

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

IFPOWER CO., LTD.,

*Plaintiff,*

v.

ASUSTeK COMPUTER INC.,

*Defendant.*

CASE NO. 1:24-cv-00131

JURY TRIAL DEMANDED

**PLAINTIFF’S ORIGINAL COMPLAINT**

Plaintiff IFPower Co., Ltd. (“IFPower” or “Plaintiff”) hereby files its Original Complaint against Defendant ASUSTeK Computer Inc. (“Defendant” or “ASUS”) alleging infringement of U.S. Patent Nos. 7,298,361 (the “361 Patent”) and 7,863,860 (the “860 Patent”) (collectively, the “Patents-in-Suit”).

**I. PARTIES**

1. Plaintiff IFPower is a company existing under the laws of Taiwan, with its principal place of business located 1 F., No. 2, Ln. 18, Shuangyuan St., Wanhua Dist., Taipei City 10884, Taiwan (R.O.C.).

2. Upon information and belief, Defendant ASUSTeK Computer Inc. is a publicly owned corporation organized under the laws of Taiwan, with its principal place of business located at No. 15, Li-Te Road., Beitou District, Taipei 112, Taiwan, where it may be served with process. On information and belief, Defendant conducts business in Texas and in this district, directly or through intermediaries.

**ORIGINAL COMPLAINT**

## II. JURISDICTION AND VENUE

3. This is an action for patent infringement which arises under 35 U.S.C. §§ 271, 281, 284 and 285. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§1331 and 1338(a).

4. This Court has personal jurisdiction over Defendant because, among other things, Defendant has committed acts within this District giving rise to this action and has established minimum contacts within this forum such that the exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial justice. For example, Defendant has placed products that practice and/or embody the claimed inventions of the Patents-in-Suit into the stream of commerce with the reasonable expectation and/or knowledge that purchasers and users of such products were located within this district.

5. Upon information and belief, Defendant transacts substantial business in the State of Texas and in this District. Defendant, directly and through subsidiaries or intermediaries (including distributors, retailers, resellers, and others), has purposefully and voluntarily placed one or more of their infringing products, as described below, into the stream of commerce with the expectation that these infringing products will be purchased and used by customers in the District. Defendant has committed acts of patent infringement within the District.

6. This Court has personal jurisdiction over Defendant pursuant to TEX. CIV. PRAC. & REM. CODE § 17.041 et seq. General personal jurisdiction exists over Defendant because Defendant has minimum contacts with this forum as a result of business regularly conducted within the State of Texas and within this District, and, on information and belief, specific personal jurisdiction exists because Defendant has, at least, committed the tort of patent infringement within Texas and this District. Personal jurisdiction also exists because, on information and belief,

Defendant has: (1) operated the Internet website, <https://www.asus.com/us/>, which is available to and accessed by users, customers, and potential customers of Defendant within this judicial district; (2) sold Defendant's wireless charging products within this judicial district; (3) transacted business within the State of Texas; (4) actively infringed and/or induced infringement in Texas; (5) established regular and systematic business contacts within the State of Texas; and (6) continue to conduct such business in Texas through the sale of Defendant's wireless charging products. Accordingly, this Court's jurisdiction over Defendant comports with the constitutional standards of fair play and substantial justice and arises directly from the Defendant's purposeful minimum contacts with the State of Texas.

7. This Court also has personal jurisdiction over Defendant because, on information and belief, Defendant, its authorized resellers (or those acting on their behalf), and its customers committed and continue to commit acts of patent infringement in this judicial district. Defendant transacts business within the State of Texas and in this judicial district and has committed acts of patent infringement within the State of Texas and this judicial district as set forth hereinafter. Such business includes, without limitation, Defendant's operation of the Internet website, <https://www.asus.com/us/>, which is available to and accessed by users, customers, and potential customers of Defendant within this judicial district, and the sale of Defendant's wireless charging products within this judicial district, both online at <https://www.asus.com/us/> and through other official online stores, resellers/retail stores, and varied dealers within this jurisdiction.

8. In addition, Defendant has sold, advertised, marketed, and distributed products in this district that practice the claimed inventions of the Patents. Defendant derives substantial revenue from the sale of infringing products distributed within the district, and/or expects or should

reasonably expect its actions to have consequences within the district and derives substantial revenue from interstate and international commerce.

9. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(b), (c), and 1400.

10. Alternatively, Venue is proper in this District pursuant to 28 U.S.C. § 1391 (c)(3) because there is no district in which an action may otherwise be brought as provided in this section, and any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action is proper.

### III. FACTUAL BACKGROUND

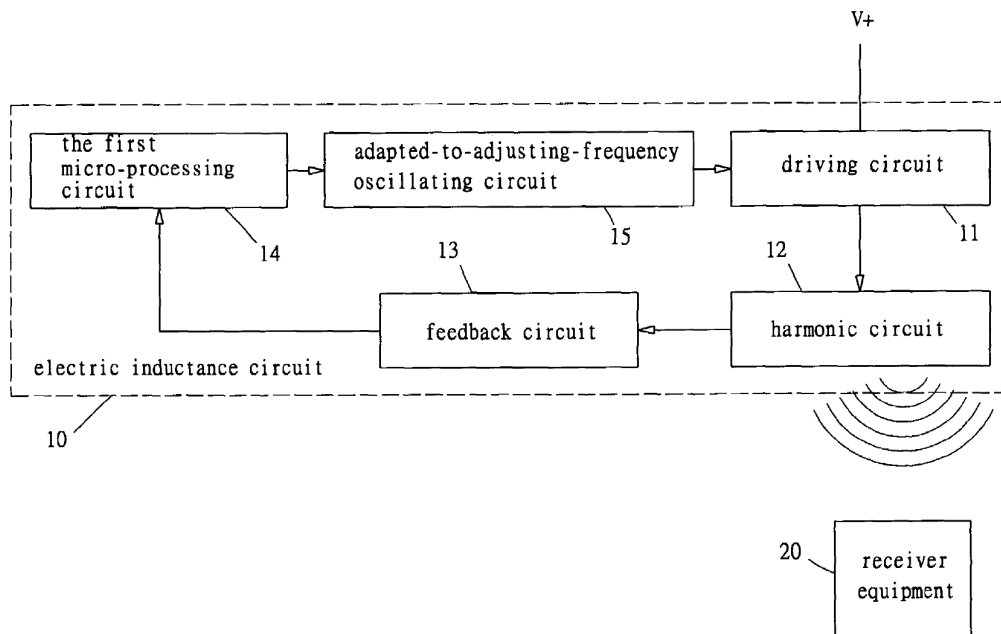
#### PATENTS-IN-SUIT

11. IFPower is the owner of all right, title, and interest in and to U.S. Patent No. 7,298,361 (attached as **Exhibit 1**), entitled "Non-Contact Electric Inductance Circuit for Power Source," issued on November 20, 2007.

12. IFPower is the owner of all right, title, and interest in and to U.S. Patent No. 7,863,860 (attached as **Exhibit 2**), entitled "Battery Cover," issued on January 4, 2011.

#### TECHNICAL OVERVIEW

13. The '361 Patent is directed to a non-contact inductance circuit for a power source. The inductance circuit converts input alternating current into signals with a high-frequency harmonic vibration. The alternating electric current passes through an amplifier.



'361 Patent, Fig. 1.

14. During operation, a feedback circuit **13** transmits the voltage or current of the harmonic circuit to a processor to analyze the value of the detected voltage or current.

15. Conventional chargers for electronic devices with rechargeable batteries such as computer mice or smartphones required a physical cable connection between the power supply and the electronic device.

16. Prior art wireless chargers used harmonic vibration energy provided by alternating signals from a coil. That energy is converted into electrical energy by the receiving device. '361 patent, 1:17-24. This is accomplished through interoperations of an internal inductance and an internal capacitor. *Id.*, 1:38-43.

17. Even for inductors and capacitors with a given specification, however, there are practical operating ranges that reflect some differences during operation. As a result, mismatches between characteristics arise which reduce the efficiency of the circuit or require repeated and cumbersome adjustment. *Id.*, 1:43-56.

18. The inventions are thus directed to a nonconventional feedback and adapted-to-adjusting frequency oscillating circuit for physical, wireless chargers.

When in operation, the adapted-to-adjusting-frequency oscillating circuit generates alternating electric current that passes to the harmonic circuit after being amplified through the driving circuit, and the feedback circuit transmits the voltage or the current of the harmonic circuit to the microprocessing circuit that analyses the value of the voltage or the current detected, then the adapted-to-adjusting-frequency oscillating circuit adjusts the frequency of subsequent input alternating electric current, in order that the entire electric inductance circuit for the power source can generate the best harmonic frequency.

*Id.*, 2:5-15.

19. Additionally, in certain embodiments, the inductance circuit is further integrated with a signal processing circuit. In this way, the electric inductance circuit for the power source can be used for radio signal transmission. *Id.* 15 2:16-24.

20. The '860 Patent is directed to wireless charging, whereby a device incorporating the inventions claimed therein can be charged without a cable between the device and charger or removing internal batteries.

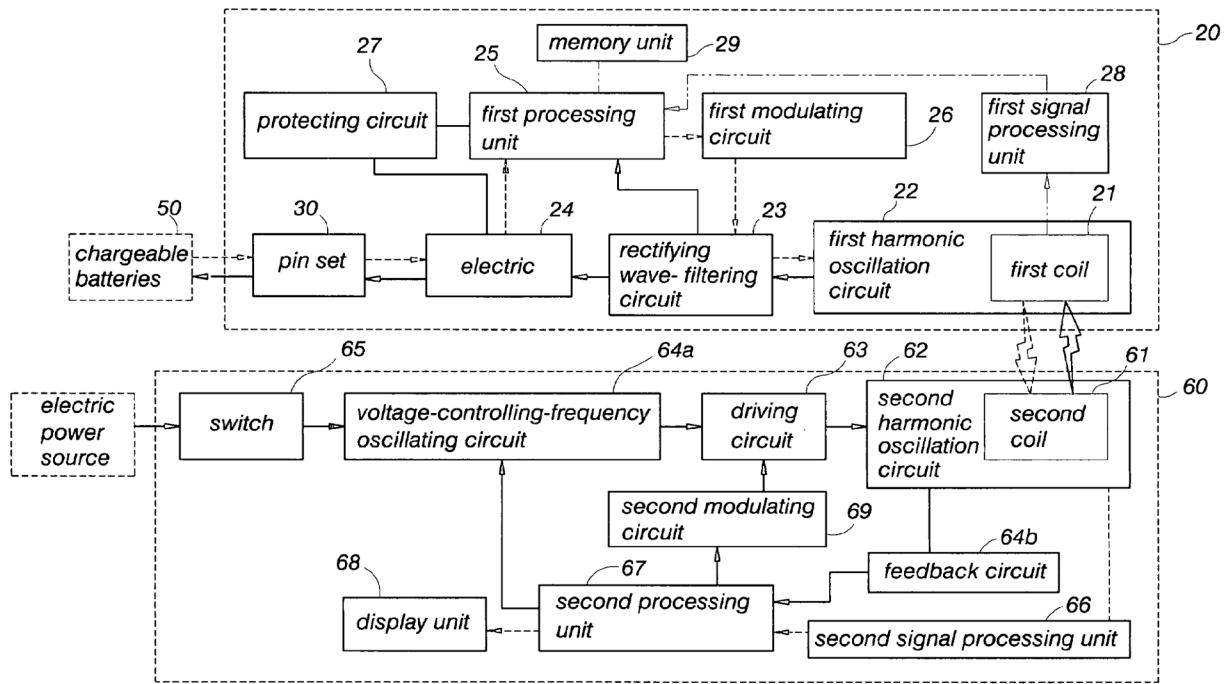
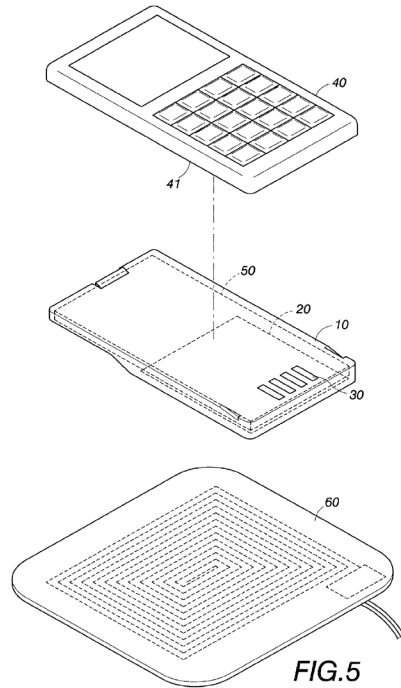


FIG. 4

'860 Patent, Fig. 4.

21. The invention provides a battery cover with circuitry adapted to wireless couple to an RF (radio frequency) emitter for generating electric power for charging a battery by a non-touch induction mode.



'860 Patent, Fig. 5.

22. The '860 Patent claims priority to a Taiwanese application filed on June 29, 2007.

23. The WPC published the Qi low-power specification over two years later, in August 2009.

#### DEFENDANT'S ACTS

24. Defendant is a provider of consumer electronics products offering wireless charging in accordance with certain WPC Qi wireless charging standards.

25. Exemplary infringing products include the ASUSTeK Designo MX38VC monitor, ASUSTeK Designo MX34VQ monitor, Zen AiO 27 monitor, the ASUS Wireless Power Mate, the ROG Throne Qi, the ROG Balteus Qi, the ROG Throne, the ASUS Chromebox 5, P708, ASUS Automotive Wireless Charger (GL3, GN3, W3G-K11, YN3), ASUS Wireless Charger (W1G-AWPM); the PadFone S, the ASUS Zenfone 9, the ASUS Zenfone 10, ROG Phone 8, ROG



Chakram mouse, ROG Chakram X mouse, and all products which incorporate substantially similar wireless charging technologies.

26. For example, Defendant's wireless chargers comply with the Qi wireless charging standard. Defendant represents compliance to its customers and instructs them how to wirelessly charge using the Qi charging standard.



**PRODUCT URL**

<https://www.asus.com/Monitors/MX38VC/>

**DESCRIPTION**

Qi Wireless Charger designed in the base with aurora lighting on while charging Qi-enabled devices

**QI-ID**

QI-5063

**LICENSED**

YES

**SPECIFICATION VERSION**

1.2.4

**BRAND**

ASUSTeK Computer Inc.

**PRODUCT NAME**

MX38VC

**MANUFACTURER PART NUMBER**

MX38VC

<https://wirelesspowerconsortium.atlassian.net/servicedesk/customer/portal/12/article/30804225>

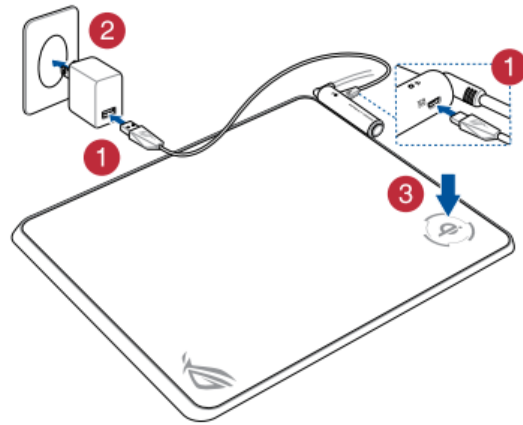
27. Defendant further instructs and encourages its customers to wirelessly charge their products as it specifies in its documentation.

**Using the Qi wireless charging function**

1. Connect the bundled Qi wireless charging cable to the micro USB DC-in port and an adapter.

**NOTE:** We recommend using an adapter with a minimum of 5V2A power rating for optimal performance.

2. Plug the adapter into a 100V-240V power source.
3. Place your device on the Qi wireless charging zone. Ensure that the Qi wireless charging zone is aligned with your device's Qi charging zone.



**Qi wireless charging status indication**

LED Status	Description
Blue (slowly blinking)	Fully charged
Blue (blinking)	Charging
Blue (rapidly blinking)	Low charging efficiency
Red (blinking)	Charging failure
Off	Standby

ROG Balteus Qi Wireless Charging RGB Gaming Mouse Pad, p. 1.

28. On information of belief, Defendant also implements contractual protections in the form of license and use restrictions with its customers to preclude the unauthorized reproduction, distribution, and modification of its products.

29. Moreover, on information and belief, Defendant implements technical precautions to attempt to thwart customers who would circumvent the intended operation of Defendant’s products.

**IV. PATENT INFRINGEMENT**

**COUNT I — INFRINGEMENT OF U.S. PATENT NO. 7,298,361**

30. Defendant has directly infringed and continues to infringe one or more claims of the ’361 Patent in this judicial district and elsewhere in the United States by, among other things,

making, having made, importing, using, offering for sale, and/or selling the claimed system and methods of the '361 Patent.

31. At a minimum, Defendant has been, and now is, infringing claims of the '361 Patent by making, importing and/or using infringing systems and/or methods. Defendant infringes at least claim 1 of the '361 Patent.

32. The infringing products include, but are not limited to, Defendant's wireless chargers, including ASUSTeK Designo MX38VC monitor, ASUSTeK Designo MX34VQ monitor, Zen AiO 27 monitor, the ASUS Wireless Power Mate, the ROG Throne Qi, the ROG Balteus Qi, the ROG Throne, the ASUS Chromebox 5, P708, ASUS Automotive Wireless Charger (GL3, GN3, W3G-K11, YN3), ASUS Wireless Charger (W1G-AWPM), and all other devices with substantially similar or complementary wireless charging functionality, including when used in conjunction with Qi-compliant devices (the "'361 Infringing Products"). IFPower alleges that each and every element is literally present in the '361 Infringing Products. To the extent not literally present, IFPower reserves the right to proceed under the doctrine of equivalents.

33. More specifically, Defendant's wireless chargers include a non-contact electric inductance circuit for power source wherein a circuit amplifies an alternating current by an oscillator through a driving circuit and pass to a harmonic circuit.

34. In accordance with the WPC specification, the electric inductance circuit has a feedback circuit, a micro-processing circuit and an adapted-to-adjusting-frequency oscillating circuit integrated with one another.

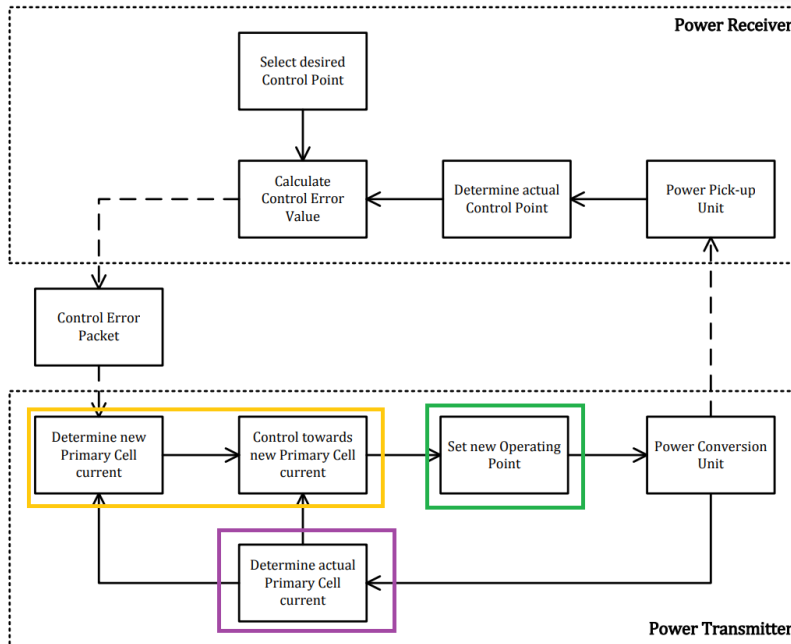


Figure 5-2: Power transfer control loop

<https://cupdf.com/document/wpc-specification.html>

35. Defendant's wireless chargers further include a wireless charging controller.

36. Defendant has indirectly infringed and continues to infringe the '361 Patent by inducing the infringement of the '361 Patent. With knowledge of the '361 Patent, Defendant directs and aids its customers in using the '361 Infringing Products by the provision of its products and software, and related equipment and provision of instruction (including, by way of example, the tutorials, user guides, product guides, and other documentation located at <https://www.asus.com/us/support/>) to customers as well as functionality embedded in the '361 Infringed Products (including firmware and source code) with knowledge that the induced acts constitute patent infringement. When a user of one of the '361 Infringing Products charges a Qi-compliant device, the '361 Infringing Product operates in an infringing manner. Defendant possesses specific intent to encourage infringement by its customers.

37. Defendant has contributed to the infringement of, and continues to contribute to the infringement of, one or more claims of the '361 Patent under 35 U.S.C. § 271(c) and/or 271(f),

**ORIGINAL COMPLAINT**

either literally and/or under the doctrine of equivalents, by selling, offering for sale, and/or importing into the United States, the '361 Infringing Products. Defendant knows that the components of the '361 Infringing Products: constitute a material part of the inventions claimed in the '361 Patent; are especially made or adapted to infringe the '361 Patent; and are not staple articles or commodities of commerce suitable for non-infringing use, but rather the Components are used for or in systems that infringe one or more claims of the '361 Patent. The hardware and/or software Components are not a staple article or commodity of commerce because they are specifically designed to perform the claimed functionality. These products are specifically designed for their infringing purpose, namely wireless charging in accordance with the claims of the '361 Patent. Any other use of the hardware and/or software Components would be unusual far-fetched, illusory, impractical, occasional, aberrant, or experimental.

38. IFPower has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to IFPower in an amount that adequately compensates it for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II — INFRINGEMENT OF U.S. PATENT NO. 7,863,860

39. Defendant has directly infringed and continues to infringe one or more claims of the '860 Patent in this judicial district and elsewhere in the United States by, among other things, making, having made, importing, using, offering for sale, and/or selling the claimed system and methods of the '860 Patent.

40. At a minimum, Defendant has been, and now is, infringing claims of the '860 Patent by making, importing and/or using devices having wireless charging systems that comply with the

Qi wireless standard. Defendant's chargers are designed to interact with a battery cover of the type claimed in the '860 Patent. Defendant infringes at least claim 1 of the '860 Patent.



The cameras actually both stick out a little less than they did on the previous generation, but that's a roundabout way of saying that the phone is ever so slightly thicker altogether. The extra 0.3mm are at least partially accounted for by the newly installed induction coil for wireless charging. It's a difference that's barely perceptible, but one that renders cases for the Zenfone 9 incompatible with the Zenfone 10.

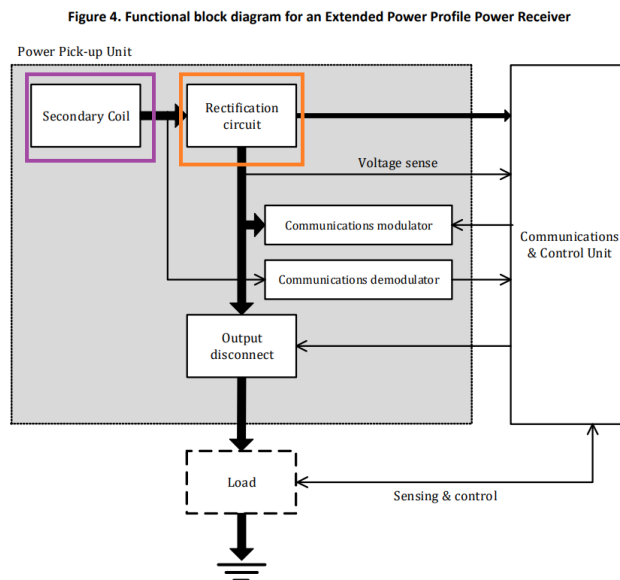
[https://www.gsmarena.com/asus\\_zenfone\\_10-review-2583p2.php](https://www.gsmarena.com/asus_zenfone_10-review-2583p2.php)

41. Defendant's infringing products include, but are not limited to, devices such as the PadFone S, the ASUS Zenfone 9, the ASUS Zenfone 10, ROG Phone 8, ROG Chakram mouse, ROG Chakram X mouse, and chargers such as ASUSTeK Designo MX38VC monitor, ASUSTeK Designo MX34VQ monitor, Zen AiO 27 monitor, the ASUS Wireless Power Mate, the ROG Throne Qi, the ROG Balteus Qi, the ROG Throne, the ASUS Chromebox 5, P708, ASUS Automotive Wireless Charger (GL3, GN3, W3G-K11, YN3), ASUS Wireless Charger (W1G-AWPM), and all products with substantially similar and/or compatible Qi wireless charging functionality (the "'860 Infringing Products"). The '860 Infringing Products are specifically designed to interoperate with a battery cover as claimed. Defendant puts the infringing system into

use as a whole. On information and belief, Defendant tests the '860 Infringing Products to ensure that battery covers meeting specified criteria are used in conjunction with its products.

42. Defendant instructs its users how to perform wireless charging with their devices using the '860 Infringing Products.

43. In accordance with the WPC specification, devices interacting with the '860 Infringing Products includes a rectifying wave filtering circuit.



<https://www.wirelesspowerconsortium.com/data/downloadables/3/3/2/3/qi-v13-public.zip>

44. IFPower alleges that each and every element is literally present in the '860 Infringing Products. To the extent not literally present, IFPower reserves the right to proceed under the doctrine of equivalents.

45. Defendant has indirectly infringed and continues to infringe the '860 Patent by inducing the infringement of the '860 Patent. With knowledge of the '860 Patent, Defendant directs and aids its customers in using the '860 Infringing Products by the provision of its products and software, and related equipment and provision of instruction (including, by way of example, the tutorials, user guides, product guides, and other documentation located at

<https://www.asus.com/us/support/>) to customers as well as functionality embedded in the '860 Infringed Products (including firmware and source code) with knowledge that the induced acts constitute patent infringement. When a user of one of the '860 Infringing Products charges the phone or watch, the '860 Infringing Product operates in an infringing manner. Defendant possesses specific intent to encourage infringement by its customers.

46. Defendant has contributed to the infringement of, and continues to contribute to the infringement of, one or more claims of the '860 Patent under 35 U.S.C. § 271(c) and/or 271(f), either literally and/or under the doctrine of equivalents, by selling, offering for sale, and/or importing into the United States, the '860 Infringing Products. Defendant knows that the components of the '860 Infringing Products: constitute a material part of the inventions claimed in the '860 Patent; are especially made or adapted to infringe the '860 Patent; and are not staple articles or commodities of commerce suitable for non-infringing use, but rather the Components are used for or in systems that infringe one or more claims of the '860 Patent. These products are specifically designed for their infringing purpose, namely wireless charging in accordance with the claims of the '860 Patent. The hardware and/or software Components are not a staple article or commodity of commerce because they are specifically designed to perform the claimed functionality. Any other use of the hardware and/or software Components would be unusual far-fetched, illusory, impractical, occasional, aberrant, or experimental.

47. IFPower has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to IFPower in an amount that adequately compensates it for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.



## **V. WILLFULNESS**

48. ASUS was provided notice of IFPower's claims at least by way of the Original Complaint filed against it.

49. ASUS acted and continues to act with knowledge of the Patents-in-Suit despite an objectively high likelihood that its actions constituted infringement of IFPower's valid patent rights.

50. This objectively defined risk was either known or so obvious that it should have been known to ASUS. IFPower seeks enhanced damages pursuant to 35 U.S.C. §284.

## **VI. JURY DEMAND**

51. IFPower demands a trial by jury of all matters to which it is entitled to trial by jury, pursuant to FED. R. CIV. P. 38.

## **VII. PRAYER FOR RELIEF**

52. WHEREFORE, Plaintiff IFPower prays for judgment and seeks relief against Defendant as follows:

- a. Judgment that one or more claims of the Patents-in-Suit have been infringed, either literally and/or under the doctrine of equivalents;
- b. Award Plaintiff past and future damages together with prejudgment and post-judgment interest to compensate for the infringement by Defendant of the Patents-in-Suit in accordance with 35 U.S.C. §284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. §284;
- c. That the Court declare this an exceptional case and award Plaintiff its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and

- d. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: February 5, 2024

Respectfully submitted,

/s/ Andrew G. DiNovo

Andrew G. DiNovo

Texas State Bar No. 00790594

Michael D. French

Texas State Bar No. 24116392

**DiNovo Price LLP**

7000 N. MoPac Expressway, Suite 350

Austin, Texas 78731

Telephone: (512) 539-2626

Telecopier: (512) 727-6691

[adinovo@dinovoprice.com](mailto:adinovo@dinovoprice.com)

[mfrench@dinovoprice.com](mailto:mfrench@dinovoprice.com)

**ATTORNEYS FOR PLAINTIFF  
IFPOWER**

**ORIGINAL COMPLAINT**