

1 Jonah A. Grossbardt (SBN 283584)  
2 Matthew L. Rollin (SBN 332631)

3 **SRIPLAW, P.A.**  
4 8730 Wilshire Boulevard  
5 Suite 350  
6 Beverly Hills, California 90211  
7 323.364.6565 – Telephone  
8 561.404.4353 – Facsimile  
9 [jonah.grossbardt@sriplaw.com](mailto:jonah.grossbardt@sriplaw.com)  
10 [matthew.rollin@sriplaw.com](mailto:matthew.rollin@sriplaw.com)

11 Attorneys for Plaintiff  
12 VOLTSTAR TECHNOLOGIES, INC.

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**

15 VOLTSTAR TECHNOLOGIES, INC.,

16 Plaintiff,

17 v.

18 ALOGIC USA LLC,

19 Defendant.

Case No.: 5:23-cv-01257

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**Demand for Jury Trial**

20 Plaintiff VOLTSTAR TECHNOLOGIES, INC. by and through its undersigned counsel,  
21 brings this Complaint against Defendant ALOGIC USA LLC for Patent Infringement, and in  
22 support, alleges as follows:

23 **NATURE OF THE LAWSUIT**

24 1. This is an action for patent infringement of United States Patent Number 9,024,581,  
25 and its Reissue Patent Number RE48,794 E (hereinafter, the “794 Patent”) arising under the patent  
26 laws of the United States Title 35, United States Code §§ 1 *et seq.* to enjoin further infringement and  
27 obtain damages resulting from Defendant Alogic USA LLC’s unauthorized manufacture, use, offer  
28

1 to sell and sale in the United States of a product identified and described herein in violation of  
2 Plaintiff Voltstar’s rights under U.S. Patent No. ‘794 Patent.

3 **JURISDICTION AND VENUE**

4 2. This Court has original and exclusive subject matter jurisdiction pursuant to 28  
5 U.S.C. § 1331; 28 U.S.C. § 1338(a); and 35 U.S.C. § 271.

6 3. This Court has personal jurisdiction over the Defendant.

7 4. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b) because Alogic USA  
8 LLC has committed acts of infringement and has a regular and established place of business within  
9 this judicial district and division.  
10

11 **THE PLAINTIFF**

12 5. Plaintiff, Voltstar Technologies, Inc. (“Voltstar”), is an Illinois Corporation with a  
13 principal place of business located at P.O. Box 3727, Barrington, IL 60010.  
14

15 **THE DEFENDANT**

16 6. Alogic USA LLC (“Alogic”) is a California Limited Liability Company with its  
17 principal place of business at 37524 Marsten Drive, Newark, CA 94560, and can be served by  
18 serving its Registered Agent, Andrew Ah-Sen, 37524 Marsten Drive, Newark, CA 94560.  
19

20 **THE PLAINTIFF'S PATENT**

21 7. Voltstar owns all right, title and interests in, and/or has standing to sue for  
22 infringement of United States Patent Number RE48,794 (the “‘794 patent”), entitled "Charger Plug  
23 With Improved Packaging", issued. A copy of the ‘794 Patent is attached hereto as **Exhibit 1**.  
24

25 8. Prior to May 21, 2008, James W. McGinley, Donald Rimdzius, and David P.  
26 Marcusen, invented a novel and non-obvious Charger Plug with Improved Package.  
27  
28

1           9.       McGinley, Rimdzius, and Marcusen applied for and obtained United States Patent  
2 No. 9,024,581 (the “‘581 patent”) entitled “Charger Plug with Improved Package Electrical  
3 Charger” which was duly and legally issued on May 5, 2015.

4           10.       The patent application for the ‘581 patent (application serial number 12/124,515) was  
5 first published on November 26, 2009.  
6

7           11.       McGinley, Rimdzius and Marcusen assigned all right, title and interest in and to the  
8 ‘581 Patent to Horizon Technologies, Inc. in May, 2008, which was recorded at the United States  
9 Patent and Trademark Office on May 21, 2008 at Reel 20979, Frame 56. Horizon Technologies, Inc.  
10 changed its name to Voltstar Technologies, Inc. and recorded such change of name at the United  
11 States Patent and Trademark Office on March 1, 2010, and corrected on November 22, 2010 at Reel  
12 25411, Frame 783.  
13

14           12.       In general, non-legal terms, the ‘581 Patent relates to a Charger that is to be  
15 connected between a source of AC power, such as a wall outlet, and a device such as a mobile phone  
16 that includes a battery with the battery being rechargeable through the use of DC power. The size  
17 and shape of the Charger are such that upon plugging the Charger into a source of AC power such as  
18 a wall outlet, (a) the Charger does not block or interfere with the use of adjacent outlets and (b) the  
19 Charger does not interfere with objects or furniture that may be placed adjacent to or in front of the  
20 outlet. In addition, the size and shape of the Charger are such that (a) a power cord for the device to  
21 be charged may be easily inserted into and removed from the Charger while the Charger is plugged  
22 into the source of AC power and (b) removal of the power cord from the Charger can be  
23 accomplished without removal of the Charger from the source of AC power. An example of the  
24 “Charger Plug with Improved Package Electrical Charger” is shown below:  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



13. On October 26, 2021, the U.S. Patent No. 9,024,581 was reissued as Patent Number US RE48,794 E “the ‘794 Patent. The reissued ‘794 Patent, in part, specifically amended Claim 1(i) to now state: “being sized so that the charger plug housing comprises a longitudinal length extending between the front wall and the rear end and the longitudinal length is less than 2.0 inches, a width of the housing outer profile being less than 1.75 inches ...”<sup>1</sup>

14. Pursuant to 35 U.S.C. § 252, Claim 1 of the reissued ‘794 Patent is substantially identical with the original U.S. Patent No. 9,024,581 in that it has only limited the sizing dimensions of the claimed invention. Therefore, the reissued ‘794 Patent is a continuation of the original U.S.

---

<sup>1</sup> The previous language of the U.S. Patent No. 9,024,581 Claim 1(i) stated: “being sized so that the charger plug housing comprises a longitudinal length extending between the front wall and the rear end and the longitudinal length is equal to or less than 2.0 inches ...”

On reissue, the USPTO amended the claim language. The bolded language was omitted and the italicized portion was included, shown as follows: “being sized so that the charger plug housing comprises a longitudinal length extending between the front wall and the rear end and the longitudinal length is [equal to or] less than 2.0 inches, *a width of the housing outer profile being less than 1.75 inches ...*”

1 Patent No. 9,024,581 and has effect continuously from the date of the original patent as May 5,  
2 2015.

3 15. Claim 1 of the reissued '794 Patent is substantially identical with the claims  
4 submitted during the '581 patent prosecution at least as early as 2011, in the published patent  
5 application serial number 12/124,515. Claim 1 of the reissued '794 Patent was substantially known  
6 publicly at least as early as 2011.  
7

8 16. At all relevant times, Voltstar and its predecessors in interest in the '794 Patent and  
9 original U.S. Patent No. 9,024,581, complied with the federal patent marking statute, 35 U.S.C. §  
10 287(a).  
11

12 17. As of May 5, 2015, the issue date of the original U.S. Patent No. 9,024,581 Voltstar  
13 and its predecessors in interest had ceased making, offering for sale, or selling within the United  
14 States any patented article covered under the '794 Patent or the original U.S. Patent No. 9,024,581.  
15

### 16 **DEFENDANT'S PRODUCTS**

#### 17 **Accused Product # 1 – Alogic 30W Rapid Power USB-C GaN Charger**

18 18. Alogic makes, uses, offers for sale and sells Alogic 30W Rapid Power USB-C GaN  
19 Charger (hereinafter, referred to as "Alogic Charger"). An example of the Alogic Charger distributed  
20 by Alogic is shown below.  
21



1           19.     Alogic advertises the use of and sells its Alogic *Charger* that is to be connected  
2 between a source of AC power, such as a wall outlet, and a device such as a mobile phone that  
3 includes a battery with the battery being rechargeable through the use of DC power.  
4

5           20.     In particular, the Alogic Charger distributed by Alogic employ a reduced plug-size  
6 charger plug, that upon plugging the Alogic Charger into a source of AC power such as a wall outlet,  
7 the Alogic Charger does not block or interfere with the use of adjacent outlets.  
8

9           21.     Moreover, the size and shape of the Alogic Charger are such that a power cord for the  
10 device to be charged may be easily inserted into and removed from the Alogic Charger while the  
11 charger is plugged into the source of AC power and removal of the power cord from the Alogic  
12 Charger can be accomplished without removal of the charger from the source of AC power.  
13

14           22.     Attached hereto as **Exhibit 2** is a Claim Chart that illustrates each element of the  
15 infringing Alogic Charger as compared to Claim 1 in the ‘794 Patent.

16           23.     Defendant Alogic infringed at least one of the claim of the ‘794 Patent by offering to  
17 sell and by selling a charger plug identified as Alogic Charger.

18           24.     The Alogic Charger has a longitudinal length less than 2 inches, approximately 1.206  
19 inches, and a width of less than 1.75 inches, approximately 1.210 inches.  
20

21                           **Accused Product # 2 – Journey 30W USB-C Charger**

22           25.     Alogic makes, uses, offers for sale and sells Alogic 30W Rapid Power USB-C GaN  
23 Charger (hereinafter, referred to as “Journey Charger”). An example of the Journey Charger  
24 distributed by Alogic is shown below.  
25

26 //

27 //

28 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



26. Alogic advertises the use of and sells its Journey *Charger* that is to be connected between a source of AC power, such as a wall outlet, and a device such as a mobile phone that includes a battery with the battery being rechargeable through the use of DC power.

27. In particular, the Journey Charger distributed by Alogic employ a reduced plug-size charger plug, that upon plugging the Journey Charger into a source of AC power such as a wall outlet, the Journey Charger does not block or interfere with the use of adjacent outlets.

28. Moreover, the size and shape of the Journey Charger are such that a power cord for the device to be charged may be easily inserted into and removed from the Journey Charger while the charger is plugged into the source of AC power and removal of the power cord from the Journey Charger can be accomplished without removal of the charger from the source of AC power.

29. Attached hereto as **Exhibit 3** is a Claim Chart that illustrates each element of the infringing Journey Charger as compared to Claim 1 in the ‘794 Patent.

30. Defendant Alogic infringed at least one of the claim of the ‘794 Patent by offering to sell and by selling a charger plug identified as Journey Charger.

31. The Journey Charger has a longitudinal length less than 2 inches, approximately 1.207 inches, and a width of less than 1.75 inches, approximately 1.211 inches.

**COUNT I**

**DIRECT INFRINGEMENT OF U.S. PATENT NO. RE48,794**

32. Voltstar repeats, realleges, and incorporates by reference, as if fully set forth herein paragraphs 1 through 31, as set forth above.

33. Within the six years preceding the filing of this Complaint, Alogic has directly infringed at least one claim of U.S. Patent No. RE48,794 by the activities referred to in this Complaint in violation of 35 U.S.C. § 271(a).

34. Without limiting the foregoing, Defendant has infringed at least Claim 1 of the ‘794 Patent as described in the Claim Chart attached hereto as **Exhibit 2 and 3**.

35. Alogic’s acts of making, using, importing, selling, and/or offering for sale infringing products and services have been without license, permission, or authorization from Voltstar.

36. Alogic’s infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant’s products including the Alogic Charger and Journey Charger, which incorporates Voltstar’s patent.

37. Alogic’s infringement includes, but is not limited to, the manufacture, use, sale, importation and/or offer for sale of Defendant’s products including the Alogic Charger and Journey Charger, which incorporates Voltstar’s patent.

38. Defendant’s infringement of the ‘794 Patent has injured and continues to injure Voltstar in an amount to be proven at trial, but not less than a reasonable royalty.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Voltstar Technologies, Inc. demands judgment and relief against Defendant Alogic USA LLC and respectfully requests that the Court:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- A. An entry of judgment holding that Defendant has infringed and is infringing the ‘794 Patent;
- B. For an accounting and an award of damages sufficient to compensate Voltstar for the infringement in no event less than a reasonable royalty pursuant to 35 U.S.C. § 284;
- C. A determination that Defendant’s infringement has been willful, wanton, and deliberate and that the damages against it be increased up to treble on this basis or for any other basis in accordance with the law;
- D. A finding that this case is an exceptional case under 35 U.S.C. § 284 and an award to Voltstar of its costs and reasonable attorneys’ fees as provided by 35 U.S.C. § 285;
- E. An accounting of all infringing sales and revenues, together with post judgment interest and prejudgment interest from the first date of infringement of the ‘794 Patent; and
- F. That Voltstar is entitled to such other and further relief as to the Court appears just and proper.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: March 17, 2023

Respectfully submitted,

*/s/ Jonah A. Grossbardt*

JONAH A. GROSSBARDT

MATTHEW L. ROLLIN

**SRIPLAW**

*Attorneys for Plaintiff Voltstar Technologies, Inc.*