IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SAFE DRIVING TECHNOLOGIES LLC Plaintiff, v. FORD MOTOR COMPANY Defendant.	Civil Action No. 21-cv-64-MN **JURY TRIAL DEMANDED**

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Safe Driving Technologies, LLC ("SDT" or "Plaintiff") makes the following allegations against Ford Motor Company ("Defendant" or "Ford"):

THE PARTIES

1. Plaintiff SDT is a limited liability company duly existing and organized under the laws of the State of Delaware with its principal place of business in Miami, Florida.

2. Defendant Ford is a corporation duly existing and organized under the laws of the State of Delaware that makes, sells, and offers for sale in the United States, or imports into the United States, motor vehicles and related motor vehicles components and accessories, including those products accused of infringement in this matter.

3. SDT is the successor in interest to the intellectual property of Applied Computer Technologies, Inc. (www.actplace.net). Applied Computer Technologies was established in September of 1985 by Mr. Mouhamad Naboulsi and focused on efforts to computerize cars. Those efforts included, but were not limited to, research and development of non-GPS navigation systems; pay at the pump methods; tire pressure monitoring; and detecting and managing calls

while driving.

4. Mr. Naboulsi is an entrepreneur and the named inventor on over a dozen patents, having decades of experience in the automotive industry. Mr. Naboulsi was born into a family involved in the automobile business as importers, mechanics, and service providers. His first automotive job was working on a vehicle assembly line while attending college.

5. In 1987, Mr. Naboulsi was hired by Mazda, working in various departments ranging from robot programming to consumer support, where he worked on improving quality, improving JD power numbers, analyzing warranty data, developing analysis software, and managing the quality committee for North American built Mazda. While at Mazda, Mr. Naboulsi submitted a patent application to remotely start the car and unlock the doors, activate the wipers and control the heat and A/C.

6. From 1993-2000, Mr. Naboulsi held various engineering positions in the automotive industry.

7. Mr. Naboulsi filed U.S. Provisional Patent Application No. 60/336,293, on October 24, 2001, and U.S. Provisional Patent Application No. 60/390,877, which was filed on June 21, 2002. Mr. Naboulsi also filed U.S. patent application serial number 10/279,447, filed October 24, 2001, and U.S. patent application serial number 10/287,299, filed November 4, 2002, both of which claim priority to the provisionals in this paragraph.

JURISDICTION AND VENUE

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

9. Defendant Ford is a corporation duly existing and organized under the laws of the State of Delaware that makes, sells, and offers for sale in the United States, or imports into the United States and exports from the United States, motor vehicles and related motor vehicles

components and accessories, including those products accused of infringement in this matter.

10. This Court has personal jurisdiction over Ford because Ford is incorporated in the State of Delaware. This Court also has personal jurisdiction over Ford because Ford regularly transacts business with entities and individuals in the State of Delaware, including one or more of at least four Ford dealerships located in the State of Delaware, and because Ford manufactures and distributes infringing motor vehicles and other infringing products that it purposefully directs into the State of Delaware, including this District, or at least places into the stream of commerce via established distribution channels with the knowledge and expectation that they will be sold in the State of Delaware, including in this District.

11. Venue is proper in this District under 28 U.S.C. § 1400(b) because Ford is incorporated in the State of Delaware.

THE ASSERTED PATENTS

12. This lawsuit concerns Ford's infringement of United States Patent No. 9,713,994 (the "'994 Patent"), United States Patent No. 8,301,108 (the "'108 Patent"), United States Patent No. 9,047,170 (the "'170 Patent") and United States Patent No. 10,532,709 (the "'709 Patent") (collectively, the "Asserted Patents"). Each of the above patents continues from and claims priority to U.S. Provisional Patent Application No. 60/336,293, which was filed on October 24, 2001, and to U.S. Provisional Patent Application No. 60/390,877, which was filed on June 21, 2002.

13. Each of the Asserted Patents was invented by Mouhamad Naboulsi. Each of the Asserted Patents has been assigned to SDT.

14. Generally speaking, each of the Asserted Patents relates to the field of telematics, namely to the field of integrating information, communication, computing and entertainment technologies into vehicles for civilian or military use. Each invention particularly relates to safety

control systems for vehicles to reduce driver distraction, avoiding potentially dangerous conditions tending to produce accidents.

15. For example, each of the Asserted Patents recites ways in which vehicle safety is improved by automatically managing the use of telematics in general, and cellular phones in specific, by drivers while driving.

16. Such inventions improve over the prior art by, for example, using combinations of driving and stopping events, driver preferences, vehicle type, driving purpose and environmental conditions in order to significantly improve the system's ability to avoid dangerous conditions, manage risk and individualize the warnings to individual driving skills and driving purpose.

17. The inventions disclosed in the Asserted Patents have been revolutionary throughout the industry. In fact, the patent family to which each of the Asserted Patents belongs has been cited by over 275 other patents, including dozens of patents filed by Ford and its related entities such as Ford Global Technologies, LLC, as well as others such as Honda, Toyota, General Motors, Volkswagen, Nissan, Volvo, Nio, Audi and Avaya.

HISTORY OF PLAINTIFF'S TECHNOLOGY

18. In 2000, Mr. Naboulsi tested the invention that is the subject of the Asserted Patents by implementing it on a Mazda minivan.

19. After filing his invention, Mr. Naboulsi exhibited the invention in various automotive shows throughout the US, which were attended by various representatives from the automotive industry.


Battling driver distraction

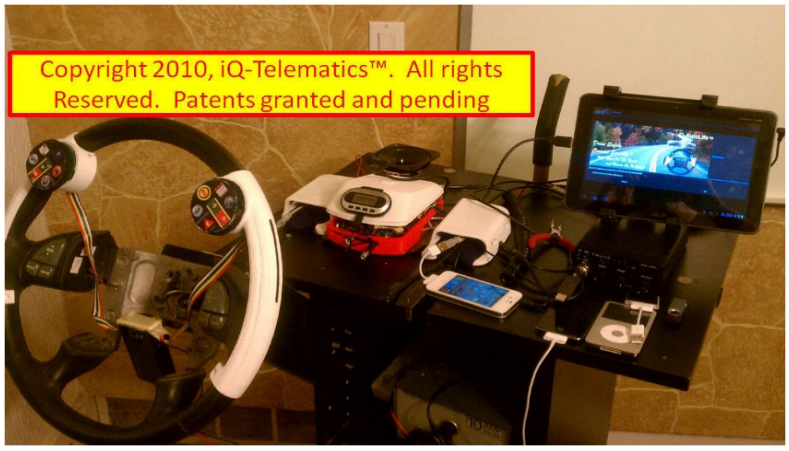
Contact Greg Gardner: 313-222-8762 or ggardner99@freepress.com

Apr 3, 2011 | Comments

Mouhamad Naboulsi, 57, of West Bloomfield, president of iQ-Telematics, with one of the company's products at the Society of Automotive Engineers' automotive headquarters in Troy. / BRIAN KAUFMAN/Detroit Free Press

20. Mr. Naboulsi participated and exhibited in multiple regulatory sessions, including: Transport Canada, in Ottawa October 2003; Department of Transportation in Washington, D.C. U.S. Department of Transportation Secretary LaHood Distracted Driving Summit September 30 - October 1, 2009, and again in September of 2010; National Congress for State Legislature in Salt Lake City July 2004 and in Louisville in July 2010; and Governors Highway Safety Association in Kansas in 2010.

21. Mr. Naboulsi was awarded the prestigious MIT-SAE innovator of the year award in April 2010.



FORD USED THE INFRINGING TECHNOLOGY IN ITS SYNC SYSTEM

22. In January 2007, at the North American International Auto Show in Detroit,

Michigan, Ford announced the adoption of its SYNC infotainment module, which implemented the inventions recited in the Asserted Patents.

23. Ford's SYNC infotainment system is focused on reducing driver's distraction and allowing the driver to access various features without removing hands off the steering wheel.

https://www.ford.com/technology/sync/sync-3/ (last accessed November 22, 2020)

COUNT 1

INFRINGEMENT OF U.S. PATENT NO. 9,713,994

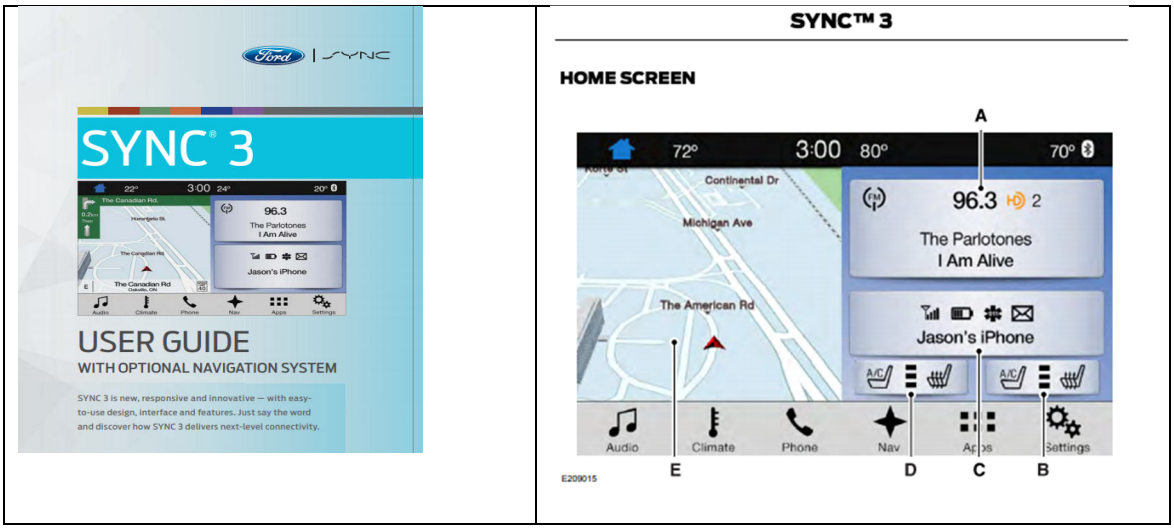
24. Plaintiff repeats and incorporates by reference each preceding paragraph as if fully set forth herein and further states:

25. The '994 Patent was duly and legally issued on July 25, 2017. A true and correct copy is attached as Exhibit A. Plaintiff holds all rights and title to such patent, including the sole and exclusive right to bring a claim for its infringement.

26. As described below, Ford has directly infringed the '994 Patent in violation of 35 U.S.C. § 271(a) by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, without authorization, products that practice claims of the '994 Patent.

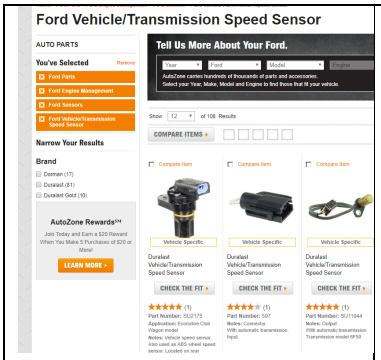
27. At a minimum, such infringing products include Ford's SYNC system.

28. Ford's SYNC infringes at least claim 1 of the '994 Patent. The first element of claim 1 recites: "a telematic device running at least one software application and having at least one input and at least one output." SYNC is a telematic device running a software application accepting an input and providing an output.

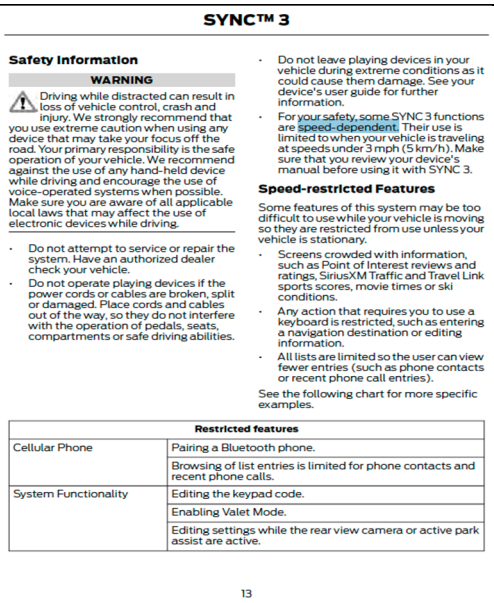


http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf (last accessed December 14, 2020)

29. The second element of claim 1 recites "at least one sensor operable to sense at least one condition related to a driving environment and data providing information indicating at least one distracting feature for at least one software application." SYNC uses the vehicle's speed sensor to determine the speed of the vehicle.



https://www.autozone.com/engine-management/vehicle-transmission-speed-sensor/ford (last accessed December 14, 2020)



See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

30. The third element of claim 1 recites "a controller in communication with the sensor and the data and the software application and the telematic device, the controller configured to prevent the at least one application output from being provided to the driver in the original format...." SYNC includes a controller in communication with, for example, the vehicle's speed sensor. For example, in order not to distract the driver, the SYNC controller simplifies the listing of phone contacts on the display if the vehicle is moving.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
Cellular Phone	Pairing a Bluetooth phone.
	Browsing of list entries is limited for phone contacts and recent phone calls.
System Functionality	Editing the keypad code.
	Enabling Valet Mode.
	Editing settings while the rear view camera or active park assist are active.

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

31. The fourth element of claim 1 recites "wherein the controller controls when at least one input into the software application and at least one output from the software application are provided to the driver so that prior to permitting the driver to access the input or prior to providing an output from the software application on the telematic device to the driver, the controller determines whether said at least one condition is within a threshold and permits the driver to access said input or provides said output to said driver only when said at least one condition is within the threshold." For example, if the SYNC controller receives information from the speed sensor that the vehicle is moving, SYNC prevents the driver from using the keyboard to enter a navigation destination, and prevents the driver from viewing text messages.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
Wi-Fi and Wireless	Editing wireless settings.
	Editing the list of wireless networks.
Text Messages	Viewing received text messages.
Navigation	Using the keyboard to enter a destination.
	Demo navigation route.
	Adding or editing Navigation Favorites entries or Avoid Areas.

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

32. Ford's acts of infringement have damaged Plaintiff, and Plaintiff is entitled to recover from Ford for those damages in an amount to be proven at trial, including injunction, actual and/or compensatory damages, reasonable royalties, pre-judgment and post-judgment interest, enhanced damages, and costs.

COUNT 2

INFRINGEMENT OF U.S. PATENT NO. 9,047,170

33. Plaintiff repeats and incorporates by reference each preceding paragraph as if fully set forth herein and further states:

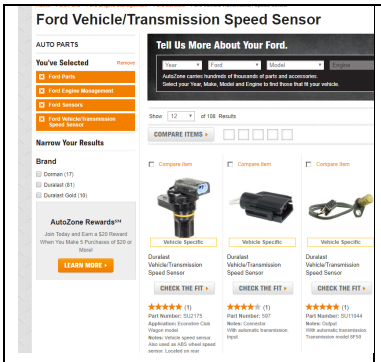
34. The '170 Patent was duly and legally issued on June 2, 2015. A true and correct copy is attached as Exhibit B. Plaintiff holds all rights and title to such patent, including the sole and exclusive right to bring a claim for its infringement.

35. As described below, Ford has directly infringed the '170 Patent in violation of 35U.S.C. § 271(a) by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, without authorization, products that practice claims of the '170 Patent.

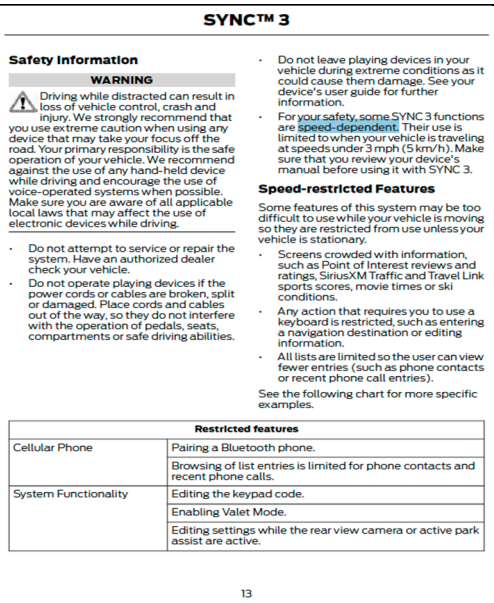
36. At a minimum, such infringing products include Ford's SYNC system.

37. Ford's SYNC infringes at least claim 1 of the '170 patent.

38. Claim 1 recites a method for "sensing movement of the telematic device;" and "comparing movement of the telematic device to a threshold." SYNC uses the vehicle's speed sensor to determine the speed of the vehicle.



https://www.autozone.com/engine-management/vehicle-transmission-speed-sensor/ford (last accessed December 14, 2020)


SYNC™ 3

Safety Information

WARNING

Driving while distracted can result in loss of vehicle control, crash and injury. We strongly recommend that you use extreme caution when using any device that may take your focus off the road. Your primary responsibility is the safe operation of your vehicle. We recommend against the use of any hand-held device while driving and encourage the use of voice-operated systems when possible. Make sure you are aware of all applicable local laws that may affect the use of electronic devices while driving.

- Do not attempt to service or repair the system. Have an authorized dealer check your vehicle.
- Do not operate playing devices if the power cords or cables are broken, split or damaged. Place cords and cables out of the way, so they do not interfere with the operation of pedals, seats, compartments or safe driving abilities.
- Do not leave playing devices in your vehicle during extreme conditions as it could cause them damage. See your device's user guide for further information.
- For your safety, some SYNC 3 functions are speed-dependent. Their use is limited to when your vehicle is traveling at speeds under 3 mph (5 km/h). Make sure that you review your device's manual before using it with SYNC 3.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

See the following chart for more specific examples.

Restricted features	
Cellular Phone	Pairing a Bluetooth phone.
	Browsing of list entries is limited for phone contacts and recent phone calls.
System Functionality	Editing the keypad code.
	Enabling Valet Mode.
	Editing settings while the rear view camera or active park assist are active.

13

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

39. Method claim 1 also recites the steps of "preventing said at least one output from being communicated within the vehicle in the original format of said at least one output when movement of the telematic device is at or above the threshold;" and "providing said at least one output to the driver in the format different than the original format when movement of the telematic device is at or above the threshold." SYNC includes a controller in communication with, for example, the vehicle's speed sensor. For example, in order not to distract the driver, the SYNC controller simplifies the listing of phone contacts on the display if the vehicle is moving.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
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See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

40. Method claim 1 also recites "permitting the driver to access said input or providing said output to said driver in the original format when movement of the telematic device is below the threshold." For example, if the SYNC controller receives information from the speed sensor that the vehicle is moving, SYNC prevents the driver from using the keyboard to enter a navigation destination, and prevents the driver from viewing text messages.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
Wi-Fi and Wireless	Editing wireless settings.
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Navigation	Using the keyboard to enter a destination.
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	Adding or editing Navigation Favorites entries or Avoid Areas.

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

41. Ford has long had knowledge of the '170 Patent and of Ford's infringement thereof, since at least June 2, 2015. For example, the '170 Patent and/or related patents have been cited by Ford during prosecution of its own patent applications, including during the prosecution of the

applications that issued as U.S. Patent Nos. 9,639,688, 8,704,669, 9,452,735, 8,522,320, 8,788,113, 10,097,993, 8,849,519, 9,569,403, 9,789,788, 9,688,246, 8,947,221, 9,141,583, 9,002,536, 9,988,037, 10,002,470, 9,457,816, 10,099,608, 10,249,123, 10,293,783.

42. Ford has also actively, knowingly, and intentionally induced the infringement of the '170 Patent in violation of 35 U.S.C. § 271(b) by, for example, controlling the design and manufacture of, offering for sale, selling, supplying, and otherwise providing instruction and guidance regarding the above-described products with the knowledge and specific intent to encourage and facilitate infringing uses of such products by its customers both inside and outside the United States. For example, Ford publicly provides documentation, including web pages, brochures, user guides and manuals, and videos, available through Ford's publicly accessible website, instructing customers on uses of Ford's products that infringe the claims of the '170 Patent. *See, e.g.,* https://owner.ford.com/support/how-tos/sync/sync.html.

43. Ford's acts of infringement have damaged Plaintiff, and Plaintiff is entitled to recover from Ford for those damages in an amount to be proven at trial, including injunction, actual and/or compensatory damages, reasonable royalties, pre-judgment and post-judgment interest, enhanced damages, and costs.

COUNT 3

INFRINGEMENT OF U.S. PATENT NO. 10,532,709

44. Plaintiff repeats and incorporates by reference each preceding paragraph as if fully set forth herein and further states:

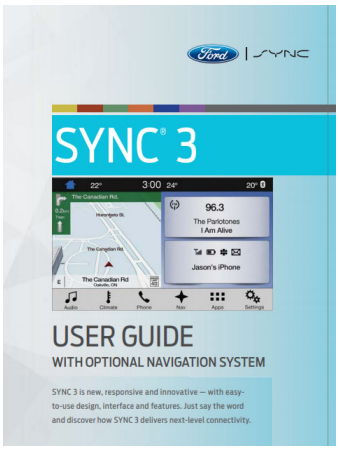
45. The '709 Patent was duly and legally issued on January 14, 2020. A true and correct copy is attached as Exhibit C. Plaintiff holds all rights and title to such patent, including the sole and exclusive right to bring a claim for its infringement.

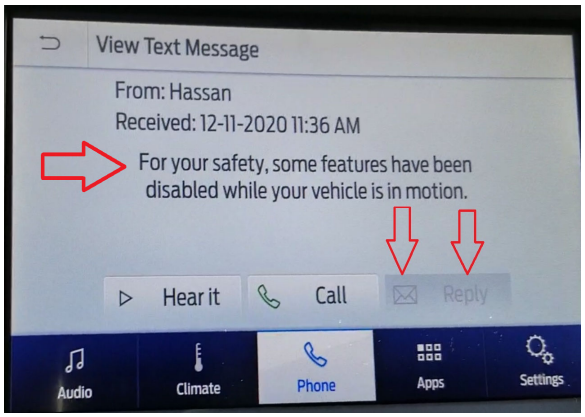
46. As described below, Ford has directly infringed the '709 Patent in violation of 35

U.S.C. § 271(a) by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, without authorization, products that practice claims of the '709 Patent.

47. At a minimum, such infringing products include Ford's SYNC system.

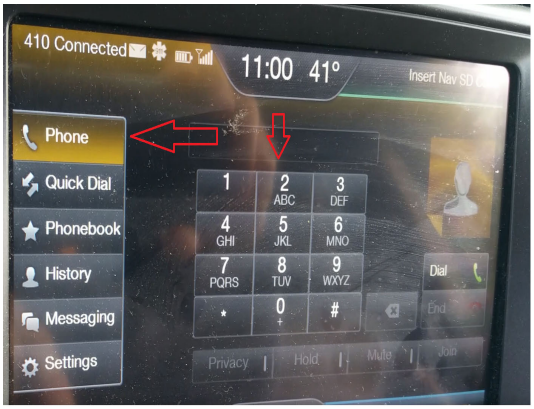
48. Ford's SYNC infringes at least claim 1 of the '709 patent. The first element of claim 1 recites: "a first mode of operation and a reduced distractions mode of operation."





https://www.ford.ca/resources/ford/general/pdf/37695_Ford_SYNC3_UserGuide_E.pdf

49. The second element of claim 1 recites: "the telematics system configured to be operatively coupled with a cellular phone having at least one feature and an output."



Pairing Your Cell Phone for the First Time

Go to the settings menu on your cell phone and switch Bluetooth on.

Select the phone option on the feature bar.

1. Select ***Add Phone***.

Note: *A prompt alerts you to search for your vehicle on your cell phone.*

2. Select your vehicle on your cell phone.

Note: *A number appears on your cell phone and on the touchscreen.*

3. Confirm that the number on your cell phone matches the number on the touchscreen.

Note: *The touchscreen indicates that you have successfully paired your cell phone.*

4. Download the phonebook from your cell phone when you are prompted.

Note: *If you pair more than one cell phone, use the phone settings to specify the primary phone. You can change this setting at any time.*

Using Your Cell Phone

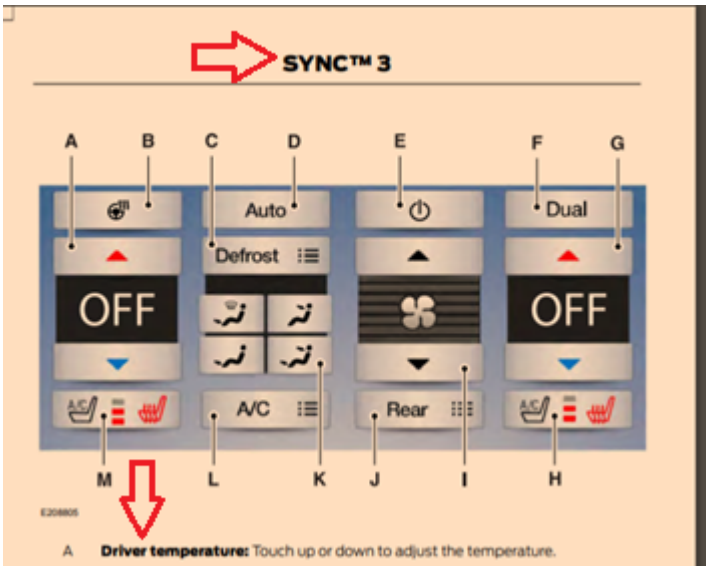
Recent Call List

Display and select an entry from a list of previous calls.

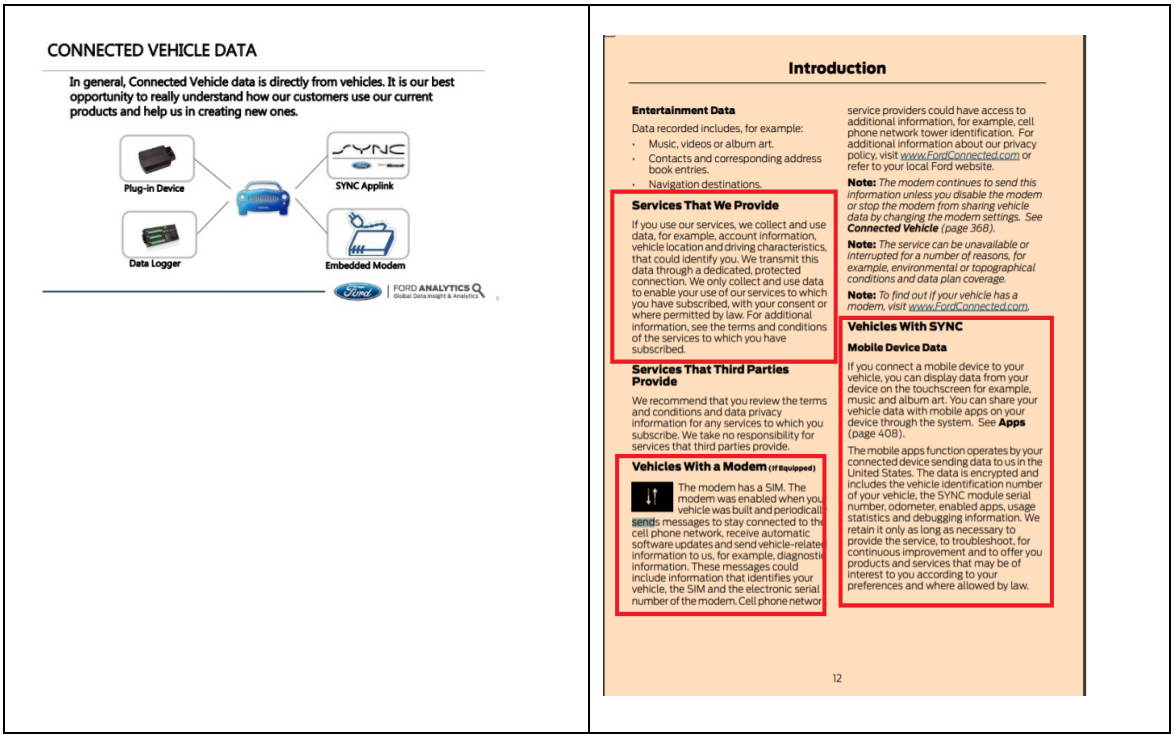
Contacts

Display a smart search form to look up your contacts. Use the List button to alphabetically sort your contacts.

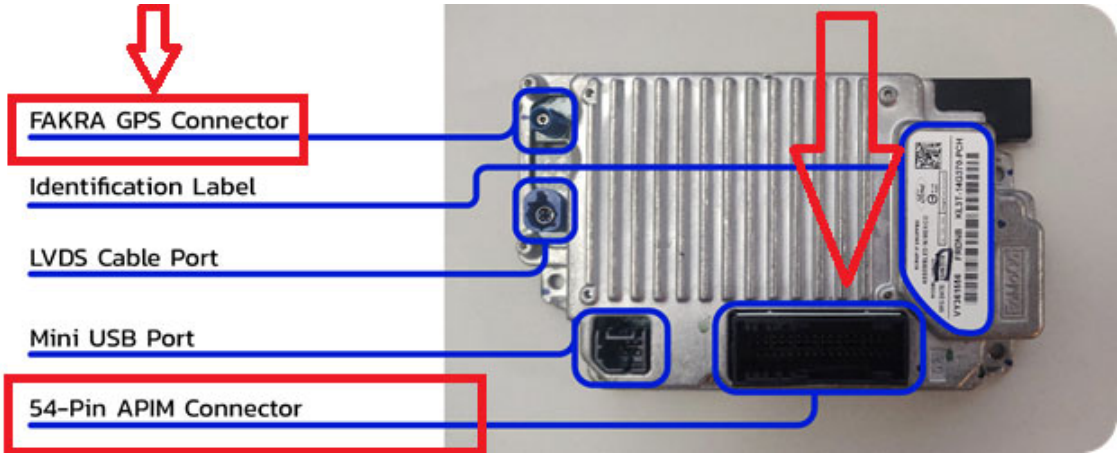
51. The third element of claim 1 recites: "the telematics system operable by a driver of the motor vehicle."



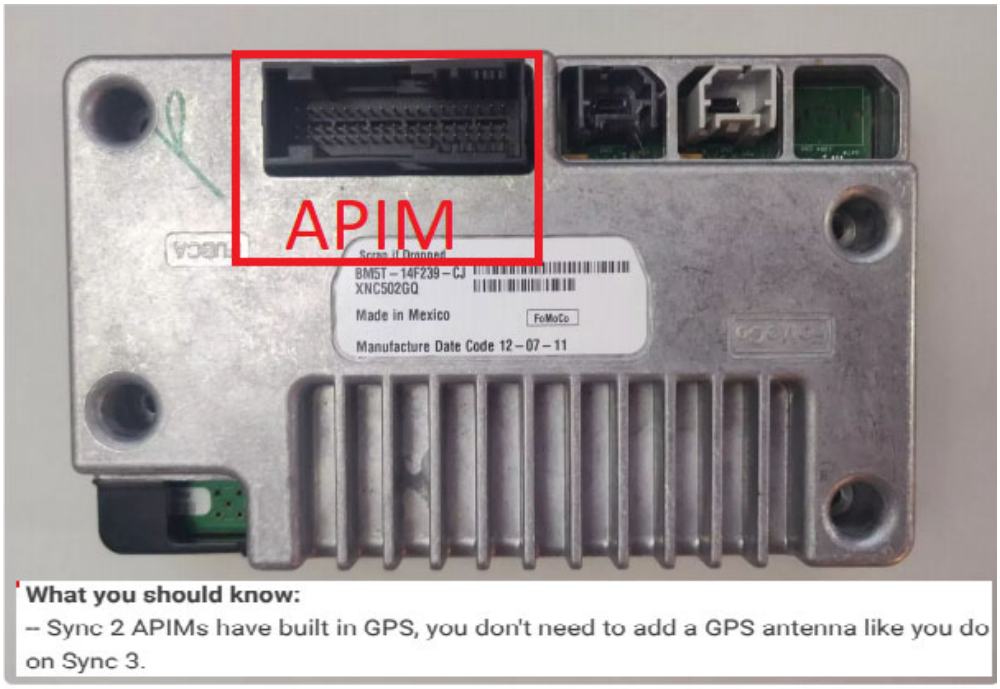
52. The fourth element of claim 1 recites: "the telematics system configured to be operatively coupled with a web server."



53. The fifth element of claim 1 recites: "the telematics system being operatively coupled to the vehicle's bus and being configured to receive at least one of a vehicle transmission information and a vehicle movement information from the bus."



https://naviupgrade.com/guides/whats-the-difference-between-sync-2-sync-3/

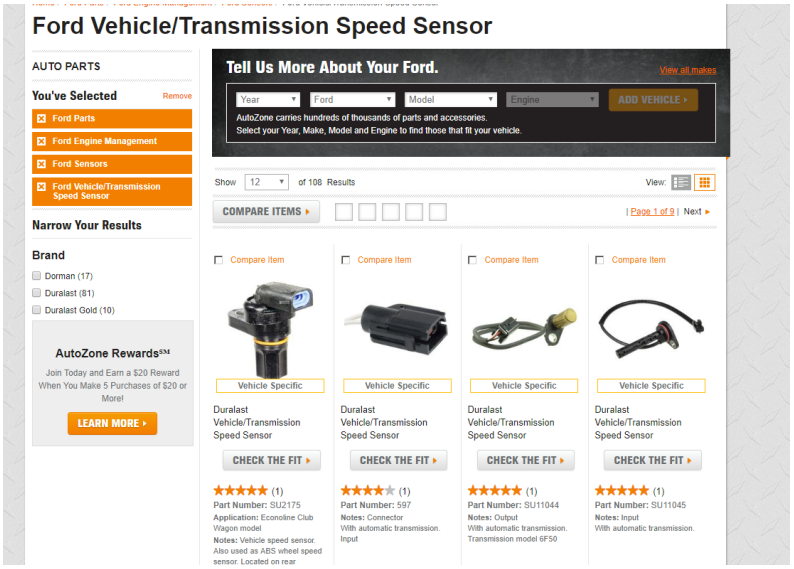


https://naviupgrade.com/guides/whats-the-difference-between-sync-2-sync-3/

System hardware [edit] https://en.wikipedia.org/wiki/Ford_Sync#System_hardware

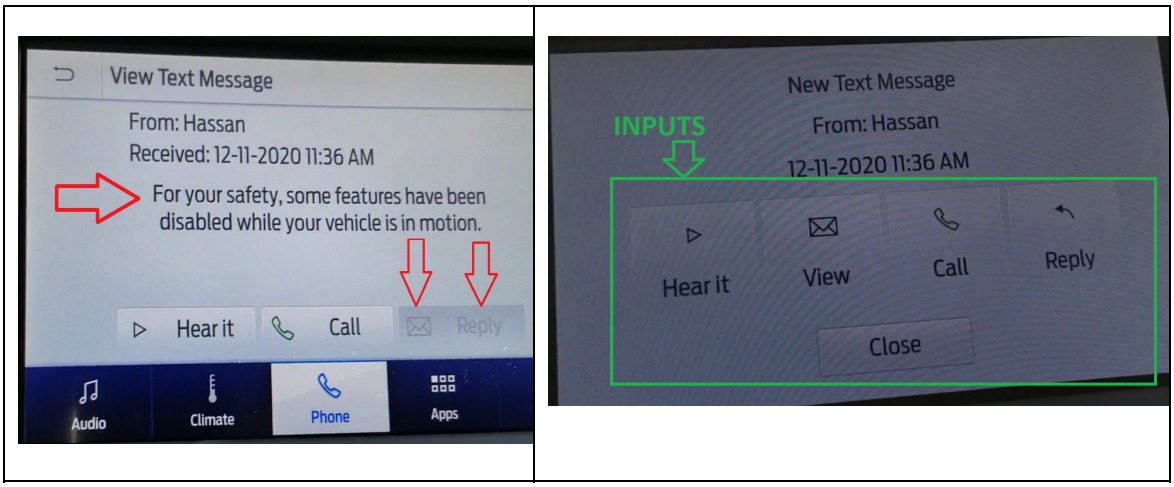
The SYNC computer, which Ford calls the Accessory Protocol Interface Module (APIM), is housed separately from the head unit, called the Audio Control Module (ACM), and interfaces with all vehicle audio sources as well as the high-speed and medium-speed vehicle CAN-buses.[24][25] The first generation of the Ford's SYNC computer was designed in cooperation with Continental AG[26] and is built around a 400 MHz Freescale i.MX31L processor with an ARM 11 CPU core, uses 256 MB of 133 MHz Mobile DDR SDRAM from Micron and 2 GB of Samsung NAND flash memory,[27][28] runs the Windows Embedded Automotive operating system,[29] and uses speech technology by Nuance Communications. Utilizing the USB port, SYNC's Microsoft Windows Auto-based operating system can be updated to work with new personal electronic devices. A Cambridge Silicon Radio (CSR) BlueCore4 chip provides Bluetooth connectivity with compatible phones and devices. SYNC's major circuit board chips cost roughly US$27.80, which allows Ford to profitably sell the system at a much lower price than competitive offerings.[27]

Ford SYNC module circuit board FCCID LHJSYNC01

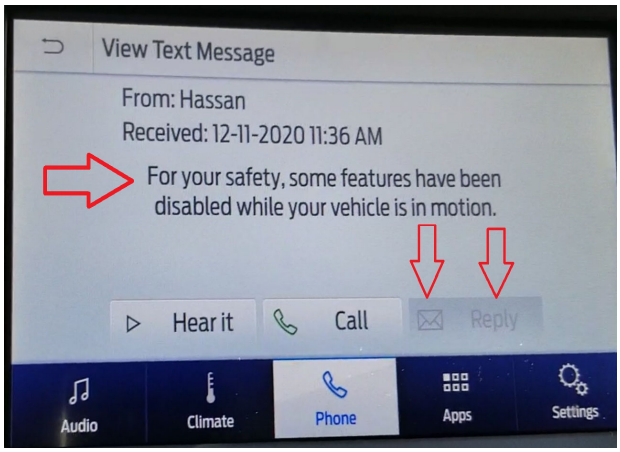


https://www.autozone.com/engine-management/vehicle-transmission-speed-sensor/ford

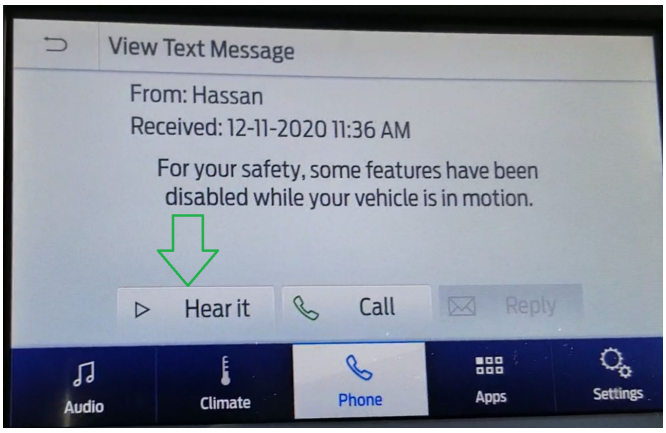
54. The sixth element of claim 1 recites: "the telematics system configured to automatically switch between the first mode of operation and the reduced distractions mode of operation, as a result of at least one predetermined condition being met by the at least one of the transmission information and the vehicle movement information."



55. The seventh element of claim 1 recites: "and, wherein the telematics system, while operating in the reduced distractions mode of operation, is configured to disable the at least one feature, suppress at least a portion of the output."



56. The final element of claim 1 recites: "and provide at least one indicium to the driver that the reduced distractions mode of operation is active; wherein the at least one indicium is presented by the motor vehicle."



57. Ford has long had knowledge of the '709 Patent and of Ford's infringement thereof, since at least January 4, 2020. For example, the '709 Patent and/or related patents have been cited by Ford during prosecution of its own patent applications, including during the prosecution of the applications that issued as U.S. Patent Nos. 9,639,688, 8,704,669, 9,452,735, 8,522,320, 8,788,113, 10,097,993, 8,849,519, 9,569,403, 9,789,788, 9,688,246, 8,947,221, 9,141,583, 9,002,536, 9,988,037, 10,002,470, 9,457,816, 10,099,608, 10,249,123, 10,293,783

58. Ford has also actively, knowingly, and intentionally induced the infringement of the '709 Patent in violation of 35 U.S.C. § 271(b) by, for example, controlling the design and manufacture of, offering for sale, selling, supplying, and otherwise providing instruction and guidance regarding the above-described products with the knowledge and specific intent to encourage and facilitate infringing uses of such products by its customers both inside and outside the United States. For example, Ford publicly provides documentation, including web pages, brochures, user guides and manuals, and videos, available through Ford's publicly accessible website, instructing customers on uses of Ford's products that infringe the claims of the '709 Patent. *See, e.g.,* https://owner.ford.com/support/how-tos/sync/sync.html.

59. Ford's acts of infringement have damaged Plaintiff, and Plaintiff is entitled to recover from Ford for those damages in an amount to be proven at trial, including injunction, actual and/or compensatory damages, reasonable royalties, pre-judgment and post-judgment interest, enhanced

damages, and costs.

COUNT 4

INFRINGEMENT OF U.S. PATENT NO. 8,301,108

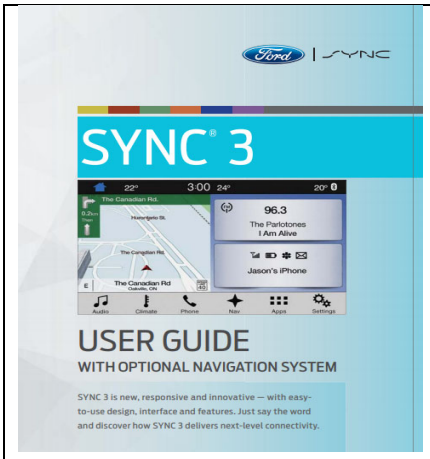
60. Plaintiff repeats and incorporates by reference each preceding paragraph as if fully set forth herein and further states:

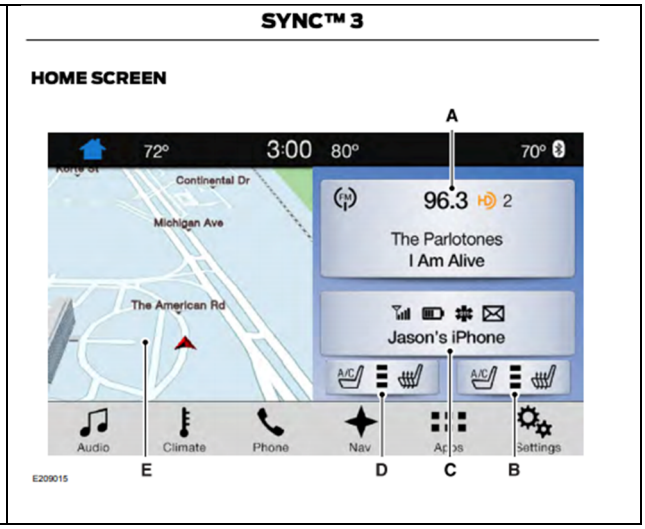
61. The '108 Patent was duly and legally issued on October 30, 2012. A true and correct copy is attached as Exhibit D. Plaintiff holds all rights and title to such patent, including the sole and exclusive right to bring a claim for its infringement.

62. As described below, Ford has directly infringed the '108 Patent in violation of 35 U.S.C. § 271(a) by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, without authorization, products that practice claims of the '108 Patent.

63. At a minimum, such infringing products include Ford's SYNC system.

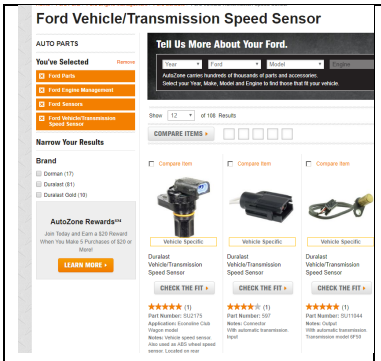
64. Ford's SYNC infringes at least claim 1 of the '108 patent. The first element of claim 1 recites: "a communication device having at least one of an input accessible from within the vehicle and at least one output communicated within the vehicle." SYNC is a communication device with an input accessible from within the vehicle and an output communicated within the vehicle.



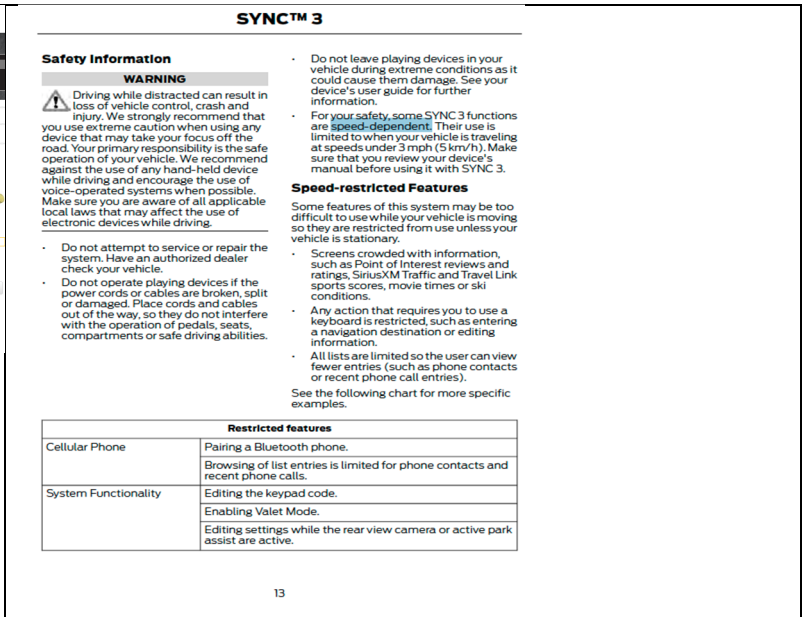


http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf (last accessed December 14, 2020)

65. The second element of claim 1 recites "at least one sensor operable to sense at least one condition related to vehicle operation." SYNC uses the vehicle's speed sensor to determine the speed of the vehicle.



https://www.autozone.com/engine-management/vehicle-transmission-speed-sensor/ford (last accessed December 14, 2020)



See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

66. The third element of claim 1 recites "a controller communicated with the sensor and the communication device, the controller prevents said at least one output from being provided to the driver in the original format of said at least one output and provides said at least one output to the driver in a different format, and wherein the controller controls when at least one input and at least one output are provided to the driver so that prior to permitting the driver to access said input or prior to providing an output from the communication device to the driver, the controller determines whether said at least one condition is within a threshold and permits the driver to access said input or provides said output to said driver only when said at least one condition is within the threshold." SYNC includes a controller in communication with, for example, the vehicle's speed sensor. For example, in order not to distract the driver, the SYNC controller simplifies the listing of phone contacts on the display if the vehicle is moving.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
Cellular Phone	Pairing a Bluetooth phone.
	Browsing of list entries is limited for phone contacts and recent phone calls.
System Functionality	Editing the keypad code.
	Enabling Valet Mode.
	Editing settings while the rear view camera or active park assist are active.

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

67. Additionally, if the SYNC controller receives information from the speed sensor that the vehicle is moving, SYNC prevents the driver from using the keyboard to enter a navigation destination, and prevents the driver from viewing text messages.

Speed-restricted Features

Some features of this system may be too difficult to use while your vehicle is moving so they are restricted from use unless your vehicle is stationary.

- Screens crowded with information, such as Point of Interest reviews and ratings, SiriusXM Traffic and Travel Link sports scores, movie times or ski conditions.
- Any action that requires you to use a keyboard is restricted, such as entering a navigation destination or editing information.
- All lists are limited so the user can view fewer entries (such as phone contacts or recent phone call entries).

Restricted features	
Wi-Fi and Wireless	Editing wireless settings.
	Editing the list of wireless networks.
Text Messages	Viewing received text messages.
Navigation	Using the keyboard to enter a destination.
	Demo navigation route.
	Adding or editing Navigation Favorites entries or Avoid Areas.

See, e.g., SYNC 3 Manual of Operations, May 2015, pp. 13-14 (http://www.fordservicecontent.com/Ford_Content/Catalog/owner_information/Ford-SYNC-3-Supplement-version-1_sycsy_EN-US_05_2015.pdf) (last accessed December 14, 2020)

68. Ford's acts of infringement have damaged Plaintiff, and Plaintiff is entitled to recover from Ford for those damages in an amount to be proven at trial. including injunction, actual and/or compensatory damages, reasonable royalties, pre-judgment and post-judgment interest, enhanced damages, and costs.

DEMAND FOR JURY TRIAL

69. Plaintiff hereby demands a jury trial on all issues so triable.

PRAYER FOR RELIEF

70. WHEREFORE, PLAINTIFF SAFE DRIVING TECHNOLOGIES, LLC requests entry of judgment in its favor and against DEFENDANT FORD MOTOR COMPANY as follows:

A. Declaring that Ford has infringed each of the Asserted Patents;

B. Awarding damages equal to those damages Plaintiff has suffered as a result of Ford's infringement, including no less than a reasonable royalty pursuant to 35 U.S.C. § 154(d) and 35 U.S.C. § 284, , costs, and prejudgment and post-judgment interest;

C. Awarding supplemental damages, with interest, to Plaintiff with an accounting, as needed;

D. Permanently enjoining Ford and its parents, subsidiaries, affiliates, officers, directors, agents, servants, employees, successors and assigns, and all others in active concert or participation with any of the foregoing from any further acts of infringement of the Asserted Patents or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the Asserted Patents by Ford;

E. Awarding of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law; and

F. Awarding such other costs and further relief as the Court may deem just and proper.

Dated: June 8, 2021

Respectfully submitted,

Of Counsel:

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