

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

TENAHA LICENSING LLC,

Plaintiff,

VS.

FRONTPOINT SECURITY SOLUTIONS,  
LLC,

Defendant.

Case No.: \_\_\_\_\_

## COMPLAINT

## INJUNCTIVE RELIEF DEMANDED

# JURY TRIAL DEMANDED

Plaintiff, TENAHA LICENSING LLC, sues Defendant, FRONTPOINT SECURITY SOLUTIONS, LLC, and alleges as follows:

## NATURE OF THE ACTION

1. This is an action for infringement of United States Patent No. 8,238,869 under the Patent Act, 35 U.S.C. § 271, *et seq.*, based on Defendant's unauthorized commercial manufacture, use, importation, offer for sale, and sale of infringing products and services in the United States.

## PARTIES

2. Plaintiff, TENAHA LICENSING LLC, is a foreign limited liability company, organized under the laws of the State of Texas.

3. Defendant, FRONTPOINT SECURITY SOLUTIONS, LLC, is a domestic limited liability company with its headquarters located in Vienna, Virginia. Defendant uses, sells, and/or offers to sell products and services in interstate commerce that infringe the '869 Patent.

## SUBJECT MATTER JURISDICTION

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

### **PERSONAL JURISDICTION**

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

### **VENUE**

6. Venue is proper in this court, pursuant to 28 U.S.C. § 1400(b), because Defendant resides in this judicial district.

### **COUNT I** **PATENT INFRINGEMENT**

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

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

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

10. The ‘869 is directed to systems, devices, and methods of transmitting in a wide area notification zone a plurality of notifications to a plurality of users in an automated, independent, and localized manner. A trigger device (*i.e.*, siren towers, tone alert radios, telephones, pagers, computers, televisions) detects and receives a signal from a wide area

notification device, and is configured to activate a low-range transceiver within the wide area notification zone. The low-range transceiver sends a notification to a plurality of users via wearable transceivers.

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

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

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

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

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

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

***Claim 15***

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

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

19. The Frontpoint Home Security system allows a user to receive non-emergency notifications (*e.g.*, a notification can be sent to a user's mobile device if their door is open) and emergency notifications (*e.g.*, notification can be sent to a user's mobile device if carbon monoxide or smoke is detected).

20. The Accused Product practices using a low-range transceiver (*e.g.*, Control Panel) to automatically relay within a wide area notification area a first emergency notification signal (*e.g.*, a smoke or fire alert) from a wide area notification device (*e.g.*, The Frontpoint Home security system connected to the Internet and related Frontpoint servers), and to further provide an audible and/or visible alert notification in response to the first emergency notification signal (*e.g.*, an audible and/ or visible notification will display on a user's smartphone).

21. The Accused Product, like the '869 Patent, also provides a second non-emergency notification signal (*e.g.*, door/ panel notification), manually and independently (*e.g.*, non-

emergency notifications must be programmed by a user (through software that allows programming of Control Panel)) from the first emergency notification signal (*e.g.*, a smoke or fire notification), to at least one of the plurality of users (*e.g.*, proper authorities assigned to receive notifications) using the low-range transceiver (*e.g.*, Control Panel), wherein the non-emergency notification signal is a user-specific and event-specific notification signal that is transmitted by an operator of the low-range transceiver (*e.g.*, a user who configures the Control Panel to send notifications) to a wireless transmitter (*e.g.*, mobile device) that is worn by a user, wherein the user is a person other than the operator (*e.g.*, a person assigned to receive notifications who is someone other than the person who configured the Control Panel).

***Claim 18***

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

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

24. The Accused Product provides that the notification signal has at least one of a text display format, a verbal audible format, a strobe display, a hot/cold spot, and a vibrating function.

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

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

27. Defendant's acts of infringement of the '869 Patent have caused and will continue

to cause Plaintiff immediate and irreparable harm unless such infringing activities are also enjoined by this court pursuant to 35 U.S.C. § 283. Plaintiff has no adequate remedy at law.

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

29. Plaintiff retained counsel to represent its interests in this action, and is obligated to pay such counsel reasonable attorneys' fees for its services. Plaintiff may recover its attorneys' fees and costs from Defendant, pursuant to 35 U.S.C. § 285, because this case is exceptional.

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

**DATED** on November 7, 2017

Respectfully submitted,

/s/ Stamatios Stamoulis

STAMOULIS & WEINBLATT LLC

Stamatios Stamoulis #4606

[stamoulis@swdelaw.com](mailto:stamoulis@swdelaw.com)

Richard C. Weinblatt #5080

[weinblatt@swdelaw.com](mailto:weinblatt@swdelaw.com)

Two Fox Point Centre

6 Denny Road, Suite 307

Wilmington, DE 19809

Telephone: (302) 999-1540

*Attorneys for Plaintiff,*

TENAHA LICENSING LLC