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

ANU IP, LLC	§	
Plaintiff,	§	
	§	**CIVIL ACTION NO. _____**
v.	§	
	§	
	§	
	§	
OFFICE DEPOT, INC.	§	**JURY TRIAL DEMANDED**
Defendant	§	

PLAINTIFF'S ORIGINAL COMPLAINT

Plaintiff Anu IP LLC respectfully files this Original Complaint for patent infringement against Defendant Office Depot, Inc.

PARTIES

1. Plaintiff Anu IP LLC ("Anu") is a limited liability company organized under the laws of the State of Texas, with its principal place of business at 3301 W. Marshall Ave., Suite 303, Longview, Texas 75601.

2. Defendant Office Depot, Inc. ("Office Depot") is a Delaware corporation with a principal place of business at 6600 North Military Trail, Boca Raton, Florida 33496.

3. Defendant may be served with process through its registered agent, Corporate Creations Network Inc., 3411 Silverside Road, Roadney Building #104, Wilmington, DE 19810.

JURISDICTION AND VENUE

4. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 271, *et seq*.

5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and 1400(b).

FACTS

7. Plaintiff is a Marshall, Texas-based company that owns U.S. Patent No. 6,979,210 ("the '210 patent"). The '210 patent is attached as *Exhibit A*.

8. The '210 patent relates to memory storage devices that contain retractable USB (universal serial bus) connectors.

9. The '210 patent is valid and enforceable.

10. Defendant manufactures, imports, sells, and offers for sale products that infringe the '210 patent, including but not limited to the 4GB Flash Drive Item 753-729.

11. Defendant has engaged in acts of direct infringement in this judicial district.

CAUSE OF ACTION

A. Infringement of the '210 Patent

12. Plaintiff incorporates the foregoing paragraphs as if fully set forth here.

13. Defendant has been, and is now, directly infringing the '210 patent in the State of Texas, in this judicial district, and elsewhere within the United States by, among other things, selling, offering for sale, or importing products and services covered by one or more claims of the '210 patent, all to the injury of Plaintiff.

14. Defendant's acts of infringement have been willful, deliberate, and in reckless disregard of Plaintiff's patent rights, and will continue unless permanently enjoined by this Court.

15. Plaintiff has been damaged by Defendant's infringement of the '210 patent in an amount to be determined at trial, and has suffered and will continue to suffer irreparable loss and injury unless Defendant is permanently enjoined from infringing the '210 patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Anu IP LLC respectfully prays for the following relief against Defendant Office Depot, Inc.

A. A judgment in favor of Plaintiff that Defendant has infringed the '210 patent;

B. A permanent injunction, enjoining Defendant, along with its officers, directors, agents, servants, employees, affiliates, divisions, branches, subsidiaries, and parents from infringing, inducing the infringement of, or contributing to the infringement of the '210 patent;

C. A judgment and order requiring Defendant to pay Plaintiff damages for its infringement of the '210 patent, together with interest (both pre- and post-judgment), costs and disbursements as fixed by this Court under 35 U.S.C. § 284;

D. A judgment and order finding Defendant's infringement willful and awarding treble the amount of damages and losses sustained by Plaintiff as a result of Defendant's infringement under 35 U.S.C. § 284;

E. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and

F. Such other and further relief in law or in equity to which Plaintiff may be justly entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of any and all issues triable of right before a jury.

Respectfully submitted,

/s/ Andrew W. Spangler

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