UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PINN, INC., Plaintiff v. **ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,** Defendant	**Case No. 6:23-cv-271** **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

OnePlus Technology (Shenzhen) Co., Ltd. markets, imports, sells, and distributes wireless earbud systems that practice U.S. Patent No. 10,455,066 (the "'066 Patent") owned by Pinn, Inc.

THE PARTIES

1. Pinn, Inc. is a California Corporation with its headquarters and principal place of business at 2522 Chambers Rd., Suite 100, Tustin, California 92782.

2. Defendant OnePlus Technology (Shenzhen) Co., Ltd., is a corporation organized under the laws of the People's Republic of China with its principal place of business located at 18F, Tairan Building, Block C, Tairan 8th Road, Chegongmiao Futian District Shenzhen, Guangdong, 518040, China.

3. OnePlus was founded in the People's Republic of China in 2013 and does business in the States of Texas and in the Western District of Texas.

4. OnePlus offers for sale and sells the accused products to customers and potential customers in Texas, including in this judicial district.

JURISDICTION AND VENUE

5. This patent infringement suit is brought under the United States Patent Act, namely 35 U.S.C. §§ 271, 281, and 284-285, among other laws. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b) because OnePlus markets, sells, makes, tests, uses, and delivers accused products in this district, directs and instructs customers and end users how to use the accused products in this district, and has committed acts of infringement in this district.

7. OnePlus offers for sale and sells products within the State of Texas and within the Western District of Texas that directly or indirectly infringe the Asserted Patent. OnePlus purposefully and voluntarily places its infringing products into the stream of commerce with both the expectation and the knowledge that those products will be purchased and used by consumers in the Western District of Texas.

8. For example, while OnePlus is a Chinese entity, it operates a United States-focused website (https://www.oneplus.com/), including website pages that advertise the Accused Products.

9. Venue is proper as to OnePlus in this District under 28 U.S.C. § 1391(c)

because OnePlus is a foreign corporation.

THE PINN PATENT

10. Seung Jin Kim invented the subject matter claimed in the asserted '066 patent, which is owned by his company, Pinn, Inc., in California.

11. The '066 patent discloses and claims, among other things, a personal wireless media station including a mobile base station and a wireless earbud. The personal wireless media station may detect that the wireless earbud is docked to the base station, detect that the wireless earbud is undocked from the base station, and plays sound through the wireless earbud while the wireless earbud is undocked from the base station.

12. Generally speaking, the Asserted Patent claims methods, apparatuses, and systems relating to a personal wireless media station having a wireless earbud and main body, wherein the wireless media station may detect when the wireless earbud is connected to the base station, detect when the wireless earbud is undocked from the base station, and cause sound to begin playing through the wireless earbud when the earbud is undocked from the base station.

13. Pinn is the assignee of all right, title, and interest in and to the Asserted Patent and has the exclusive right to assert all causes of action arising under, or that may arise under, the Asserted Patent, including the right to pursue and recover any and all monetary and equitable remedies for infringement.

14. OnePlus has been on notice of the '066 Patent at least as early as the date

it received service of this complaint.

15. OnePlus has infringed and continues to infringe one or more claims of Pinn's '066 Patent.

THE '066 PATENT: "MOBILE SYSTEM WITH WIRELESS EARBUD"

16. On October 22, 2016, the United States Patent and Trademark Office ("USPTO") issued U.S. Patent No. 10,455,066, following a full examination of U.S. Pat. App. Ser. No. 15/563,937, which was filed on April 4, 2016.

17. Claim 1 of the '066 Patent recites:

> 1. An apparatus comprising:
>
> a base station comprising a connection hole, a user input button, at least one processor, at least one memory, and circuitry; and
>
> a wireless earbud configured for plugging into the connection hole of the base station to form an integrated body with the base station,
>
> wherein the system is capable of wirelessly pairing with a smartphone for the wireless earbud to receive audio data originated from the smartphone,
>
> wherein, in response to pressing of the user input button, the at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud

receives audio data originated from the smartphone and plays audio using the audio data from the smartphone,

wherein, in response to plugging the wireless earbud into the connection hole, the at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud,

wherein, when the wireless earbud is plugged into the connection hole of the base station, the wireless earbud is configured to electrically connect with the circuitry of the base station and further configured to performing wired data communication with the base station.

18. Figures 1 and 2 illustrate certain exemplary uses of an embodiment of the '066 patent.

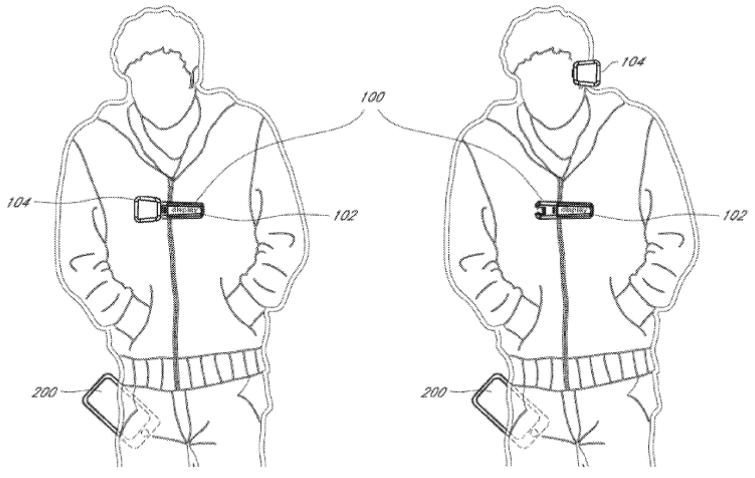


FIG. 1 FIG. 2

19. The technologies and innovations recited in the claims of the '066 Patent,

including Claim 1, provide inventive concepts and do not claim an abstract idea. The individual elements of the claims of the '066 Patent are not well-understood, routine, or conventional. Instead, the claims of the '066 Patent are directed to unconventional, inventive concepts that implement technical solutions to solve various problems, including problems unique to wireless earbud pairing, and that enhance the operation and functionality of wireless earbuds. As one example, the '066 Patent provides a technical solution that comprises the transferring of sound output from a main body speaker to an earbud when undocking has been detected. *See, e.g.*, '066 Patent at 2:33-44.

20. The technological solutions taught by the '066 Patent provide advantages over, and improvements to, the state of the art at the time. For example, the teachings of the '066 Patent describe a wireless base station and earbud that work seamlessly together to provide the consumer with functional wireless earbud capabilities.

21. The inventions and the limitations recited in the claims of the '066 Patent, whether alone or in combination with other limitations, embody several inventive concepts. For example, claim 1 of the '066 Patent describes a consumer product or system featuring distributed intelligence and that features an earbud that communicates wirelessly with a smartphone and communicates via wired two-way communication with the main body. The main body is configured to determine a docked-to-undocked change in which when the earbud is undocked, the sound begins playing in the earbud.

See, e.g., '066 Patent at 1:46-57.

PINN, INC.

22. Pinn was founded by Seung Jin ("Sean") Kim in 2015, with a vision toward designing and developing wearable technology that enhances the smartphone experience and eliminates frustrating phone problems like trying to locate and retrieve your phone quickly to answer an incoming call.

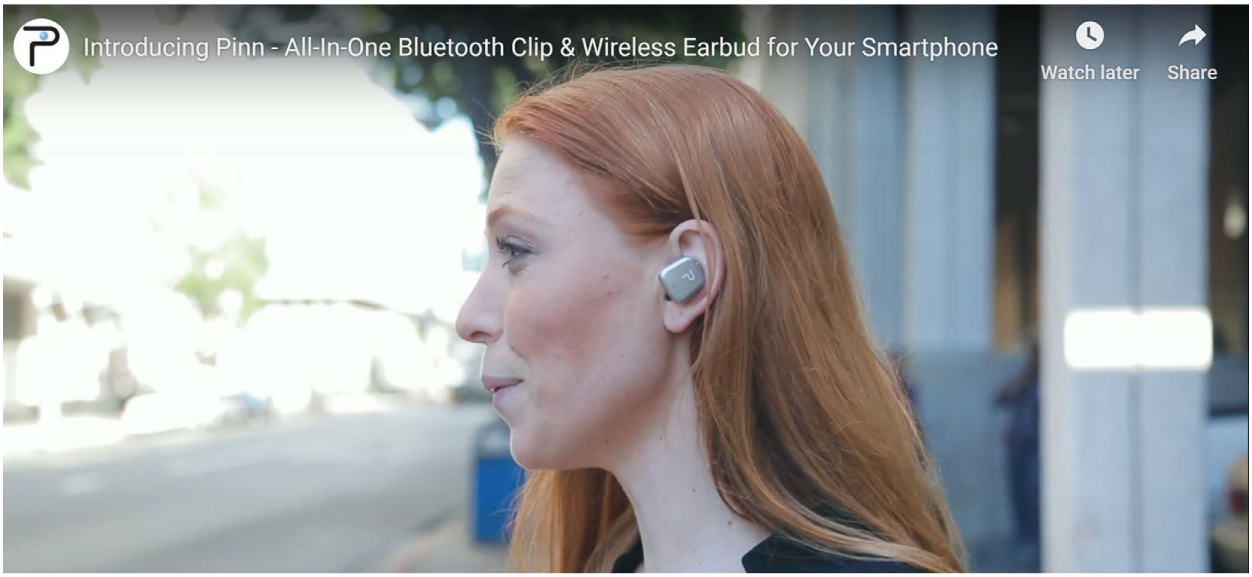
23. Sean Kim received a bachelor's degree in Music Composition and Orchestral Conduction from Seoul National University in 2003. In addition to being an accomplished composer, Mr. Kim is an entrepreneur and inventor.

24. Recognizing the need for a personal media system with simplified operation and structure, Mr. Kim conceived of the Pinn device in 2014 and founded Pinn Inc. the following year to develop a first-generation wearable product that would provide consumers with an easier way to use their smartphones, by simplifying and enhancing the wireless capabilities and operation of the device. Mr. Kim recognized that a system having distributed intelligence and processing, along with an integrated modular design, would improve ease of use and functionality.

25. The Patent Office recognized Mr. Kim's innovations by granting the first of his wireless earbud system patents in 2017.

26. Pinn proved Mr. Kim's concept in October 2015 and launched the Pinn product soon after. Pinn became available to the public in 2017.

27. Pinn includes a wireless earbud that is docked and integrated into the Pinn clip or main body and wirelessly connects to a user's smartphone via Bluetooth.



THE ONEPLUS INFRINGING PRODUCTS

28. Recognizing the practical importance of Kim's groundbreaking invention,

OnePlus introduced its wireless earbuds. These wireless earbuds are comprised of a base station, earbuds, a connection hole, a user input button, and electrical circuitry designed to connect the earbuds to the base station, all of which form an integrated body capable of wirelessly pairing with a smartphone such that the wireless earbud can receive audio data originating from the smartphone.

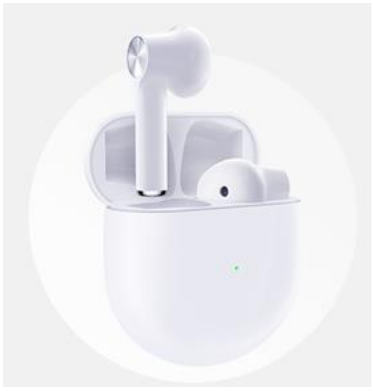
29. OnePlus makes, has made, sells, and offers for sale in the United States and imports into the United States various versions of a wireless earbud system that practice the Pinn Patent in Suit: OnePlus Buds, OnePlus Buds Pro, OnePlus Buds Z, OnePlus Buds Z2, and OnePlus Nord Buds.

OnePlus Buds

30. The OnePlus Buds base station case houses the OnePlus earbuds.

31. Each wireless earbud plugs into a connection hole to form an integrated body. The integrated body is formed when the wireless earbuds are placed into their

respective connection holes where they are magnetically secured.

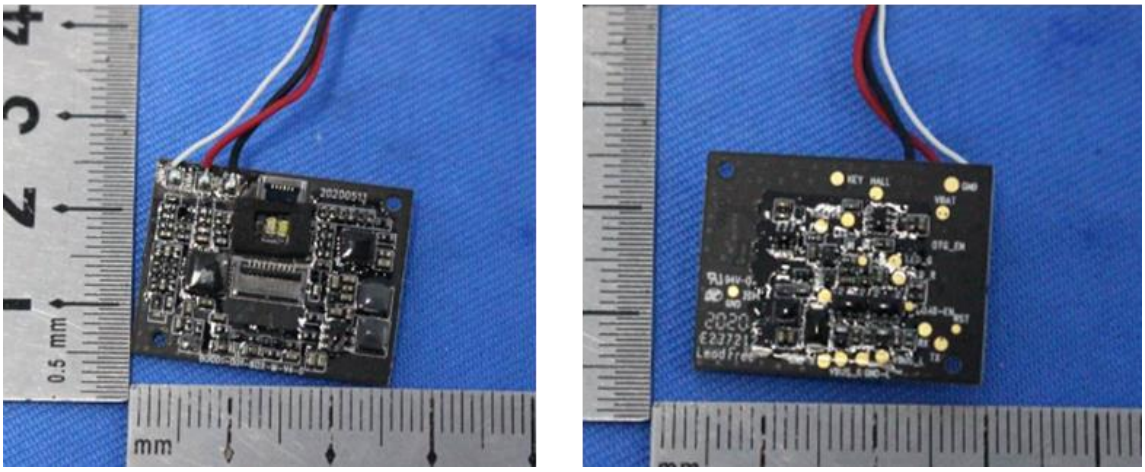


32. In normal operation, the wireless earbuds of the Accused Products pair with a smartphone via Bluetooth, receive audio data from the smartphone, and play audio using the audio data from the smartphone when paired wirelessly.

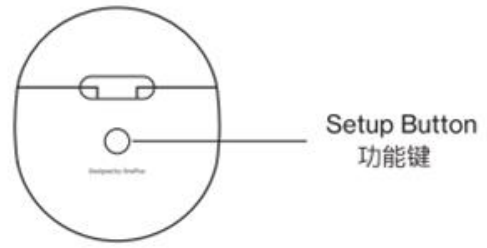
33. The Accused Products feature an earbud connector for connecting with an electrical circuit of the main body for wired data communication.

34. The main body of the OnePlus Buds comprises at least one processor and at least one memory.

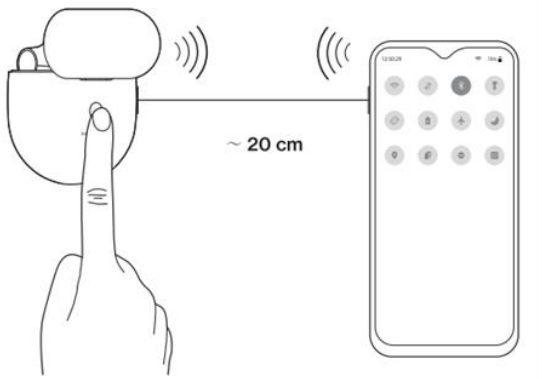
OnePlus Buds Base Station
Motherboard



35. The OnePlus Buds feature a User Input Button on the case designed to communicate with the buds and the base station. In response to the pressing of the User Input Button, "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud receives audio data that originated from the smartphone and plays the audio using the audio data from the smartphone." *See e.g.,* '066 Patent at 33:28-34.



36. The User Input Button is used to initiate Bluetooth pairing, factory resets, and software updates, indicating there is wired data communication occurring between the earbuds and the base station.



Device connection

Before pairing with a new device or reconnecting, please turn on the GPS location information, Wi-Fi / Mobile data and Bluetooth in the notification bar menu or phone settings.
While the buds are inside the charging box, open the charging box and press and hold the setup button for 2 seconds. The indicator lamp of the charging box will flash white. The buds will then be available for pairing.

37. The OnePlus Buds connect via Bluetooth.

38. Once paired, audio from a smartphone is played through the earbuds.

39. The OnePlus Buds are configured to recognize when the earbuds are placed in the connection hole, where "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud." *See e.g.,* '066 Patent 33:35-39.

Charging buds

Put the buds in the charging box to charge them.
(The charging contacts at the bottom of the buds' handle must be clean, otherwise charging and use may be affected.)

Charge the charging box

- You can connect the charging box to a power supply through the power cable delivered with the buds to charge it.
- If the indicator lamp of the charging box is always red, the charging box is charging. If it is green, the charging box is fully charged.

40. Once such connection occurs, charging of the battery in the wireless

earbud begins via charging contacts and electrical circuitry located in the base station.

Charging buds

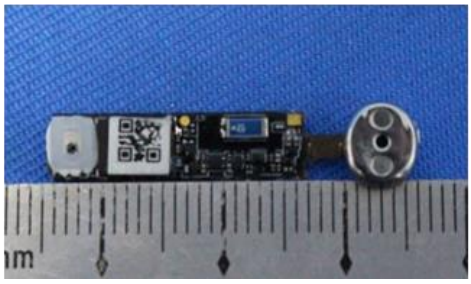
Put the buds in the charging box to charge them.
(The charging contacts at the bottom of the buds' handle must be clean, otherwise charging and use may be affected.)

Charge the charging box

- You can connect the charging box to a power supply through the power cable delivered with the buds to charge it.
- If the indicator lamp of the charging box is always red, the charging box is charging. If it is green, the charging box is fully charged.

OnePlus Buds (Base Station)
Charging Contacts

OnePlus Buds (Earbuds)
Charging Contacts



41. OnePlus Buds are configured to perform wired two-way data communication with the charging case.

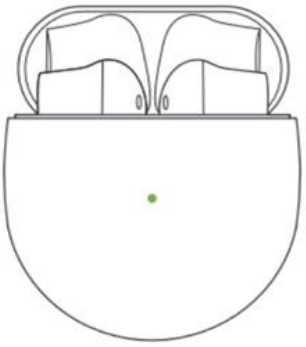
42. OnePlus Buds can indicate their power level via a colored button located on the main base station.

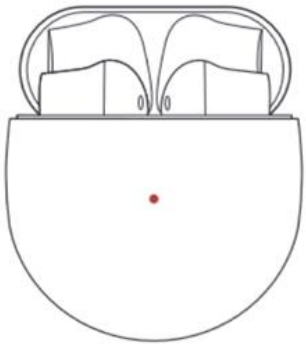
Buds Charging

Power level indication

- If the buds are placed in the charging box, the indicator lamp will show the battery level of the buds, and ignore the battery level of the charging box.
- Take the left and right bud out. The indicator lamp will show the battery level of the charging box.
- The following table lists the meanings of the indicator lamp in different colors.

Bud(s) in the Charging Box	Light Indication	Light Color
One bud in the charging box	Shows the battery level of the bud in the charging box	Green: The battery level is higher than 20%.
		Red: The battery level is lower than 20%.
Two buds in the charging box	Shows the battery level of the bud with less power in the charging box	Green: The battery level is higher than 20%.
		Red: The battery level is lower than 20%.
No bud in the charging box	Shows the battery level of the charging box	Green: The charging box can fully charge the OnePlus Buds.
		Red: The charging box cannot fully charge the OnePlus Buds.





15

43. OnePlus Buds earbuds are *not* capable of wirelessly communicating with the mobile base station.

44. OnePlus sells OnePlus Buds with a mobile base station that includes a connection hole, a user input button, at least one processor, at least one memory, and circuitry. The OnePlus Buds system is designed and intended to be used by plugging the earbuds into connection holes of the base station for charging and two-way wired data communication.

OnePlus Buds Pro

45. The OnePlus Buds Pro base station case houses the OnePlus earbuds and consists of a connection hole, characterized by a cavity that holds both earbuds.

46. Each wireless earbud plugs in a connection hole to form an integrated body. The integrated body is formed when the wireless earbuds are placed into their respective connection holes, where they are magnetically secured.

OnePlus Buds Pro
Earbuds and Base Station

OnePlus Buds Pro
Integrated Body

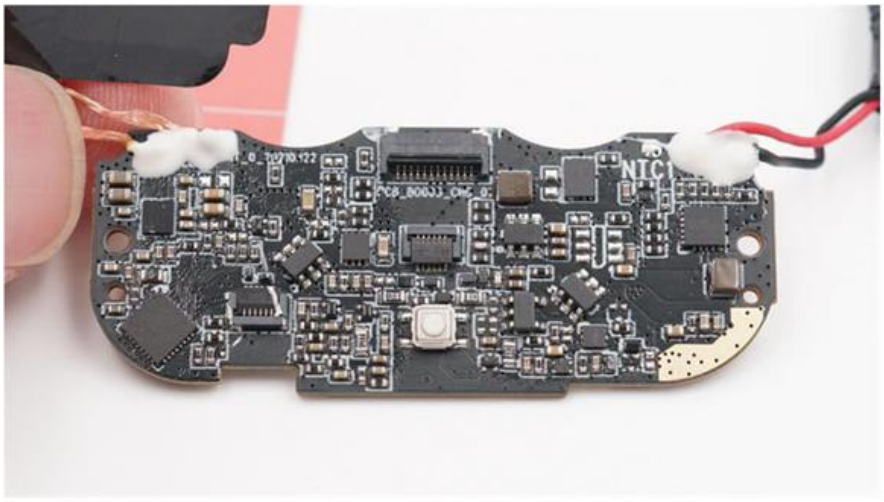
47. In normal operation, the wireless earbuds of the Accused Products pair with a smartphone via Bluetooth, receive audio data from the smartphone, and play audio using the audio data from the smartphone when paired wirelessly.

48. The Accused Products feature an earbud connector for connecting with

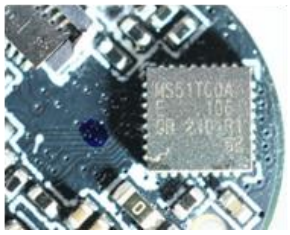
an electrical circuit of the main body for wired data communication.

49. The main body of the OnePlus Buds Pro comprises at least one processor and at least one memory.

OnePlus Buds Pro Base Station
Motherboard



Nuvoton MS51TC0AE
Microcontroller

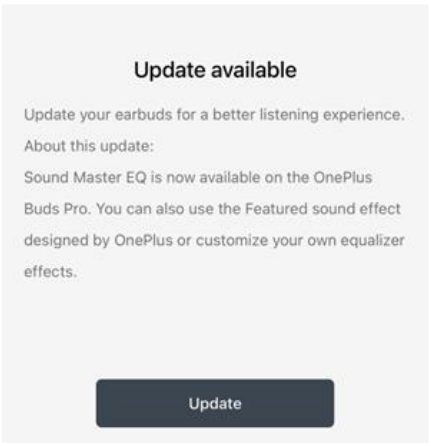


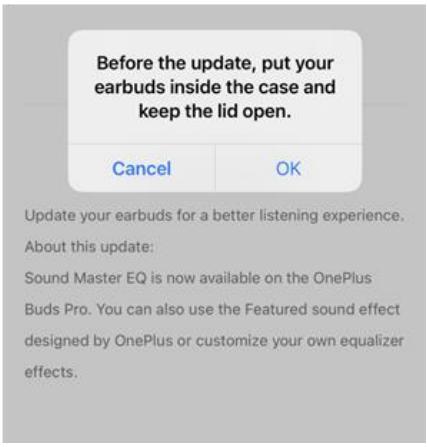
50. The OnePlus Buds Pro feature a User Input Button on the case designed to communicate with the buds and the base station. In response to the pressing of the User Input Button, "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud receives audio data that originated from the smartphone and play the audio using the audio data from the

smartphone." *See e.g.,* '066 Patent at 33:28-34.

51. The User Input Button is used to initiate Bluetooth pairing, factory resets, and software updates.

HeyMelody App
Software Updates





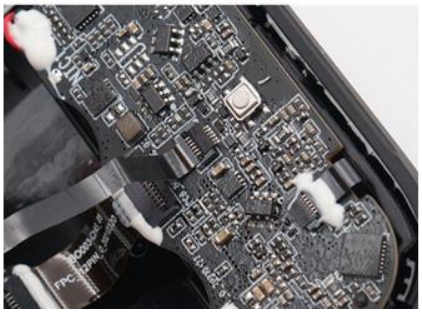
Pairing and connecting

To connect the buds to a OnePlus 6 (or later versions), enable Bluetooth on the OnePlus mobile phone, open the charging case of the buds, place the charging case close to the phone, and follow the prompts.

To connect to a non-OnePlus phone or the other Bluetooth device, place OnePlus Buds Pro into the charging case with the cover opened. Press and hold the setup button of the charging case for 2s to enter Bluetooth settings. Then, select OnePlus Buds Pro.

To restore factory settings, place the buds into the charging case with the cover opened. Press and hold the setup button of the charging case for 10s until the indicator blinks red.

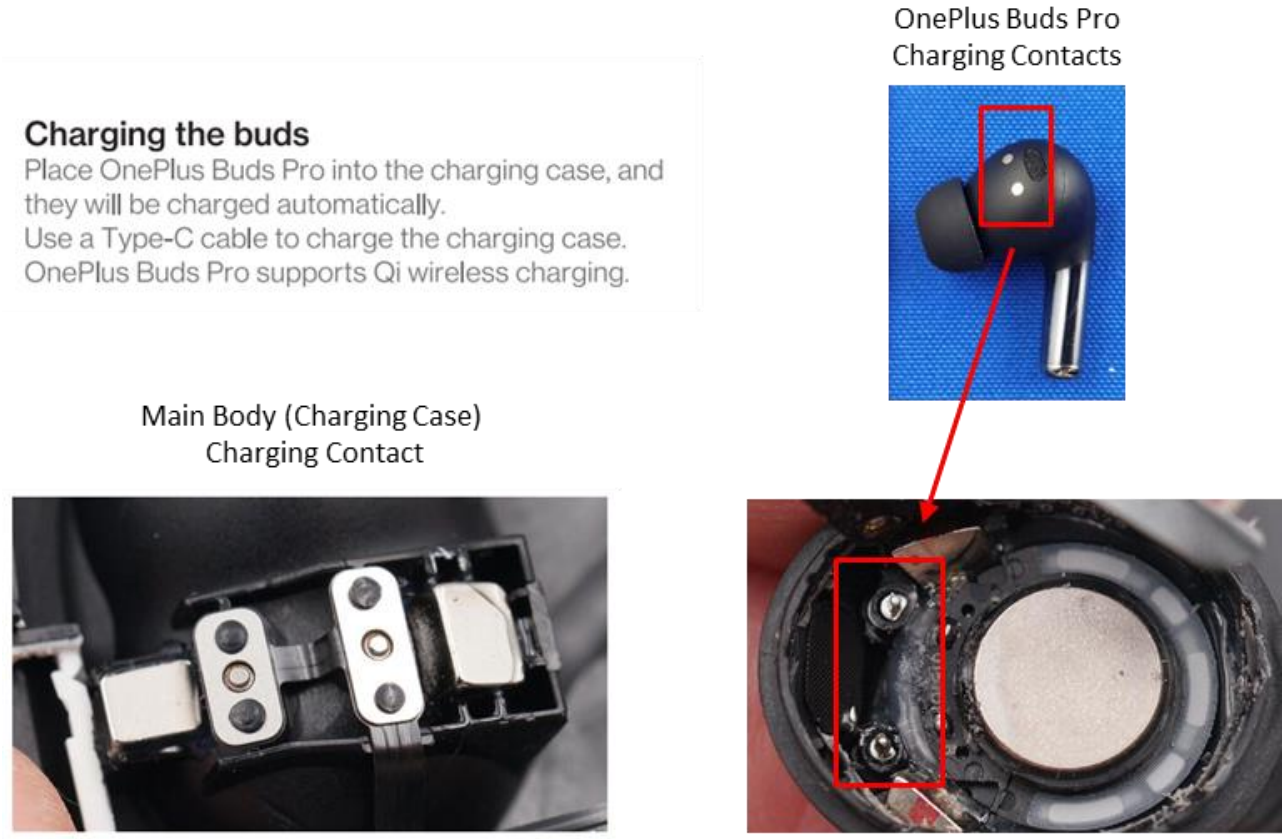
OnePlus Buds Pro
Motherboard Setup Button



52. The OnePlus Buds Pro connect via Bluetooth.

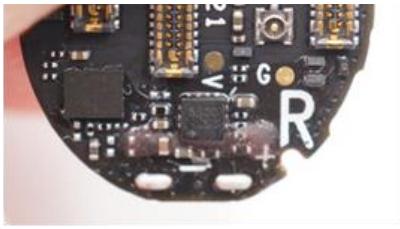
53. Once paired, audio from the smartphone is played through the earbuds.

54. The OnePlus Buds Pro is configured to recognize when the earbuds are placed in the connection hole, where "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud." *See, e.g.,* '066 Patent 33:35-39.



55. Once such connection occurs, charging of the battery in the wireless earbud begins via charging contacts and electrical circuitry located in the base station.

OnePlus Buds Pro
TPS SY5500 Chip



Charging the buds
Place OnePlus Buds Pro into the charging case, and they will be charged automatically.
Use a Type-C cable to charge the charging case.
OnePlus Buds Pro supports Qi wireless charging.

Recharge des écouteurs
Placez les OnePlus Buds Pro dans l'étui de charge et ils se chargeront automatiquement.
Utilisez un câble de type C pour charger l'étui de charge.
Les OnePlus Buds Pro prennent en charge la charge sans fil Qi.

बड्स को चार्ज करना
OnePlus Buds Pro को चार्जिंग केस में रखें, और वे स्वतः चार्ज हो जाएंगे।
चार्जिंग केस को चार्ज करने के लिए टाइप-C केबल का उपयोग करें।
OnePlus Buds Pro वायरलेस चार्जिंग को सपोर्ट करता Qi है।

56. OnePlus Buds Pro are configured to perform wired two-way data communication with the charging case and are *not* capable of wirelessly communicating with the mobile base station.

57. OnePlus sells OnePlus Buds Pro with a mobile base station that includes a connection hole, a user input button, at least one processor, at least one memory, and charging circuitry. The OnePlus Buds Pro system is designed and intended to be used by plugging the earbuds into connection holes of the base station for charging and two-way wired data communication.

OnePlus Buds Z

58. The OnePlus Buds Z base station case houses the OnePlus earbuds and consists of a conneciton hole, characterized by a cavity that holds both earbuds.

59. Each wireless earbud plugs in a connection hole to form an integrated body. The integrated body is formed when the wireless earbuds are placed into their respective connection holes where they are magnetically secured.

OnePlus Buds Z
EarBuds

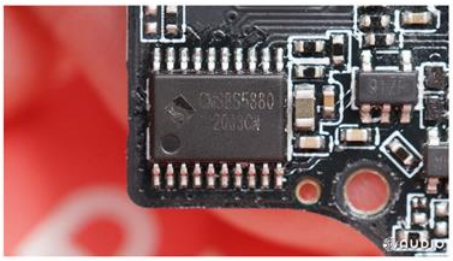
OnePlus Buds Z
Integrated Body

60. The Accused Products feature an earbud connector for connecting with an electrical circuit of the main body for wired data communication.

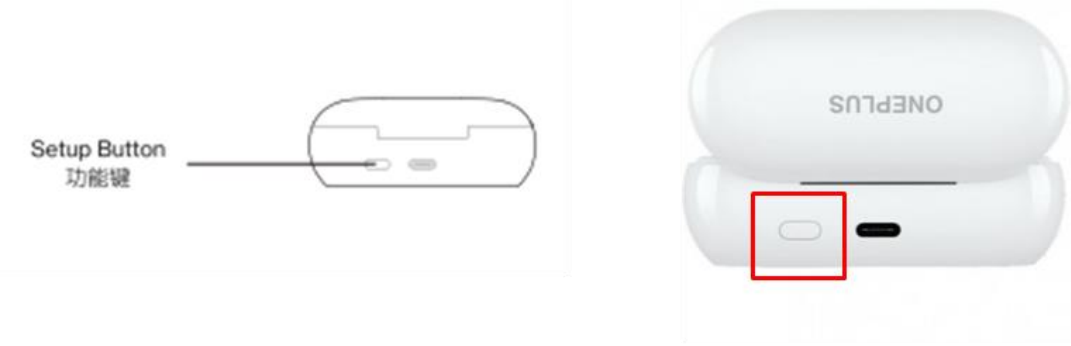
61. The main body of the OnePlus Buds Z comprises at least one processor and at least one memory.

OnePlus Buds Z
(Motherboard)

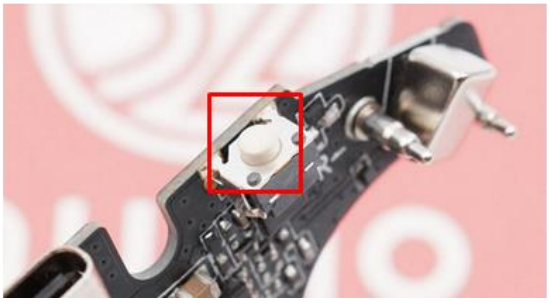
OnePlus Buds Z (Microcontroller)
Cmsemicon CMS8S5880



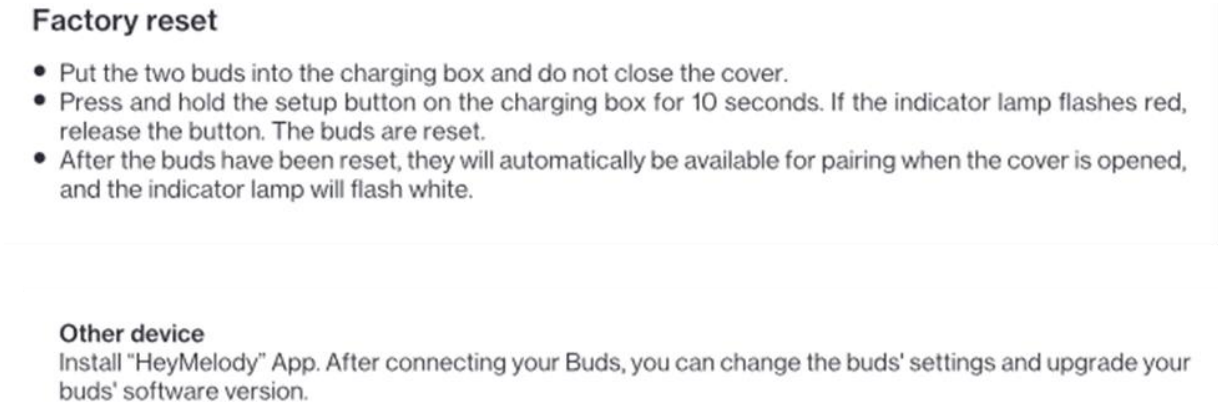
62. The OnePlus Buds Z features a User Input Button on the case designed to communicate with the buds and the base station. In response to the pressing of the User Input Button, "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud receives audio data that originated from the smartphone and play the audio using the audio data from the smartphone." *See e.g.,* '066 Patent at 33:28-34.



OnePlus Buds Z MotherBoard
Setup Button



63. The User Input Button is used to initiate Bluetooth pairing, factory resets, and software updates. The case and earbuds exchange data via wired connection.



Factory reset

- Put the two buds into the charging box and do not close the cover.
- Press and hold the setup button on the charging box for 10 seconds. If the indicator lamp flashes red, release the button. The buds are reset.
- After the buds have been reset, they will automatically be available for pairing when the cover is opened, and the indicator lamp will flash white.

Other device

Install "HeyMelody" App. After connecting your Buds, you can change the buds' settings and upgrade your buds' software version.

64. The OnePlus Buds Z connect via Bluetooth.

65. Once pairing is complete, audio from the smartphone is played through the earbuds.

66. In normal operation, the wireless earbuds of the Accused Products pair with a smartphone via Bluetooth, receive audio data from the smartphone, and play audio using the audio data from the smartphone when paired wirelessly.

OnePlus Buds Z Bluetooth Audio Chip
Bestechnic (BES) BES2300IU2

Connect OnePlus Buds Z

If the box is being opened for the first time, OnePlus Buds Z will automatically be available for pairing. Note: For Non-OnePlus or Android phones without the Fast Pair function, open the charging box, The indicator lamp for the charging box will flash white. Search for the buds in Bluetooth settings and tap Connect.

Connect to other devices

In case you need to connect the buds with another device, put the buds into the charging box, press and hold the setup button for 2 seconds. The indicator lamp for the charging box will flash white. Search for the buds in Bluetooth settings and tap Connect.

Bluetooth version

BT 5.0

Wireless range

10 meters

Charging interface

Wired, USB Type-C (for charging case)

Playtime (fully charged)

Up to 5 hours (music playback)
Up to 3 hours (phone call)
Up to 20 hours (combined playback)

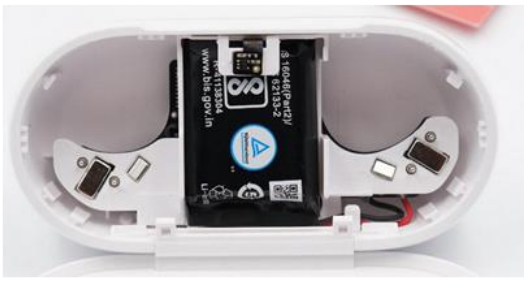
67. The OnePlus Buds Z is configured to recognize when the earbuds are placed in the connection hole, where "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud." *See e.g.,* '066 Patent 33:35-39.

Charging buds

Put the buds in the charging box and close the charging box to charge them.

OnePlus Buds Z Earbuds
(Charging Pins)

OnePlus Buds Z Base Station Motherboard
(Charging Pins)



68. Once such connection occurs, charging of the battery in the wireless earbud begins via charging contacts and electrical circuitry located in the base station.

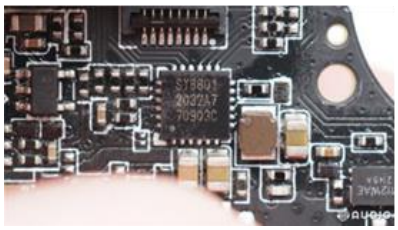
Charging buds

Put the buds in the charging box and close the charging box to charge them.

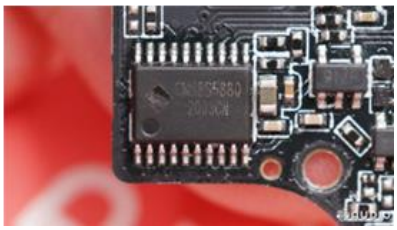
Charge the charging box

- You can connect the charging box to a power supply through the power cable delivered with the buds to charge it.
- If the indicator lamp of the charging box is always red, the charging box is charging. If it is green, the charging box is fully charged.

OnePlus Buds Z
SY8801 chip



OnePlus Buds Z
Cmsemicon CMS8S5880



69. OnePlus Buds Z are configured to perform wired two-way data

communication with the charging case and are *not* capable of wirelessly communicating with the mobile base station.

70. OnePlus sells OnePlus Buds Z with a mobile base station that includes a connection hole, a user input button, at least one processor, at least one memory, and charging circuitry. The OnePlus Buds Z system is designed and intended to be used by plugging the earbuds into connection holes of the base station for charging and two-way wired data communication.

OnePlus Buds Z2

71. The OnePlus Buds Z2 base station case houses the OnePlus earbuds and consists of a connection hole, characterized by a cavity that holds both earbuds.

72. Each wireless earbud plugs in a connection hole to form an integrated body. The integrated body is formed when the wireless earbuds are placed into their respective connection holes where they are magnetically secured.

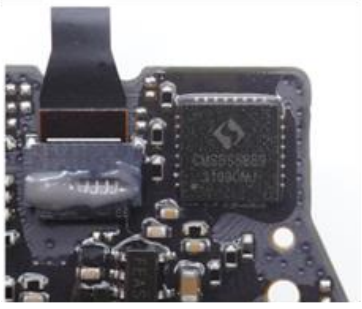
73. In normal operation, the wireless earbuds of the Accused Products pair with a smartphone via Bluetooth, receive audio data from the smartphone, and play audio using the audio data from the smartphone when paired wirelessly.

74. The Accused Products feature an earbud connector for connecting with an electrical circuit of the main body for wired data communication.

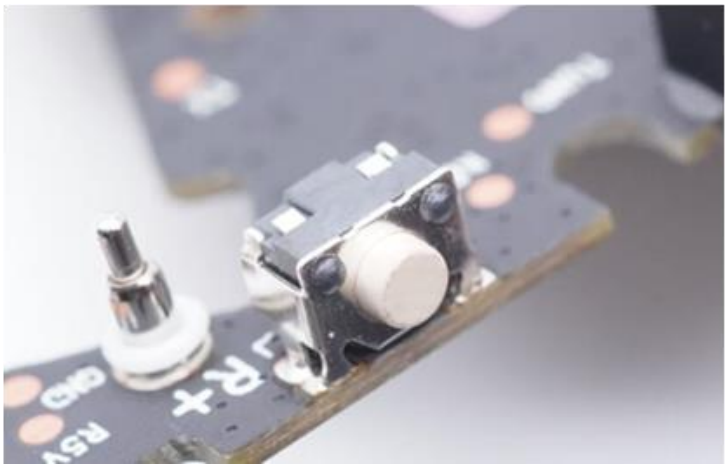
75. The main body of the OnePlus Buds Z2 comprises at least one processor and at least one memory.

OnePlus Buds Z2
Base Station Motherboard

OnePlus Buds Z2
Cmsemicon CMS8S5889



76. The OnePlus Buds Z2 features a User Input Button on the case designed to communicate with the buds and the base station. In response to the pressing of the User Input Button, "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud receives audio data that originated from the smartphone and plays the audio using the audio data from the smartphone." *See e.g.,* '066 Patent at 33:28-34.



77. The User Input Button is used to initiate Bluetooth pairing, factory resets,

and software updates. The case and earbuds exchange data via wired connection.

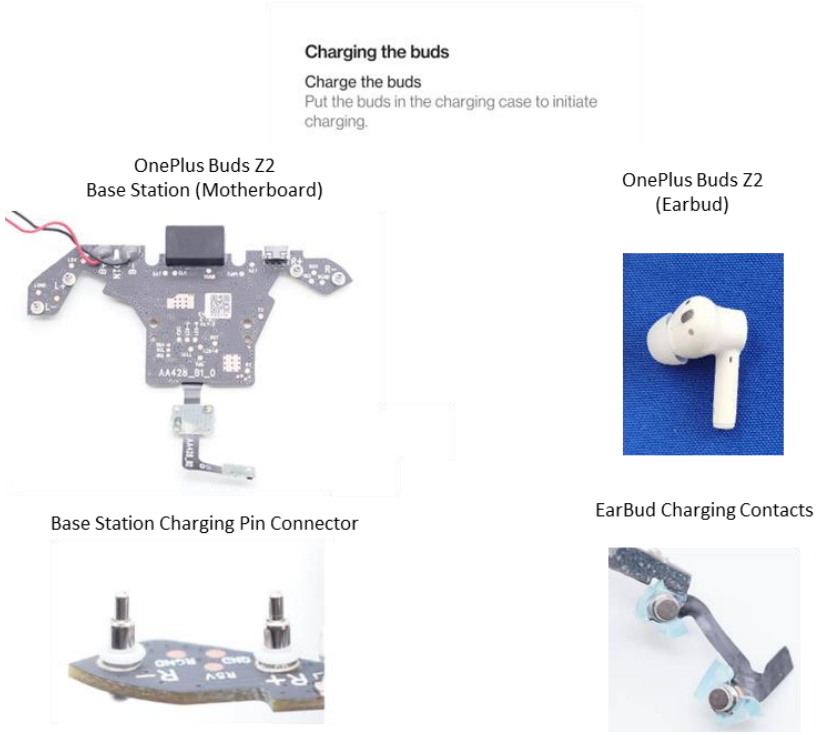
78. The OnePlus Buds Z2 connect via Bluetooth.

79. Once pairing is complete, audio from the smartphone is played through the earbuds.

80. The OnePlus Buds Z2 is configured to recognize when the earbuds are placed in the connection hole, where "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud." *See e.g.,* '066 Patent 33:35-39.

81. Once such connection occurs, charging of the battery in the wireless

earbud begins via charging contacts and electrical circuitry located in the base station.



82. OnePlus Buds Z2 is configured to perform wired two-way data communication with the charging case and are incapable of wirelessly communicating with the mobile base station.

83. OnePlus sells OnePlus Buds Z2 with a mobile base station that includes a connection hole, a user input button, at least one processor, at least one memory, and circuitry. The OnePlus Buds Z2 system is designed and intended to be used by plugging the earbuds into connection holes of the base station for charging and two-way wired data communication.

OnePlus Nord Buds

84. The OnePlus Nord Buds base station case houses the OnePlus earbuds

and consists of a conneciton hole, characterized by a cavity that holds both earbuds.

85. Each wireless earbud plugs into a connection hole to form an integrated body. The integrated body is formed when the wireless earbuds are placed into their respective connection holes, where they are magnetically secured.

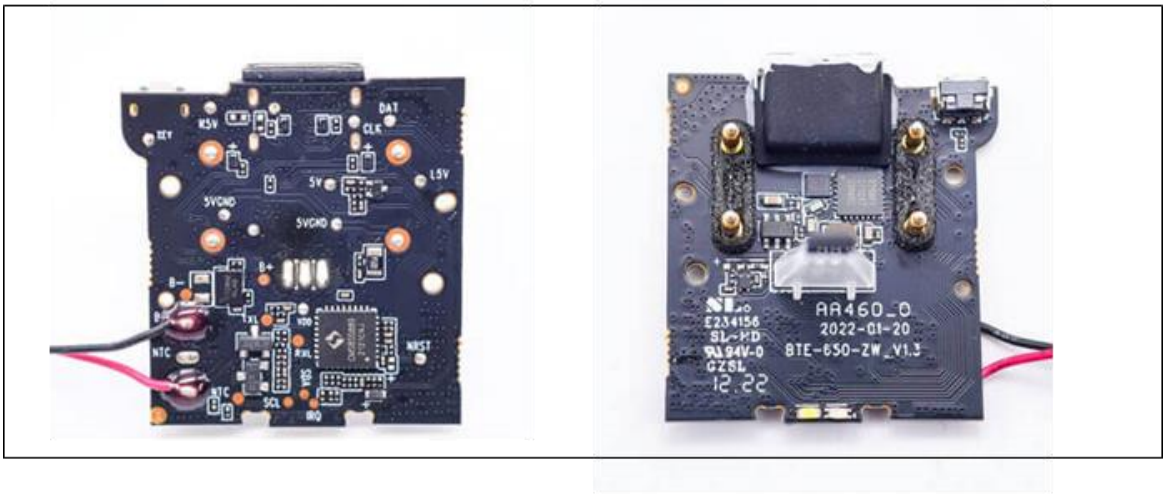
86. In normal operation, the wireless earbuds of the Accused Products pair

with a smartphone via Bluetooth, receive audio data from the smartphone, and play audio using the audio data from the smartphone when paired wirelessly.

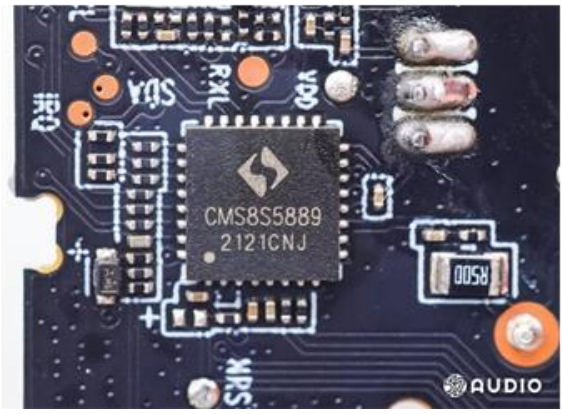
87. The Accused Products feature an earbud connector for connecting with an electrical circuit of the main body for wired data communication.

88. The main body of the OnePlus Nord Buds comprises at least one processor and at least one memory.

OnePlus Nord Buds
Base Station Motherboard



OnePlus Nord Buds
Cmemicon CMS8S5889 Microcontroller



89. The OnePlus Nord Buds feature a User Input Button on the case designed

to communicate with the buds and the base station. In response to the pressing of the User Input Button, "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate processing for the wireless pairing with the smartphone such that the wireless earbud receives audio data that originated from the smartphone and plays the audio using the audio data from the smartphone." *See e.g.,* '066 Patent at 33:28-34.

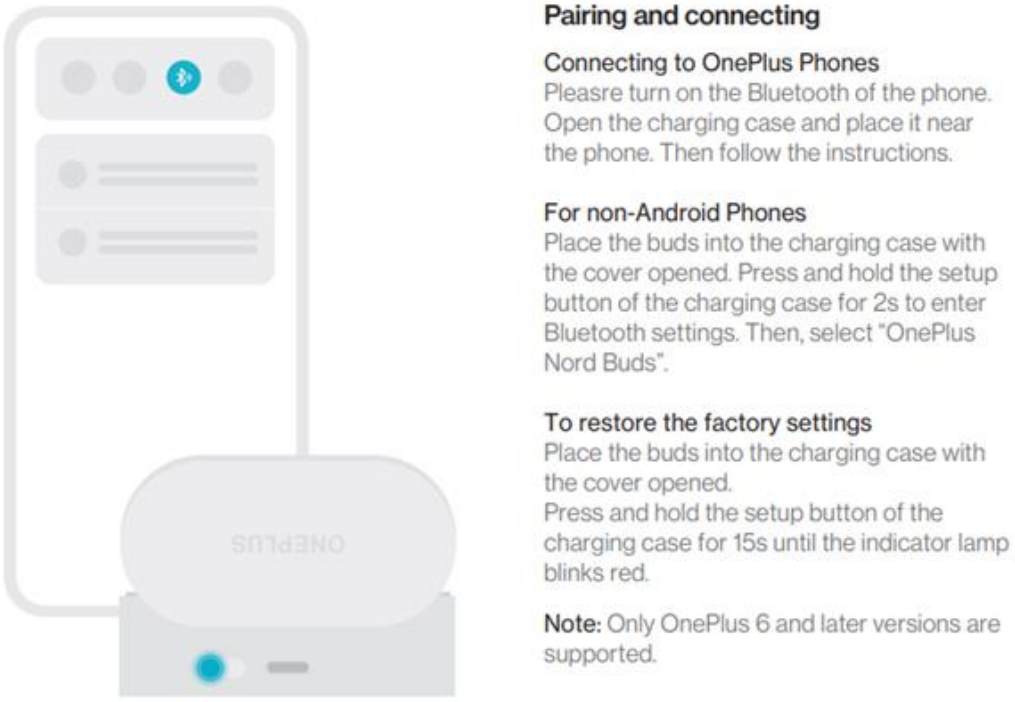
OnePlus Nord Buds
(Setup Button)

OnePlus Nord Buds
Base Station Motherboard (Setup Button)

90. The User Input Button is used to initiate Bluetooth pairing, factory resets, and software updates. Data is exchanged between earbud and case via wired connection.

91. The OnePlus Nord Buds connect via Bluetooth.

92. Once pairing is complete, audio from the smartphone plays through the earbuds.



93. The OnePlus Nord Buds are configured to recognize when the earbuds are placed in the connection hole, where "at least one processor is configured to execute computer program instructions stored in the at least one memory to initiate charging of a battery of the wireless earbud." *See e.g.,* '066 Patent 33:35-39.

OnePlus Nord Buds
(Base Station Motherboard)

OnePlus Nord Buds
(Earbud)

OnePlus Nord Buds
(Charging Pin)

OnePlus Nord Buds
(Charging Contacts)

94. Once such connection occurs, charging of the battery in the wireless earbud begins via charging contacts and electrical circuitry located in the base station.

OnePlus Nord Buds
TPS SYS8801 Chip

OnePlus Nord Buds
Cmemicon CMS8S5889 MCU

Charging the buds

Charge the buds
Put the buds in the charging case with the cover closed to initiate charging.

Charge the charging case
Connect the charging case to a power supply through the charging cable delivered with the buds to charge the charging case.

95. OnePlus Nord Buds are configured to perform wired two-way data communication with the charging case and are incapable of wirelessly communicating with the mobile base station.

96. OnePlus sells OnePlus Nord Buds with a mobile base station that includes a connection hole, a user input button, at least one processor, at least one memory, and circuitry. The OnePlus Nord Buds system is designed and intended to be used by plugging the earbuds into connection holes of the base station for charging and two-way wired data communication.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 10,455,066

97. Pinn incorporates the above paragraphs herein by reference.

98. The '066 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

99. As the owner of the '066 Patent, Pinn holds all substantial rights in and to the '066 Patent, including the right to exclude others from practicing its patented inventions, the right to enforce the '066 Patent, and the right to sue and recover damages for infringement of, the '066 Patent.

100. OnePlus has no authority of license to practice the inventions claimed in the '066 Patent.

101. The Accused Products are designed to provide consumers with a product comprising a base station, earbuds, a connection hole, a user input button, and electrical

circuitry designed to connect the earbuds to the base station, all of which form an integrated body capable of wirelessly pairing with a smartphone such that the wireless earbud can receive audio data that originated from the smartphone.

102. OnePlus has infringed and continues to infringe one or more claims, including Claim 1 of the '066 Patent, by making, using, selling, and/or, offering for sale the Accused Products in the United States, and/or importing the Accused Products into the United States, without authority.

103. OnePlus has infringed and continues to infringe the '066 Patent either directly or through the acts of inducement in violation of 35 U.S.C. § 271.

104. Since receiving notice of the '066 Patent, OnePlus has continued to perform acts of infringement and has taken no steps to modify the Accused Products.

105. OnePlus markets and encourages its users to use numerous variations of its wireless earbuds.

106. As exemplified in the above paragraphs, the use of one or more of the Accused Products performs a method of connecting a user's smartphone to the wireless earbuds to play sound through the earbuds.

107. As a result of OnePlus's past infringing conduct, OnePlus is liable to Pinn in an amount that adequately compensates it for OnePlus's infringement, which, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

108. Pinn has been damaged by OnePlus' infringement of the '066 Patent.

109. As a result of OnePlus' ongoing infringing conduct described in this Count, Pinn will continue to be damaged unless OnePlus is enjoined from further infringement.

COUNT II
INDUCED PATENT INFRINGEMENT OF U.S. PATENT NO 10,455,066

110. Plaintiff realleges and incorporates the above paragraphs by reference.

111. OnePlus is liable for indirect infringement under 35 U.S.C. § 271(b) of at least Claim 1, of the '066 Patent at least as early as service of the Complaint, because it knowingly encourages, aids, and directs others (e.g., end users and customers) to use and operate the Accused Products in an infringing manner.

112. At least as of the date of the service of the Complaint, OnePlus had knowledge of the '066 Patent and knowledge of its own instructions, encouragement, and directions to its users and customers with respect to use of the Accused Products. Since that time, OnePlus specifically intended, and continues to specifically intend, for persons who acquire and use the Accused Products, including OnePlus' customers (e.g., individual users, etc.), to use the Accused Products in a manner that infringes the '066 Patent. OnePlus encourages others, including their customers, to use the Accused Products in the United States without authority. This is evident when OnePlus encourages and instructs customers and other end users in the use and operation of the Accused Products via advertisement, technical material, instructional material,

instructional videos, and otherwise.

113. OnePlus specifically intends the Accused Products to be used and operated to infringe one or more claims, including Claim 1, of the '066 Patent.

114. OnePlus encourages, directs, aids, and abets the use and configuration of the Accused Products.

115. As detailed above, OnePlus has instructed its customers to use the accused methods and Accused Products in an infringing manner.

116. OnePlus' knowledge of the '066 Patent and Plaintiff's infringement allegations against OnePlus, combined with its knowledge of the Accused Products and how they are used to infringe the '066 Patent, consistent with OnePlus' promotions and instructions, demonstrate OnePlus' specific intent to induce its users to infringe the '066 Patent.

117. Since receiving notice of the '066 Patent, OnePlus has taken no steps to modify the Accused Products or to instruct end users and customers how to use the Accused Products in a way that avoids infringement.

118. Plaintiff is entitled to recover from OnePlus compensation in the form of monetary damages suffered as a result of OnePlus' infringement in an amount that cannot be less than a reasonably royalty, together with interest and costs as fixed by this Court.

NOTICE OF REQUIREMENT OF LITIGATION HOLD

119. OnePlus is hereby notified that it is legally obligated to locate, preserve, and maintain all records, notes, drawings, documents, data, communications, materials, electronic recordings, audio/video/photographic recordings, and digital files, including edited and unedited or "raw" source material, and other information and tangible things that OnePlus knows, or reasonably should know, may be relevant to actual or potential claims, counterclaims, defenses, and/or damages by any party or potential party in this lawsuit, whether created or residing in hard copy form or in the form of electronically stored information (hereafter, "Potential Evidence"). As used above, the phrase "electronically stored information" includes, without limitation: computer files (and file fragments), e-mail (both sent and received, whether internally or externally), information concerning e-mail (including but not limited to logs of e-mail history and usage, header information, and deleted but recoverable e-mails), text files (including drafts, revisions, and active or deleted word processing documents), instant messages, audio recordings and files, video footage and files, audio files, photographic footage and files, spreadsheets, databases, calendars, telephone logs, contact manager information, internet usage files, and all other information created, received, or maintained on any and all electronic and/or digital forms, sources and media, including, without limitation, any and all hard disks, removable media, peripheral computer or electronic storage devices, laptop computers, mobile phones, personal data assistant devices, Blackberry

devices, iPhones, video cameras and still cameras, and any and all other locations where electronic data is stored. These sources may also include any personal electronic, digital, and storage devices of any and all of Defendant's agents, resellers, or employees, if Defendant's electronically stored information resides there.

120. OnePlus is hereby further notified and forewarned that any alteration, destruction, negligent loss, or unavailability, by act or omission, of any Potential Evidence may result in damages or a legal presumption by the Court and/or jury that the Potential Evidence is not favorable to Defendant's claims and/or defenses. To avoid such a result, Defendant's preservation duties include, but are not limited to, the requirement that Defendant immediately notify its agents and employees to halt and/or supervise the auto-delete functions of Defendant's electronic systems and refrain from deleting Potential Evidence, either manually or through a policy of periodic deletion.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

1. Judgment that OnePlus has directly infringed one or more valid claims of the '066 Patent;

2. Judgment that OnePlus has indirectly infringed one or more valid claims of the '066 Patent;

3. An award of damages adequate to compensate Pinn for OnePlus' infringement up to and including the date such judgment is entered, to the full extent damages are available under 35 U.S.C. §§ 154(d), 284, or

otherwise, along with prejudgment and post-judgment interest at the highest allowable rates;;

4. An award of enhanced and/or treble damages, pursuant to 35 U.S.C. § 284;

5. Judgment that this case is exceptional, along with a corresponding award of reasonable attorney's fees, pursuant to 35 U.S.C. § 285;

6. Costs and disbursements, pursuant to Fed. R. Civ. P. 54(d), 28 U.S.C. § 1920, 35 U.S.C. § 284, or as otherwise available;;

7. An accounting;

8. A permanent injunction, or, alternatively (if the Court declines to grant injunctive relief), and to the extent calculable, damages adequate to compensate Pinn for OnePlus's ongoing or future infringement

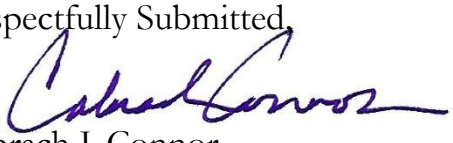
9. Such other and further relief, whether at law or in equity, as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable pursuant to Fed. R. Civ. P. 38.

Dated: April 12, 2023

Respectfully Submitted,

By: 

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