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7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 1LSS INC.,

11 Plaintiff,

12 v.

13 APPLE INC.,

14 Defendant.

Case No.: 2:24-cv-08769

**FIRST AMENDED COMPLAINT
FOR INFRINGEMENT OF U.S.
PATENT NO. 11,864,641**

DEMAND FOR JURY TRIAL

1 Plaintiff 1LSS Inc. (“1LSS”) brings this action against Defendant Apple Inc.
2 (“Apple” or “Defendant”).

3 **THE PARTIES**

4 1. 1LSS is, and at all times relevant hereto was, a corporation duly
5 organized and existing under the laws of the state of California, with its principal
6 place of business at 719 S. Los Angeles Street, Suite 714 Los Angeles, CA 90014.

7 2. Defendant Apple Inc. is, and at all times relevant hereto was, a
8 corporation organized under the laws of the State of California, with a principal place
9 of business at One Apple Park Way, Cupertino, California, 95014 and a place of
10 business in this judicial district at 10250 Santa Monica Blvd, Los Angeles, CA 90067.

11 3. Defendant conducts business within this judicial district at the Apple
12 Store located at 10250 Santa Monica Blvd, Los Angeles, CA 90067, including
13 making, using, selling, offering for sale, or importing into the United States the
14 infringing products at or from this facility.

15 **JURISDICTION AND VENUE**

16 4. This is an action for patent infringement arising under the patent laws of
17 the United States, 35 U.S.C. § 271.

18 5. This Court has subject matter jurisdiction over this action under 28
19 U.S.C. §§ 1331 and 1338(a)-(b) because it involves substantial claims arising under
20 the patent laws.

21 6. Defendant conducts business at 10250 Santa Monica Blvd, Los Angeles,
22 CA 90067, including making, using, selling, offering for sale, shipping, or importing
23 the infringing products at or from this facility, which is located in this judicial district.
24 Thus, this Court has personal jurisdiction over Defendant and venue is proper in this
25 court pursuant to 28 U.S.C. § 1400(b) because, among other things, Defendant has a
26 regular and established place of business in this judicial district and Defendant has
27 committed acts of infringement, including the infringing acts complained of herein.
28

GENERAL ALLEGATIONS

7. On January 9, 2024, the United States Patent and Trademark Office issued United States Patent Number 11,864,641, entitled “Magnetically Coupled Wallet Accessory for Mobile Device” (hereinafter “the ’641 Patent”). A true and correct copy of the ’641 Patent is attached hereto as **Exhibit A**.

8. 1LSS is the assignee of the ’641 Patent and the owner of the entire right, title, and interest in and to the ’641 Patent.

9. The ’641 Patent pertains to a wallet for attachment to a mobile device.

10. For over a decade 1LSS has provided, and continues to provide, innovative solutions for mobile electronic display device accessories and mounts, including wallet attachments for a mobile device such as those manufactured by Apple. See <https://magbak.com/>.

11. As part of this innovation, as shown below, 1LSS has developed a mobile device accessory (*e.g.*, wallet) including an accessory device having an arrangement of magnets of alternating polarity are included within the accessory device or attached to the surface.



12. The arrangement of magnets are magnetically coupleable to a device-side attachment including a plurality of magnets. The device-side attachment may be

1 attached to a mobile device or part of a protective case for the mobile device. 1LSS
2 has obtained patent protection over this inventive technology, including the '641
3 Patent, which was granted by the U.S. Patent and Trademark Office on January 9,
4 2024. This patent represents a significant investment of time and resources in
5 developing inventive technology that filled a significant need in the industry.

6 13. Apple began competing with 1LSS in providing wallet attachments for
7 a mobile devices by manufacturing and selling MagSafe line of wallets for attachment
8 to mobile devices as claimed in the '641 Patent (hereinafter the "Infringing Product"),
9 as shown below.¹



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18 14. Apple has been actively advertising the Infringing Product, touting the
19 product throughout a variety of markets and to numerous audiences. Defendant sells
20 its Infringing Product in the same marketing channels, including advertising on
21 Google, and all other social media platforms.

22
23 15. 1LSS became aware that Apple was making and selling a competing

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25 ¹ <https://www.apple.com/shop/product/MA6X4ZM/A/iphone-finewoven-wallet-with-magsafe-deep-blue?fnode=9a426d5dab22d37f6cd4867e991ac3be7f2a0c8a18454997ba1876e5df9b1484ebad36d764f921ca2a432d994bcea2121d2cb419480cbd8538d421b10cd783356311e167ec6457815e69a7b43a7928c0b8220e1f0ba03bc516214547ce44fc7f91da43931e10e7f7205733344bbb410c&fs=f%3Dwallet%26fh%3D12b2bf%252B4667>
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28 (accessed October 7, 2024).

1 magnetic wallet in competition with 1LSS' MagBak line of magnetic wallets. 1LSS
2 subsequently disassembled and determined that Apple's MagSafe magnetic wallets
3 included 1LSS's patented technology, including its proprietary arrangement and
4 configuration of magnets and magnetic regions have a specific polarity to couple the
5 magnetic wallet to an electronic device in a specific orientation as claimed in the '641
6 patent. Among other things, as shown below, 1LSS removed the outer layer of
7 material in Apple's wallet to reveal the underlying magnets and magnetic regions.
8 The magnetic regions and their polarity also are visible using magnetic field viewing
9 film (below, right).



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18 16. In addition, using a magnetic pole indicator or polarity checker 1LSS
19 determined the polarity of a magnetic field of each magnet, *i.e.*, whether a magnetic
20 pole is a magnetic North (N) or South (S) pole. By doing so, 1LSS confirmed that
21 the arrangement of magnets, magnetic regions and magnetic polarity in Apple's
22 MagSafe wallets infringed 1LSS's '641 patent as set forth below and in the
23 infringement claim chart attached hereto as Exhibit B.

24 17. On February 9, 2024, 1LSS notified Apple by letter that Apple's
25 MagSafe brand of magnetic wallets may be utilizing the technology claimed in the
26 '641 Patent. Subsequently, on February 28, 2024 1LSS provided Apple with a claim
27 chart illustrating how 1LSS's technology as recited in claim 1 of the '641 Patent is
28 being used in Apple's MagSafe brand of magnetic wallets.

1 18. Notwithstanding 1LSS's notification of its patented technology as set
2 forth in the '641 Patent and in conscious disregard of 1LSS's intellectual property
3 rights as set forth herein, Apple has continued to make, use, offer for sale and sell the
4 Infringing Product in the United States and this judicial district and in direct
5 competition with 1LSS.

6 **FIRST CAUSE OF ACTION**

7 **Patent Infringement of the '641 Patent**

8 **(35 U.S.C. §§ 101 et seq.)**

9 19. 1LSS realleges and incorporates by reference all paragraphs above as if
10 fully set forth herein.

11 20. At all times herein mentioned the '641 Patent was and is valid and fully
12 enforceable.

13 21. Apple, by the acts complained of herein, and by making, using, selling,
14 offering for sale, and/or importing in the United States, including in the Central
15 District of California, the Infringing Product embodying the invention, has in the past,
16 does now, and continues to infringe the '641 Patent directly, and/or by inducement,
17 literally and/or under the doctrine of equivalents, in violation of 35 U.S.C. § 271.

18 22. At least since February 9, 2024, Apple has had actual knowledge of the
19 '641 Patent.

20 23. Apple has and continues to directly infringe the '641 Patent by making,
21 using, offering for sale, selling and importing the Infringing Product in conjunction
22 with MagSafe wallets competitive to 1LSS. By doing so, Apple has directly infringed
23 at least claim 11 of the '641 Patent as illustrated in non-limiting example attached
24 hereto as **Exhibit B**. Customers of Apple directly infringe the '641 Patent by using
25 Infringing Product.

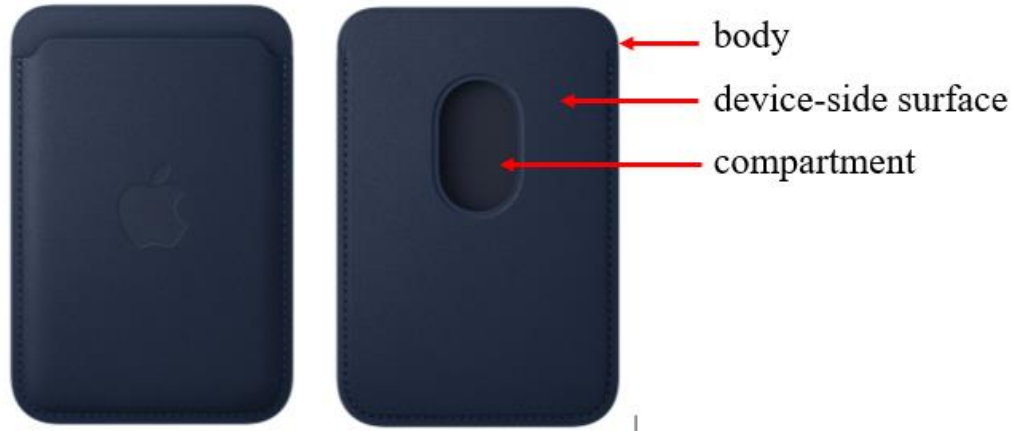
26 24. As alleged above, Apple makes and sells its MagSafe wallets (shown
27 below) that directly infringe at least claim 11 of the '641 patent.



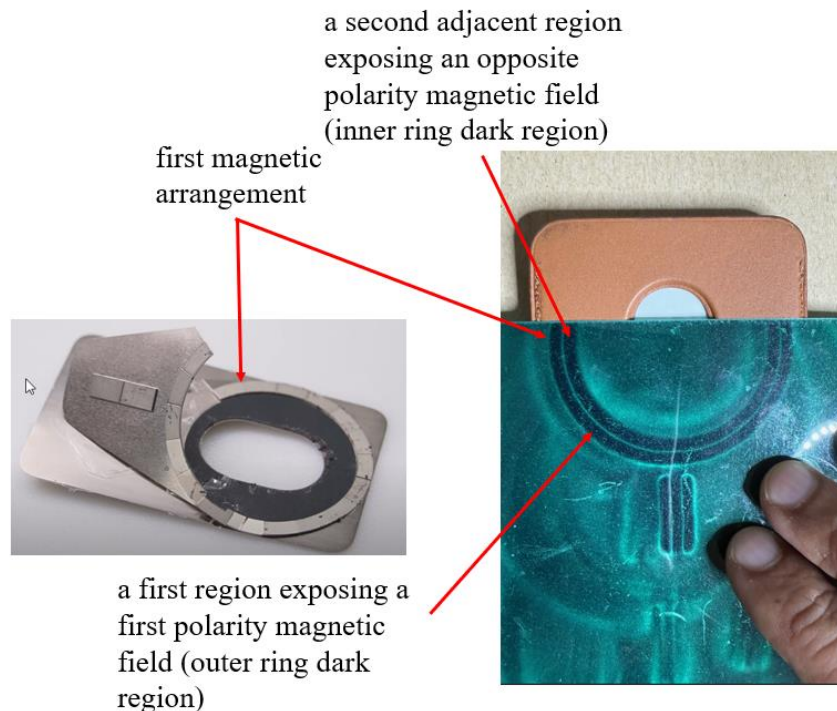
25. As shown below, Apple’s MagSafe wallet is intended to be attached to a mobile device such as a smart phone, including Apple’s iPhone. Apple advertises that “[t]he wallet features strong built-in magnets that allow it to effortlessly snap into place on the back of your iPhone.”



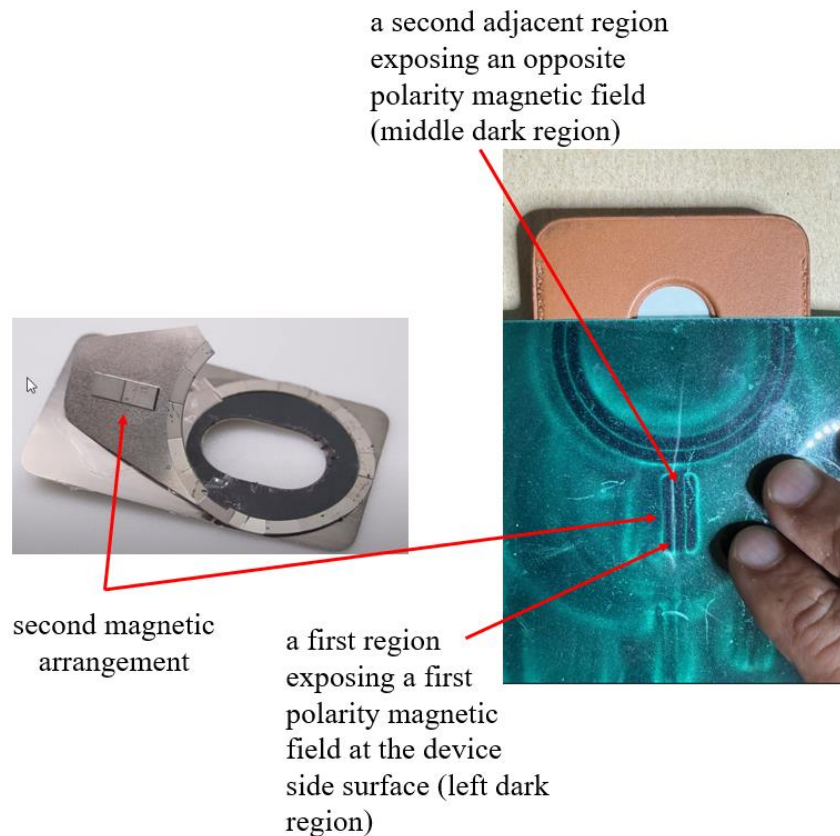
26. As shown below, Apple's MagSafe wallet has a body that defines a compartment and has a device side surface.



27. As shown below, Apple's MagSafe wallet has a first arrangement of magnetic material (circular magnetic ring regions) having a first region (outer magnetic ring region) exposing a first polarity magnetic field (north pole) at the device side surface and a second adjacent region (inner magnetic ring region) exposing an opposite polarity magnetic field (south pole) at the device side surface.



28. As shown below, Apple's MagSafe wallet has a second arrangement of magnetic material (rectangular magnet regions) having a first region (left-side rectangular magnet region) exposing a first polarity magnetic field (north pole) at the device side surface and a second adjacent region (middle rectangular magnet region) exposing an opposite polarity magnetic field (south pole) at the device side surface.



29. As shown above, the first, circular magnetic arrangement in the Apple MagSafe wallet has at least one of a different orientation or a different geometric pattern than the second, rectangular magnetic arrangement.

30. Apple MagSafe wallet has first and second arrangements that, in use, concurrently magnetically couple the wallet to a mobile device and wherein the first and second arrangements cause the wallet to adopt a specific orientation on the mobile device. For example, at noted, Apple advertises that “[t]he wallet features strong built-in magnets that allow it to effortlessly snap into place on the back of your iPhone.” As shown above, the Apple MagSafe wallet magnetically couples to the

1 iPhone such that the wallet's compartment opening is oriented to face the top of the
2 iPhone.

3 31. At no time has 1LSS granted Apple or its customers authorization,
4 license, or permission to utilize the inventions claimed in the '641 Patent.

5 32. 1LSS has been damaged by Apple's acts of infringement of the '641
6 Patent and 1LSS will continue to be damaged by such infringement unless enjoined
7 by this Court. 1LSS is entitled to recover damages adequate to compensate for the
8 infringement under 35 U.S.C. § 284.

9 33. At least since February 9, 2024, Apple has knowingly and actively
10 induced the infringement of one or more of the '641 Patent claims under 35 U.S.C.
11 §271(b) by, inter alia, marketing, promoting, and offering for use the Infringing
12 Product, knowingly and intending that its use by Apple's customers and others
13 infringes the '641 Patent. *See e.g.*, promotional video on Amazon.² By failing to
14 cease making, using, selling, importing, or offering for sale the Infringing Product at
15 least as of February 9, 2024, Apple has knowingly and intentionally induced users of
16 the Infringing Product to directly infringe one or more claims of the '641 Patent,
17 including, by: (1) providing instructions or information, for example on publicly
18 available websites, to explain how to use the Infringing Product; and (2) touting these
19 uses of the Infringing Product in advertisements, including but not limited to, those
20 on its website. Use of the Infringing Product in the manner intended and/or instructed
21 by Apple necessarily infringes the '641 Patent. Apple continues to engage in acts of
22 inducing infringement of the '641 Patent by at least the direct infringement of its
23 customers' use of the Infringing Product.

24 34. 1LSS is, and has been, irreparably harmed by Apple's on-going
25 infringement including the following harm which cannot be quantified or recouped

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28 https://www.amazon.com/vdp/0ba69f2c28c44365874ee771751225e8?ref=dp_vse_i_bvc0 (last accessed Jan. 6, 2025).

1 through monetary damages: (1) lost market share that will be difficult, if not
2 impossible, to recoup later as the Infringing Product becomes entrenched with retail
3 sellers, (2) loss of first mover advantage that 1LSS enjoyed as the first company to
4 offer its MagBak® line of magnetic wallets, (3) loss of 1LSS's investment in building
5 up the market for MagBak® line of magnetic wallets, (4) negative effect on its
6 reputation as innovator and pioneer, (5) the unquantifiable effect on lost sales of
7 related products, (6) diversion of resources to defend against loss of market share
8 caused by sales of the Infringing Product, and (7) Apple's unauthorized sales that are
9 enticing others to offer for sale and sell competing infringing products that leads to
10 additional irreparable harm described above.

11 35. Apple's acts of infringement have been, and continue to be, willful and
12 deliberate and therefore warrant the award of attorneys' fees pursuant to 35 U.S.C. §
13 285 and the enhancement of damages pursuant to 35 U.S.C. § 284.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, 1LSS prays for judgment as follows:

16 A. For an order finding that the '641 Patent is valid and enforceable;

17 B. For an order finding that Apple has infringed the '641 Patent directly,
18 and/or by inducement, literally and/or under the doctrine of equivalents, in violation
19 of 35 U.S.C. § 271;

20 C. For an order finding that Apple's infringement is willful;

21 D. For an order temporarily, preliminarily and permanently enjoining
22 Apple, its officers, directors, agents, servants, affiliates, employees, subsidiaries,
23 divisions, branches, parents, attorneys, representatives, privies, and all others acting
24 in concert or participation with any of them, from infringing the '641 Patent directly,
25 and/or by inducement, in violation of 35 U.S.C. § 271;

26 E. For an order directing Apple to file with the Court, and serve upon
27 1LSS's counsel, within thirty (30) days after entry of the order of injunction, a report
28 setting forth the manner and form in which it has complied with the injunction;

1 F. For an order awarding 1LSS damages adequate to compensate 1LSS for
2 the infringement by Apple, including disgorgement of profits or gains of any kind
3 made by Apple from their infringing acts, lost profits and/or reasonable royalty, in
4 amounts to be fixed by the Court in accordance with proof, including enhanced and/or
5 exemplary damages, as appropriate under 35 U.S.C. § 284;

6 G. For an order awarding 1LSS pre-judgment interest and post-judgment
7 interest at the maximum rate allowed by law;

8 H. For an order requiring an accounting of the damages to which 1LSS is
9 found to be entitled;

10 I. For an order declaring this to be an exceptional case pursuant to 35
11 U.S.C. § 285 and awarding 1LSS its attorneys' fees;

12 J. For an order awarding 1LSS its costs of court; and

13 K. Granting 1LSS such other and further relief as the Court may deem just
14 and proper.

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16 DATED: January 10, 2025

STANLEY M. GIBSON
GREGORY S. CORDREY
JEFFER MANGELS BUTLER & MITCHELL LLP

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20 By: 
21 GREGORY S. CORDREY
22 Attorneys for Plaintiff 1LSS Inc.
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DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues so triable.

DATED: January 10, 2025

STANLEY M. GIBSON
GREGORY S. CORDREY
JEFFER MANGELS BUTLER & MITCHELL LLP

By: _____



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