

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**PORTUS SINGAPORE PTE LTD AND
PORTUS PTY LTD.**

Plaintiffs,

v.

SIMPLISAFE, INC.,

Defendant.

Civil Action No. 1:19-cv-00480-LPS

JURY TRIAL DEMANDED

AMENDED COMPLAINT

This is an action for patent infringement in which Plaintiffs Portus Singapore Pte Ltd. and Portus Pty Ltd. (collectively, “Plaintiffs”) accuse Defendant, Simplisafe, Inc. (“Defendant”), of infringing U.S. Patent Nos. 8,914,526 (the “’526 Patent”) and 9,961,097 (the “’097 Patent”) (collectively, the “Asserted Patents”) alleging as follows:

PARTIES

1. Plaintiff Portus Singapore Pte Ltd. is a company organized under the laws of the Republic of Singapore.

2. Plaintiff Portus Pty Ltd. is a subsidiary of Portus Singapore Pte Ltd., and a company organized under the laws of Australia.

3. Upon information and belief, Defendant Simplisafe, Inc., is a corporation organized and existing under the laws of the State of Delaware, with its principle place of business at 294 Washington St., 9th Floor, Boston, MA 02108. Defendant may be served via its registered agent for service of process: Intertrust Corporate Services Delaware Ltd., 200 Bellevue Parkway, Ste. 210, Wilmington, DE 19809.

JURISDICTION AND VENUE

4. This is an action for infringement of the Asserted Patents arising under 35 U.S.C. §§ 271(a)-(b), 281, and 284 - 85. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

5. Venue is proper in this district under 28 U.S.C. § 1400(b). Defendant is a resident of this judicial district by virtual of its incorporation under the laws of the State of Delaware.

6. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Delaware Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Connecticut and in this Judicial District; and (iii) being incorporated under the laws of the State of Delaware.

U.S. PATENT NO. 8,914,526

7. On December 16, 2014, United States Patent No. 8,914,526 was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Local and Remote Monitoring Using a Standard Web Browser." A true and correct copy of the '526 Patent is attached hereto as Exhibit A.

8. Charles Cameron Lindquist and Timothy John Lindquist are the inventors of the '526 Patent.

9. Portus Singapore Pte Ltd., is the owner by assignment of the '526 Patent with all rights in and to that patent.

10. Portus Pty Ltd. is the exclusive licensee of the '526 Patent.

11. Upon information and belief, to the extent any marking was required by 35 U.S.C. § 287, Plaintiffs have complied with such requirements.

12. Defendant directly or through intermediaries, makes, uses, imports, sells, and/or offers for sale products and or/systems (*i.e.*, Simplisafe home security system (the “Accused Instrumentalities”)) that infringe one or more claims of the ’526 Patent. When placed into operation, the Accused Instrumentalities infringe claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the ’526 Patent. Additionally, Defendant induces the infringement of infringe claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the ’526 Patent by its customers using the Accused Instrumentalities.

U.S. PATENT NO. 9,961,097

13. On May 1, 2018, United States Patent No. 9,961,097 was duly and legally issued by the United States Patent and Trademark Office for an invention entitled “System for Remote Access of a User Premises.” A true and correct copy of the ’097 Patent is attached hereto as Exhibit B.

14. Charles Cameron Lindquist and Timothy John Lindquist are the inventors of the ’097 Patent.

15. Portus Singapore Pte Ltd., is the owner by assignment of the ’097 Patent with all rights in and to that patent.

16. Portus Pty Ltd. is the exclusive licensee of the ’097 Patent.

17. Upon information and belief, to the extent any marking was required by 35 U.S.C. § 287, Plaintiffs have complied with such requirements.

18. Defendant directly or through intermediaries, makes, uses, imports, sells, and/or offers for sale products and or/systems, *i.e.*, the Accused Instrumentalities, that infringe one or

more claims of the '097 Patent. When placed into operation, the Accused Instrumentalities infringe claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent. Additionally, Defendant induces the infringement of claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent by its customers using the Accused Instrumentalities.

COUNT I
DIRECT INFRINGEMENT OF U.S. PATENT NO. 8,914,526

19. Upon information and belief, Defendant has been and is now infringing claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent in the State of Delaware, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, selling, and/or offering for sale the Accused Instrumentalities to the injury of Plaintiffs. Defendant is directly infringing, literally infringing, and/or infringing the '526 Patent under the doctrine of equivalents. Defendant is thus liable for direct infringement of the '526 Patent pursuant to 35 U.S.C. § 271(a).

20. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 1 of the '526 Patent. They are a system for remote access of home networks in respective user premises comprising an Internet browser hardware device including a processor running an Internet browser (*e.g.*, a smartphone, tablet, or computer with an internet browser used by Defendant, its resellers, or end users); an extranet located external to said user premises and accessible via said Internet browser (*e.g.*, it includes a sever which is located outside of the user premises); a plurality of connection gateways each comprising a hardware processor (*e.g.*, Base Stations), each of at least a subset of which is located in a respective one of the user premises and is part of the respective home network of the respective user premises (*e.g.*, individual Base Stations are located at the premises of different users); and at

least one communications server that each comprises a hardware processor located in said extranet and adapted to interconnect on demand with said connection gateways (*e.g.*, a server adapted to connect to Base Stations when a user logs into their account); wherein: each of the at least the subset of the plurality of connection gateways is accessible by the at least one communications server and is communicatively coupled to one or more networked components of the respective home network in which the respective connection gateway is located (*e.g.*, each Base Station is connected to one or more networked components such as window and door sensors), the at least one communications server not being communicatively coupleable to the one or more networked components of the respective home network (*e.g.*, the server connects to the Base Station which connects to the networked components through the home network); and responsive to user input of a Uniform Resource Locator (URL) in accordance with which said Internet browser accesses a predetermined address on said extranet to which address the URL corresponds, in which accessing said Internet browser provides authorization data, one of said at least one communications server subsequently (*e.g.*, when a enters the URL of the server, it accesses the server's IP address corresponding to the URL): determines which one of said home networks in which one of said connection gateways is located said authorization data indicates authority to at least one of control and monitor (*e.g.*, when a user logs in using the username and password, the it determines which Base Station device to access); and creates a new communications session between said communications server and said one of said connection gateways located in said determined one of said home networks to at least one of control and monitor operation of at least one service in said home network, by which communications session the extranet (*e.g.*, when a user enters their username and password, the server connects to the Base Station): obtains information contained within the home network from the connection

gateway of the determined home network (*e.g.*, it obtains information from the networked devices such as window and door sensors and video cameras); and serves a webpage to the Internet browser via which the information from the connection gateway of the determined home network is provided to said Internet browser (*e.g.*, the server sends a webpage to the user's web browser which contains information from the Base Station). *See* Ex. A-1 Figs. 1-18 for factual support.

21. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 3 of the '526 Patent. They meet the limitations of claim 1 and further, wherein at least one of said networked components is a monitoring service located within said determined one of said home networks, and the operation of the at least one service includes operation of the monitoring device (*e.g.*, it includes door and window sensors which are located inside the premises and which are monitored). *See* Ex. A-1 Figs. 1-18 for factual support.

22. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 4 of the '526 Patent. They meet the limitations of claim 1 and further, wherein said communications server utilizes a telecommunications network to interconnect with said connection gateway (*e.g.*, the server connects to the Base Station a cellular network, which is a telecommunications network). *See* Ex. A-1 Figs. 1-18 for factual support.

23. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 5 of the '526 Patent. They meet the limitations of claim 1 and further, wherein authentication to access said extranet is required only once per Internet browser session (*e.g.*, the user need only log in once). *See* Ex. A-1 Figs. 1-18 for factual support.

24. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 12 of the '526 Patent. They meet the limitations of claim 1

and further, wherein the connection gateway acts as a hub and Internet connection mechanism for said networked components, including information appliances (*e.g.*, the Base Station acts as a hub and internet connection for the connected devices, such as door and windows sensors). *See* Ex. A-1 Figs. 1-18 for factual support.

25. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 22 of the '526 Patent. They meet the limitations of claim 1 and further, wherein at least one of said networked components comprises a digital security camera embodying an image capture and compression method and an interconnection to said connection gateway (*e.g.*, the Base Station connects to one or more video cameras which include an image capture and compression method which is connected to the Base Station). *See* Ex. A-1 Figs. 1-18 for factual support.

26. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 25 of the '526 Patent. They meet the limitations of claim 1 and further, wherein: said system further comprises a device activating a security condition upon the occurrence of a predetermined event in said user premises in which said determined home network is located (*e.g.*, a door or windows sensor activates a sequence); and upon the occurrence of said predetermined event, said device notifies said connection gateway located in said determined one of said home networks and transfers event information on said predetermined event to said connection gateway located in said determined one of said home networks and said connection gateway located in said determined one of said home networks establishes an interconnection with said communications server and transfers said event information via said communications server for storage on the extranet for later interrogation by a user of said system and initiates predetermined alert notification actions (*e.g.*, the Base Station

captures video of the alert event and forwards it to the server which stores it for later review by the user). *See* Ex. A-1 Figs. 1-18 for factual support.

27. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 44 of the '526 Patent. They meet the limitations of claim 1 and further, wherein the at least one service includes a security monitoring service (*e.g.*, the Base Station provides home security monitor such as door and windows sensors). *See* Ex. A-1 Figs. 1-18 for factual support.

28. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 45 of the '526 Patent. They meet the limitations of claim 1 and further, wherein the at least one service includes a video surveillance service (*e.g.*, the Base Station provides video monitoring services). *See* Ex. A-1 Figs. 1-18 for factual support.

29. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 46 of the '526 Patent. They meet the limitations of claim 1 and further, wherein the at least one service includes an automation and control service (*e.g.*, the video capture is automated). *See* Ex. A-1 Figs. 1-18 for factual support.

30. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 49 of the '526 Patent. They meet the limitations of claim 1 and further, where the a least one service implements monitoring or control of a plurality of devices connected to at least one network interconnected with connection gateway (*e.g.*, the Base Station provides monitoring and control for multiple devices such as window and door sensors). *See* Ex. A-1 Figs. 1-18 for factual support.

31. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 50 of the '526 Patent. They meet the limitations of claim 1

and further, where the Internet browser is on at least one of a mobile phone with web browsing capability, a WebPhone, and Portable Digital Assistant (PDA) (*e.g.*, the Base Station website can be accessed from a smart phone). *See* Ex. A-1 Figs. 1-18 for factual support.

32. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 59 of the '526 Patent. The Accused Instrumentalities provide a system for remote access of home networks in respective user premises comprising: a mobile device (such as an android and iOS smartphone) comprising a hardware processor that provides a user interface (*e.g.*, running the Simplisafe App which provides an interface); a plurality of connection gateways, each comprising at least one hardware processor (*e.g.*, Base Stations) and each of at least a subset of which is located in a respective one of the user premises and is part of the respective home network of the respective user premises (*e.g.*, individual Base Stations are located at the premises of different users); and an extranet (*e.g.*, Simplisafe Secure Servers) comprising at least one hardware device (*e.g.*, the server computer) and that is (a) located external to said user premises, (b) accessible via said mobile device via a wireless network and an Internet protocol connection, and (c) adapted to interconnect on-demand with said connection gateways (*e.g.*, Base Station); wherein: each of the at least the subset of the plurality of connection gateways is accessible by the extranet and is communicatively coupled to one or more networked components of the respective home network in which the respective connection gateway is located (*e.g.*, each Base Station is connected to one or more networked components such as window and door sensors), the extranet not being directly communicatively coupleable to the one or more networked components of the respective home network (*e.g.*, the server connects to the Base Station which connects to the networked components through the home network); and responsive to user input, using the user interface, of a Uniform Resource Locator (URL) in

accordance with which said mobile device accesses a predetermined address on said extranet to which address the URL corresponds, in which accessing said mobile device provides authorization data, said extranet subsequently (*e.g.*, when a user enters the URL of the server, it accesses the server's IP address corresponding to the URL): determines which one of said home networks in which one of said connection gateways is located said authorization data indicates authority to at least one of control and monitor (*e.g.*, when a user logs in using the username and password, the it determines which Base Station device to access); creates a new communications session between said extranet and said one of said connection gateways located in said determined one of said home networks to at least one of control and monitor operation of at least one of the networked components in said home network (*e.g.*, when a user enters their username and password, the server connects to the Base Station); obtains information contained within the home network from the connection gateway of the determined home network (*e.g.*, it obtains information from the networked devices such as window and door sensors and video cameras); and using a web server, serves to the mobile device (*e.g.*, a mobile device running the Simplisafe application or browser) the information from the connection gateway of the determined home network, for a display in the user interface that is based on the information (*e.g.*, Temperature). *See* Ex. A-1 Figs. 1-18 for factual support.

33. As a result of Defendant's direct infringement of the '526 Patent, Plaintiffs have suffered monetary damages and are entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiffs will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

34. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '526 Patent, Plaintiffs will be greatly and irreparably harmed.

COUNT II
DIRECT INFRINGEMENT OF U.S. PATENT NO. 9,961,097

35. Upon information and belief, Defendant has been and is now infringing claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent in the State of Delaware, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, selling, and/or offering for sale the Accused Instrumentalities to the injury of Plaintiffs. Defendant is directly infringing, literally infringing, and/or infringing the '097 Patent under the doctrine of equivalents. Defendant is thus liable for direct infringement of the '097 Patent pursuant to 35 U.S.C. § 271(a).

36. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 1 of the '097 Patent. The Accused Instrumentalities provide a system for remote access of a user premises comprising: a first hardware processing circuitry running an access browser module (*e.g.*, a smartphone, tablet, or computer with an internet browser is used by Defendant, its resellers, or end users); a second hardware processing circuitry (*e.g.*, a server) located in a first network; and a connection gateway that is located in, and is part of a local network of, the user premises (*e.g.*, the Base Station is a connection gateway connected to a network at the user premises); wherein: the second hardware processing circuitry is external to the user premises (*e.g.*, the server), is accessible via the access browser module (*e.g.*, a user can log into the server via a web browser), and is configured to communicate on-demand with the connection gateway (*e.g.*, the server connects to and communicates with the Base Station upon user request); the connection gateway is integrated with or communicatively coupled to one

or more networked components of the local network of the user premises (*e.g.*, the Base Station functions as a gateway connecting various devices such as door and window sensors which are part of the local network); and the system is configured such that user-input of a Uniform Resource Locator (URL) (*e.g.*, the Simplisafe web page), in accordance with which the first hardware processing circuitry (*e.g.*, a smartphone, tablet, or computer), using the access browser module, accesses an address on the first network (*e.g.*, a server), begins a sequence in which the second hardware processing circuitry responsively serves to the first hardware processing circuitry (*e.g.*, the smartphone, tablet, or computer), via the access browser module, information regarding at least one of the one or more networked components of the local network (*e.g.*, it provides information to the smartphone, tablet, or computer via the browser regarding the connected devices, such as door and windows sensors), which information the second hardware processing circuitry (*e.g.*, the server) obtains from the connection gateway without a direct communicative coupling between the second hardware processing circuitry and the at least one networked component of the local network (*e.g.*, the server receives the information related to the connected devices via the Base Station, and is not directly connected to the networked devices.), wherein the sequence includes the first hardware processing circuitry (*e.g.*, the smartphone, tablet, or computer) transmitting to the second hardware processing circuitry (*e.g.*, the server) authentication data indicating authority to access the at least one networked component of the local network (*e.g.*, it provides information to the smartphone, tablet, or computer via the browser regarding the connected devices, such as door and windows sensors), the transmission of the authentication data being required for the serving of the information to the first hardware processing circuitry, and wherein: the user premises is one of a plurality of user premises (*e.g.*, the system includes multiple Base Station's which are located at different

user premises); the connection gateway is one of a plurality of connection gateways, each of which is located in, and is part of a respective local network of, a respective one of the plurality of user premises (*e.g.*, it includes multiple Base Stations which function as connection gateways and are installed a different user premises), and to each of which the second hardware processing circuitry is configured to connect (*e.g.*, the server is configured to connect to the multiple Base Stations); and the sequence further including the second hardware processing circuitry (*e.g.*, the server) determining which one of the local networks the authentication data indicates authority to access (*e.g.*, the server determine which Base Station device to access based on the user's login information), the sequence further including the second hardware processing circuitry (*e.g.*, the server) establishing a new communication session between the first hardware processing circuitry and the connection gateway (*e.g.*, the Base Station) of the respective local network that the authentication data indicates authority to access upon verification of the authentication data (*e.g.*, when a user enters their username and password, the server connects to the Base Station), and wherein the second hardware processing circuitry (*e.g.*, the server) receives, via the connection gateway (*e.g.*, the Base Station), selected information from at least one of the networked components of the local network of the user premises (*e.g.*, video information is received at the server from a networked video camera via the Base Station), and stores the selected information in the first network for subsequent review by a user associated with the user premises, without requiring the user to provide the authentication data (*e.g.*, the server receives and stores video from networked video cameras even while the user is not logged into the server), and wherein the authority to access the at least one networked component of the local network (*e.g.*, a door and windows sensor or video camera) by transmitting the authentication data also provides authority to access and review the previously stored selected information in

the first network via the access browser module (*e.g.*, when the user logs in to the server, they are granted access to the stored video on the server as well as access to the local devices). *See* Ex. B-1 Figs. 1- 13 for factual support.

37. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 2 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the access browser module is an Internet browser (*e.g.*, smartphone, tablet, or computer running an internet browser). *See* Ex. B-1 Figs. 1- 13 for factual support.

38. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 3 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the first network is an extranet (*e.g.*, Simplisafe Secure Servers). *See* Ex. B-1 Figs. 1- 13 for factual support.

39. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 4 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) is configured to interconnect on-demand with the connection gateway (*e.g.*, the server connects to the Base Station when a user logs in). *See* Ex. B-1 Figs. 1- 13 for factual support.

40. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 5 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) is not communicatively coupleable to the at least one networked component of the local network (*e.g.*, the networked components are connected to the Base Station, not the server). *See* Ex. B-1 Figs. 1- 13 for factual support.

41. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 6 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) stores information identifying a plurality of users (*e.g.*, user accounts), information identifying respective ones of the plurality of user premises which respective ones of the users are permitted to access (*e.g.*, the account identifies the specific Base Station devices, and thus the correct user premises), and, for each of the connection gateways, respective connection information for communicating with the respective connection gateway. *See* Ex. B-1 Figs. 1- 13 for factual support.

42. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 7 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) performs dynamic webpage generation in the sequence, which begins in response to the user-input of the URL, the dynamic webpage generation being personalized according to the authentication data (*e.g.*, the user's webpage is personalized). *See* Ex. B-1 Figs. 1- 13 for factual support.

43. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 8 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) obtains the information from the connection gateway (*e.g.*, the Base Station) via the new communications session (*e.g.*, an internet connection such as a TCP/IP connection). *See* Ex. B-1 Figs. 1- 13 for factual support.

44. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 9 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the URL identifies the address. *See* Ex. B-1 Figs. 1- 13 for factual support.

45. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 10 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the second hardware processing circuitry (*e.g.*, a server) includes a plurality of components distributed in the first network (*e.g.*, it includes multiple servers and storage devices connected in the first network). *See* Ex. B-1 Figs. 1- 13 for factual support.

46. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 11 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the first hardware processing circuitry is external to the user premises (*e.g.*, the user's smartphone, tablet, or computer is external to the user premises). *See* Ex. B-1 Figs. 1- 13 for factual support.

47. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 15 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the first hardware processing circuitry is embodied in a mobile device (*e.g.*, a smartphone, tablet, or laptop computer). *See* Ex. B-1 Figs. 1- 13 for factual support.

48. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 16 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the information is presented as a webpage by the access browser module. *See* Ex. B-1 Figs. 1- 13 for factual support.

49. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 17 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the accessing includes at least one of controlling and monitoring one or more of the networked components (*e.g.*, it can monitor a video camera). *See* Ex. B-1 Figs. 1- 13 for factual support.

50. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 18 of the '097 Patent. They meet the limitations of claim 1 and further, wherein the selected information is event information captured by one of the networked components as a result of the occurrence of a predetermined event detected by one of the networked components (*e.g.*, events generated by a sensor are captured such as when motion is detected). *See* Ex. B-1 Figs. 1- 13 for factual support.

51. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 19 of the '097 Patent. The Accused Instrumentalities provide the system for remote access of a user premises comprising: a first hardware processing circuitry including a user interface (a web browser operating on a device including hardware running a browser, such as a smartphone, tablet, or computer); a second hardware processing circuitry (*e.g.*, a server) located in a first network; and a connection gateway that is located in, and is part of a local network of, the user premises (*e.g.*, the Base Station is a connection gateway connected to a network at the user premises); wherein: the second hardware processing circuitry is external to the user premises (*e.g.*, the server), is accessible by the first hardware processing circuitry (*e.g.*, a user can log into the server via a web browser use a smartphone, tablet, or computer), and is configured to communicate on-demand with the connection gateway (*e.g.*, the server connects to and communicates with the Base Station upon user request); the connection gateway is integrated with or communicatively coupled to one or more networked components of the local network of the user premises (*e.g.*, the Base Station functions as a gateway connecting various devices such as door and window sensors which are part of the local network); and the system is configured such that user-input of a Uniform Resource Locator (URL) using the user interface (*e.g.*, inputting the web address into a browser), in accordance with which the first hardware

processing circuitry accesses an address on the first network (*e.g.*, the smartphone, tablet, or computer accesses the website), begins a sequence in which the second hardware processing circuitry responsively serves to the first hardware processing circuitry, for display using the user interface, information regarding at least one of the one or more networked components of the local network (*e.g.*, the server serves a webpage with information regarding the networked components such as windows and door sensors), which information the second hardware processing circuitry obtains from the connection gateway without a direct communicative coupling between the second hardware processing circuitry and the at least one networked component of the local network (*e.g.*, the information from the connected devices comes from the Base Station device and is transferred to the server), wherein the sequence includes the first hardware processing circuitry transmitting to the second hardware processing circuitry authentication data indicating authority to access the at least one networked component of the local network (*e.g.*, the smartphone, tablet, or computer transmits login information to the server which grants access to networked components such as windows and door sensors or video cameras), the transmission of the authentication data being required for the serving of the information to the first hardware processing circuitry (*e.g.*, no data will be transmitted until the user is authenticated), and wherein: the user premises is one of a plurality of user premises (*e.g.*, the system includes multiple Base Station's which are located at different user premises); the connection gateway is one of a plurality of connection gateways, each of which is located in, and is part of a respective local network of, a respective one of the plurality of user premises (*e.g.*, it includes multiple Base Stations which function as connection gateways and are installed a different user premises), and to each of which the second hardware processing circuitry is configured to connect (*e.g.*, the server is configured to connect to the multiple Base Stations);

and the sequence further including the second hardware processing circuitry (*e.g.*, the server) determining which one of the local networks the authentication data indicates authority to access (*e.g.*, the server determines which Base Station device to access based on the user's login information), the sequence further including the second hardware processing circuitry establishing a new communication session between the first hardware processing circuitry and the connection gateway of the respective local network that the authentication data indicates authority to access upon verification of the authentication data (*e.g.*, when a user enters their username and password, the server connects to the Base Station), and wherein the second hardware processing circuitry (*e.g.*, the server) receives, via the connection gateway (*e.g.*, the Base Station), selected information from at least one of the networked components of the local network of the user premises (*e.g.*, video information is received at the server from a networked video camera via the Base Station), and stores the selected information in the first network for subsequent review by a user associated with the user premises, without requiring the user to provide the authentication data (*e.g.*, the server receives and stores video from networked video cameras even while the user is not logged into the server), and wherein the authority to access the at least one networked component of the local network (*e.g.*, a door and windows sensor or video camera) by transmitting the authentication data also provides authority to access and review the previously stored selected information in the first network via the user interface (*e.g.*, when the user logs in to the server, they are granted access to the stored video on the server as well as access to the local devices). *See* Ex. B-1 Figs. 1- 13 for factual support.

52. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 20 of the '097 Patent. They meet the limitations of claim 19 and further, wherein the accessing includes at least one of controlling and monitoring one or

more of the networked components (*e.g.*, it can monitor a video camera). *See* Ex. B-1 Figs. 1- 13 for factual support.

53. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 21 of the '097 Patent. The Accused Instrumentalities provide system of claim 19 wherein the selected information is event information captured by one of the networked components as a result of the occurrence of a predetermined event detected by one of the networked components (*e.g.*, events generated by a sensor are captured such as when motion is detected). *See* Ex. B-1 Figs. 1- 13 for factual support.

54. The use of the Accused Instrumentalities by Defendant, its resellers, or end-user customers, directly infringes claim 22 of the '097 Patent. They meet the limitations of claim 19 and further, wherein the first network is an extranet (*e.g.*, Simplisafe Secure servers). *See* Ex. B-1 Figs. 1- 13 for factual support.

55. As a result of Defendant's direct infringement of the '097 Patent, Plaintiffs have suffered monetary damages and are entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiffs will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.

56. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '097 Patent, Plaintiffs will be greatly and irreparably harmed.

COUNT III
INDUCED INFRINGEMENT OF THE ASSERTED PATENTS

57. Upon information and belief, Defendant has been and is now inducing the infringement by its resellers and end-use customers of claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent and claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent in the State of Delaware, in this Judicial District, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, selling and/or offering for sale the Accused Instrumentalities to the injury of Plaintiffs since at least March of 2017, when Plaintiff first notified Defendant of the '527 and '097 Patents. Defendant's resellers and end-use customers are directly infringing, literally infringing, and/or infringing the Asserted Patents under the doctrine of equivalents. Defendant is thus liable for infringement of the Asserted Patents pursuant to 35 U.S.C. § 271(b).

58. As shown above, Defendant has and continues to indirectly infringe the Asserted Patents by inducing the infringement by its end-users and resellers of claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent and claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent in accordance with 35 U.S.C. 271(b).

59. As shown above, Defendant, its resellers, distributors, and end-users of the Accused Instrumentalities have engaged in and currently engage in activities that constitute direct infringement of claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent and claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent.

60. As shown above, the operation and use of the by Defendant, its resellers, or end-user customers of the Accused Instrumentalities constitutes a direct infringement of claims

61. Defendant's affirmative act of selling and/or offering for sale the Accused Instrumentalities and providing instruction manuals, advertisement of the infringing features, and

support for the Accused Instrumentalities have induced and continues to induce Defendant's resellers and end users to use the Accused Instrumentalities in their normal and customary way to infringe claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent and claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent.

62. Through its making, selling, and/or offering for sale the Accused Instrumentalities, Defendant specifically intends that its resellers and end-users directly infringe claims 1, 3, 4, 5, 12, 22, 25, 44, 45, 46, 49, 50, and 59 of the '526 Patent and claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, and 22 of the '097 Patent. Defendant has had knowledge of the Asserted Patents since at March of 2017 when Plaintiff sent a notice letter to Defendant and actually induces others, such as resellers and end-use customers, to directly infringe by using, selling, supplying, and or distributing the Accused Instrumentality within the United States. Defendant is aware since at least March of 2017 that such actions would induce actual infringement. Furthermore, Defendant remains aware that these normal and customary activities would infringe the Asserted Patents.

63. For example, in connection with the sale and/or offering for sale of the Accused Instrumentalities, Defendant provides manuals and support to resellers and end-use customers regarding the user and operation of the Accused Instrumentalities. Specifically, Defendant provides support, *see e.g.*, <https://simplisafe.com/contact-us>. When end-users follow such instructions and support, they directly infringe the Asserted Patents. Defendant knows or should have known, since at least March of 2017, that by providing such instructs and support, resellers and end-use customers follow these instructions and support and directly infringe the Asserted Patents.

64. Accordingly, Defendant has performed and continues to perform acts that constitute indirect infringement, and would induce actual infringement, with the knowledge of the Asserted Patents and with the knowledge or willful blindness to the fact that the induced acts would constitute infringement.

COUNT IV
WILLFUL INFRINGEMENT

65. Defendant has willfully infringed the claims of the '526 and '097 Patents in connection with the Accused Instrumentalities since at least March of 2017.

66. In March of 2017, Plaintiffs' agent Global IP Law Group sent a letter to Defendant which included the '527 and '097 Patents. Additionally, the letter informed Defendant that a license was required to the '526 Patent and '097 Patent for its Simplisafe products. Plaintiffs also provided a chart which showed how each element of the claims of the '526 Patent were met by the Simplisafe homes security system. As such, Defendant has been aware of the fact that the Accused Instrumentalities infringe the claims of the '526 and '097 Patents. Despite this, Defendant has persisted in making, using, selling, and offering for sale the Accused Instrumentalities, and in inducing its customers to use the Accused Instrumentalities in a manner that infringes the claims of the '526 and '097 Patents.

67. Defendant's conduct in making, using, selling, offering to sell, and/or importing the Accused Instrumentalities directly infringes multiple claims of the '526 and '097 Patents pursuant to 35 U.S.C. 271(a).

68. Defendant has had knowledge of the '526 and '097 Patents and the fact that the Accused Instrumentalities were made or adapted for use in infringement of the '526 and '097 Patents.

69. Defendant had knowledge of the '526 and '097 Patents. Defendant failed to provide any material, description, reasoning, or evidence of non-infringement or invalidity of the presented patents. Defendant's conduct is egregious as it continued offering, selling, making and using the Accused Instrumentalities despite knowledge of the infringement. Accordingly, Defendant's infringement is and has been willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, and fraudulent. Thus, Plaintiffs sue for willful infringement of the '526 and '097 Patents.

70. As a result of Defendant's willful infringement of the '526 and '097 Patents, Plaintiffs have suffered monetary damages and is entitled to a money judgment in an amount three times the compensatory damages, in accordance with 35 U.S.C. § 284.

DEMAND FOR JURY TRIAL

Plaintiffs, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this Court enter:

1. A judgment in favor of Plaintiffs that Defendant has infringed the Asserted Patents;
2. A judgment in favor of Plaintiffs that Defendant has induced its resellers and end-users to induce the Asserted Patents;
3. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the

infringement of the Asserted Patents, or such other equitable relief the Court determines is warranted;

4. A judgment and order requiring Defendant pay to Plaintiffs their damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the Asserted Patents as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and

5. any and all other relief, at law or equity, to which Plaintiffs may show themselves to be entitled.

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