

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

<p>PINN, INC.,</p> <p style="text-align: center;">Plaintiff</p> <p style="text-align: center;">v.</p> <p>SHENZHEN TEKTEK TECHNOLOGY CO., LTD. and SHENZHEN SOUNDSOUL INFORMATION TECHNOLOGY CO., LTD., (both doing business as SOUNDPEATS),</p> <p style="text-align: center;">Defendants</p>	<p style="text-align: center;">Case No. 2:24-cv-493</p> <p style="text-align: center;">JURY TRIAL DEMANDED</p>
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COMPLAINT FOR PATENT INFRINGEMENT

Shenzhen SoundSOUL Information Technology Co., Ltd. and Shenzhen TekTek Technology Co., Ltd. (collectively “SoundPeats”) manufacture, import, and sell wireless earbud products that infringe U.S. Patent Nos. 10,455,066, 11,849,061, and 11,102,340.

THE PARTIES

1. Pinn, Inc. is a California Corporation headquartered at 2522 Chambers Rd., Suite 100, Tustin, California 92780.
2. Shenzhen SoundSOUL Information Technology Co., Ltd. is organized

under Chinese law and located at Room 1308-1309, Building B, Huihai Square, Chuangye Road, Longhua District, Shenzhen, China, 518109.

3. Shenzhen TekTek Technology Co., Ltd is organized under Chinese law and located at 5-20L, Building 1, Jindingmingjin, Yunongcun, Yuheng Road, Futian Street, Futian District, Shenzhen, GD 518015, China.

4. Defendants make, use, sell, offer for sale, distribute, market, and/or import wireless earbud products under the Soundpeats brand. SoundPeats markets and sells to customers in this district and throughout Texas and the U.S.

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 jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper under 28 U.S.C. § 1391(c) because SoundPeats are foreign corporations and have committed acts of infringement in this district.

7. SoundPeats sells, advertises, distributes, and imports into Texas wireless earbud products that practice Pinn's patent claims. SoundPeats places infringing products into the stream of commerce knowing they will be purchased and used by consumers in Texas and in this district.

8. SoundPeats operates a U.S.-focused website (<https://us.soundpeats.com/>) advertising infringing products and directing consumers to purchase products from SoundPeats at

(<https://www.amazon.com/soundpeats/s?k=soundpeats>) or through its online Walmart store front (<https://www.walmart.com/global/seller/101066146>).

THE PINN PATENTS

9. Seung Jin Kim invented the subject matter claimed in the asserted patents, and his company, Pinn, Inc., is the assignee of all right, title, and interest in and to them including the right to pursue and recover any and all monetary and equitable remedies for all infringement.

10. On October 22, 2019, the United States Patent and Trademark Office (“USPTO”) issued U.S. Patent No. 10,455,066 after full examination of App. Ser. No. 15/563,937 filed on October 2, 2017. The ’066 Patent is available at: <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/10455066>.

11. On August 24, 2021, the USPTO issued U.S. Patent No. 11,102,340 after full examination of App. Ser. No. 16/912,823 filed on June 26, 2020. The ’340 patent is available at: <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/11102340>.

12. On December 19, 2023, the USPTO issued U.S. Patent No. 11,849,061 after full examination of App. Ser. No. 18/164,937 filed on February 6, 2023. The ’061 Patent is available at: <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/11849061>.

THE SOUNDPEATS INFRINGING PRODUCTS

13. SoundPeats 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. SoundPeats earbuds wirelessly pair with a smartphone using Bluetooth so the earbuds receive audio data originating from the smartphone.

14. Infringing SoundPeats products include: Capsule 3 Pro, Opera03, Opera05, Engine4, Life, Air 3 Deluxe, Air4, Air4 Lite, Air4 Pro, Mini HS, Free2, Sonic, Sonic Pro, and H2 (the “Accused Products”).

15. The Accused Products include a base station case for the earbuds.

Capsule 3 Pro, Opera03, Opera05, Engine4, Sonic Base Station





Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Base Station



16. SoundPeats wireless earbuds plug into respective connection holes to form an integrated body, magnetically secured.



Capsule 3 Pro, Opera03, Opera05, Engine4, Sonic Base Station Connection Hole





Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Base Station Connection Holes



17. In normal operation, the wireless earbuds communicate with a

smartphone via Bluetooth

18. SoundPeats earbuds connect to the main body for wired data communication via an earbud connector.

19. The main body of each Accused Product features at least one processor and memory.

Capsule 3 Pro Base Station Circuitry and Memory

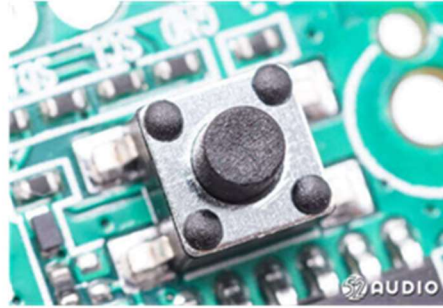


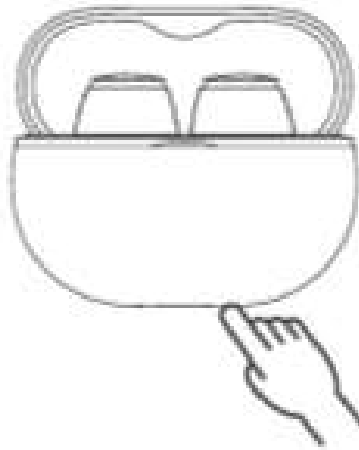
Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Circuitry and Memory



20. The Accused Products feature a user input button that when pressed is configured to execute instructions to initiate processing for the wireless pairing with the smartphone.

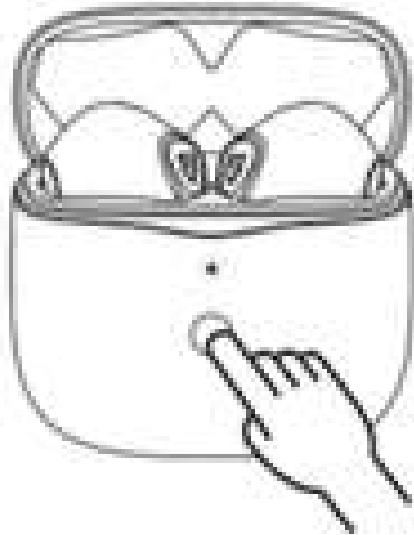
Capsule 3 Pro, Opera03, Opera05, Engine4 Base Station User Input Button

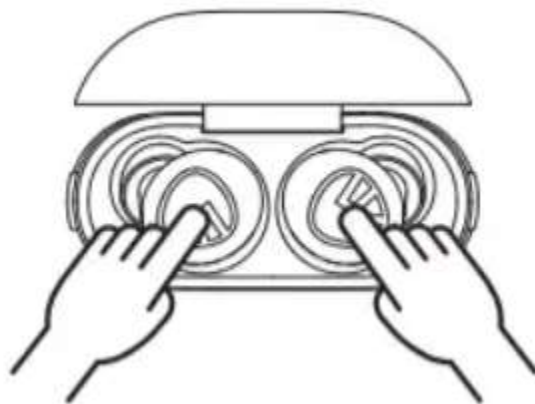




Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Base Station User Input Button







21. The button is used to initiate Bluetooth pairing, and in certain Accused Products (e.g., Sonic, Mini HS, Mini Pro HS, H2, Free2), the sensor/input button is located below the earbuds. Pressing the earbuds/button/sensor initiates processing for pairing.

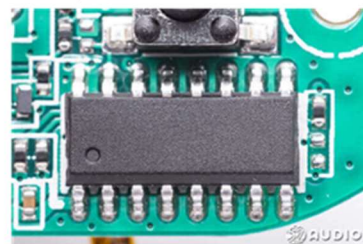
22. Audio from a smartphone is played through the earbuds via Bluetooth.

Capsule 3 Pro, Opera03, Opera05, Engine4 Wireless Earbud Bluetooth Pairing

First Start

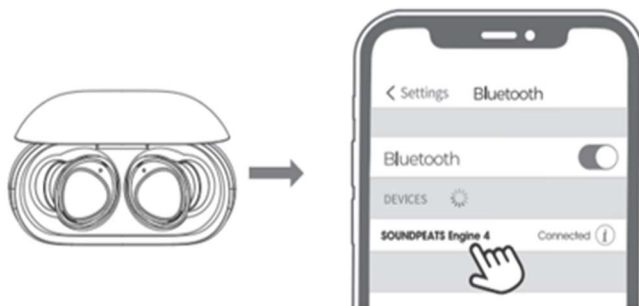


Capsule 3 Pro Microcontroller

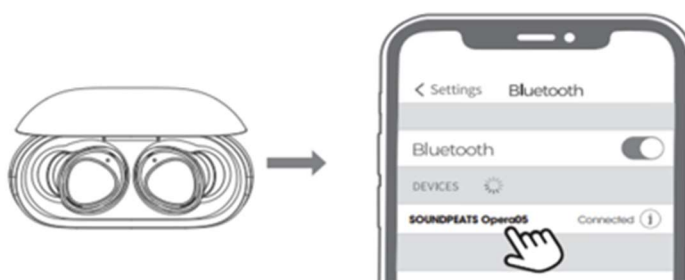


1. Please open the charging case, take out the two earbuds, and tear off the insulating film on the earbuds charging contacts, then put the earbuds back into the charging case and keep the lid open. Long press the button on the charging case for 3 seconds at the same time until the LED indicator on charging case blinking with white light, which indicates that the earbuds have entered pairing mode.
2. Turn on the bluetooth of your device, and please choose "SOUNDPEATS Capsule3 Pro" in the list to pair, then the earbuds will connect with your device.

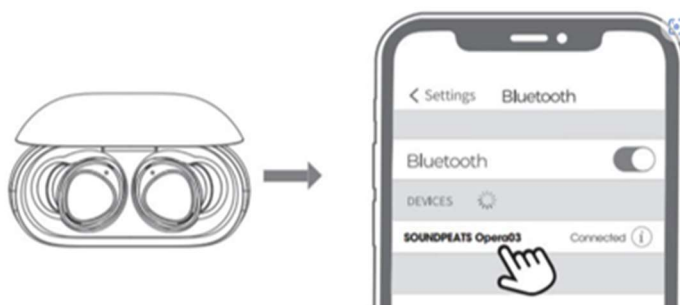
Opera03



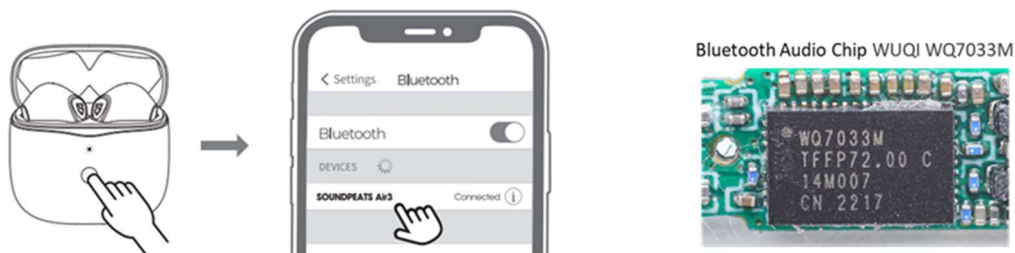
Opera05



Engine4



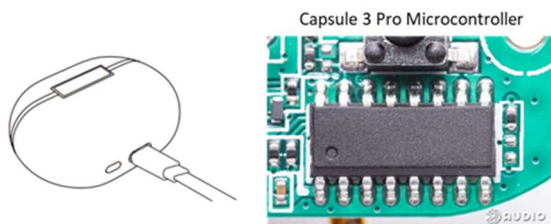
Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Bluetooth Pairing



23. Configured to recognize when the earbuds are placed in the connection

hole, the processor is configured to execute instructions stored in memory to initiate charging of the wireless earbud battery.

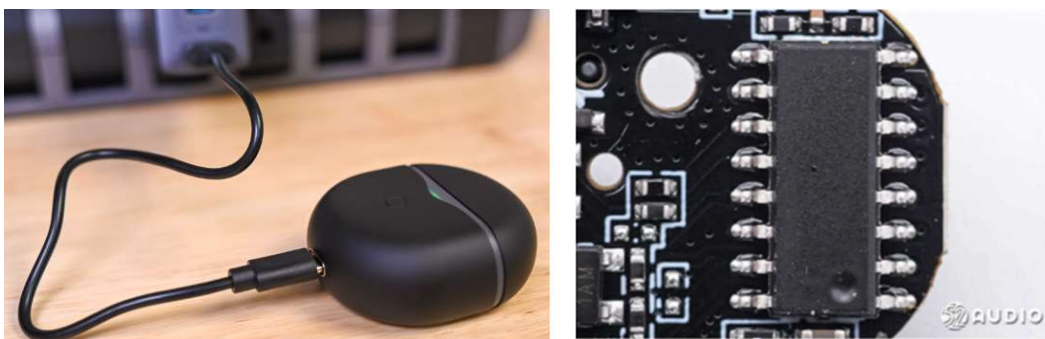
Capsule 3 Pro, Opera03, Opera05 and Engine4 Wireless Earbud Charging



Air3 Deluxe, Air4, Air4 Lite, and Air4 Pro Charging



Air 4



24. Charging is via charging contacts and electrical circuitry located in the base station along with wired two-way data communication.

25. SoundPeats earbuds are *not* capable of wirelessly communicating with the

mobile base station.

26. For each count, Plaintiff realleges and incorporates the above paragraphs by reference.

27. SoundPeats has no authority or license to practice any Pinn patent.

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

28. The '066 Patent is valid, enforceable, and complies with Title 35 of the United States Code.

29. SoundPeats has infringed and continues to infringe one or more claims, including at least Claim 1 of the '066 Patent by making, using, selling, offering for sale, and/or importing infringing SoundPeats earbud systems.

30. Pinn has been damaged by SoundPeats' infringement of the '066 Patent. SoundPeats is liable to Pinn in an amount no less than a reasonable royalty to compensate Pinn for infringement together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 11,849,061

31. The '061 Patent is valid, enforceable, and complies with Title 35 of the United States Code.

32. SoundPeats has infringed and continues to infringe one or more claims, including at least Claim 1 of the '061 Patent by making, using, selling, offering for sale, and/or importing infringing SoundPeats earbud systems.

33. Pinn has been damaged by SoundPeats' infringement of the '061 Patent.

SoundPeats is liable to Pinn in an amount no less than a reasonable royalty to compensate Pinn for infringement together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 11,102,340

34. The '340 Patent is valid, enforceable, and complies with Title 35 of the United States Code.

35. SoundPeats has infringed and continues to infringe one or more claims, including at least Claim 1 of the '340 Patent by making, using, selling, offering for sale, and/or importing infringing SoundPeats earbud systems.

36. Pinn has been damaged by SoundPeats' infringement of the '340 Patent. SoundPeats is liable to Pinn in an amount no less than a reasonable royalty to compensate Pinn for infringement together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

1. Judgment that SoundPeats has infringed Pinn's '066, '061, and '340 Patents;
2. An award of damages adequate to compensate Pinn, and to the full extent available under for infringement by SoundPeats up to and including the date judgment is entered, to the full extent damages are available under

- the Patent Act including 35 U.S.C. §§ 154(d) and 284, along with prejudgment and post-judgment interest at the highest allowable rates;
3. An award of enhanced and/or treble damages pursuant to 35 U.S.C. § 284;
 4. Judgment that this case is exceptional, along with a corresponding award of reasonable attorneys' fees;
 5. 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; and
 6. 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.

July 5, 2024

Respectfully Submitted,

By: 

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