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8 VOLTSTAR TECHNOLOGIES, INC.

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 VOLTSTAR TECHNOLOGIES, INC.,

Case No.: 3:23-cv-00284

12 Plaintiff,

**COMPLAINT FOR PATENT
INFRINGEMENT**

13 v.

14 VAVA INTERNATIONAL INC.,

15 Defendant.

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18 Plaintiff VOLTSTAR TECHNOLOGIES, INC. by and through its undersigned counsel,
19 brings this Complaint against Defendant VAVA INTERNATIONAL INC. for Patent Infringement,
20 and in support, alleges as follows:
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22 **NATURE OF THE LAWSUIT**

23 1. This is an action for patent infringement of United States Patent Number 9,024,581,
24 and its Reissue Patent Number RE48,794 E (hereinafter, the “‘794 Patent”) arising under the patent
25 laws of the United States Title 35, United States Code §§ 1 *et seq.* to enjoin further infringement and
26 obtain damages resulting from Defendant VAVA INTERNATIONAL INC.’s unauthorized
27 manufacture, use, offer to sell and sale in the United States of a product identified and described
28 herein in violation of Plaintiff Voltstar’s rights under the ‘794 Patent.

JURISDICTION AND VENUE

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

3. This Court has personal jurisdiction over the Defendant.

4. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b) because VAVA INTERNATIONAL INC. has committed acts of infringement and has a regular and established place of business within this judicial district and division.

THE PLAINTIFF

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

THE DEFENDANT

6. VAVA INTERNATIONAL INC. (“VAVA”) is a California Corporation with its principal place of business at 20370 Town Center Lane, Suite 208, Cupertino, California, 51823 and can be served by serving its Registered Agent, Yucheng Zhang at the same address.

THE PLAINTIFF'S PATENT

7. Voltstar owns all right, title and interests in, and/or has standing to sue for infringement of United States Patent Number 9,024,581, and its Reissue Patent Number RE48,794 E (the “‘794 patent”), entitled "Charger Plug With Improved Packaging", issued October 26, 2021. A copy of the ‘794 Patent is attached hereto as **Exhibit 1**.

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

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

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

1 11. McGinley, Rimdzius and Marcusen assigned all right, title and interest in and to the
2 ‘581 Patent to Horizon Technologies, Inc. in May, 2008, which was recorded at the United States
3 Patent and Trademark Office on May 21, 2008 at Reel 20979, Frame 56. Horizon Technologies, Inc.
4 changed its name to Voltstar Technologies, Inc. and recorded such change of name at the United
5 States Patent and Trademark Office on March 1, 2010, and corrected on November 22, 2010 at Reel
6 25411, Frame 783.

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



27 13. On October 26, 2021, the U.S. Patent No. 9,024,581 was reissued as Patent Number
28 US RE48,794 E (“the ‘794 Patent”). The reissued ‘794 Patent, in part, specifically amended Claim

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1 1(i) to now state: “being sized so that the charger plug housing comprises a longitudinal length
2 extending between the front wall and the rear end and the longitudinal length is less than 2.0 inches,
3 a width of the housing outer profile being less than 1.75 inches ...”¹

4 14. Pursuant to 35 U.S.C. § 252, Claim 1 of the reissued ‘794 Patent is substantially
5 identical with the original U.S. Patent No. 9,024,581 in that it has only limited the sizing dimensions
6 of the claimed invention. Therefore, the reissued ‘794 Patent is a continuation of the original U.S.
7 Patent No. 9,024,581 and has effect continuously from the date of the original patent as May 5,
8 2015.

9 15. Claim 1 of the reissued ‘794 Patent is substantially identical with the claims
10 submitted during the ‘581 patent prosecution at least as early as 2011, in the published patent
11 application serial number 12/124,515. Claim 1 of the reissued ‘794 Patent was substantially known
12 publicly at least as early as 2011.

13 16. At all relevant times, Voltstar and its predecessors in interest in the ‘794 Patent and
14 original U.S. Patent No. 9,024,581, complied with the federal patent marking statute, 35 U.S.C. §
15 287(a).

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

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24 ¹ The previous language of the U.S. Patent No. 9,024,581 Claim 1(i) stated: “being sized so that the
25 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 ...”

26 On reissue, the USPTO amended the claim language. The bolded language was omitted and the
27 italicized portion was included, shown as follows: “being sized so that the charger plug housing
28 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 ...*”

DEFENDANT’S PRODUCT

Accused Product #1 – RAVPower 2-Pack 30 W Power Delivery Wall Charger

18. VAVA makes, uses, offers for sale and sells RAVPower 2-Pack 30 W Power Delivery Wall Charger (hereinafter, referred to as the “RAVPower 30W Wall Charger”). An example of the RAVPower 30W Wall Charger distributed by VAVA is shown below.



19. VAVA advertises the use of and sells its RAVPower 30W Wall *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.

20. In particular, the RAVPower 30W Wall Charger distributed by VAVA employ a reduced plug-size charger plug, that upon plugging the RAVPower 30W Wall Charger into a source of AC power such as a wall outlet, the RAVPower 30W Wall Charger does not block or interfere with the use of adjacent outlets.

21. Moreover, the size and shape of the RAVPower 30W Wall Charger are such that a power cord for the device to be charged may be easily inserted into and removed from the RAVPower 30W Wall Charger while the charger is plugged into the source of AC power and removal of the power cord from the RAVPower 30W Wall Charger can be accomplished without removal of the charger from the source of AC power.

22. Attached hereto as **Exhibit 2** is a Claim Chart that illustrates each element of the infringing RAVPower 30W Wall Charger as compared to Claim 1 in the ‘794 Patent.

1 23. Defendant VAVA infringed at least one of the claims of the ‘794 Patent by offering
2 to sell and by selling a charger plug identified as RAVPower 30W Wall Charger.

3 24. The RAVPower 30W Wall Charger has a longitudinal length less than 2 inches,
4 approximately 1.682 inches, and a width of less than 1.75 inches, approximately 1.216 inches.

5 **Accused Product #2 – RAVPower PD Pioneer 20W Wall Charger**

6 25. VAVA makes, uses, offers for sale and sells RAVPower PD Pioneer 20W Wall
7 Charger (hereinafter, referred to as the “RAVPower 20W Wall Charger”). An example of the
8 RAVPower 20W Wall Charger distributed by VAVA is shown below.



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18 26. VAVA advertises the use of and sells its RAVPower 20W Wall *Charger* that is to be
19 connected between a source of AC power, such as a wall outlet, and a device such as a mobile phone
20 that includes a battery with the battery being rechargeable through the use of DC power.

21 27. In particular, the RAVPower 20W Wall Charger distributed by VAVA employ a
22 reduced plug-size charger plug, that upon plugging the RAVPower 20W Wall Charger into a source
23 of AC power such as a wall outlet, the RAVPower 20W Wall Charger does not block or interfere
24 with the use of adjacent outlets.

25 28. Moreover, the size and shape of the RAVPower 20W Wall Charger are such that a
26 power cord for the device to be charged may be easily inserted into and removed from the
27 RAVPower 20W Wall Charger while the charger is plugged into the source of AC power and
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1 removal of the power cord from the RAVPower 20W Wall Charger can be accomplished without
2 removal of the charger from the source of AC power.

3 29. Attached hereto as **Exhibit 3** is a Claim Chart that illustrates each element of the
4 infringing RAVPower 20W Wall Charger as compared to Claim 1 in the ‘794 Patent.

5 30. Defendant VAVA infringed at least one of the claims of the ‘794 Patent by offering
6 to sell and by selling a charger plug identified as RAVPower 20W Wall Charger.

7 31. The RAVPower 20W Wall Charger has a longitudinal length less than 2 inches,
8 approximately 1.207 inches, and a width of less than 1.75 inches, approximately 1.116 inches.

9 **COUNT I**

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

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

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

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

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

20 36. VAVA’s infringement includes, but is not limited to, the manufacture, use, sale,
21 importation and/or offer for sale of Defendant’s products including the RAVPower 20W Wall
22 Charger and the RAVPower 30W Wall Charger, which incorporates Voltstar’s patent.

23 37. VAVA’s infringement includes, but is not limited to, the manufacture, use, sale,
24 importation and/or offer for sale of Defendant’s products including the RAVPower 20W Wall
25 Charger and the RAVPower 30W Wall Charger, which incorporates Voltstar’s patent.

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

WHEREFORE, Plaintiff VOLTSTAR TECHNOLOGIES, INC. demands judgment and relief against Defendant VAVA INTERNATIONAL INC. and respectfully requests that the Court:

- 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: January 19, 2023

Respectfully submitted,

/s/ Jonah A. Grossbardt

JONAH A. GROSSBARDT

MATTHEW L. ROLLIN

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Attorneys for Plaintiff Voltstar Technologies, Inc.