IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ROTHSCHILD PATENT IMAGING, LLC,	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	PATENT CASE
	§	
THE FIRELANDS GROUP, LLC	§	
	§	
Defendant.	§	
	§	

COMPLAINT

Plaintiff Rothschild Patent Imaging, LLC ("Plaintiff" or "RPI") files this original Complaint against The Firelands Group, LLC ("Defendant" or "Firelands") for infringement of United States Patent No. 8,437,797 ("the '797 Patent") and United States Patent No. 8,204,437 ("the '437 Patent").

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company having an office with an address at 1400 Preston Rd., Suite 400, Plano, TX 75093.

4. On information and belief, Defendant is an Illinois corporation, with its principal place of business at 2919 Crossing Court, Suite 2 Champaign, IL 61822.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this district as an Illinois corporation.

COUNT I

(INFRINGEMENT OF UNITED STATES PATENT NO 8,437,797)

8. Plaintiff incorporates paragraphs 1-7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, et seq.

10. Plaintiff is the owner by assignment of the '797 Patent with sole rights to enforce the '797 Patent and sue infringers.

11. A copy of the '797 Patent, titled "Wireless Image Distribution System and Method," is attached hereto as Exhibit A.

12. The '797 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims (at least by having its employees, or someone under Defendant's control, test the accused product), including at least Claims 6 and 7 of the '797 Patent by making, using,

importing, selling, and/or offering for wireless drone cameras covered by at least Claims 6 and 7 of the '797 Patent.

14. On information and belief, Defendant sells, offers to sell, and/or uses wireless drone cameras, including, without limitation, the Firelands Ares XView FPV and Ares Connect app, and any similar devices ("Product"), which infringe at least Claims 6 and 7 of the '797 Patent.

15. Regarding Claim 6, the Product is an image-capturing mobile device (e.g., a drone with a camera attachment), which includes a wireless receiver (e.g., a Wi-Fi receiver) and a wireless transmitter (e.g., a Wi-Fi transmitter). On information and belief, the Product receives instructions from a user's smartphone via Wi-Fi utilizing a wireless receiver present on the Product and sends captured images to a user's smartphone via Wi-Fi utilizing a wireless transmitter present on the Product. Certain limitations of the foregoing element are illustrated in the screenshots below.

http://ares-rc.com/xView/

Fully Immersive

Featuring a high-quality WiFi camera that relays live-view video footage to your smartphone the Ares XView FPV Combo (including Ares VR Headset) allows you to become fully immersed in the fascinating world of Virtual Reality flight.

Learn more about the XView FPV Combo's features ►

http://ares-rc.com/xView/

Smartphone Ready

Use your smartphone as part of this lightweight, mobile FPV VR Headset. Simply pop open the magnet catch and insert your choice of 4.7 – 6.0" smartphone.

Get the ARES Connect App

ARES CONNECT Available on the App Store GET IT ON Google Play

http://ares-rc.com/xView/

The XView FPV Combo Story

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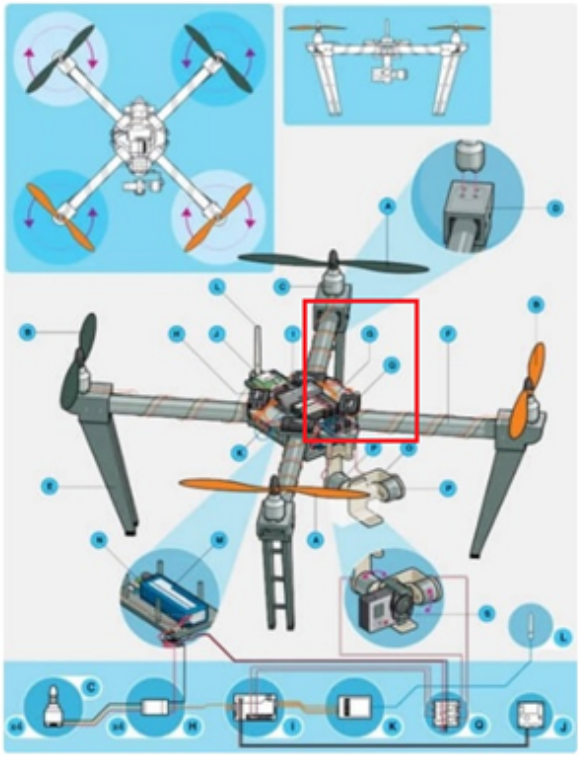
http://ares-rc.com/xView/

16. The Product includes a processor operably connected to the wireless receiver and

transmitter (e.g., the Product must have a processor connected to a Wi-Fi module in order to capture and send images to a user's smartphone). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.



https://www.dronezon.com/learn-about-drones-quadcopters/drone-components-parts-overview-with-tips/

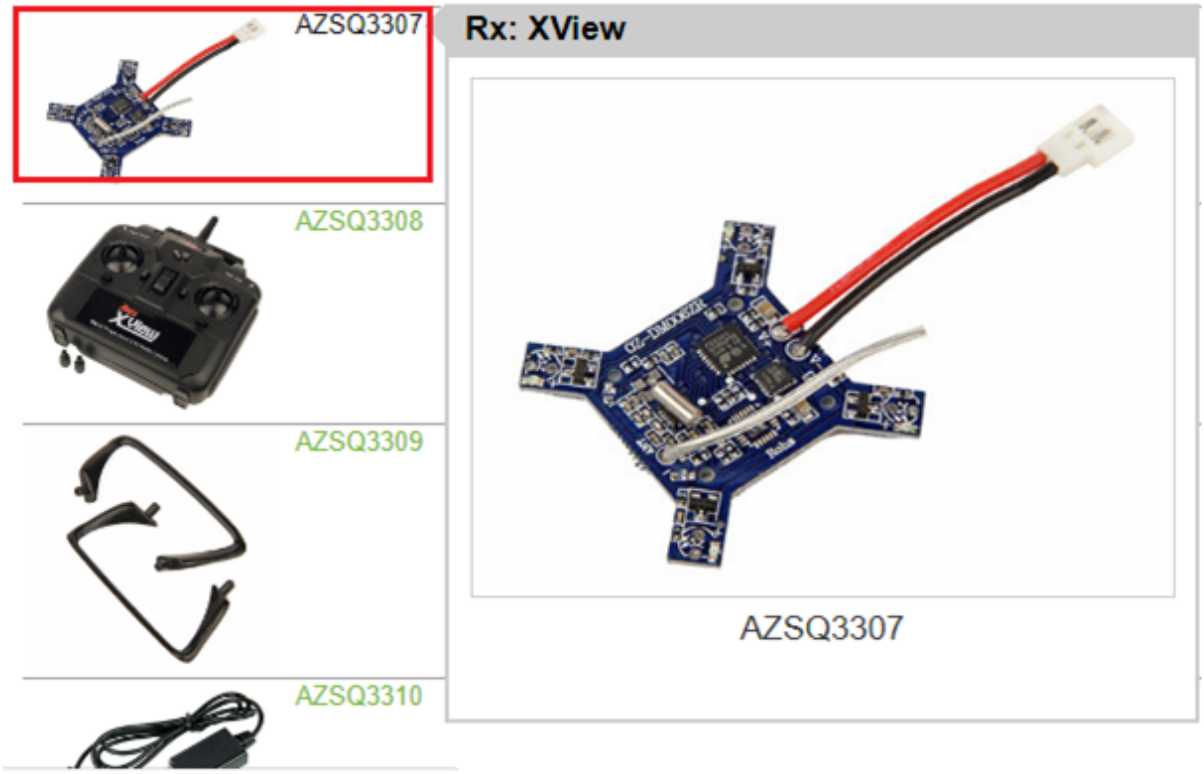
G. Main Drone Body Part

This is the central hub from which booms radiate like spokes on a wheel. It houses battery, main boards, processors avionics, cameras, and sensors.

Tip: Most drones are not waterproof so it is vital that the internal components of the main body do not get wet. A hard landing may not break the body of the drone but the shock could damage the internal drone components in the main body.

Tip: If you are not familiar with electronic engineering and soldering, then it is best not to learn on your internal components such as the main board in your drone. More than likely soldering something inside your main body will void your warranty. A warranty generally covers the UAV as it left the factory.

https://www.dronezon.com/learn-about-drones-quadcopters/drone-components-parts-overview-with-tips/



http://ares-rc.com/xView/parts.asp

17. The processor is configured to receive a plurality of photographic images (e.g., the Product's camera assembly is able to capture digital images, record video, and capture still image frames from video). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

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http://ares-rc.com/xView/

Ares Connect

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Add to Wishlist

https://play.google.com/store/apps/details?id=com.lewei.aresconnect&hl=en_US

This APP function:

1.Remote control the four axis aircraft by mobile.

2.Display the real-time video which taken by the camera on the aircraft,video data transmitted via 2.4G WiFi protocol.

3.Take the photo and video record on mobile.

https://play.google.com/store/apps/details?id=com.lewei.aresconnect&hl=en_US

Flying Your XView in FPV Mode

To use your XView in FPV mode you will need the free Apple or Android compatible WiFi_UFO App from the App Store or Google Play. Download and install the App to your smartphone, then follow these steps to get the system up and running:

1. Go to the 'Settings' and then the 'WiFi' menu of your smartphone.
2. Prepare your XView for flight but do not arm the motors at this stage.
3. When the quad is switched on the WiFi_UFO network will appear for selection in your smartphone's WiFi network option list.
4. Select the WiFi_UFO network.
5. Exit your smartphone's 'Settings' menu and tap the WiFi_UFO App icon.
6. With the App open, select 'Play'.
7. Your smartphone is now your FPV monitor and will display the XView camera's live footage.
8. Position the spring-clip smartphone holder over the transmitter aerial, push it firmly into position, then clip your smartphone into the holder.

http://ares-rc.com/xView/XView_manual.pdf

18. The Product filters the plurality of photographic images (e.g., image frames captured by the Product's camera assembly during a livestream feed) using a transfer criterion (e.g., a user can select to capture particular image frames as stills/snapshots using the Ares Connect app on a smartphone). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

Ares Connect

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2. Prepare your XView for flight but do not arm the motors at this stage.
3. When the quad is switched on the WiFi_UFO network will appear for selection in your smartphone's WiFi network option list.
4. Select the WiFi_UFO network.
5. Exit your smartphone's 'Settings' menu and tap the WiFi_UFO App icon.
6. With the App open, select 'Play'.
7. Your smartphone is now your FPV monitor and will display the XView camera's live footage.
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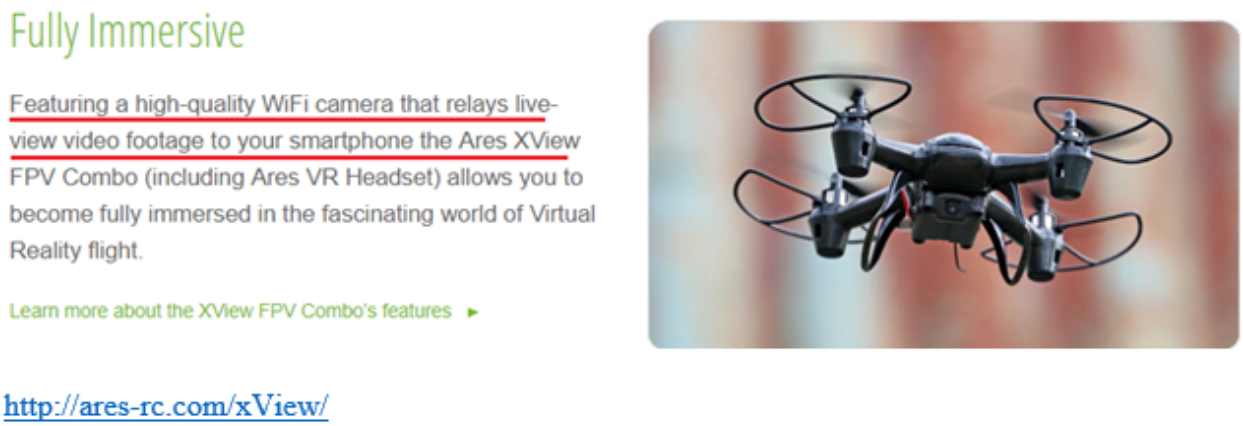
https://play.google.com/store/apps/details?id=com.lewei.aresconnect&hl=en_US

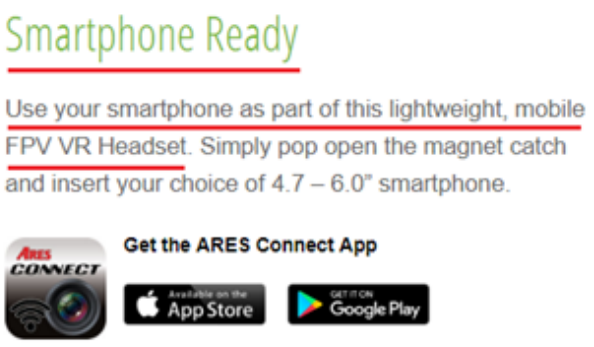
19. The processor, in conjunction with the wireless transmitter, sends the filtered images (e.g., the snapshot images selected by the user) to a second mobile device (e.g., a smartphone, tablet, etc. having the Ares Connect app installed). For example, the Product transmits, via the wireless transmitter (e.g., the Product's Wi-Fi module) and to a second mobile device (e.g., a smartphone with the Ares Connect app installed), the filtered plurality of photographic images (e.g., the snapshots/stills taken from all the image frames comprising a live stream).

20. The processor, in conjunction with the wireless receiver (e.g., the Product's Wi-Fi module), receives the transfer criteria (e.g., a user will select stills/snapshots to be taken, from the image frames making up the entirety of a live stream, from a smartphone with the Ares Connect app) from the second mobile device (e.g., a smartphone with the Ares Connect app installed).

21. Regarding Claim 7, the transmitting is conditioned upon the image-capturing mobile device and the second mobile device meeting a pre-defined pairing criterion. For example, image transmission is conditional upon the image-capturing mobile device (e.g., the Product's camera) and the second mobile device (e.g., a smartphone with the Ares Connect app installed) meeting a pre-defined pairing criterion (e.g., both devices are connected over the same Wi-Fi network). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.



http://ares-rc.com/xView/



http://ares-rc.com/xView/

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http://ares-rc.com/xView/XView_manual.pdf

22. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

23. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

24. Plaintiff is in compliance with 35 U.S.C. § 287.

COUNT II

(INFRINGEMENT OF UNITED STATES PATENT NO 8,204,437)

25. Plaintiff incorporates paragraphs 1-24 herein by reference.

26. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, et seq.

27. Plaintiff is the owner by assignment of the ’437 Patent with sole rights to enforce the ’437 patent and sue infringers.

28. A copy of the ’437 Patent, titled “Wireless Image Distribution System and Method,” is attached hereto as Exhibit B.

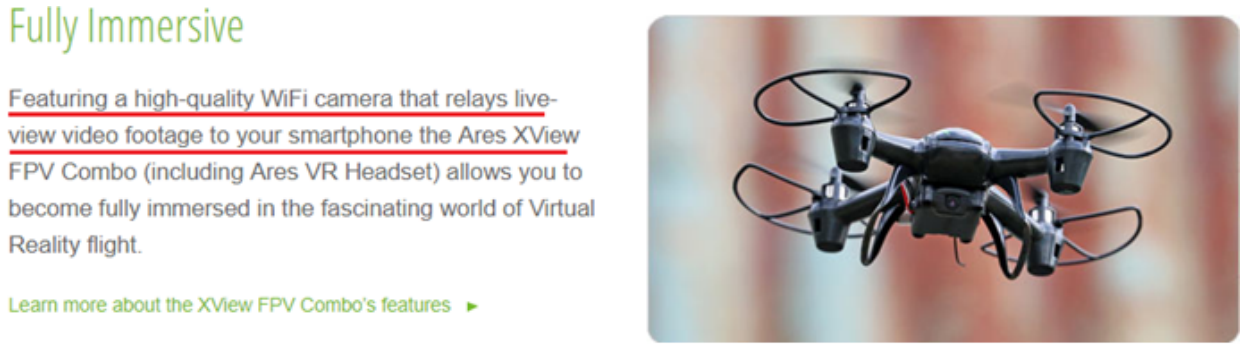
29. The ‘437 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

30. On information and belief, Defendant has infringed and continues to infringe one or more claims (at least by having its employees, or someone under Defendant's control, test the accused product), including at least Claim 1 of the ’437 Patent by making, using, importing, selling, and/or offering for wireless drone cameras covered by at least Claim 1 of the ‘437 Patent.

31. On information and belief, Defendant sells, offers to sell, and/or uses wireless drone cameras, including, without limitation the Firelands Ares XView FPV and Ares Connect app, and any similar devices (“Product”), which infringe at least Claim 1 of the ’437 Patent.

32. The Product is a system that can distribute at least one digital photographic image (e.g., a drone camera with the ability to transmit images to another device). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

http://ares-rc.com/xView/



http://ares-rc.com/xView/

33. The Product includes at least one capturing device (e.g., a drone with a camera attachment) and at least one receiving device (e.g., a smartphone with the Ares Connect app installed). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

Smartphone Ready

Use your smartphone as part of this lightweight, mobile FPV VR Headset. Simply pop open the magnet catch and insert your choice of 4.7 – 6.0" smartphone.

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App Store Google Play

http://ares-rc.com/xView/

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http://ares-rc.com/xView/

Ares Connect

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Add to Wishlist

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1.Remote control the four axis aircraft by mobile.

2.Display the real-time video which taken by the camera on the aircraft,video data transmitted via 2.4G WiFi protocol.

3.Take the photo and video record on mobile.

https://play.google.com/store/apps/details?id=com.lewei.aresconnect&hl=en_US

34. The capturing device and receiving device are cooperatively disposed in a communicative relation with one another via at least one wireless network. For example, the Product includes a capturing device (e.g., a drone with a camera attachment) and a receiving device (e.g., a smartphone with the Ares Connect app) being cooperatively disposed in a communicative relation with one another via at least one wireless network (e.g., both the drone and a user's smartphone will be connected to the same Wi-Fi network allowing for image transfer and live streaming through the Wi-Fi network). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.


XView
Your FPV Eye in the Sky
WIFI RECORDING
Mini Quad

http://ares-rc.com/xView/

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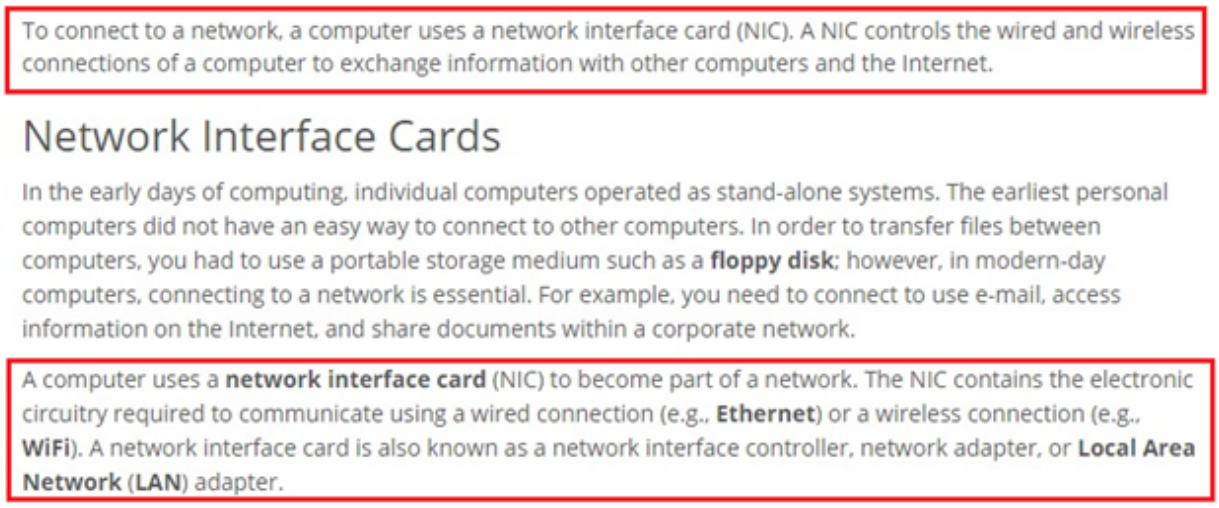
4. Select the WiFi_UFO network.
5. Exit your smartphone's 'Settings' menu and tap the WiFi_UFO App icon.
6. With the App open, select 'Play'.
7. Your smartphone is now your FPV monitor and will display the XView camera's live footage.
8. Position the spring-clip smartphone holder over the transmitter aerial, push it firmly into position, then clip your smartphone into the holder.

http://ares-rc.com/xView/XView_manual.pdf

35. The capturing device has a capture assembly that is structured to selectively capture the at least one digital photographic image. For example, the capturing device (e.g., a drone with a camera attachment) has a capture assembly (e.g., a camera assembly), and the capture assembly is structured to selectively capture the at least one digital photographic image (e.g., the Product's camera assembly is able to capture digital images, record video, and capture still image frames from video).

36. The capturing device also has a first network component (e.g., Wi-Fi module). The first network component is structured to communicate the at least one digital photographic image (e.g., images captured by the Product) to the receiving device (e.g., a smartphone with the Ares Connect app installed) via the at least one wireless network (e.g., a Wi-Fi network). On

information and belief, if the accused product communicates with a smartphone or any other device over Wi-Fi network, then it must have a wireless NIC. Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.



To connect to a network, a computer uses a network interface card (NIC). A NIC controls the wired and wireless connections of a computer to exchange information with other computers and the Internet.

Network Interface Cards

In the early days of computing, individual computers operated as stand-alone systems. The earliest personal computers did not have an easy way to connect to other computers. In order to transfer files between computers, you had to use a portable storage medium such as a **floppy disk**; however, in modern-day computers, connecting to a network is essential. For example, you need to connect to use e-mail, access information on the Internet, and share documents within a corporate network.

A computer uses a **network interface card** (NIC) to become part of a network. The NIC contains the electronic circuitry required to communicate using a wired connection (e.g., **Ethernet**) or a wireless connection (e.g., **WiFi**). A network interface card is also known as a network interface controller, network adapter, or **Local Area Network** (**LAN**) adapter.

http://study.com/academy/lesson/network-interface-card-nic-types-function-definition.html

37. The receiving device (e.g., smartphone with Ares Connect app installed) has a second network component (e.g., Wi-Fi module within the smartphone). The second network component is structured to receive the at least one digital photographic image (e.g., images captured by the Product) from the capturing device via the wireless network (e.g., a Wi-Fi network).

38. The capturing device and the receiving device are disposed in a selectively paired relationship with one another. For example, the capturing device (e.g., a drone with a camera attachment) and the receiving device (e.g., a smartphone with the Ares Connect app installed) are disposed in a selectively paired relationship with one another (e.g., both devices are connected through the same Wi-Fi network).

39. The selectively paired relationship is at least partially based on the capturing device

and the receiving device (e.g., a smartphone with the Ares Connect app installed) being disposed in a selectively paired relationship with one another (e.g., both devices are connected through the same Wi-Fi network). For example, both devices are connected over the same Wi-Fi network and are within the effective signal range of the Wi-Fi network.

40. The pre-defined pairing criterion is a geographic location of the capturing device (e.g., the Product). For example, the Product must be located at a geographic location within the signal range of the Wi-Fi network utilized by a user's smartphone in order to pair with said smartphone). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

Flying Your XView in FPV Mode

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Failure to use this product in the intended manner as described in the following instructions can result in damage and / or personal injury. A Radio Controlled (RC) airplane is not a toy! If misused it can cause serious bodily harm and damage to property.

Keep items that could become entangled in the propeller(s) away from the propeller(s), including loose clothing, tools, etc. Be especially sure to keep your hands, face and other parts of your body away from the propeller(s).

As the user of this product you are solely and wholly responsible for operating it in a manner that does not endanger yourself and others or result in damage to the product or the property of others.

This model is controlled by a radio signal that is subject to possible interference from a variety of sources outside your control. This interference can cause momentary loss of control so it's advisable to always keep a safe distance from objects and people in all directions around your model as this will help to avoid collisions and / or injury.

http://ares-rc.com/xView/XView_manual.pdf

41. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

42. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

43. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order Enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 8,437,797, and 8,204,437 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: January 30, 2018

Respectfully submitted,

/s/ Kenneth Matuszewski
KENNETH MATUSZEWSKI
IL State Bar No. 6324308
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