

1 Marc E. Hankin (SBN 170505)
2 *marc@hankinpatentlaw.com*
3 Anooj Patel (SBN 300297)
4 *Anooj@hankinpatentlaw.com*
5 **HANKIN PATENT LAW APC**
6 2341 Pacifica Ct.
7 San Leandro, CA 94579
8 Telephone: 310.979.3600
9 Facsimile: 310.979.3603

6 Benjamin D. Bailey*, Ga. Bar No. 117201 (*PHV*)
7 *ben@cmlaw.com*
8 Armon B. Shahdadi*, Ga. Bar No. 940688 (*PHV*)
9 *armon@cmlaw.com*
10 **CLAYTON, MCKAY & BAILEY, PC**
11 800 Battery Ave., SE, Suite 100
12 Atlanta, GA 30339
13 Telephone: 678-667-1388
14 Fax: 404-704-0670

11 *Attorneys for Plaintiff*
12 *Antonio Garrett*

13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 ANTONIO GARRETT,)

17 Plaintiff,)

18 v.)

19 TP-LINK RESEARCH AMERICA)
20 CORPORATION, a California company.)

21 Defendant.)
22)
23)

CIVIL ACTION NO.
3:20-cv-03491-SI

**FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

24 **FIRST AMENDED COMPLAINT**

25 For its First Amended Complaint, Plaintiff Antonio Garrett (“Mr. Garrett”)
26 states the following against Defendant TP-Link Research America Corporation
27 (“TP-Link”).
28

1 **PARTIES**

2 1. Mr. Garrett is a resident of Jacksonville, Florida.

3 2. Upon information and belief, Defendant TP-Link is a California
4 corporation with a principal place of business at 245 Charcot Ave., San Jose,
5 California 95131. TP-Link’s registered agent is Deyi Shu, located at 245 Charcot
6 Ave., San Jose, California 95130.

7 **JURISDICTION AND VENUE**

8 3. This is an action for patent infringement arising under the patent laws of
9 the United States, Title 35 of the United States Code, §§ 271 and 281, *et seq.*
10 Accordingly, this Court has subject matter jurisdiction over this cause of action
11 pursuant to 28 U.S.C. §§ 1331 and 1338(a).

12 4. Defendant TP-Link is subject to personal jurisdiction in this District and
13 subject to this Court’s specific and general jurisdiction, pursuant to due process, on
14 the grounds that, on information and belief, Defendant resides in this District and/or
15 the State of California, has committed acts of patent infringement in this District and
16 the State of California, and regularly conducts and/or solicits business, engages in
17 other persistent courses of conduct, and/or derives substantial revenue from the sale
18 of services to persons or entities in this District and the State of California.

19 5. Venue is proper in this District under 28 U.S.C. § 1400(b) because
20 Defendant TP-Link resides in this District and/or has committed acts of infringement
21 and has a regular and established place of business in this District.

22 **INTRADISTRICT ASSIGNMENT**

23 6. Pursuant to Local Rule 3-2(c), because this case is directed toward
24 Intellectual Property Rights, this case is “excluded from this division-specific venue
25 rule” and Local Rule 3-5(b) does not control.

26 **NATURE OF THE ACTION**

27 7. In 2003, Mr. Garrett lost his sight when he was caught in the crossfire
28 of a shooting at a Jacksonville nightclub. During the shooting, a bullet passed

1 through Mr. Garrett’s head, just behind his eyes. The bullet severed a portion of Mr.
2 Garrett’s optic nerves, severely impairing his vision.

3 8. As he learned to cope with the sudden loss of his sight, Mr. Garrett
4 developed a mobile surveillance system to aid in monitoring his surroundings. In
5 particular, Mr. Garrett’s system includes a camera for monitoring a surveillance area
6 and a mobile device for receiving surveillance information from the camera.

7 9. Numerous aspects of Mr. Garrett’s surveillance system are subject to
8 patent protection.

9 10. Mr. Garrett filed U.S. Patent App. No. 12/462,187, entitled “Mobile
10 Surveillance System,” on July 31, 2009, which was duly and legally issued as U.S.
11 Patent No. 9,854,207 (“the ’207 Patent”) on December 26, 2017 and is valid. A true
12 and correct copy of the ’207 Patent is attached hereto as Exhibit A.

13 11. Mr. Garrett also filed U.S. Patent App. No. 15/829,954, entitled “Mobile
14 Surveillance System,” which claims priority to U.S. Patent App. No. 12/462,187, and
15 which duly and legally issued as U.S. Patent No. 10,511,809 (“the ’809 Patent”) on
16 December 17, 2019 and is valid. A true and correct copy of the ’809 Patent is
17 attached hereto as Exhibit B.

18 12. Mr. Garrett is the sole owner of all rights, title, and interest in and to the
19 ’207 Patent and the ’809 Patent, including the right to assert all causes of action
20 arising under the patents and the right to any and all remedies for infringement of
21 them.

22 13. By way of example, independent claim 19 of the ’207 Patent is
23 representative of the claims recited in that patent:

24 A mobile surveillance system, comprising:
25 a mobile device configured to communicate with at least
26 one camera positioned at a surveillance area, wherein the
27 at least one camera captures surveillance data of the
28 surveillance area; and

1 the mobile device is configured to control activation of the
2 mobile surveillance system, and control start and stop of
3 the capture of the surveillance data, and transfer of the
4 surveillance data, wherein, the surveillance data is
5 wirelessly communicated directly from a transmitter linked
6 to the camera to the mobile device; and
7 the mobile device is further configured to activate upon
8 detection of motion at the surveillance area,
9 wherein the detection of motion detects variations in
10 motion measurements at the surveillance area; and
11 wherein the mobile device activates when the motion
12 measurements exceeds a determined threshold.

13 14. By way of example, independent claim 10 of the '809 Patent is
14 representative of the claims recited in that patent:

15 A method for conducting surveillance, comprising:
16 receiving an instruction from a mobile device to control
17 start and stop of capture of surveillance data at a
18 surveillance area;
19 capturing the surveillance data by a camera at the
20 surveillance area, wherein the camera is operably engaged
21 to a motion detection mechanism for detecting variations
22 in motion measurements at the surveillance area; and
23 transferring said surveillance data to the mobile device
24 when the motion detection mechanism obtains a motion
25 detection measurement that exceeds a predetermined
26 threshold indicating the surveillance area is unsecure,
27 wherein the mobile device displays a datebook comprising
28 days of the week and times of day that can be synchronized

1 with an application of the user device to schedule the
2 transferring of surveillance data.

3 15. Defendant TP-Link designs, manufactures, uses, and sells surveillance
4 systems, including its line of Kasa[®] surveillance systems.

5 16. The Kasa[®] surveillance system product line includes the Kasa[®] Smart
6 Wire-Free Camera System (KC300S2), the Kasa Spot[®] (KC100), the Kasa[®] Cam
7 Outdoor (KC200), the Kasa Spot[®] Wire-Free Camera System (KC310S2), the Kasa[®]
8 Cam (KC120), and the Kasa Spot[®] Pan Tilt (KC110).

9 17. With respect to the patented systems and methods, each product in the
10 Kasa[®] surveillance system product line operates the same and shares the same
11 functionality.

12 18. Each product in the Kasa[®] surveillance system product line includes a
13 surveillance device and the Kasa[®] mobile application for installation on a mobile
14 device. The Kasa[®] surveillance system products cannot be used, tested, or
15 demonstrated without a mobile device on which to install the Kasa[®] mobile
16 application. *See, e.g.,* <https://www.tp-link.com/us/support/faq/1953/> (“All Kasa
17 Cams require and only work with the Kasa for Mobile App.”).

18 19. The surveillance device includes a camera that captures surveillance
19 data of a surveillance area. The camera is operably engaged to a motion detection
20 mechanism for detecting variations in motion measurements at the surveillance area.

21 20. End users of the Kasa[®] surveillance systems and the required Kasa[®]
22 mobile application infringe system claims of the asserted patents (e.g., claim 19 of
23 the '207 Patent) by making and using the patented system as a whole in a manner in
24 which each and every element of the system claims are met.

25 21. End users of the Kasa[®] surveillance systems and the required Kasa[®]
26 mobile application also infringe method claims of the asserted patents (e.g., claim 10
27 of the '809 Patent) by performing each and every element of the method claims.
28

1 22. Specifically, end users position a Kasa[®] surveillance device at a
2 surveillance area.

3 23. End users also link a transmitter to the Kasa[®] surveillance device for
4 wirelessly communicating surveillance data to the end users' mobile devices, upon
5 which the Kasa[®] mobile application is installed. The surveillance data is transmitted
6 to the mobile device via a server.

7 24. End users use the Kasa[®] mobile application installed at the end users'
8 mobile devices to wirelessly communicate with, configure, and control the Kasa[®]
9 surveillance device from the mobile device via the server. In particular, end users
10 use the mobile application to activate the surveillance device, start and stop the
11 capture of surveillance data at the surveillance area, and control the transfer of the
12 surveillance data from the surveillance device to the mobile device.

13 25. Upon detection, by the motion detection mechanism, of a motion
14 detection measurement that exceeds a threshold, the surveillance data is wirelessly
15 communicated from the surveillance device to the end users' mobile devices, via the
16 server, using the transmitter linked to the surveillance device. The end users' mobile
17 devices activate upon receipt of the surveillance data when the data is pushed from
18 the surveillance device to the mobile device and the mobile device emits a
19 notification.

20 26. End users also use the Kasa[®] mobile application installed at the end
21 users' mobile devices to schedule the transfer of the surveillance data using a
22 datebook that includes days of the week and times of day.

23 27. TP-Link displays and advertises its Kasa[®] surveillance systems
24 (together with the Kasa[®] mobile application and a corresponding mobile device)
25 through summary descriptions, user manuals, videos, pictures, and technical
26 specifications posted on its website ([www.kasasmart.com/us/products/security-](http://www.kasasmart.com/us/products/security-cameras)
27 [cameras](http://www.kasasmart.com/us/products/security-cameras)). Illustrative images and screenshots of the same are attached hereto as
28 Exhibit C.

1 28. TP-Link also displays and advertises its Kasa[®] surveillance systems
2 (together with the Kasa[®] mobile application and a corresponding mobile device)
3 through summary descriptions, user manuals, pictures, videos, and technical
4 specifications posted on and through third party sites such as YouTube. Videos
5 depicting the systems on YouTube are published by TP-Link and can be viewed at
6 <https://www.youtube.com/watch?v=EBeNzKwu2eU>, for example.

7 29. TP-Link's display and advertisement of its Kasa[®] surveillance systems
8 intentionally instruct, and are specifically intended to cause, end users of the Kasa[®]
9 surveillance systems (including the Kasa[®] mobile application) to infringe the system
10 and method claims of the asserted patents throughout the United States, including
11 this District and the State of California. For example, as further described below,
12 TP-Link instructs end users to perform each step or action described above in
13 paragraphs 20-26. TP-Link also intentionally instructs end users to infringe the
14 system and method claims of the asserted patents through its published summary
15 descriptions, user manuals, videos, pictures, and technical specifications, some of
16 which are reproduced in Exhibit C.

17 30. There are no substantial non-infringing uses of the Kasa[®] surveillance
18 systems. Once an end user has followed TP-Link's instructions for setting up a Kasa[®]
19 surveillance device at a surveillance area and configuring the device for
20 communication with the end user's mobile device using the Kasa[®] mobile
21 application, any non-infringing use of the surveillance device would require the user
22 to disable the motion detection functionality of the surveillance device or disable the
23 transmission of notifications and/or surveillance data by the surveillance device,
24 neither of which does TP-Link advertise to users how to do.

25 31. Further, the Kasa[®] surveillance systems and the required Kasa[®] mobile
26 application are a material part of the patented systems and methods. The only device
27 that end users contribute to the system is a generic mobile device on which to install
28 the Kasa[®] mobile application. All the claimed functionality recited in the patented

1 system and method claims are facilitated by the Kasa[®] surveillance devices and the
2 Kasa[®] mobile application.

3 32. Defendant TP-Link also makes and uses the patented system by
4 combining each and every element of system claims recited in the asserted patents
5 (e.g., claim 19 of the '207 Patent) in the same infringing manner as described above
6 in paragraphs 20-26 with respect to end users. Specifically, TP-Link makes the
7 patented system by combining at least a Kasa[®] surveillance device, a server, the
8 Kasa[®] mobile application, and a mobile device. TP-Link also uses the patented
9 system by putting the system as a whole into service, and using it for its intended
10 purpose, in the same infringing manner as described above in paragraphs 20-26 with
11 respect to end users. TP-Link uses and controls the entire system in an infringing
12 manner and obtains benefit from doing so.

13 33. TP-Link uses each and every element of at least the independent system
14 claims in the asserted patents (e.g., claim 19 of the '207 Patent).

15 34. TP-Link's making and using of the entire patented system is well-
16 documented on its webpages, YouTube videos, advertisements, user manuals, and
17 technical specifications.

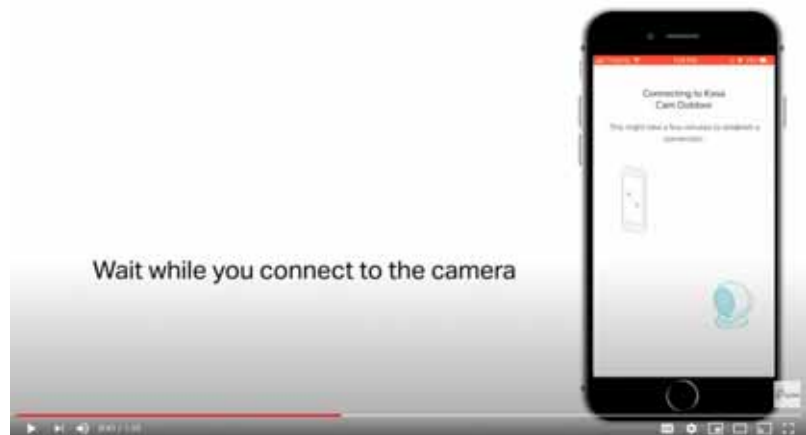
18 35. For example, the YouTube video provided at
19 <https://www.youtube.com/watch?v=EBeNzKwu2eU> depicts TP-Link making and
20 using the patented systems in an infringing manner by connecting a Kasa[®]
21 surveillance device to a mobile device, via a server (e.g., Internet or Wi-Fi server),
22 using the Kasa[®] mobile application.

23 36. A first screenshot (below) from the video depicts a number of Kasa[®]
24 surveillance devices and is titled "How to setup a TP-Link Kasa Cam."
25
26
27
28

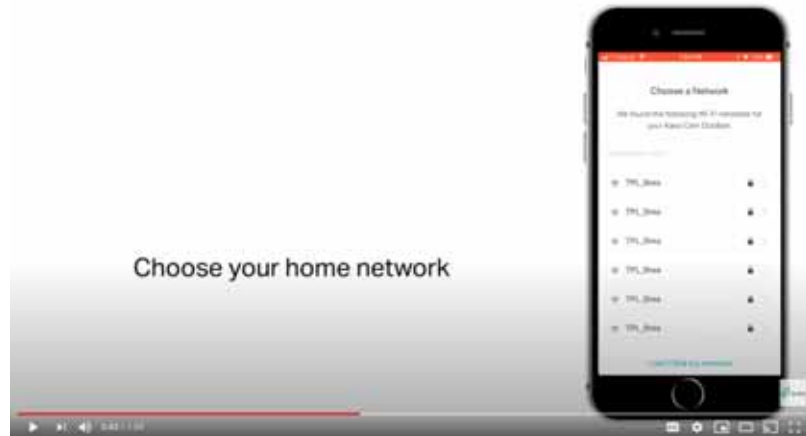
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



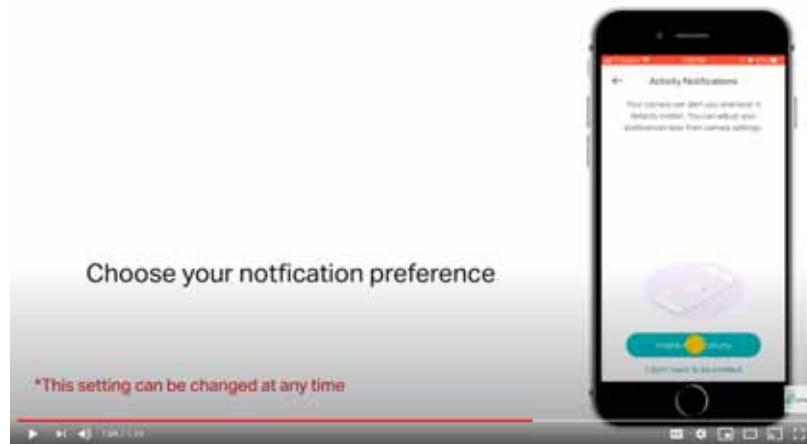
37. A second and a third screenshot (both below) from the same video depict a mobile device (pictured on right-side of screenshot) on which TP-Link has installed its mobile application. The screenshots further depict TP-Link connecting the mobile device to a Kasa® surveillance device (pictured on left-side of screenshot) that TP-Link positioned at a surveillance area for capturing surveillance data.



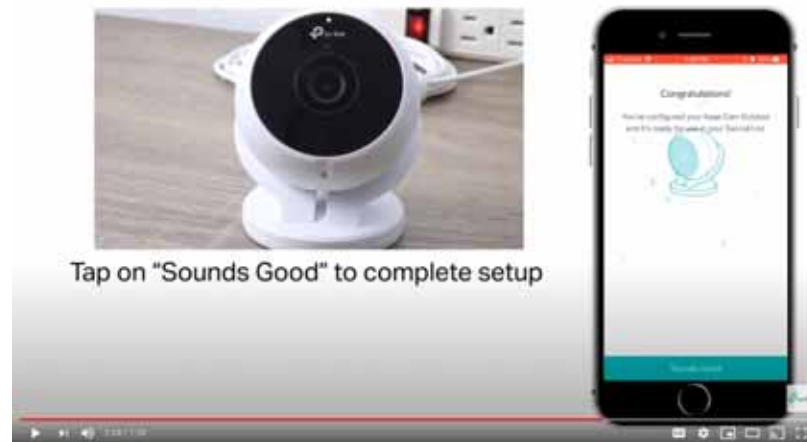
1 38. A fourth screenshot from the same video depicts TP-Link selecting a
2 server (e.g., an Internet or Wi-Fi network server) for connecting the mobile device to
3 the Kasa[®] surveillance device.



13 39. A fifth screenshot from the same video depicts TP-Link configuring and
14 controlling the surveillance device from the mobile device, including controlling the
15 wireless transfer of surveillance data from the surveillance device to the mobile
16 device (i.e., the user activates the surveillance device and selects notification
17 preferences and alerts to be received at the mobile device and transmitted from the
18 surveillance device). The fifth screenshot further depicts TP-Link selecting “Enable
19 Notifications” on the mobile device such that the mobile device is configured to
20 activate upon detection of motion that exceeds a determined threshold by the
21 surveillance device at the surveillance area (i.e., “Your camera can alert you
22 whenever it detects motion. You can adjust your preferences later from camera
23 settings.”).



9 40. A sixth screenshot from the same video depicts a “Congratulations!”
10 message displayed at the mobile device after TP-Link has connected the surveillance
11 device (pictured positioned at a surveillance area in top-left of the screenshot) to the
12 mobile device (pictured on right-side of screenshot), via the server, and TP-Link has
13 configured the surveillance device using the mobile application installed at the
14 mobile device.



23 41. TP-Link’s making and using of each and every element of the entire
24 patented system is also well-documented in its Kasa® product datasheets, user guides,
25 and installation manuals (attached to this First Amended Complaint as Exhibit C).

26 42. For example, TP-Link’s webpage advertising the Kasa® Cam Outdoor
27 (<https://www.kasasmart.com/us/products/security-cameras/kasa-cam-outdoor->
28 [kc200](https://www.kasasmart.com/us/products/security-cameras/kasa-cam-outdoor-kc200)) depicts TP-Link making and using each and every element of the patented

1 system by connecting a mobile device to a Kasa[®] surveillance device, via a server
 2 (e.g., Internet or Wi-Fi server), using the Kasa[®] mobile application. The image
 3 displayed at the mobile device bears a “Kasa” mark demonstrating that the video
 4 image is provided by the Kasa[®] mobile application installed at the mobile device.
 5 The Kasa[®] mobile application is depicting video transmitted from the Kasa Cam
 6 Outdoor device (or another Kasa[®] camera product).



Crystal Clear Video

Sharp and clear, wide-angle 1080P video makes sure you never miss a thing. Manually zoom in to get a closer look to what's going on, day or night. See something or someone suspicious, just zoom in and get a better view. Even at night, the outdoor camera will detect activity up to 30 ft. away with Night Vision.

15 43. A first screenshot from a video published at the same webpage identified
 16 in paragraph 34 depicts TP-Link (or its agent¹) positioning the Kasa Cam Outdoor at
 17 a surveillance area for capturing surveillance data.

23 ¹ To the extent the videos and images referenced in this First Amended Complaint,
 24 including those reproduced herein in paragraphs 36-45, are produced or performed
 25 by individuals other than TP-Link employees, the individuals are agents of TP-
 26 Link, working under TP-Link's direction and control, and for TP-Link's direct
 27 benefit. As a result, the infringing actions of these individuals in making and using
 28 the patented system are attributable to TP-Link. *See Centillion Data Sys., LLC v. Qwest Communications Int'l, Inc.*, 631 F.3d 1279, 1287 (Fed. Cir. 2011); *see also Cross Med. Prod. v. Medtronic Sofamor Danek, Inc.*, 424 F.3d 1293, 13010-11 (Fed. Cir. 2005).



9 44. A second screenshot from the same video depicts TP-Link (or its agent)
10 making and using the patented systems in an infringing manner by connecting a
11 mobile device to the Kasa Cam Outdoor, via a server, using the Kasa mobile
12 application. The mobile device is connected to the Kasa Cam Outdoor and used to
13 configure the Kasa Cam Outdoor in the manner described above in paragraphs 34-
14 39. The video sequence depicts TP-Link (or its agent) reaching for her mobile device
15 when it activates (i.e., emits an alert upon receiving a push notification from the Kasa
16 Cam Outdoor) after the Kasa Cam Outdoor detects the motion of a delivery person.



26 45. The sequence further depicts TP-Link (or its agent) selecting a
27 notification displayed on the mobile device and receiving video information at the
28 mobile device that is transmitted from the Kasa Cam Outdoor. TP-Link (or its agent)

1 then sends and receives an audio message to and from the delivery person at the
2 surveillance area.



11 46. Because the Kasa[®] surveillance systems cannot operate without a
12 mobile device on which to install the Kasa[®] mobile application, TP-Link also made
13 and/or used each and every element of the patented system during each Kasa[®]
14 product's development and/or testing, and TP-Link continues to make and use the
15 entire patented system each time it tests or demonstrates its Kasa[®] products or a
16 feature thereof.

17 47. TP-Link derives substantial financial benefit from its making and using
18 of the patented system. The above-described making and using of the patented
19 systems have been used to sell Kasa[®] surveillance systems and other TP-Link smart
20 home devices to consumers. Without TP-Link's documented making and using of
21 the patented system in its online videos, tutorials, and manuals, TP-Link could not
22 have sold nearly as many, if any, of its Kasa[®] surveillance systems.

23 48. Attached to this First Amended Complaint as Exhibit D is a claim chart
24 establishing TP-Link's direct infringement of each and every element of claims 1, 3-
25 11, 13-17, and 19-27 of the '207 Patent by making and using the claimed system in
26 conjunction with the KC100 Kasa Spot. Exhibit D further establishes TP-Link's
27 indirect infringement of each and every element of claims 1, 3-11, and 13-27 of the
28 '207 Patent by contributing to, and inducing, the infringement of the asserted claims

1 by end users of the KC100 Kasa Spot. Each of the accused Kasa surveillance device
2 products contain the same components, operate the same, and share the same
3 functionality for purposes of infringement. The KC100 Kasa Spot is therefore
4 representative of all the accused products.

5 49. Also attached to this First Amended Complaint as Exhibit E is a claim
6 chart establishing TP-Link's indirect infringement of each and every element of
7 claims 1, 3-11, and 13-20 of the '809 Patent by contributing to, and inducing, the
8 infringement of the asserted claims by end users of the KC100 Kasa Spot. Again,
9 each of the accused Kasa surveillance device products contain the same components,
10 operate the same, and share the same functionality for purposes of infringement. The
11 KC100 Kasa Spot is therefore representative of all the accused products.

12 COUNT I

13 **(Direct Patent Infringement of the '207 Patent)**

14 50. Mr. Garrett incorporates by reference all previous allegations as though
15 set forth fully here.

16 51. TP-Link has infringed and continues to infringe one or more claims of
17 the '207 Patent under 35 U.S.C. § 271(a), literally and/or under the doctrine of
18 equivalents, by making, using, offering to sell, selling, and/or importing in or into the
19 United States all or portions of its surveillance systems identified above.

20 52. TP-Link's infringing acts are without license or authorization from Mr.
21 Garrett.

22 53. TP-Link has had notice of the '207 Patent and their infringement since
23 at least the filing of this action.

24 54. As a direct and proximate result of TP-Link's infringement of the '207
25 Patent, Mr. Garrett has suffered and will continue to suffer injury for which he is
26 entitled to damages under 35 U.S.C. § 284 adequate to compensate him for such
27 infringement, in an amount to be proven at trial. Mr. Garrett's damages are in no
28 event less than a reasonable royalty.

1 61. As a direct and proximate result of TP-Link's infringement of the '207
2 Patent, Mr. Garrett has suffered and will continue to suffer injury for which he is
3 entitled to damages under 35 U.S.C. § 284 adequate to compensate him for such
4 infringement, in an amount to be proven at trial. Mr. Garrett's damages are in no
5 event less than a reasonable royalty.

6 62. As a direct and proximate result of TP-Link's infringement of the '207
7 Patent, Mr. Garrett has also suffered irreparable injury for which he has no adequate
8 remedy at law. Unless TP-Link is permanently enjoined from further infringement
9 of the '207 Patent, Mr. Garrett will continue to suffer irreparable injury and
10 impairment of the value of his patent rights.

11 COUNT III

12 **(Indirect Patent Infringement of the '809 Patent)**

13 63. Mr. Garrett incorporates by reference all previous allegations as though
14 set forth fully here.

15 64. Upon information and belief, TP-Link has induced and continues to
16 induce others to infringe one or more claims of the '809 Patent under 35 U.S.C.
17 § 271(b) by knowingly, intentionally, and actively aiding and abetting others to
18 infringe the '809 Patent, and with the specific intent that such others infringe the '809
19 Patent. By way of example, and upon information and belief, TP-Link accomplishes
20 such inducement by directing and/or instructing others to install, use, and operate its
21 surveillance systems, including its devices, software, and applications in conjunction
22 with a mobile device and in an infringing manner.

23 65. Upon information and belief, TP-Link has also contributed to the
24 infringement of one or more claims of the '809 Patent under 35 U.S.C. § 271(c) by
25 offering to sell, selling, or importing in or into the United States one or more
26 components of its surveillance systems that are the subject of the claims of the '809
27 Patent, knowing such components to be especially made or adapted for use in an
28

1 infringement of the '809 Patent and not suitable for any substantial non-infringing
2 use.

3 66. TP-Link's infringing acts are without license or authorization from Mr.
4 Garrett.

5 67. By no later than the time of the filing of this action, TP-Link knew or
6 should have known that its actions constitute infringement of the '809 Patent. And
7 yet TP-Link has continued in its infringement.

8 68. As a direct and proximate result of TP-Link's infringement of the '809
9 Patent, Mr. Garrett has suffered and will continue to suffer injury for which he is
10 entitled to damages under 35 U.S.C. § 284 adequate to compensate him for such
11 infringement, in an amount to be proven at trial. Mr. Garrett's damages are in no
12 event less than a reasonable royalty.

13 69. As a direct and proximate result of TP-Link's infringement of the '809
14 Patent, Mr. Garrett has also suffered irreparable injury for which he has no adequate
15 remedy at law. Unless TP-Link is permanently enjoined from further infringement
16 of the '809 Patent, Mr. Garrett will continue to suffer irreparable injury and
17 impairment of the value of his patent rights.

18 **PRAYER FOR RELIEF**

19 In light of the foregoing, Mr. Garrett respectfully prays for the following relief
20 against TP-Link:

21 A. A judgment that TP-Link has infringed one or more of the claims of the
22 '207 Patent directly (either literally and/or under the doctrine of
23 equivalents) and/or indirectly;

24 B. A temporary, preliminary, and permanent injunction enjoining TP-Link,
25 its officers, directors, employees, agents, representatives, servants,
26 affiliates, employees, divisions, branches, subsidiaries, parents, and all
27 others acting in concert or participation therewith, from engaging in any
28 continued infringement of the '207 Patent, including directly or

- 1 indirectly infringing, or inducing or contributing to the infringement by
2 others of the '207 Patent;
- 3 C. A judgment that TP-Link has infringed one or more of the claims of the
4 '809 Patent indirectly (either literally and/or under the doctrine of
5 equivalents);
- 6 D. A temporary, preliminary, and permanent injunction enjoining TP-Link,
7 its officers, directors, employees, agents, representatives, servants,
8 affiliates, employees, divisions, branches, subsidiaries, parents, and all
9 others acting in concert or participation therewith, from engaging in any
10 continued infringement of the '809 Patent, including directly or
11 indirectly infringing, or inducing or contributing to the infringement by
12 others of the '809 Patent;
- 13 E. An award of all damages to which Mr. Garrett is entitled under 35
14 U.S.C. § 284 for all past and continuing infringement, including but not
15 limited to all lost profits and/or reasonable royalties, and an order
16 requiring a full accounting of the same;
- 17 F. An assessment of interest, both pre- and post-judgment, on the damages
18 awarded;
- 19 G. An award of costs incurred by Mr. Garrett in bringing and prosecuting
20 this action; and
- 21 H. Any other and further relief as the Court deems just and proper.

22
23 Date: September 25, 2020

Respectfully submitted,

/Benjamin D. Bailey/

Benjamin D. Bailey (PHV)

ben@cmlaw.com

Armon B. Shahdadi (PHV)

armon@cmlaw.com

CLAYTON, MCKAY & BAILEY, PC

800 Battery Ave., SE, Suite 100

Atlanta, GA 30339

Telephone: 678-667-1388

Fax: 404-704-0670

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Marc E. Hankin
marc@hankinpatentlaw.com
HANKIN PATENT LAW APC
2341 Pacifica Ct.
San Leandro, CA 94579
Telephone: 310.979.3600
Facsimile: 310.979.3603

Attorneys for Plaintiff Mr. Antonio Garrett

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Demand for Jury Trial

Pursuant to Fed. R. Civ. P. 38(b), Mr. Garrett hereby respectfully demands a trial by jury on all claims and issues so triable.

Date: September 25, 2020

Respectfully submitted,
/Benjamin D. Bailey/
Benjamin D. Bailey (PHV)
ben@cmlaw.com
Armon B. Shahdadi (PHV)
armon@cmlaw.com
CLAYTON, MCKAY & BAILEY, PC
800 Battery Ave., SE, Suite 100
Atlanta, GA 30339
Telephone: 678-667-1388
Fax: 404-704-0670

Marc E. Hankin
marc@hankinpatentlaw.com
HANKIN PATENT LAW APC
2341 Pacifica Ct.
San Leandro, CA 94579
Telephone: 310.979.3600
Facsimile: 310.979.3603

Attorneys for Plaintiff Mr. Antonio Garrett