

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

BETTER MOUSE COMPANY, LLC,

Plaintiff,

v.

ALTEX ELECTRONICS, LTD.,

Defendant.

Civil Action No. 3:24-cv-1328

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Better Mouse Company, LLC (“BMC” or “Plaintiff”) files this original complaint against Altex Electronics, Ltd. (“Defendant”) for patent infringement and alleges as follows:

PARTIES

1. BMC is a Texas limited liability company with a principal place of business in Tyler, Texas.

2. Defendant is a Texas limited liability company with a principal place of business at 11342 North Interstate 35, San Antonio, Texas. Defendant has a regular and established place of business at 3215 Belmeade Drive, Carrollton, Texas 75006. Defendant may be served through its registered agent: Jeffrey J. Myers at 11342 North Interstate 35, San Antonio, Texas.

JURISDICTION AND VENUE

3. This is an action for infringement of a United States patent arising under the Patent Act, Title 35 of the United States Code. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

4. This Court may properly exercise personal jurisdiction over Defendant because Defendant is a Texas entity.

5. Venue is proper in this district pursuant to 28 U.S.C. § 1400 because Defendant has committed acts of infringement in this district and has a regular and established place of business in this district.

THE PATENTED TECHNOLOGY

6. The patent-in-suit, United States Patent No. 7,532,200 (“the ‘200 Patent”), entitled “Apparatus for Setting Multi-Stage Displacement Resolution of a Mouse,” teaches a device capable of setting the resolution for a computer mouse, often measured in “dots-per-inch” (DPI). The resolution determines how much the mouse cursor moves on a computer screen for each corresponding movement of the mouse itself by the user. For example, if the DPI ratio is 1:1, the cursor moves one “dot” on the screen per inch of motion by the mouse. Depending on an individual user’s needs, that ratio (resolution) can be adjusted to provide the user with a customized experience. For example, a user playing computer games may wish for more precise control of the cursor and adjust the resolution so that each movement on the screen requires a larger movement of the mouse itself.

7. In the prior art, adjusting the resolution generally required installing a software driver on a connected computer, and changing the resolution within that software program. The user first needed to install the software, which required a separate item such as a CD-ROM. Next, the user must locate the installed software on the computer and then determine how to adjust the desired parameter within the software. In contrast, the inventor of the technology described in the ‘200 Patent developed a mouse that includes a button and/or switch on the mouse for adjusting the resolution by hand to generate a resolution value, without using a software driver or tool that is external to the mouse. Among other advantages, this approach allows the user to directly adjust

the mouse's resolution quickly and easily, without using a software driver or tool on the connected computer.

8. On May 12, 2009, the '200 Patent was duly issued by the United States Patent and Trademark Office. A copy of the '200 Patent is attached hereto as Exhibit A.

9. BMC is the owner by assignment of the '200 Patent with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '200 Patent against infringers, and to collect damages for all relevant times.

10. BMC and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '200 Patent.

DEFENDANT'S INFRINGING CONDUCT

11. Defendant offers off-the-shelf computer and networking equipment to a local and national customer base. Defendant consists of an integrated network of eight retail store locations throughout Texas, a national and international mail order department, and a large internet sales presence.

12. Defendant offers for sale a variety of computer related products and services, including computer components, peripherals, and software. Upon information and belief, Defendant is an authorized online reseller of IC Intracom USA, Inc. dba Manhattan Products USA products, including computer mice.

13. Defendant offers for sale at least three Manhattan branded computer mice models that infringe the '200 Patent: Manhattan RGB Wired Optical USB Gaming Mouse (SKU: 190121); Manhattan RGB LED Wired Optical USB Gaming Mouse (SKU: 179256); and Manhattan Curve Wireless Optical Mouse (SKU: 179294) ("Accused Products"). *See* Exhibit B, Sales Webpages.

14. The Accused Products operate in the same manner to infringe the '200 Patent. The Manhattan RGB Wired Optical USB Gaming Mouse (SKU: 190121) is pictured below as an example:



15. The Manhattan RGB Wired Optical USB Gaming Mouse comprises a “top-mount push-button [that] instantly shifts resolution from 1200, 2400, 4800 and 7200 dpi to suit a wide range of applications, including gaming or daily computing tasks.” Ex. B at 3; *see id.* at 7 and 11.

16. The Manhattan RGB Wired Optical USB Gaming Mouse further comprises a “[h]igh-precision 7200 CPI optical sensor (Instant A704F) with a maximum tracking speed of 60 IPS, 20G maximum acceleration and a frame rate of 7000 fps[.]”¹ Further, the “A704F supports 4-level resolution, the default is 1200. The CPI level can be switched via pressing CPI related buttons (CPI /CPI-/CPI+).” Exhibit C, A704F Datasheet, at 7; *see also* Exhibit D, Model 190121 Instructions, at 2.

¹ <https://manhattanproducts.us/products/manhattan-en-rgb-led-wired-optical-usb-gaming-mouse-190121>

17. On or around September 18, 2023, Plaintiff provided notice of the infringement to Defendant's supplier of the Accused Products, IC Intracom USA, Inc. dba Manhattan Products USA, via FedEx and email.

CLAIM I – PATENT INFRINGEMENT

18. BMC repeats and realleges the allegations of paragraphs 1 through 17 as if fully set forth herein.

19. Defendant, without authority, makes, uses, sells, offers for sale, and/or imports into the United States the Accused Products, which infringe one or more claims of the '200 Patent, either literally and/or under the doctrine of equivalents. Defendants' infringement in this regard is ongoing.

20. The Accused Products meet every limitation of at least Claim 6 of the '200 Patent. For example, to the extent the preamble is limiting, the Accused Products comprise an apparatus for setting multi-stage displacement resolution of a mouse:

Wired RGB LED Gaming Mouse

The Manhattan 7200 DPI Wired Optical Gaming Mouse with LEDs combines modern design with advanced precision and high-stabilization performance. Its top-mount push-button instantly shifts resolution from 1200, 2400, 4800 and 7200 dpi to suit a wide range of applications, including gaming or daily computing tasks.

Its full-sized shape and seven-button configuration provide direct access to essential commands with minimal wrist movement. A non-slip texture applied to critical surfaces provides a secure, comfortable grip. Plug-and-play capability and Windows® compatibility offer quick and easy installation.

(Ex. B at 3; see id. at 7 & 11)

21. The Accused Products further comprise an X-Y axis plane displacement detector, for sensing a distance and a moving direction generated by the mouse in a two-dimensional space:

Specifications

- Precise, accurate optical sensor and sturdy construction for agile, reliable performance
- Ergonomic shape for the most comfortable hand positioning and wrist support to reduce fatigue, even during prolonged use
- Low-friction base for smooth gliding over most surfaces and ultimate control, whether in targeting an enemy or attacking a spreadsheet
- Top-mount, push-button control to instantly shift resolution from 1200, 2400, 4800 and 7200 dpi; perfect for daily work or gaming

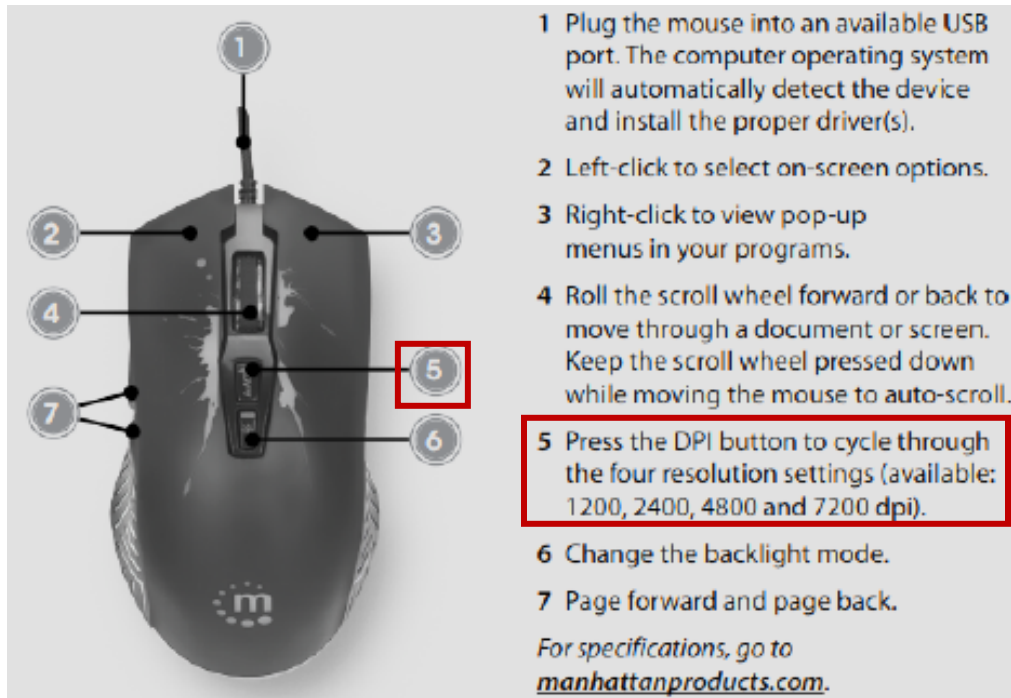
(Ex. B at 3; see id. at 7 & 11)

22. The Accused Products comprise an N-stage switch for setting a resolution value, the N-stage switch circuit having a switching button capable of being manually switched to one of positions 1 to N, and accordingly activating a connected resolution setting pin to indicate a state, where N is a positive integer.

Specifications

- Precise, accurate optical sensor and sturdy construction for agile, reliable performance
- Ergonomic shape for the most comfortable hand positioning and wrist support to reduce fatigue, even during prolonged use
- Low-friction base for smooth gliding over most surfaces and ultimate control, whether in targeting an enemy or attacking a spreadsheet
- Top-mount, push-button control to instantly shift resolution from 1200, 2400, 4800 and 7200 dpi; perfect for daily work or gaming

(Ex. B at 3; see id. at 7 & 11)



(Ex. D at 2)

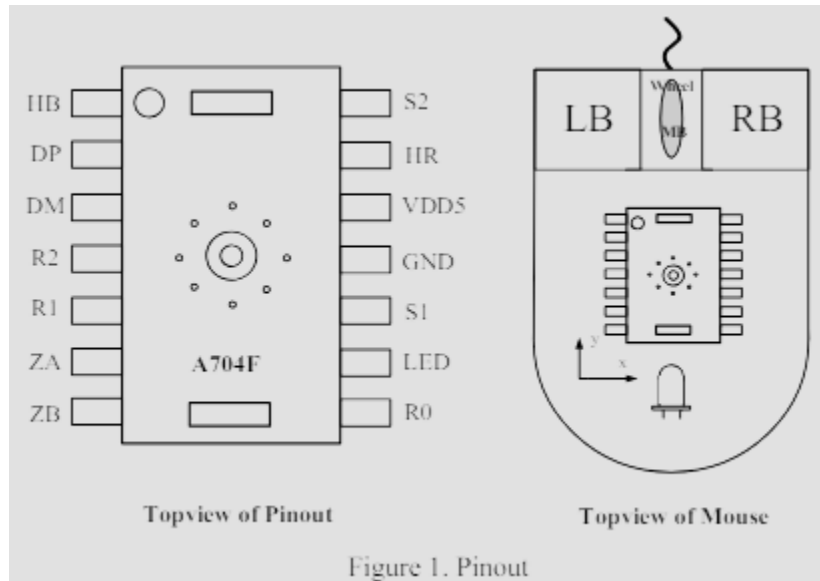


Figure 1. Pinout

(Ex. C at 5)

6.1 Button Array

The location of the keys in the array:

PIN	GND	S1	S2
R0	K1	K4	K7
R1	K2	K5	K8
R2	K3	K6	K9

The functions of the buttons are show in the table below. In Double CPI Mode, there are two CPI related buttons (CPI-/CPI+). While in Single CPI Mode, only one CPI related button (CPI).

Key	Single CPI Mode	Double CPI Mode
K1	L	L
K2	M	M
K3	R	R
K4	B4 (Backward)	B4(Backward)
K5	B5 (Forward)	B5 (Forward)
K6	CPI	CPI-
K7	BOSS	BOSS
K8	DOUBLE	CPI+
K9	FIRE	FIRE

(Ex. C at 6)

6.4.1 CPI Sets and Selection

A704F supports 4-level resolution, the default is 1200. The CPI level can be switched via pressing CPI related buttons (CPI /CPI-/CPI+).

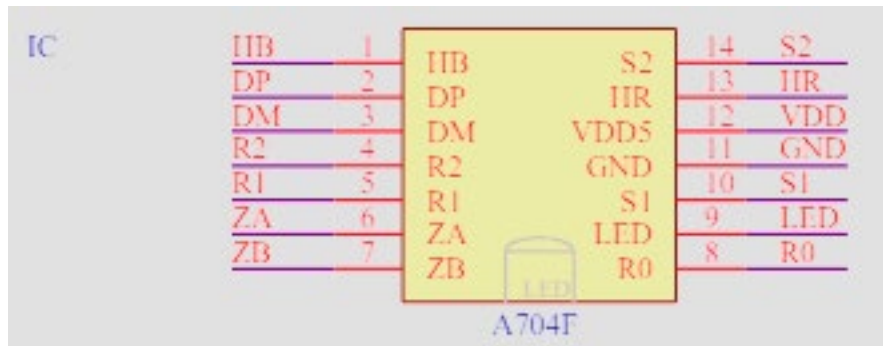
A704F provides two sets of CPIs (H-CPI,L-CPI), H-CPI is selected with a pull-up resistor in circuit and L-CPI is selected without the resistor.

CPI Set	Lev1	Lev2	Lev3	Lev2
H-CPI	1200	2400	4800	7200
L-CPI	1200	1600	2400	3200

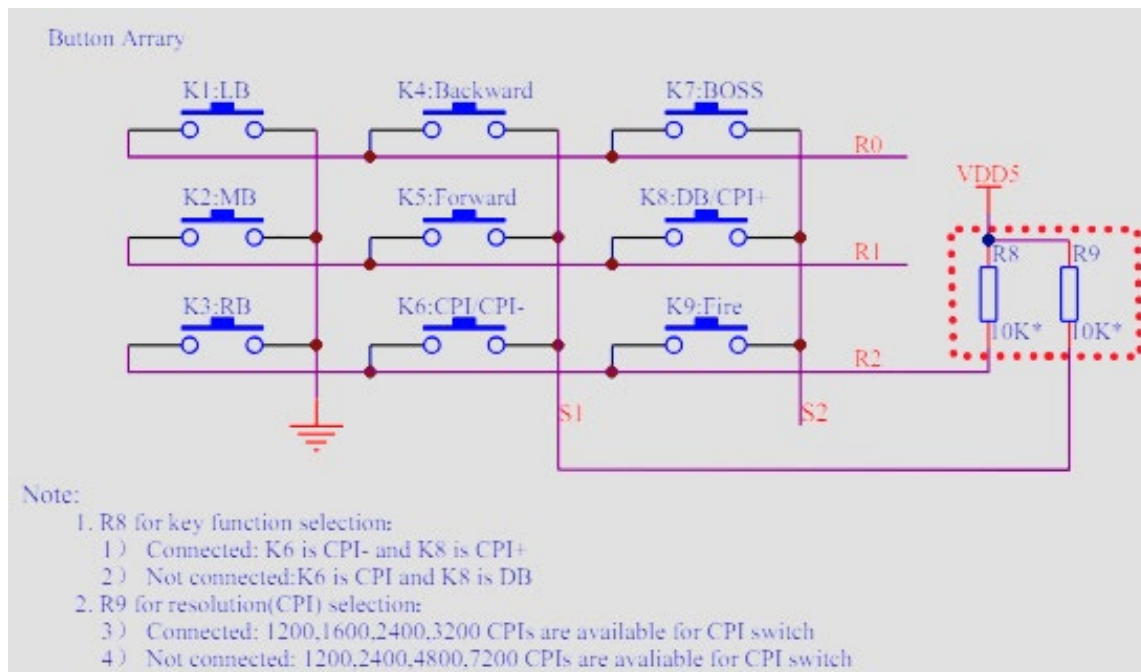
(Ex. C at 7)

23. The Accused Products comprise a mouse micro controller with a register, coupled to the X-Y axis plane displacement detector and the switching circuit, the mouse micro controller determining the resolution value based on the state of the connected resolution setting pins, setting a mouse resolution based on the resolution value and storing the resolution value in the register,

the mouse micro controller responding to the distance and moving direction sensed by the X-Y axis plane displacement detector to provide a control signal to a computer connected to the mouse, thereby moving the mouse cursor on a screen of the computer, the mouse cursor being moved directly based on the resolution value stored in the register.



(Ex. C at 11)



(Ex. C at 11)

24. BMC has been damaged as a result of Defendant’s infringement of the ‘200 Patent. Thus, Defendant is liable to BMC in an amount that adequately compensates BMC for such infringement, 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.

PRAYER FOR RELIEF

Wherefore, BMC respectfully prays for:

- A. A judgment be entered against Defendant for infringing at least one or more claims of the '200 Patent, directly and/or indirectly, literally and/or under the doctrine of equivalents;
- B. An award of damages sufficient to compensate BMC for Defendant's infringement under 35 U.S.C. § 284, including an enhancement of damages on account of Defendant's willful infringement;
- C. That the case be found exceptional under 35 U.S.C. § 285 and that BMC be awarded its reasonable attorney fees;
- D. Costs and expenses in this action;
- E. An award of prejudgment and post-judgment interest; and
- F. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, BMC respectfully demands a trial by jury on all issues so triable by jury.

DATED: May 31, 2024

Respectfully submitted,

By: /s/ Nicholas Najera

Hao Ni

Texas Bar No. 24047205

hni@nilawfirm.com

Nicholas Najera

Texas Bar No. 24127049

nnajera@nilawfirm.com

Ni, Wang & Massand, PLLC

8140 Walnut Hill Ln., Ste. 615

Dallas, TX 75231

Tel: (972) 331-4600

Fax: (972) 314-0900

COUNSEL FOR PLAINTIFF

BETTER MOUSE COMPANY, LLC