

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

GUI GLOBAL PRODUCTS, LTD.	§	
D/B/A GWEE	§	
	§	
Plaintiff,	§	
	§	
vs.	§	Case No. 4:20-cv-02652
	§	
APPLE INC.	§	
	§	
Defendant.	§	Jury Trial Requested

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff GUI Global Products, Ltd. d/b/a Gwee (“Gwee” or “Plaintiff”) hereby submits this Complaint for patent infringement against Defendant Apple, Inc. (“Apple” or “Defendant”) and states as follows:

**INTRODUCTION**

1. This is a patent infringement case in which Gwee seeks compensation for Apple’s infringement of Gwee’s U.S. Patent Nos. 10,589,320; 10,562,077; 10,259,021 and 10,259,020 (collectively the “patents-in-suit”).

2. Gwee and the Gwee® line of touchscreen, earbuds, optical microfiber cleaning products, exercise devices, and medical products are at least primarily the brainchild of inventor Walter G. Mayfield of Houston, Texas. Mr. Mayfield is the manager of GUI Global Management, LLC, which is the Managing General Partner of GUI Global Products, Ltd.

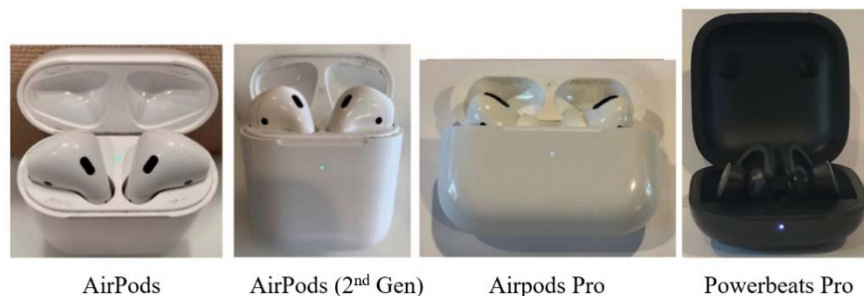
3. After many weekends spent in his garage and kitchen developing prototypes, Mr. Mayfield decided that a business could be created from some of his innovative products. He then explored the commercialization of a new line of cleaning and switching products for touch screen devices and earbuds including with a magnetic cord manager that offered convenience, portability

and performance. With the addition of entrepreneur and former business owner, Dan Valdez, Gwee was founded. Mr. Valdez served as President of Gwee and co-inventor on the patents-in-suit. Since its founding, Gwee has developed an even more robust portfolio of innovative products including an exercise device through its subsidiary GweeGym, LLC and a patented liquid indicating medical bandage through its subsidiary Dry See, Inc. Brand names of some of Gwee's products, including through its subsidiaries, include Sport Guppy™, Gwee Button™, Gwee Keyring™, Gwee Leaf™, Gwee Racer™, Gwee Racercase™, Gwee Budz™, Gwee Button Dock™, Gwee Gym™, and Dry See®.

4. Mr. Mayfield and Mr. Valdez combined their inventive efforts to create and refine a portfolio of Gwee products, continued to build the company, and began to implement the go-to market strategy. With the hard work of Mr. Mayfield, Mr. Valdez and others, Gwee affirmed its place in the market.

5. Mr. Mayfield and Mr. Valdez have been not only entrepreneurs and successful businessmen, but also successful inventors. Mr. Mayfield is a named inventor on fifteen United States patents, including ten patents in which Mr. Valdez and Mr. Mayfield are listed as co-inventors. These ten patents include the four patents-in-suit.

6. The Apple products that infringe the patents-in-suit are the various iterations of AirPods products (*e.g.*, AirPods, AirPods (2<sup>nd</sup> Gen), AirPods Pro, and Powerbeats Pro) (collectively the “Apple Infringing Products”).



## THE PATENTS-IN-SUIT

7. Gwee is the owner of all right, title and interest in the patents-in-suit, including the right to sue for past, present and future infringement thereof and to collect damages for any such past, present or future infringement. The inventions disclosed and claimed in the patents-in-suit provide numerous benefits over any prior existing systems comprising magnetic portable switching devices.

8. The matters described and claimed by U.S. Patent No. 10,589,320 generally include systems comprising a portable switching device selectively and magnetically coupled to a portable electronic device; wherein the electronic device comprises a circuit responsive to the switching device; the electronic device comprises at least one of beveled edges, ridges, recessed areas, grooves, slots, indented shapes, bumps, and raised shapes, which are configured to correspond to complementary surface elements on the switching device; wherein the portable switching device is configured to activate, deactivate, or send into hibernation the portable electronic device; wherein the electronic device plays or pauses a remote device; wherein the switching device includes a lid and hinge; wherein the lid is recessed to configure to the electronic device; and wherein the case of the switching device, including its hinged lid, protects the electronic device. A more specific description of the matters claimed by this patent is detailed below.

9. The matters described and claimed by U.S. Patent No. 10,562,077 generally include systems comprising a portable switching device selectively and magnetically coupled to a portable electronic device; wherein the electronic device comprises a circuit responsive to the switching device; the electronic device comprises at least one of beveled edges, ridges, recessed areas, grooves, slots, indented shapes, bumps and raised shapes, which are configured to correspond to complementary surface elements on the switching device; wherein the portable switching device

is configured to activate, deactivate, or send into hibernation the portable electronic device; wherein the electronic device plays, pauses and/or controls the volume of a remote device; wherein the switching device includes a lid and hinge; wherein the lid is recessed to configure to the electronic device; and wherein the case of the switching device, including its hinged lid, protects the electronic device. A more specific description of the matters claimed by this patent is detailed below.

10. The matters described and claimed by U.S. Patent No. 10,259,021 generally include systems comprising a portable switching device magnetically and selectively coupled to a portable electronic device; wherein the electronic device comprises an electronic circuit that is responsive to the switching device; the electronic device comprises at least one of beveled edges, ridges, recessed areas, grooves, slots, indented shapes, bumps, and raised shapes, which are configured to correspond to complementary surface elements on the switching device; wherein the portable switching device is configured to activate, deactivate or send into hibernation the portable electronic device; and wherein the case of the switching device functions protects the electronic device. A more specific description of the matters claimed by this patent is detailed below.

11. The matters described and claimed by U.S. Patent No. 10,259,020 generally include systems comprising a portable switching device coupled to a portable electronic device; wherein: the switching device and the electronic device are configured to selectively couple to each other employing magnetic force from a first magnet disposed within the switching device; the switching device comprises a first case; the electronic device comprises a second case and an electronic circuit that is responsive to the switching device; the electronic device comprises at least one of beveled edges, ridges, recessed areas, grooves, slots, indented shapes, bumps and raised shapes which are configured to correspond to complementary surface elements on the switching device;

the portable switching device is configured to activate, deactivate or send into hibernation the portable electronic device; and wherein the electronic device protects the switching device. A more specific description of the matters claimed by this patent is detailed below.

### **THE PARTIES**

12. Gwee is a Texas limited partnership having its place of business at 1819 St. James Place in Houston, Texas.

13. Apple is a California corporation having a place of business in Cupertino, California, and having regular and established places of business in Houston, namely at the Apple Stores in the Houston Galleria, Memorial City Mall and Highland Village shopping center. Apple may be served with process through its registered agent for service in Texas: CT Corporation System, 1999 Bryant Street, Suite 900, Dallas, Texas 75201.

### **JURISDICTION AND VENUE**

14. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 101, *et seq.*

15. This Court has personal jurisdiction over Apple, including because it has committed acts within this State giving rise to this action and which have established minimum contacts with this forum such that the exercise of jurisdiction over Apple, including to the fullest extent of the Texas Long Arm Statute, would not offend traditional notions of fair play and substantial justice. Without limitation, Gwee's claims of infringement, including as set forth herein, arise in part out of Apple's infringing uses, sales and offers for sale of the Apple Infringing Products occurring in the State of Texas.

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