IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DDC TECHNOLOGY, LLC,	
Plaintiff,	**Case No.: 1:21-cv-05596**
v.	
UNOFFICIAL CARDBOARD, INC.,	**JURY TRIAL DEMANDED**
Defendant.	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff DDC Technology, LLC complains of Defendant Unofficial Cardboard, Inc. as follows:

NATURE OF LAWSUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. DDC Technology, LLC ("DDC" of "Plaintiff") is a limited liability company formed and existing under the laws of the State of Delaware.

3. DDC is the named assignee of, owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 9,420,075, entitled "Virtual Reality Viewer and Input Mechanism," which issued on August 16, 2016 ("the '075 Patent") (a true and correct copy is attached as Exhibit A); United States Patent No. 9,811,184, entitled "Virtual Reality Viewer and Input Mechanism," which issued on November 7, 2017 ("the '184 Patent") (a true and correct copy is attached as Exhibit B); United States Patent No. 10,528,199, entitled "Virtual Reality Viewer and Input Mechanism," which issued on January 7, 2020 ("the '199 Patent") (a

true and correct copy is attached as Exhibit C); United States Patent No. 11,093,000, entitled "Virtual Reality Viewer and Input Mechanism," which issued on August 17, 2021 ("the '000 Patent") (a true and correct copy is attached as Exhibit D); and United States Patent No. 11,093,001, entitled "Virtual Reality Viewer and Input Mechanism," which issued on August 17, 2021 ("the '001 Patent") (a true and correct copy is attached as Exhibit E) (collectively, the "Asserted Patents").

4. The Asserted Patents were invented by Patrick Buckley. Mr. Buckley co-founded DODOcase, Inc. in the basement of Mr. Buckley's home with the mission of making mobile device accessories that were built by local craftsman.

5. In 2014, DODOcase anticipated a growing mobile device accessories market, particularly for affordable virtual reality accessories that worked with smartphones. Mr. Buckley, an MIT trained mechanical engineer and inventor of multiple patents, recognized some breakthrough improvements that could be made to then-existing smartphone virtual reality accessories and filed for patent protection for an innovative way to make a low-cost virtual reality input system for touchscreen devices. DODOcase launched four virtual reality smartphone accessories in 2014 and sold over one-million smartphone virtual reality viewers.

6. For seven years, DODOcase manufactured and sold mobile device accessories made in the United States of America. Most of its products were built in a factory it built in San Francisco. DODOcase sold millions of products and was recognized globally as a premium brand for mobile accessories.

7. In 2016, DODOcase was forced to abandon the sale and production of products that used its own patented technology because of severe price pressures resulting from infringers importing competitive products.

8. On or about October 16, 2018, the Asserted Patents were assigned to DDC. As part of that assignment, DODOcase retained a financial interest related to recoveries from enforcement of the Asserted Patents.

9. Based upon public information, Unofficial Cardboard, Inc. ("Unofficial Cardboard" or "Defendant") is an Illinois corporation with a principal address at 321 North Clark Street, Suite 500, Chicago, Illinois 60654. Unofficial Cardboard maintains a registered agent of Richard Oleff (who is also listed as president) at 1151 Walden Lane, Deerfield, Illinois 60015.

10. Unofficial Cardboard makes or has made, offers to sell, and sells the Accused Products subject to this patent infringement action as set forth in more detail below. Unofficial Cardboard has made branded virtual reality viewers for, and/or sold or distributed virtual reality views to or on behalf of, several major companies including: Adobe, Best Western, Farmers, Nasdaq, McDonald's, and Cisco. (See https://www.unofficialcardboard.com/pages/our-work).

JURISDICTION AND VENUE

11. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).

12. Personal jurisdiction is proper in this Court. Unofficial Cardboard maintains its principal place of business in this Judicial District. Further, Unofficial Cardboard has minimum contacts with the State of Illinois, and has purposefully availed itself of the privileges of conducting business in the State of Illinois, including through the sale and offer for sale of the Accused Products throughout the State of Illinois and this Judicial District.

13. Venue in this judicial district is proper under 28 U.S.C. § 1400(b) because Unofficial Cardboard resides in this Judicial District as confirmed by its incorporation in Illinois and principal place of business in this Judicial District.

THE ACCUSED PRODUCTS

14. Unofficial Cardboard infringed, and continues to infringe, the Asserted Patents by making or having made, offering to sell, and selling Unofficial Cardboard's UC 2.0 and UC 2.0+ virtual reality headsets, which include a "Button Input" comprising a "conductive foil push button" and a "conductive foam pad to tap screen" of a mobile electronic device (collectively referred to herein as the "Accused Products"):

(See https://www.unofficialcardboard.com/products/uc-2-0 and https://www.unofficialcardboard.com/products/uc-2-0-plus).

15. The Accused Products are virtual reality viewers designed to operate with a mobile electronic device having a touchscreen (*e.g.*, "smartphone"). (See, *e.g.*, https://www.youtube.com/watch?v=ulmHHcjzKgg).

16. The Accused Products include two lenses for viewing the mobile electronic device:

(See https://www.unofficialcardboard.com/products/uc-2-0 and https://www.unofficialcardboard.com/products/uc-2-0-plus).

17. The Accused Products comprise a housing configured to receive and hold the mobile electronic device such that the touchscreen is generally centered in a horizontal direction directly in a user's field of view. (See, *e.g.*, https://www.youtube.com/watch?v=ulmHHcjzKgg).

18. The Accused Products further include an input mechanism that is accessible on the exterior of the Accused Products – Unofficial Cardboard describes the input mechanism as a "Button Input" comprising a "conductive foil push button":

The Unofficial Cardboard 2.0

Button Input

- Manage VR content without a finger touch
- Conductive foil push button
- Conductive foam pad to tap screen

The Unofficial Cardboard 2.0+

Button Input

- Manage VR content without a finger touch
- Conductive foil push button
- Conductive foam pad to tap screen

(See https://www.unofficialcardboard.com/products/uc-2-0 and https://www.unofficialcardboard.com/products/uc-2-0-plus).

19. The Accused Products' "conductive foam pad" (a capacitive material designed to create a touch event on the touchscreen of a mobile electronic device), when in a second (or extended) position, is configured to contact and contacts the touchscreen of the mobile electronic device within the virtual reality viewer housing:

Button Input

- Manage VR content without a finger touch
- Conductive foil push button
- Conductive foam pad to tap screen

Button Input

- Manage VR content without a finger touch
- Conductive foil push button
- Conductive foam pad to tap screen

(See https://www.unofficialcardboard.com/products/uc-2-0 and https://www.unofficialcardboard.com/products/uc-2-0-plus).

20. The Accused Products include all substantively similar products (including other virtual reality viewers that comprise a "Button Input" for use with a touchscreen of a mobile electronic device) and any predecessor and/or successor versions of the foregoing.

21. After adequate discovery, DDC may seek leave to amend this Complaint to include additional details of infringement, if any, by other products hereafter discovered to infringe the Asserted Patents.

COUNT I:
INFRINGEMENT OF UNITED STATES PATENT NO. 9,420,075

22. DDC realleges and incorporates by reference paragraphs 1 through 21, inclusive, as though fully set forth herein.

23. Unofficial Cardboard's use, sale, offers for sale, and manufacture of the Accused Products directly infringed, and continues to infringe, at least independent Claims 1, 18, and 20 of the '075 Patent.

CLAIM 1

24. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a touchscreen.

25. The Accused Products comprise a housing configured to receive the mobile electronic device.

26. Said housing is configured to hold the mobile electronic device such that the touchscreen is generally centered in a horizontal direction and directly in a user's field of view when looking into a generally hollow interior of the housing through a side opposite the touchscreen.

27. The Accused Products include an input mechanism that is accessible from an exterior of the housing and is moveable within the interior between at least a first position and an extended position.

28. Said input mechanism comprises an electrical shield having a surface, wherein only a portion of the surface of the electrical shield is configured to contact a central region of the touchscreen of the mobile electronic device when the input mechanism is in the extended position.

29. The Accused Products likely also infringe dependent Claims 2-15 of the '075 Patent.

CLAIM 18

30. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a capacitive touchscreen.

31. The Accused Products comprise a housing configured to receive the mobile electronic device and substantially enclose the touchscreen within a generally hollow interior of the housing, wherein the housing holds the touchscreen in a position that is generally centered in a horizontal direction and directly in a user's field of view when viewing the touchscreen through a back wall of the housing, wherein the back-wall is opposite the touchscreen and includes a left and a right lens for viewing a left region and a right region of the interior and the touchscreen.

32. The Accused Products include an input device including, a first portion that is accessible from an exterior of the housing, and an elongate[d] second portion disposed within the interior of the housing between the left and right regions wherein the second portion is generally oriented in a vertical direction that is perpendicular to the horizontal direction.

33. Said input device comprises an electric shield, wherein a first surface of the electric shield is disposed on the first portion and is electrically coupled to a second surface of the electric shield, wherein the second surface is disposed on the second portion within the interior and is

generally centered in the horizontal direction between the left and right regions, and wherein only the second surface of the electric shield is configured to contact a central portion of the touchscreen of the mobile electronic device and selectively transfer a capacitive touch input to the touchscreen in response to a user interaction with the first portion of the input mechanism.

34. The Accused Products likely also infringe dependent Claim 19 of the '075 Patent.

CLAIM 20

35. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a capacitive touchscreen.

36. The Accused Products comprise a housing configured to receive a mobile electronic device within an interior of the housing, wherein the housing is formed to define a cut-out through an exterior side of the housing.

37. The Accused Products include an input mechanism that is accessible from an exterior of the housing and is moveable within the interior between at least a first position and an extended position.

38. Said input mechanism comprises a lever that is accessible through the cut-out; an electrical shield, wherein only portion of a surface of the electrical shield is configured to contact the touchscreen of the mobile electronic device when in the extended position, a flexible linkage coupled to the lever and the housing, wherein the linkage is configured to deform in response to actuation of the lever and thereby guide the portion of the surface between the first position and the extended position, and wherein at least a portion of the input mechanism defines at least a portion of a view divider within the interior of the housing.

39. To the extent required by law, DDC has complied with, and requires each licensee to comply with, the provisions of 35 U.S.C. § 287.

40. Unofficial Cardboard's direct infringement as described above has injured and will continue to injure DDC as long as such infringement continues.

41. DDC is entitled to recover damages adequate to compensate it for such infringement but in no event less than a reasonable royalty for Unofficial Cardboard's infringement of the Asserted Patents, together with interest and costs.

COUNT II:
INFRINGEMENT OF UNITED STATES PATENT NO. 9,811,184

42. DDC realleges and incorporates by reference paragraphs 1 through 21, inclusive, as though fully set forth herein.

43. Unofficial Cardboard's use, sale, offers for sale, and manufacture of the Accused Products directly infringed, and continue to infringe, at least independent Claim 12 of the '184 Patent.

CLAIM 12

44. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a touchscreen.

45. The Accused Products comprise a first lens and a second lens, wherein the first lens is facing the same direction as the second lens and wherein the first lens and the second lens are spaced apart in a horizontal direction.

46. The Accused Products comprise an enclosure having a first side and a second side opposite the first side, the first side configured to hold the first lens and the second lens, the second side configured to receive the mobile electronic device.

47. The Accused Products include a user input that is accessible from an exterior of the enclosure and has a first position and a second position.

48. The Accused Products include a touchscreen input conductively coupled to the user input and generally centered between the first lens and the second lens in the horizontal direction, wherein, upon receipt of the mobile electronic device, the touchscreen input is in physical contact with the touchscreen when the user input is in the second position.

49. The Accused Products likely also infringe dependent Claims 15-18 and 20 of the '184 Patent.

50. To the extent required by law, DDC has complied with, and requires each licensee to comply with, the provisions of 35 U.S.C. § 287.

51. Unofficial Cardboard's direct infringement as described above has injured and will continue to injure DDC as long as such infringement continues.

52. DDC is entitled to recover damages adequate to compensate it for such infringement but in no event less than a reasonable royalty for Unofficial Cardboard's infringement of the Asserted Patents, together with interest and costs.

COUNT III:
INFRINGEMENT OF UNITED STATES PATENT NO. 10,528,199

53. DDC realleges and incorporates by reference paragraphs 1 through 21, inclusive, as though fully set forth herein.

54. Unofficial Cardboard's use, sale, offers for sale, and manufacture of the Accused Products directly infringed, and continue to infringe, at least independent Claims 1 and 30 of the '199 Patent.

CLAIM 1

55. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a touchscreen.

56. The Accused Products comprise a first lens and a second lens, wherein the first lens is facing the same direction as the second lens, and wherein the first lens and the second lens are spaced apart in a horizontal direction.

57. The Accused Products comprise a frame having a first side and a second side opposite the first side, the first side configured to hold the first lens and the second lens, the second side configured to receive the mobile electronic device, wherein the frame is configured to hold the mobile electronic device such that the mobile electronic device is generally centered in a horizontal direction and directly in a user's field of view when looking through the first side of the frame.

58. The Accused Products include a touchscreen input constructed of material and having a surface such that only a portion of the surface of the touchscreen input is configured to contact a central region of the touchscreen of the mobile electronic device when the touchscreen input is activated.

59. The Accused Products likely also infringe dependent Claims 2, 4-6, and 16-27 of the '199 Patent.

CLAIM 30

60. Unofficial Cardboard's Accused Products are virtual reality viewers for use with a mobile electronic device having a touchscreen.

61. The Accused Products comprise a first lens and a second lens, wherein the first lens is facing the same direction as the second lens, and wherein the first lens and the second lens are spaced apart in a horizontal direction.

62. The Accused Products comprise a frame having a first side and a second side opposite the first side, the first side configured to hold the first lens and the second lens, the second side configured to receive the mobile electronic device, wherein the frame is configured to hold

the mobile electronic device such that the mobile electronic device is generally centered in a horizontal direction and directly in a user's field of view when looking through the first side of the frame.

63. The Accused Products include a user input that is accessible from an exterior of the enclosure and has a first position and a second position.

64. The Accused Products include a touchscreen input that is coupled to the user input and generally centered between the first lens and the second lens in the horizontal direction, wherein the touchscreen has a surface such that only a portion of the surface of the touchscreen input is configured to contact a central region of the touchscreen when the user input is in the second position.

65. The Accused Products likely also infringe dependent Claims 33-35 and 37-40 of the '199 Patent.

66. To the extent required by law, DDC has complied with, and requires each licensee to comply with, the provisions of 35 U.S.C. § 287.

67. Unofficial Cardboard's direct infringement as described above has injured and will continue to injure DDC as long as such infringement continues.

68. DDC is entitled to recover damages adequate to compensate it for such infringement but in no event less than a reasonable royalty for Unofficial Cardboard's infringement of the Asserted Patents, together with interest and costs.

COUNT IV:
INFRINGEMENT OF UNITED STATES PATENT NO. 11,093,000

69. DDC realleges and incorporates by reference paragraphs 1 through 21, inclusive, as though fully set forth herein.

70. Unofficial Cardboard's use, sale, offers for sale, and manufacture of the Accused Products directly infringed, and continue to infringe, at least independent Claim 1 of the '000 Patent.

CLAIM 1

71. Unofficial Cardboard's Accused Products are virtual reality apparatuses.

72. The Accused Products comprise a housing having a portion configured to receive a mobile electronic device having a touchscreen display.

73. Said housing further including two lenses.

74. The Accused Products include an input device accessible from an exterior of the housing.

75. The Accused Products include a contact element located within an interior of the housing, the contact element coupled to the input device and configured to generate a detectable touch event at the touchscreen display of the mobile electronic device.

76. The Accused Products likely also infringe dependent Claims 2-11, 13-14, 18-24 and 27-33 of the '000 Patent.

77. To the extent required by law, DDC has complied with, and requires each licensee to comply with, the provisions of 35 U.S.C. § 287.

78. Unofficial Cardboard's direct infringement as described above has injured and will continue to injure DDC as long as such infringement continues.

79. DDC is entitled to recover damages adequate to compensate it for such infringement but in no event less than a reasonable royalty for Unofficial Cardboard's infringement of the Asserted Patents, together with interest and costs.

COUNT V:
INFRINGEMENT OF UNITED STATES PATENT NO. 11,093,001

80. DDC realleges and incorporates by reference paragraphs 1 through 21, inclusive, as though fully set forth herein.

81. Unofficial Cardboard's use, sale, offers for sale, and manufacture of the Accused Products directly infringed, and continue to infringe, at least independent Claims 1, 21, and 30 of the '001 Patent.

CLAIM 1

82. Unofficial Cardboard's Accused Products are apparatuses.

83. The Accused Products comprise a housing having a portion configured to receive a mobile electronic device having a touchscreen display.

84. Said housing further including multiple lenses.

85. The Accused Products include an input device accessible from an exterior of the housing.

86. The Accused Products include a contact element located within an interior of the housing, the contact element responsive to the input device and the contact element moveable within the interior of the housing between at least a first position and a second position, wherein in the second position a surface of the contact element is configured to generate a detectable touch event at the touchscreen display of the mobile electronic device.

87. The Accused Products likely also infringe dependent Claims 2-5, 7-13 and 16-20 of the '001 Patent.

CLAIM 21

88. Unofficial Cardboard's Accused Products are apparatuses.

89. The Accused Products comprise a housing having a portion configured to receive a mobile electronic device having a touchscreen display.

90. Said housing further including multiple lenses.

91. The Accused Products include an input device accessible from an exterior of the housing.

92. The Accused Products include a contact element located within an interior of the housing, the contact element electro-mechanically coupled, via a linkage element, to the input device, the contact element moveable within the interior of the housing between at least a first position and a second position, wherein in the second position the contact element is configured to generate a touch event at the touchscreen of the mobile electronic device.

93. The Accused Products likely also infringe dependent Claims 22-23 and 25-29 of the '001 Patent.

CLAIM 30

94. Unofficial Cardboard's Accused Products are virtual reality viewer apparatuses.

95. The Accused Products comprise a housing having a portion configured to receive a mobile electronic device having a touchscreen.

96. Said housing further including a sidewall structure that supports at least two lenses.

97. The Accused Products include an input device that comprises a depressible button, the input device accessible from an exterior of the housing.

98. The Accused Products include a contact element electro-mechanically coupled, via a linkage element, to the input device, the contact element moveable within an interior of the housing between at least a first position and a second position, wherein in the second position a surface of the contact element is configured to generate a detectable touch event at the touchscreen

of the mobile electronic device, wherein the linkage element comprises a conductive lead that runs through at least a portion of the interior of the housing.

99. To the extent required by law, DDC has complied with, and requires each licensee to comply with, the provisions of 35 U.S.C. § 287.

100. Unofficial Cardboard's direct infringement as described above has injured and will continue to injure DDC as long as such infringement continues.

101. DDC is entitled to recover damages adequate to compensate it for such infringement but in no event less than a reasonable royalty for Unofficial Cardboard's infringement of the Asserted Patents, together with interest and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff DDC Technology, LLC respectfully requests this Court to enter judgment against Defendant Unofficial Cardboard, Inc. and against each of its subsidiaries, predecessors, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with it – granting the following relief:

A. The entry of judgment in favor of DDC and against Unofficial Cardboard that the Asserted Patents are valid, enforceable, and infringed by Unofficial Cardboard;

B. An award of damages against Unofficial Cardboard adequate to compensate DDC for the infringement that has occurred, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284, together with prejudgment interest from the date the infringement began;

C. An accounting of all costs associated with the filing and maintenance of this action incurred by DDC; and

D. Such other relief to which DDC is entitled under the law and any other and further relief that this Court or a jury may deem just and proper.

JURY DEMAND

Plaintiff DDC Technology, LLC demands a trial by jury on all issues so triable.

Dated: October 21, 2021

Respectfully submitted,

/s/ Timothy J. Haller

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