

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

IOT INNOVATIONS LLC,

Plaintiff,

v.

MONITRONICS INTERNATIONAL, INC.,  
d/b/a BRINKS HOME,

Defendant.

Civil Action No. 2:23-cv-00177

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff IOT INNOVATIONS LLC (“IoT Innovations” or “Plaintiff”) files this complaint against MONITRONICS INTERNATIONAL, INC. d/b/a Brinks Home (“Brinks Home” or “Defendant”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

**NATURE OF THE ACTION**

1. This is a patent infringement action to stop Defendant’s infringement of the following United States Patents (collectively, the “Asserted Patents”), copies of which are attached hereto as **Exhibit A, Exhibit B, Exhibit C, Exhibit D, Exhibit E, Exhibit F, Exhibit G, Exhibit H, Exhibit I, Exhibit J, Exhibit K, Exhibit L, Exhibit M, Exhibit N, Exhibit O, and Exhibit P,** respectively:

	U.S. Patent No.	Title
A.	6,801,933	System And Method For Proactive Caching Employing Graphical Usage Description
B.	7,165,224	Image Browsing And Downloading In Mobile Networks
C.	7,246,173	Method And Apparatus For Classifying Ip Data
D.	7,274,761	Device Synchronisation Over A Network
E.	7,379,464	Personal Digital Gateway
F.	7,394,798	Push-To Talk Over Ad-Hoc Networks
G.	7,408,872	Modulation Of Signals For Transmission In Packets Via An Air Interface

	<b>U.S. Patent No.</b>	<b>Title</b>
H.	7,526,762	Network With Mobile Terminals As Browsers Having Wireless Access To The Internet And Method For Using Same
I.	7,539,212	Method And Apparatus For MAC Layer Inverse Multiplexing In A Third Generation Radio Access Network
J.	7,593,428	Apparatus, And Associated Method, For Forming, And Operating Upon, Multiple-Checksum-Protected Data Packet
K.	7,643,423	Dynamic Channel Allocation In Multiple-Access Communication Systems
L.	7,974,260	Method Of Transmitting Time-Critical Scheduling Information Between Single Network Devices In A Wireless Network Using Slotted Point-To-Point Links
M.	7,974,266	Method And Apparatus For Classifying IP Data
N.	7,983,282	Edge Side Assembler
O.	7,987,270	Apparatus, And Associated Method, For Facilitating QoS And Bearer Setup In An IP-Based Communication System
P.	8,972,576	Establishing A Home Relationship Between A Wireless Device And A Server In A Wireless Network

2. Plaintiff seeks injunctive relief and monetary damages.

### **PARTIES**

3. Plaintiff is a limited liability company formed under the laws of Texas with a registered office address located in Austin, Texas (Travis County).

4. Monitronics International, Inc. d/b/a Brinks Home is a corporation organized under the laws of the State of Delaware with its principal place of business located at 1990 Wittington Place, Dallas, Texas 75234.

5. Brinks Home may be served through its registered agent for service, Corporation Service Company d/b/a CSC-Lawyers Inc. located at 211 E. 5<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

### **JURISDICTION AND VENUE**

6. Plaintiff repeats and re-alleges the allegations in Paragraphs 1-5 as though fully set forth in their entirety.

7. This is an action for infringement of a United States patent arising under 35 U.S.C. §§

271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

8. Venue is proper against Defendant in this District pursuant to 28 U.S.C. § 1400(b) and 1391(c) because it has maintained established and regular places of business in this District and has committed acts of patent infringement in the District. *See In re: Cray Inc.*, 871 F.3d 1355, 1362-1363 (Fed. Cir. 2017).

9. Defendant is subject to this Court’s specific and general personal jurisdiction under due process and/or the Texas Long Arm Statute due at least to Defendant’s substantial business in this judicial District, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, or deriving substantial revenue from goods and services provided to individuals in Texas and in this District.

10. Specifically, Brinks Home intends to do and does business in, has committed acts of infringement in, and continues to commit acts of infringement in this District directly, through intermediaries, by contributing to and through inducement of third parties, and offers its products or services, including those accused of infringement here, to customers and potential customers located in Texas, including in this District.

11. Brinks Home maintains regular and established places of business in this District.

12. Brinks Home offers products and services and conducts business in the Eastern District of Texas. For example, and as depicted below, Brinks Home promotes, advertises, and provides its services within this District:

## **Americans Announce Brinks Home as Official Home Security Partner**

Elisa Schmitt

Oct 28, 2022

**Allen/Dallas, TX** – The Allen Americans Professional Hockey Club, 4-time league champions and affiliate of the NHL's Ottawa Senators, are proud to announce a new partnership with Brinks Home™. The agreement will make DFW-based Brinks Home the official home security partner of the Americans, and will include multiple fan-engagement benefits for Season Ticket Members throughout the season.

“We’re thrilled to have Brinks Home as a partner moving forward,” said Jeff Wodka, Americans Vice President of Sponsorship Sales. “We’ve been nothing but impressed with their cutting-edge products and services and we encourage all of our fans who are considering home security to reach out to Brinks Home.”

As part of the agreement, Brinks Home will have multiple activations throughout the CUTX Event Center, including the all new Brinks Home™ Security Zone. The Brinks Home Security Zone will be the new name for the east side of the rink, the side that the Americans defend twice. Brinks Home will also have a presence at several Americans games, offering fans opportunities to win prizes and learn more about the benefits of their products and services.

### **Exhibit 2.**

13. In addition, to conduct this business, Brinks Home employs a number of individuals within this District, including but not limited to, corporate recruiters, account managers, security consultants, systems engineers, and technical support. These individuals’ employment with Brinks Home is conditioned upon and based on their residence and continued residence within the District to further the specific infringing business activities of Brinks Home within the District.

14. On information and belief, Brinks Home also leases, owns, stores, services, and/or operates real and personal property including, but not limited to, vehicles and other equipment, and provides and funds office space and equipment, vehicles, and other equipment to its employees, exclusive and non-exclusive contractors, agents, and affiliates, within this District for the specific purposes of offering, provide, and/or support its infringing products and services

within this District.

15. Brinks Home's business specifically depends on employees, exclusive and non-exclusive contractors, agents, and affiliates, etc., being physically present at places in the District, and Brinks Home affirmatively acted to make permanent operations within this District to service its customers. *See In re: Cray Inc.*, 871 F.3d 1355, 1365–66 (Fed. Cir. 2017) (citing *In re: Cordis Corp.*, 769 F.2d 733, 736 (Fed. Cir. 1985)). Brinks Home employs and contracts with those employees, exclusive and non-exclusive contractors, agents, and affiliates, etc., with the specific requirement that those individuals and entities maintain a presence in the District to service customers within the District. At least through these employees, Brinks does its business in this District through a permanent and continuous presence. *See In re: Cordis Corp.*, 769 F.2d 733, 737 (Fed. Cir. 1985).

16. Brinks Home ships and causes to be shipped into the District infringing products and materials instructing its customers to perform infringing activities to its employees, exclusive and non-exclusive contractors, agents, and affiliates for installation, operation, and service at locations within the District.

17. Defendant commits acts of infringement from this District, including, but not limited to, use of the Accused Products and inducement of third parties to use the Accused Products.

### **THE ACCUSED PRODUCTS**

18. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

19. Based upon public information, Brinks Home owns, operates, advertises, and/or controls the website <https://brinkshome.com/> through which it advertises, sells, offers to sell, provides and/or educates customers about their products and services. *See Exhibit 1.*

20. Defendant uses, causes to be used, sells, offers for sale, provides, supplies, or distributes its home security platform and systems. *See Exhibit 3.*

21. Defendant uses, causes to be used, sells, offers for sale, provides, supplies, or distributes its home alarm and/or security platform and systems, which includes, but is not limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, Brinks Home Motion Sensors, Brinks Home Outdoor Cameras, Brinks Home Indoor Cameras, Brinks Home Doorbell Cameras, Brinks Home Door and Window Sensors, Brinks Home Garage Door Sensors, Brinks Home Glass Break Sensors, Brinks Home App and associated phone apps and website functionality, and associated hardware, software and applications (the “Accused Products”). *See, e.g., Exhibit 4; Exhibit 5.*

22. Defendant also instructs its customers, agents, employees, and affiliates regarding how to use the Accused Products for home security and control.

23. For these reasons and the additional reasons detailed below, the Accused Products practice at least one claim of each of the Asserted Patents.

#### **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,801,933**

24. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

25. The United States Patent and Trademark Office (“USPTO”) duly issued U.S. Patent No. 6,801,933 (the “’933 patent”) on October 5, 2004, after full and fair examination of Application No. 09/644,054, which was filed on August 23, 2000. *See Ex. A.*

26. IoT Innovations owns all substantial rights, interest, and title in and to the ‘933 patent, including the sole and exclusive right to prosecute this action and enforce the ‘933 patent against infringers and to collect damages for all relevant times.

27. The claims of the ‘933 patent are not directed to an abstract idea and are not limited to

well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve server-side application processing and data retrieval using application states.

28. The written description of the '933 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

29. Defendant has directly infringed one or more claims of the '933 patent by using, providing, supplying, or distributing the Accused Products.

30. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 7 of the '933 patent.

31. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Indoor Cameras using the Brinks Home App, performs a method comprising receiving a request for data; producing a current state based on the request; determining a next state based on the current state; caching databased on the current state and the next state; and associating the request with a user of an application having a plurality of states, wherein the user is located in one of the plurality of states. *See, e.g., Ex. 5.*

32. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '933 patent.

33. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for

such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,165,224**

34. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

35. The USPTO duly issued U.S. Patent No. 7,165,224 (hereinafter, the “’224 patent”) on January 16, 2007, after full and fair examination of Application No. 10/262,969, which was filed on October 3, 2002. *See Ex. B.*

36. IoT Innovations owns all substantial rights, interest, and title in and to the ’224 patent, including the sole and exclusive right to prosecute this action and enforce the ’224 patent against infringers and to collect damages for all relevant times.

37. The claims of the ’224 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of image management in a mobile network.

38. The written description of the ’224 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

39. Defendant has directly infringed one or more claims of the ’224 patent by using, providing, supplying, or distributing the Accused Products.

40. Defendant has directly infringed and continues to infringe, either literally or under the

doctrine of equivalents, at least claim 1 of the '224 patent.

41. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Doorbell Cameras, Brinks Home Outdoor Cameras, and Brinks Home App, perform a method of viewing an image on a mobile device, the method comprising the steps of storing in the mobile device a miniaturized version of an image being stored in the mobile device; transferring the image to an external storage device; deleting the image from the mobile device; detecting selection of the miniaturized version of the image; in response to detecting selection of the miniaturized version of the image, sending via a wireless communication network a first message requesting transfer of the image to the mobile device; and receiving a second message via the wireless communication network transferring the image to the mobile device. *See, e.g., Ex. 5; Ex. 3; [https://youtu.be/mSR\\_0MSfSkU?t=1](https://youtu.be/mSR_0MSfSkU?t=1).*

42. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '224 patent by inducing others to directly infringe the '224 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '224 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '224 patent, including, for example, claim 1 of the '224 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the

knowledge of the '224 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '224 patent. Defendant's inducement is ongoing.

43. Defendant has also indirectly infringed by contributing to the infringement of the '224 patent. Defendant has contributed to the direct infringement of the '224 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '224 patent, including, for example, claim 1 of the '224 patent. The special features constitute a material part of the invention of one or more of the claims of the '224 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

44. Defendant had knowledge of the '224 patent at least as of the date when it was notified of the filing of this action.

45. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

46. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

47. Defendant's direct infringement of one or more claims of the '224 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

48. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one

or more claims of the '224 patent.

49. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

50. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '224 patent. Defendant's actions have interfered with and will interfere with Plaintiff's ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

### **COUNT III: INFRINGEMENT OF U.S. PATENT NO. 7,246,173**

51. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

52. The USPTO duly issued U.S. Patent No. 7,246,173 (hereinafter, the "'173 patent") on July 17, 2007, after full and fair examination of Application No. 09/834,918, which was filed on April 16, 2001. *See Ex. C.*

53. IoT Innovations owns all substantial rights, interest, and title in and to the '173 patent, including the sole and exclusive right to prosecute this action and enforce the '173 patent against infringers and to collect damages for all relevant times.

54. The claims of the '173 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of IP data classification

systems and methods in packet switch networks.

55. The written description of the '173 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

56. Defendant has directly infringed and continues to infringe one or more claims of the '173 patent by using, providing, supplying, or distributing the Accused Products.

57. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '173 patent.

58. For example, the installation and use of the Accused Products, including but not limited to Brinks Home IQ 2.0 Control Panels (e.g., Qolsys IQ Panel2), performs a method of classifying Internet Protocol (IP) data to be sent from a source apparatus to a destination apparatus in a packet switched network, said method comprising: receiving said data at a first node, the data comprising a header comprising a list of at least one intermediate node to be visited on a way to the destination apparatus; and classifying said data at said first node based on an entry in said header. *See, e.g., Ex. 3*; <https://brinkshome.com/help-center/articles/18-iq-panel-2-features>.

59. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '173 patent by inducing others to directly infringe the '173 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '173 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the

Accused Products in a manner that infringes one or more claims of the '173 patent, including, for example, claim 1 of the '173 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '173 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '173 patent. Defendant's inducement is ongoing.

60. Defendant has also indirectly infringed by contributing to the infringement of the '173 patent. Defendant has contributed to the direct infringement of the '173 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '173 patent, including, for example, claim 1 of the '173 patent. The special features constitute a material part of the invention of one or more of the claims of the '173 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

61. Defendant had knowledge of the '173 patent at least as of the date when it was notified of the filing of this action.

62. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

63. Defendant's actions are at least objectively reckless as to the risk of infringing a valid

patent and this objective risk was either known or should have been known by Defendant.

64. Defendant's direct infringement of one or more claims of the '173 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

65. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '173 patent.

66. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

67. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '173 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

#### **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,274,761**

68. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

69. The USPTO duly issued U.S. Patent No. 7,274,761 (hereinafter, the "'761 patent'") on September 25, 2007, after full and fair examination of Application No. 09/885,130 which was filed

on June 21, 2001. *See* **Ex. D**.

70. IoT Innovations owns all substantial rights, interest, and title in and to the '761 patent, including the sole and exclusive right to prosecute this action and enforce the '761 patent against infringers and to collect damages for all relevant times.

71. The claims of the '761 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of real time clocks of separate devices by way of synchronization to a common time reference.

72. The written description of the '761 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

73. Defendant has directly infringed and continues to infringe one or more claims of the '761 patent by using, providing, supplying, or distributing the Accused Products.

74. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '761 patent.

75. For example, Defendant, using the Accused Products, including but not limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, and Brinks Home App, provides a device comprising a controller for reading a real time clock at an identified instance of a common time reference having distinguishable instances, wherein the device is arranged to synchronise to the common time reference; and a transmitter for transmitting, in a network comprising the device and at least one receiver, an identification of the real time clock value for a first instance and an

identification of the first instance. *See, e.g., Ex. 3.*

76. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '761 patent by inducing others to directly infringe the '761 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '761 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '761 patent, including, for example, claim 1 of the '761 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '761 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '761 patent. Defendant's inducement is ongoing.

77. Defendant has also indirectly infringed by contributing to the infringement of the '761 patent. Defendant has contributed to the direct infringement of the '761 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '761 patent, including, for example, claim 1 of the '761 patent. The special features constitute a material part of the invention of one or more of the claims of the '761 patent and are not staple articles of commerce suitable for substantial non-infringing use.

Defendant's contributory infringement is ongoing.

78. Defendant had knowledge of the '761 patent at least as of the date when it was notified of the filing of this action.

79. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

80. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

81. Defendant's direct infringement of one or more claims of the '761 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

82. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '761 patent.

83. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

84. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '761 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and

technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT V: INFRINGEMENT OF U.S. PATENT NO. 7,379,464**

85. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

86. The USPTO duly issued U.S. Patent No. 7,379,464 (hereinafter, the "'464 patent") on May 27, 2008, after full and fair examination of Application No. 10/306,504, which was filed on November 27, 2002. *See Ex. E.*

87. IoT Innovations owns all substantial rights, interest, and title in and to the '464 patent, including the sole and exclusive right to prosecute this action and enforce the '464 patent against infringers and to collect damages for all relevant times.

88. The claims of the '464 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve and automate personalization and customization of devices within telecommunications networks.

89. The written description of the '464 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

90. Defendant has directly infringed and continues to directly infringe one or more claims of the '464 patent by using, providing, supplying, or distributing the Accused Products.

91. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '464 patent.

92. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, Brinks Home Motion Sensors and associated hardware and software, perform a method, comprising selecting a user's communications device from a plurality of communications devices to communicate data between a personal digital gateway and the selected communications device, the data associated with a common user of the personal digital gateway and of the selected communications device; storing profiles for each of the user's communications devices; retrieving a profile associated with the selected communications device; interpreting the data according to a rule-based engine to categorize the data as at least one of (1) data associated with an access agent, (2) data associated with a configuration agent, (3) data associated with a security agent, and (4) data associated with a management agent, processing the data according to an edge side assembler; and communicating the data and the profile to the selected communications device. *See, e.g., Ex. 3; Ex. 4.*

93. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '464 patent by inducing others to directly infringe the '464 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '464 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '464 patent, including, for example, claim 1 of the '464 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing

manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '464 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '464 patent. Defendant's inducement is ongoing.

94. Defendant has also indirectly infringed by contributing to the infringement of the '464 patent. Defendant has contributed to the direct infringement of the '464 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '464 patent, including, for example, claim 1 of the '464 patent. The special features constitute a material part of the invention of one or more of the claims of the '464 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

95. Defendant had knowledge of the '464 patent at least as of the date when it was notified of the filing of this action.

96. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

97. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

98. Defendant's direct infringement of one or more claims of the '464 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

99. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations

required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '464 patent.

100. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

101. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '464 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 7,394,798**

102. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

103. The United States Patent and Trademark Office ("USPTO") duly issued U.S. Patent No. 7,394,798 (the "'798 patent") on July 1, 2008, after full and fair examination of Application No. 10/962,694, which was filed on October 13, 2004. *See Ex. F.*

104. IoT Innovations owns all substantial rights, interest, and title in and to the '798 patent, including the sole and exclusive right to prosecute this action and enforce the '798 patent against infringers and to collect damages for all relevant times.

105. The claims of the '798 patent are not directed to an abstract idea and are not limited to

well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve communication between network nodes in a network by grouping and using direct connections to save network resources.

106. The written description of the '798 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

107. Defendant has directly infringed and continues to indirectly infringe one or more claims of the '798 patent by using, providing, supplying, or distributing the Accused Products.

108. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 30 of the '798 patent.

109. For example, the installation and use of the Accused Instrumentalities, including but not limited to the Brinks Home Doorbell Cameras, including but not limited to the use of their two-way audio feature, provides a network control node, comprising means for establishing a connection between two groups of network nodes, wherein each group of network nodes is formed temporarily and comprises at least two network nodes, a connection between the network control node and at least one network node is established via a mobile communication network, and the connection within each group is provided as a direct contact via a radio connection between at least two network nodes of the group, wherein the radio connection is a half-duplex radio connection. *See, e.g., Ex. 5.*

110. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 16 of the '798 patent.

111. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs and Brinks Home IQ 2.0 Control Panels, performs a method for controlling network system comprising temporarily forming a first group including a first plurality of network nodes, temporarily forming a second group including a second plurality of network nodes, sending and receiving information between the first group and the second group, wherein a first network node included in the first plurality of network nodes and the second plurality of network nodes sends and receives the information between the first group and the second group; wherein the information is sent and received using a direct contact via a radio connection between at least two network nodes of the first group and the second group. *See, e.g., Ex. 3.*

112. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '798 patent by inducing others to directly infringe the '798 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '798 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '798 patent, including, for example, claim 16 of the '798 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '798 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would

infringe the '798 patent. Defendant's inducement is ongoing.

113. Defendant has also indirectly infringed by contributing to the infringement of the '798 patent. Defendant has contributed to the direct infringement of the '798 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '798 patent, including, for example, claim 16 of the '798 patent. The special features constitute a material part of the invention of one or more of the claims of the '798 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

114. Defendant had knowledge of the '798 patent at least as of the date when it was notified of the filing of this action.

115. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

116. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

117. Defendant's direct infringement of one or more claims of the '798 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

118. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '798 patent.

119. IoT Innovations has been damaged as a result of the infringing conduct by Defendant

alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

120. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '798 patent. Defendant's actions have interfered with and will interfere with Plaintiff's ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 7,408,872**

121. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

122. The USPTO duly issued U.S. Patent No. 7,408,872 (hereinafter, the "'872 patent") on August 5, 2008, after full and fair examination of Application No. 10/483,367, which was filed on July 9, 2001. *See Ex. G.*

123. IoT Innovations owns all substantial rights, interest, and title in and to the '872 patent, including the sole and exclusive right to prosecute this action and enforce the '872 patent against infringers and to collect damages for all relevant times.

124. The claims of the '872 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of signal modulation.

125. The written description of the '872 patent describes in technical detail each limitation

of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

126. Defendant has directly infringed one or more claims of the '872 patent by using, providing, supplying, or distributing the Accused Products.

127. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '872 patent.

128. For example the installation and use of the Accused Products, including but not limited to, the Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, the Brinks Home App, and associated software and hardware, perform a method for modulating signals, wherein signals are to be transmitted by a device in packets via an air interface, the method comprising: receiving a first plurality of bits and a second plurality of bits, creating a pair of bits by adding a set bit to a first bit of said first plurality of bits, wherein one of said set bit and said first bit of said first plurality of bits has a fixed value, and mapping one of a first set of values to said pair of bits according to a selected modulation scheme and mapping a second set of values to said second plurality of bits according to said selected modulation scheme. *See, e.g., Ex. 3.*

129. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '872 patent.

130. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest

and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 7,526,762**

131. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

132. The USPTO duly issued U.S. Patent No. 7,526,762 (hereinafter, the “’762 patent”) on April 28, 2009, after full and fair examination of Application No. 09/659,416, which was filed on September 11, 2000. *See Ex. H.*

133. IoT Innovations owns all substantial rights, interest, and title in and to the ’762 patent, including the sole and exclusive right to prosecute this action and enforce the ’762 patent against infringers and to collect damages for all relevant times.

134. The claims of the ’762 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve upon the function, operation, distribution, and security of information management services on terminals by communication sessions with servers.

135. The written description of the ’762 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

136. Defendant has directly infringed one or more claims of the ’762 patent by using, providing, supplying, or distributing the Accused Products.

137. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the ’762 patent.

138. For example, the installation and use of the Accused Products, including but not limited to by upgrading firmware/software in Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, Brinks, Brinks Home Motion Sensors, and Brinks Home App, performs a method comprising (a) receiving a configuration upgrade message at a configuration server from a source of an at least partial software upgrade; (b) saving upgrade information in a database associated with the configuration server; (c) identifying a plurality of users requiring at least partial software upgrade; (d) thereafter providing the at least partial software upgrade to respective terminal servers associated with the plurality of users identified to require the at least partial software upgrade for subsequent distribution by the terminal servers to respective terminals of users identified to require the at least partial software upgrade; (e) identifying any terminal servers, following the provision of the at least partial software upgrade to which the at least partial software upgrade has not yet been transferred; and (f) determining, in response to activation of a terminal associated with a terminal server, if the terminal server has been identified as a terminal server to which the at least partial software upgrade has not yet been transferred and, if so, providing the at least partial software upgrade to the terminal server. *See, e.g., Ex. 3; Ex. 5.*

139. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 7 of the '762 patent.

140. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, and Brinks Home App, provides a system comprising a configuration server unit for receiving a configuration upgrade message from a source of an at least partial software upgrade, for identifying a plurality of users requiring the at least partial software upgrade and for thereafter providing the at least partial software upgrade to respective terminal servers associated with the plurality of users identified to

require the at least partial software upgrade for subsequent distribution by the terminal servers to respective terminals of users identified to require the at least partial software upgrade, the configuration server unit being further configured to identify any terminal servers, following the provision of the at least partial software upgrade, to which the at least partial software upgrade has not yet been transferred and to determine, in response to activation of a terminal associated with a terminal server, if the terminal server has been identified as a terminal server to which the at least partial software upgrade has not yet been transferred and, if so, provide the at least partial software upgrade to the terminal server, wherein said configuration server unit comprises a database for saving upgrade information provided by the source of the at least partial software upgrade and for associating the saved upgrade information with the source of the at least partial software upgrade.

141. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '762 patent by inducing others to directly infringe the '762 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '762 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '762 patent, including, for example, claim 7 of the '762 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '762 patent and with the knowledge that the induced acts constitute infringement.

Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '762 patent. Defendant's inducement is ongoing.

142. Defendant has also indirectly infringed by contributing to the infringement of the '762 patent. Defendant has contributed to the direct infringement of the '762 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '762 patent, including, for example, claim 7 of the '762 patent. The special features constitute a material part of the invention of one or more of the claims of the '762 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

143. Defendant had knowledge of the '762 patent at least as of the date when it was notified of the filing of this action.

144. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

145. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

146. Defendant's direct infringement of one or more claims of the '762 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

147. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '762 patent.

148. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

149. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '762 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 7,539,212**

150. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

151. The USPTO duly issued U.S. Patent No. 7,539,212 (hereinafter, the "'212 patent") on May 26, 2009, after full and fair examination of Application No. 10/300,668, which was filed on November 19, 2002. *See Ex. I.*

152. IoT Innovations owns all substantial rights, interest, and title in and to the '212 patent, including the sole and exclusive right to prosecute this action and enforce the '212 patent against infringers and to collect damages for all relevant times.

153. The claims of the '212 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of multiplexing in a wireless

network.

154. The written description of the '212 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

155. Defendant has directly infringed and continues to infringe one or more claims of the '212 patent by using, providing, supplying, or distributing the Accused Products.

156. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 14 of the '212 patent.

157. For example, the installation and use of the Accused Products, including but not limited to Brinks Home IQ 2.0 Control Panels and Brinks Home App, performs a method, comprising receiving a radio link control data flow at a first rate from a core network for communication to a user equipment; preparing a plurality of media access control data flows, at a media access sublayer, each of a lower rate than said first rate, so as to convey the radio link control data flow to the user equipment; including with the plurality of media access control data flows information indicating how the media access control data flows are to be combined by the user equipment into the radio link control data flow; and providing the plurality of media access control data flows for communication to the user equipment. *See, e.g., Ex. 3.*

158. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '212 patent by inducing others to directly infringe the '212 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '212

patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '212 patent, including, for example, claim 14 of the '212 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '212 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '212 patent. Defendant's inducement is ongoing.

159. Defendant has also indirectly infringed by contributing to the infringement of the '212 patent. Defendant has contributed to the direct infringement of the '212 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '212 patent, including, for example, claim 14 of the '212 patent. The special features constitute a material part of the invention of one or more of the claims of the '212 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

160. Defendant had knowledge of the '212 patent at least as of the date when it was notified of the filing of this action.

161. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of

others, and thus have been willfully blind of IoT Innovations' patent rights.

162. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

163. Defendant's direct infringement of one or more claims of the '212 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

164. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '212 patent.

165. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

166. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '212 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT X: INFRINGEMENT OF U.S. PATENT NO. 7,593,428**

167. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

168. The USPTO duly issued U.S. Patent No. 7,593,428 (hereinafter, the “’428 patent”) on September 22, 2009, after full and fair examination of Application No. 11/621,545, which was filed on January 9, 2007. *See Ex. J.*

169. IoT Innovations owns all substantial rights, interest, and title in and to the ’428 patent, including the sole and exclusive right to prosecute this action and enforce the ’428 patent against infringers and to collect damages for all relevant times.

170. The claims of the ’428 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve packet-formatted data communications.

171. The written description of the ’428 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

172. Defendant has directly infringed one or more claims of the ’428 patent by using, providing, supplying, or distributing the Accused Products.

173. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 14 of the ’428 patent.

174. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, and Brinks Home Indoor Cameras, and associated hardware and software, including, without limitation, memory and wireless chipsets, performs a method comprising receiving data from a data source at a transceiver station; and in response to programmed instructions in processing circuitry at the transceiver

station; selecting a first portion of the data to be protected by a first checksum and selecting a second portion of the data to be protected by a second checksum: performing a first checksum calculation upon the selected first portion and performing at least a second checksum calculation upon the selected second portion; and formatting the data into a packet-formatted data packet, wherein the packet-formatted data packet comprises the selected first portion, indicia associated with the first checksum calculation, the selected second portion, and indicia associated with the second checksum calculation. *See, e.g., Ex. 3; Ex. 5.*

175. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '428 patent.

176. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

#### **COUNT XI: INFRINGEMENT OF U.S. PATENT NO. 7,643,423**

177. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

178. The USPTO duly issued U.S. Patent No. 7,643,423 (hereinafter, the "'423 patent") on January 5, 2010, after full and fair examination of Application No. 11/507,789, which was filed on August 21, 2006. *See Ex. K.*

179. IoT Innovations owns all substantial rights, interest, and title in and to the '423 patent, including the sole and exclusive right to prosecute this action and enforce the '423 patent against infringers and to collect damages for all relevant times.

180. The claims of the '423 patent are not directed to an abstract idea and are not limited to

well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of two-way communication systems by reducing interference .

181. The written description of the '423 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

182. Defendant has directly infringed one or more claims of the '423 patent by using, providing, supplying, or distributing the Accused Products.

183. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '423 patent.

184. For example, the installation and use of the Accused Products, including but not limited to Brinks Home IQ 2.0 Control Panels, performs a method comprising transmitting, via a downlink channel, a frame to two or more communication units, a first portion of the frame including reservation set information and a second portion of the frame including allocation set information, wherein the allocation set information indicates a dynamically determined set of uplink channels that constitute an allocation set, and wherein the reservation set information indicates particular channels of the allocation set that are reserved for each of the two or more communication units; receiving uplink communications from at least one of the two or more communications units via the communications channels reserved thereto as indicated by the reservation set. *See, e.g., Ex. 3.*

185. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations

required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '423 patent.

186. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT XII: INFRINGEMENT OF U.S. PATENT NO. 7,974,260**

187. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

188. The USPTO duly issued U.S. Patent No. 7,974,260 (hereinafter, the "'260 patent'") on July 5, 2011, after full and fair examination of Application No. 10/489,269, which was filed on September 10, 2001. *See Ex. L.* A Certificate of Correction was issued on November 29, 2011. *See id.*

189. IoT Innovations owns all substantial rights, interest, and title in and to the '260 patent, including the sole and exclusive right to prosecute this action and enforce the '260 patent against infringers and to collect damages for all relevant times.

190. The claims of the '260 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of timing controls among devices in a wireless network setting.

191. The written description of the '260 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and

improved upon what may have been considered conventional or generic in the art at the time of the invention.

192. Defendant has directly infringed one or more claims of the '260 patent by using, providing, supplying, or distributing the Accused Products.

193. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '260 patent.

194. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs and Brinks Home IQ 2.0 Control Panels, provides a device comprising a processor; a non-transitory computer-readable medium including computer-executable instructions stored thereon that, if executed by the processor, cause the processor to: define a data sequence, the data sequence including a header portion and a payload portion, wherein the header portion includes an address code of a second device and the payload portion includes timing control information for communicating packets between devices in a communication network wherein the timing control information defines when the second device communicates, wherein the address code is a first active member address of the second device, and wherein the first active member address and a second active member address are assigned to the second device; and an antenna configured to transmit the defined data sequence in a data communication packet to the second device in a time defined contact slot. *See, e.g., Ex. 3*; <https://brinkshome.com/shop/systems/smart-security-complete>.

195. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '260 patent by inducing others to directly infringe the '260 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '260

patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '260 patent, including, for example, claim 1 of the '260 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '260 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '260 patent. Defendant's inducement is ongoing.

196. Defendant has also indirectly infringed by contributing to the infringement of the '260 patent. Defendant has contributed to the direct infringement of the '260 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '260 patent, including, for example, claim 1 of the '260 patent. The special features constitute a material part of the invention of one or more of the claims of the '260 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

197. Defendant had knowledge of the '260 patent at least as of the date when it was notified of the filing of this action.

198. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of

others, and thus have been willfully blind of IoT Innovations' patent rights.

199. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

200. Defendant's direct infringement of one or more claims of the '260 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

201. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '260 patent.

202. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

203. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '260 patent. Defendant's actions have interfered with and will interfere with Plaintiff's ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

### **COUNT XIII: INFRINGEMENT OF U.S. PATENT NO. 7,974,266**

204. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

205. The USPTO duly issued U.S. Patent No. 7,974,266 (hereinafter, the "'266 patent") on

July 5, 2011, after full and fair examination of Application No. 11/778,822, which was filed on July 17, 2007. *See Ex. M.* A Certificate of Correction was issued on November 22, 2011. *See id.*

206. IoT Innovations owns all substantial rights, interest, and title in and to the '266 patent, including the sole and exclusive right to prosecute this action and enforce the '266 patent against infringers and to collect damages for all relevant times.

207. The claims of the '266 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of data transmission in a in a packet switch network.

208. The written description of the '266 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

209. Defendant has directly infringed one or more claims of the '266 patent by using, providing, supplying, or distributing the Accused Products.

210. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '266 patent.

211. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs and/or Brinks Home IQ 2.0 Control Panels, performs a method of classifying data comprising: receiving Internet Protocol (IP) data at a first node; classifying the IP data received at the first node based on a last destination address entry of a plurality of destination address entries in a header of the IP data; and forwarding the IP data from the first node to a second

node, wherein the IP data is classified at the second node based on the last destination address entry of the plurality of destination address entries in the header of the IP data. *See, e.g., Ex. 3.*

212. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '266 patent by inducing others to directly infringe the '266 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '266 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '266 patent, including, for example, claim 1 of the '266 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '266 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '266 patent. Defendant's inducement is ongoing.

213. Defendant has also indirectly infringed by contributing to the infringement of the '266 patent. Defendant has contributed to the direct infringement of the '266 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '266 patent, including, for example, claim 1 of the '266 patent. The special features constitute a material part of the invention of one or more of the claims of the

'266 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

214. Defendant had knowledge of the '266 patent at least as of the date when it was notified of the filing of this action.

215. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

216. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

217. Defendant's direct infringement of one or more claims of the '266 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

218. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '266 patent.

219. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

220. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '266 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The

balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT XIV: INFRINGEMENT OF U.S. PATENT NO. 7,983,282**

221. Plaintiff repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

222. The USPTO duly issued U.S. Patent No. 7,983,282 (hereinafter, the "'282 patent") on July 19, 2011, after full and fair examination of Application No. 12/486,008, which was filed on June 17, 2009. *See Ex. N.* A Certificate of Correction was issued July 16, 2013. *See id.*

223. IoT Innovations owns all substantial rights, interest, and title in and to the '282 patent, including the sole and exclusive right to prosecute this action and enforce the '282 patent against infringers and to collect damages for all relevant times.

224. The claims of the '282 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve and automate personalization and customization of devices within telecommunications networks.

225. The written description of the '282 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

226. Defendant has directly infringed one or more claims of the '282 patent by using, providing, supplying, or distributing the Accused Products.

227. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '282 patent.

228. For example, the installation and use of the Accused Products, including but not limited to the Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, Brinks Home App, Brinks Home Indoor Camera, and Brinks Home Doorbell Camera, and associated hardware and/or software, performs a method, comprising identifying data associated with a common user of a personal digital gateway and of a plurality of communications devices; receiving a selection of a communications device from the plurality of communications devices; retrieving remote data from a selected communications device; forwarding the remote data to another one of the plurality of communications devices.

229. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '282 patent by inducing others to directly infringe the '282 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '282 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '282 patent, including, for example, claim 1 of the '282 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '282 patent and with the knowledge that the induced acts constitute infringement.

Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '282 patent. Defendant's inducement is ongoing.

230. Defendant has also indirectly infringed by contributing to the infringement of the '282 patent. Defendant has contributed to the direct infringement of the '282 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '282 patent, including, for example, claim 1 of the '282 patent. The special features constitute a material part of the invention of one or more of the claims of the '282 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

231. Defendant had knowledge of the '282 patent at least as of the date when it was notified of the filing of this action.

232. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

233. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

234. Defendant's direct infringement of one or more claims of the '282 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

235. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '282 patent.

236. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

237. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '282 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT XV: INFRINGEMENT OF U.S. PATENT NO. 7,987,270**

238. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

239. The USPTO duly issued U.S. Patent No. 7,987,270 (hereinafter, the "'270 patent") on July 26, 2011, after full and fair examination of Application No. 09/992,790, which was filed on November 5, 2001. *See Ex. O.* A Certificate of Correction was issued on March 27, 2012. *See id.*

240. IoT Innovations owns all substantial rights, interest, and title in and to the '270 patent, including the sole and exclusive right to prosecute this action and enforce the '270 patent against infringers and to collect damages for all relevant times.

241. The claims of the '270 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include

inventive components that improve upon the communication between nodes in a wireless network using bearers.

242. The written description of the '270 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

243. Defendant has directly infringed one or more claims of the '270 patent by using, providing, supplying, or distributing the Accused Products.

244. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '270 patent.

245. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs and Brinks Home IQ 2.0 Control Panels, provide an apparatus for facilitating bearer setup initiated by a network, the apparatus comprising a first bearer setup request generator associated with a first application-level entity, said first bearer setup request generator configured to generate a first application-level bearer setup request to induce a bearer manager to create a bearer between a first node and a second node, wherein the first bearer setup request is free of network address identifiers for the bearer manager, and provide the first application-level bearer setup request to a transport-level entity; and a second bearer setup request generator associated with an AAA entity, the second bearer request generator configured to: generate, upon receiving an indication of the first bearer setup request, a transport-level bearer setup request to induce the bearer manager to create the bearer between the first node and the second node. *See, e.g., Ex. 3.*

246. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 10 of the '270 patent.

247. For example, the installation and use of the Accused Products, including but not limited to Brinks Home Hubs and Brinks Home IQ 2.0 Control Panels, provides a method for facilitating bearer setup of a network, comprising selectably generating a first application-level bearer setup request to induce a bearer manager to create a bearer between a first node and a second node, wherein the first bearer setup request is free of network address identifiers for the bearer manager, and providing the first application-level bearer setup request to a transport level AAA (Authentication Authorization Accounting) entity; and generating a second bearer setup request to induce the bearer manager to create the bearer between the first node and the second node.

248. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '270 patent by inducing others to directly infringe the '270 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '270 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '270 patent, including, for example, claim 10 of the '270 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '270 patent and with the knowledge that the induced acts constitute infringement.

Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '270 patent. Defendant's inducement is ongoing.

249. Defendant has also indirectly infringed by contributing to the infringement of the '270 patent. Defendant has contributed to the direct infringement of the '270 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '270 patent, including, for example, claim 10 of the '270 patent. The special features constitute a material part of the invention of one or more of the claims of the '270 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

250. Defendant had knowledge of the '270 patent at least as of the date when it was notified of the filing of this action.

251. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

252. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

253. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '270 patent.

254. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest

and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT XVI: INFRINGEMENT OF U.S. PATENT NO. 8,972,576**

255. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

256. The USPTO duly issued U.S. Patent No. 8,972,576 (hereinafter, the “’576 patent”) on March 3, 2015, after full and fair examination of Application No. 10/833,381, which was filed on April 28, 2004. *See Ex. P.*

257. IoT Innovations owns all substantial rights, interest, and title in and to the ’576 patent, including the sole and exclusive right to prosecute this action and enforce the ’576 patent against infringers and to collect damages for all relevant times.

258. The claims of the ’576 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve upon the function, operation, and security of wireless networks by establishing persistent relationships between network devices.

259. The written description of the ’576 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

260. Defendant has directly infringed and continues to directly infringe one or more claims of the ’576 patent by using, providing, supplying, or distributing the Accused Products.

261. Defendant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the ’576 patent.

262. For example, the installation and use of the Accused Products, including but not

limited to Brinks Home Hubs, Brinks Home IQ 2.0 Control Panels, and/or Brinks Home App, performs a method for establishing a relationship between a mobile device and a server in a network, comprising: (a) detecting the presence of the mobile device; (b) in response to determining that the mobile device is unrecognized, automatically notifying a network administrator; (c) in response to receiving authorization from the network administrator to establish the relationship, requesting authorization from the mobile device to authorize the establishment of the relationship; and (d) establishing the relationship between the mobile device and the network in response to receiving the authorization from the mobile device, such that no additional configuration is required by the mobile device to communicate over the network once the relationship has been established.

263. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '576 patent by inducing others to directly infringe the '576 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '576 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '576 patent, including, for example, claim 1 of the '576 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '576 patent and with the knowledge that the induced acts constitute infringement.

Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '576 patent. Defendant's inducement is ongoing.

264. Defendant has also indirectly infringed by contributing to the infringement of the '576 patent. Defendant has contributed to the direct infringement of the '576 patent by its personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '576 patent, including, for example, claim 1 of the '576 patent. The special features constitute a material part of the invention of one or more of the claims of the '576 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

265. Defendant had knowledge of the '576 patent at least as of the date when it was notified of the filing of this action.

266. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

267. Defendant's actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendant.

268. Defendant's direct infringement of one or more claims of the '576 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

269. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '576 patent.

270. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

271. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '576 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

#### **JURY DEMAND**

272. IoT Innovations hereby requests a trial by jury on all issues so triable by right.

#### **PRAYER FOR RELIEF**

273. IoT Innovations requests that the Court find in its favor and against Defendant, and that the Court grant IoT Innovations the following relief:

- a. Judgment that one or more claims of each of the Asserted Patents has been infringed, either literally or under the doctrine of equivalents, by Defendant or others acting in concert therewith;
- b. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '224 patent, the '173 patent, the '761 patent, the '464 patent, the '798 patent, the '762 patent, the '212 patent, the '260

patent, the '266 patent, the '282 patent, the '270 patent, and the '576 patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of those patents by such entities;

- c. Judgment that Defendant accounts for and pays to IoT Innovations all damages to and costs incurred by IoT Innovations because of Defendant's infringing activities and other conduct complained of herein;
- d. Judgment that Defendant's infringements be found willful as to the '224 patent, the '173 patent, the '761 patent, the '464 patent, the '798 patent, the '762 patent, the '212 patent, the '260 patent, the '266 patent, the '282 patent, the '270 patent, and the '576 patent, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;
- e. Pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;
- f. That this Court declare this an exceptional case and award IoT Innovations its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and
- g. All other and further relief as the Court may deem just and proper under the circumstances.

Dated: April 18, 2023

Respectfully submitted,

By: /s/ C. Matthew Rozier

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*Attorneys for Plaintiff IOT INNOVATIONS LLC*

\*Admitted to the Eastern District of Texas

**List of Exhibits**

1. Exhibit A: U.S. Patent No. 6,801,933
2. Exhibit B: U.S. Patent No. 7,165,224
3. Exhibit C: U.S. Patent No. 7,246,173
4. Exhibit D: U.S. Patent No. 7,274,761
5. Exhibit E: U.S. Patent No. 7,379,464
6. Exhibit F: U.S. Patent No. 7,394,798
7. Exhibit G: U.S. Patent No. 7,408,872
8. Exhibit H: U.S. Patent No. 7,526,762
9. Exhibit I: U.S. Patent No. 7,539,212
10. Exhibit J: U.S. Patent No. 7,593,428
11. Exhibit K: U.S. Patent No. 7,643,423
12. Exhibit L: U.S. Patent No. 7,974,260
13. Exhibit M: U.S. Patent No. 7,974,266
14. Exhibit N: U.S. Patent No. 7,983,282
15. Exhibit O: U.S. Patent No. 7,987,270
16. Exhibit P: U.S. Patent No. 8,972,576
17. Exhibit 1: Webpage: Brinks Home
18. Exhibit 2: Webpage: Americans Announce Brinks Home as Official Home Security Partner
19. Exhibit 3: Webpage: Brinks Home Security – Smart Home
20. Exhibit 4 : Webpage: Home Security Systems – Brinks Home
21. Exhibit 5: Webpage: Brinks Home Security Camera Systems