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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CASSIOPEIA IP LLC,

Plaintiff,

v.

SYNOLOGY AMERICA CORP.,

Defendant.

Civil Action No.

COMPLAINT FOR PATENT
INFRINGEMENT

JURY DEMAND

COMPLAINT FOR PATENT INFRINGEMENT

Now comes, Plaintiff Cassiopeia IP LLC (“Plaintiff” or “Cassiopeia”), by and through undersigned counsel, and respectfully alleges, states, and prays as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under the Patent Laws of the United States, Title 35 United States Code (“U.S.C.”) to prevent and enjoin Defendant Synology America Corp. (hereinafter “Defendant”), from infringing and profiting, in an illegal and unauthorized manner, and without authorization and/or consent from Plaintiff from U.S. Patent No. 7,322,046 (“the ’046 Patent” or the “Patent-in-Suit”), which is attached hereto as Exhibit

1 A and incorporated herein by reference, and pursuant to 35 U.S.C. §271, and to recover
2 damages, attorney’s fees, and costs.

3 **THE PARTIES**

4 2. Plaintiff is a Texas limited liability company with its principal place of business at
5 6009 West Parker Road – Suite 149-1038, Plano, Texas 75093-8121 as a result of Defendant’s
6 infringement of the Asserted Patent.

7 3. Upon information and belief, Defendant is a corporation organized under the laws
8 of Washington, having a principal place of business at 3535 Factoria Blvd SE, Suite 200,
9 Bellevue, Washington 98006.

10 **NATURE OF THE ACTION**

11 4. This is a civil action for patent infringement arising under the patent laws of the
12 United States, 35 U.S.C. § 1 *et seq.*

13 5. Defendant has infringed and continue to infringe, and at least as early as the filing
14 and/or service of this Complaint, has induced and continues to induce infringement of, and
15 has contributed to and continues to contribute to infringement of, at least one or more claims of the
16 Cassiopeia’s Asserted Patent at least by making, using, selling, and/or offering to sell its products
17 and services in the United States, including in this District.

18 6. Cassiopeia is the legal owner by assignment of the Asserted Patent, which were duly
19 and legally issued by the United States Patent and Trademark Office (“USPTO”). Cassiopeia
20 seeks monetary damages for Defendant’s infringement of the Asserted Patent.

21 **JURISDICTION AND VENUE**

22 7. This is an action for patent infringement in violation of the Patent Act of the United
23 States, 35 U.S.C. §§ 1 *et seq.*

24 8. This Court has original and exclusive subject matter jurisdiction over the patent
25 infringement claims for relief under 28 U.S.C. §§ 1331 and 1338(a).

26 9. This Court has personal jurisdiction over Defendant because it maintains an
27 established place of business in the state of Washington. On information and belief, Defendant

1 has transacted and is continuing to transact business in this District that includes, but is not
2 limited to, the use of products and systems that practice the subject matter claimed in the patents
3 involved in this action.

4 10. Venue is proper in this judicial district pursuant to 28 U.S.C. §1400(b) because
5 Defendant resides in this District under the Supreme Court’s opinion in *TC Heartland v. Kraft*
6 *Foods Group Brands LLC*, 137 S. Ct. 1514 (2017) through its incorporation in this District.

7 **FACTUAL ALLEGATIONS**

8 11. On January 22, 2008, the United States Patent and Trademark Office (“USPTO”)
9 duly and legally issued the ’046 Patent, entitled “METHOD AND SYSTEM FOR THE
10 SECURE USE OF A NETWORK SERVICE” after a full and fair examination. The ’046 Patent
11 is attached hereto as Exhibit A and incorporated herein as if fully rewritten.

12 12. Plaintiff is presently the owner of the ’046 Patent, having received all right, title and
13 interest in and to the ’046 Patent from the previous assignee of record. Plaintiff possesses all
14 rights of recovery under the ’046 Patent, including the exclusive right to recover for past
15 infringement.
16

17 13. To the extent required, Plaintiff has complied with all marking requirements under
18 35 U.S.C. § 287.
19

20 14. The ’046 Patent is valid and enforceable under United States Patent Laws.

21 **COUNT I: INFRINGEMENT OF THE ’046 PATENT**

22 15. Plaintiff incorporates the above paragraphs herein by reference.

23 16. **Direct Infringement.** Defendant has been and continues to directly infringe one or
24 more claims of the ’046 Patent in at least this District by making, using, offering to sell, selling
25 and/or importing, without limitation, at least the Defendant products identified in the charts
26 incorporated into this Count below (the “Exemplary Defendant Products,” including Synology’s
27 DiskStation DS2422+) that infringe at least the exemplary claims of the ’046 Patent also

1 identified in the charts incorporated into this Count (the “Exemplary ‘046 Patent Claims”)
2 literally or by the doctrine of equivalents. On information and belief, numerous other devices
3 that infringe the claims of the ‘046 Patent have been made, used, sold, imported, and offered for
4 sale by Defendant and/or its customers.

5 17. Defendant also has and continues to directly infringe, literally or under the doctrine
6 of equivalents, the Exemplary ‘046 Patent Claims, by having its employees internally test and
7 use these Exemplary Products.

8 18. The service of this Complaint upon Defendant constitutes actual knowledge of
9 infringement as alleged here.

10 19. Despite such actual knowledge, Defendant continues to make, use, test, sell, offer
11 for sale, market, and/or import into the United States, products that infringe the ‘046 Patent. On
12 information and belief, Defendant has also continued to sell the Exemplary Defendant Products
13 and distribute product literature and website materials inducing end users and others to use its
14 products in the customary and intended manner that infringes the ‘046 Patent. Thus, on
15 information and belief, Defendant is contributing to and/or inducing the infringement of the ‘046
16 Patent.

17 20. **Induced Infringement.** Defendant actively, knowingly, and intentionally has been
18 and continues to induce infringement of the ‘046 Patent, literally or by the doctrine of
19 equivalents, by selling Exemplary Defendant Products to their customers for use in end-user
20 products in a manner that infringes one or more claims of the ‘046 Patent.

21 21. **Contributory Infringement.** Defendant actively, knowingly, and intentionally has
22 been and continues materially contribute to their own customers’ infringement of the ‘046
23 Patent, literally or by the doctrine of equivalents, by selling Exemplary Defendant Products to
24 their customers for use in end-user products in a manner that infringes one or more claims of the
25 ‘046 Patent. Moreover, the Exemplary Defendant Products are not a staple article of commerce
26 suitable for substantial noninfringing use.

1 Dated: October 26, 2022

2 Respectfully submitted,

3 BANIE & ISHIMOTO LLP

4 By: /s/ John A. Lee, WSBA No. 35,550

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