

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

REEF MOUNTAIN LLC,

Plaintiff,

vs.

INGERSOLL-RAND, PLC,

Defendant.

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Case No:

PATENT CASE

COMPLAINT

Plaintiff Reef Mountain LLC (“Plaintiff” or “Reef Mountain”) files this Complaint against Ingersoll-Rand, PLC (“Defendant” or “IRPLC”) for infringement of United States Patent No. 8,239,481 (hereinafter “the ‘481 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 with its office address at 5570 FM 423, Suite 250-125, Frisco, TX 75034.

4. On information and belief, Defendant is an Ireland public limited company with a principal U.S. address of 800-E Beaty St., Davidson, NC 28036.

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 acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District. For instance, on information and belief, Defendant has a regular and established place of business located at 6505 Windcrest Dr., Plano, TX 75024. On information and belief, Defendant has other regular and established places of business in this District.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 8,239,481)**

8. Plaintiff incorporates paragraphs 1 through 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 '481 Patent with sole rights to enforce the '011 Patent and sue infringers.

11. A copy of the '481 Patent, titled "System and method for implementing open-control remote device control," is attached hereto as Exhibit A.

12. The '481 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

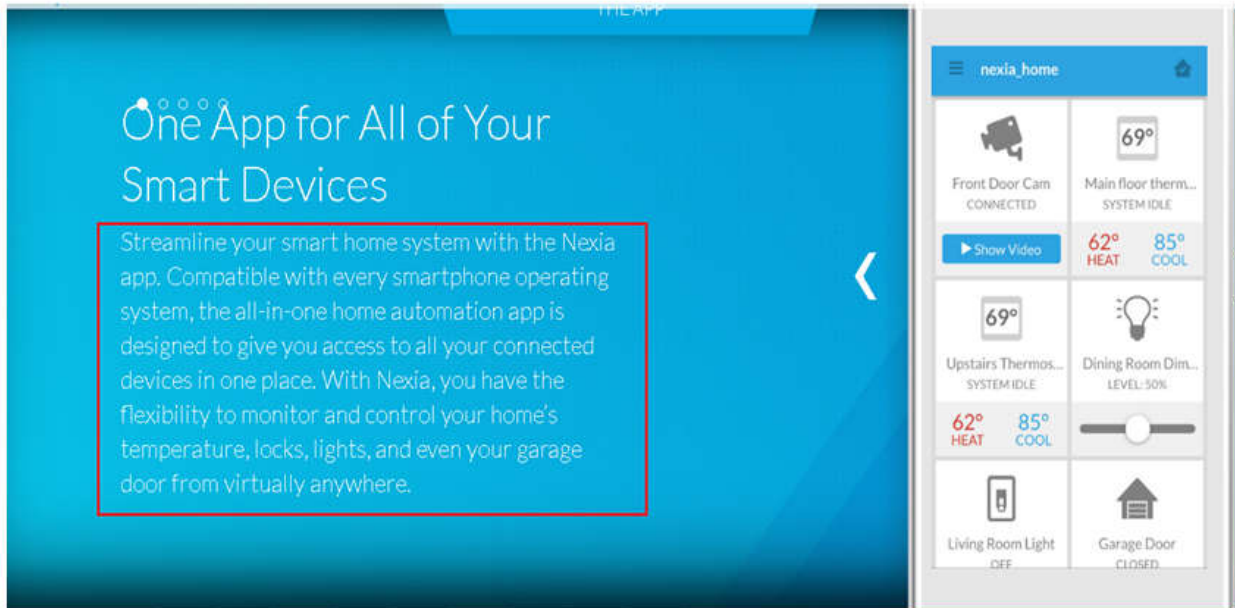
13. On information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 1, 3, 9, 12, 13, 15, 17, 26, 30, 31, 32, 35, 37, 40, 44, 45,

and 46 of the '481 Patent by making, using, importing, selling, and/or offering devices and methods for controlling devices in a computer system, which are covered by at least Claims 1, 3, 9, 12, 13, 15, 17, 26, 30, 31, 32, 35, 37, 40, 44, 45, and 46 of the '481 Patent. Defendant has infringed and continues to infringe the '481 Patent directly in violation of 35 U.S.C. § 271.

14. Defendant sells, offers to sell, and/or uses (including by at least testing) appliance control devices and/or systems including, without limitation, the Nexia Direct home automation system and its components, the Nexia App, and any similar products ("Product"), which infringe at least Claims 1, 3, 9, 12, 13, 15, 17, 26, 30, 31, 32, 35, 37, 40, 44, 45, and 46 of the '481 Patent. The Product enables a user to control various appliances that utilize different device-specific protocol instruction through an interface by encoding selected appliance operations according to a standard communication protocol instruction.

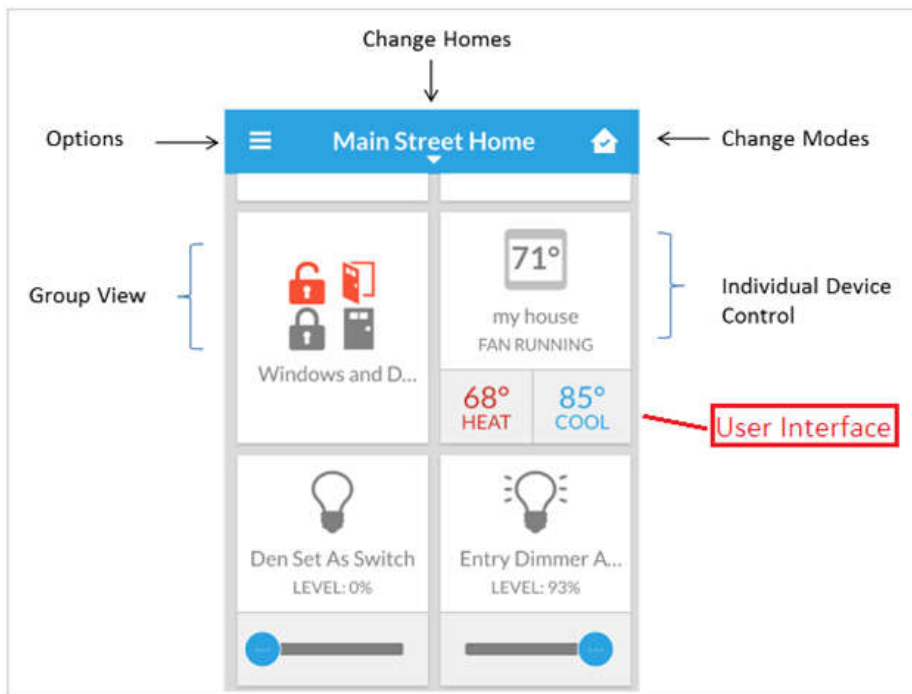
15. In at least testing and usage, the Product implements a communication method for controlling devices in a computer system. The Product obtains a user selection (e.g., selection of smart appliances which a user wants to control; for example, the user can select a smart appliances, lights, door locks, etc.) of one or more of a plurality of networked devices to be manipulated from a user interface (e.g., the Nexia App's smartphone interface), wherein at least one of the plurality of networked devices requires device-specific protocol instructions (e.g., instructions pertaining to a particular device's functionality; for example, a thermostat adjustment, a light being turned on or off, or a door lock being unlocked or locked) that are different from protocol instructions required by at least one of the other plurality of networked devices (e.g., smart appliances such as lights, door locks, or thermostats have different instruction sets (e.g., commands) that correspond to their differentiated functionality). The Nexia App can control multiple types of devices which have different functionalities, and

therefore, must have different software operating instructions that correspond to their differentiated functions (e.g., different device-specific protocol instructions). Certain aspects of these elements and limitations are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.



<http://www.nexiahome.com/>

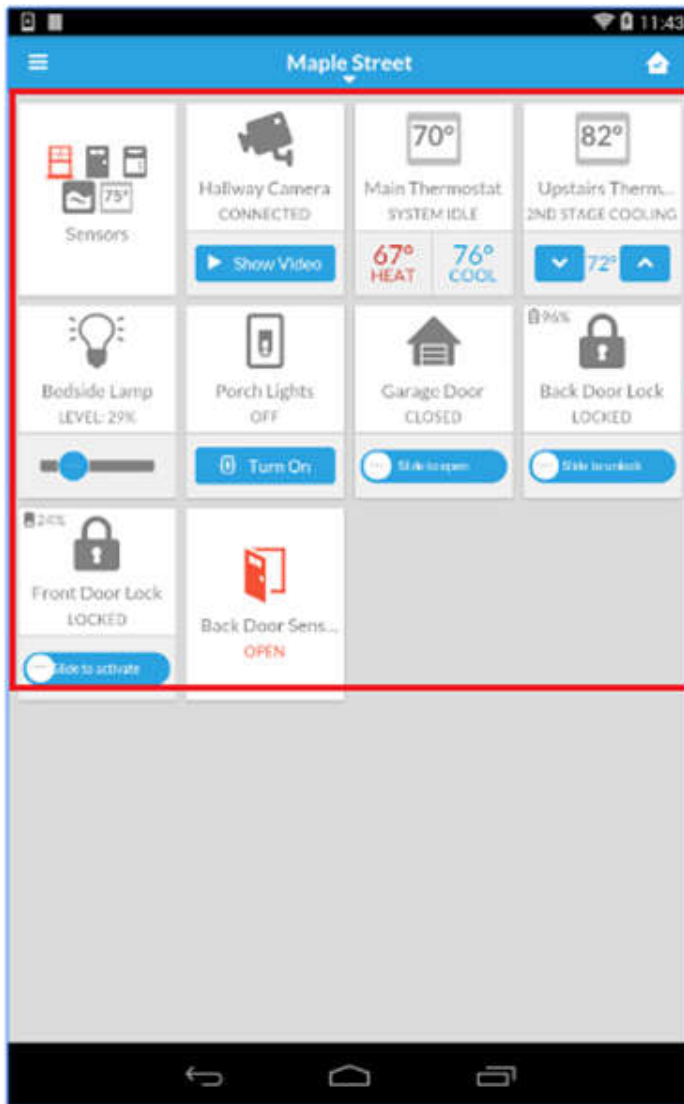
Main Screen



Your main screen will show all authorized devices on your account.

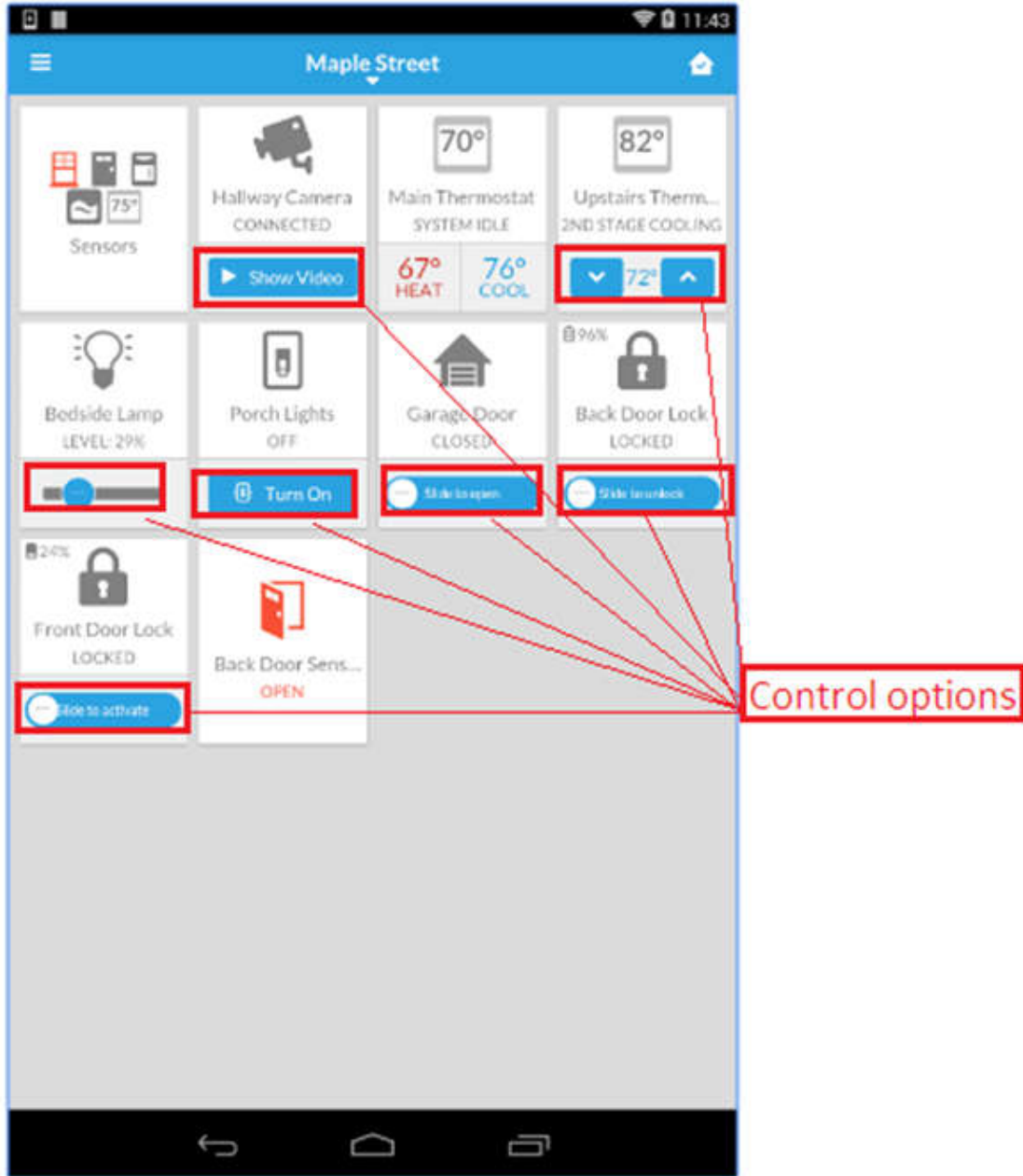
Tip: If a device does not appear, go to the **Mobile** page in your Nexia account. Editing your device will allow you to select or deselect any device for mobile control. This is another way to assign limited access to someone else, such as providing thermostat only control to a property manager of your vacation home.

[https://mynexia.helpdocsonline.com/mobile_interface\\$AppSignIn](https://mynexia.helpdocsonline.com/mobile_interface$AppSignIn)



Different networked devices

<https://play.google.com/store/apps/details?id=com.schlagelink.android&hl=en>



<https://play.google.com/store/apps/details?id=com.schlagelink.android&hl=en>

Change Modes:

If you have created modes as part of your home automation setup, then you can select any mode by tapping the icon shown.

Individual Device Control:

Individual devices will be displayed. Swipe down to view all devices.

Each device (thermostat, lighting, sensors, etc) will have a unique icon showing state, and unique features based upon device type.

In some cases you can control the device directly from the main icon.

Tapping the tile will display additional configuration and editing options.

Group View:

If groups have been created, then a summary of device states will be shown.

If you see a small number displayed on an icon, then the number indicates how many devices on the group are in that state.

For example: If a "3" is shown on an Open Door icon, then 3 door sensors in the group are open.

https://mynexia.helpdocsonline.com/mobile_interface

16. The Product obtains a user interface application (e.g., the Nexia App) corresponding to the selected one or more networked devices (e.g., smart appliances such as lights, door locks, thermostats, etc.). Certain aspects of these elements are illustrated in the screen shots provided in connection with other allegations herein.


17. The Product transmits, to at least one user interface selection device (e.g., a smartphone with the Nexia App installed), the user interface application (e.g., Nexia App) corresponding to the selected one or more networked devices (e.g., the Nexia App displays a user interface that can be used to control the corresponding smart appliance) so that the user interface can be displayed on the at least one user interface selection device. Certain aspects of these elements are illustrated in the screen shots provided in connection with other allegations herein.

18. The Product obtains a user selection of an operation (e.g., a user can control and/or set a particular device using the Nexia App) corresponding to at least one selected networked device (e.g., smart appliances). Certain aspects of these elements are illustrated in the screen shots provided in connection with other allegations herein.

19. On information and belief, the Product encodes the selected operation (e.g., a user's selection of a particular setting or control pertaining to a particular device) according to a standard communication protocol instruction (e.g., a standard protocol utilized by the Nexia

system to encode all user instructions to a format appropriate for transmittal to the Nexia server and/or bridge over the Internet). Because the Nexia system utilizes a single application interface to control multiple different devices, it is inherent that the application utilizes a common communication protocol to encode all user instructions originating from the Nexia App. The fact that a Nexia server and/or bridge device parses all of the said instructions or settings further supports the conclusion that a single communication protocol is utilized by the Nexia App to transmit instructions and/or settings. This standard communication protocol could be, for example, any Internet Protocol appropriate for the transmittal of controls/settings from the App to the Nexia server/bridge via a network, such as the Internet. Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.

Nexia Bridge BR100



Stay connected to what matters most with the Nexia Bridge. As the hub of the home system, the Nexia Bridge—supported by Z-wave wireless technology—allows you to control locks, lights, thermostats and more—and even program them to work in conjunction with one another. Best of all, you can control all the Nexia compatible products from any Internet-enabled smart phone, tablet or computer.

- The Nexia Bridge is the hub of your system and lets you manage your home through your online Nexia mobile apps.
- The Nexia Bridge connects to your router to allow you to control your home through a securely encrypted broadband Internet connection.
- It communicates wirelessly with many other Nexia-compatible Z-Wave products from leading brands to give you complete control over your home, whether you're at home or away.
- The Nexia Bridge can hold and control more than 200 Z-Wave products at the same time, so you can grow your system as you like.
- The average Z-Wave communication range is 60-Feet to 100-Feet.

<http://www.nexiahome.com/certified-products/nexia-bridge>

The Protocol

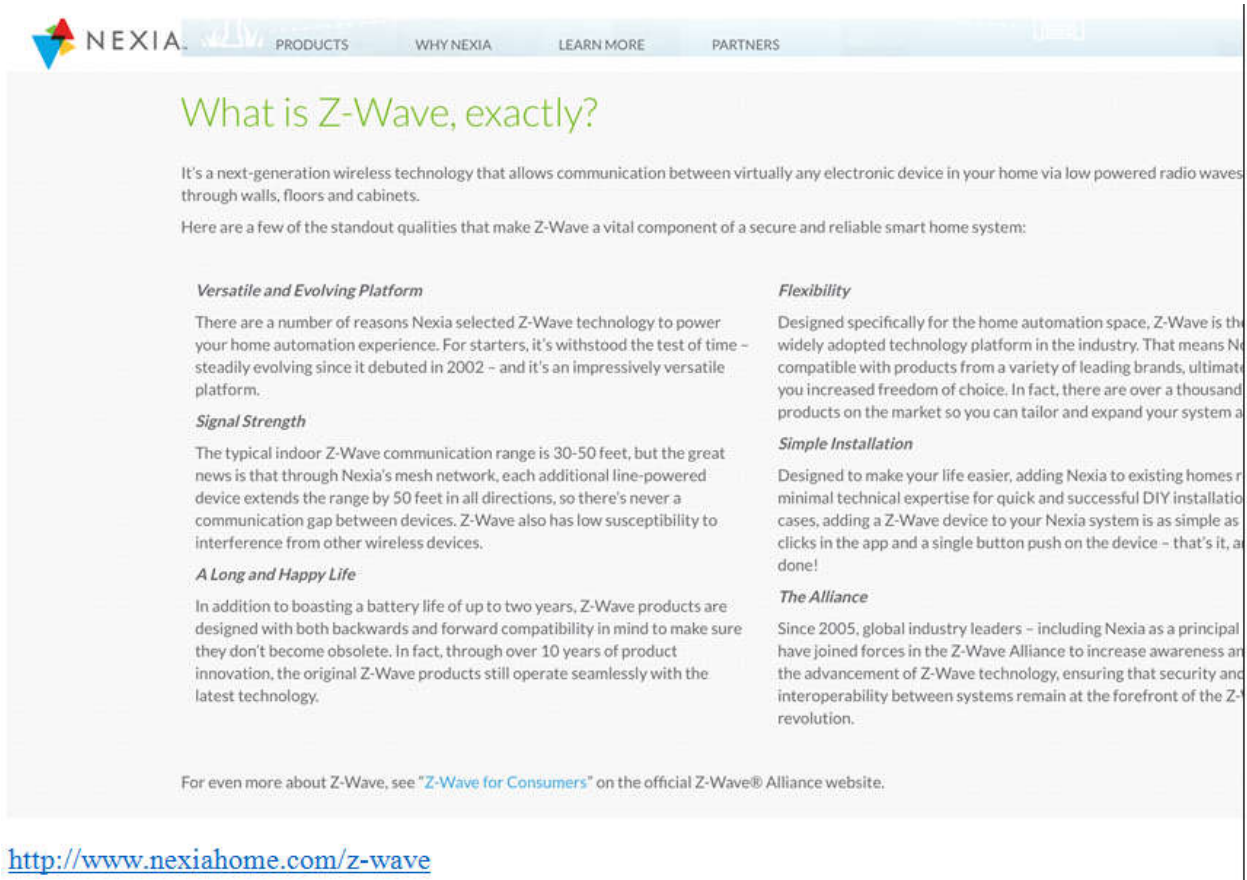
IP is a protocol. Simply said, a protocol is a set of rules governing how things work in a certain technology so that there is some kind of standardization. When put into a network communication context, an internet protocol describes how data packets move through a network.

When you have a protocol, you are sure that all machines on a network (or in the world, when it comes to the internet), however different they might be, speak the same "language" and can integrate into the whole framework.

The IP protocol standardizes the way machines over the Internet or any IP network forward or route their packets based on their IP addresses.

<https://www.lifewire.com/internet-protocol-explained-3426713>

20. The Product transmits the selected standard protocol instruction (e.g., user input settings or controls that have been encoded utilizing a standard communication protocol) to a server (e.g., Nexia's server and/or bridge device) corresponding to the selected networked device (e.g., smart appliances connected to a Nexia server and/or bridge.). Certain aspects of these elements are illustrated in the screen shot below and/or in screen shots provided in connection with other allegations herein.



The screenshot shows the top navigation bar of the Nexia website with links for PRODUCTS, WHY NEXIA, LEARN MORE, and PARTNERS. The main heading is "What is Z-Wave, exactly?" in green. Below it, a paragraph explains that Z-Wave is a next-generation wireless technology for home automation. A list of features follows: Versatile and Evolving Platform, Flexibility, Signal Strength, Simple Installation, A Long and Happy Life, and The Alliance. A URL is provided at the bottom: <http://www.nexiahome.com/z-wave>.

21. On information and belief, the Product obtains an output (e.g., the actual carrying out of controls or settings by a particular device; for example, the retrieval of status data from a device such as the current temperature settings of a thermostat, the operation of a device such as turning on/off a light, or the locking/unlocking of a lock) corresponding to the selected operation (e.g., the user inputted control and/or setting) of the selected networked device (e.g., smart appliances). On information and belief, the Nexia server and/or bridge will receive commands and or settings originating from a mobile device that have been encoded utilizing a standard communication protocol that is appropriate for data transmission over a network, such as the Internet. The Nexia server and/or bridge then parse said data to determine the appropriate commands/instructions to send to a particular device so that the desired setting/control can be carried out (e.g. the appropriate Zwave protocol command). Certain aspects of these elements

are illustrated in the screen shots provided in connection with other allegations herein.

22. Regarding Claim 3, the Product contains a selection option wherein the selected networked device is a monitoring device (e.g., a smart appliance). Certain aspects of these elements are illustrated in the screen shots provided in connection with other allegations herein.

23. Regarding Claim 9, the output includes data indicative of the network device status (e.g., device settings or status such as the current temperature settings of a thermostat).

24. Regarding Claim 12, the standard communication protocol is device independent (e.g., the communication protocol utilized for data transmission to the Nexia server and/or bridge is independent of any protocols used for direct communication with actual devices and is universally used to transmit controls and settings across all of the different devices).

25. Regarding Claim 13, the user interface is a web-based graphical user interface (e.g., a smartphone app interface which controls through a network such as the Internet).

26. Regarding Claim 15, obtaining a user selection of an operation (e.g., settings of the device being controlled) corresponding to at least one selected networked device (e.g., smart appliances, lights, door locks, etc.) includes obtaining a user manipulation of a graphical icon.

27. Regarding Claim 17, the Product includes a computer-readable medium having a computer executable program therein for performing the method of controlling devices in a computer system. The method steps are as described in connection with Claim 1 and as illustrated in the screen shots provided in connection with other allegations herein.

28. Regarding Claim 26, the output includes data indicative of a networked device status. This is described in connection with Claim 9 and as illustrated in the screen shots provided in connection with other allegations herein.

29. Regarding Claim 30, the standard communication protocol is device independent.

This is described in connection with Claim 12 and as illustrated in the screen shots provided in connection with other allegations herein.

30. Regarding Claim 31, the user interface is a Web-based graphical user interface. This is described in connection with Claim 13 and as illustrated in the screen shots provided in connection with other allegations herein.

31. Regarding Claim 32, obtaining a user selection of an operation corresponding to at least one selected networked device includes obtaining a user manipulation of a graphical icon. This is described in connection with Claim 15 and as illustrated in the screen shots provided in connection with other allegations herein.

32. Regarding Claim 35, the Product provides a method of controlling devices in a computer system. The method steps are as described in connection with Claim 1 and as illustrated in the screen shots provided in connection with other allegations herein.

33. Regarding Claim 37, the selected networked device is a monitoring device. This is described in connection with Claim 3 and as illustrated in the screen shots provided in connection with other allegations herein.

34. Regarding Claim 40, the output includes data indicative of a networked device status. This is described in connection with Claim 9 and as illustrated in the screen shots provided in connection with other allegations herein.

35. Regarding Claim 44, the standard communication protocol is device independent. This is described in connection with Claim 12 and as illustrated in the screen shots provided in connection with other allegations herein.

36. Regarding Claim 45, the user interface is a Web-based graphical user interface. This is described in connection with Claim 13 and as illustrated in the screen shots provided in

connection with other allegations herein.

37. Regarding Claim 46, obtaining a user selection of an operation corresponding to at least one selected networked device includes obtaining a user manipulation of a graphical icon. This is described in connection with Claim 15 and as illustrated in the screen shots provided in connection with other allegations herein.

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

39. 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.

40. 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. 7,797,011 (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: July 18, 2018

Respectfully submitted,

/s/ Jay Johnson

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State Bar No. 24067322

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State Bar No. 11547550

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ATTORNEYS FOR PLAINTIFF

EXHIBIT A