

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

PEARL IP LICENSING LLC,

Plaintiff,

v.

SCHNEIDER ELECTRIC USA, INC.,

Defendant.

Civil Action No.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for Patent infringement in which Plaintiff Pearl IP Licensing LLC complains against Defendant Schneider Electric USA, Inc., all upon information and belief, as follows:

Identification of Parties, Jurisdiction and Venue

1. Plaintiff Pearl IP Licensing LLC (“Pearl IP” or “Plaintiff”) is a limited liability company organized and existing under the laws of the State of Texas and having its registered office at 815 Brazos St, Ste 500, Austin, TX 78701 and an office address at 2108 Dallas Pkwy, Ste 214 - 1042, Plano, TX 750 93-4362.

2. Defendant Schneider Electric USA, Inc. (“SEUSA”) is a company organized under the laws of Delaware with a principal place of business at 800 Federal Street Andover, MA, 01810. Defendant’s registered agent is Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

3. SEUSA is a wholly-owned United States subsidiary of Schneider Electric SE, a foreign corporation having its principal place of business at 35 rue Joseph Monier, 92500 Rueil Malmaison, France. Schneider SE makes and sells circuit breakers worldwide, including in the United States.

4. This action arises under the Patent laws of the United States, Title 35 of the United States Code. Thus, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over all Defendant by virtue of the Defendant being a corporation created and existing under the laws of the State of Delaware.

6. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391(c) and 1400(b) at least because SEUSA is incorporated in this District and resides in this District.

PATENT 6,819,539

7. U.S. Patent No. 6,819,539, entitled “Method For Circuit Recovery From Overstress Conditions” (the “539 Patent”) was duly and legally issued on November 16, 2004. A true and correct copy of the ‘539 Patent is attached as Exhibit A.

8. The Patent disclosed and exemplified a unique and valuable apparatus for circuit recovery from overstress conditions, comprising circuits for detecting an event and resetting a device when the event is a first predetermined type and circuits for providing recovery when the event is a second predetermined type. (See ‘539 Abstract).

9. Plaintiff is the named assignee of, owns all right, title and interest in, and has standing to sue and recover all past damages for infringement of the ‘539 Patent.

10. As reflected in the specification of the ‘539 Patent, the prior art included several

approaches to the presence of severe environmental stresses such as specifying electrostatic discharge (ESD) immunity levels, which were not successful in providing robust operation in the presence of all stress conditions. As one example, an ESD protection circuit may trip at 8V overstress on the pin of a 5V part, but will not trip for a 7V overstress that allows a hazardous noise glitch. The specification also notes that additional devices are implemented to increase noise immunity (i.e., adding bypass capacitors to relevant signals) that have associated cost and space penalties. Others include watchdog reset circuits to allow recovery from a fault condition caused by an overstress, but watchdog reset circuits are not effective because a stress condition can cause faulty operation that is not recognizable by the watchdog reset device.

11. The '539 Patent invention concerns a method for circuit recovery from overstress conditions, comprising the steps of (A) is detecting an event and (B) resetting a device when the event is a first predetermined type and providing recovery when the event is a second predetermined type, and include providing a method and/or architecture for implementing microcontrollers and systems that execute firmware to provide recovery from stress conditions that may (i) detect over-stresses to increase the robustness of device operation, (ii) implement a device that may either directly reset itself or monitor itself and take appropriate recovery action when stress conditions occur, (iii) provide flexibility in response to stress conditions, (iv) call for a quick and complete reset after stress conditions, (v) perform self-checking, issue warnings, perform back-up operations, shut-down, or other recovery steps before or in place of a full reset in response to a predetermined criteria, (vi) register and monitor stress conditions, and/or (vii) allow a device to take any appropriate action when stress conditions are occurring.

12. The claimed invention is not an abstract idea. The technologies claimed in the

‘539 patent speed computer flow by avoiding time consuming and inefficient, if at all effective, processor intensive tasks of circuit recovery by providing a method for circuit recovery from overstress conditions, comprising the steps of: (A) detecting an event; (B) storing said event; (C) comparing said stored event to a plurality of event types stored in a table to determine if said event is a first predetermined type or a second predetermined type; and (D) resetting a device when said event is a said first predetermined type and providing recovery when said event is a said second predetermined type. This technology results in more efficient computer traffic by avoiding the potentially-ineffective processor intensive tasks required by the prior art.

13. The inventive concept claimed in, for example, the methods of claim1, is executed in, and requires, a structures that would permit the steps of: (A) detecting an event; (B) storing said event; (C) comparing said stored event to a plurality of event types stored in a table to determine if said event is a first predetermined type or a second predetermined type; and (D) resetting a device when said event is a said first predetermined type and providing recovery when said event is a said second predetermined type.

COUNT I – INFRINGEMENT OF THE ‘539 PATENT

14. Plaintiff restates and incorporates by reference the foregoing allegations.

15. In violation of 35 U.S.C. §271, SEUSA directly infringed at least claim 1 of the ‘539 Patent by itself practicing, at least for development, testing and marketing purposes, the method within the scope of claim 1 of the ‘539 Patent.

16. The method is an inherent feature of SEUSA’s MasterPact MTZ line of circuit breakers.



17. Attached hereto as Exhibit B, and incorporated herein by reference, is a claim chart detailing the correspondence between the method inherent in SEUSA's MasterPact MTZ line of circuit breakers and claim 1 of the '539 Patent.

18. Defendants have had knowledge of infringement of the '539 Patent at least as of the service of the present Complaint.

19. As a result of Defendant's infringement of the '539 Patent, Plaintiff has suffered damages.

20. Plaintiff is entitled to a money judgment in an amount adequate to compensate for Defendants' infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendants, together with interest and costs as fixed by the Court.

21. Plaintiff is presently only asserting method claims in this action, and, thus, 35 U.S.C. § 287 does not apply.

22. Plaintiff reserves the right to modify its infringement theories as discovery progresses in this case; it shall not be estopped for infringement contention or claim construction purposes by the claim charts that it provides with this Complaint. The claim chart depicted in Exhibit B is intended to satisfy the notice requirements of Rule 8(a)(2) of the Federal Rule of Civil Procedure and does not represent Plaintiff's preliminary or final infringement contentions or preliminary or final claim construction positions.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

Plaintiff Pearl IP LLC respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- A. an adjudication that Defendant has infringed the '539 Patent;
- B. an award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement of the '539 Patent through its expiration, including pre-judgment and post-judgment interest, costs, expenses, and an accounting of all infringing acts; and
- C. any and all such further relief at law or in equity that the Court may deem just and proper, including but not limited to attorneys' fees.

Respectfully submitted by:

February 28, 2021

/s/ George Pazuniak

George Pazuniak DE (No. 478)

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