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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION**
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13 EMPOWER TRIBE COMMERCIAL FZE, a
14 Dubai company, and EMPOWER TRIBE IP
15 HOLDINGS LTD., an Abu Dhabi company,

16 Plaintiffs,

17 v.

18 ROLAND CORPORATION, a Japanese
19 corporation, and ROLAND CORPORATION
20 U.S., a Delaware corporation,

21 Defendants.
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Case No. 2:25-cv-09658

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiffs, Empower Tribe Commercial FZE, and Empower Tribe IP Holdings Ltd., bring this action against Defendants Roland Corporation and Roland Corporation U.S., and allege as follows:

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THE PARTIES

1. Plaintiff Empower Tribe HQ FZE (“Empower”) is a Dubai company with its principal place of business in Dubai, United Arab Emirates.

2. Plaintiff Empower Tribe IP Holdings Ltd. (“Empower IP”) is a United Arab Emirates company with its principal place of business in Abu Dhabi, United Arab Emirates. Empower and Empower IP are referred to collectively below as “Plaintiffs.”

3. Plaintiffs allege on information and belief that Defendant Roland Corporation (“Roland”) is a Japanese corporation with its principal place of business within the United States in Los Angeles, California.

4. Plaintiffs allege on information and belief that Defendant Roland Corporation U.S. (“Roland U.S.”) is a Delaware corporation with its principal place of business in Los Angeles, California. Roland and Roland U.S. are referred to collectively below as “Defendants.”

5. Roland publicly characterizes Roland U.S. as its wholly-owned subsidiary and exclusive distributor within the United States. Plaintiffs allege on information and belief that Roland directs the activities of, and derives profits from, Roland U.S.’s activities, including Roland U.S.’s acts of patent infringement described below.

JURISDICTION AND VENUE

3. Pursuant to 28 U.S.C. § 1338(a), the Court has subject matter jurisdiction over this matter because it arises under an Act of Congress relating to patents.

4. This Court has personal jurisdiction over Defendants because they each engage in systematic and continuous activities in this District, including maintaining a business location in Los Angeles, California. Additionally, in the past both Roland and Roland U.S. have invoked the jurisdiction of this Court by filing lawsuits in the Central District of California. Exercising personal jurisdiction over each of the Defendants is reasonable and comports with due process.

5. Venue is proper in this District under 28 U.S.C. §1400(b) because both Defendants have committed acts of patent infringement, and have regular and

1 established places of business, here.

2 **GENERAL ALLEGATIONS**

3 6. Empower is engaged in the design, manufacture, advertising, promotion, and
4 sale of musical instruments and accessories. These products are sold under a number
5 of brands, including Behringer, Music Tribe, and TC Electronic.

6 7. One of the products Empower sells, directly and through distributors, is the
7 TC Electronic Polytune (the “Polytune”).

8 8. The Polytune is covered by at least the following patents, owned by
9 Empower IP after a series of assignments, and licensed to Empower exclusively: U.S.
10 Patent Nos. 8,334,449; 8,338,683; 8,350,141; 8,873,053; 9,070,350; and 9,076,416.

11 9. U.S. Patent No. 8,338,683 (the '683 Patent), titled “Polyphonic Tuner,” was
12 issued on December 25, 2012 to Søren Henningsen Nielsen, Esben Skovenborg, Lars
13 Arkaes-Pedersen, and Kim Rishøj Pedersen. The '683 Patent originally was assigned
14 to The TC Group A/S. Empower IP has owned the '683 Patent since January 22, 2025.

15 10. The '683 Patent is presumed, and is in fact, valid and enforceable. A copy of
16 the '683 Patent is attached as Exhibit A.

17 11. The '683 Patent claims a tuning device for musical instruments, including
18 guitars. Among other things, the invention claims a method for tuning multiple guitar
19 strings at the same time and an apparatus for doing so.

20 12. The Polytune is a commercial embodiment of the '683 Patent.

21 13. The Polytune was launched in 2011. Since that time, Empower and its
22 predecessors and affiliates have spent significant sums advertising and promoting the
23 product, including by emphasizing its innovative features and the fact that the product
24 is covered by a number of patents. Empower currently lists relevant U.S. and foreign-
25 equivalent patents for the Polytune on its website, located at www.musictribe.com.

26 14. Empower sells a number of versions of the Polytune throughout the United
27 States, including through such well-known distributors as Sweetwater, Reverb, and
28 Amazon. It has gained recognition and generated significant sales, and enjoys a strong

1 reputation with professional and amateur musicians as an excellent, useful product.

2 15. Defendant Roland Corporation is a massive international corporation, based
3 in Japan, that also sells musical instruments and accessories, including under the Boss
4 brand name. Although Roland has developed many products on its own, it decided
5 that instead of creating a polyphonic tuner itself, it would simply knock off
6 Empower's patented device instead.

7 16. Defendants currently sell at least three products incorporating tuners that
8 infringe, directly or indirectly, at least Claims 1 and 30 of the '683 Patent: the Boss
9 GX-100, the Boss GX-10, the Boss GT-1000, the Boss GT-1000CORE, the Boss GT-
10 100 Version 2, the Boss SY-1000, and the Roland GR-55 (collectively, the "Accused
11 Devices"). Each of these products comprises a tuner that reads on every limitation of
12 Claim 30, an apparatus claim, and each is accompanied by a manual clearly
13 instructing end users how to practice the method of Claim 1, and inducing them to do
14 so.

15 17. Defendants have never sought or obtained a license of the '683 Patent, and
16 are not authorized to practice any claim of that patent.

17 18. Through their counsel in Germany, Plaintiffs contacted Roland, informing it
18 of the infringement and seeking an amicable resolution. Roland denied infringement,
19 refused to negotiate a potential settlement, and refused to cease infringing.

20 19. As a result, Plaintiffs bring this action to vindicate their important
21 intellectual property rights, to recover damages arising from Defendants' willful
22 infringement, and to put an end to that infringement.

23 **COUNT 1: INFRINGEMENT OF U.S. PATENT NO. 8,338,683**

24 20. Plaintiffs repeat, reallege, and incorporate by reference the allegations of
25 paragraphs 1 through 19 of this Complaint as though set forth fully here.

26 21. Defendants directly infringe at least Claim 30 of the '683 Patent, and
27 contribute to or induce the infringement of at least Claim 1 of the '683 Patent, by
28 making, using, offering for sale, selling, and importing into the United States devices

1 that practice the claims of the '683 Patent, without authorization by or a license from
2 either of the Plaintiffs.

3 22.A detailed claim chart demonstrating that the Accused Devices infringe the
4 '683 Patent is attached as Exhibit B, and the contents of that claim chart are
5 incorporated into these allegations by reference.

6 23.Among other things, and as confirmed by Defendants' own product
7 manuals, all of the Accused Devices permit a user to select between a monophonic
8 mode and a polyphonic mode. Third-party reviewers have also pointed out this feature
9 of some or all of the Accused Devices.

10 24.Plaintiffs allege that Defendants literally infringe the '683 Patent, but at a
11 minimum they infringe the patent under the doctrine of equivalents.

12 25.Defendants' infringement has harmed, and unless enjoined will continue to
13 harm, Plaintiffs. As a result, Plaintiffs are entitled to their compensatory damages, or
14 at a minimum a reasonable royalty.

15 26.Defendants' infringement was and is willful, entitling Plaintiffs to treble
16 damages.

17 27.Additionally, monetary damages are insufficient to compensate Plaintiffs for
18 all the harm Defendants' willful infringement has caused. Therefore, Plaintiffs are
19 also entitled to a preliminary and permanent injunction prohibiting further sales of the
20 Accused Devices, and of any other Roland product that practices any claim of the '683
21 Patent.

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23 **PRAYER FOR RELIEF**

24 **THEREFORE**, Plaintiffs pray for judgment as follows:

- 25 1. That Roland and Roland U.S. each be found to have infringed one or
26 more claims of the '683 Patent.
27 2. That each of the Defendants' infringement be deemed willful.
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