

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

USB BRIDGE SOLUTIONS, LLC,

Plaintiff

-against-

SHENZHEN KINGSPEC ELECTRONICS
TECHNOLOGY CO., LTD. and KEZOLL
TECHNOLOGY CO., LTD.

Defendants

Civil Action No.: 1:17-cv-01160

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff USB Bridge Solutions, LLC (“USBBS” or “Plaintiff”), by and through its undersigned attorneys, alleges, with knowledge with respect to its own acts, and on information and belief as to other matters, by way of this Complaint against Defendants Shenzhen KingSpec Electronics Technology Co., Ltd. (“Shenzhen-KingSpec”) and Kezoll Technology Co., Ltd. (“Kezoll”) (collectively, “Defendants”) as follows:

PARTIES

1. USBBS is a limited liability company organized and existing under the laws of the State of Georgia, having its principal place of business at The Forum, Suite 140, 3930 E. Jones Bridge Road, Peachtree Corners, GA 30092.
2. Defendant Shenzhen-KingSpec is a Chinese entity, with headquarters at 3rd/F., 4th Block, Tongfuyu Ind. Park, Tanglang, Xili, Nanshan, Shenzhen, China.
3. Defendant Kezoll is a Chinese entity, with headquarters at B402, Xinyue Plaza, Huabanli, Pinghu Street, Longgang, Shenzhen, China.

JURISDICTION AND VENUE

4. USBBS brings this action under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.*, against Shenzhen-KingSpec and Kezoll for infringement of United States Patent No. 7,231,485.
5. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
6. Shenzhen-KingSpec is subject to the personal jurisdiction of this Court because, among other things, Shenzhen-KingSpec has committed and continues to commit acts of patent infringement in the State of Texas, directly, and/or through authorized distributors, including by making, using, offering to sell, and/or selling Accused Products and services in the State of Texas, and/or importing the Accused Products and services into the State of Texas. In addition, or in the alternative, this Court has personal jurisdiction over Shenzhen-KingSpec pursuant to Fed. R. Civ. P. 4(k)(2).
7. Kezoll is subject to the personal jurisdiction of this Court because, among other things, Kezoll has committed and continues to commit acts of patent infringement in the State of Texas by acting as an authorized distributor of Shenzhen-KingSpec's Accused Products, including by, offering to sell, and/or selling accused products and services in Texas, and/or importing the Accused Products into the State of Texas. In addition, or in the alternative, this Court has personal jurisdiction over Shenzhen-KingSpec pursuant to Fed. R. Civ. P. 4(k)(2).
8. Venue is proper as to Shenzhen-KingSpec in this district under 28 U.S.C. § 1391(c) because, *inter alia*, Shenzhen-KingSpec is a foreign corporation.
9. Venue is proper as to Kezoll in this district under 28 U.S.C. § 1391(c) because, *inter alia*, Kezoll is a foreign corporation.

SINGLE ACTION

10. This suit is commenced against Defendants Shenzhen-KingSpec and Kezoll pursuant to 35 U.S.C. § 299 in a single action because, *inter alia*, upon information and belief, Defendant Kezoll is an authorized distributor of Shenzhen-KingSpec's Accused Products in the United States and imports and/or offers for sale and/or sells Shenzhen-KingSpec Accused Products in the United States, which are designed and/or manufactured by Shenzhen-KingSpec.

11. Accordingly, Shenzhen-KingSpec and Kezoll's infringement arises out of the same transaction, occurrence, or series of transactions or occurrences relating to the making, using, importing into the United States, offering for sale, or selling of the same Accused Products, and questions of fact common to both Defendants will arise in this action pursuant to 35 U.S.C. § 299.

BACKGROUND

12. On June 12, 2007, the United States Patent and Trademark Office duly and lawfully issued United States Patent No. 7,231,485 ("the Patent-in-Suit" or the "'485 Patent"), entitled "Universal Serial Bus (USB) Interface for Mass Storage Device".

13. David H. Harris, Gordon R. Clark, and Stephen D. Holland invented the technology claimed in the '485 Patent.

14. USBBS is the assignee and owner of the right, title, and interest in and to the '485 Patent, including the right to assert all claims arising under said patent and the right to any remedies for infringement, including the right to recover for past damages.

COUNT I: INFRINGEMENT OF THE '485 PATENT BY SHENZHEN-KINGSPEC

15. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

16. Shenzhen-KingSpec has infringed, and continues to infringe, the '485 Patent pursuant to

35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States mSATA Enclosures, NGFF Enclosures, Z1-SXXX drives, Z1-MXXX drives, and all other external or portable drives and drive enclosures comprising a USB interface, SATA functionality, and that infringe at least one claim of the '485 Patent ("Accused Products").

17. For example, Shenzhen-KingSpec has infringed at least claim 5 of the '485 Patent by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products comprising a motherboard for a storage device, such as the "USB3.0 TO NGFF(M.2) SSD HARD DISK BOX." The Accused Products include a bridging System-on-Chip, such as the ASM1153E. *See* Ex. 1, ASM1153E Webpage Description ("ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated SuperSpeed USB3.0, High Speed USDB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self designed PHYs."). *See also* Ex. 2, Photograph of a Shenzhen-KingSpec motherboard for a mass storage device (from a USB3.0 TO NGFF(M.2) SSD HARD DISK BOX product).

18. The Accused Products comprise input logic configured to receive an input signal from a read unit of the mass storage device. *See* Ex. 1 ("Compliant with Serial ATA Specification Revision 3.0 . . . Serial ATA bus up to 6Gbps Signal bandwidth . . . Support ATA/ATAPI Packet Command Set . . . Support ATA/ATAPI LBA48 addressing mode.")

19. The Accused Products comprise a bridging circuit configured to receive the input signal from the input logic and convert the input signal into a USB signal. Ex. 1, The ASM 1153E webpage ("Customers can easily enhance their storage device performance with ASM1153 since it also integrates an 8-bit micro-processor and embedded RAM to provide a cutting edge solution

in USB to SATA device enclosure market.” “ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated SuperSpeed USB3.0, High Speed USB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self -designed PHYs.”).

20. On information and belief, the bridging circuit includes a USB physical interface transceiver. Ex. 1, The ASM 1153E webpage (“Compliant with USB3.0 Specification Revision 1.0 . . . Compliant with USB Specification Revision 2.0.”) *See also* Ex. 3, Universal Serial Bus Specification, Revision 2.0, p. 120 (“Figure 7-1 depicts an example implementation which largely utilizes USB 1.1 transceiver elements and adds the new elements required for high-speed operation.”).

21. On information and belief, the bridging circuit includes a serial interface engine coupled to the USB physical interface transceiver. *See* Ex. 4, Universal Serial Bus Specification, Revision 2.0, p. 32, Fig. 5-9 (depicting serial interface engine (SIE)). The serial interface engine is coupled to the USB physical interface transceiver, such as by a bus.

22. On information and belief, the bridging circuit includes an input/output interface coupled to the serial interface engine. *See* Ex. 4-5, Universal Serial Bus Specification, Revision 2.0, p. 32, Fig. 5-9 and p. 33, Fig. 5-10 (a serial interface that is coupled to the USB physical interface). In another example, the conversion logic includes a peripheral interface, which is an input/output interface. The exemplary interfaces are coupled to the serial interface engine, such as by a bus.

23. On information and belief, the bridging circuit includes a ram control circuit coupled to the input/output interface, such as RAM and buffer control circuits internal to the ASM1153. *See, e.g.,* Ex. 1 (“Customers can easily enhance their storage device performance with ASM1153 since it also integrates an 8-bit micro-processor and embedded RAM to provide a cutting edge

solution in USB to SATA device enclosure market.”).

24. On information and belief, the bridging circuit includes a global control circuit coupled to the input/output interface. For example, the Accused Products include USB Device Control, SATA Host Control, and/or microprocessor global control circuits. *See, e.g.*, Ex. 1. The exemplary global control circuits are coupled to the input/output interface, such as by a bus.

25. On information and belief, the bridging circuit includes a translate circuit coupled to the global control circuit. For example, the microprocessor includes the translate circuit. *See* Ex. 1. The microprocessor is coupled to the global control circuit, such as by a bus.

26. On information and belief, the bridging circuit includes a disk interface coupled to the ram control circuit and the translate circuit, such as the SATA PHY and accompanying circuitry. *See* Ex. 1 (“Compliant with Serial ATA Specification Revision 3.0 . . . Serial ATA bus up to 6Gbps Signal bandwidth.” “ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated SuperSpeed USB3.0, High Speed USDB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self designed PHYs.”).

27. The Accused Products include output circuitry configured to output the USB signals from the motherboard. For example, circuit boards in the Accused Products include circuitry between the USB output pins of the bridging chip and the physical USB port on the circuit board. *See, e.g.*, Ex. 2.

28. On information and belief, Shenzhen-KingSpec has infringed and continues to infringe the ’485 Patent without a license.

COUNT II: INFRINGEMENT OF THE ’485 PATENT BY KEZOLL

29. Plaintiff incorporates the preceding paragraphs as if fully set forth herein.

30. On information and belief, Kezoll has infringed, and continues to infringe, the ’485

Patent pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, offering to sell, selling in the United States, or importing into the United States the Accused Products.

31. For example, on information and belief, Kezoll has infringed at least claim 5 of the '485 Patent by making, using, offering to sell, selling in the United States or importing into the United States the Accused Products comprising a motherboard for a storage device, such as the "USB3.0 TO NGFF(M.2) SSD HARD DISK BOX." On information and belief, the Accused Products include a bridging System-on-Chip, such as the ASM1153E. *See* Ex. 1, ASM1153E Webpage Description ("ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated SuperSpeed USB3.0, High Speed USB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self designed PHYs."). *See also* Ex. 2, Photograph of a Shenzhen-KingSpec motherboard for a mass storage device (from a USB3.0 TO NGFF(M.2) SSD HARD DISK BOX product).

32. The Accused Products comprise input logic configured to receive an input signal from a read unit of the mass storage device. *See* Ex. 1 ("Compliant with Serial ATA Specification Revision 3.0 . . . Serial ATA bus up to 6Gbps Signal bandwidth . . . Support ATA/ATAPI Packet Command Set . . . Support ATA/ATAPI LBA48 addressing mode.").

33. The Accused Products comprise a bridging circuit configured to receive the input signal from the input logic and convert the input signal into a USB signal. Ex. 1, The ASM 1153E webpage ("Customers can easily enhance their storage device performance with ASM1153 since it also integrates an 8-bit micro-processor and embedded RAM to provide a cutting edge solution in USB to SATA device enclosure market." "ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated

SuperSpeed USB3.0, High Speed USB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self-designed PHYs.”).

34. On information and belief, the bridging circuit includes a USB physical interface transceiver. Ex. 1, The ASM 1153E webpage (“Compliant with USB3.0 Specification Revision 1.0 . . . Compliant with USB Specification Revision 2.0.”) *See also* Ex. 3, Universal Serial Bus Specification, Revision 2.0, p. 120 (“Figure 7-1 depicts an example implementation which largely utilizes USB 1.1 transceiver elements and adds the new elements required for high-speed operation.”).

35. On information and belief, the bridging circuit includes a serial interface engine coupled to the USB physical interface transceiver. *See* Ex. 4, Universal Serial Bus Specification, Revision 2.0, p. 32, Fig. 5-9 (depicting serial interface engine (SIE)). The serial interface engine is coupled to the USB physical interface transceiver, such as by a bus.

36. On information and belief, the bridging circuit includes an input/output interface coupled to the serial interface engine. *See* Ex. 4-5, Universal Serial Bus Specification, Revision 2.0, p. 32, Fig. 5-9 and p. 33, Fig. 5-10 (a serial interface that is coupled to the USB physical interface). In another example, the conversion logic includes a peripheral interface, which is an input/output interface. The exemplary interfaces are coupled to the serial interface engine, such as by a bus.

37. On information and belief, the bridging circuit includes a ram control circuit coupled to the input/output interface, such as RAM and buffer control circuits internal to the ASM1153. *See, e.g.*, Ex. 1 (“Customers can easily enhance their storage device performance with ASM1153 since it also integrates an 8-bit micro-processor and embedded RAM to provide a cutting edge solution in USB to SATA device enclosure market.”).

38. On information and belief, the bridging circuit includes a global control circuit coupled to

the input/output interface. For example, the Accused Products include USB Device Control, SATA Host Control, and/or microprocessor global control circuits. *See, e.g.*, Ex. 1. The exemplary global control circuits are coupled to the input/output interface, such as by a bus.

39. On information and belief, the bridging circuit includes a translate circuit coupled to the global control circuit. For example, the microprocessor includes a translate circuit. *See* Ex. 1. The microprocessor is coupled to the global control circuit, such as by a bus.

40. On information and belief, the bridging circuit includes a disk interface coupled to the ram control circuit and the translate circuit, such as the SATA PHY and accompanying circuitry. *See* Ex. 1 (“Compliant with Serial ATA Specification Revision 3.0 . . . Serial ATA bus up to 6Gbps Signal bandwidth.” “ASM1153E is the ASMedia third generation single chip solution, bridging the USB3.0 to Serial SATA host interface with highly integrated SuperSpeed USB3.0, High Speed USDB2.0 and SATA1.5/3.0/6.0 Gbps ASMedia self designed PHYs.”).

41. The Accused Products include output circuitry configured to output the USB signals from the motherboard. For example, circuit boards in the Accused Products include circuitry between the USB output pins of the bridging chip and the physical USB port on the circuit board. *See, e.g.*, Ex. 2.

42. Kezoll is a distributor for Shenzhen-KingSpec and sells, offers for sale, imports, or otherwise distributes Accused Products in the United States and in the State of Texas.

43. Kezoll has infringed and continues to infringe the '485 Patent without a license.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment in its favor against each of the Defendants, individually and jointly and severally, and specifically, for the following relief:

A. Entry of judgment in favor of USBBS against the Defendants on all counts;

- B. Entry of judgment that the Defendants have infringed the Patent-in-Suit;
- C. Award of compensatory damages adequate to compensate USBBS for Defendants' infringement of the Patent-in-Suit, in no event less than a reasonable royalty as provided by 35 U.S.C. § 284;
- D. USBBS's costs;
- E. Pre-judgment and post-judgment interest on USBBS's award; and
- F. All such other and further relief as the Court deems just or equitable.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Fed. R. Civ. Proc., Plaintiff hereby demands trial by jury in this action of all claims so triable.

Dated: December 12, 2017

Respectfully submitted,

/s/ Craig S. Jepson

Craig S. Jepson
Texas State Bar No. 24061364
cjepson@tlgiplaw.com
Jeffrey G. Toler
(*Pro Hac Vice* motion to be filed)
jtoler@tlgiplaw.com
Aakash S. Parekh
(*Pro Hac Vice* motion to be filed)
aparekh@tlgiplaw.com
TOLER LAW GROUP, PC
8500 Bluffstone Cove
Suite A201
Austin, TX 78759
(512) 327-5515

Dmitry Kheyfits — Lead Counsel
(*Pro Hac Vice* motion to be filed)
dkheyfits@kheyfits.com
Andrey Belenky
(*Pro Hac Vice* motion to be filed)
abelenky@kheyfits.com

Hanna G. Cohen
(*Pro Hac Vice* motion to be filed)
hgcohen@kheyfits.com
KHEYFITS P.C.
1140 Avenue of the Americas
9th Floor
New York, New York 10036
Tel. (212) 203-5399
Fax. (212) 203-6445

*Attorneys for Plaintiff USB Bridge Solutions,
LLC*