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18 TREEFROG DEVELOPMENTS, INC.
19 D/B/A LIFEPROOF

20 **UNITED STATES DISTRICT COURT**
21 **SOUTHERN DISTRICT OF CALIFORNIA**

22 TREEFROG DEVELOPMENTS, INC. D/B/A)
23 LIFEPROOF,)

24 Plaintiff,)

25 vs.)

26 SEIDIO, INC.,)

27 Defendant.)

CASE NO. '13CV0158 IEG KSC

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

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1 Plaintiff Treefrog Developments, Inc. d/b/a LifeProof (“LifeProof”) brings this Complaint
2 against Defendant Seidio, Inc. (“Seidio”), alleging as follows:

3 **PARTIES**

4 1. Plaintiff LifeProof is a Delaware corporation with its principal place of business at
5 15110 Avenue of Science, San Diego, California 92128.

6 2. LifeProof designs, manufactures, and markets protective cases for use in all
7 environments, which provide functionality and interactivity with smartphones and tablet computers.

8 3. Upon information and belief, Defendant Seidio is a Texas corporation with its
9 principal place of business at 10415 Westpark Dr., Suite B, Houston, Texas 77042.

10 4. Seidio designs, engineers, manufactures, markets, and sells cases for mobile devices
11 such as smartphones and tablet computers.

12 5. Seidio conducts business and sells its consumer electronics accessories throughout the
13 United States via physical retail stores and various websites, including, but not limited to,
14 www.seidio.com, www.seidioonline.com, www.bestbuy.com, and www.amazon.com.

15 **JURISDICTION AND VENUE**

16 6. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*,
17 and seeks damages and injunctive relief pursuant to 35 U.S.C. §§ 271, 281, and 283–285.

18 7. This Court has subject matter jurisdiction over the action pursuant to 28 U.S.C.
19 §§1331 and 1338(a) because this action arises under the Acts of Congress relating to patents.

20 8. This Court has personal jurisdiction over Seidio because, upon information and
21 belief, Seidio has had, and continues to have, regular and systematic contacts with the State of
22 California and with this judicial district by selling or offering to sell products that infringe the patent
23 at issue in this case, or by conducting other business within this judicial district. In addition, this
24 Court has personal jurisdiction over Seidio because, upon information and belief, Seidio has used,
25 offered for sale, and/or sold infringing products and placed such infringing products in the stream of
26 commerce with the expectation that such infringing products would be used, offered for sale, and/or
27 sold within the State of California and this judicial district.

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PRAYER FOR RELIEF

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2 WHEREFORE, Plaintiff LifeProof respectfully requests that judgment be entered in favor of
3 LifeProof and against Defendant Seidio and further prays that the Court grant the following relief to
4 LifeProof:

- 5 A. A judgment that Seidio has infringed the '325 Patent;
- 6 B. Entry of a preliminary and a permanent injunction pursuant to 35 U.S.C. § 283
7 enjoining Seidio, as well as its officers, directors, servants, consultants, managers,
8 employees, agents, attorneys, successors, assigns, affiliates, subsidiaries, and all
9 persons in active concert or participation with any of them, from infringement of the
10 '325 Patent, including but not limited to making, using, offering to sell, selling, or
11 importing any products that infringe the '325 Patent;
- 12 C. An award of all damages adequate to compensate LifeProof for Seidio's
13 infringement, such damages to be determined by a jury and, if necessary, an
14 accounting of all damages;
- 15 D. An award of prejudgment and post-judgment interest to LifeProof pursuant to 35
16 U.S.C. § 284;
- 17 E. A declaration that this case is exceptional under 35 U.S.C. § 285 and an award of the
18 reasonable attorneys' fees, costs, and expenses incurred by LifeProof in this action;
19 and
- 20 F. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

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22 Plaintiff LifeProof hereby demands a trial by jury on all issues and claims so triable.
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1 Dated: January 19, 2013

Respectfully submitted,

3 s/ Matthew C. Bernstein

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9 TREEFROG DEVELOPMENTS, INC.

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