

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

DRONE LABS LLC )  
*Plaintiffs,* )  
v. )  
DEDRONE HOLDINGS, INC. )  
*Defendant.* )

CASE NO. \_\_\_\_\_  
**JURY DEMANDED**

**ORIGINAL COMPLAINT**

Plaintiff Drone Labs LLC (“Plaintiff” or “Drone Labs”) files its Original Complaint against Defendant Dedrone Holdings, Inc. (“Dedrone” or “Defendant”), and states as follows:

**I. JURISDICTION AND VENUE**

1. The Court has subject matter jurisdiction over Plaintiff's patent infringement claims under 28 U.S.C. §§ 1331 and 1338(a) because it is a civil action involving federal questions related to claims for patent infringement under 35 U.S.C. § 271 (the "Patent Act").

2. This Court has personal jurisdiction over Defendant Dedrone. Defendant Dedrone is a Delaware corporation with its principal place of business in San Francisco, California. Dedrone is conducting business in this State, including in this District. Defendant Dedrone's acts of patent infringement are occurring in this State, including in this District, and Defendant Dedrone should anticipate being haled into court in this State.

3. This Court has personal jurisdiction over Dedrone because, among other reasons, Dedrone has established minimum contacts with the forum state of Texas. Dedrone, directly and/or through third-party intermediaries, make, use, import, offer for

sale, and/or sell products and/or offer services within the State of Texas, and particularly within the Eastern District of Texas. Thus, Dedrone has purposefully availed itself of the benefits of doing business in the State of Texas, and the exercise of jurisdiction over Dedrone would not offend traditional notions of fair play and substantial justice. Dedrone maintains its headquarters in San Francisco, California, and regularly conducts business in the State of Texas. Dedrone provides the infringing products and/or services to clients based in the forum State of Texas and maintains a regular and established business in the State of Texas.

4. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) because Defendant is subject to personal jurisdiction in this District, has transacted business in this district and has committed acts of patent infringement in this district.

## **II. PARTIES**

5. Plaintiff Drone Labs LLC is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business in Texas at 2425 West Loop South, Suite 200 Houston, Texas, 77027.

6. Upon information and belief, Defendant Dedrone Holdings Inc. is a corporation organized and existing under the laws of the State of Delaware and having its office and principal place of business at 1099 Folsom Street, San Francisco, California 94103. Defendant Dedrone may be served with process by serving its registered agent for service of process: The Corporation Trust Company at Corporation Trust Center 1209 Orange St Wilmington, Delaware 19801.

### **III. NATURE OF THE CASE**

7. Drone technology has grown exponentially in recent years. Technological advances and lower prices have driven an explosion in the demand for drones and the number of units in service for personal, commercial, and government use. Drones are not inherently bad. Like any tool, however, drones can be put to harmful, even unlawful, uses. Drones can be employed for wrongful surveillance, invasion of privacy, trespass or worse. The first, crucial step in protecting against such harms is drone detection.

8. In recognition of this need, Drone Labs was founded in August 2014 with the purpose of developing drone detection solutions and selling them worldwide. Drone Labs uses advanced technology to detect a drone, determine the characteristics of the detected drone, and alert the drone detection technology user to the unwanted drone.

9. Upon information and belief, Dedrone was formed in 2014 to commercialize drone detection technology. Dedrone has a headquarters in San Francisco, California. Dedrone has a regular and established business in the State of Texas using their infringing technology.

10. Upon information and belief, Dedrone has partnered with World Wide Technology, Inc. (“WWT”) to produce and distribute Dedrone’s infringing technology. WWT has numerous locations throughout the State of Texas, including a location located within the Eastern District of Texas.

11. Drone Labs has invested substantial time, effort, skill, expense, and resources in designing and engineering their drone detection technology.

12. Upon information and belief, Dedrone is in the business of manufacturing, importing, distributing, marketing, offering to sell and/or selling drone detection

technology that is implemented with the use of the RF-100 and RF-300 sensors (the "Dedrone Products").

13. Upon information and belief, Dedrone directly competes with Drone Labs in the drone detection market.

14. Upon information and belief, Dedrone offers for sale and sells their Dedrone Products to consumers throughout the United States for use in the United States and in foreign countries.

#### **IV. INFRINGEMENT OF U.S. PATENT 10,061,018**

15. Plaintiff repeats and realleges the allegations contained in Paragraphs 1 through 14 as if fully set forth herein.

16. Drone Labs is the sole owner of U.S. Patent No. 10,061,018 (the " '018 Patent") entitled "System for Identifying Drones," issued on August 28, 2018. A true and correct copy of the '018 Patent is attached hereto as Exhibit A. A copy of the '018 Patent assignment to Drone Labs is attached hereto as Exhibit B.

17. Dedrone offers for sale and sells drone detection solutions throughout the United States, including in this District, that are the commercial embodiments of the invention claimed in the '018 Patent.

18. Upon information and belief, Defendant, without license from Drone Labs, (1) has made, used, imported, distributed, sold and/or offered for sale; (2) has caused the manufacture, use, importation, distribution, sale and/or offer for sale; (3) is making, using, importing, distributing, selling and/or offering for sale; and/or (4) is causing the manufacture, use, importation, distribution, sale and/or offer for sale of Dedrone Products

that infringe one or more claims of the '018 Patent, either literally or under the Doctrine of Equivalents.

19. Drone Labs has not licensed any of its rights in the '018 Patent to Defendant.

20. Upon information and belief, Defendant's acts of infringement have been willful, with actual and/or constructive knowledge of the '018 Patent.

21. By reason of Defendant's infringement, Drone Labs is entitled to damages to the full extent authorized by 35 U.S.C. § 284, and injunctive relief pursuant to 35 U.S.C. § 283.

22. Drone Labs is also entitled to its attorneys' fees under 35 U.S.C. § 285.

23. Defendant's infringing acts have been and are the actual and proximate cause of damage to Drone Labs, and Drone Labs has sustained damages and will continue to sustain damages as a result of Defendant's infringement of the '018 Patent.

24. Drone Labs has no adequate remedy at law. The foregoing acts of Defendant have caused Drone Labs irreparable harm. Unless enjoined, Defendant's acts as alleged herein will continue to cause Drone Labs irreparable harm.

25. Upon information and belief, the activities of Defendant have been for the purpose of infringing, either directly or indirectly, the '018 Patent.

26. Upon information and belief, by offering for sale and/or selling the infringing Dedrone Products, Defendant is directly competing against Drone Labs.

## **V. JURY TRIAL DEMANDED**

27. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Drone Labs requests a trial by jury of any issues so triable by right.

## **VI. PRAYER**

28. Plaintiff respectfully requests a judgment including the following relief from this Court:

A. Declaring Defendant has infringed or caused the infringement, are infringing and/or causing the infringement of Plaintiff's rights in the '018 Patent in violation of 35 U.S.C. § 271;

B. Declaring Defendant's infringement is willful, and this case is exceptional under 35 U.S.C. §285;

C. Ordering Defendant to pay damages to Plaintiff in an amount to be determined at trial, but not less than a reasonable royalty, pursuant to 35 U.S.C. § 284;

D. Ordering Defendant to pay treble damages under 35 U.S.C. § 284;

E. Awarding Plaintiff damages adequate to compensate it for the damages it has suffered as a result of Defendant's infringement of the '018 Patent pursuant to 35 U.S.C. § 284;

F. Ordering Defendant to pay pre-judgment interest to Plaintiff on all amounts awarded and post-judgment interest until paid at the maximum lawful rate;

G. Enjoining Defendant, its officers, agents, servants, employees, attorneys and all persons acting in concert or participation with them who receive actual notice of the Court's order pursuant to 35 U.S.C. § 283 from:

(1) directly or indirectly manufacturing, using, importing, offering for sale, selling, causing to be sold, or in any way distributing any of the Dedrone Products that infringe any claim of the '018 Patent;

(2) directly or indirectly manufacturing, using, importing, distributing, offering for sale, selling, causing to be sold, or in any way distributing any of the Dedrone Products that infringe any claim of the '018 Patent under the Doctrine of Equivalents; and

(3) attempting, causing, or assisting any of the above-described acts.

H. Retaining jurisdiction of this action for the purpose of enabling Plaintiff to apply to the Court at any time for such further orders and interpretation or execution of any order entered in this action; for the modification of any such order; for the enforcement or compliance therewith; and for the punishment of any violations thereof;

I. Ordering Defendant to pay attorneys' fees to Plaintiff, as provided by 35 U.S.C. § 285;

J. Ordering that Plaintiff recover punitive damages from Defendant; and

K. Awarding Plaintiff such other and further relief, at law or in equity, as the Court may deem just.

Dated: November 30, 2018.

Respectfully submitted,

**BUTCH BOYD LAW FIRM**

*/s/Ernest W. ("Butch") Boyd*  
ERNEST W. ("BUTCH") BOYD  
Lead Attorney  
Texas Bar No. 00783694  
[butchboyd@butchboydlawfirm.com](mailto:butchboyd@butchboydlawfirm.com)  
JEREMY R. STONE  
Texas Bar No. 24013577  
[jeremystone@butchboydlawfirm.com](mailto:jeremystone@butchboydlawfirm.com)  
ROBERT DANIEL GARZA  
Texas Bar No. 24097730  
[danielgarza@butchboydlawfirm.com](mailto:danielgarza@butchboydlawfirm.com)  
2905 Sackett Street  
Houston, TX 77098  
Phone: (713) 589-8477  
Fax:(713) 589-8563

**ATTORNEYS FOR PLAINTIFF DRONE LABS,  
LLC**