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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17 **SOUTHERN DIVISION**

18 **SPECULATIVE PRODUCT**
19 **DESIGN, LLC,**

20 Plaintiff,

21 vs.

22 **URBAN ARMOR GEAR, LLC,**

23 Defendant.

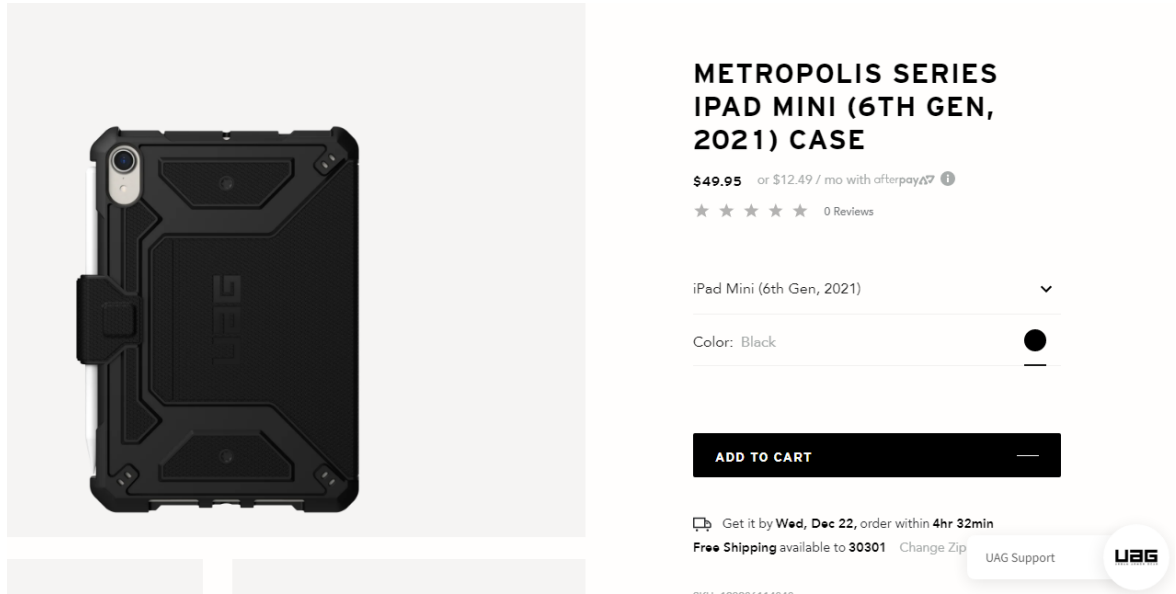
Case No. 8:22-cv-00365

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

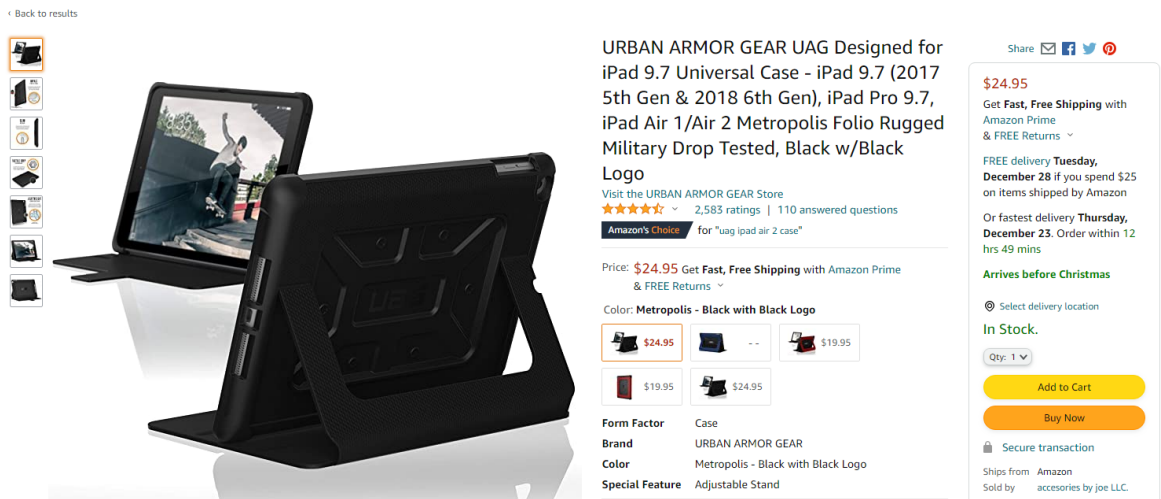
1 7. The Infringing Products feature the UAG logo which identifies UAG
2 as the manufacturer and responsible party.

3 8. For example, UAG offers the Infringing Products for sale on its own
4 website, urbanarmorgear.com:



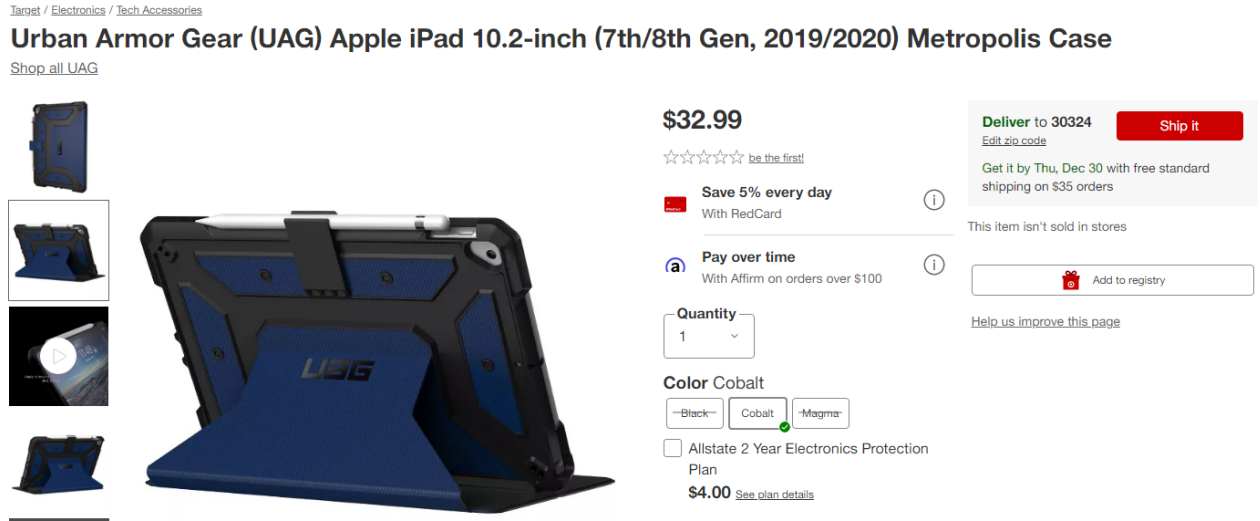
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15 <https://www.urbanarmorgear.com/products/metropolis-series-ipad-mini-6th-gen-2021-case>.

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17 9. By way of further example, UAG allows amazon.com to offer the
18 Infringing Products for sale:



https://www.amazon.com/Metropolis-Feather-Light-Rugged-MIDNIGHT-Military/dp/B08XM9FG55/ref=sr_1_3?crid=2B9NOXHNNT2GY&keywords=urban%2Barmor%2Bgear%2Bmetropolis%2Bipad&qid=1640102971&sprefix=urban%2Barmor%2Bgear%2Bmetropolis%2Bipad%2Caps%2C119&sr=8-3&th=1.

10. By way of further example, UAG allows Target.com to offer the Infringing Products for sale:



<https://www.target.com/p/urban-armor-gear-uag-apple-ipad-10-2-inch-7th-8th-gen-2019-2020-metropolis-case/-/A-84967922?preselect=80179006#lnk=sameta>.

PERSONAL JURISDICTION AND VENUE

11. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284-85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. §§ 1331 and 1338(a).

12. UAG has availed itself of the privilege of doing business in California, including in this judicial district. Upon information and belief, UAG has a regular and established places of business in California, including within this judicial district. UAG has committed acts within this judicial district giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over UAG would not offend traditional notions of fair play and substantial justice.

1 13. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b) because
2 UAG has committed acts of infringement of the 535 Patent by making, using,
3 offering for sale and/or selling Infringing Products in this judicial district, where it
4 is located and where it has at least one regular and established place of business.

5 **COUNT I**
6 **(Infringement of the 535 Patent)**

7 14. Count I incorporates the contents of the preceding paragraphs 1-13 as
8 if restated fully herein.

9 15. The 535 Patent is valid and enforceable.

10 16. UAG directly infringes at least Claim 1 of the 535 Patent, as detailed
11 herein.

12 17. UAG makes, uses, imports into, sells and offers for sale the Infringing
13 Products in the United States, including the Metropolis Series Tablet Case for IPAD
14 6th Generation and IPAD 7th Generation. Unless otherwise noted, these varieties
15 each possess the same features, functions and components described herein with
16 respect to the 535 Patent.

17 18. Claim 1 of the 535 Patent reads as follows (with claim element
18 designators added in bold):

19 **[1P]** A case for enclosing and remaining attached to a tablet-computing device
20 comprising:

21 **[1A]** a rigid inner portion shaped to accept and retain the tablet-computing
22 device when inserted therein; and

23 **[1B]** an outer portion attached to the rigid inner portion, the outer portion
24 including a first section and a second section,

25 **[1C]** the first section being attached to and shaped to cover a backside of the
26 rigid inner portion,

27 **[1D]** the second section being shaped to cover the inserted tablet-computing
28 device and connected to the first section via a flexible junction,

1 [1E] wherein the rigid inner portion is attached to the first section via a
 2 flexible junction,
 3 [1F] the second section includes a retaining mechanism, and
 4 [1G] the rigid inner portion includes an attachment mechanism for attaching
 5 to the retaining mechanism
 6 [1H] thereby elevating the tablet-computing device at an angled position
 7 relative to a planar position and maintaining the tablet-computing device at
 8 the angled position.

9 19. Referring to the preamble [1P] of Claim 1, the Infringing Products are
 10 cases “for enclosing and remaining attached to a tablet-computing device,” as
 11 demonstrated in the following true and accurate photographs:

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 14 **The UAG**
 15 **Metropolis Series**
 16 **case encloses and**
 17 **remains attached**
 18 **to a tablet-**
 19 **computing device.**



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 23 20. Regarding element [1A] of Claim 1, the Infringing Products include “a
 24 rigid inner portion shaped to accept and retain the tablet-computing device when
 25 inserted therein,” as demonstrated in the following true and accurate photographs:

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The UAG
Metropolis Series
has a rigid portion



It is shaped to accept
and retain the tablet-
computing device when
inserted therein



21. Regarding element **[1B]** of Claim 1, the Infringing Products include “an outer portion attached to the rigid inner portion, the outer portion including a first section and a second section,” as demonstrated in the following true and accurate photograph:

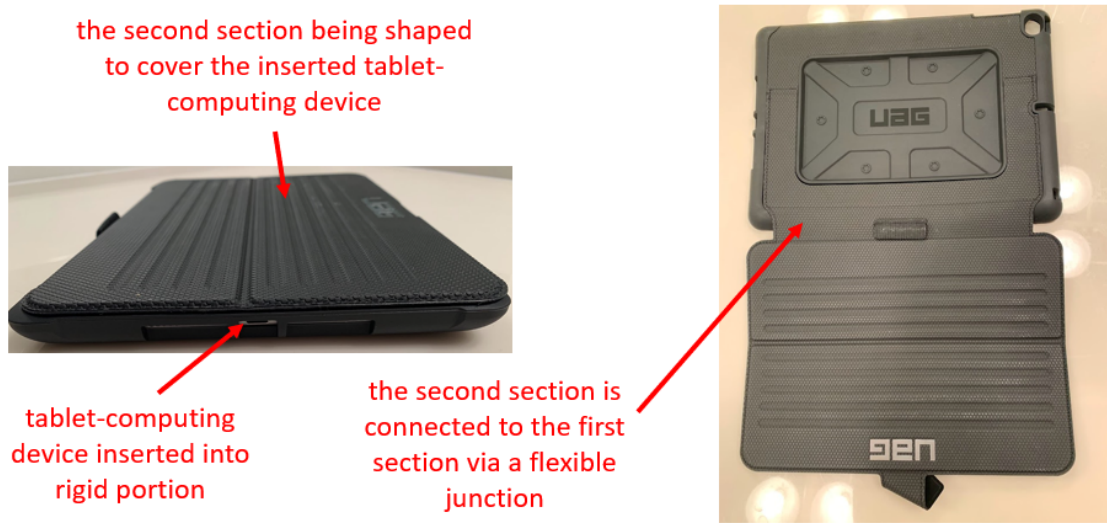
an outer portion
attached to the
rigid inner portion

the outer portion
including a first section
and a second section



1 22. Regarding element [1C] of Claim 1, the Infringing Products include
2 “the first section being attached to and shaped to cover a backside of the rigid inner
3 portion,” as demonstrated in photographs in the preceding paragraph.

4 23. Regarding element [1D] of Claim 1, the Infringing Products include
5 “the second section being shaped to cover the inserted tablet-computing device and
6 connected to the first section via a flexible junction,” as demonstrated in the
7 following true and accurate photographs:



17 24. Regarding element [1E] of Claim 1, the Infringing Products include
18 features “wherein the rigid inner portion is attached to the first section via a flexible
19 junction,” as demonstrated in the following true and accurate photographs:

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the rigid inner portion is attached to the first section via a flexible junction (6th Gen IPAD)



the rigid inner portion is attached to the first section via a flexible junction (7th Gen IPAD)



25. Regarding element [1F] of Claim 1, in the Infringing Products, “the second section includes a retaining mechanism,” as demonstrated in the following true and accurate photograph:

the second section includes a retaining mechanism (show here, grooves)



26. Regarding element [1G] of Claim 1, in the Infringing Products, “the rigid inner portion includes an attachment mechanism for attaching to the retaining mechanism,” as demonstrated in the following true and accurate photographs:

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27. Regarding element [1H] of Claim 1, the Infringing Products include features for “thereby elevating the tablet-computing device at an angled position relative to a planar position and maintaining the tablet-computing device at the angled position,” as demonstrated in the following true and accurate photograph:

When the attachment mechanism is fit into the retaining mechanism, the tablet is elevated in an angled position relative to a planar position and maintaining the tablet-computing device at the angled position.



1 28. Because all elements of at least one claim of the 535 Patent are present
2 in each of the Infringing Products, either literally or under the doctrine of
3 equivalents, UAG's past and present manufacture, importation, use, sales and offers
4 for sale of the Infringing Products in the United States, as well as its support and
5 encouragement of others to do the same, infringe at least independent Claim 1 of the
6 535 Patent.

7 29. SPD has been and continues to be damaged by UAG's infringement of
8 the 535 Patent.

9 30. By reason of the above-described acts of infringement, SPD is entitled
10 to an award of substantial damages in an amount to be determined at trial, including,
11 at a minimum, its lost profits and/or damages in the amount of no less than a
12 reasonable royalty, or both.

13 31. Defendants' continued infringement of the '223 Patent causes harm to
14 Plaintiffs in the form of price erosion, loss of goodwill, and loss of business
15 opportunities. Monetary damages are insufficient to compensate Plaintiffs for these
16 harms. Accordingly, SPD is entitled to injunctive relief barring UAG from
17 continuing to sell and offer for sale the Infringing Products.

18 **PRAYER FOR RELIEF**

19 WHEREFORE, SPD respectfully requests the Court to enter judgment as
20 follows:

21 A. That Defendant has infringed the 535 Patent;

22 B. That Defendant is ordered to pay damages adequate to compensate SPD
23 for its infringement of the 535 Patent, but in no event less than a reasonable royalty,
24 together with pre-judgment and post-judgment interest thereon, as allowed by 35
25 U.S.C. § 284;

26 C. That Defendant is ordered to account for any post-verdict infringement
27 and pay no less than a reasonable royalty, together with interest, thereon;

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1 D. That SPD be granted such other and additional relief as the Court deems
2 just and proper.

3 DATED: March 8, 2022

Respectfully submitted,

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By: /s/ Scott Vick

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10

-and-

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*Attorneys for Plaintiff
Speculative Product Design, LLC*

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JURY DEMAND

SPD hereby demands a jury trial as to all issues so triable.

DATED: March 8, 2022

Respectfully submitted,

By: /s/ Scott Vick

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