

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

ARNOUSE DIGITAL DEVICES CORP.

Plaintiff,

v.

KLAS TELECOM, INC. and KLAS
TELECOM GOVERNMENT, INC.

Defendants.

Case No.

JURY TRIAL DEMANDED

**COMPLAINT AND DEMAND FOR JURY TRIAL,
INJUNCTIVE RELIEF SOUGHT**

Plaintiff Arnouse Digital Devices Corp. (“Arnouse Digital” or “Plaintiff”) files this Complaint against Klas Telecom, Inc. (“Klas Telecom”), and Klas Telecom Government, Inc. (“Klas Government”) (collectively, Klas Telecom and Klas Government are “Defendants”) for infringement of U.S. Patent No. 10,101,769 (the “‘769 Patent”).

THE PARTIES

1. Arnouse Digital is a Delaware corporation with its principal place of business at 1983 Marcus Avenue, Suite 104, Lake Success, New York 11042. Arnouse Digital Devices Corp. was founded in 2002 by Michael Arnouse with the mission of creating smaller computing platforms that provided flexibility and utility to Arnouse Digital’s clients. Seventeen years after the founding of Arnouse Digital, the company is still on the cutting edge of portable computing innovation with eighteen patents and contracts with customers all over the world.
2. Klas Telecom is a Virginia corporation with its principal place of business at 1101 30th Street Northwest, Suite 500, Washington D.C. 20007.

3. Klas Government is a Delaware corporation with a regular and established place of business at 4830 W. Kennedy Boulevard, Suite 250, Tampa, Florida 33609.

JURISDICTION AND VENUE

4. This is an action for patent infringement under Title 35 of the United States Code.

5. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (federal question) and 1338(a) (patents), because this is a civil action for patent infringement arising under the United States patent statutes, 35 U.S.C. § 101 *et seq.*

6. Venue is proper in the Middle District of Florida under 28 U.S.C. § 1400(b) because Klas Government has both committed acts of infringement in this District and has a regular and established place of business in this District.

RELATED MATTERS

7. On June 6, 2019, Plaintiff filed an action, pursuant to 28 U.S.C. § 1498, in the Court of Federal Claims, Case No. 1:19-cv-00837-RTH, against the United States to recover its reasonable and entire compensation for Defendants' use or manufacture, for the United States, without license or lawful right, of inventions described and covered by the '769 Patent.

8. On December 2, 2019, Defendants, pursuant to Rule 14(c) of the Rules of the Court of Federal Claims, filed an Answer to Plaintiff's Complaint as third-party defendants.

9. Plaintiff's action against the United States, Klas Telecom and Klas Government is pending.

10. The instant action, in contrast, seeks, pursuant to Title 35, U.S. Code, damages for infringement by Klas Telecom and Klas Government, distinct from the reasonable and entire compensation Plaintiff seeks in the Court of Federal Claims for use or manufacture of the claimed inventions by the United States.

THE ASSERTED PATENT

11. Attached as Exhibit 1 to this Complaint is a copy of the ‘769 Patent, incorporated herein by reference.

12. Michael Arnouse is the named inventor on the ‘769 Patent.

13. The claims recited in the ‘769 Patent are generally directed to rugged mobile deployable data centers having multiple functions including computing, data storage and retrieval, communications, and routing.

14. In particular, the ‘769 Patent describes easily portable data centers designed for use by the military, emergency services, first-responders, and other private entities, in some of the most hostile or inhospitable locations in the world. The ‘769 Patent encompasses an invention that is intended to be small enough to be a carry-on on an airplane, but powerful enough to act as a server for individuals in the field.

15. The portability enhancements over previous field-server solutions embodied by the ‘769 Patent are immense: the patent describe servers less than half the size of those previously considered “portable.”

16. The ‘769 Patent is revolutionary. For example, Claim 1 of the ‘769 Patent describes:

A readily mobile deployable data center (DDC), the mobile DDC comprising:

a carrying case comprising a first portion and a second portion having open and closed states;

an interconnection mechanism removably disposed within the second portion of the carrying case, the interconnection mechanism comprising one or more connectors and a region, the region defining an opening and at least two sidewalls;

a rack;

a backplane coupled to the rack;

a plurality of computing assemblies each including reader functionality and portable computing device functionality, each of said computing assemblies removably disposed within said rack; and

at least one power supply disposed on the interconnection mechanism and electronically coupled via the one or more connectors of the interconnection mechanism to said plurality of computing assemblies,

wherein:

the rack is removably disposed within the region of the interconnection mechanism via the opening, such that the plurality of computing assemblies are electrically coupled to the one or more connectors via the backplane,

said plurality of computing assemblies are removed collectively from said carrying case by removal of said rack from said region of the interconnection mechanism,

the interconnection mechanism, the rack and the plurality of computing assemblies being contained in the carrying case for transportation when the first portion and the second portion of the carrying case are in the closed state,

the plurality of computing assemblies being accessible when the first portion and the second portion of the carrying case are in the open state,

one or more of the interconnection mechanism, the rack, and one or more of said plurality of computing assemblies being removable from the carrying case in the open state, and

the first portion and the second portion are coupled to each other by a latch.

DEFENDANTS' INFRINGING ACTIVITY

17. Defendants have previously and continue to manufacture, use, sell, offer to sell, import into or export from the United States the TDCs, which infringe the '769 Patent.

Infringement of the '769 Patent

18. The Voyager TDC comprises a readily mobile deployable data center.

19. Klas Telecom describes the Voyager TDC as a “data-center-in-a-box,” that can be deployed from a “carry-on-size rollaway case.”¹

20. Upon information and belief, the following Figures are accurate depictions, representations, or recreations of the Voyager TDC.²

21. Figure 1 demonstrates the first portion and second portion of the Voyager TDC’s carrying case in its open state. Figure 2 demonstrates the Voyager TDC in its closed state.



Figure 1. Voyager TDC in an Open State

¹ <http://klastelecom.com/news/klas-telecoms-voyager-tdc-deploys-combat-data-distribution-network-built-redundancy-small-form-factor-carry/>

² Figures 1-3 are screenshots from the video entitled “Voyager Tactical Data Center (Voyager TDC)” uploaded to YouTube by Klas Telecom. See https://www.youtube.com/watch?v=hzLXq_1AAi4&feature=youtu.be

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