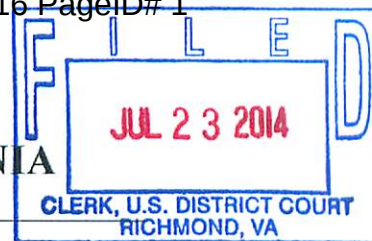


**IN THE U.S. DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**



Erik B. Cherdak
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Alexandria, Va. 22314
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Fax: 1-240-597-0414

Plaintiff,

v.

Motorola Mobility, LLC
222 Merchandise Mart Plaza
Suite 1800
Chicago, Illinois 60654

Defendant.

Case No. 3:14-cv-522 (HEH)

**COMPLAINT
FOR PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

RELATED CASES:

E.D.Va. No. 1:13-cv-777 (LO/jfa)

E.D.Va. No. 1:12-cv-1394 (LO/jfa)

E.D.Va. No. 1:11-cv-1311 (LO/jfa)

PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Erik B. Cherdak, *Pro Se*, and in and for his Complaint against the above-named Defendant, pleads the following:

THE PARTIES

1. Plaintiff is an individual and a licensor of intellectual property having a principal place of business located at the address listed in the caption of this Complaint. At all times relevant herein, Plaintiff has been and is the named inventor in and owner of U.S. Patent Nos. 5,343,445 and 5,452,269 (hereinafter referred to herein as the "patents-in-suit") and all reexamination certificates issued in relation thereto..
2. Defendant Motorola Mobility, LLC (hereinafter "MOTOROLA") is a Delaware, USA limited liability company having a principal place of business located at the addressed specified in the caption of this Complaint. MOTOROLA regularly sold its MOTOROLA branded MOTOACTV activity tracking products (the "Accused Products") directly and through a

network of distributors and online *via* the Internet in this judicial district of Virginia, USA prior to the expiration of the patents-in-suit. MOTOROLA has, in the past, substantially relied on “big-box” stores like BEST BUY stores in this judicial district of Virginia, USA to sell and distribute the Accused Products as defined herein.

JURISDICTION AND VENUE

3. This is an action for *past* Patent Infringement of U.S. Patent Nos. 5,343,445 and 5,452,269 to Cherdak (as reexamined by the USPTO on two occasions) (the “patents-in-suit”) under the Laws of the United States of America and, in particular, under Title 35 of the United States Code (Patents – 35 USC § 1, *et seq.*). Accordingly, Jurisdiction and Venue are properly based in accordance with Sections 1338(a), 1391(b) and (c), and/or 1400(b) of Title 28 of the United States Code. MOTOROLA has in the past engaged in direct patent infringement in violation of the U.S. Patent Act in this judicial district to substantial degrees such that Plaintiff’s cause of action specified herein is borne out of such conduct occurring in this judicial district of Virginia, USA and elsewhere. Under section 1400(b) of Title 28, venue properly lies here, in Virginia, as substantial acts of past patent infringement (SALES) occurred in the Commonwealth of Virginia and because MOTOROLA facilitated significant sales activities (either directly or through agency) in major retail establishments including, but not limited to, Best Buy stores like or similar to Best Buy Store No. 397 located in Tysons Corner, Va. At 8449 Leesburg Pike, Vienna, Virginia 22182.

4. MOTOROLA has in the past engaged in the design, importation, distribution, sale, and/or offering for sale of infringing products including, but not limited to, those which incorporate technologies and the use of methods covered and claimed by the patents-in-suit. At all times relevant herein including, but not limited to, all times through the expiration dates of the patents-in-suit, MOTOROLA engaged in the infringement of and/or induced the infringement of and/or

contributed to the infringement of the patents-in-suit patent throughout the United States, and especially in this judicial district of Virginia, USA.

FACTS

5. On July 6, 1993, Plaintiff filed a patent application entitled “Athletic Shoe with Timing Device” which resulted in the issuance of the U.S. Patent 5,343,445 on August 30, 1994. On August 29, 1994, Plaintiff filed a Continuation-type application also entitled “Athletic Shoe with Timing Device” which resulted in the issuance of the U.S. Patent No. 5,452,269 on September 19, 1995. The patents-in-suit cover and claim products like those made, used, imported, offered for sale, marketed, and sold by Defendant directly and indirectly. The patents-in-suit successfully went through USPTO expert examination and post-issuance review proceedings on three (3) separate occasions: First, in the early 1990’s during initial examination proceedings; Second, during *ex parte* reexamination proceedings in the 2007-2008 time-frame; and, third, during *ex parte* reexamination proceedings in 2012. Such reexamination proceedings resulted, *inter alia*, in the confirmation of many claims without amendment and the addition of claims submitted to alternatively define the claimed inventions of the ‘445 and ‘269 patents. The patents-in-suit along with their reexamination certificates are attached hereto at **Exhibits 1, 2, 3, 4, 5, and 6**. Plaintiff owns all right, title and interest and to the patents-in-suit and, as such, has the full right to bring this action for *past* patent infringement and to seek all remedies for acts of past patent infringement under the U.S. Patent Act that occurred prior to the expiration of the patents-in-suit. See 35 USC § 286.

6. MOTOROLA, has in the past manufactured, imported, distributed, sold and/or offered for sale infringing products in unauthorized ways and in violation of the U.S. Patent Act. For example, MOTOROLA has, in the past, manufactured and marketed and, most importantly, sold infringing activity trackers and monitors for sensing activity metrics related to foot action such as

during activities like or similar to running, jogging, jumping, walking and stepping. MOTOROLA has, in the past, directly and through significant distribution networks, sold and offered for sale products throughout the United States and, in particular, in this judicial district of Virginia, USA. In many, if not all cases, the activity trackers made and sold by MOTOROLA under the MOTOACTV brand name were intended to detect foot action (the movements realized during a person's steps or strides) so as to facilitate gathering of activity data for later upload to mobile applications and/or websites for remote monitoring of activity-based metrics that may be derived from steps taken, sensed, and counted over time. For example, and not by limitation, the following activity trackers were and have been made and sold by MOTOROLA MOBILITY, LLC prior to the expiration of the patents-in-suit and have been referred to as the "Accused Products":



FIG. 1: The MOTOROLA MOTOACTV™ device includes an internal accelerometer to track steps taken by its wearer. The Kit includes a CLIP that may be attached to a person's belt, shirt, shoe, etc. to accurately record activity metrics in accordance with steps taken, etc.

SOURCE: <http://www.dcrainmaker.com/2011/11/motorola-motoactv-in-depth-review.html>



FIG. 2: A MOTOROLA MOTOACTV™ activity tracker displays steps taken based on operation of its internal accelerometer. As show, the person has taken 1591 Steps by determining foot action including when a person's foot is off the ground in the air during a step, a jump, etc.

SOURCE: <http://www.dcrainmaker.com/2011/11/motorola-motoactv-in-depth-review.html>

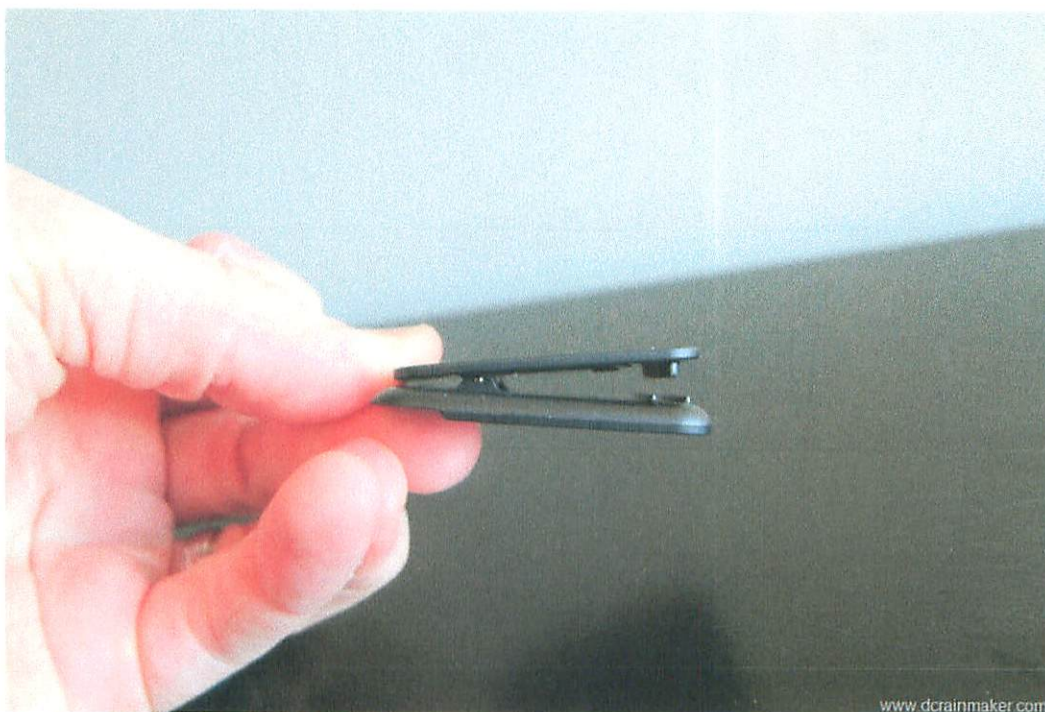


FIG. 3: The MOTOROLA MOTOACTV™ activity tracker was sold with a CLIP-HOLDER suitable for secure placement of the MOTOACTV device on a person's hip, shirt, belt, shoe, etc. to facilitate operation of the MOTOACTV device and step detection and counting thereby.

SOURCE: <http://www.dcrainmaker.com/2011/11/motorola-motoactv-in-depth-review.html>

7. Within MOTOACTV activity trackers, steps, for example, are determined by sensing relative locations of an activity tracker through or as a result of foot action during movement (e.g., from shoe lift to shoe landing, etc.). A step may be sensed from shoe/foot lift-off to landing within a step or jump, from ground-strike through lift to ground-strike, etc. All of these foot actions may be sensed by the accelerometer within MOTOACTV activity trackers. According to MOTOROLA, an “internal accelerometer” tracks pace and distance (e.g., as a result of detecting steps) as indicated as follows:

indoor running

MOTOACTV's internal accelerometer tracks your pace and distance while you run indoors on a treadmill or track. See your metrics while you run or after. Your data automatically uploads to MOTOACTV's online Training Portal via your Wi-Fi connection. It also stores all your runs so you can see your progress over time. For greater accuracy, you can calibrate your MOTOACTV to your specific pace.



FIG. 4: SOURCE: <https://motoactv.com/home/page/activities.html> (See EXHIBIT 7)

8. This Complaint and this action are NOT limited to the EXEMPLARY Accused Products shown and/or discussed above. Due discovery in this case will reveal the true scope of accused products that are subject to Plaintiff's claim for *past* patent infringement as specified herein.

9. MOTOROLA MOTOACTV activity trackers as illustrated and described *supra*, facilitate Internet-connected mobile applications (“apps”) and web-based activity tracking facilities for adults and children who are instructed to use websites implemented and/or operated by

MOTOROLA and its customers. For example, MOTOROLA operates the motoactv.com website as part of the product and service offerings associated with the Accused Products.

10. In addition to the MOTOROLA MOTOACTV's internal and inherent ability to detect steps taken when worn on a part of a person's body, MOTOACTV activity trackers include built-in data communications in accordance with the ANT+ protocol. ANT+ allows MOTOACTV devices to be placed into radio communications with ANT+ enabled devices including, but not limited to, ANT+ based foot pods such as those manufactured and marketed by GARMIN and others. Many foot pod based activity tracking sensor devices have already been licensed under the patents-in-suit. Garmin is a licensed party under the Cherdak patents. Such GARMIN branded and other products were the subject of litigation in this U.S. District Court for the Eastern District of Virginia. For example, and not by way of limitation, the family of FITBIT® devices were licensed under the patents-in-suit during their enforceable periods and were the subject of litigation in this the U.S. District Court for the Eastern District of Virginia in the case styled *Cherdak v. Fitbit, Inc.*, Case No. 1:12-cv-1394-LO-JFA. A similar foot pod based product was the subject of litigation in this the U.S. District Court for the Eastern District of Virginia in the case styled *Cherdak v. Timex Group USA, Inc., et al.*, Case No. 1:12-cv-873-LO-JFA. All of those cases resulted in confidential settlements.

11. Since at least August 31, 2012, third-parties were obligated under contract and license to include patent markings related to the patents-in-suit in connection with sales of licensed activity trackers and sensor products. For example, within the PEAR ONE™ product line manufactured and sold by Plaintiff's licensee, Pear Sports, LLC, Pear Sports marked its products and related materials with the following patent legend:

Products may be covered by one or more of the following patents until their expiration: USP 5,343,445 and USP 5,452,269. Products sold under license.

Pear Sports, LLC was a non-exclusive licensee required to pay per-unit running royalties under a license agreement entered into between Plaintiff and Pear Sports, LLC effective August 31, 2012. Plaintiff will provide MOTOROLA with non-confidential proof to of such established royalty rates as this case proceeds.

12. Others have been required under similar licenses granted by Plaintiff to include patent markings in relation to their activity tracking/monitoring products that read as follows:

Covered by one or more of U.S. Patent Nos. 5,343,445 and 5,452,269.

See http://www.bioness.com/L300_for_Foot_Drop.php. Regardless of implementation details of the sensor used within the Accused Products, sensor based products sold under license and in accordance with the applicable patent markings operate based on determining when a shoe/foot is off the ground and in the air during an activity such as during a step, a jump, etc. as is contemplated and covered by the patents-in-suit. See **Exhibit 8** (this Honorable Court stating “[t]he 445 patent senses when a shoe leaves and returns to the ground.”).

13. Such aforementioned patent markings provided constructive and, possibly, actual notice to MOTOROLA of the existence of the patents-in-suit and of their duty to enquire about the same on constructive and inquiry notice bases.


COUNT I – PATENT INFRINGEMENT

Paragraphs 1 through 13 are hereby incorporated by reference as though completely set forth herein.


14. Given the validity and enforceability of the patents-in-suit against *past* acts of patent infringement and other activities prohibited under the U.S. Patent Act (35 USC § 1, *et seq.*), Plaintiff, *inter alia*, possesses the right to pursue claims against MOTOROLA for its past design, use, manufacture, importation, sale, offers for sale, and distribution of infringing products under 35 USC § 271(a) (direct infringement), (b) (induced infringement), and (c) (contributory

infringement) during the enforceable periods of the patents-in-suit. MOTOROLA has infringed, contributed to the infringement of, and/or induced the infringement of the patents-in-suit in violation of 35 USC § 271(a), (b), and/or (c) by its past design, use, manufacture, importation, distribution, sale, and/or offer for sale of products and services sold under the MOTOROLA MOTOACTV trade identifier and marks and, possibly other, under other brand names and labels.


15. MOTOROLA's Accused products infringed both of the patents-in-suit and, in particular, at least, the following asserted claims for which exemplary infringement charts are provided below:

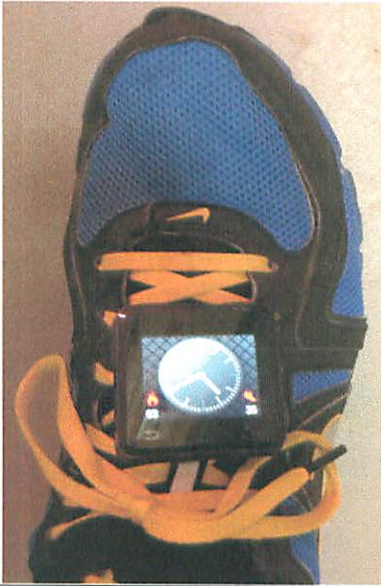
Claim 10 of U.S. Patent No. 5,343,445 C1	Exemplary Infringement Accused Products: MOTOROLA™ MOTOACTV Activity Trackers
<p>10. A method for measuring and indicating hang time off the ground and in the air during a jump by a person wearing an athletic shoe, said method comprising the steps of:</p>	<p>The preamble of claim 10 literally reads on the Accused Products.</p>  <p>The shoe icon/symbol along the bottom of the visual display indicates steps counted. The number "1591" indicates that 1591 steps have been sensed by the sensor in the accused products (e.g., an internal accelerometer). In the image shown above, running time is simultaneously displayed. As stated in FIG. 4 of this Complaint, supra, "MOTOACTV's internal accelerometer tracks your pace and distance while you run indoors on a treadmill or track...See your metrics while you run or after...Your data automatically uploads to MOTOACTV's online Training Portal via your Wi-Fi connection...It also stores all your runs so you can see your progress over time...For greater accuracy, you can calibrate your MOTOACTV to your specific pace."</p>
(a) measuring in the shoe elapsed time between the shoe leaving the ground and returning to the ground;	This claimed method step literally reads on the Accused Products. Elapsed time is measured between the shoe leaving

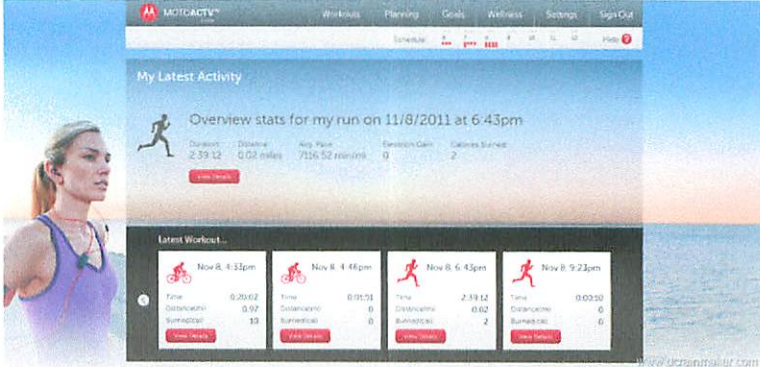

	the ground and later returning to the ground to determine a that a step has occurred. As noted, <i>supra</i> , steps are sensed over time during jumping, walking or running, jogging, etc.
(b) from the elapsed time measured in step (a), determining in said shoe whether said person has jumped off the ground or taken a walking or running step; and	This claimed method step literally reads on the Accused Products. Circuitry within the Accused Products include at least one sensor (e.g., an accelerometer) that is used to determine whether a person has jumped off the ground, taken a walking step or a running step. In fact, characteristics associated specifying activity and corresponding foot action are user-configurable in the MOTOACTV activity tracker.
(c) upon determining in step (b) that the person has jumped off the ground, providing an indication at said shoe, perceptible to said person, of the elapsed time measured in step (a).	This claimed method step literally reads on the Accused Products. Upon determining in step (b) the person has jumped off the ground (e.g., during a running sequence involving a series of jumps, etc.), the Accused products will provide an indication at (in, on or near) the shoe of the elapsed time measured in step (a). The Accused Products include visual displays that provide indications of steps determined and sensed over time. The MOTOACTV activity tracker may be worn on a person's shoe using the CLIP sold with the device.

Claim 12 of U.S. Patent No. 5,452,269 C1	Exemplary Infringement Accused Products: MOTOROLA™ MOTOACTV Activity Trackers
12. The method of measuring hang time off the ground and in the air of an individual, said method comprising the steps of:	<p>The preamble of claim 12 literally reads on the Accused Products. The Accused Products may be worn on a person's shoe and during activities like or involving jumps.</p>  <p>As stated in FIG. 4 of this Complaint, <i>supra</i>, "MOTOACTV's internal accelerometer tracks your pace and distance while you run indoors on a treadmill or track...See your metrics while you run or after...Your data automatically uploads to MOTOACTV's online Training Portal via your Wi-Fi connection...It also stores all your runs so you can see your progress over time...For greater accuracy, you can calibrate your MOTOACTV to your specific pace."</p>
(a) providing in an athletic shoe a selectively actuable timing device;	This claimed method step literally reads on the Accused Products. The CLIP sold with the Accused Products permit

	attachment within the laces of a shoe, on the side of shoe at the foot opening (on the side wall of the shoe), etc. The MOTOACTV is selectively actuatable by the user interface that includes both operability buttons on the sides of the device as well as the touch-screen interface.
(b) actuating said timing device to measure elapsed time in response to said athletic shoe leaving the ground and elevating into the air;	This claimed method step literally reads on the Accused Products. Timing circuitry/processes within an Accused Product is actuated to measure elapsed time in response to an athletic shoe leaving the ground and elevating into the air to determine step type (e.g., running, walking, jogging, etc.) and a step count.
(c) deactuating said timing device in response to said athletic shoe returning to the ground; and	This claimed method step literally reads on the Accused Products. Timing circuitry/processes within an Accused Product is deactuated upon the athletic shoe returning the ground.
(d) providing an indication at said athletic shoe representing the time interval between actuation of said timing device in step (b) and deactuation of said timing device in step (c).	The Accused Products provide an indication (e.g., pace, etc.) at (in, on or near) the athletic shoe. The indication is a visible indication and includes the number of steps, for example, that represents the time interval between actuation and deactuation of timing device circuitry within an Accused Products.

Claim 25 of U.S. Patent No. 5,343,445 C2	Exemplary Infringement Accused Products: MOTOROLA™ MOTOACTV Activity Trackers
25. A method for indicating time off the ground and in the air during an activity including a jump, a walking step, a running step, or a skating lift by a person wearing an athletic shoe suitable to said activity, said method comprising the steps of:	<p>The preamble of claim 25 literally reads on the Accused Products. The Accused Products may be worn on a person's shoe and during activities like or involving jumps. During physical activity, for example, folks wear shoes suitable to that physical activity (i.e., running shoes are worn for running, walking shoes for walking, etc.).</p>  <p>As stated in FIG. 4 of this Complaint, supra, "MOTOACTV's internal accelerometer tracks your pace and distance while you run indoors on a treadmill or track...See your metrics while you run or after...Your data automatically uploads to MOTOACTV's online Training Portal via your Wi-Fi connection...It also stores all your runs so you can see your</p>

	progress over time...For greater accuracy, you can calibrate your MOTOACTV to your specific pace."
(a) sensing, within said shoe, pressure imparted to said shoe when said leaves the ground during said activity;	<p>This claimed method step literally reads on the Accused Products. Whether a MEMS accelerometer (or another type of accelerometer), pressure (force over area) is realized by an Accused Product when a shoe leaves the ground during an activity like a step, etc. There can be no triggering of a sensing element (e.g., a MEMS accelerometer) without the application of forces realized from application of pressure (force over area) applied to a shoe, for example. The CLIP sold with the Accused Products permits attachment of the MOTOACTV devices to a shoe such as within the laces of a shoe, to the side of a shoe, or otherwise. In the image below, step counts over time are displayed in the lower right corner of the visual display of the MOTOACTV device when it was worn on and affixed within the laces of a running shoe.</p> 
(b) sensing, within said shoe, pressure imparted to said shoe when said shoe returns to the ground at the end of said activity; and	<p>This claimed method step literally reads on the Accused Products. A sensor within an Accused Product senses the existence of pressure (force over area) imparted to the shoe when the shoe returns to the ground (e.g., at a heel strike, step-down, etc.) during an activity such as during a walking or running step, for example. The accelerometer within the Accused Products achieves such sensing operations in connection with pressure (force over area) applied to the shoe. See also, description <i>re</i> Step (a).</p>
(c) activating, within said shoe, a messaging device in relation to the time interval between said shoe leaving and returning to the ground as sensed in steps (a) and (b), respectively, said messaging device providing an indication related to said time interval in a manner perceptible to said person.	<p>This claimed method step literally reads on the Accused Products. Timing circuitry/processes within an Accused Product activates (e.g., sends data, signals, commands for operation, etc.) a messaging device that may be located at the shoe. The visual display of an Accused Device is configured to provide an indication <i>related</i> to said time interval occurring between when the shoe leaves and later returns to the ground – e.g., during a step – such as pace.</p>

Claim 27 of U.S. Patent No. 5,343,445 C2	Exemplary Infringement Accused Products: MOTOROLA™ MOTOACTV Activity Trackers
<p>27. The method according to claim 25, wherein said messaging device activated during said activating step (c) is located remotely from said shoe.</p>	<p>The preamble of claim 25 literally reads on the Accused Products. The messaging device active during the activating step may be located as a website view on a computer/mobile device screen to which the MOTOACTV device links to a website via an Internet Connection. For example, distance related to tracked/sensed steps (as related to a shoe leaving and returning to the ground), may be graphically depicted as follows:</p>  <p>Source: http://www.dcrainmaker.com/2011/11/motorola-motoactv-in-depth-review.html</p>  <p>Source: http://www.dcrainmaker.com/2011/11/motorola-motoactv-in-depth-review.html</p>

Claim 28 of U.S. Patent No. 5,343,445 C2	Exemplary Infringement Accused Products: MOTOROLA™ MOTOACTV Activity Trackers
<p>28. The method according to claim 25, wherein said messaging device activated during said activating step (c) is worn on said person and remotely from said shoe.</p>	<p>The preamble of claim 25 literally reads on the Accused Products. When the Accused Product is used with a Foot Pod sensor device (as the Accused Product has been designed to operate), the Foot Pod, instead of the internal accelerometer, will detect/sense steps and corresponding foot action. The Foot Pod will communicate sensed conditions to the Accused Product via the ANT+ protocol to facilitate data tracking. The Accused Product is meant to be worn on a wrist, on a belt, bra, shoe, or anywhere else on a person that the unit may be clipped to via the CLIP-HOLDER that was sold with the Accused Product.</p>

16. Discovery in this case will likely reveal additional instances and products that demonstrate acts of *past* infringement. Accordingly, the infringement charts depicted above are merely exemplary and are not to be considered as limiting in any way in this case. Plaintiff has provided the infringement charts presented above to satisfy all pleading requirements that may be applicable in this case. Plaintiff reserves the right to change, alter, and modify any claim language applications that are found in the infringement charts depicted above as this case proceeds through claim construction and other proceedings that may take place after commencement of this lawsuit.

17. Defendants products infringed the patents-in-suit both directly and indirectly under 35 USC §§ 271(a), (b) and (c) literally and/or under the Doctrine of Equivalents during the enforceable periods of the patents-in-suit. Given the sole and intended purpose of the Accused Products to measure, determine and/or sense foot-action based metrics during activities in which a person's foot leaves and returns to the ground, Defendant's products were specifically designed to operate in non-staple, infringing ways. On information and belief, Defendants have infringed the patents-in-suit in violation of 35 USC § 271(b) by having induced distributors, customers, and/or others to infringe the patents-in-suit through marketing and technical documentation and sales processes. MOTOROLA's past sales of Accused Products were done with full and complete knowledge of their direct and literal infringement during the enforceable period of the patents-in-suit.

18. On information and belief, MOTOROLA has made infringing products and have marketed the same throughout the U.S. and, in particular, in this judicial district of Virginia, USA.

19. Because of Defendant's past infringing activities, Plaintiff has been injured. Thus, the U.S. Patent Act mandates that Plaintiff be granted remedies including, but not limited to,

damages for past infringement in an amount of no less than a reasonable royalty. This Honorable Court is informed that a reasonable royalty rate relative to activity tracking devices and the patents-in-suit has been established.

20. Because of the subjectively willful nature of Defendant's past infringing activities in violation of 35 USC § 271 (a), (b) and (c), Plaintiff is entitled to enhanced damages of no less than trebled damages as permitted by the U.S. Patent Act (35 USC § 1, *et. seq.*), along with attorneys fees and costs of suit. In particular, MOTOROLA (1) has, in the past, acted despite an objectively high likelihood that their actions constituted infringement, and (2) has acted despite an objectively high risk of infringement that was known or was so obvious that it should have been known by MOTOROLA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Cherdak prays for judgment and relief against the named Defendants as follows:

A. For a judgment that the Cherdak patents-in-suit has been infringed by MOTOROLA (including, but not limited to, its subsidiaries, predecessors-in-interest and business units however and wherever formed, customers, etc.) as described herein;

B. That an accounting be had for damages to Plaintiff as a result of Defendant's *past* acts of patent infringement in violation of the U.S. Patent Act (35 USC § 1, *et seq.*) together with pre-judgment and post-judgment interest and costs of suit;

C. That damages be assessed at no less than a reasonable royalty in regard to the acts of infringement by Defendant as complained of herein and based on prior reasonable royalties established in commerce in connection with the patents-in-suit;

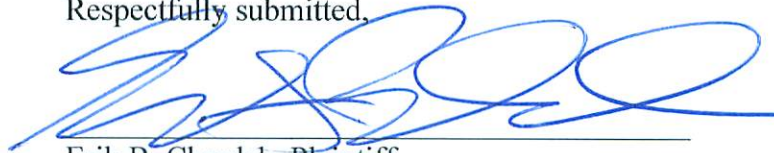
D. That any damages awarded in accordance with any prayer for relief be enhanced and, in particular, trebled in accordance with the U.S. Patent Act (35 USC § 1, *et seq.*) for Defendant's acts which are found to be willful acts of patent infringement; and

E. Such other and further relief as this Court shall deem just and proper.

DEMAND FOR TRIAL BY JURY

The Plaintiff hereby demands a TRIAL BY JURY on all issues so triable.

Respectfully submitted,



Erik B. Cherdak, Plaintiff
600 Cameron Street
Alexandria, Virginia 22314
(202) 330-1994
email: ebcherdak@gmail.com

Wednesday, July 23, 2014

Exhibits List:

- 1 U.S. Patent No. 5,343,445
- 2 Reexamination Certificate for U.S. Patent 5,343,445 C1
- 3 Reexamination Certificate for U.S. Patent 5,343,445 C2
- 4 U.S. Patent No. 5,452,269
- 5 Reexamination Certificate for U.S. Patent 5,452,269 C1
- 6 Reexamination Certificate for U.S. Patent 5,452,269 C2
- 7 Website Materials found at : <https://motoactv.com/home/page/activities.html>
- 8 This Court's Memorandum Opinion in Case No. 1:11-cv-1311 LO/jfa Dated 4/23/2012