

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

FLEET CONNECT SOLUTIONS LLC,

Plaintiff,

v.

CASIO COMPUTER CO., LTD.,

Defendant.

Civil Action No. 2:24-cv-00240-JRG-RSP

**JURY TRIAL DEMANDED**

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff FLEET CONNECT SOLUTIONS LLC (“FCS” or “Plaintiff”) files this First Amended Complaint against CASIO COMPUTER CO., LTD, (“Casio” 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”), issued by the United States Patent and Trademark Office (“USPTO”):

	<b>Patent No.</b>	<b>Reference</b>
1.	7,058,040	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7058040">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7058040</a>
2.	7,260,153	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7260153">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7260153</a>
3.	7,656,845	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7656845">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7656845</a>
4.	7,742,388	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7742388">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7742388</a>
5.	8,005,053	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8005053">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8005053</a>

2. Plaintiff seeks monetary damages.

**PARTIES**

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

4. On information and belief, Defendant is a corporation organized under the laws of the Japan.

5. On information and belief, Defendant maintains its principal place of business located at a place of business at 6-2, Hon-machi 1-chome, Shibuya-ku, Tokyo 151-8543, Japan.

6. Defendant may be served through its United States operating company, Casio America, Inc., .

**JURISDICTION AND VENUE**

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

8. 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).

9. Defendant is subject to this Court’s specific and general personal jurisdiction under due process due at least to Defendant’s substantial business in this judicial district, including: (i) at least a portion of the infringements alleged herein; (ii) regularly transacting, doing, and/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; and (iii) having an interest in, using or possessing real property in Texas.

10. Specifically, Defendant 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 its inducement of third parties, and offers its products or services, including those accused of infringement here, to customers and potential customers located in this District.

11. Defendant has purposefully directed infringing activities at residents of the State of Texas, and this litigation results from those infringing activities. Defendant regularly sells (either directly or indirectly), its products within this District. For example, upon information and belief, Defendant has placed and continues to place its products into the stream of commerce *via* an established distribution channel with the knowledge or understanding that such products are being and will continue to be sold in this District and the State of Texas. Defendant is subject to this Court's specific and/or general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due to its substantial and pervasive business in this State and District, including its infringing activities alleged herein, from which Defendant derives substantial revenue from goods sold to New Jersey residents and consumers.

12. Defendant commits acts of infringement from this District, including, but not limited to, use of the products identified below.

13. Defendant has authorized sellers and sales representatives that offer and sell products identified in this Complaint throughout the State of Texas, including in this Judicial District, and to consumers throughout this Judicial District, such as the Kohl's store located at #3096 North Eastman Road, Suite 100, Marshall, Texas 75605, and at the Dillards and JC Penney stores located at 3500 McCann Road, Longview, Texas, 75605.

14. Therefore, venue is proper against Defendant in this District pursuant to 28 U.S.C. § 1400(b).

## THE ACCUSED PRODUCTS

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

16. Defendant uses, causes to be used, provides, supplies, or distributes one or more computing devices, including, but not limited to the following “Accused Products”:

- “Casio Smartwatches”<sup>1</sup>;
  - GSW-H1000-1
  - GSW-H1000-1A4



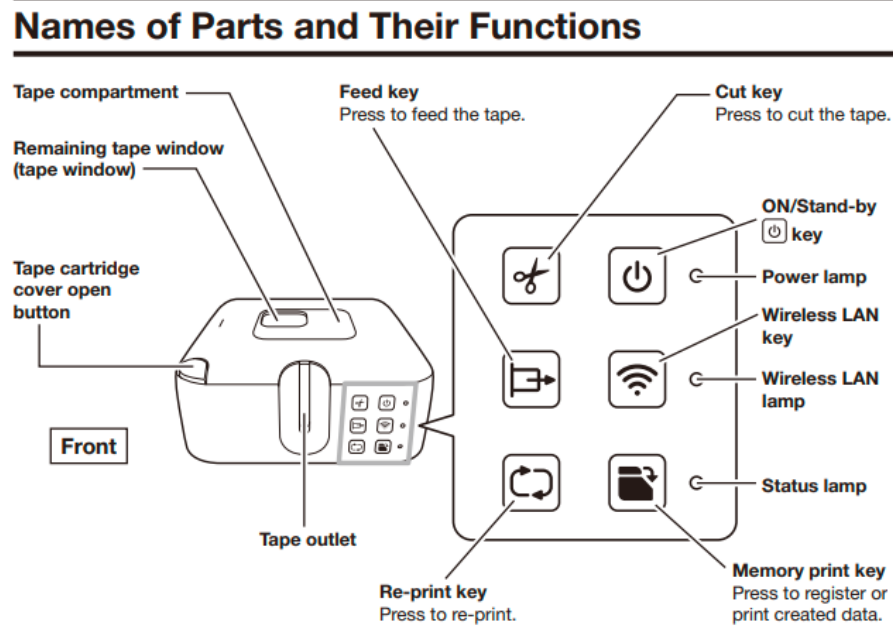
GSW-H1000

- “Casio Wireless label printers”<sup>2</sup>

<sup>1</sup> See [https://www.casio-intl.com/asia/en/news/2021/0401\\_gsw-h1000/](https://www.casio-intl.com/asia/en/news/2021/0401_gsw-h1000/) (last visited April 11, 2024)

<sup>2</sup> See “KL-P350W User’s Guide (© 2018); available at [https://www.casio.com/content/dam/casio/global/support/manuals/label-writer/pdf/005-en/k/KL-P350W\\_WC\\_EN.pdf](https://www.casio.com/content/dam/casio/global/support/manuals/label-writer/pdf/005-en/k/KL-P350W_WC_EN.pdf) (last visited April 11, 2024)

- LABEL IT KL-P350W



17. On information and belief, the Accused Products perform wireless communications and methods associated with performing and/or implementing wireless communications including, but not limited to, wireless communications and methods pursuant to various protocols and implementations, including, but not limited to, Bluetooth, IEEE 802.11, and various subsections thereof, including, but not limited to, 802.11ac, 802.11b, and 802.11n.

18. On information and belief, the wireless communications perform and/or implemented by the Accused Products, among other things, transmit data over various media, compute time slot channels, generate packets for network transmissions, perform or cause to be performed error estimation in orthogonal frequency division multiplexed (“OFDM”) receivers, and various methods of processing OFDM symbols.

19. On information and belief, Defendant provides information and assistance to its customers to enable them to use the Accused Products in an infringing manner as described below.<sup>3</sup>

<sup>3</sup> See <https://casiosupport.zendesk.com/hc/en-us> (last visited April 11, 2024)

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

21. By letter dated February 20, 2024 addressed to Robert Shapiro, General Manager, Legal Affairs & Compliance for Defendant's corporate parent, Casio Computer Co., Ltd. (the "Notice Letter"), Defendant received notice of its infringement FCS's patents and, including the Asserted Patents.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,058,040**

22. FCS repeats and re-alleges the allegations in the Paragraphs 1-21 above as though fully set forth in their entirety.

23. The USPTO duly issued U.S. Patent No. 7,058,040 (the "'040 patent") on June 6, 2006, after full and fair examination of Application No. 09/962,718 which was filed September 21, 2001. The '040 patent is entitled "Channel Interference Reduction."

24. FCS owns all substantial rights, interest, and title in and to the '040 patent, including the sole and exclusive right to prosecute this action and enforce the '040 patent against infringers and to collect damages for all relevant times.

25. FCS 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 the '040 patent.

26. The claims of the '040 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 preexisting data transmission methods.

27. The written description of the '040 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.

28. Defendant has directly infringed the '040 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Casio Smartwatches identified above.

29. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '040 patent, as detailed in Attachment A to the Preliminary Infringement Contentions, served on Defendant on September 4, 2024, which is incorporated by reference herein.

30. More specifically, and as just one example of infringement detailed in Attachment A to the Preliminary Infringement Contentions, Defendant, using the Casio Smartwatches, performs a method for data transmission over first and second media that overlap in frequency. The method includes computing one or more time division multiple access (TDMA) time-slot channels to be shared between the first and second media for data transmission; allocating one or more time-slot channels to the first medium for data transmission; allocating one or more of the remaining time-slot channels to the second medium for data transmission; and dynamically adjusting a number of timeslot channels assigned to one of the first and second media during the data transmission to remain within limits of a desired level of service.

31. FCS has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to FCS 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. 7,260,153**

32. FCS repeats and re-alleges the allegations in the Paragraphs 1-21 above as though fully set forth in their entirety.

33. The USPTO duly issued U.S. Patent No. 7,260,153 (the “’153 patent”) on August 21, 2007, after full and fair examination of Application No. 10/423,447, which was filed on April 28, 2003. The ’153 patent is entitled “Multi Input Multi Output Wireless Communication Method and Apparatus Providing Extended Range and Extended Rate Across Imperfectly Estimated Channels.”

34. FCS owns all substantial rights, interest, and title in and to the ’153 patent, including the sole and exclusive right to prosecute this action and enforce the ’153 patent against infringers and to collect damages for all relevant times.

35. FCS 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 the ’153 patent.

36. The claims of the ’153 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 voice and data communications systems.

37. The written description of the ’153 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.

38. Defendant has directly infringed the ’153 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products identified above.



39. Defendant has directly infringed and continues to directly infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '153 patent, as detailed in Attachment B to the Preliminary Infringement Contentions, served on Defendant on September 4, 2024, which is incorporated by reference herein.

40. More specifically, and as just one example of infringement detailed in Attachment B to the Preliminary Infringement Contentions, Defendant, using the Accused Products, performs a method for evaluating a channel of a multiple-input multiple-output ("MIMO") wireless communication system allowing two or more communication devices with multiple radiating elements to transmit parallel data sub-streams which defines a channel matrix metric of cross-talk signal-to-noise ("SNR") for the sub-streams, estimates the channel matrix metric, performs a singular value decomposition ("SVD") of the channel matrix metric estimate to calculate estimated channel singular values, and using the channel matrix metric and estimated channel singular values to calculate a crosstalk measure for the sub-streams.

41. Defendant had knowledge of the '153 patent when it received the Notice Letter in February of 2024.

42. Defendant has also indirectly infringed and continues to indirectly infringe the '153 patent by inducing others to directly infringe the '153 patent. Defendant has induced distributors and end-users, including, but not limited to, Defendant's employees, partners, contractors, or customers, to directly infringe, either literally or under the doctrine of equivalents, the '153 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 '153 patent, including, for example, claim 1 of the '153 patent. *See e.g.*, Footnote 3.

43. Such steps by Defendant include, 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 '153 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 '153 patent. Defendant's inducement is ongoing. *See e.g.*, Footnote 3.

44. Defendant has also indirectly infringed and continues to indirectly infringe by contributing to the infringement of the '153 patent. Defendant has contributed to the direct infringement of the '153 patent by its personnel, contractors, distributors, 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 '153 patent, including, for example, claim 1 of the '153 patent. The special features constitute a material part of the invention of one or more of the claims of the '153 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing. *See e.g.*, Footnote 3.

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 has been willfully blind of FCS's 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 the '153 patent is, has been, and continues to be

willful, intentional, deliberate, or in conscious disregard of FCS's rights under the patent.

48. FCS has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to FCS 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 III: INFRINGEMENT OF U.S. PATENT NO. 7,656,845**

49. FCS repeats and re-alleges the allegations in the Paragraphs 1-21 above as though fully set forth in their entirety.

50. The USPTO duly issued U.S. Patent No. 7,656,845 (the "'845 patent") on February 2, 2010 after full and fair examination of Application No. 11/402,172 which was filed on April 11, 2006. The '845 patent is entitled "Channel Interference Reduction." A Certificate of Correction was issued on November 30, 2010.

51. FCS owns all substantial rights, interest, and title in and to the '845 patent, including the sole and exclusive right to prosecute this action and enforce the '845 patent against infringers and to collect damages for all relevant times.

52. FCS 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 the '845 patent.

53. The claims of the '845 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 preexisting systems and methods of wireless communication with a mobile unit.

54. The written description of the '845 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.

55. Defendant has directly infringed the '845 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Casio Smartwatches identified above.

56. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '845 patent, as detailed in Attachment C to the Preliminary Infringement Contentions, served on Defendant on September 4, 2024, which is incorporated by reference herein.

57. More specifically, and as just one example of infringement detailed in Attachment C to the Preliminary Infringement Contentions, the Casio Smartwatches used by Defendant provide a system comprising a processor, a first transceiver configured to communicate *via* a first medium, a second transceiver configured to communicate *via* a second medium, wherein at least one of the first transceiver and the second transceiver is configured to retry transmission of a packet at a lower rate if a prior transmission of the packet is not acknowledged, an allocation unit configured to dynamically allocate data channels to one of the first medium and the second medium based upon a desired level of service.

58. FCS has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to FCS 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 IV: INFRINGEMENT OF U.S. PATENT NO. 7,742,388**

59. FCS repeats and re-alleges the allegations in the Paragraphs 1-21 above as though fully

set forth in their entirety.

60. The USPTO duly issued U.S. Patent No. 7,742,388 (the “’388 patent”) on June 22, 2010, after full and fair examination of Application No. 11/185,665 which was filed July 20, 2005. The ’388 patent is entitled “Packet Generation Systems and Methods.”

61. FCS owns all substantial rights, interest, and title in and to the ’388 patent, including the sole and exclusive right to prosecute this action and enforce the ’388 patent against infringers and to collect damages for all relevant times.

62. FCS 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 the ’388 patent.

63. The claims of the ’388 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 preexisting systems and methods of generating packets in a digital communications system.

64. The written description of the ’388 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.

65. Defendant has directly infringed and continue to directly infringe one or more claims of the ’388 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products identified above.

66. Defendant has directly infringed and continues to directly infringe, either literally or under the doctrine of equivalents, at least claim 1 of the ’388 patent, as detailed in Attachment D

to the Preliminary Infringement Contentions, served on Defendant on September 4, 2024, which is incorporated by reference herein.

67. More specifically, and as just one example of infringement detailed in Attachment D to the Preliminary Infringement Contentions, Defendant, using the Accused Products performs a method including generating a packet with a size corresponding to a protocol used for a network transmission, wherein the packet comprises a preamble having a first training symbol and a second training symbol. The method further includes increasing the size of the packet by adding subcarriers to the second training symbol of the packet to produce an extended packet, wherein a quantity of subcarriers of the second training symbol is greater than a quantity of subcarriers of the first training symbol; and transmitting the extended packet from an antenna.

68. Defendant had knowledge of the '388 patent when it received the Notice Letter in February of 2024.

69. Defendant has indirectly infringed and continues to indirectly infringe the '388 patent by inducing others to directly infringe the '388 patent. Defendant has induced and continue to induce customers and end-users, including, but not limited to, Defendant's customers, employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '388 patent by providing or requiring use of the Accused Products. Defendant has taken 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 '388 patent, including, for example, claim 1. *See e.g.*, Footnote 3.

70. Such steps by Defendant has included, among other things, advising or directing customers, 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 has been performing these steps, which constitute induced infringement with the knowledge of the '388 patent and with the knowledge that the induced acts constitute infringement. Defendant has been aware that the normal and customary use of the Accused Products by others would infringe the '388 patent. Defendant's inducement is ongoing. *See e.g.*, Footnote 3.

71. Defendant has indirectly infringed and continues to indirectly infringe by contributing to the infringement of the '388 patent. Defendant has contributed and continue to contribute to the direct infringement of the '388 patent by its customers, personnel, and contractors. 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 '388 patent, including, for example, claim 1. The special features constitute a material part of the invention of one or more of the claims of the '388 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing. *See e.g.*, Footnote 3.

72. 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 FCS's patent rights.

73. 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.

74. Defendant's infringement of the '388 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of FCS's rights under the patent.

75. FCS has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to FCS 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 V: INFRINGEMENT OF U.S. PATENT NO. 8,005,053**

76. FCS repeats and re-alleges the allegations in the Paragraphs 1-21 above as though fully set forth in their entirety.

77. The USPTO duly issued U.S. Patent No. 8,005,053 (the “’053 patent”) on August 23, 2011, after full and fair examination of Application No. 12/696,760, which was filed on January 29, 2010. The ’053 patent is entitled “Channel Interference Reduction.”

78. FCS owns all substantial rights, interest, and title in and to the ’053 patent, including the sole and exclusive right to prosecute this action and enforce the ’053 patent against infringers and to collect damages for all relevant times.

79. FCS 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 the ’053 patent.

80. The claims of the ’053 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 voice and data communications systems.

81. The written description of the ’053 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.

82. Defendant has directly infringed the ’053 patent by making, using, selling, offering to



sell, importing, and/or internal and external testing of the Casio Smartwatches identified above.

83. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '053 patent, as detailed in Attachment E to the Preliminary Infringement Contentions, served on Defendant on September 4, 2024, which is incorporated by reference herein.

84. More specifically, and as just one example of infringement detailed in Attachment E to the Preliminary Infringement Contentions, the Casio Smartwatches used by Defendant performs a method comprising a communication device storing data encoded for a plurality of different wireless protocols, the communication device including a plurality of wireless transceivers, each of which is configured to transmit data according to a corresponding one of the plurality of different wireless protocols where the communication device selects one of the plurality of different wireless protocols and encodes data of an unselected one of the plurality of different wireless protocols into the selected wireless protocol, and transmits the encoded data using the one of the plurality of wireless transceivers corresponding to the selected wireless protocol.

85. FCS has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to FCS 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.

#### **JURY DEMAND**

86. FCS hereby requests a trial by jury on all issues so triable by right.

#### **PRAYER FOR RELIEF**

87. FCS requests that the Court find in its favor and against Defendant, and that the Court grant FCS 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. An award of a reasonable ongoing royalty for future infringement of the '153 patent and the '388 patent by Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith;
- c. Judgment that Defendant account for and pay to FCS all damages to and costs incurred by FCS because of Defendant's infringing activities and other conduct complained of herein;
- d. Judgment that Defendant's infringements of the '153 patent and the '388 patent be found willful, 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 FCS 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: September 12, 2024

Respectfully submitted,

By: /s/James F. McDonough, III

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*Attorneys for Plaintiff FLEET CONNECT SOLUTIONS LLC*

\* Admitted to the Eastern District of Texas

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true and correct copy of the foregoing document was filed electronically with the Clerk of Court using the Court's CM/ECF system. As such, this document was served on all counsel who are deemed to have consented to electronic service.

Dated: September 12, 2024

By: /s/ James F. McDonough, III  
James F. McDonough, III