

1 BENEDICT O'MAHONEY (Bar No.152447)  
TERRA LAW  
2 177 Park Avenue, Third Floor  
San Jose, California 95113  
3 Telephone: 408-299-1200  
Facsimile: 408-998-4895  
4 Email: bomahoney@terralaw.com

5 JONATHAN T. SUDER (*Pro Hac Vice To Be Filed*)  
CORBY R. VOWELL (*Pro Hac Vice To Be Filed*)  
6 TODD I. BLUMENFELD (*Pro Hac Vice To Be Filed*)  
FRIEDMAN, SUDER & COOKE  
7 Tindall Square Warehouse No. 1  
604 East 4<sup>th</sup> Street, Suite 200  
8 Fort Worth, Texas 76102  
Telephone: (817) 334-0400  
9 Facsimile: (817) 334-0401  
Email: jts@fsclaw.com  
10 Email: vowell@fsclaw.com  
Email: blumenfeld@fsclaw.com

11 Attorneys for Plaintiff  
12 SOFTVAULT SYSTEMS, INC.

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN JOSE DIVISION**

16  
17 SOFTVAULT SYSTEMS, INC.,  
18 Plaintiff,  
19 vs.  
20 SENSUS USA INC.,  
21 Defendant.

CASE NO.

**COMPLAINT FOR INFRINGEMENT  
OF  
U.S. PATENT NOS. 6,249,868 AND  
6,594,765**

**JURY TRIAL DEMANDED**

22  
23 Plaintiff SOFTVAULT SYSTEMS, INC. files its Complaint against Defendant SENSUS  
24 USA INC., alleging as follows:

25 **THE PARTIES**

26 1. Plaintiff SOFTVAULT SYSTEMS, INC. ("SoftVault") is a corporation organized  
27 and existing under the laws of the State of Washington with its principle place of business in the  
28 State of Washington.





1 FlexNet system operating with Smart Meters such as the iCon models, at a minimum, in the past  
2 directly infringed and continues to directly infringe at least claim 44 of the '868 Patent, as well  
3 as at least claims 9 and 15 of the '765 Patent.

4 13. Sensus' FlexNet System includes the capability to enable or disable Smart Meters  
5 such as the iCon models of meters. The iCon meters include software, containing an agent, that  
6 is installed and embedded within the Smart Meter and communicates with a server. This  
7 communication includes a series of message exchanges constituting a handshake operation  
8 between the server and the Smart Meter. When the agent is authorized by the server, it will  
9 connect/reconnect the Smart Meter and allow it to supply electricity to the house or building to  
10 which it is attached. When the agent is not authorized by the server, the Smart Meter is remotely  
11 disconnected and disabled such that it cannot supply electricity to the house or building.

12 14. Sensus has actual notice of the Patents-in-Suit at least as early as the filing of this  
13 Complaint.

14 15. SoftVault has been damaged as a result of Sensus' infringing conduct. Sensus is,  
15 thus, liable to SoftVault in an amount that adequately compensates SoftVault for Sensus'  
16 infringement, which, by law, cannot be less than a reasonable royalty, together with interest and  
17 costs as fixed by this Court under 35 U.S.C. § 284.

18 **PRAYER FOR RELIEF**

19 SoftVault requests that the Court find in its favor and against Sensus, and that the Court  
20 grant SoftVault the following relief:

- 21 a. Judgment that one or more claims of the Patents-in-Suit have been infringed,  
22 either literally and/or under the doctrine of equivalents, by Sensus;
- 23 b. Judgment that Sensus account for and pay to SoftVault all damages to and costs  
24 incurred by SoftVault because of Sensus' infringing activities and other conduct  
25 complained of herein;
- 26 c. That Sensus, its officers, agents, servants and employees, and those persons in  
27 active concert and participation with any of them, be permanently enjoined from  
28 infringement of the Patents-in-Suit. In the alternative, if the Court finds that an

1 injunction is not warranted, SoftVault requests an award of post judgment royalty  
2 to compensate for future infringement;

3 d. That SoftVault be granted pre-judgment and post-judgment interest on the  
4 damages caused to it by reason of Sensus' infringing activities and other conduct  
5 complained of herein;

6 e. That this Court declare this an exceptional case and award SoftVault its  
7 reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and

8 f. That SoftVault be granted such other and further relief as the Court may deem just  
9 and proper under the circumstances.

10 **JURY DEMAND**

11 Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil  
12 Procedure.

13 DATED: December 10, 2014.

/s/ Benedict O'Mahoney

14 Benedict O'Mahoney  
15 (Bar No.152447)  
TERRA LAW  
16 177 Park Avenue, Third Floor  
San Jose, California 95113  
17 Telephone: 408-299-1200  
Facsimile: 408-998-4895  
18 Email: bomahoney@terralaw.com  
Attorney for Plaintiff  
SOFTVAULT SYSTEMS, INC.

19  
20 Of Counsel:  
Jonathan T. Suder  
21 Corby R. Vowell  
Todd Blumenfeld  
22 FRIEDMAN, SUDER & COOKE  
Tindall Square Warehouse No. 1  
23 604 East 4<sup>th</sup> Street, Suite 200  
Fort Worth, Texas 76102  
24 Telephone: (817) 334-0400  
Facsimile: (817) 334-0401  
25 Email: jts@fsclaw.com  
Email: blumenfeld@fsclaw.com  
26 Email: vowell@fsclaw.com

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