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*Counsel for Plaintiff Linquet Technologies, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

LINQUET TECHNOLOGIES, INC.,

*Plaintiff,*

v.

TILE, INC.,

*Defendant.*

Case No.: 3:20-cv-5153

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Linquet Technologies, Inc. (“Linquet”), for its complaint against Defendant Tile, Inc.  
2 (“Tile”), alleges as follows:

3 **I. NATURE OF THE ACTION**

4 1. This is a civil action for infringement of U.S. Patent No. 10,163,318 (the “’318  
5 Patent”). A true and correct copy of the ’318 Patent is attached hereto as Exhibit A.

6 **II. THE PARTIES**

7 2. Linquet realleges and incorporates by reference, as if fully set forth herein, the  
8 allegations in paragraph 1, above.

9 3. Linquet is a corporation organized and existing under the laws of Canada with a  
10 principal place of business at 2604-950 Cambie St., Vancouver, British Columbia.

11 4. Upon information and belief, Tile is a privately held company, incorporated and  
12 organized under the laws of the State of Delaware. Tile is registered and conducts business in the  
13 State of California with a principal place of business at 2121 South El Camino Real, Suite 900, San  
14 Mateo, California 94403.

15 **III. JURISDICTION AND VENUE**

16 5. Linquet realleges and incorporates by reference, as if fully set forth herein, the  
17 allegations in paragraphs 1–4, above.

18 6. This Court has exclusive subject matter jurisdiction over this action pursuant to 28  
19 U.S.C. §§ 1331 and 1338(a).

20 7. Venue is proper in this District under 28 U.S.C. § 1400(b). Tile has committed acts  
21 of patent infringement complained of herein in this District, and Tile has a regular and established  
22 place of business in this District.

23 8. This Court has personal jurisdiction over Tile. Tile’s principal place of business is in  
24 this District, and Tile regularly conducts business in this District. Tile has purposefully availed itself  
25 of the privilege of conducting activities within this District, and Tile’s activities in this District are  
26 continuous and systematic and give rise to the liabilities sued upon herein. On information and belief,  
27 Tile’s activities in this District include, *inter alia*, making, selling, and/or offering to sell infringing  
28 products in this District, and marketing and advertising infringing products in this District. On

1 information and behalf, Tile does extensive business within the State of California and this District  
2 and earns substantial revenue through its contacts with this District.

#### 3 IV. FACTUAL BACKGROUND

4 9. Linquet realleges and incorporates by reference, as if fully set forth herein, the  
5 allegations in paragraphs 1–8, above.

##### 6 A. *Background on Linquet*

7 10. Founded in 2010, Linquet is an innovator in location technologies solutions, including,  
8 in particular, cloud-based/community-based solutions for locating and protecting mobile devices,  
9 keys, pets, luggage, and other items.

10 11. In April 2012, Linquet released the first cloud-based solution for protecting and  
11 tracking mobile devices and other items. Public praise for Linquet’s innovative solution was swift  
12 and widespread, with positive press in publications including the Huffington Post, Techvibes, and  
13 TheNextWeb, and, soon thereafter, the New York Times and CNBC.

14 12. Linquet currently offers its innovative products and services for sale online  
15 ([www.linquet.com](http://www.linquet.com)) and through various third parties. In addition, the Linquet app is available for  
16 iOS and Android devices through the Apple and Google app stores.

17 13. Linquet’s innovative solution permits users to attach Linquet tags to items (*e.g.*, keys,  
18 wallets, luggage, pets, etc.) they wish to protect and locate. When the tag attached to the owner’s  
19 item goes out-of-range, the owner’s mobile device and/or tag attached to the item alarm, preventing  
20 the owner from forgetting or losing/misplacing the item. In addition, Linquet uploads the time and  
21 location to the cloud in real-time, giving the owner the ability to locate the item at a later time. Using  
22 the Linquet network, if another Linquet user passes within range of a tag attached to a misplaced item,  
23 the item’s location will be automatically, anonymously, and securely uploaded to the cloud, and the  
24 owner can be notified. Furthermore, a tag attached to an item is privately detectable by another  
25 Linquet user’s mobile device when the tag is out-of-range of the owner’s mobile device, greatly  
26 increasing the privacy, efficiency, and scalability of Linquet’s innovative solution.

1           **B. The '318 Patent**

2           14. Linquet has invested heavily in developing its innovative cloud-based solution to  
3 protect and locate items. In doing so, Linquet has acquired an array of intellectual property rights,  
4 including but not limited to multiple patent rights for its innovations. Those patents include, for  
5 example, the '318 Patent, which are and have been published at <https://linquet.com/patents> since at  
6 least December 25, 2018.

7           15. The '318 Patent, entitled "COMPREHENSIVE SYSTEM AND METHOD OF  
8 UNIVERSAL REAL-TIME LINKING OF REAL OBJECTS TO A MACHINE, NETWORK,  
9 INTERNET, OR SOFTWARE SERVICE," was duly and legally issued to Mr. Pooya H. Kazerouni  
10 on December 25, 2018. Mr. Kazerouni is the founder of Linquet and currently serves as its President.

11           16. The '318 Patent includes claims, including at least claims 1 and 2, that cover Linquet's  
12 innovative products and services for sale online ([www.linquet.com](http://www.linquet.com)) and through various third parties.

13           17. On information and belief, at the time of the '318 Patent, there existed, for example,  
14 no cloud-based community-powered solutions for protecting and locating mobile devices, keys,  
15 luggage, pets, and other items, as claimed and disclosed in the '318 Patent, including as claimed in at  
16 least claims 1 and 2 of the '318 Patent. To solve this problem, Mr. Kazerouni created the novel  
17 system claimed and disclosed in the '318 Patent.

18           18. As part of this novel system, for example, when a wireless tag attached to an item goes  
19 out-of-range of the owner's mobile device, the system automatically uploads the time and location to  
20 the cloud in real-time, giving the owner the ability to locate the item at a later time. (*See, e.g.*, '318  
21 Patent, 8:49–9:14; 28:10–26, claim 1.) If another user's mobile device passes within range of a  
22 misplaced item, the system enables the item's location to be automatically, anonymously, and  
23 securely uploaded to the cloud, thereby allowing the owner to be notified. (*See, e.g.*, '318 Patent,  
24 27:42–57; 28:27–38, claim 1.) In addition, the novel system allows a wireless tag to become  
25 detectible by another user's mobile device when the wireless tag goes out-of-range of the owner's  
26 mobile device. (*See, e.g.*, '318 Patent, 27:42–57; 28:39:52, claim 2.)

27           19. At least based on the above, it is apparent that the claims of the '318 Patent, including  
28 as a whole and where applicable in ordered combination, presented a technical solution and

1 improvement over the prior art, including using the claimed elements in a non-conventional, non-  
2 generic, and non-routine manner to arrive at a novel technical solution. In fact, the Examiner  
3 considered this novel system as being allowable over the “closest prior art,” explaining that this “prior  
4 art fails to disclose each and every claimed limitation, alone, or in reasonable combination with other  
5 references, in the context as claimed.” (See Oct. 4, 2018, Notice of Allowability, at 2–4, 8.)  
6 Moreover, throughout prosecution, the Examiner never rejected any claims of the ’318 Patent as being  
7 directed to patent ineligible subject matter under 35 U.S.C. § 101. (See generally *id.*) The claims of  
8 the ’318 Patent amount to an inventive concept for overcoming the particular problems noted above,  
9 including, but not limited to, in connection with a private, efficient, and scalable community-based  
10 solution for protecting and locating items.

### 11 ***C. Tile and Its Infringing Activities***

12 20. Despite its pioneering innovations, Linquet has struggled to obtain significant sales or  
13 funding. On information and belief, this is at least partly due to Tile’s infringing products and  
14 services, which, as described in more detail in § V, below, include substantially the same features as  
15 Linquet’s innovative solution, as shown, for example, at the following link:  
16 <https://www.youtube.com/watch?v=zzpkWFhOqIk>. Tile’s infringing products include, for example  
17 and without limitation, the Tile Sticker, Tile Slim, Tile Pro, Tile Mate, and Tile embeddable  
18 technology (collectively, “Tile’s Tags”), which are designed for use with Tile’s App/Software and  
19 Tile’s cloud, which include, for example, Tile’s community find feature. Hereinafter, Tile’s Tags,  
20 Tile’s App/Software, and Tile’s cloud, are collectively referred to as the “Tile System.”

21 21. As described in more detail in § V, below, Tile has infringed and continues to infringe  
22 directly, jointly, contributorily, and/or by inducement one or more claims of the ’318 Patent by its  
23 actions in connection with the Tile System.

24 22. Tile’s past and ongoing infringement is significant. According to Tile, the Tile System  
25 is the “world’s best-selling Bluetooth tracker,” having sold over 30 million units, which constitute  
26 80% of the U.S. retail market share. <https://www.thetileapp.com/en-us/about-tile>. Public sources  
27 suggest that between 2016 and 2018, Tile generated at least \$100 million per year in revenue.  
28 <https://venturebeat.com/2017/05/16/tile-raises-25-million-and-crosses-10-million-bluetooth->

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