

1 headquarters located in Boca Raton, Florida. Defendant uses, sells, and/or offers to sell products
2 and services in interstate commerce under both the ADT and Protection1 trademarks/brands that
3 infringe the '869 Patent.

4 **SUBJECT MATTER JURISDICTION**

5 4. This court has original jurisdiction over the subject matter of this action, pursuant
6 to 28 U.S.C. §§ 1331 and 1338(a), because this action involves a federal question relating to
7 patents.

8 **PERSONAL JURISDICTION**

9 5. The court has general *in personam* jurisdiction over Defendant because Defendant
10 is a citizen of the State of Florida and is found in this state.

11 **VENUE**

12 6. Venue is proper in this court, pursuant to 28 U.S.C. § 1400(b), because Defendant
13 resides in this judicial district, has committed acts of infringement in this district, and has a
14 regular and established place of business in this district.

15 **COUNT I**
16 **PATENT INFRINGEMENT**

17 7. Plaintiff repeats and re-alleges paragraphs 2 through 6 by reference, as if fully set
18 forth herein.

19 8. On August 7, 2012, the United States Patent & Trademark Office (USPTO) duly
20 and legally issued the '869 Patent, entitled "Lifesaver Personal Alert And Notification Device."
21 A true and authentic copy of the '869 Patent is attached hereto as **Exhibit "A"** and incorporated
22 herein by reference.

23 9. The '869 Patent teaches systems and methods of alert and notification
24 transmission wherein low-range transceivers provide an alert/notification to a plurality of users
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1 having a wearable transceiver.

2 10. The '869 is directed to systems, devices, and methods of transmitting in a wide
3 area notification zone a plurality of notifications to a plurality of users in an automated,
4 independent, and localized manner. A trigger device (*i.e.*, siren towers, tone alert radios,
5 telephones, pagers, computers, televisions) detects and receives a signal from a wide area
6 notification device, and is configured to activate a low-range transceiver within the wide area
7 notification zone. The low-range transceiver sends a notification to a plurality of users via
8 wearable transceivers.

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10 11. The '869 Patent claims, among other things, a notification apparatus for use in
11 connection with a wide area notification device, a method of providing a notification system, and
12 a method of providing emergency and non-emergency event notification to a plurality of users.

13 12. The claimed embodiments in the '869 Patent provides new solutions to problems
14 related to systems and methods to provide alert notifications to members of the general public.

15 13. The '869 Patent solves a problem with the art that is rooted in computer
16 technology that uses alert notifications to members of the general public. The '869 Patent does
17 not merely recite the performance of some business practice known from the pre-Internet world
18 along with the requirement to perform it on the Internet.

19 14. Plaintiff is the assignee of the entire right, title, and interest in the '869 Patent,
20 including the right to assert causes of action arising under the '869 Patent.

21 15. Upon information and belief, Defendant has and continues to directly infringe,
22 contributorily infringe, or actively induce the infringement of the '869 Patent by making, using
23 (including by at least internally testing the Accused Product), selling, offering for sale, importing
24 in the United States, including this judicial district, a method of providing emergency and non-
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1 emergency event notification to a plurality of users, which embodies or uses the invention
2 claimed in the '869 Patent (the "Accused Products"), all in violation of 35 U.S.C. § 271.

3 16. The Accused Products infringe at least claims 15 and 18 of the '869 Patent.

4 ***Claim 15***

5 17. Through claim 15, the '869 Patent claims a method of providing emergency and
6 non-emergency event notification to a plurality of users, comprising: using a low-range
7 transceiver to automatically relay within a wide area notification area a first emergency
8 notification signal from a wide area notification device, and to further provide an audible and/or
9 visible alert notification in response to the first emergency notification signal; and manually, and
10 independently from the first emergency notification signal, providing a second non-emergency
11 notification signal to at least one of the plurality of users using the low-range transceiver,
12 wherein the non-emergency notification signal is a user-specific and event-specific notification
13 signal that is transmitted by an operator of the low-range transceiver to a wireless transmitter that
14 is worn by a user, wherein the user is a person other than the operator.

15 18. Defendant infringes claim 15 by at least testing the Accused Product.

16 19. Defendant practices a method of providing emergency and non-emergency event
17 notification to a plurality of users. The ADT Pulse system allows a user to receive non-
18 emergency notifications (*e.g.*, a notification can be sent to a user's mobile device if their garage
19 door is in use) and emergency notifications (*e.g.*, a notification can be sent to a user's mobile
20 device if carbon monoxide or smoke is detected).

21 20. The Protection1 Home Security System allows a user to receive non-emergency
22 notifications (*e.g.*, a notification can be sent to a user's mobile device if their motion sensor
23 senses a user interested activity) and emergency notifications (*e.g.*, a notification can be sent to a
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1 user's mobile device if carbon monoxide or smoke is detected).

2 21. Defendant uses a low-range transceiver to automatically relay within a wide area
3 notification area a first emergency notification signal from a wide area notification device (*e.g.*,
4 the ADT Pulse system connected to the Internet and related ADT servers), and to further provide
5 an audible and/or visible alert notification in response to the first emergency notification signal.

6 22. The Accused Product practices using a low-range transceiver (*e.g.*, Control Panel)
7 to automatically relay within a wide area notification area a first emergency notification signal
8 (*e.g.*, a fire alert) from a wide area notification device (*e.g.*, the Morza system uses RF signals to
9 communicate with the sensors, Z-Wave technology for the emPower devices, and GSM or
10 CDMA cellular signal to talk to the central station), and to further provide an audible and/or
11 visible alert notification in response to the first emergency notification signal (*e.g.*, an audible
12 and/ or visible notification will display on a user's smartphone).

14 23. The Accused Product also practices using a low-range transceiver (*e.g.*, cellular
15 alarm system control panel) to automatically relay within a wide area notification area a first
16 emergency notification signal (*e.g.*, a fire alert) from a wide area notification device (*e.g.*, the
17 Protection1 Home Security System connected to the Internet and related Protection1 Home
18 Security System servers), and to further provide an audible and/or visible alert notification in
19 response to the first emergency notification signal (*e.g.*, an audible and visible notification will
20 display on a user's smartphone).

21 24. The Accused Product, like the '869 Patent, also provides a second non-emergency
22 notification signal (*e.g.*, a garage door notification), manually and independently (*e.g.*, non-
23 emergency notifications must be programmed by a user (through software that allows
24 programming of iHub and Protection1 Home Security System)) from the first emergency
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1 notification signal (*e.g.*, a smoke or file notification), to at least one of the plurality of users (*e.g.*,
2 various users assigned to receive notifications) using the low-range transceiver (*e.g.*, iHub and
3 cellular alarm system control panel), wherein the non-emergency notification signal is a user-
4 specific and event-specific notification signal that is transmitted by an operator of the low-range
5 transceiver (*e.g.*, a user who configures the iHub and cellular alarm system to send notifications)
6 to a wireless transmitter (*e.g.*, mobile device) that is worn by a user, wherein the user is a person
7 other than the operator (*e.g.*, a person assigned to receive notifications who is someone other
8 than the person who configured the iHub and the Protection1 Home Security System).
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10 ***Claim 18***

11 25. Through claim 18, the '869 Patent claims the method of claim 15, wherein the
12 notification signal has at least one of a text display format, a verbal audible format, a strobe
13 display, a hot/cold spot, and a vibrating function.

14 26. Defendant infringes claim 18 by at least testing the Accused Product.

15 27. The Accused Product provides that the notification signal has at least one of a text
16 display format.

17 28. Upon information and belief, Defendant has known of the existence of the '869
18 Patent, and its acts of infringement have been willful and in disregard for the '869 Patent,
19 without any reasonable basis for believing that it had a right to engage in the infringing conduct.

20 29. Defendant's acts of infringement of the '869 Patent have caused and will continue
21 to cause Plaintiff damages for which Plaintiff is entitled to compensation pursuant to 35 U.S.C. §
22 284.

23 30. Defendant's acts of infringement of the '869 Patent have caused and will continue
24 to cause Plaintiff immediate and irreparable harm unless such infringing activities are also
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1 enjoined by this court pursuant to 35 U.S.C. § 283. Plaintiff has no adequate remedy at law.

2 31. Upon information and belief, the '869 Patent, at all times material, was and is in
3 compliance with 35 U.S.C. § 287.

4 32. Plaintiff retained the law firm of WATSON LLP to represent its interests in this
5 action, and is obligated to pay such firm reasonable attorneys' fees for its services. Plaintiff may
6 recover its attorneys' fees and costs from Defendant, pursuant to 35 U.S.C. § 285, because this
7 case is exceptional.

8
9 **WHEREFORE**, Plaintiff, TENAHA LICENSING LLC, demands judgment against
10 Defendant, ADT, LLC, and respectfully seeks the entry of an order (i) adjudging that Defendant
11 has infringed the '869 Patent, in violation of 35 U.S.C. § 271; (ii) granting an injunction
12 enjoining Defendant, its employees, agents, officers, directors, attorneys, successors, affiliates,
13 subsidiaries and assigns, and all of those in active concert and participation with any of the
14 foregoing persons or entities from infringing, contributing to the infringement of, or inducing
15 infringement of the '869 Patent; (iii) ordering Defendant to account and pay damages adequate to
16 compensate Plaintiff for Defendant's infringement of the '869 Patent, with pre-judgment and
17 post-judgment interest and costs, pursuant to 35 U.S.C. § 284; (iv) ordering that the damages
18 award be increased up to three times the actual amount assessed, pursuant to 35 U.S.C. § 284; (v)
19 declaring this case exceptional and awarding Plaintiff its reasonable attorneys' fees, pursuant to
20 35 U.S.C. § 285; and, (vi) awarding such other and further relief as this court deems just and
21 proper.
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23 **DATED** on November 6, 2017
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25 Respectfully submitted,

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