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19 *Attorneys for Plaintiff*
 20 VDPP LLC,

21 **IN THE UNITED STATES DISTRICT COURT**
 22 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
 23 **WESTERN DIVISION**

24 VDPP, LLC,
 25 Plaintiff,
 26
 27 v.
 28
 29 PIONEER ELECTRONICS (USA)
 30 INC.
 31 Defendant.

32 Case No.: 2:24-cv-06443
 33
 34 **PLAINTIFF’S ORIGINAL**
 35 **COMPLAINT FOR PATENT**
 36 **INFRINGEMENT**
 37
 38 **(35 U.S.C. § 271)**
 39
 40 **JURY TRIAL DEMANDED**

41 **PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

42 VDPP LLC (“Plaintiff” or “VDPP”) files this Original Complaint and demand
 43 for jury trial seeking relief from patent infringement of the claims of U.S. Patent No.
 44

1 10,021,380 (“the ’380 patent”) (referred to as the “Patent-in-Suit”) by PIONEER
2 ELECTRONICS (USA) INC. (“Defendant” or “PIONEER ELECTRONICS”).
3

4 **I. THE PARTIES**

5 1. Plaintiff is a company organized under the laws of Oregon with a principal
6 place of business located in Corvallis, Oregon.
7

8 2. On information and belief, Defendant is a Corporation organized and existing
9 under the laws of the State of Delaware. On information and belief, Defendant has an
10 established place of business in this District at 970 W 190th Street, Suite 360,
11 Torrance, California 90502. Defendant can be served with process through their
12 registered agent, CSC – Lawyers Incorporating Service, at 2710 Gateway Oaks Drive,
13 Sacramento, California, 95833, at its place of business, or anywhere else it may be
14 found.
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17 **II. JURISDICTION AND VENUE**

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

22 4. This Court has personal jurisdiction over Defendant because: (i) Defendant is
23 present within or has minimum contacts within the State of California and this judicial
24 district; (ii) Defendant has purposefully availed itself of the privileges of conducting
25 business in the State of California and in this judicial district; and (iii) Plaintiff’s cause
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1 of action arises directly from Defendant’s business contacts and other activities in the
2 State of California 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 California and
13 this District.

14 **III. INFRINGEMENT OF THE ’380 PATENT**

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16 6. On July 10, 2018, U.S. Patent No. 10,021,380 (“the ’380 patent”, included as
17 Exhibit A and part of this complaint) entitled “Faster State Transitioning for
18 Continuous Adjustable 3Deeps Filter Spectacles Using Multi-Layered Variable Tint
19 Materials” was duly and legally issued by the U.S. Patent and Trademark Office.
20
21 Plaintiff owns the ’380 patent by assignment.

22 7. The ’380 patent relates to methods and systems for modifying an image.

23
24 8. Defendant maintains, operates, and administers systems, products, and services
25 in the field of automotive manufacture that infringes one or more of claims of the ’380
26 patent, including one or more of claims 1-30, literally or under the doctrine of
27
28 equivalents. Defendant put the inventions claimed by the ’380 Patent into service (i.e.,

1 used them); but for Defendant's actions, the claimed-inventions embodiments
2 involving Defendant's products and services would never have been put into service.
3
4 Defendant's acts complained of herein caused those claimed-invention embodiments
5 as a whole to perform, and Defendant's procurement of monetary and commercial
6 benefit from it.

7
8 9. Support for the allegations of infringement may be found in the preliminary
9 exemplary table attached as Exhibit B. These allegations of infringement are
10 preliminary and are therefore subject to change.

11
12 10. Defendant has and continues to induce infringement. Defendant has actively
13 encouraged or instructed others (e.g., its customers and/or the customers of its related
14 companies), and continues to do so, on how to use its products and services (e.g.,
15 systems and methods related to modifying an image) such as to cause infringement of
16 one or more of claims 1-30 of the '380 patent, literally or under the doctrine of
17 equivalents. Moreover, Defendant has known of the '380 patent and the technology
18 underlying it from at least the filing date of the lawsuit.¹ For clarity, direct
19 infringement is previously alleged in this complaint.
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21

22
23 11. Defendant has and continues to contributorily infringe. Defendant has actively
24 encouraged or instructed others (e.g., its customers and/or the customers of its related
25 companies), and continues to do so, on how to use its products and services (e.g.,
26

27 _____
28 ¹ Plaintiff reserves the right to amend if discovery reveals an earlier date of
knowledge.

1 systems and methods related to modifying an image) such as to cause infringement of
2 one or more of claims 1-30 of the '380 patent, literally or under the doctrine of
3 equivalents. Moreover, Defendant has known of the '380 patent and the technology
4 underlying it from at least the filing date of the lawsuit.² For clarity, direct
5 infringement is previously alleged in this complaint.
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8 12. Defendant has caused and will continue to cause Plaintiff damage by direct and
9 indirect infringement of (including inducing infringement of) the claims of the '380
10 patent.
11

12 **IV. CONDITIONS PRECEDENT**

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

18 19 **V. JURY DEMAND**

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

22 23 **VI. PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff prays for relief as follows:
25

- 26 a. enter judgment that Defendant has infringed the claims of the '380 patent;

27 _____
28 ² Plaintiff reserves the right to amend 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
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25 g. award Plaintiff such other and further relief as this Court deems just and proper.
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Dated: July 31, 2024

Respectfully submitted,

RAMEY LLP

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