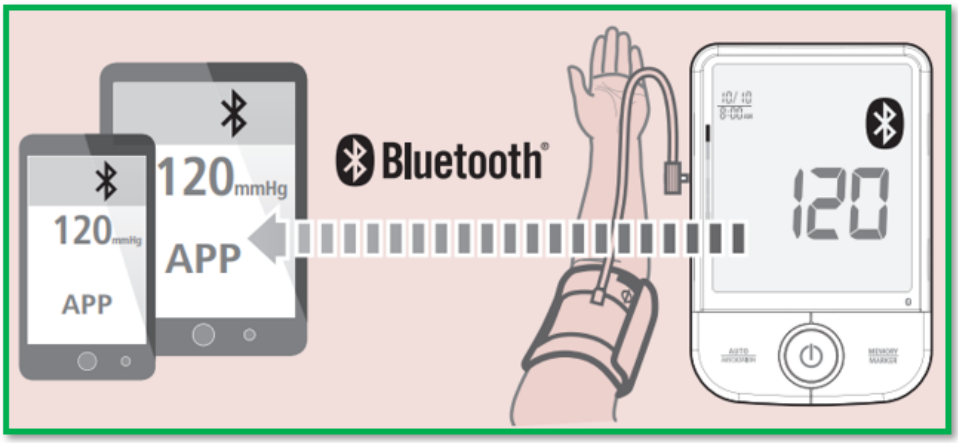


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22. The communication link is structured to bypass at least one media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file to, and displaying the at least one digital media file on, the at least one media terminal. For example, the communication link is structured so that whenever the user installs the application on the smartphone (media terminal), the smartphone is connected with the medical device through a Bluetooth (i.e. media terminal security) when the smartphone is within range (wireless) of the Bluetooth signals. When the smartphone is connected with the medical device, the user can view photos and digital files of a camera on the Smartphone (digital media file).

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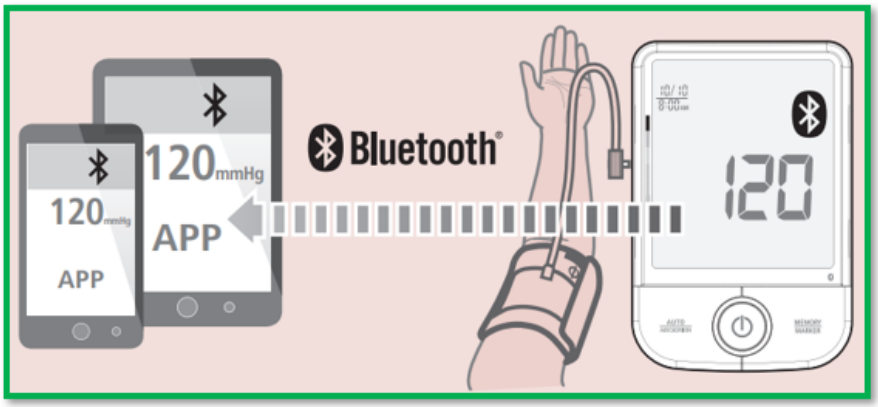


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23. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

24. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

25. Plaintiff is in compliance with 35 U.S.C. § 287.

**DEMAND FOR JURY TRIAL**

28. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,300,723 (or, in the alternative, awarding Plaintiff running royalties from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: May 27, 2022

Respectfully submitted,

*/s/ Stephen M. Lobbin*
***Attorney(s) for Plaintiff***