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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9 **WESTERN DIVISION**

12 **Qualitative Data Solutions, LLC,**
13 Plaintiff,
14 v.
15 **HaptX, Inc.,**
16 Defendant.
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Case No. 2:25-cv-01064
**COMPLAINT FOR PATENT
INFRINGEMENT**
DEMAND FOR JURY TRIAL

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20 For its Complaint, Plaintiff Qualitative Data Solutions, LLC (“QDS”) alleges as
21 follows:

22 **PARTIES**

- 23 1. Plaintiff is a Wyoming limited liability company with a principal place of
24 business in Wyoming.
25 2. On information and belief, Defendant HaptX, Inc. is a Delaware
26 corporation with a principal place of business in San Luis Obispo, California.
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1 **JURISDICTION AND VENUE**

2 3. This action arises under the patent laws of the United States, 35 U.S.C. §
3 271 *et seq.*

4 4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal
5 Question) and 1338(a) (Patents).

6 5. On information and belief, this Court has personal jurisdiction over
7 Defendant because Defendant has committed, and continues to commit, acts of
8 infringement in this District, has conducted business in this District, and/or has engaged
9 in continuous and systematic activities in this District.

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

13 7. Venue is proper in this District under 28 U.S.C. §1400(b) because
14 Defendant is deemed to be a resident in this District. Alternatively, acts of infringement
15 are occurring in this District and Defendant has a regular and established place of
16 business in this District.

17 **BACKGROUND**

18 8. On April 24, 2018, the U.S. Patent Office (“USPTO”) duly and legally
19 issued U.S. Patent No. 9,953,494 entitled “Device, System and Method for Mobile
20 Devices to Communicate Through Skin Response” (“the ‘494 patent”). Attached
21 herewith as **Exhibit A** is a true and correct copy of the ‘494 patent.

22 9. On July 7, 2020, the USPTO duly and legally issued U.S. Patent No.
23 10,706,692 entitled “Device, System and Method for Mobile Devices to Communicate
24 Through Skin Response” (“the ‘692 patent”). Attached herewith as **Exhibit B** is a true
25 and correct copy of the ‘692 patent.

26 10. Plaintiff is the owner of the ‘494 patent and the ‘692 patent, possessing all
27 rights of recovery under the patents including the exclusive right to recover for past,
28 present and future infringement.

1 COUNT ONE

2 (Infringement of U.S. Patent No. 9,953,494)

3 11. Plaintiff refers to and incorporates the allegations in the foregoing
4 paragraphs, the same as if set forth herein.

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

7 13. The ‘494 patent is valid, enforceable, and was duly issued in full
8 compliance with Title 35 of the United States Code.

9 14. Upon information and belief, Defendant has infringed and continues to
10 infringe one or more claims of the ‘494 patent by making, using, offering to sell, selling
11 and/or importing products including as specified in the infringement claim charts
12 attached herewith as **Exhibit C**.

13 15. The acts of infringement include both direct and indirect infringement
14 under 35 U.S.C. § 271(a)-(c), and literal infringement as well as infringement under the
15 doctrine of equivalents.

16 16. At least since being served by this Complaint and corresponding claim
17 chart, Defendant has knowingly continued to induce infringe the ‘494 patent.

18 17. Plaintiff is entitled to recover damages adequate to compensate for
19 Defendant's infringement.

20 18. The acts of infringement complained of herein will continue unless
21 Defendant is enjoined by this Court.

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

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

(Infringement of U.S. Patent No. 10,706,692)

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3 21. Plaintiff refers to and incorporates the allegations in the foregoing
4 paragraphs, the same as if set forth herein.

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

7 23. The ‘692 patent is valid, enforceable, and was duly issued in full
8 compliance with Title 35 of the United States Code.

9 24. Upon information and belief, Defendant has infringed and continues to
10 infringe one or more claims of the ‘692 patent by making, using, offering to sell, selling
11 and/or importing products including as specified in the infringement claim charts
12 attached herewith as **Exhibit D**.

13 25. The acts of infringement include both direct and indirect infringement
14 under 35 U.S.C. § 271(a)-(c), and literal infringement as well as infringement under the
15 doctrine of equivalents.

16 26. At least since being served by this Complaint and corresponding claim
17 chart, Defendant has knowingly continued to induce infringe the ‘692 patent.

18 27. Plaintiff is entitled to recover damages adequate to compensate for
19 Defendant's infringement.

20 28. The acts of infringement complained of herein will continue unless
21 Defendant is enjoined by this Court.

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

25 30. Plaintiff is in compliance with 35 U.S.C. § 287.
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1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff asks the Court to:

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

5 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
6 employees, attorneys, and all persons in active concert or participation with Defendant
7 who receives notice of the order from further infringement of the ‘494 patent and the
8 ‘692 patent (or, in the alternative, awarding Plaintiff running royalty from the time
9 judgment going forward);

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

12 (d) Award Plaintiff such further relief to which the Court finds Plaintiff entitled
13 under law or equity, including costs and attorney fees under Fed. R. Civ. P. 54 and 35
14 U.S.C. § 285.

15 **DEMAND FOR JURY TRIAL**

16 Under Fed. R. Civ. P. 38, Plaintiff requests a trial by jury of any issues so triable
17 by right.

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19 Dated: February 7, 2025

Respectfully submitted,

20 /s/ Stephen M. Lobbin

21 *Attorneys for Plaintiff*
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