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12 CLOUD SYSTEMS HOLDCO IP LLC

13
14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 CLOUD SYSTEMS HOLDCO IP LLC,
17 Plaintiff,

18 v.

19 CARRIER GLOBAL CORPORATION
f/k/a INTERLOGIX,
20 Defendant.

Case No.: 8:23-cv-02269

**PLAINTIFF’S FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

(35 U.S.C. § 271)

JURY TRIAL DEMANDED

21
22 **PLAINTIFF’S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

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24 Cloud Systems Holdco IP LLC (“Cloud”) files this First Amended Complaint and demand
25 for jury trial seeking relief from patent infringement of the claims of U.S. Patent No7,975,051 (“the
26 ’051 patent”) (referred to as the “Patent-in-Suit”) by Carrier Global Corporation f/k/a Interlogix
27 (“Defendants” or “Interlogix”). This complaint is filed within 21 days of Defendant’s Rule 12
28

1 motion, Doc. No. 23. This amended complaint drops infringement allegations of the ‘779 patent
2 without prejudice and adds the ‘051 patent.

3 **THE PARTIES**

4 1. Cloud Systems Holdco IP is a Texas Limited Liability Company with its principal place of
5 business located in Travis County, Texas.

6 2. On information and belief, Interlogix is a part of Carrier Global Corporation, which is a
7 corporation existing under the laws of Delaware with a principal place of business at 13995 Pasteur
8 Boulevard, Palm Beach Gardens, FL 33418. On information and belief, Interlogix has a principal
9 place of business at 2955 Red Hill Avenue, Costa Mesa, CA 92626.

10 3. On information and belief, Defendant sells and offers to sell products and services
11 throughout California, including in this judicial district, and introduces products and services that
12 perform infringing methods or processes into the stream of commerce knowing that they would be
13 sold in California and this judicial district. Defendant has been served.

14 **I. JURISDICTION AND VENUE**

15 4. This Court has original subject-matter jurisdiction over the entire action pursuant to 28
16 U.S.C. §§ 1331 and 1338(a) because Plaintiff’s claim arises under an Act of Congress relating to
17 patents, namely, 35 U.S.C. § 271.

18 5. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within
19 or has minimum contacts within the State of California and this judicial district; (ii) Defendant has
20 purposefully availed itself of the privileges of conducting business in the State of California and in
21 this judicial district; and (iii) Plaintiff’s cause of action arises directly from Defendant’s business
22 contacts and other activities in the State of California and in this judicial district.

23 6. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has
24 committed acts of infringement and has a regular and established place of business in this District.
25

1 Further, venue is proper because Defendant conducts substantial business in this forum, directly or
2 through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii)
3 regularly doing or soliciting business, engaging in other persistent courses of conduct and/or
4 deriving substantial revenue from goods and services provided to individuals in California and this
5 District.

6
7 **II. INFRINGEMENT**

8 **A. Infringement of the '051 Patent**

9 7. On July 5, 2011, U.S. Patent No. 7,975,051 (“the '051 patent”, attached as Exhibit A) entitled
10 “System and method for managing, routing, and controlling devices and inter-device connections,”
11 was duly and legally issued by the U.S. Patent and Trademark Office. Cloud Systems Holdco IP
12 LLC owns the '051 patent by assignment.

13
14 8. The '051 patent relates to a system and method for control and monitoring of devices and
15 inter-device connections located within an environment using a control client.

16 9. Defendants maintain, operate, and administer systems, products, and services for enabling a
17 method for controlling an environment that infringes one or more claims of the '051 patent,
18 including one or more of claims 1-20, literally or under the doctrine of equivalents. Defendants put
19 the inventions claimed by the '051 Patent into service (i.e., used them); but for Defendants' actions,
20 the claimed-inventions embodiments involving Defendants' products and services would never have
21 been put into service. Defendants' acts complained of herein caused those claimed-invention
22 embodiments as a whole to perform, and Defendants' procurement of monetary and commercial
23 benefit from it.
24

25 10. Support for the allegations of infringement may be found in the chart attached as Exhibit B.
26 These allegations of infringement are preliminary and are therefore subject to change.
27
28

1 11. Defendants have and continue to induce infringement. Defendants have actively
2 encouraged or instructed others (e.g., their customers and/or the customers of their related
3 companies), and continue to do so, on how to use their products and services (e.g., method for
4 controlling an environment, comprising establishing communication between a server and a control
5 client) and related services such as to cause infringement of one or more of claims 1-20 of the '051
6 patent, literally or under the doctrine of equivalents. Moreover, Defendants have known of the '051
7 patent and the technology underlying it from at least the issuance of the patent.¹ For clarity, direct
8 infringement is previously alleged in this complaint.
9

10 12. Defendants have and continue to contributorily infringe. Defendants have actively
11 encouraged or instructed others (e.g., their customers and/or the customers of their related
12 companies), and continue to do so, on how to use their products and services (e.g., method for
13 controlling an environment, comprising establishing communication between a server and a control
14 client) and related services such as to cause infringement of one or more of claims 1-20 of the '051
15 patent, literally or under the doctrine of equivalents. Moreover, Defendants have known of the '051
16 patent and the technology underlying it from at least the issuance of the patent.² For clarity, direct
17 infringement is previously alleged in this complaint.
18

19 13. Defendants have caused and will continue to cause Plaintiff damage by direct and
20 indirect infringement of (including inducing infringement and contributory infringement) the claims
21 of the '051 patent.
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23 **III. JURY DEMAND**

24 Plaintiff hereby requests a trial by jury on issues so triable by right.
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27 _____
28 ¹ Plaintiff reserves the right to amend if discovery reveals an earlier date of knowledge.

² Plaintiff reserves the right to amend if discovery reveals an earlier date of knowledge.

1 **IV. PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff prays for relief as follows:

- 3 a. enter judgment that Defendants have infringed the claims of the '051 patent;
- 4 b. award Plaintiff damages in an amount sufficient to compensate it for Defendants'
- 5 infringement of the Patent-in-Suit in an amount no less than a reasonable royalty or lost
- 6 profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. §
- 7 284;
- 8 c. award Plaintiff an accounting for acts of infringement not presented at trial and an award by
- 9 the Court of additional damage for any such acts of infringement;
- 10 d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Plaintiff its attorneys'
- 11 fees, expenses, and costs incurred in this action;
- 12 e. declare Defendants' infringement to be willful and treble the damages, including attorneys'
- 13 fees, expenses, and costs incurred in this action and an increase in the damage award
- 14 pursuant to 35 U.S.C. § 284;
- 15 f. a decree addressing future infringement that either (i) awards a permanent injunction
- 16 enjoining Defendants and their agents, servants, employees, affiliates, divisions, and
- 17 subsidiaries, and those in association with Defendants from infringing the claims of the
- 18 Patent-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an
- 19 amount consistent with the fact that for future infringement the Defendants will be
- 20 adjudicated infringers of a valid patent, and trebles that amount in view of the fact that the
- 21 future infringement will be willful as a matter of law; and
- 22 g. award Plaintiff such other and further relief as this Court deems just and proper.
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Respectfully submitted,

RAMEY LLP

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DEMAND FOR JURY TRIAL

Plaintiff hereby requests a trial by jury on issues so triable by right.

RAMEY LLP

/s/ Susan S.Q. Kalra
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Attorneys for Plaintiff
CLLOUD SYSTEMS HOLDCO IP LLC

CERTIFICATE OF SERVICE

I certify that, on February 9, 2024, the foregoing document has been filed with the Clerk via the Court’s CM/ECF system and served on all counsel of record.

/s/ William P. Ramey, III
William P. Ramey, III