

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

CLEAN ENERGY MANAGEMENT
SOLUTIONS, LLC,

Plaintiff,

v.

INGERSOLL-RAND NEXIA
INTELLIGENCE LLC,

Defendant.

Civil Action no. 2:17-cv-00695

JURY TRIAL DEMANDED

COMPLAINT

For its Complaint, Plaintiff Clean Energy Management Solutions, LLC ("Clean Energy"),
by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. Clean Energy is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 475, Plano, Texas 75093.
2. Defendant Ingersoll-Rand Nexia Intelligence LLC is a Delaware company.
3. Upon information and belief, Defendant regularly conducts business at 6200 Troup Highway, Tyler, Texas 75707.

JURISDICTION AND VENUE

4. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
5. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
6. Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements

alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

7. Ingersoll Rand's General Manager (George Land) leads Ingersoll Rand Nexia Intelligence, LLC from offices in Tyler, Texas. See <https://www.linkedin.com/in/george-land-06b825a/>.

8. Venue is proper in this district pursuant to § 1400(b).

THE PATENT-IN-SUIT

9. On October 11, 2011, U.S. Patent No. 8,035,479 (the "'479 patent"), entitled "Mesh Network Door Lock" was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '479 patent is attached hereto as Exhibit A.

10. The claims of the '479 patent provide an inventive concept and do not claim an abstract idea and. The inventive concept of the '479 patent greatly enhances home or business automation and security. The use of a code from a mesh network key and a mesh network to provide access to a secured area upon authenticating the code is an improvement over the prior art in that it provides the effectiveness of the conventional mechanical door latch locks that had not previously been duplicated by the complicated, high power consuming or ineffective prior art electronic lock structures.

11. The claims of the '479 patent, moreover, do not merely recite the performance of a longstanding business practice on a computer; rather the claims describe a solution necessarily rooted in electromechanical technology to solve a problem specifically arising in the realm of automated security. The patent specification, for example, explains how prior art electronic lock structures were not "pick-proof" low power lock configurations that were compatible with the

internal locking mechanisms of universally used conventional key-operated door latch locks. The '479 patent overcame this difficulty, among others, by using an algorithm and an electromechanical device to lock or unlock a secured area based on sending a code from a mesh network key and wirelessly communicating the code over a mesh network, receiving the code at a mesh network lock controller and providing access to a secured area upon authenticating the code.

12. Clean Energy is the assignee and owner of the right, title and interest in and to the '479 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,035,479

13. Clean Energy repeats and realleges the allegations of paragraphs 1 through 11 as if fully set forth herein.

14. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe at least claim 15 of the '479 patent by making, using, importing, offering for sale, and/or selling, systems and methods that provide access to a secured area through use of a mesh network, including, but not limited to Nexia.

15. Upon information and belief, Defendant used the accused Nexia via its internal use and testing in the United States, directly infringing one or more claims of the '479 patent.

16. More specifically, Nexia is a home control system that integrates door locks and garage door openers using mesh network connectivity. See <http://www.nexiahome.com/> (last accessed Oct. 9, 2017); <http://www.nexiahome.com/certified-products> (last accessed Oct. 9, 2017); <http://www.nexiahome.com/certified-products/schlage-camelot-touchscreen-deadbolt-with-built-in-alarm> (last accessed Oct. 9, 2017). Nexia sends a code to unlock a door and

provide access to a secured area using a mesh network. See <http://www.nexiahome.com/z-wave> (last accessed Oct. 9, 2017). Bridges are full function devices that communicate with the end node, through multiple outer nodes, using an integrated coordinator node. See <http://www.nexiahome.com/certified-products/nexia-bridge> ("Nexia Bridge") (last accessed Oct. 9, 2017); <http://www.nexiahome.com/certified-products/nexia-one-touch> ("Nexia One Touch") (last accessed Oct. 9, 2017); <http://www.nexiahome.com/z-wave> (last accessed Oct. 9, 2017). The Z-Wave mesh network used by Nexia forwards data from node to node to a destination so that data (unlock or lock command) reaches the destination even if a node fails or is not within range. See Lou Frenzel, What's the Difference Between ZigBee and Z-Wave? (available at <http://electronicdesign.com/communications/what-s-difference-between-zigbee-and-z-wave> (last accessed Oct. 9, 2017)). Nexia uses the coordinator node integrated in the full-function device to establish the network and define the main parameters for the mesh network. See <http://www.nexiahome.com/getting-started> (last accessed Oct. 9, 2017). The end node (e.g., smartphone, tablet, computer, or One Touch) is a reduced function device which is capable of communicating with the mesh network and does not participate in the routing of the command to lock or unlock the door. See Nexia Bridge; Nexia One Touch. The code for locking and unlocking is received at the Z-Wave door lock and enables the locking or unlocking of the door. See http://www.nexiahome.com/products_category/locks#main (last accessed Oct. 9, 2017). Nexia will unlock the door upon authentication of the code. See Nexia One Touch; <http://www.nexiahome.com/certified-products/schlage-home-keypad-lever> (last accessed Oct. 9, 2017).

17. Clean Energy is entitled to recover from Defendant the damages sustained by Clean Energy as a result of Defendant's infringement of the '479 patent in an amount subject to

proof at trial, 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.

JURY DEMAND

Clean Energy hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Clean Energy requests that this Court enter judgment against Defendant as follows:

- A. An adjudication that Defendant has infringed the '479 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Clean Energy for Defendant's past infringement of the '479 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Clean Energy's reasonable attorneys' fees; and
- D. An award to Clean Energy of such further relief at law or in equity as the Court deems just and proper.

Dated: October 12, 2017

/s/ Richard C. Weinblatt
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