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19 MESA DIGITAL, LLC

20 **IN THE UNITED STATES DISTRICT COURT**  
21 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
22 **SOUTHERN DIVISION**

23 MESA DIGITAL, LLC,  
24 Plaintiff,  
25 v.  
26 COOLPAD TECHNOLOGIES, INC.,  
27 Defendant.

28 Case No.: 8:23-cv-02498

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

**(35 U.S.C. § 271)**

**JURY TRIAL DEMANDED**

**PLAINTIFF’S ORIGINAL COMPLAINT**

Plaintiff Mesa Digital, LLC files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of 9,031,537 (“the ‘537 patent”) (referred to as the “Patent-in-Suit”) by Coolpad Technologies, Inc., (“Defendant” or “Coolpad”).

1           **I.       THE PARTIES**

2           1. Mesa Digital, LLC is a New Mexico limited liability company with its principal place of  
3 business located in Albuquerque, New Mexico.

4           2. On information and belief, Coolpad is a company organized and existing under the laws of  
5 California with a principal place of business located at 530 Technology Dr., Irvine, CA 92618.  
6 Defendant can be served through its registered agent, Lily Chen, 5850 Oberlin Drive #240, San  
7 Diego, CA 92121, at its place of business or wherever they may be found.

8           3. On information and belief, Defendant sells and offers to sell products and services  
9 throughout California, including in this judicial district, introduces products and services that  
10 perform infringing methods or processes into the stream of commerce knowing that they would be  
11 sold in California and this judicial district, and otherwise directs infringing activities to this judicial  
12 district in connection with its products and services.  
13  
14

15           **II.       JURISDICTION AND VENUE**

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

20           5. This Court has personal jurisdiction over Defendant because: (i) Defendant is present  
21 within or has minimum contacts within the State of California and this judicial district; (ii)  
22 Defendant has purposefully availed itself of the privileges of conducting business in the State of  
23 California and in this judicial district; and (iii) Plaintiff's cause of action arises directly from  
24 Defendant's business contacts and other activities in the State of California and in this judicial  
25 district.  
26  
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28

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

### 9 **III. INFRINGEMENT**

#### 10 **A. Infringement of the ‘537 Patent**

11 7. On May 12, 2015, U.S. Patent No. 9,031,537 (“the ‘537 patent” (included as Exhibit A,  
12 the contents of which are fully incorporated by reference)) entitled “Electronic wireless hand held  
13 multimedia device” was duly and legally issued by the U.S. Patent and Trademark Office. Plaintiff  
14 owns the ‘537 patent by assignment.  
15

16 8. The ‘537 patent relates to novel and improved electronic wireless hand held media devices  
17 including a microprocessor and more than one wireless transceiver modules enabling wireless  
18 communication over a variety of standards, including Cellular (e.g., GSM, CDMA, GPRS, 3G),  
19 802.11 (i.e., WLAN), and short range (e.g., Bluetooth, infrared, RFID), for the retrieval, processing  
20 and delivery of multimedia data to/from remote data resources (i.e., Internet, servers).  
21

22 9. Defendant maintained, operated, manufactured, sold, offered for sale, and imported  
23 electronic wireless hand held media devices including a microprocessor and more than one  
24 wireless transceiver modules enabling wireless communications over a variety of standards,  
25 including Cellular (e.g., GSM, CDMA, GPRS, 3G), 802.11 (e.g., WLAN), and short range (i.g.,  
26 Bluetooth, infrared, RFID), for the retrieval, processing and delivery of multimedia data to/from  
27  
28

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

9 10. Support for the allegations of infringement may be found in the following exemplary table  
10 included as Exhibit B. These allegations of infringement are preliminary and are therefore subject  
11 to change.  
12

13 11. Defendant has caused Plaintiff damage by direct infringement of the claims of the '537  
14 patent.<sup>1</sup>  
15

16 12. Defendant has and continues to induce infringement. Defendant has actively encouraged  
17 or instructed others (e.g., its customers and/or the customers of its related companies), and  
18 continues to do so, on how to use its products and services including electronic wireless hand held  
19 media devices including a microprocessor and more than one wireless transceiver modules  
20 enabling wireless communications over a variety of standards, including Cellular (e.g., GSM,  
21 CDMA, GPRS, 3G), 802.11 (e.g., WLAN), and short range (i.g. Bluetooth, infrared, RFID), for  
22 the retrieval, processing and delivery of multimedia data to/from remote data resources (i.e.,  
23 Internet, servers) such as to cause infringement of one or more of claims 1-37 of the '537 patent.  
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28 <sup>1</sup> Plaintiff reserves the right to amend to add claims for indirect infringement, including inducement and contributory, and/or willful infringement, to the extent fact discovery shows Defendant's pre-expiration knowledge of the patent.

1 literally or under the doctrine of equivalents. Moreover, Defendant has known of the '537 patent  
2 and the technology underlying it from at least the filing date of the lawsuit.<sup>2</sup> For clarity, direct  
3 infringement is previously alleged in this complaint.

4  
5 13. Defendant has and continues to contributorily infringe. Defendant has actively encouraged  
6 or instructed others (e.g., its customers and/or the customers of its related companies), and  
7 continues to do so, on how to use its products and services including electronic wireless hand held  
8 media devices including a microprocessor and more than one wireless transceiver modules  
9 enabling wireless communications over a variety of standards, including Cellular (e.g., GSM,  
10 CDMA, GPRS, 3G), 802.11 (e.g., WLAN), and short range (i.g. Bluetooth, infrared, RFID), for  
11 the retrieval, processing and delivery of multimedia data to/from remote data resources (i.e.,  
12 Internet, servers) such as to cause infringement of one or more of claims 1-37 of the '537 patent,  
13 literally or under the doctrine of equivalents. Further, there are no substantial noninfringing uses  
14 for Defendant's products and services. Moreover, Defendant has known of the '537 patent and the  
15 technology underlying it from at least the filing date of the lawsuit.<sup>3</sup> For clarity, direct infringement  
16 is previously alleged in this complaint.

17  
18  
19 14. Defendant has caused and will continue to cause Plaintiff damage by direct and indirect  
20 infringement of (including inducing infringement of) the claims of the '537 patent.

21 **IV. JURY DEMAND**

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

23  
24 **V. PRAYER FOR RELIEF**

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<sup>2</sup> Plaintiff reserves the right to amend and add inducement pre-suit if discovery reveals an earlier date of knowledge.  
<sup>3</sup> Plaintiff reserves the right to amend and add inducement pre-suit if discovery reveals an earlier date of knowledge.

1 WHEREFORE, Plaintiff prays for relief as follows:

- 2 a. enter judgment that Defendant has infringed the claims of the '537 patent;
- 3 b. award Plaintiff damages in an amount sufficient to compensate it for Defendant's
- 4 infringement, in an amount no less than a reasonable royalty or lost profits, together with
- 5 pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- 6 c. award Plaintiff an accounting for acts of infringement not presented at trial and an award
- 7 by the Court of additional damage for any such acts of infringement; and,
- 8
- 9 award Plaintiff such other and further relief as this Court deems just and proper.

10 Dated: December 29, 2023

Respectfully submitted,

11 MAHAMEDIP LAW LLP

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