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16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA**

18 Secure Cam, LLC, a Wyoming Limited) Case No. 5:18-cv-02335-EJD
19 Liability Company)

20 Plaintiff,)

21 v.)

22 Voxx Accessories Corporation, a)
23 Delaware Corporation,)

24 Defendant.)
25)

**COMPLAINT FOR
INFRINGEMENT OF
U.S. PATENT NO. 7,257,158**

DEMAND FOR JURY TRIAL

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1 **FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff Secure Cam, LLC, ("Secure Cam" or "Plaintiff"), by and through its
3 undersigned counsel, for its First Amended Complaint against Defendant Voxx
4 Accessories Corporation ("Voxx" or "Defendant") makes the following allegations.
5 These allegations are made upon information and belief.

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7 **NATURE OF THE ACTION**

8 1. This is an action against Defendant for infringement of one or more
9 claims of United States Patent No. 7,257,158 (“the ‘158 Patent”).

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11 **PARTIES**

12 2. Plaintiff Secure Cam is a limited liability company organized under the
13 laws of the State of Wyoming and has an office and principal place of business at 30
14 N Gould St. STE R, Sheridan, WY 82801.

15 3. Defendant Voxx Accessories Corporation is a corporation organized
16 under the laws of Delaware and has an office and principal place of business at 3502
17 Woodview Trace, Indianapolis, Indiana 46268.

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19 **JURISDICTION AND VENUE**

20 4. This action arises under the patent laws of the United States, including 35
21 U.S.C. §§ 271 et seq., 281, and 284.

22 5. This Court has subject matter jurisdiction over this action pursuant to 28
23 U.S.C. §§ 1331 and 1338(a) because it arises under United States Patent law.

24 6. This Court has personal jurisdiction over the Defendant because, *inter*
25 *alia*, it resides in the State of California; regularly conducts business in the State of
26 California; and continues to commit acts of patent infringement in the State of
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1 California including by making, using, offering to sell, and/or selling Accused
2 Products within the State of California and this district.

3 7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c)
4 and 1400(b). Defendant is subject to this Court’s personal jurisdiction because, *inter*
5 *alia*, Defendant has committed and continues to commit acts of patent infringement
6 including making, using, offering to sell, and/or selling Accused Products in this
7 district, and/or importing Accused Products into this district; Defendant has a
8 principal place of business in this judicial district, and Defendant employs personnel
9 in this judicial district.

10
11 **FACTS**

12 8. Plaintiff is the owner, by assignment, of U.S. Patent No. 7,257,158 (“the
13 ‘158 Patent”), entitled “System for Transmitting Video Images over a Computer
14 Network to a Remote Receiver,” which was duly and legally issued on August 14th,
15 2007 by the United States Patent and Trademark Office (“USPTO”).

16 9. A copy of the ‘158 Patent is attached to this Complaint as **Exhibit A**.

17 10. The claims of the ‘158 Patent are valid and enforceable.

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19 **COUNT I: CLAIM FOR PATENT INFRINGEMENT**

20 **UNDER 35 U.S.C. § 271(a) (‘158 PATENT)**

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22 11. Plaintiff hereby incorporates by reference the allegations of paragraphs 1
23 through 10 of this Complaint as if fully set forth herein.

24 12. Claim 12 of the ‘158 Patent covers “a system for transmitting a real-time
25 video and remote control commands over a digital network, said system comprising a
26 transmitter containing one or more digitized frames of said real-time video being
27 transmitted, the digital network connected to said transmitter, and one or more remote
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1 receivers connected to said network for receiving said video from said transmitter,
2 wherein at least one of said receivers is configured to receive one or more control
3 commands from a user, wherein said transmitter is configured to receive and interpret
4 at least one of said control commands from said one of said receivers over said
5 network, and wherein, upon interpretation of said control command, said transmitter
6 dynamically changes the operation of said transmitter while said video is being
7 transmitted, whereby said user can remotely control the operation of said transmitter
8 in substantially real-time.”

9 13. Defendant manufactures, imports into the United States, offers for sale,
10 and/or sells baby monitors, which infringe at least Claim 12 of the ‘158 Patent
11 (hereafter “Accused Product(s)”).

12 14. Defendant’s Accused Product(s) include, without limitation products sold
13 by Project Nursery via a license: Project Nursery 5” HD Dual Connect Wi-Fi Baby
14 Monitor System, Project Nursery 4.3 Baby Monitor System with 2 Digital Zoom
15 Cameras, Project Nursery Video Baby Monitor System with Digital Zoom Camera,
16 Project Nursery 5” High Definition Baby Monitor System with 1.5” Mini Monitor,
17 Project Nursery 4.3” Baby Monitor System with 1.5” Mini Monitor, and Project
18 Nursery 4.3” Baby Monitor System.

19 15. A claim chart comparing Claim 12 of the ‘158 Patent to the Accused
20 Product(s) is attached as Exhibit B.

21 16. The Accused Product(s) includes a camera that captures real-time video
22 data. See Exhibit B, p. 1-2.

23 17. The Accused Product(s) includes a 2.4 GHz wireless digital network that
24 communicates the camera and the parent unit. See Exhibit B, p. 3.

25 18. The Accused Product(s) includes a parent unit that receives video data
26 from the camera over the wireless network. See Exhibit B, p. 4.

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1 19. The Accused Product(s) includes buttons that allow the user of the parent
2 unit to selectively and remotely stop transmission (power button) and pan, tilt, and
3 zoom the camera. See Exhibit B, p. 5.

4 20. The Accused Products(s) includes a camera that receives and interprets
5 the command signal from the parent unit. See Exhibit B, p. 6.

6 21. The Accused Product(s) includes a camera whose operation is changed
7 by stopping transmission by turning off the power and by utilizing the pan, tilt, zoom
8 functions. See Exhibit B, p. 7.

9 22. The Accused Product(s) includes a camera where the user can remotely
10 start and stop transmission, pan, tilt, and zoom in real time. See Exhibit B, p. 8.

11 23. Each one of the elements included in the Infringing System, itemized in
12 paragraphs 16 – 22 above, is an element in Claim 12 of the ‘158 Patent.

13 24. Plaintiff has been, and will continue to be, irreparably harmed by
14 Defendant’s ongoing infringement of the ‘158 Patent.

15 25. As a direct and proximate result of Defendant’s infringement of the ‘158
16 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be
17 determined.

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19 **PRAYER FOR RELIEF**

20 WHEREFORE, Plaintiff prays for relief against Defendant as follows:

21 A. In favor of Plaintiff that Defendant has infringed one or more claims of
22 the ‘158 Patent, either literally or under the doctrine of equivalents;

23 B. Requiring Defendant to pay Plaintiff its damages, costs, expenses, and
24 prejudgment and post-judgment interest for Defendant’s infringement of the ‘158
25 Patent as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

26 C. For such other and further relief, as may be just and equitable.
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DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury.

Dated: May 18, 2018

Respectfully submitted,

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