

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

KOJI IP, LLC,

Plaintiff,

v.

OSSIA INC.

Defendant.

Case No.: 2:25-cv-00993

**PLAINTIFF’S COMPLAINT FOR  
PATENT INFRINGEMENT**

**(35 U.S.C. § 271)**

**JURY TRIAL DEMANDED**

Koji IP, LLC (“Plaintiff” or “Koji”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 10,790,703 (“the ’703 patent”) (referred to as the “Patent-in-Suit”) by Defendant OSSIA INC.

**I. THE PARTIES**

1. Plaintiff is a Texas Limited Liability Company with its principal place of business located in Travis County, Texas.

1       2. On information and belief, Defendant is a corporation organized and existing  
2 under the laws of the State of Delaware, with a regular and established place of  
3 business located at 2683 151ST PL NE, Redmond, WA 98052.

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5       3. Defendant can be served with process through their registered Washington  
6 agent, CAPITOL CORPORATE SERVICES, INC., 1780 BARNES BLVD SW,  
7 TUMWATER, WA, 98512. Defendant can also be served with process through their  
8 registered Delaware agent, CAPITOL SERVICES, INC., 108 Lakeland Ave., Dover,  
9 DE 19901, at Defendant's place of business, or anywhere else Defendant may be  
10 found.  
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13       4. On information and belief, Defendant sells and offers to sell products and  
14 services throughout Washington, including in this judicial district, and introduces  
15 products and services that perform infringing methods or processes into the stream of  
16 commerce knowing that they would be sold in Washington and this judicial district.  
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## 18       **II. JURISDICTION AND VENUE**

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20       5. 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       6. This Court has personal jurisdiction over Defendant because: (i) Defendant is  
25 present within or has minimum contacts within the State of Washington and this  
26 judicial district; (ii) Defendant has purposefully availed itself of the privileges of  
27 conducting business in the State of Washington and in this judicial district; and (iii)  
28

1 Plaintiff's cause of action arises directly from Defendant's business contacts and other  
2 activities in the State of Washington and in this judicial district.

3  
4 7. Venue is proper in this district under 28 U.S.C. § 1400(b). Defendant has  
5 committed acts of infringement and has a regular and established place of business in  
6 this District. Further, venue is proper because Defendant conducts substantial  
7 business in this forum, directly or through intermediaries, including: (i) at least a  
8 portion of the infringements alleged herein; and (ii) regularly doing or soliciting  
9 business, engaging in other persistent courses of conduct and/or deriving substantial  
10 revenue from goods and services provided to individuals in Washington and this  
11 District.  
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### 14 **III. INFRINGEMENT - Infringement of the '703 Patent**

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16 8. On September 29, 2020, U.S. Patent No. 10,790,703 ("the '703 patent",  
17 included as Exhibit A and part of this complaint) entitled "Smart wireless power  
18 transfer between devices" was duly and legally issued by the U.S. Patent and  
19 Trademark Office. Plaintiff owns the '703 patent by assignment.  
20

21 9. The '703 patent relates to novel and improved methods and systems for  
22 wireless power charging.  
23

24 10. Defendant maintains, operates, and administers systems, products, and services  
25 that infringes one or more of claims 1-4 of the '703 patent, literally or under the  
26 doctrine of equivalents. Defendant put the inventions claimed by the '703 Patent into  
27 service (i.e., used them); but for Defendant's actions, the claimed-inventions  
28

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

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

10 12.Defendant has and continues to induce infringement. Defendant has actively  
11 encouraged or instructed others (e.g., its customers and/or the customers of its related  
12 companies), and continues to do so, on how to use its products and services (e.g., for  
13 wireless power charging) such as to cause infringement of one or more of claims 1-4  
14 of the '703 patent, literally or under the doctrine of equivalents. Moreover, Defendant  
15 has known of the '703 patent and the technology underlying it from at least the filing  
16 date of the lawsuit.<sup>1</sup> For clarity, direct infringement is previously alleged in this  
17 complaint.  
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21 13.Defendant has and continues to contributorily infringe. Defendant has actively  
22 encouraged or instructed others (e.g., its customers and/or the customers of its related  
23 companies), and continues to do so, on how to use its products and services (e.g., for  
24 wireless power charging) and related services such as to cause infringement of one or  
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28 <sup>1</sup> Plaintiff reserves the right to amend and add inducement pre-suit if discovery reveals an earlier date of knowledge.

1 more of claims 1-4 of the '703 patent, literally or under the doctrine of equivalents.  
2 Further, there are no substantial non-infringing uses for Defendant's products and  
3 services. Moreover, Defendant has known of the '703 patent and the technology  
4 underlying it from at least the filing date of the lawsuit.<sup>2</sup> The product's and services'  
5 only reasonable use is an infringing use and there is no evidence to the contrary. The  
6 product and service is not a staple commercial product and Defendant had reason to  
7 believe that the customer's use of the product and/or service would be an infringing  
8 use. For clarity, direct infringement is previously alleged in this complaint.  
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12 14. Defendant has caused and will continue to cause Plaintiff damage by direct and  
13 indirect infringement of (including inducing infringement of) the claims of the '703  
14 patent.  
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#### 16 **IV. CONDITIONS PRECEDENT**

17 15. Plaintiff has never sold a product. Upon information and belief, Plaintiff  
18 predecessor-in-interest has never sold a product. Plaintiff is a non-practicing entity,  
19 with no products to mark. Plaintiff has pled all statutory requirements to obtain pre-  
20 suit damages. Further, all conditions precedent to recovery are met. Under the rule of  
21 reason analysis, Plaintiff has taken reasonable steps to ensure marking by any licensee  
22 producing a patented article.  
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28 <sup>2</sup> Plaintiff reserves the right to amend and add inducement pre-suit if discovery reveals an earlier date of knowledge.

1 16.Plaintiff and its predecessors-in-interest have entered into settlement licenses  
2 with several defendant entities, but none of the settlement licenses were to produce a  
3 patented article, for or under the Plaintiff's patents. Duties of confidentiality prevent  
4 disclosure of settlement licenses and their terms in this pleading, but discovery will  
5 show that Plaintiff and its predecessors-in-interest have substantially complied with  
6 Section 287(a). Furthermore, each of the defendant entities in the settlement licenses  
7 did not agree that they were infringing any of Plaintiff's patents, including the Patent-  
8 in-Suit, and thus were not entering into the settlement license to produce a patented  
9 article for Plaintiff or under its patents. Further, to the extent necessary, Plaintiff will  
10 limit its claims of infringement to method claims and thereby remove any requirement  
11 for marking.  
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16 17.To the extent Defendant identifies an alleged unmarked product produced for  
17 Plaintiff or under Plaintiff's patents, Plaintiff will develop evidence in discovery to  
18 either show that the alleged unmarked product does not practice the Patent-in-suit,  
19 and that Plaintiff has substantially complied with the marking statute. Defendant has  
20 failed to identify any alleged patented article for which Section 287(a) would apply.  
21 Further, Defendant has failed to allege any defendant entity produce a patented article.  
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24 18.The policy of § 287 serves three related purposes: (1) helping to avoid innocent  
25 infringement; (2) encouraging patentees to give public notice that the article is  
26 patented; and (3) aiding the public to identify whether an article is patented.  
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1 19. These policy considerations are advanced when parties are allowed to freely  
2 settle cases without admitting infringement and thus do not require marking. All  
3 settlement licenses were to end litigation and thus the policies of §287 are not violated.  
4 Such a result is further warranted by 35 U.S.C. §286 which allows for the recovery of  
5 damages for six years prior to the filing of the complaint.  
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8 20. For each previous settlement license, Plaintiff understood that (1) the  
9 settlement license was the end of litigation between the defendant entity and Plaintiff  
10 and was not a license where the defendant entity was looking to sell a product under  
11 any of Plaintiff's patents; (2) the settlement license was entered into to terminate  
12 litigation and prevent future litigation between Plaintiff and defendant entity for  
13 patent infringement; (3) defendant entity did not believe it produced any product that  
14 could be considered a patentable article under 35 U.S.C. §287; and, (4) Plaintiff  
15 believes it has taken reasonable steps to ensure compliance with 35 U.S.C. §287 for  
16 each prior settlement license.  
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20 21. Each settlement license that was entered into between the defendant entity and  
21 Plaintiff was negotiated in the face of continued litigation and while Plaintiff believes  
22 there was infringement, no defendant entity agreed that it was infringing. Thus, each  
23 prior settlement license reflected a desire to end litigation and as such the policies of  
24 §287 are not violated.  
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## 26 **V. JURY DEMAND**

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

## VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the '703 patent;
- b. award Plaintiff damages in an amount sufficient to compensate it for Defendant's infringement of the Patents-in-Suit in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award Plaintiff an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Plaintiff its attorneys' fees, expenses, and costs incurred in this action;
- e. provided discovery reveals that Defendant knew (1) knew of the patent-in-suit prior to the filing date of the lawsuit; (2) after acquiring that knowledge, it infringed the patent; and (3) in doing so, it knew, or should have known, that its conduct amounted to infringement of the patent, declare Defendants' infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (if) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from



1 infringing the claims of the Patents-in-Suit, or (ii) awards damages for future  
2 infringement in lieu of an injunction in an amount consistent with the fact that  
3 for future infringement the Defendant will be an adjudicated infringer of a valid  
4 patent, and trebles that amount in view of the fact that the future infringement  
5 will be willful as a matter of law; and  
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8 g. award Plaintiff such other and further relief as this Court deems just and proper.  
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12 Dated: May 21, 2025

Respectfully submitted,

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14 NEXTLAW, PLLC

15  
16 By:



Deborah A. Purcell, WSBA #32215

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Daniel J. Gerl, WSBA #36586  
Attorneys for Plaintiffs

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20 *Attorneys for Plaintiff*  
21 *Koji IP LLC*  
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**DEMAND FOR JURY TRIAL**

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

Dated: May 21, 2025

Respectfully submitted,

By:   
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***KOJI IP, LLC***