

1 Susan S.Q. Kalra (CA State Bar No. 16740)
Email: skalra@rameyfirm.com
2 RAMEY LLP
5020 Montrose Blvd., Suite 800
3 Houston, Texas 77006
Telephone: (800) 993-7499
4 Fax: (832) 900-4941

5 William P. Ramey, III (*pro hac vice* anticipated)
6 Email: wramey@rameyfirm.com
RAMEY LLP
7 5020 Montrose Blvd., Suite 800
Houston, TX 77006
8 Telephone: (713) 426-3923
Fax: (832) 689-9175

9 *Attorneys for Plaintiff*
10 Mesa Digital, LLC

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 MESA DIGITAL, LLC,
16
17 Plaintiff,

17 v.

18 QUANTA COMPUTER USA, INC.,
19
20 Defendant.

Case No.: 4:23-cv-06711

**PLAINTIFF’S COMPLAINT FOR
PATENT INFRINGEMENT**

(35 U.S.C. § 271)

JURY TRIAL DEMANDED

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23 Mesa Digital, LLC (“Plaintiff” or “Mesa Digital”) files this Original
24 Complaint and demand for jury trial seeking relief from patent infringement of the
25 claims of U.S. Patent No. 9,031,537 (“the ’537 patent”) (referred to as the “Patent-in-
26 Suit”) by Quanta Computer USA, Inc., (“Defendant” or “Quanta”).
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28

1 **I. THE PARTIES**

2 1. Plaintiff is a Limited Liability Company with its principal place of business
3 located 117 Bryn Mawr Drive SE, Albuquerque, NM 87106.

4
5 2. On information and belief, Defendant is a corporation organized and existing
6 under the laws of the State of Wyoming, with a regular and established place of
7 business located at 45630 Northport Loop E, Fremont, CA 94538. On information
8 and belief, Defendant sells and offers to sell products and services throughout
9 Tennessee, including in this judicial district, and introduces products and services that
10 perform infringing methods or processes into the stream of commerce knowing that
11 they would be sold in Tennessee and this judicial district. Defendant is registered to
12 do business in Tennessee and has may be served with process through their registered
13 agent, at its place of business, 45630 Northport Loop East, Fremont, California
14 94538, or anywhere else it may be found.

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18 **II. JURISDICTION AND VENUE**

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20 3. This Court has original subject-matter jurisdiction over the entire action
21 pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an
22 Act of Congress relating to patents, namely, 35 U.S.C. § 271.

23
24 4. This Court has personal jurisdiction over Defendant because: (i) Defendant is
25 present within or has minimum contacts within the State of Tennessee and this judicial
26 district; (ii) Defendant has purposefully availed itself of the privileges of conducting
27 business in the State of Tennessee and in this judicial district; and (iii) Plaintiff's cause
28

1 of action arises directly from Defendant’s business contacts and other activities in the
2 State of Tennessee and in this judicial district.

3
4 5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b).
5 Defendant has committed acts of infringement and has a regular and established place
6 of business in this District. Further, venue is proper because Defendant conducts
7
8 substantial business in this forum, directly or through intermediaries, including: (i) at
9 least a portion of the infringements alleged herein; and (ii) regularly doing or
10 soliciting business, engaging in other persistent courses of conduct and/or deriving
11
12 substantial revenue from goods and services provided to individuals in Tennessee and
13 this District.

14 **III. INFRINGEMENT - Infringement of the ’537 Patent**

15
16 6. On May 12, 2015, U.S. Patent No. 9,031,537 (“the ’537 patent”, included as
17 Exhibit A and part of this complaint) entitled “Electronic wireless handheld
18 multimedia device” was duly and legally issued by the U.S. Patent and Trademark
19
20 Office. Plaintiff owns the ’537 patent by assignment.

21 7. The ’537 patent relates to novel and improved methods, systems and processes
22 for electronic wireless handheld multimedia device including a microprocessor and
23
24 more than one wireless transceiver modules enabling wireless communications over
25 a variety of standards for the retrieval, processing and delivery of multimedia data
26
27 to/from remote data resources.
28

1 8. Defendant maintains, operates, and administers systems, products, and services
2 that infringes one or more of claims 1-37 of the '537 patent, literally or under the
3 doctrine of equivalents. Defendant put the inventions claimed by the '537 Patent into
4 service (i.e., used them); but for Defendant's actions, the claimed-inventions
5 embodiments involving Defendant's products and services would never have been
6 put into service. Defendant's acts complained of herein caused those claimed-
7 invention embodiments as a whole to perform, and Defendant's procurement of
8 monetary and commercial benefit from it.
9

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12 9. Support for the allegations of infringement may be found in the chart attached
13 as Exhibit B. These allegations of infringement are preliminary and are therefore
14 subject to change.
15

16 10. Defendant has and continues to induce infringement. Defendant has actively
17 encouraged or instructed others (e.g., its customers and/or the customers of its related
18 companies), and continues to do so, on how to use its products and services (e.g.,
19 electronic wireless hand held multimedia device) such as to cause infringement of one
20 or more of claims 1-37 of the '537 patent, literally or under the doctrine of equivalents.
21 Moreover, Defendant has known of the '537 patent and the technology underlying it
22 from at least the filing date of the lawsuit. For clarity, direct infringement is previously
23 alleged in this complaint.
24
25

26 11. Defendant has and continues to contributorily infringe. Defendant has actively
27 encouraged or instructed others (e.g., its customers and/or the customers of its related
28

1 companies), and continues to do so, on how to use its products and services (e.g.,
2 electronic wireless hand held multimedia device) and related services such as to cause
3 infringement of one or more of claims 1-37 of the '537 patent, literally or under the
4 doctrine of equivalents. Further, there are no substantial noninfringing uses for
5 Defendant's products and services. Moreover, Defendant has known of the '537
6 patent and the technology underlying it from at least the filing date of the lawsuit.¹
7
8 For clarity, direct infringement is previously alleged in this complaint.
9

10 12. Defendant has caused and will continue to cause Plaintiff damage by direct and
11 indirect infringement of (including inducing infringement of) the claims of the '537
12 patent.
13

14 **IV. CONDITIONS PRECEDENT**

15 13. Plaintiff is a non-practicing entity, with no products to mark. Plaintiff has plead
16 all statutory requirements to obtain pre-suit damages. Further, all conditions precedent
17 for recovery are met.
18

19 **V. JURY DEMAND**

20 Plaintiff hereby requests a trial by jury on issues so triable by right.
21

22 **VI. PRAYER FOR RELIEF**

23 WHEREFORE, Plaintiff prays for relief as follows:
24

- 25 a. enter judgment that Defendant has infringed the claims of the '537 patent;
26

27 _____
28 ¹ Plaintiff reserves the right to amend and add inducement pre-suit if discovery reveals an earlier date of knowledge.

- 1 b. award Plaintiff damages in an amount sufficient to compensate it for
2 Defendant's infringement of the Patents-in-Suit in an amount no less than a
3 reasonable royalty or lost profits, together with pre-judgment and post-
4 judgment interest and costs under 35 U.S.C. § 284;
5
6 c. award Plaintiff an accounting for acts of infringement not presented at trial and
7 an award by the Court of additional damage for any such acts of infringement;
8
9 d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Plaintiff
10 its attorneys' fees, expenses, and costs incurred in this action;
11
12 e. declare Defendant's infringement to be willful and treble the damages,
13 including attorneys' fees, expenses, and costs incurred in this action and an
14 increase in the damage award pursuant to 35 U.S.C. § 284;
15
16 f. a decree addressing future infringement that either (if) awards a permanent
17 injunction enjoining Defendant and its agents, servants, employees, affiliates,
18 divisions, and subsidiaries, and those in association with Defendant from
19 infringing the claims of the Patents-in-Suit, or (ii) awards damages for future
20 infringement in lieu of an injunction in an amount consistent with the fact that
21 for future infringement the Defendant will be an adjudicated infringer of a valid
22 patent, and trebles that amount in view of the fact that the future infringement
23 will be willful as a matter of law; and
24
25 g. award Plaintiff such other and further relief as this Court deems just and proper.
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1 Dated: December 29, 2023

Respectfully submitted,

2 RAMEY LLP

3
4 /s/ Susan S.Q. Kalra

Susan S.Q. Kalra (CA State Bar No. 16740)

5 skalra@rameyfirm.com

6 5020 Montrose Blvd., Suite 800

7 Houston, Texas 77006

8 (800) 993-7499

(832) 900-4941 (facsimile)

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10 *Attorneys for Plaintiff*
11 *MESA DIGITAL, LLC*

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DEMAND FOR JURY TRIAL

Plaintiff hereby requests a trial by jury on issues so triable by right.

Dated: December 29, 2023

Respectfully submitted,

RAMEY LLP

/s/ Susan S.Q. Kalra
Susan S.Q. Kalra (CA State Bar No. 16740)
skalra@rameyfirm.com
5020 Montrose Blvd., Suite 800
Houston, Texas 77006
(800) 993-7499
(832) 900-4941 (facsimile)

Northern California Office:
303 Twin Dolphin Drive, Suite 600
Redwood City, CA, US 94065

/s/ William P. Ramey, III
William P. Ramey, III (*pro hac vice* anticipated)
Texas Bar No. 24027643
wramey@rameyfirm.com

Jeffrey E. Kubiak (*pro hac vice* anticipated)
Texas Bar No. 24028470
jkubiak@rameyfirm.com

5020 Montrose Blvd., Suite 800
Houston, Texas 77006
Telephone: (713) 426-3923
Fax: (832) 689-9175

Attorneys for Plaintiff
MESA DIGITAL, LLC