UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Civil Action No.1:23-cv-0407

THE RIDGE WALLET LLC,

Plaintiff,

v.

2985, LLC D/B/A MOUNTAIN VOYAGE COMPANY, LLC,

Defendant.

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

AND JURY DEMAND

Plaintiff The Ridge Wallet, LLC ("Ridge" or "Plaintiff") files this First Amended Complaint For Patent Infringement against 2985, LLC d/b/a Mountain Voyage Company, LLC ("Mountain Voyage" or "Defendant") alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. This is a civil action arising under the patent laws of the United States, 35 U.S.C. § 1 et seq., including specifically 35 U.S.C. § 271, based on Mountain Voyage's willful infringement of Claims 1 and 14 of U.S. Patent No. 10,791,808 (the "'808 Patent").

THE PARTIES

2. Ridge is a corporation existing under the laws of the State of Delaware having its principal place of business located at 2448 Main St, Santa Monica, California, 90405, United States.

3. On information and belief, Mountain Voyage is a Colorado corporation having its principal place of business located at 2985 Xenon Street, Wheat Ridge, Colorado 80215.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the claims herein arise under the patent laws of the United States, 35 U.S.C. § 1 et seq., including 35 U.S.C. § 271.

5. This Court has personal jurisdiction over Mountain Voyage in this action because Mountain Voyage has committed acts of infringement within the State of Colorado and within this District through, for example, the sale of the Mountain Voyage Slim Wallets online in this District.

6. Mountain Voyage regularly transacts business in the State of Colorado and within this District.

7. Mountain Voyage engages in other persistent courses of conduct and derives substantial revenue from products and/or services provided in the District of Colorado, and has purposefully established substantial, systematic, and continuous contacts within this District. Mountain Voyage should thus reasonably expect to be sued in a court in this District.

8. Mountain Voyage continues to grow its presence in this District, further cementing its ties to this District. For example, Mountain Voyage operates a website and an Amazon.com seller's website to continue to try to sell products similar to those sold by Ridge.

9. The Court's exercise of jurisdiction over Mountain Voyage will not offend traditional notions of fair play and substantial justice.

10. Venue in the District of Colorado is proper pursuant to 28 U.S.C. §§ 1391(b), (c) and 1400(b).

11. Mountain Voyage has committed acts of infringement within this judicial district,

giving rise to this action.

12. Mountain Voyage continues to conduct business in this judicial district, including one or more acts of making, selling, using, importing, and/or offering for sale infringing products or providing support service to Mountain Voyage's customers in this District.

RIDGE'S LEGACY OF INNOVATION

13. Ridge is an innovative and revolutionary consumer goods company that has changed the industry with regard to several categories of products. One such category that Ridge has revolutionized is the category of compact wallets.

14. Ridge was formed in 2014 with the simple belief that the company could make wallets better. Prior to Ridge revolutionizing the industry, wallets were designed to hold everything from gift cards and credit cards to receipts and coins.

15. Ridge turned that approach on its head with its minimalist-first design approach.

16. After two Kickstarter campaigns, nine years of research and development in the United States, and over two million wallets sold, Ridge continues to start every day with that same mentality: to improve the items customers carry every day. Ridge's continued success in introducing successful, carryable products is evidence of its innovative approach and business acumen.

17. Today, the Ridge Wallet is one of the most distinct and recognizable wallets on the market.



Exhibit 1.

18. It all started when inventor Daniel Kane had an idea for a wallet that is sleeker and smaller than a traditional tri-fold or bi-fold wallet.



Exhibit 2.

19. Sitting at his home in California, Mr. Kane came up with a design for a card-shaped wallet to hold not only cards (credit cards, identification cards, and the like) but also to hold cash. Its exterior was metal and included a money clip. It included two multi-piece metal panels that were initially held together with rivets. The two panels were urged toward one another with an elastic band. In fact, Mr. Kane's mother sewed the very first set of elastic bands, and a Simi Valley, California metalworker named Loren, crafted the metal components that were used in those first wallets including the rivets used to fix the plates together. The interior plates of the original prototypes were made by Mr. Kane by modifying plastic gift cards glued together and removing excess plastic to make the inner track for the elastic bands made by his mother. Those plastic

interior plates were then re-created in metal by Loren to create the first metal prototypes.

20. Ridge first began offering for sale its patent-practicing product, in mid to late 2016. As interest in Ridge's innovative product grew, and sales and revenue reflected this growth, Ridge began offering different iterations of the same wallet to address differences in consumers' style preferences.



Exhibit 3.

20. Ridge's innovative, dual track, metal design has become synonymous with the brand itself, leading consumers to refer to knockoffs as "generic ridge wallets." See, for example:

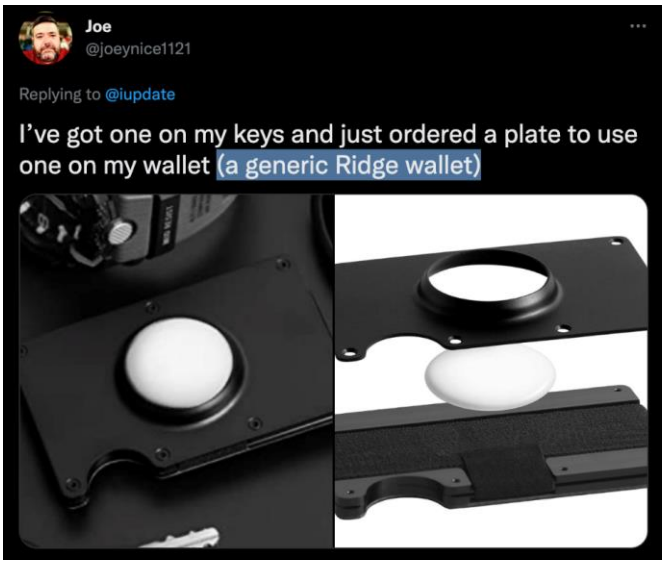

Exhibit 4.

21. In fact, Walletopia put together an article evaluating "the top 6 Ridge knock off wallets from Amazon and compar[ing] them to the original ridge Carbon Fiber and Ridge Aluminum. It's the Ridge vs knockoff to see if it makes sense to try before you buy a Ridge Wallet." Exhibit 5. In the post, Walletopia acknowledges that other sellers are clearly "Ridge knockoffs." See, for example:

> We have all seen the advertising for Ridge Wallets and all that they have done. They are everywhere and their design set the pace for a wallet that works well for a sandwich-type design. That said, we know every wallet has knockoffs.

Exhibit 5.

22. Ridge brings the instant lawsuit because Mountain Voyage is unlawfully infringing Ridge's intellectual property—intellectual property that is a direct result of Ridge's innovation and ingenuity.

23. Without Ridge's intellectual property and embodying products, Mountain Voyage would not exist. Mountain Voyage and others are reaping enormous benefits from Ridge's vision, and its commitment to that vision, for almost a decade.

THE '808 PATENT

24. Ridge's commitment to innovation includes the prosecution and filing of patent applications, including, but not limited to, United States Patent No. 10,791,808 (the "'808 Patent").

25. Ridge owns, by assignment, all right, title, and interest in the '808 Patent.

26. The '808 Patent is titled "Compact Wallet," issued on October 6, 2020, and names Daniel Kane as the single inventor. The '808 Patent was issued from U.S. Patent Application No.

15/421,596, filed on February 1, 2017.

27. A true and accurate copy of the '808 Patent is attached hereto as Exhibit 6. A true and accurate copy of the assignment from the named inventor to Ridge is attached hereto as Exhibit 7.

MOUNTAIN VOYAGE'S RECENT FORAY INTO THE "COMPACT WALLET" SPACE WITH THE ACCUSED PRODUCTS

28. Nearly eight years after the creation of The Ridge Wallet, LLC, Mountain Voyage entered the compact wallet market with the sale of its "Slim Wallets."

29. On its website, Mountain Voyage offers for sale several products including a Matte Slim Wallet offered in various colors, a Natural Walnut Slim Wooden Wallet, and a Matte Slim Carbon Fiber Wallet (collectively, the "Slim Wallets" or "Accused Products").

30. Mountain Voyage contends the Slim Wallets have "a slim and compact design" that "can hold up to 15 cards and up to 8 bank notes or bills." *See* Exhibit 8.

31. According to the Mountain Voyage website, the Slim Wallet has "an ergonomic and lightweight design that fits perfectly in your pocket without bulking," and is offered in aluminum, walnut wood, and carbon fiber, all made with "rustproof metal finishes." *See* Exhibit 9. It is "equipped with advance [sic] RFID Blocking technology which protects your valuable information stored on RFID chips from unauthorized scans." *See* Exhibit 8.

32. Mountain Voyage also offers for sale its Slim Wallets on third party websites, including, but not limited to, Amazon.com. *See, e.g.*, Exhibit 10.

33. Mountain Voyage has made, used, offered for sale, and sold, and continues to make, use, offer for sale, and sell, Slim Wallets, including but not limited to the Slim Wallets identified above. *See* Exhibit 8.

34. Upon information and belief, Mountain Voyage has imported, and continues to

import, Slim Wallets, including but not limited to the Slim Wallets identified above. *See* Exhibit 8.

MOUNTAIN VOYAGE'S KNOWLEDGE OF RIDGE'S INFRINGEMENT ALLEGATIONS OF THE '808 PATENT

35. On December 22, 2022, Ridge filed an Amazon takedown request (Exhibit 11), asserting that Mountain Voyage's Slim Wallets infringed the '808 Patent.

36. On January 17, 2023, Mountain Voyage sent a letter to Ridge in response to Ridge's Amazon takedown request (Exhibit 12).

37. On January 20, 2023, Ridge sent a cease and desist letter (the "Cease and Desist Letter") to Mountain Voyage (Exhibit 13), again specifically charging it with infringement of at least the '808 Patent and addressing the points in Mountain Voyage's January 17, 2023, letter. *See* Exhibit 12.

38. In addition, Ridge's Cease and Desist Letter explicitly included a reservation of rights putting Mountain Voyage on notice of Ridge's pending patent applications:

> Ridge's patent protection, and commensurate commitment to investing in its intellectual property more generally, does not stop with the '808 Patent. Indeed, as of today's date, Ridge is in the process of securing additional patents (as listed below) and of which we hereby put Mountain Voyage on notice:

Title	Serial No.	Filing Date
Compact Wallet	18/076,188	12/6/2022
Wallet	29/813,524	10/29/2021
Wallet	29/812,250	10/20/2021
Wallet	29/813,614	10/29/2021
Wallet	29/813,617	10/29/2021
Wallet Portion	29/822,078	1/5/2022
Clip	29/882,878	1/19/2023

Exhibit 13.

39. Ridge's Cease and Desist Letter further demanded that Mountain Voyage "cease and desist from selling its infringing products in the United States by no later than January 30,

2023." *Id.*

40. On January 30, 2023, Mountain Voyage responded to Ridge's Cease and Desist Letter; the response does not ameliorate or change Mountain Voyage's (willful) infringement of the '808 Patent. Exhibit 14.

41. Mountain Voyage has neither taken a license to the '808 Patent, nor engaged Ridge in discussions of acquiring such a license.

42. On information and belief, Mountain Voyage has not altered the functionality of any of its products to avoid infringement of the '808 Patent.

COUNT I

(Infringement of the '808 Patent)

43. Ridge incorporates by reference and re-alleges each and every allegation of Paragraphs 1 through 43 as set forth herein.

44. Ridge owns all substantial rights, interest, and title in and to the '808 Patent, including the sole and exclusive right to prosecute this action and enforce the '808 Patent against infringers, and to collect damages and secure and enforce injunctive relief, for all relevant times.

45. The '808 Patent generally describes a sleek card and money-carrying device, such as a compact wallet, that is capable of blocking radio frequency identification ("RFID"). In particular, the claimed invention "is a compact wallet designed to present a minimal silhouette in a shirt, pants, or purse pocket. Novel features hold the silhouette to the minimal dimensions of a credit card while affording maximal expandability for content storage and accessibility." Exhibit 6, at Abstract. The Ridge Wallet comprises two multi-piece panels held together with rivets where the two panels are connected and urged toward one another with an elastic band. The compact wallet can be assembled with a money clip or an elastic and plastic cash strap.

46. The written description of the '808 Patent describes in technical detail each of the claims limitations, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations are patentably distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention. *See* Exhibit 6.

47. The '808 Patent claims are directed to patent eligible subject matter in the form of "machines" — "compact wallet[s]" — and thus satisfy 35 U.S.C. § 101.

48. Mountain Voyage has made, had made, used, imported, supplied, distributed, sold, and/or offered for sale the Accused Products, including its Slim Wallets. *See, e.g.*, Exhibits 8, 10.

49. As set forth in the attached non-limiting Claim chart (Exhibit 15), Mountain Voyage has infringed and is infringing at least Claims 1 and 14 of the '808 Patent literally and/or by way of the doctrine of equivalents by making, having made, using, importing, supplying, distributing, selling, and/or offering for sale the Accused Products.

50. Mountain Voyage actively induces infringement of at least Claims 1 and 14 of the '808 Patent by selling the Accused Products in such a way that users are instructed to make and/or use a wallet that infringes the '808 Patent. *See* Exhibit 16. Mountain Voyage aids, instructs, or otherwise acts with the intent to cause an end user to use the Accused Products. Mountain Voyage knew of the '808 Patent at least as early as December 22, 2022, and knew that its subsequent making, using, selling, offering for sale, and/or importation would cause purchasers to directly infringe at least Claims 1 and 14 of the '808 Patent. *See* Exhibits 11, 13.

51. Mountain Voyage is also liable for contributory infringement of at least Claims 1 and 14 of the '808 Patent by providing, and by having knowingly provided, a material part of the instrumentalities, namely the Accused Products, used to infringe Claims 1 and 14 of the '808

Patent. The Accused Products have no substantial non-infringing uses. When an end user uses the Accused Products, for example, a Mountain Voyage Slim Wallet, the end user directly infringes Claims 1 and 14 of the '808 Patent. Mountain Voyage knew of the '808 Patent at least as early as December 22, 2022 and knew that its subsequent making, using, selling, offering for sale, and/or importation would cause purchasers to directly infringe at least Claims 1 and 14 of the '808 Patent. *See* Exhibits 11, 13. For at least the reasons set forth above, Mountain Voyage contributes to the infringement of the '808 Patent by others.

52. Ridge has been damaged as a result of Mountain Voyage's infringing conduct alleged above. Thus, Mountain Voyage is liable to Ridge in an amount that compensates it for such infringement, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

53. Mountain Voyage's infringement of the '808 Patent has caused, and will continue to cause, Ridge to suffer substantial and irreparable harm, unless and until that infringement is enjoined by this Court.

54. Mountain Voyage has been aware of Ridge's belief that Mountain Voyage infringes the '808 Patent since at least December 22, 2022. *See* Exhibit 11.

55. Mountain Voyage's infringement of the '808 Patent is, has been, and continues to be, willful, intentional, deliberate, and/or in conscious disregard of Ridge's rights under the '808 Patent.

56. Ridge has complied with 35 U.S.C. § 287 with respect to the '808 Patent at least by virtually marking its patented products on its website. *See* Exhibit 17.

JURY DEMAND

Ridge hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Ridge requests that:

A. The Court find that Mountain Voyage has directly infringed the '808 Patent and hold Mountain Voyage liable for such infringement;

B. The Court find that Mountain Voyage has indirectly infringed the '808 Patent by inducing its customers to directly infringe the '808 Patent and hold Mountain Voyage liable for such infringement;

C. The Court find that Mountain Voyage has indirectly infringed the '808 Patent by contributing to Mountain Voyage's customers' direct infringement of the '808 Patent and hold Mountain Voyage liable for such infringement;

D. The Court preliminarily and permanently enjoin Mountain Voyage from further infringement of the '808 Patent and making, using, selling, and offering for sale the Accused Products;

E. The Court award damages pursuant to 35 U.S.C. § 284 adequate to compensate Ridge for Mountain Voyage's past infringement of the '808 Patent, including both pre- and post-judgment interest and costs as fixed by the Court;

F. The Court increase the damages to be awarded to Ridge by three times the amount found by the jury or assessed by the Court;

G. The Court declare that this is an exceptional case entitling Ridge to its reasonable attorneys' fees under 35 U.S.C. § 285;

H. The Court award costs and expenses in this action;

I. The Court award prejudgment and post-judgment interest; and

J. The Court award such other relief as the Court may deem just and proper.

Dated: April 6, 2023

Respectfully submitted,

/s/ *Aurora Temple Barnes*

Aurora Temple Barnes
CO Bar No. 52677
K&L Gates LLP
1717 Main Street, Suite 2800
Dallas, Texas 75201
Tel.: (214) 939-5627
Aurora.barnes@klgates.com

Benjamin E. Weed
Gina A. Johnson
Amanda Maxfield
K&L GATES LLP
Suite 3300
70 W. Madison Street
Chicago, IL 60602
Tel.: (312) 807-4243
gina.johnson@klgates.com
benjamin.weed@klgates.com
amanda.maxfield@klgates.com

ATTORNEYS FOR PLAINTIFF
THE RIDGE WALLET, LLC

EXHIBIT LIST

Exhibit No.	Designation	Description
1	Public	GQ Article Featuring Rigde Wallet
2	Public	Ridge Wallet Comparison Image
3	Public	Ridge "*Forged Ember*" Wallet
4	Public	Generic Ridge Wallet Twitter Post
5	Public	Walletopia Article Comparing Ridge and Knockoffs
6	Public	United States Patent No. 10,791,808
7	Public	Assignment of Records for U.S. Patent No. 10,791,808
8	Public	Mountain Voyage Website Home Page
9	Public	Mountain Voyage Slim Wallet Description
10	Public	Mountain Voyage Slim Wallet Sold on Amazon
11	Public	Ridge's Amazon Takedown Requests
12	Public	Mountain Voyage Letter to Ridge (January 17, 2023)
13	Public	Ridge Cease and Desist Letter to Mountain Voyage
14	Public	Mountain Voyage Reply to Cease and Desist Letter
15	Public	Ridge Claim Chart Against Mountain Voyage
16	Public	Mountain Voyage Product Instructions
17	Public	Ridge Virtual Patent Marking

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2023, a true and correct copy of the foregoing FIRST AMENDED COMPLAINT AND JURY DEMAND was electronically filed using the CM/ECF system and served on all counsel of record. Parties may access this filing through the CM/ECF system.

/s/ Aurora Temple Barnes
Aurora Temple Barnes, Esq.