

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CREEKVIEW IP LLC,

Plaintiff,

v.

**BESTBUY.COM, LLC,
BEST BUY STORES, L.P., AND
BEST BUY TEXAS.COM, LLC,**

Defendants.

Case No. 22-425-CFC

Patent Case

Jury Trial Demanded

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Creekview IP LLC (“Plaintiff”), through its attorneys, files this amended complaint in accordance with Federal Rule of Civil Procedure 12 and alleges that BestBuy.com, LLC; Best Buy Stores, L.P., and Best Buy Texas.com, LLC (collectively the “Defendants”), and alleges the following:

PARTIES

1. Plaintiff Creekview IP LLC is a limited liability company with its principal place of business at 7548 Preston Rd, STE 141 PMB 1115, Frisco, TX 75034.
2. Upon information and belief, BestBuy.com, LLC is a company organized under the laws of Virginia, having a principal place of business at 7601 Penn Ave S, Minneapolis, MN 55423. Upon information and belief, Defendants may be served with process c/o The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

3. Upon information and belief, Best Buy Stores, L.P. is a limited partnership organized under the laws of 7601 Penn Ave S, Minneapolis, MN 55423. Upon information and belief, Defendants may be served with process c/o The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.
4. Upon information and belief, Best Buy Stores, L.P. is a limited partnership organized under the laws of 7601 Penn Ave S, Minneapolis, MN 55423. Upon information and belief, Defendants may be served with process c/o The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

JURISDICTION

5. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.
6. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).
7. This Court has personal jurisdiction over Defendants because they have engaged in systematic and continuous business activities in this District. As described below, Defendants has committed acts of patent infringement giving rise to this action within this District.

VENUE

8. Venue is proper in this District under 28 U.S.C. § 1400(b) because Defendants has committed acts of patent infringement in this District and Defendants have regular and established offices in this District. In addition, Plaintiff has suffered harm in this district.

PATENT-IN-SUIT

9. On March 28, 2017, the United States Patent and Trademark Office (“USPTO”) duly and legally issued U.S. Patent No 9,608,472 (the “‘472 Patent”), entitled “METHOD AND APPARATUS FOR WIRELESSLY TRANSFERRING POWER AND COMMUNICATING WITH ONE OR MORE SLAVE DEVICES” after a full and fair examination. The ‘472 Patent is attached hereto as Exhibit 1 and incorporated herein as if fully rewritten.

10. Plaintiff is presently the owner of the ‘472 Patent, having received all right, title and interest in and to the ‘472 Patent from the previous assignee of record. Plaintiff possesses all rights of recovery under the ‘472 Patent, including the exclusive right to recover for past infringement.

11. The ‘472 Patent teaches a system for charging devices that includes a master device and a slave device. The slave device includes (1) an antenna to receive a radio frequency (RF) beam and (2) a power generation module connected to the antenna that converts RF energy received by the slave antenna to power. The master device includes (1) a directional antenna to direct RF power to the

antenna of the slave device and (2) a module that provides power to the directional antenna of the master device. *See* the '472 Patent, attached hereto as Exhibit 1.

12. To the extent required, Plaintiff has complied with all marking requirements under 35 U.S.C. § 287.

COUNT 1: INFRINGEMENT OF THE '472 PATENT

13. Plaintiff incorporates the above paragraphs herein by reference.

14. **Direct Infringement.** Defendants have directly infringed one or more claims of the '472 Patent in at least this District by testing, making, using, offering to sell, selling and/or importing, without limitation, at least the Defendants products identified in the charts incorporated into this Count below (among the "Exemplary Defendants Products") that infringe at least the exemplary claims of the '472 Patent also identified in the charts incorporated into this Count below (the "Exemplary '472 Patent Claims") literally or by the doctrine of equivalents. On information and belief, numerous other Qi devices that infringe the claims of the '472 Patent have been made, used, sold, imported, and offered for sale by Defendants and/or its customers.

15. Defendants also have directly infringed, literally or under the doctrine of equivalents, the Exemplary '472 Patent Claims, by having its employees internally test and use these Exemplary Products.

16. Exhibit 2 includes charts comparing the Exemplary '472 Patent Claims to the Exemplary Defendants Products. As set forth in these charts, the Exemplary Defendants Products practice the technology claimed by the '472 Patent. Accordingly, the Exemplary Defendants Products incorporated in these charts satisfy all elements of the Exemplary '472 Patent Claims.

17. Plaintiff therefore incorporates by reference in its allegations herein the claim charts of Exhibit 2.

18. As shown in Exhibit 2, at least when tested by Defendants and when used by Defendants' customers, the Exemplary Defendants Products operate in conjunction with compatible Qi devices which practice a method for use by a slave device (*e.g.*, the device to be charged) for generating power from energy wirelessly received from a master device (*e.g.*, the Exemplary Defendants Products), the method comprising: transmitting a slave device identification (*e.g.*, identification of the device to be charged) to the master device (*e.g.*, the Exemplary Defendants Products) for determining authorization to wirelessly receive energy (*e.g.*, wireless power transfer) from the master device (*e.g.*, the Exemplary Defendants Products); wirelessly receiving, in response to transmitting the slave device identification (*e.g.*, identification of the device to be charged) to the master device (*e.g.*, the Exemplary Defendants Products), energy from the master device (*e.g.*, the Exemplary Defendants Products); and

generating power from the wireless energy (*e.g.*, wireless power transfer) received from the master device (*e.g.*, the Exemplary Defendants Products) for use by a set of electronic circuitry of the slave device (*e.g.*, the device to be charged). As illustrated, the Exemplary Defendants Products follows the Qi-Standard. The device to be charged acts as a power receiver and the Exemplary Defendants Products acts as a power transmitter. The power receiver sends an identification to power transmitter for identification and verification. The power receiver receives an ACK response for successful verification and NAK response for unsuccessful verification. The power transmitter transfers power after successful verification. *See Ex. 2.*

19. Plaintiff is entitled to recover damages adequate to compensate for Defendants' infringement.

JURY DEMAND

20. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

- A. A judgment that the '472 Patent is valid and enforceable;
- B. A judgment that Defendantss have infringed, one or more claims of the '472 Patent;

- C. An accounting of all damages not presented at trial;
- D. A judgment that awards Plaintiff all appropriate damages under 35 U.S.C. § 284 for Defendants' infringement with respect to the '472 patent;
- E. And, if necessary, to adequately compensate Plaintiff for Defendants' infringement, an accounting:
 - i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Plaintiff be awarded its reasonable attorneys' fees against Defendants that it incurs in prosecuting this action;
 - ii. that Plaintiff be awarded costs, and expenses that it incurs in prosecuting this action; and
 - iii. that Plaintiff be awarded such further relief at law or in equity as the Court deems just and proper.

Dated: August 2, 2022

Respectfully submitted,

CHONG LAW FIRM PA

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