

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

AUTOCONNECT HOLDINGS LLC,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

CASE NO.: _____

JURY TRIAL REQUESTED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff AutoConnect Holdings LLC (“AutoConnect”) files this Complaint and demand for a jury trial seeking relief for patent infringement by Defendants General Motors LLC (“GM”). Plaintiff states and alleges the following:

THE PARTIES

1. This case is brought by AutoConnect, a limited liability company organized and existing under the laws of Delaware with a registered address at 131 Continental Drive, Suite 305, Newark, DE, 19713. AutoConnect was created in 2015 for the purpose of researching, developing, collaborating, and commercializing several automotive and other technologies, and for the protection of inventions and intellectual property that the company’s principals developed over the years.

2. The asserted patents are part of a broader portfolio of technologies owned by AutoConnect that includes nearly 100 issued United States patents and pending applications related to new and improved vehicle technologies. The technologies described and claimed in AutoConnect’s patents have revolutionized the automotive industry.

3. AutoConnect is owned by Peter Suorsa, Gregg Hershenson, and Christopher Ricci.

4. Mr. Ricci is a leading technologist and innovator behind several technologies, including advancements in automotive technologies, computer control systems, passive RFID, robotics, SaaS, and IoT. Mr. Ricci is the primary inventor of the AutoConnect patents, including the Asserted Patents (as defined below). Before his work with the Asserted Patents, Mr. Ricci developed a wide range of technologies at companies like The Foxboro Company, where he worked as an engineer designing computer control systems; Polaroid, where he developed patents related to printer harmonics; and NCR Corporation, where he collaborated with global technology firms on under-utilized technologies, such as ones relevant to telecom and public-sector businesses.

5. Mr. Ricci began collaborating with Peter Suorsa, a serial entrepreneur, in the late 1990s. Mr. Suorsa's ability to identify, develop, and commercialize innovative technology is well-documented throughout his career, with successful projects spanning several different industries. For example, Mr. Suorsa formed EMC Corporation in the 1970s, a company that designed and built printed circuit boards. After selling that company in the early 1990s, Mr. Suorsa went on to found several other companies focused on new and emerging technologies.

6. During their first collaboration, Mr. Ricci presented Mr. Suorsa with his ideas for passive RFID technology. Together they developed and patented several innovations in this area, eventually securing a deal with the U.S. government. This collaboration marked the beginning of a long-standing partnership between Mr. Ricci and Mr. Suorsa, which would later extend into automotive and other technology sectors.

7. For example, in 2001, Mr. Ricci worked at NCR Corporation, where he played a pivotal role in developing and managing the company's IP portfolio. He discovered underutilized technologies and eventually collaborated with Mr. Suorsa to further develop them. Their efforts led to significant success. Mr. Ricci eventually left NCR, and Mr. Suorsa took over the CEO position of Prime Technologies, a subsidiary of NCR where he developed anti-counterfeiting technology for use in multiple industries.

8. In 2011, Mr. Ricci joined Flextronics, the second largest manufacturing services company in the world, where he applied his expertise in bringing innovative projects to fruition. At Flextronics, Mr. Ricci led a team that developed a next-generation automotive interface, which was showcased at the 2013 Detroit Auto Show. Once again, Mr. Ricci collaborated with Mr. Suorsa to further develop this technology. The project was ahead of its time, generated significant industry interest, and helped bolster Flextronics' reputation for innovation.

9. After his work at Flextronics, in 2015, Mr. Ricci went on to design and develop a wide range of vehicle technologies while at NIO, a company that specializes in the manufacturing of high-performance electric vehicles. Mr. Ricci was ultimately awarded almost fifty United States patents and pending applications resulting from his work on electric vehicles.

10. Mr. Suorsa saw great potential in the technology that Mr. Ricci had developed at Flextronics, Mr. Suorsa and Gregg Hershenson, a business expert with a background in technology and venture capital, secured a deal to continue its development independently.

11. Mr. Hershenson has been instrumental over the years in founding several different high-tech companies. For example, Mr. Hershenson is the founder of DocBox Inc., a medical device company with innovative technology that brings hospitals into the 21st century. DocBox is currently working in partnership with the DoD, CIMIT (Harvard Teaching Hospitals, MIT,

Draper Labs), the VA and Lockheed Martin to implement its new vision for healthcare.

Mr. Hershenson is also a co-founder of Waveguide, a company that brought technology out of Harvard University that revolutionizes the speed and ease with which people can run complex lab tests.

12. On information and belief, General Motors LLC is a limited liability company organized and existing under the laws of Delaware with a principal place of business at 300 Renaissance Center, Detroit, MI 48265.

13. On information and belief, General Motors LLC is owned by General Motors Company.

14. On information and belief, General Motors LLC is the legal entity responsible for research and development, manufacturing, sales, offers for sale, marketing, importation, and distribution of automotive vehicles from General Motors brands (including Chevrolet, GMC, Cadillac, and Buick).

THE ASSERTED PATENTS

15. This is a civil action for infringement of U.S. Patent No. 9,020,491 (“the ’491 patent”), U.S. Patent No. 9,082,239 (“the ’239 patent”), U.S. Patent No. 9,098,367 (“the ’367 patent”), U.S. Patent No. 9,116,786 (“the ’786 patent”), U.S. Patent No. 9,140,560 (“the ’560 patent”), U.S. Patent No. 9,147,297 (“the ’297 patent”), U.S. Patent No. 9,173,100 (“the ’100 patent”), U.S. Patent No. 9,290,153 (“the ’153 patent”), U.S. Patent No. 10,862,764 (“the ’764 patent”), and U.S. Patent No. 12,039,243 (“the ’243 patent”) (collectively, the “Asserted Patents”).

16. The ’491 patent is entitled “Sharing Applications/Media Between Car and Phone (Hydroid)” and was duly and legally issued by the United States Patent and Trademark Office on

April 28, 2015. The '491 patent stems from Application No. 13/679,857, filed on November 16, 2012. AutoConnect owns the entire right, title, and interest in and to the '491 patent, including the right to sue for and collect past damages. A true and correct copy of the '491 patent is attached to this Complaint as Exhibit A1.

17. The '239 patent is entitled "Intelligent Vehicle for Assisting Vehicle Occupants" and was duly and legally issued by the United States Patent and Trademark Office on July 14, 2015. The '239 patent stems from Application No. 14/253,506, filed on April 15, 2014. AutoConnect owns the entire right, title, and interest in and to the '239 patent, including the right to sue for and collect past damages. A true and correct copy of the '239 patent is attached to this Complaint as Exhibit B1.

18. The '367 patent is entitled "Self-configuring Vehicle Console Application Store" and was duly and legally issued by the United States Patent and Trademark Office on August 4, 2015. The '367 patent stems from Application No. 13/963,728, filed on August 9, 2013. AutoConnect owns the entire right, title, and interest in and to the '367 patent, including the right to sue for and collect past damages. A true and correct copy of the '367 patent is attached to this Complaint as Exhibit C1.

19. The '786 patent is entitled "On Board Vehicle Networking Module" and was duly and legally issued by the United States Patent and Trademark Office on August 25, 2015. The '786 patent stems from Application No. 13/828,513, filed on March 14, 2013. AutoConnect owns the entire right, title, and interest in and to the '786 patent, including the right to sue for and collect past damages. A true and correct copy of the '786 patent is attached to this Complaint as Exhibit D1.

20. The '560 patent is entitled "In-Cloud Connection for Car Multimedia" and was duly and legally issued by the United States Patent and Trademark Office on September 22, 2015. The '560 patent stems from Application No. 13/679,878, filed on November 16, 2012. AutoConnect owns the entire right, title, and interest in and to the '560 patent, including the right to sue for and collect past damages. A true and correct copy of the '560 patent is attached to this Complaint as Exhibit E1.

21. The '297 patent is entitled "Infotainment System Based on User Profile" and was duly and legally issued by the United States Patent and Trademark Office on September 29, 2015. The '297 patent stems from Application No. 14/253,251, filed on April 15, 2014. AutoConnect owns the entire right, title, and interest in and to the '297 patent, including the right to sue for and collect past damages. A true and correct copy of the '297 patent is attached to this Complaint as Exhibit F1.

22. The '100 patent is entitled "On board Vehicle Network Security" and was duly and legally issued by the United States Patent and Trademark Office on October 27, 2015. The '100 patent stems from Application No. 13/828,960, filed on March 14, 2013. AutoConnect owns the entire right, title, and interest in and to the '100 patent, including the right to sue for and collect past damages. A true and correct copy of the '100 patent is attached to this Complaint as Exhibit G1.

23. The '153 patent is entitled "Vehicle-Based Multimode Discovery" and was duly and legally issued by the United States Patent and Trademark Office on March 22, 2016. The '153 patent stems from Application No. 14/684,856, filed on April 13, 2015. AutoConnect owns the entire right, title, and interest in and to the '153 patent, including the right to sue for and

collect past damages. A true and correct copy of the '153 patent is attached to this Complaint as Exhibit H1.

24. The '764 patent is entitled "Universal Console Chassis for the Car" and was duly and legally issued by the United States Patent and Trademark Office on December 8, 2020. The '764 patent stems from Application No. 16/243,051, filed on January 8, 2019. AutoConnect owns the entire right, title, and interest in and to the '764 patent, including the right to sue for and collect past damages. A true and correct copy of the '764 patent is attached to this Complaint as Exhibit I1.

25. The '243 patent is entitled "Access and Portability of User Profiles Stored as Templates" and was duly and legally issued by the United States Patent and Trademark Office on July 16, 2024. The '243 patent stems from Application No. 17/515,961, filed on November 1, 2021. AutoConnect owns the entire right, title, and interest in and to the '243 patent, including the right to sue for and collect past damages. A true and correct copy of the '243 patent is attached to this Complaint as Exhibit J1.

26. To the extent applicable, AutoConnect has complied with 35 U.S.C. § 287 for each of the Asserted Patents.

JURISDICTION AND VENUE

27. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 101, *et seq.* This Court has original subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

28. This Court has personal jurisdiction over GM consistent with the requirements of the Due Process Clause of the United States Constitution and the Texas Long-Arm Statute because the claims asserted herein arise out of or are related to GM's acts constituting business

in this State, including: (i) at least a portion of the actions complained of herein; (ii) recruiting Texas residents, directly or through an intermediary located in this State, for employment inside or outside this State; and (iii) regularly doing or soliciting business, engaging in other persistent courses of conduct, or deriving substantial revenue from goods and services, including the Accused Instrumentalities. TEX. CIV. PRAC. & REM. CODE § 17.042.

29. GM has committed acts within this Judicial District giving rise to this action. On information and belief, GM, including its agents and/or intermediaries, have committed and continue to commit acts of infringement in this Judicial District where it conducts business extensively by shipping, distributing, offering for sale, selling, and advertising automotive vehicles (and components thereof) and services.

30. GM is registered to do business in Texas and has regular and established places of business in this Judicial District, including 301 Freedom Drive, Roanoke, Texas 76262.

31. GM offers its products and/or services, including the Accused Instrumentalities, to customers and potential customers located in Texas and in this Judicial District.

32. Venue is proper in this District pursuant to at least 28 U.S.C. § 1400(b). As noted above, GM maintains regular and established business presences in this Judicial District, at which it has committed acts of infringement and placed the Accused Instrumentalities into the stream of commerce, throughout the State of Texas and in this Judicial District.

33. GM has previously consented to jurisdiction and venue in this Judicial District, for example, in *Facet Technology Corp. v. General Motors LLC*, Case No. 2:24-cv-00035-RWS-RSP (E.D. Tex. 2024) and *Mel NavIP LLC v. General Motors Company*, Case No. 2:23-cv-00175-JRG (E.D. Tex. 2023).

PRE-SUIT DISCUSSIONS

34. In December 2023, AutoConnect first contacted GM about the inventions described and claimed in AutoConnect's patent portfolio. AutoConnect sent a letter to GM's Executive Vice President of Global Public Policy and General Counsel, identifying all but one of the Asserted Patents, as well as other patents in its portfolio, thereby providing GM with notice. The letter included infringement claim charts comparing AutoConnect's understanding of GM's Accused Instrumentalities, based on publicly available information, to representative claims from 19 AutoConnect patents.

35. AutoConnect's December 2023 letter requested a telephone conference with a GM representative to confirm AutoConnect's understanding of the features of GM's Accused Instrumentalities identified in the claim charts. The letter also invited licensing discussions.

36. Later in December, a GM representative confirmed receipt of AutoConnect's letter. Over the next several months, counsel for AutoConnect and GM exchanged several written communications and participated in several telephone conferences. In May 2024, GM provided a formal response to AutoConnect's December 2023 letter, which included general allegations relating to AutoConnect's infringement allegations for 10 of the 19 patents and general allegations relating to the validity of 15 of the 19 patents. GM provided specific invalidity allegations for only 6 of the 19 patents. GM refused to provide a representative to discuss the operation of the Accused Instrumentalities as requested by AutoConnect's December 2023 letter.

37. AutoConnect responded to GM's May letter on June 14, 2024. The letter refuted GM's allegations, explaining how the Accused Instrumentalities met the claim limitations and how the alleged invalidating references failed to disclose, either alone or in combination, each claim element of AutoConnect's patents. AutoConnect noted that, in most instances, GM's

response lacked sufficient detail to form a basis to allege invalidity or noninfringement. The letter also stated that GM failed to address AutoConnect's infringement allegations for 9 of the 19 patents, including the asserted '239, '367, '786, '560, '153, and '764 patents. AutoConnect maintained that its claim charts were accurate and requested that GM provide documentation or designate a representative to clarify any alleged inaccuracies. AutoConnect further requested a response to its letter and offered to discuss any issues raised in the correspondence via conference.

38. On October 25, 2024, AutoConnect sent GM a letter following up on the parties' prior discussions regarding AutoConnect's patent portfolio. As an update, AutoConnect enclosed two additional infringement claim charts, for the asserted '297 and '243 patents, and requested that GM contact AutoConnect if it would like to discuss them or explore a resolution to the dispute between the parties. GM confirmed receipt of the October 25 letter.

39. GM does not have a license to any of the Asserted Patents, either express or implied.

40. On information and belief, GM has not taken any affirmative steps to avoid infringing any of the Asserted Patents after learning of them.

COUNT I

(Infringement of the '491 Patent)

41. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

42. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '491 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle

communication systems, in-vehicle multimedia systems, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Apple CarPlay and/or Android Auto in GM vehicles, in certain makes and models from the 2016 model year to the present, including those listed in Exhibit A2 (“the ’491 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the ’491 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the ’491 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the ’491 Accused Instrumentalities to perform one or more method claims of the ’491 patent.

43. Attached to this Complaint as Exhibit A3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 11 and 16 of the ’491 patent are met by the ’491 Accused Instrumentalities. On information and belief, GM’s source code and/or other non-public documentation will also confirm that GM’s ’491 Accused Instrumentalities have met and currently meet the elements of one or more claims of the ’491 patent, as discussed herein and in Exhibit A3.

44. GM’s infringement of the ’491 patent has also been indirect.

45. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the ’491 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the ’491 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the ’491 patent.

46. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '491 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 11 and 16 of the '491 patent, or with willful blindness to that fact.¹ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '491 Accused Instrumentalities in ways that directly infringe the '491 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '491 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '491 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '491 patent.² Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '491 Accused Instrumentalities constitutes direct infringement of the '491 patent but took deliberate actions to avoid learning of these facts.

47. On information and belief, GM has been aware of the inventions described and claimed in the '491 patent since at least shortly after the issuance of the '491 patent in April 2015, or was willfully blind to the existence of the patent. For example, in the 2016-2023

¹ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

² *E.g.*, https://www.chevrolet.com/bypass/pcf/gma-content-api/resources/sites/GMA/content/staging/MANUALS/6000/MA6089/en_US/2.0/23_CHEV_Tahoe_Suburban_OM_en_US_U_84979315B_2022OCT10_2P.pdf.

time frame, GM encountered patents related to the '491 patent during prosecution of its own patents. These related patents share the same priority documents, specifications, named inventor (Chris Ricci), and initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '491 patent.

48. On information and belief, GM has known that the making and/or using of their '491 Accused Instrumentalities constitutes an act of direct infringement of the '491 patent. On information and belief, GM obtained this knowledge at least since July 2016. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '491 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '491 patent or GM was otherwise willfully blind to that fact.

49. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '491 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customer, and other end users), of at least claim 11 of the '491 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '491 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto) to these third parties with full knowledge of the '491 patent. These third parties

have assembled the components to make and use the '491 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '491 Accused Instrumentalities in ways that infringed/infringe the '491 patent.³ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '491 patent. GM supplied/supplies these components with knowledge of the '491 patent and knowledge that the components were/are especially made for use in an infringing manner.

50. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '491 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '491 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 11 and 16 of the '491 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '491 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto) with full knowledge of the '491 patent. These third parties have made or used the '491 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them

³ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

how to combine the components of the '491 Accused Instrumentalities and use them in ways that would infringe the '491 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '491 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

51. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '491 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '491 patent (or would have infringed if those acts occurred within the United States).

52. Moreover, on information and belief, GM's infringement of the '491 patent has been and continues to be willful and merits enhanced damages.

53. For example, GM has known of the '491 patent and its infringement of the '491 patent as described herein.

54. On information and belief, since knowing of the '491 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '491 patent.

55. On information and belief, GM has made no attempt to design around the claims of the '491 patent.

56. On information and belief, GM has no reasonable basis for believing that the claims of the '491 patent are either invalid or not infringed by the '491 Accused Instrumentalities and/or or its activities concerning the '491 Accused Instrumentalities.

57. AutoConnect has been damaged as the result of GM's willful infringement.

58. On information and belief, GM will continue to infringe one or more claims of the '491 patent unless and until it is enjoined by this Court.

59. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '491 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '491 patent.

COUNT II

(Infringement of the '239 Patent)

60. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

61. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '239 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems, in-vehicle multimedia systems, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Google built-in in GM vehicles, in certain makes and models from the 2022 model year to the present, including those listed in Exhibit B2 ("the '239 Accused Instrumentalities"). GM has also directly infringed and continues to directly infringe one or more claims of the '239 patent under 35 U.S.C. § 271(a), either literally or under

the doctrine of equivalents, because GM operates and controls the '239 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '239 Accused Instrumentalities to perform one or more method claims of the '239 patent.

62. Attached to this Complaint as Exhibit B3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1, 8, and 15 of the '239 patent are met by the '239 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '239 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '239 patent, as discussed herein and in Exhibit B3.

63. GM's infringement of the '239 patent has also been indirect.

64. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '239 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '239 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '239 patent.

65. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '239 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 8 and 15 of the '239 patent, or with willful blindness to that fact.⁴ On information and belief, GM will continue to encourage, aid, or

⁴ *E.g.*, <https://www.onstar.com/support/faq/google-built-in>;
(continued ...)

otherwise cause these third parties to, for example, use their '239 Accused Instrumentalities in ways that directly infringe the '239 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '239 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '239 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '239 patent.⁵

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '239 Accused Instrumentalities constitutes direct infringement of the '239 patent but took deliberate actions to avoid learning of these facts.

66. On information and belief, GM has been aware of the inventions described and claimed in the '239 patent since at least shortly after the issuance of the '239 patent in July 2015, or was willfully blind to the existence of the patent. For example, the '239 patent has been cited during prosecution of at least one GM patent application—starting as early as November 2016. Additionally, in the 2016-2023 time frame, GM encountered patents related to the '239 patent during prosecution of its own patents. These related patents share the same priority documents, specifications, named inventor (Chris Ricci), and initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '239 patent.

<https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/setup-google-built-in>;
<https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/google-built-in/troubleshooting>.

⁵ *E.g.*, https://www.chevrolet.com/dos-template-library/search-results/content-display.html?brightcoveId=3791031102001_6353463540112_en_US;
https://www.chevrolet.com/dos-template-library/search-results/content-display.html?brightcoveId=3791031102001_6362756799112_en_US.

67. On information and belief, GM has known that the making and/or using of their '239 Accused Instrumentalities constitutes an act of direct infringement of the '239 patent. On information and belief, GM obtained this knowledge at least since November 2016. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '239 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '239 patent or GM was otherwise willfully blind to that fact.

68. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '239 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 8 of the '239 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '239 Accused Instrumentalities (including vehicle software components associated with enabling Google built-in in GM vehicles) to these third parties with full knowledge of the '239 patent. These third parties have assembled the components to make and use the '239 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '239 Accused Instrumentalities in ways that

infringed/infringe the '239 patent.⁶ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '239 patent. GM supplied/supplies these components with knowledge of the '239 patent and knowledge that the components were/are especially made for use in an infringing manner.

69. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '239 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '239 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 8 and 15 of the '239 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '239 Accused Instrumentalities (including vehicle software components associated with enabling Google built-in in GM vehicles) with full knowledge of the '239 patent. These third parties have made or used the '239 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '239 Accused Instrumentalities and use them in ways that would infringe the '239 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '239 patent if such assembly and usage

⁶ *E.g.*, <https://www.onstar.com/support/faq/google-built-in>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/setup-google-built-in>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/google-built-in/troubleshooting>.

took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

70. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '239 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '239 patent (or would have infringed if those acts occurred within the United States).

71. Moreover, on information and belief, GM's infringement of the '239 patent has been and continues to be willful and merits enhanced damages.

72. For example, GM has known of the '239 patent and its infringement of the '239 patent as described herein.

73. On information and belief, since knowing of the '239 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '239 patent.

74. On information and belief, GM has made no attempt to design around the claims of the '239 patent.

75. On information and belief, GM has no reasonable basis for believing that the claims of the '239 patent are either invalid or not infringed by the '239 Accused Instrumentalities and/or or its activities concerning the '239 Accused Instrumentalities.

76. AutoConnect has been damaged as the result of GM's willful infringement.

77. On information and belief, GM will continue to infringe one or more claims of the '239 patent unless and until it is enjoined by this Court.

78. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '239 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '239 patent.

COUNT III

(Infringement of the '367 Patent)

79. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

80. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '367 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems, in-vehicle multimedia systems, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable operation of an infotainment system in GM vehicles, in certain makes and models from the 2017 model year to the present, including those listed in Exhibit C2 ("the '367 Accused Instrumentalities"). GM has also directly infringed and continues to directly infringe one or more claims of the '367 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the '367 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '367 Accused Instrumentalities to perform one or more method claims of the '367 patent.

81. Attached to this Complaint as Exhibit C3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1, 10, and 17 of the '367 patent are met by the '367 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '367 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '367 patent, as discussed herein and in Exhibit C3.

82. GM's infringement of the '367 patent has also been indirect.

83. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '367 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '367 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '367 patent.

84. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '367 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 10 and 17 of the '367 patent, or with willful blindness to that fact.⁷ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '367 Accused Instrumentalities in ways that directly infringe the '367 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '367 patent. Further, GM provides information and

⁷ *E.g.*, <https://www.onstar.com/stories/get-more-in-vehicle-apps>;
<https://www.chevrolet.com/support/vehicle/entertainment/apps/app-catalog>;
<https://www.onstar.com/support/faq/google-built-in>;
<https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/setup-google-built-in>.

technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '367 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '367 patent.⁸

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '367 Accused Instrumentalities constitutes direct infringement of the '367 patent but took deliberate actions to avoid learning of these facts.

85. On information and belief, GM has been aware of the inventions described and claimed in the '367 patent since at least shortly after the issuance of the '367 patent in August 2015, or was willfully blind to the existence of the patent. For example, in the 2016-2023 time frame, GM encountered patents related to the '367 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '367 patent.

86. On information and belief, GM has known that the making and/or using of their '367 Accused Instrumentalities constitutes an act of direct infringement of the '367 patent. On information and belief, GM obtained this knowledge at least since July 2016. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the

⁸ *E.g.*, https://www.chevrolet.com/dos-template-library/search-results/content-display.html?brightcoveId=3791031102001_6353463540112_en_US; <https://www.chevrolet.com/support/vehicle/entertainment/apps/app-catalog>; <https://www.chevrolet.com/support/vehicle/entertainment/apps/warner-media>; <https://www.chevrolet.com/support/vehicle/entertainment/apps/weather-channel>.

filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '367 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '367 patent or GM was otherwise willfully blind to that fact.

87. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '367 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 17 of the '367 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '367 Accused Instrumentalities (including vehicle software components associated with enabling operation of an infotainment system) to these third parties with full knowledge of the '367 patent. These third parties have assembled the components to make and use the '367 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '367 Accused Instrumentalities in ways that infringed/infringe the '367 patent.⁹ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '367 patent.

⁹ *E.g.*, <https://www.onstar.com/stories/get-more-in-vehicle-apps>;
<https://www.chevrolet.com/support/vehicle/entertainment/apps/app-catalog>;
<https://www.onstar.com/support/faq/google-built-in>;
<https://www.chevrolet.com/support/vehicle/smartphone-connections/voice/setup-google-built-in>.

GM supplied/supplies these components with knowledge of the '367 patent and knowledge that the components were/are especially made for use in an infringing manner.

88. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '367 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '367 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 10 and 17 of the '367 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '367 Accused Instrumentalities (including vehicle software components associated with enabling operation of an infotainment system) with full knowledge of the '367 patent. These third parties have made or used the '367 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '367 Accused Instrumentalities and use them in ways that would infringe the '367 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '367 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

89. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or

would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '367 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '367 patent (or would have infringed if those acts occurred within the United States).

90. Moreover, on information and belief, GM's infringement of the '367 patent has been and continues to be willful and merits enhanced damages.

91. For example, GM has known of the '367 patent and its infringement of the '367 patent as described herein.

92. On information and belief, since knowing of the '367 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '367 patent.

93. On information and belief, GM has made no attempt to design around the claims of the '367 patent.

94. On information and belief, GM has no reasonable basis for believing that the claims of the '367 patent are either invalid or not infringed by the '367 Accused Instrumentalities and/or or its activities concerning the '367 Accused Instrumentalities.

95. AutoConnect has been damaged as the result of GM's willful infringement.

96. On information and belief, GM will continue to infringe one or more claims of the '367 patent unless and until it is enjoined by this Court.

97. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '367 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '367 patent.

COUNT IV

(Infringement of the '786 Patent)

98. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

99. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '786 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle systems (including in-vehicle multimedia systems) and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Apple CarPlay and/or Android Auto in GM vehicles, in certain makes and models from the 2016 model year to the present, including those listed in Exhibit D2 (“the '786 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the '786 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the '786 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '786 Accused Instrumentalities to perform one or more method claims of the '786 patent.

100. Attached to this Complaint as Exhibits D3 is a representative chart that, on information and belief, describes how, as non-limiting examples, the elements of exemplary claim 23 of the '786 patent are met by the '786 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '786 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '786 patent, as discussed herein and in Exhibits D3.

101. GM's infringement of the '786 patent has also been indirect.

102. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '786 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '786 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '786 patent.

103. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '786 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claim 23 of the '786 patent, or with willful blindness to that fact.¹⁰ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '786 Accused Instrumentalities in ways that directly infringe the '786 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '786 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '786 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '786 patent.¹¹

Alternatively, GM has acted with willful blindness to these facts. On information and belief,

¹⁰ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

¹¹ *E.g.*, https://www.chevrolet.com/bypass/pcf/gma-content-api/resources/sites/GMA/content/staging/MANUALS/6000/MA6089/en_US/2.0/23_CHEV_Tahoe_Suburban_OM_en_US_U_84979315B_2022OCT10_2P.pdf.

GM knows that there is a high probability that the use of GM's '786 Accused Instrumentalities constitutes direct infringement of the '786 patent but took deliberate actions to avoid learning of these facts.

104. On information and belief, GM has been aware of the inventions described and claimed in the '786 patent since at least shortly after the issuance of the '786 patent in August 2015, or was willfully blind to the existence of the patent. For example, in the 2015-2023 time frame, GM encountered several patents related to the '786 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '786 patent.

105. On information and belief, GM has known that the making and/or using of their '786 Accused Instrumentalities constitutes an act of direct infringement of the '786 patent. On information and belief, GM obtained this knowledge at least since August 2015. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '786 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '786 patent or GM was otherwise willfully blind to that fact.

106. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '786 patent under 35 U.S.C. § 271(c) because it has contributed to direct

infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 23 of the '786 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '786 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) to these third parties with full knowledge of the '786 patent. These third parties have assembled the components to make and use the '786 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '786 Accused Instrumentalities in ways that infringed/infringe the '786 patent.¹² GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '786 patent. GM supplied/supplies these components with knowledge of the '786 patent and knowledge that the components were/are especially made for use in an infringing manner.

107. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '786 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '786 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claim 23 of the '786 patent if such combination occurred within the United States. For example,

¹² *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '786 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) with full knowledge of the '786 patent. These third parties have made or used the '786 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '786 Accused Instrumentalities and use them in ways that would infringe the '786 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '786 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

108. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '786 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '786 patent (or would have infringed if those acts occurred within the United States).

109. Moreover, on information and belief, GM's infringement of the '786 patent has been and continues to be willful and merits enhanced damages.

110. For example, GM has known of the '786 patent and its infringement of the '786 patent as described herein.

111. On information and belief, since knowing of the '786 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '786 patent.

112. On information and belief, GM has made no attempt to design around the claims of the '786 patent.

113. On information and belief, GM has no reasonable basis for believing that the claims of the '786 patent are either invalid or not infringed by the '786 Accused Instrumentalities and/or or its activities concerning the '786 Accused Instrumentalities.

114. AutoConnect has been damaged as the result of GM's willful infringement.

115. On information and belief, GM will continue to infringe one or more claims of the '786 patent unless and until it is enjoined by this Court.

116. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '786 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '786 patent.

COUNT V

(Infringement of the '560 Patent)

117. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

118. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '560 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle

communication systems (including an in-vehicle multimedia system), and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Apple CarPlay and/or Android Auto in GM vehicles, in certain makes and models from the 2016 model year to the present, including those listed in Exhibit E2 (“the ’560 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the ’560 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the ’560 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the ’560 Accused Instrumentalities to perform one or more method claims of the ’560 patent.

119. Attached to this Complaint as Exhibit E3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 11 and 16 of the ’560 patent are met by the ’560 Accused Instrumentalities. On information and belief, GM’s source code and/or other non-public documentation will also confirm that GM’s ’560 Accused Instrumentalities have met and currently meet the elements of one or more claims of the ’560 patent, as discussed herein and in Exhibit E3.

120. GM’s infringement of the ’560 patent has also been indirect.

121. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the ’560 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the ’560 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the ’560 patent.

122. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '560 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 11 and 16 of the '560 patent, or with willful blindness to that fact.¹³ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '560 Accused Instrumentalities in ways that directly infringe the '560 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '560 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '560 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '560 patent.¹⁴ Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '560 Accused Instrumentalities constitutes direct infringement of the '560 patent but took deliberate actions to avoid learning of these facts.

123. On information and belief, GM has been aware of the inventions described and claimed in the '560 patent since at least shortly after the issuance of the '560 patent in September 2015, or was willfully blind to the existence of the patent. For example, in the 2017-

¹³ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

¹⁴ *E.g.*, https://www.chevrolet.com/bypass/pcf/gma-content-api/resources/sites/GMA/content/staging/MANUALS/6000/MA6089/en_US/2.0/23_CHEV_Tahoe_Suburban_OM_en_US_U_84979315B_2022OCT10_2P.pdf.

2023 time frame, GM encountered patents related to the '560 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '560 patent.

124. On information and belief, GM has known that the making and/or using of their '560 Accused Instrumentalities constitutes an act of direct infringement of the '560 patent. On information and belief, GM obtained this knowledge at least since July 2017. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '560 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '560 patent or GM was otherwise willfully blind to that fact.

125. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '560 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 11 of the '560 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '560 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) to these third parties with full knowledge of the

'560 patent. These third parties have assembled the components to make and use the '560 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '560 Accused Instrumentalities in ways that infringed/infringe the '560 patent.¹⁵ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '560 patent. GM supplied/supplies these components with knowledge of the '560 patent and knowledge that the components were/are especially made for use in an infringing manner.

126. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '560 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '560 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 11 and 16 of the '560 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '560 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) with full knowledge of the '560 patent. These third parties have made or used the '560 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct

¹⁵ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

them how to combine the components of the '560 Accused Instrumentalities and use them in ways that would infringe the '560 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '560 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

127. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '560 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '560 patent (or would have infringed if those acts occurred within the United States).

128. Moreover, on information and belief, GM's infringement of the '560 patent has been and continues to be willful and merits enhanced damages.

129. For example, GM has known of the '560 patent and its infringement of the '560 patent as described herein.

130. On information and belief, since knowing of the '560 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '560 patent.

131. On information and belief, GM has made no attempt to design around the claims of the '560 patent.

132. On information and belief, GM has no reasonable basis for believing that the claims of the '560 patent are either invalid or not infringed by the '560 Accused Instrumentalities and/or or its activities concerning the '560 Accused Instrumentalities.

133. AutoConnect has been damaged as the result of GM's willful infringement.

134. On information and belief, GM will continue to infringe one or more claims of the '560 patent unless and until it is enjoined by this Court.

135. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '560 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '560 patent.

COUNT VI

(Infringement of the '297 Patent)

136. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

137. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '297 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems, in-vehicle multimedia systems, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable user device profiles in GM vehicles, in certain makes and models from the 2017 model year to the present, including those listed in Exhibit F2 ("the '297 Accused Instrumentalities"). GM has also directly infringed and continues to directly infringe one or more claims of the '297 patent under 35 U.S.C. § 271(a), either

literally or under the doctrine of equivalents, because GM operates and controls the '297 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '297 Accused Instrumentalities to perform one or more method claims of the '297 patent.

138. Attached to this Complaint as Exhibit F3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1, 9, and 15 of the '297 patent are met by the '297 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '297 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '297 patent, as discussed herein and in Exhibit F3.

139. GM's infringement of the '297 patent has also been indirect.

140. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '297 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '297 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '297 patent.

141. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '297 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 9 and 15 of the '297 patent, or with willful blindness to that fact.¹⁶ On information and belief, GM will continue to encourage, aid,

¹⁶ *E.g.*, <https://www.youtube.com/watch?v=F7CM5Ytji3s>;
(continued ...)

or otherwise cause these third parties to, for example, use their '297 Accused Instrumentalities in ways that directly infringe the '297 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '297 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '297 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '297 patent.¹⁷

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '297 Accused Instrumentalities constitutes direct infringement of the '297 patent but took deliberate actions to avoid learning of these facts.

142. On information and belief, GM has been aware of the inventions described and claimed in the '297 patent since at least shortly after the issuance of the '297 patent in September 2015, or was willfully blind to the existence of the patent. For example, in the 2017-2023 time frame, GM encountered patents related to the '297 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '297 patent.

https://contentdelivery.ext.gm.com/bypass/gma-content-api/resources/sites/GMA/content/staging/MANUALS/5000/MA5551/en_US/3.0/22_CHEV_Bla zer_OM_en_US_U_84720406B_2022JAN10_2P.pdf.

¹⁷ *E.g.*, <https://www.youtube.com/watch?v=F7CM5Ytji3s>;
<https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>;
<https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

143. On information and belief, GM has known that the making and/or using of their '297 Accused Instrumentalities constitutes an act of direct infringement of the '297 patent. On information and belief, GM obtained this knowledge at least since March 2017. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as well as AutoConnect's October 25, 2024 letter, which further demonstrated GM's infringement via claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '297 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '297 patent or GM was otherwise willfully blind to that fact.

144. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '297 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 15 of the '297 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '297 Accused Instrumentalities (including vehicle software components associated with enabling user device profiles in GM vehicles) to these third parties with full knowledge of the '297 patent. These third parties have assembled the components to make and use the '297 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '297 Accused Instrumentalities in ways

that infringed/infringe the '297 patent.¹⁸ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '297 patent. GM supplied/supplies these components with knowledge of the '297 patent and knowledge that the components were/are especially made for use in an infringing manner.

145. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '297 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '297 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 9 and 15 of the '297 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '297 Accused Instrumentalities (including vehicle software components associated with enabling user device profiles in GM vehicles) with full knowledge of the '297 patent. These third parties have made or used the '297 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '297 Accused Instrumentalities and use them in ways that would infringe the '297 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '297 patent if such assembly and usage

¹⁸ *E.g.*, <https://www.youtube.com/watch?v=F7CM5Ytji3s>; https://contentdelivery.ext.gm.com/bypass/gma-content-api/resources/sites/GMA/content/staging/MANUALS/5000/MA5551/en_US/3.0/22_CHEV_Bla zer_OM_en_US_U_84720406B_2022JAN10_2P.pdf.

took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

146. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '297 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '297 patent (or would have infringed if those acts occurred within the United States).

147. Moreover, on information and belief, GM's infringement of the '297 patent has been and continues to be willful and merits enhanced damages.

148. For example, GM has known of the '297 patent and its infringement of the '297 patent as described herein.

149. On information and belief, since knowing of the '297 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '297 patent.

150. On information and belief, GM has made no attempt to design around the claims of the '297 patent.

151. On information and belief, GM has no reasonable basis for believing that the claims of the '297 patent are either invalid or not infringed by the '297 Accused Instrumentalities and/or or its activities concerning the '297 Accused Instrumentalities.

152. AutoConnect has been damaged as the result of GM's willful infringement.

153. On information and belief, GM will continue to infringe one or more claims of the '297 patent unless and until it is enjoined by this Court.

154. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '297 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '297 patent.

COUNT VII

(Infringement of the '100 Patent)

155. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

156. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '100 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems, in-vehicle multimedia systems, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable security measures in GM vehicles, in certain makes and models from the 2017 model year to the present, including those listed in Exhibit G2 (“the '100 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the '100 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the '100 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '100 Accused Instrumentalities to perform one or more method claims of the '100 patent.

157. Attached to this Complaint as Exhibit G3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1, 9, and 17 of the '100 patent are met by the '100 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '100 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '100 patent, as discussed herein and in Exhibit G3.

158. GM's infringement of the '100 patent has also been indirect.

159. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '100 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '100 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '100 patent.

160. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '100 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claims 1 and 17 of the '100 patent, or with willful blindness to that fact.¹⁹ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '100 Accused Instrumentalities in ways that directly infringe the '100 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '100 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals,

¹⁹ *E.g.*, <https://www.autosar.org/standards/adaptive-platform>; <https://www.autosar.org/>; <https://www.autosar.org/about/partners/core-partner>.

brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '100 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '100 patent.²⁰

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '100 Accused Instrumentalities constitutes direct infringement of the '100 patent but took deliberate actions to avoid learning of these facts.

161. On information and belief, GM has been aware of the inventions described and claimed in the '100 patent since at least shortly after the issuance of the '100 patent in October 2015, or was willfully blind to the existence of the patent. For example, in the 2016-2023 time frame, GM encountered several patents related to the '100 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '100 patent.

162. On information and belief, GM has known that the making and/or using of their '100 Accused Instrumentalities constitutes an act of direct infringement of the '100 patent. On information and belief, GM obtained this knowledge at least since November 2016. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM,

²⁰ *E.g.*, <https://www.autosar.org/standards/adaptive-platform>; <https://www.autosar.org/>; <https://www.autosar.org/about/partners/core-partner>.

therefore, had knowledge that the making and/or using of GM's '100 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '100 patent, or GM was otherwise willfully blind to that fact.

163. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '100 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claims 1 and 17 of the '100 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '100 Accused Instrumentalities (including vehicle software components associated with enabling security measures in GM vehicles) to these third parties with full knowledge of the '100 patent. These third parties have assembled the components to make and use the '100 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '100 Accused Instrumentalities in ways that infringed/infringe the '100 patent.²¹ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '100 patent. GM supplied/supplies these components with knowledge of the '100 patent and knowledge that the components were/are especially made for use in an infringing manner.

164. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '100 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the

²¹ *E.g.*, <https://www.autosar.org/standards/adaptive-platform>; <https://www.autosar.org/>; <https://www.autosar.org/about/partners/core-partner>.

United States, one or more components of the '100 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claims 1 and 17 of the '100 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '100 Accused Instrumentalities (including vehicle software components associated with enabling security measures in GM vehicles) with full knowledge of the '100 patent. These third parties have made or used the '100 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '100 Accused Instrumentalities and use them in ways that would infringe the '100 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '100 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

165. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '100 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such

third parties directly infringed/infringe the '100 patent (or would have infringed if those acts occurred within the United States).

166. Moreover, on information and belief, GM's infringement of the '100 patent has been and continues to be willful and merits enhanced damages.

167. For example, GM has known of the '100 patent and its infringement of the '100 patent as described herein.

168. On information and belief, since knowing of the '100 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '100 patent.

169. On information and belief, GM has made no attempt to design around the claims of the '100 patent.

170. On information and belief, GM has no reasonable basis for believing that the claims of the '100 patent are either invalid or not infringed by the '100 Accused Instrumentalities and/or or its activities concerning the '100 Accused Instrumentalities.

171. AutoConnect has been damaged as the result of GM's willful infringement.

172. On information and belief, GM will continue to infringe one or more claims of the '100 patent unless and until it is enjoined by this Court.

173. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '100 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '100 patent.

COUNT VIII

(Infringement of the '153 Patent)

174. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

175. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '153 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems (including an in-vehicle multimedia system), and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Apple CarPlay and/or Android Auto in GM vehicles, in certain makes and models from the 2016 model year to the present, including those listed in Exhibit H2 (“the '153 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the '153 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the '153 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '153 Accused Instrumentalities to perform one or more method claims of the '153 patent.

176. Attached to this Complaint as Exhibit H3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1, 11, and 12 of the '153 patent are met by the '153 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '153 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '153 patent, as discussed herein and in Exhibit H3.

177. GM's infringement of the '153 patent has also been indirect.

178. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '153 patent under 35 U.S.C. § 271(b) because it has induced,

and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '153 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '153 patent.

179. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '153 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claim 12 of the '153 patent, or with willful blindness to that fact.²² On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '153 Accused Instrumentalities in ways that directly infringe the '153 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '153 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '153 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '153 patent.²³

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '153 Accused Instrumentalities constitutes direct infringement of the '153 patent but took deliberate actions to avoid learning of these facts.

²² *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

²³ *E.g.*, https://www.chevrolet.com/bypass/pcf/gma-content-api/resources/sites/GMA/content/staging/MANUALS/6000/MA6089/en_US/2.0/23_CHEV_Tahoe_Suburban_OM_en_US_U_84979315B_2022OCT10_2P.pdf.

180. On information and belief, GM has been aware of the inventions described and claimed in the '153 patent since at least shortly after the issuance of the '153 patent in March 2016, or was willfully blind to the existence of the patent. For example, in the 2017-2023 time frame, GM encountered patents related to the '153 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '153 patent.

181. On information and belief, GM has known that the making and/or using of their '153 Accused Instrumentalities constitutes an act of direct infringement of the '153 patent. On information and belief, GM obtained this knowledge at least since March 2017. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '153 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '153 patent or GM was otherwise willfully blind to that fact.

182. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '153 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 12 of the '153 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently

selling, offering for sale, and/or importing into the United States components of the '153 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) to these third parties with full knowledge of the '153 patent. These third parties have assembled the components to make and use the '153 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '153 Accused Instrumentalities in ways that infringed/infringe the '153 patent.²⁴ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '153 patent. GM supplied/supplies these components with knowledge of the '153 patent and knowledge that the components were/are especially made for use in an infringing manner.

183. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '153 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '153 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claim 12 of the '153 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '153 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) with full

²⁴ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

knowledge of the '153 patent. These third parties have made or used the '153 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '153 Accused Instrumentalities and use them in ways that would infringe the '153 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '153 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

184. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '153 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '153 patent (or would have infringed if those acts occurred within the United States).

185. Moreover, on information and belief, GM's infringement of the '153 patent has been and continues to be willful and merits enhanced damages.

186. For example, GM has known of the '153 patent and its infringement of the '153 patent as described herein.

187. On information and belief, since knowing of the '153 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '153 patent.

188. On information and belief, GM has made no attempt to design around the claims of the '153 patent.

189. On information and belief, GM has no reasonable basis for believing that the claims of the '153 patent are either invalid or not infringed by the '153 Accused Instrumentalities and/or its activities concerning the '153 Accused Instrumentalities.

190. AutoConnect has been damaged as the result of GM's willful infringement.

191. On information and belief, GM will continue to infringe one or more claims of the '153 patent unless and until it is enjoined by this Court.

192. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '153 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '153 patent.

COUNT IX

(Infringement of the '764 Patent)

193. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

194. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '764 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle communication systems (including in-vehicle multimedia systems), and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable Apple CarPlay and/or Android Auto in GM vehicles, in certain makes and models from the 2016 model year to the present,

including those listed in Exhibit I2 (“the ’764 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the ’764 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the ’764 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the ’764 Accused Instrumentalities to perform one or more method claims of the ’764 patent.

195. Attached to this Complaint as Exhibit I3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claim 1 of the ’764 patent are met by the ’764 Accused Instrumentalities. On information and belief, GM’s source code and/or other non-public documentation will also confirm that GM’s ’764 Accused Instrumentalities have met and currently meet the elements of one or more claims of the ’764 patent, as discussed herein and in Exhibit I3.

196. GM’s infringement of the ’764 patent has also been indirect.

197. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the ’764 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the ’764 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the ’764 patent.

198. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the ’764 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claim 1 of the ’764 patent, or with willful

blindness to that fact.²⁵ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '764 Accused Instrumentalities in ways that directly infringe the '764 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '764 patent. Further, GM provides information and technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '764 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '764 patent.²⁶

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '764 Accused Instrumentalities constitutes direct infringement of the '764 patent but took deliberate actions to avoid learning of these facts.

199. On information and belief, GM has been aware of the inventions described and claimed in the '764 patent since at least shortly after the issuance of the '764 patent in December 2020, or was willfully blind to the existence of the patent. For example, in the 2020-2023 time frame, GM encountered several patents related to the '764 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '764 patent.

²⁵ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

²⁶ *E.g.*, https://www.chevrolet.com/bypass/pcf/gma-content-api/resources/sites/GMA/content/staging/MANUALS/6000/MA6089/en_US/2.0/23_CHEV_Tahoe_Suburban_OM_en_US_U_84979315B_2022OCT10_2P.pdf.

200. On information and belief, GM has known that the making and/or using of their '764 Accused Instrumentalities constitutes an act of direct infringement of the '764 patent. On information and belief, GM obtained this knowledge at least since December 2020. Moreover, GM has had such knowledge upon service of AutoConnect's December 2023 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '764 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '764 patent or GM was otherwise willfully blind to that fact.

201. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '764 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 1 of the '764 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '764 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) to these third parties with full knowledge of the '764 patent. These third parties have assembled the components to make and use the '764 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '764 Accused Instrumentalities in ways

that infringed/infringe the '764 patent.²⁷ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '764 patent. GM supplied/supplies these components with knowledge of the '764 patent and knowledge that the components were/are especially made for use in an infringing manner.

202. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '764 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '764 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claim 1 of the '764 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '764 Accused Instrumentalities (including vehicle software components associated with Apple CarPlay and/or Android Auto in GM vehicles) with full knowledge of the '764 patent. These third parties have made or used the '764 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '764 Accused Instrumentalities and use them in ways that would infringe the '764 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '764 patent if such assembly and usage

²⁷ *E.g.*, <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/apple-carplay>; <https://www.chevrolet.com/support/vehicle/smartphone-connections/smartphone-integration/android-auto>.

took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

203. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '764 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '764 patent (or would have infringed if those acts occurred within the United States).

204. Moreover, on information and belief, GM's infringement of the '764 patent has been and continues to be willful and merits enhanced damages.

205. For example, GM has known of the '764 patent and its infringement of the '764 patent as described herein.

206. On information and belief, since knowing of the '764 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '764 patent.

207. On information and belief, GM has made no attempt to design around the claims of the '764 patent.

208. On information and belief, GM has no reasonable basis for believing that the claims of the '764 patent are either invalid or not infringed by the '764 Accused Instrumentalities and/or or its activities concerning the '764 Accused Instrumentalities.

209. AutoConnect has been damaged as the result of GM's willful infringement.

210. On information and belief, GM will continue to infringe one or more claims of the '764 patent unless and until it is enjoined by this Court.

211. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '764 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '764 patent.

COUNT X

(Infringement of the '243 Patent)

212. AutoConnect restates and realleges all the foregoing paragraphs as if fully stated herein.

213. On information and belief, GM has directly infringed and continues to directly infringe one or more claims of the '243 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing vehicles, vehicle systems (including in-vehicle multimedia systems), mobile applications (such as myChevrolet, myGMC, myBuick, and MyCadillac apps), and hardware and software components thereof, including non-transitory computer-readable media that store computer-executable instructions and hardware and software that enable user profiles in GM vehicles, in certain makes and models from the 2017 model year to the present, including those listed in Exhibit J2 (“the '243 Accused Instrumentalities”). GM has also directly infringed and continues to directly infringe one or more claims of the '243 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because GM operates and controls the '243 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '243 Accused Instrumentalities to perform one or more method claims of the '243 patent.

214. Attached to this Complaint as Exhibit J3 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1 and 11 of the '243 patent are met by the '243 Accused Instrumentalities. On information and belief, GM's source code and/or other non-public documentation will also confirm that GM's '243 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '243 patent, as discussed herein and in Exhibit J3.

215. GM's infringement of the '243 patent has also been indirect.

216. On information and belief, GM has indirectly infringed and continues to indirectly infringe one or more claims of the '243 patent under 35 U.S.C. § 271(b) because it has induced, and continues to induce, third parties (including dealerships, customers, and other end-users), to make and/or use the '243 Accused Instrumentalities. Such making and/or using by third parties constitutes direct infringement of one or more claims of the '243 patent.

217. For example, GM has supplied, and continues to supply, such induced third parties with vehicles, instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to use the '243 Accused Instrumentalities, with knowledge that usage in accordance with their instructions directly infringed/infringes at least claim 1 of the '243 patent, or with willful blindness to that fact.²⁸ On information and belief, GM will continue to encourage, aid, or otherwise cause these third parties to, for example, use their '243 Accused Instrumentalities in ways that directly infringe the '243 patent, and GM has and will continue to encourage these acts with the specific intent to infringe the '243 patent. Further, GM provides information and

²⁸ *E.g.*, <https://www.gmc.com/support/vehicle/entertainment/displays-radio/infotainment-profile-setup>; <https://www.chevrolet.com/support/vehicle/entertainment/displays-radio/infotainment-setup>; <https://www.buick.com/support/vehicle/entertainment/displays-radio/infotainment-setup>; <https://www.cadillac.com/support/vehicle/entertainment/displays-radio/infotainment-setup>.

technical support to their dealerships, customers, and other end-users, including manuals, brochures, documentation, tutorials, videos, demonstrations, website materials, and promotional materials encouraging them to purchase and to use GM's '243 Accused Instrumentalities with knowledge that such use constitutes an act of direct infringement of the '243 patent.²⁹

Alternatively, GM has acted with willful blindness to these facts. On information and belief, GM knows that there is a high probability that the use of GM's '243 Accused Instrumentalities constitutes direct infringement of the '243 patent but took deliberate actions to avoid learning of these facts.

218. On information and belief, GM has been aware of the inventions described and claimed in the '243 patent since at least shortly after the issuance of the '243 patent in July 2024, or was willfully blind to the existence of the patent. For example, in the July-October 2024 time frame, GM encountered several patents related to the '243 patent during prosecution of its own patents, and those patents share the same priority documents and specifications, had the same named inventor (Chris Ricci), and had the same initial assignees (Flextronics AP, LLC and AutoConnect Holdings LLC) as the '243 patent.

219. On information and belief, GM has known that the making and/or using of their '243 Accused Instrumentalities constitutes an act of direct infringement of the '243 patent. On information and belief, GM obtained this knowledge at least since July 2024. Moreover, GM has had such knowledge upon service of AutoConnect's October 25, 2024 letter, which provided GM with such knowledge, as demonstrated by the claim charts attached to the letter, and upon

²⁹ *E.g.*, https://contentdelivery.ext.gm.com/bypass/gma-content-api/resources/sites/GMA/content/staging/MANUALS/9000/MA9075/en_US/2.0/24_GMC_Yukon_Yukon_Denali_XL_OM_en_US_U_17746371B_2024JAN29_2P.pdf; https://contentdelivery.ext.gm.com/bypass/gma-content-api/resources/sites/GMA/content/staging/MANUALS/9000/MA9068/en_US/3.0/24_CHEV_Tahoe_Suburban_OM_en_US_U_85657847B_2024FEB12_2P.pdf.

the filing and service of this Complaint, as demonstrated by the claim charts attached hereto. To the extent GM did not have actual knowledge of its infringement, GM's lack of actual knowledge is due to their deliberate decision to avoid learning of these facts. GM, therefore, had knowledge that the making and/or using of GM's '243 Accused Instrumentalities by their dealerships, customers, and/or other end users infringes the '243 patent or GM was otherwise willfully blind to that fact.

220. On information and belief, GM has indirectly infringed and continues to indirectly infringe the '243 patent under 35 U.S.C. § 271(c) because it has contributed to direct infringement, and continues to contribute to direct infringement, by third parties (including dealerships, customers, and other end users), of at least claim 1 of the '243 patent. For example, GM has sold, offered for sale, and/or imported into the United States and is currently selling, offering for sale, and/or importing into the United States components of the '243 Accused Instrumentalities (including vehicle software components associated with enabling user profiles in GM vehicles) to these third parties with full knowledge of the '243 patent. These third parties have assembled the components to make and use the '243 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to assemble and use the components of the '243 Accused Instrumentalities in ways that infringed/infringe the '243 patent.³⁰ GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses. Further, GM's components constituted/constitute a material part of the inventions claimed in the '243 patent.

³⁰ *E.g.*, <https://www.gmc.com/support/vehicle/entertainment/displays-radio/infotainment-profile-setup>; <https://www.chevrolet.com/support/vehicle/entertainment/displays-radio/infotainment-setup>; <https://www.buick.com/support/vehicle/entertainment/displays-radio/infotainment-setup>; <https://www.cadillac.com/support/vehicle/entertainment/displays-radio/infotainment-setup>.

GM supplied/supplies these components with knowledge of the '243 patent and knowledge that the components were/are especially made for use in an infringing manner.

221. On information and belief, GM has also indirectly infringed and continues to indirectly infringe the '243 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the United States, one or more components of the '243 Accused Instrumentalities to third parties (including their foreign subsidiaries, dealerships, customers, and other end users), and intending these third parties combine the components in a manner that would directly infringe at least claim 1 of the '243 patent if such combination occurred within the United States. For example, GM has supplied, and continues to supply, such third parties outside of the United States with one or more components of the '243 Accused Instrumentalities (including vehicle software components associated with enabling user profiles in GM vehicles) with full knowledge of the '243 patent. These third parties have made or used the '243 Accused Instrumentalities according to instructions, manuals, brochures, documentation, tutorials, videos, mobile applications, website materials, promotional materials and the like that instructed/instruct them how to combine the components of the '243 Accused Instrumentalities and use them in ways that would infringe the '243 patent if such combination occurred within the United States. GM provides these instructions to the third parties with the knowledge that assembly and usage in accordance with their instructions would infringe the '243 patent if such assembly and usage took place in the United States. Additionally, GM's components are especially made and/or especially adapted for use in an infringing manner and GM's components were/are not staple articles or commodities of commerce suitable for substantial noninfringing uses.

222. On information and belief, GM's actions demonstrate an intent not only to have caused the acts described herein that form the basis of direct infringement by third parties (or

would form the basis of direct infringement if they occurred within the United States), but also that GM caused these acts with the specific intent to infringe the '243 patent. At a minimum, GM's conduct demonstrates that GM either knew or should have known that the acts of such third parties directly infringed/infringe the '243 patent (or would have infringed if those acts occurred within the United States).

223. Moreover, on information and belief, GM's infringement of the '243 patent has been and continues to be willful and merits enhanced damages.

224. For example, GM has known of the '243 patent and its infringement of the '243 patent as described herein.

225. On information and belief, since knowing of the '243 patent and its infringement thereof, GM has not taken any affirmative steps to avoid infringing the '243 patent.

226. On information and belief, GM has made no attempt to design around the claims of the '243 patent.

227. On information and belief, GM has no reasonable basis for believing that the claims of the '243 patent are either invalid or not infringed by the '243 Accused Instrumentalities and/or or its activities concerning the '243 Accused Instrumentalities.

228. AutoConnect has been damaged as the result of GM's willful infringement.

229. On information and belief, GM will continue to infringe one or more claims of the '243 patent unless and until it is enjoined by this Court.

230. On information and belief, GM has caused and will continue to cause AutoConnect irreparable injury and damage by infringing the '243 patent. AutoConnect will suffer further irreparable injury and damage, for which it has no adequate remedy at law, unless and until GM is enjoined from infringing the claims of the '243 patent.

JURY DEMAND

231. AutoConnect requests a jury trial as to all issues that are triable by a jury in this action.

PRAYER FOR RELIEF

WHEREFORE, AutoConnect respectfully requests that this Court:

- A. Enter judgment that GM has infringed one or more of the claims of each of the Asserted Patents;
- B. Enter an order permanently enjoining GM and its officers, agents, employees, attorneys, and all persons in active concert or participation with any of them, from infringing the Asserted Patents;
- C. Award AutoConnect all appropriate damages for the infringement of the Asserted Patents, including pre-judgment and post-judgment interest, costs, and all other relief permitted under 35 U.S.C. § 284;
- D. Award AutoConnect an accounting for acts of infringement not presented at trial, including an award of additional damages for such acts of infringement;
- E. Enter judgment that GM's infringement of each of the Asserted Patents has been deliberate and willful;
- F. Treble the damages awarded to AutoConnect under 35 U.S.C. § 284 by reason of GM's willful infringement of one or more claims of each of the Asserted Patents;
- G. Declare this case to be "exceptional" under 35 U.S.C. § 285 and award AutoConnect its attorneys' fees, expenses, and costs incurred in this action; and
- H. Award AutoConnect such other and further relief at law or in equity as the Court deems just and proper.

Dated: October 30, 2024

By: /s/ Willaim R. Woodford by permission Andrea L. Fair

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