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For Plaintiff FLEET CONNECT SOLUTIONS LLC
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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

FLEET CONNECT SOLUTIONS
LLC,

Plaintiff,

v.

C.R. ENGLAND, INC.,

Defendant,

and

ORBCOMM, INC.,

Intervenor-Defendant.

AND RELATED CROSS-ACTIONS

Case No. 5:24-cv-00376-KK-SP

**FIRST AMENDED COMPLAINT
AGAINST C.R. ENGLAND, INC.
FOR PATENT INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff Fleet Connect Solutions LLC (“FCS” or “Plaintiff”) files this First Amended Complaint against C.R. England, Inc. (“C.R. England”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop C.R. England’s infringement of the following United States Patents (collectively, the “Asserted Patents”):

U.S. Patent No.	Title	Available At:
1. 6,429,810	Integrated Air Logistics System	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/6429810 https://patentimages.storage.googleapis.com/58/e0/e4/b2d9d7c23e0cfc/US6429810.pdf
2. 7,058,040	Channel Interference Reduction	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7058040 https://patentimages.storage.googleapis.com/fc/bf/89/0b41ddffc31091/US7058040.pdf
3. 7,260,153	Multi Input Multi Output Wireless Communication Method and Apparatus Providing Extended Range and Extended Rate Across Imperfectly Estimated Channels	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7260153 https://patentimages.storage.googleapis.com/6e/c6/0a/a31c81abd31a94/US7260153B2.pdf
4. 7,596,391	System and Method for Wireless Communication Between a Vehicle and a Mobile Unit	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7596391 https://patentimages.storage.googleapis.com/54/84/c7/4c623f3cfde876/US7596391.pdf
5. 7,656,845	Channel Interference Reduction	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7656845

1			https://patentimages.storage.googleapis.com/75/e5/58/a3b9dbb61c1558/US7656845.pdf
2	6. 7,742,388	Packet Generation	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7742388
3		Systems and	
4		Methods	https://patentimages.storage.googleapis.com/d6/71/bf/490092e646e7fa/US7742388.pdf
5	7. 6,549,583	Optimum Phase	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/20020150168
6		Error Metric For	
7		OFDM Pilot Tone	https://patentimages.storage.googleapis.com/92/c5/4e/7ff508fe739eea/US6549583.pdf
8		Tracking in	
9	8. 6,633,616	Wireless LAN	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/20020159533
10		OFDM Pilot Tone	https://patentimages.storage.googleapis.com/2d/b4/52/2a37e3f9bca3cf/US6633616.pdf
11		Tracking For	
12	9. 7,206,837	Wireless LAN	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/20040088107
13		Intelligent Trip	https://patentimages.storage.googleapis.com/e2/7b/8d/f47eb0a1b54c46/US7206837.pdf
14		Status Notification	
15	10. 7,741,968	System And	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7741968
16		Method For	https://patentimages.storage.googleapis.com/9d/5b/13/ec3777bf94c07c/US7741968.pdf
17		Navigation	
18		Tracking Of	
19		Individuals In A	
20	11. 7,747,291	Group	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7747291
21		Wireless	https://patentimages.storage.googleapis.com/b6/8f/e9/29395cedd0c824/US7747291.pdf
22		Communication	
23	12. 8,005,053	Method	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8005053
24		Channel	https://patentimages.storage.googleapis.com/08/80/f4/ce246021255984/US8005053.pdf
25		Interference	
26		Reduction	
27	13. 9,299,044	System And	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/9299044
28		Methods For	https://patentimages.storage.googleapis.com/
		Management Of	
		Mobile Field	

1		Assets Via	a6/e8/1c/fdcce5a6a7a4aa/US9299044.pdf
2		Wireless Handheld	
3	14. 9,747,565	System And	https://image-ppubs.uspto.gov/dirsearch-
4		Methods For	public/print/downloadPdf/9747565
5		Management Of	https://patentimages.storage.googleapis.com/
6		Mobile Field	a4/9e/e1/c7ff0d80d926b0/US9747565.pdf
7		Assets Via	
8		Wireless Handheld	
9		Devices	
10	15. 10,671,949	System And	https://image-ppubs.uspto.gov/dirsearch-
11		Methods For	public/print/downloadPdf/10671949
12		Management Of	https://patentimages.storage.googleapis.com/
13		Mobile Field	55/72/dd/b31f7f67427ebc/US10671949.pdf
14		Assets Via	
15		Wireless Handheld	
16		Devices	

2. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

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

4. On information and belief, C.R. England is a corporation organized under the laws of the State of Utah with its principal place of business located at 4701 W 2100 S., Salt Lake City, Utah 84120 (Salt Lake County).

5. C.R. England also maintains places of business in this District, including at least 2250 S. Riverside Avenue, Colton, California 92324 (San Bernardino County).

6. C.R. England may be served through its registered agent for service in California: CSC – Lawyers Incorporating Service, 2710 Gateway Oaks Drive, Sacramento, California, 95833.

7. C.R. England may also be served through its registered agent for service in Utah: Corporation Service Company, 15 West South Temple, Suite 600, Salt Lake City, Utah 84101.

JURISDICTION AND VENUE

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

9. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

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

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

12. Specifically, C.R. England intends to do and does business in, and has committed acts of infringement in this District directly and through intermediaries, and offered its products or services, including those accused of infringement here, to customers and potential customers located in California, including in this District.

13. C.R. England maintains a regular and established place of business in this District, including, but not limited to, a maintenance location and C.R. England Premier Trucking School located at the following address: 2250 S. Riverside Avenue, Colton, California 92324.

14. C.R. England has committed acts of infringement from this district, including, but not limited to, use of the Accused Products.

THE ACCUSED PRODUCTS

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

16. Based upon public information, C.R. England owns, operates, advertises, and/or controls products and services that provide and/or utilize Accused Products manufactured by ORBCOMM, Inc. (“ORBCOMM”).

17. Based upon public information, C.R. England uses, causes to be used, provides, supplies, or distributes one or more fleet management platform and tracking solutions utilizing infringing systems and/or methods manufactured by ORBCOMM, including, but not limited to, including (1) the GT1200 Series, (2) CT1000 Container, (3) CT1000 Transportation, (4) CT3000, (5) CT3500, (6) PT6000, (7) PT7000, (8) GT1020, (9) GT1030, (10) GT1030HE, (11) IS400, (12) SC1000; (13) ORBCOMM trailer tracking devices; (14) BT 320; (15) ELD Devices such as ELD tablets and BT 500; (16) the PRO-400; (17) Smart Dashcams, such as the FM 6510; (18) ORBCOMM Telematics Devices such as the FM5000, (19) ORBCOMM Trailer Tracking Solutions, (20) ORBCOMM Platform, (21) ORBCOMM Fleet Management Software/Application, such as Alert, Report, Control (ARC) Terminal App and Automatic Vehicle Location (AVL) Terminal App, (22) ORBCOMM Web Applications, such as AssetWatch, CargoWatch Secure, Drivewyze, FleetEdge, FSMA Compliance Solution, and ELD Truck Management Software, (23) ORBCOMM Enterprise Application such as DeviceCloud and ORBCOMM Connect, (24) Two-Way Reefer Trailer Monitoring and Control, (25) other substantially similar products and services offered in the past or the future, and (26) all of the prior models, iterations, releases, versions, generations, and prototypes of the foregoing, along with any associated hardware, software, applications, and functionality associated with those products and solutions . (collectively, the “Accused Products”).¹

¹ See, e.g., <https://blog.orbcomm.com/c-r-england-keeps-its-cool-with-state-of-the-art-trailer-tracking/> and

1 18. C.R. England uses the Accused Products to perform wireless
2 communications and methods associated with performing and/or implementing
3 wireless communications including, but not limited to, wireless communications and
4 methods pursuant to various protocols and implementations, including, but not limited
5 to, Bluetooth, IEEE 802.11, and LTE protocols and various subsections thereof,
6 including, but not limited to, 802.11ac, 802.11b, and 802.11n.

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

12 20. C.R. England, using the Accused Products, also tracks, analyzes, and reports
13 vehicle maintenance needs and driver warnings associated with a vehicle, tracks or
14 causes to be tracked vehicle locations, and allows for communication between a
15 system administrator and a remote unit to communicate, *e.g.*, advisory notifications.

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

18 **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,429,810**

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

21 23. The USPTO duly issued U.S. Patent No. 6,429,810 (hereinafter, the “’810
22 patent”) on August 6, 2002, after a full and fair examination of Application No.
23 09/774,547, which was filed January 31, 2001.

24 24. FCS owns all substantial rights, interest, and title in and to the ’810 patent,
25 including the sole and exclusive right to prosecute this action and enforce said patent
26 against infringers and to collect damages for all relevant times.

27 https://www.orbcomm.com/PDF/casestudies/cr_england_cs.pdf, both last accessed
28 February 8, 2024.

1 25. The claims of the '810 patent are not directed to an abstract idea and are not
2 limited to well-understood, routine, or conventional activity. Rather, the claimed
3 inventions include inventive components that improve upon the function and operation
4 of logistics and tracking systems.

5 26. The written description of the '810 patent describes in technical detail each
6 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
7 and how the non-conventional and non-generic combination of claim limitations is
8 patently distinct from and improved upon what may have been considered
9 conventional or generic in the art at the time of the invention.

10 27. FCS or its predecessors-in-interest have satisfied all statutory obligations
11 required to collect pre-filing damages for the full period allowed by law for
12 infringement of the '810 patent.

13 28. C.R. England has directly infringed and continues to directly infringe the
14 '810 patent by importing, manufacturing, providing, supplying, using, distributing,
15 selling, or offering to sell the Accused Products.

16 29. C.R. England has directly infringed, either literally or under the doctrine of
17 equivalents, at least claim 1 of the '810 patent. For example, C.R. England performed
18 a method of providing container status information to a user. The method included
19 attaching an electronic communications unit to a shipping container; generating a
20 transaction identification code, wherein said transaction identification code is specific
21 to said shipping container and specific to at least one user transaction; initiating a status
22 inquiry utilizing said transaction identification code, wherein said user performs said
23 initiating step; receiving said status inquiry by a ground communications system;
24 transmitting said status inquiry to said electronic communications unit by said ground
25 communications system; obtaining a status information response by said electronic
26 communication unit; transmitting said status information response to said ground
27 communications system by said electronic communications unit; and forwarding said
28 status information response to said user by said ground communications system.

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

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

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

8 32. The USPTO duly issued U.S. Patent No. 7,058,040 (hereinafter, the “’040
9 patent”) on June 6, 2006, after a full and fair examination of Application No.
10 09/962,718, which was filed September 21, 2001.

11 33. FCS owns all substantial rights, interest, and title in and to the ’040 patent,
12 including the sole and exclusive right to prosecute this action and enforce said patent
13 against infringers and to collect damages for all relevant times.

14 34. The claims of the ’040 patent are not directed to an abstract idea and are not
15 limited to well-understood, routine, or conventional activity. Rather, the claimed
16 inventions include inventive components that improve upon the function and operation
17 of preexisting data transmission methods.

18 35. The written description of the ’040 patent describes in technical detail each
19 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
20 and how the non-conventional and non-generic combination of claim limitations is
21 patently distinct from and improved upon what may have been considered
22 conventional or generic in the art at the time of the invention.

23 36. FCS or its predecessors-in-interest have satisfied all statutory obligations
24 required to collect pre-filing damages for the full period allowed by law for
25 infringement of the ’040 patent.

26 37. C.R. England has directly infringed and continues to directly infringe the
27 ’040 patent by importing, manufacturing, providing, supplying, using, distributing,
28 selling, or offering to sell the Accused Products.

1 38. C.R. England has directly infringed and continues to directly infringe, either
2 literally or under the doctrine of equivalents, at least claim 1 of the '040 patent. For
3 example, C.R. England, using the Accused Products, performs a method for data
4 transmission over first and second media that overlap in frequency. The method
5 includes computing one or more time division multiple access (“TDMA”) time-slot
6 channels to be shared between the first and second media for data transmission;
7 allocating one or more time-slot channels to the first medium for data transmission;
8 allocating one or more of the remaining time-slot channels to the second medium for
9 data transmission; and dynamically adjusting a number of timeslot channels assigned
10 to one of the first and second media during the data transmission to remain within
11 limits of a desired level of service.

12 39. More specifically, and as just one example of infringement, C.R. England’s
13 conduct has comprised using the Accused Products to perform a method for data
14 transmission over first and second media that overlap in frequency because the
15 Accused Products communicate according to either the 3GPP TS 136.101, et seq. LTE
16 protocol or the 802.11b and Bluetooth protocols, which involve transmission over first
17 and second media that overlap in frequency when using the Accused Products. The
18 Accused Products also communicate according to LTE (*e.g.*, 3 GPP LTE) using
19 different media, including a first and second media, which overlap in frequency when
20 using the Accused Products. 3GPP TS 36.211 sets forth a resource grid structure for
21 allocating transmission resources to 3G LTE systems. According to this two-
22 dimensional time and frequency grid structure, frequency channels are shared between
23 different transceivers in time domain, by using time division (“TDM”) slot channels.
24 A unit time slot spanning a group of subcarriers (*e.g.*, 12 adjacent subcarriers
25 equivalent to 180KHz frequency) is referred to as a Resource Block (“RB”) or
26 Physical Resource Block (“PRB”). A resource block (a time and frequency unit) is
27 the smallest bandwidth or unit of transmission resource that can be allocated to a user
28 equipment (“UE”) or transceiver. Further, each radio time frame (10ms in case of

1 LTE) is divided into multiple sub-frames (1ms each), and each such sub-frame
2 includes two time slots. 3GPP LTE follows OFDMA based multiplexing in resource
3 allocation. Each media or UE/transceiver is allocated one or more (a group of)
4 RBs/PRBs for data communication in uplink and/or downlink, i.e., each transceiver is
5 allocated a fixed set of subcarriers over a period of time. A first transceiver
6 communicates using its allocated frequency subcarriers (first medium), while a second
7 transceiver uses its allocated subcarriers to communicate (second medium). A first
8 and second media that are allocated RBs along the same time frame or sub-frame
9 overlap in frequency. As just one example, the method includes (a) computing one or
10 more time division multiple access (“TDMA”) time-slot channels to be shared
11 between the first and second media for data transmission, *e.g.*, 802.15.2-2003 sets forth
12 the mechanism for Alternating Wireless Medium Access (“AWMA”) to reduce
13 interference between 802.11 and 802.15 signals. In AWMA, the beacon period of an
14 802.11b frame is shared between first media (WLAN) and second media (WPAN) for
15 data transmission; (b) allocating one or more time-slot channels to the first medium
16 for data transmission, *e.g.*, the Accused Products allocate a time-slot channel (WLAN
17 interval to the first medium (802.11b) for data transmission); (c) allocating one or more
18 of the remaining time-slot channels to the second medium for data transmission, *e.g.*,
19 the Accused Products allocate a time-slot channel (WPAN interval) to the second
20 medium (802.15) for data transmission; and (d) dynamically adjusting a number of
21 time-slot channels assigned to one of the first and second media during the data
22 transmission to remain within limits of a desired level of service, *e.g.*, the 802.11b
23 beacon frame includes a Medium Sharing Element (“MSE”) that defines the length of
24 the time-slot channels (WLAN, WPAN, and Guard). The Offset, Length, and Guard
25 intervals can be dynamically adjusted to modify the number of time-slot channels
26 assigned to WLAN and WPAN data transmission to remain within limits of a desired
27 level of service.
28

1 40. C.R. England had knowledge of the '040 patent at least as of the date when
2 it was notified of the filing of this action.

3 41. C.R. England has also indirectly infringed and continues to indirectly infringe
4 the '040 patent by inducing others to directly infringe the '040 patent. C.R. England
5 has induced and continues to induce customers and end-users, including, but not
6 limited to, C.R. England's customers, employees, partners, or contractors, to directly
7 infringe, either literally or under the doctrine of equivalents, the '040 patent by
8 providing or requiring use of the Accused Products. C.R. England has taken active
9 steps, directly or through contractual relationships with others, with the specific intent
10 to cause them to use the Accused Products in a manner that infringes one or more
11 claims of the '040 patent, including, for example, claim 1. Such steps by C.R. England
12 have included, among other things, advising or directing customers, personnel,
13 contractors, or end-users to use the Accused Products in an infringing manner;
14 advertising and promoting the use of the Accused Products in an infringing manner;
15 or distributing instructions that guide users to use the Accused Products in an
16 infringing manner. C.R. England has been performing these steps, which constitute
17 induced infringement with the knowledge of the '040 patent and with the knowledge
18 that the induced acts constitute infringement. C.R. England has been aware that the
19 normal and customary use of the Accused Products by others would infringe the '040
20 patent. C.R. England's inducement is ongoing.

21 42. C.R. England has also indirectly infringed and continues to indirectly infringe
22 by contributing to the infringement of the '040 patent. C.R. England has contributed
23 and continues to contribute to the direct infringement of the '040 patent by its
24 customers, personnel, and contractors. The Accused Products have special features
25 that are specially designed to be used in an infringing way and that have no substantial
26 uses other than ones that infringe one or more claims of the '040 patent, including, for
27 example, claim 1. The special features constitute a material part of the invention of
28 one or more of the claims of the '040 patent and are not staple articles of commerce

1 suitable for substantial non-infringing use. C.R. England's contributory infringement
2 is ongoing.

3 43. Furthermore, on information and belief, C.R. England has a policy or practice
4 of not reviewing the patents of others, including instructing its employees to not review
5 the patents of others, and thus have been willfully blind of FCS's patent rights.

6 44. C.R. England's actions are at least objectively reckless as to the risk of
7 infringing a valid patent and this objective risk was either known or should have been
8 known by C.R. England.

9 45. C.R. England's direct infringement of the '040 patent is, has been, and
10 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
11 rights under the patent.

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

16 47. FCS has suffered irreparable harm, through its loss of market share and
17 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
18 suffer this harm by virtue of C.R. England's infringement of the '040 patent. C.R.
19 England's actions have interfered with and will interfere with FCS's ability to license
20 technology. The balance of hardships favors FCS's ability to commercialize its own
21 ideas and technology. The public interest in allowing FCS to enforce its right to
22 exclude outweighs other public interests, which supports injunctive relief in this case.

23 **COUNT III: INFRINGEMENT OF U.S. PATENT NO. 7,260,153**

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

26 49. The USPTO duly issued U.S. Patent No. 7,260,153 (hereinafter, the "'153
27 patent") on August 21, 2007, after a full and fair examination of Application No.
28 10/423,447, which was filed April 28, 2003..

1 50. FCS owns all substantial rights, interest, and title in and to the '153 patent,
2 including the sole and exclusive right to prosecute this action and enforce said patent
3 against infringers and to collect damages for all relevant times.

4 51. The claims of the '153 patent are not directed to an abstract idea and are not
5 limited to well-understood, routine, or conventional activity. Rather, the claimed
6 inventions include inventive components that improve upon the function and operation
7 of voice and data communications systems.

8 52. The written description of the '153 patent describes in technical detail each
9 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
10 and how the non-conventional and non-generic combination of claim limitations is
11 patently distinct from and improved upon what may have been considered
12 conventional or generic in the art at the time of the invention.

13 53. FCS or its predecessors-in-interest have satisfied all statutory obligations
14 required to collect pre-filing damages for the full period allowed by law for
15 infringement of the '153 patent.

16 54. C.R. England has directly infringed and continues to directly infringe the
17 '153 patent by importing, manufacturing, providing, supplying, using, distributing,
18 selling, or offering to sell the Accused Products.

19 55. C.R. England has directly infringed and continues to directly infringe, either
20 literally or under the doctrine of equivalents, at least claim 1 of the '153 patent. For
21 example, C.R. England, using the Accused Products, performs a method for evaluating
22 a channel of a multiple-input multiple-output ("MIMO") wireless communication
23 system allowing two or more communication devices with multiple radiating elements
24 to transmit parallel data sub-streams which defines a channel matrix metric of cross-
25 talk signal-to-noise ("SNR") for the subs-streams, estimates the channel matrix metric,
26 performs a singular value decomposition ("SVD") of the channel matrix metric
27 estimate to calculate estimated channel singular values, and using the channel matrix
28

1 metric and estimated channel singular values to calculate a crosstalk measure for the
2 sub-streams.

3 56. More specifically, and as just one example of infringement, C.R. England's
4 conduct has comprised using the Accused Products, which are adapted by C.R.
5 England for wireless communications using multiple communication protocols,
6 including LTE and/or 802.11n. 802.11n implements beamforming in a MIMO system.
7 LTE supports single and multi-user MIMO transmissions. A MIMO communication
8 system comprises at least two communication devices (*e.g.*, STA A, STA B, BS and/or
9 UE) having a plurality of radiating elements (antennas) for the parallel transmission
10 of data sub-streams. 802.11n implements beamforming that defines a channel matrix
11 metric (H_k) that comprises a predefined function (equation 20-62) of channel matrix
12 singular values for each of the data sub-streams. MIMO systems utilized within the
13 context of LTE transmission can define a channel matrix metric that comprises a
14 predefined function of channel matrix singular values for each of the data sub-streams.
15 Each of the predefined functions provides a measure of cross-talk SNR ratio for sub-
16 streams. To implement implicit beamforming, the beamformer obtains an estimated
17 channel matrix. As part of the LTE standards, reporting of channel information further
18 consists of a channel quality indicator ("CQI"). To estimate channel singular values,
19 an SVD is performed of the baseband-to-baseband channel matrix metric. The SVD
20 comprises a left-hand unitary weighting matrix, *e.g.*, BRX,K , a diagonal matrix of said
21 estimated channel singular values, and a right-hand unitary weighting matrix ATX,K .
22 Various algorithms can be implemented within an LTE MIMO system, including an
23 SVD comprising a left-hand unitary weighting matrix, a diagonal matrix of said
24 estimated channel singular values, and a right-hand unitary weighting matrix. A cross-
25 talk measure (*e.g.*, KA,k) is calculated for each sub-stream k (*e.g.*, sub-band) from the
26 channel matrix metric (*e.g.*, HAB,k) and the estimated channel singular values.

27 57. C.R. England had knowledge of the '153 patent at least as of the date when
28 it was notified of the filing of this action.

1 58. C.R. England has also indirectly infringed and continues to indirectly infringe
2 the '153 patent by inducing others to directly infringe the '153 patent. C.R. England
3 has induced and continues to induce customers and end-users, including, but not
4 limited to, C.R. England's customers, employees, partners, or contractors, to directly
5 infringe, either literally or under the doctrine of equivalents, the '153 patent by
6 providing or requiring use of the Accused Products. C.R. England has taken active
7 steps, directly or through contractual relationships with others, with the specific intent
8 to cause them to use the Accused Products in a manner that infringes one or more
9 claims of the '153 patent, including, for example, claim 1. Such steps by C.R. England
10 have included, among other things, advising or directing customers, personnel,
11 contractors, or end-users to use the Accused Products in an infringing manner;
12 advertising and promoting the use of the Accused Products in an infringing manner;
13 or distributing instructions that guide users to use the Accused Products in an
14 infringing manner. C.R. England has been performing these steps, which constitute
15 induced infringement with the knowledge of the '153 patent and with the knowledge
16 that the induced acts constitute infringement. C.R. England has been aware that the
17 normal and customary use of the Accused Products by others would infringe the '153
18 patent. C.R. England's inducement is ongoing.

19 59. C.R. England has also indirectly infringed and continues to indirectly infringe
20 by contributing to the infringement of the '153 patent. C.R. England has contributed
21 and continues to contribute to the direct infringement of the '153 patent by its
22 customers, personnel, and contractors. The Accused Products have special features
23 that are specially designed to be used in an infringing way and that have no substantial
24 uses other than ones that infringe one or more claims of the '153 patent, including, for
25 example, claim 1. The special features constitute a material part of the invention of
26 one or more of the claims of the '153 patent and are not staple articles of commerce
27 suitable for substantial non-infringing use. C.R. England's contributory infringement
28 is ongoing.

1 60. Furthermore, on information and belief, C.R. England has a policy or practice
2 of not reviewing the patents of others, including instructing its employees to not review
3 the patents of others, and thus have been willfully blind of FCS's patent rights.

4 61. C.R. England's actions are at least objectively reckless as to the risk of
5 infringing a valid patent and this objective risk was either known or should have been
6 known by C.R. England.

7 62. C.R. England's direct infringement of the '153 patent is, has been, and
8 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
9 rights under the patent.

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

14 64. FCS has suffered irreparable harm, through its loss of market share and
15 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
16 suffer this harm by virtue of C.R. England's infringement of the '153 patent. C.R.
17 England's actions have interfered with and will interfere with FCS's ability to license
18 technology. The balance of hardships favors FCS's ability to commercialize its own
19 ideas and technology. The public interest in allowing FCS to enforce its right to
20 exclude outweighs other public interests, which supports injunctive relief in this case.

21 **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,596,391**

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

24 66. The USPTO duly issued U.S. Patent No. 7,596,391 (hereinafter, the "'391
25 patent") on September 29, 2009, after a full and fair examination of Application No.
26 12/389,252, which was filed February 19, 2009.

1 67. FCS owns all substantial rights, interest, and title in and to the '391 patent,
2 including the sole and exclusive right to prosecute this action and enforce said patent
3 against infringers and to collect damages for all relevant times.

4 68. The claims of the '391 patent are not directed to an abstract idea and are not
5 limited to well-understood, routine, or conventional activity. Rather, the claimed
6 inventions include inventive components that improve upon the function and operation
7 of preexisting methods and systems for wireless communications between mobile
8 units and vehicles.

9 69. The written description of the '391 patent describes in technical detail each
10 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
11 and how the non-conventional and non-generic combination of claim limitations is
12 patently distinct from and improved upon what may have been considered
13 conventional or generic in the art at the time of the invention.

14 70. FCS or its predecessors-in-interest have satisfied all statutory obligations
15 required to collect pre-filing damages for the full period allowed by law for
16 infringement of the '391 patent.

17 71. C.R. England has directly infringed the '391 patent by importing,
18 manufacturing, providing, supplying, using, distributing, selling, or offering to sell the
19 Accused Products.

20 72. C.R. England has directly infringed, either literally or under the doctrine of
21 equivalents, at least claim 1 of the '391 patent. For example, C.R. England performed
22 a method of wireless communication between a mobile unit and a vehicle comprising
23 a transceiver. The method included receiving a signal by the mobile unit comprising
24 a microprocessor, the signal transmitted from the vehicle comprising the transceiver,
25 the signal comprising a security field and a unique identifier; advising that the mobile
26 unit is within range of the vehicle; determining by the microprocessor if the signal is
27 authorized, the determining comprising parsing the signal to determine the security
28 field and the unique identifier; inputting a voice-activated input and/or a manual input

1 from a user of the mobile unit via an audio-visual interface associated with the mobile
2 unit, the voice-activated input and/or the manual input is associated with a control
3 instruction; assembling, by the microprocessor, at least one packet of a communication
4 comprising the control instruction; transmitting the at least one packet to the vehicle
5 comprising the transceiver; displaying that the control instruction was input by the
6 user; and storing the communication in a communication log.

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

11 **COUNT V: INFRINGEMENT OF U.S. PATENT NO. 7,656,845**

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

14 75. The USPTO duly issued U.S. Patent No. 7,656,845 (the “’845 patent”) on
15 February 2, 2010, after a full and fair examination of Application No. 11/402,172,
16 which was filed April 11, 2006. A Certificate of Correction was issued on November
17 30, 2010.

18 76. FCS owns all substantial rights, interest, and title in and to the ’845 patent,
19 including the sole and exclusive right to prosecute this action and enforce said patent
20 against infringers and to collect damages for all relevant times.

21 77. The claims of the ’845 patent are not directed to an abstract idea and are not
22 limited to well-understood, routine, or conventional activity. Rather, the claimed
23 inventions include inventive components that improve upon the function and operation
24 of preexisting systems and methods of wireless communication with a mobile unit.

25 78. The written description of the ’845 patent describes in technical detail each
26 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
27 and how the non-conventional and non-generic combination of claim limitations is
28

1 patently distinct from and improved upon what may have been considered
2 conventional or generic in the art at the time of the invention.

3 79. FCS or its predecessors-in-interest have satisfied all statutory obligations
4 required to collect pre-filing damages for the full period allowed by law for
5 infringement of the '845 patent.

6 80. C.R. England has directly infringed and continues to directly infringe the
7 '845 patent by importing, manufacturing, providing, supplying, using, distributing,
8 selling, or offering to sell the Accused Products.

9 81. C.R. England has directly infringed and continues to directly infringe, either
10 literally or under the doctrine of equivalents, at least claim 18 of the '845 patent. For
11 example, the Accused Products used by C.R. England provide an apparatus,
12 comprising: a means for allocating at least a first data channel of a plurality of data
13 channels to be shared between a first medium and a second medium, to the first
14 medium for data transmission via a wireless device, and for allocating at least a second
15 data channel of the plurality of data channels to the second medium for data
16 transmission via the wireless device; and a means for dynamically adjusting a number
17 of the data channels assigned to one of the first and second media during the data
18 transmission to remain within limits of a desired level of service.

19 82. More specifically, and as just one example of infringement, C.R. England
20 uses the Accused Products, which comprise a means for allocating at least a first data
21 channel of a plurality of data channels to be shared between a first medium and a
22 second medium, to the first medium for data transmission via a wireless device, and
23 for allocating at least a second data channel of the plurality of data channels to the
24 second medium for data transmission via the wireless device. For example, the
25 Accused Products comprise a processor, an 802.11 transceiver and a Bluetooth
26 transceiver. The processor allocates at least a first data channel of a plurality of data
27 channels to be shared between a first medium and a second medium, to the first
28 medium (e.g., 802.11b) for data transmission via a wireless device, and for allocating

1 at least a second data channel of the plurality of data channels to the second medium
2 (e.g., Bluetooth) for data transmission via the wireless device. The Accused Product
3 allocates a time-slot channel (WLAN interval) to the first medium (802.11b) for data
4 transmission and a different time-slot channel (WPAN interval) to the second medium
5 (802.15.1). The Accused Products also comprise a means for dynamically adjusting a
6 number of the data channels assigned to one of the first and second media during the
7 data transmission to remain within limits of a desired level of service. 802.15.2-2003
8 defines a Collaborative Coexistence Mechanism with an AWMA Medium Free
9 Generation that is configured to dynamically allocate data channels to one of the
10 802.11 Device and the 802.15.1 Device based upon a desired level of service. The
11 802.11b beacon frame includes a Medium Sharing Element (MSE) which defines the
12 length of the time-slot channels (WLAN, WPAN, and Guard). The Offset, Length and
13 Guard intervals can be dynamically adjusted to modify the number of time-slot
14 channels assigned to WLAN and WPAN data transmission to remain within limits of
15 a desired level of service.

16 83. C.R. England had knowledge of the '845 patent at least as of the date when
17 it was notified of the filing of this action.

18 84. C.R. England has also indirectly infringed and continues to indirectly infringe
19 the '845 patent by inducing others to directly infringe the '845 patent. C.R. England
20 has induced and continues to induce customers and end-users, including, but not
21 limited to, C.R. England's customers, employees, partners, or contractors, to directly
22 infringe, either literally or under the doctrine of equivalents, the '845 patent by
23 providing or requiring use of the Accused Products. C.R. England has taken active
24 steps, directly or through contractual relationships with others, with the specific intent
25 to cause them to use the Accused Products in a manner that infringes one or more
26 claims of the '845 patent, including, for example, claim 18. Such steps by C.R.
27 England have included, among other things, advising or directing customers,
28 personnel, contractors, or end-users to use the Accused Products in an infringing

1 manner; advertising and promoting the use of the Accused Products in an infringing
2 manner; or distributing instructions that guide users to use the Accused Products in an
3 infringing manner. C.R. England has been performing these steps, which constitute
4 induced infringement with the knowledge of the '845 patent and with the knowledge
5 that the induced acts constitute infringement. C.R. England has been aware that the
6 normal and customary use of the Accused Products by others would infringe the '845
7 patent. C.R. England's inducement is ongoing.

8 85. C.R. England has also indirectly infringed and continues to indirectly infringe
9 by contributing to the infringement of the '845 patent. C.R. England has contributed
10 and continues to contribute to the direct infringement of the '845 patent by its
11 customers, personnel, and contractors. The Accused Products have special features
12 that are specially designed to be used in an infringing way and that have no substantial
13 uses other than ones that infringe one or more claims of the '845 patent, including, for
14 example, claim 18. The special features constitute a material part of the invention of
15 one or more of the claims of the '845 patent and are not staple articles of commerce
16 suitable for substantial non-infringing use. C.R. England's contributory infringement
17 is ongoing.

18 86. Furthermore, on information and belief, C.R. England has a policy or practice
19 of not reviewing the patents of others, including instructing its employees to not review
20 the patents of others, and thus have been willfully blind of FCS's patent rights.

21 87. C.R. England's actions are at least objectively reckless as to the risk of
22 infringing a valid patent and this objective risk was either known or should have been
23 known by C.R. England.

24 88. C.R. England's direct infringement of the '845 patent is, has been, and
25 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
26 rights under the patent.

27 89. FCS has been damaged as a result of the infringing conduct by C.R. England
28 alleged above. Thus, C.R. England is liable to FCS in an amount that compensates it

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

3 90. FCS has suffered irreparable harm, through its loss of market share and
4 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
5 suffer this harm by virtue of C.R. England's infringement of the '845 patent. C.R.
6 England's actions have interfered with and will interfere with FCS's ability to license
7 technology. The balance of hardships favors FCS's ability to commercialize its own
8 ideas and technology. The public interest in allowing FCS to enforce its right to
9 exclude outweighs other public interests, which supports injunctive relief in this case.

10 **COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 7,742,388**

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

13 92. The USPTO duly issued U.S. Patent No. 7,742,388 (hereinafter, the "'388
14 patent") on June 22, 2010, after a full and fair examination of Application No.
15 11/185,665, which was filed July 20, 2005.

16 93. FCS owns all substantial rights, interest, and title in and to the '388 patent,
17 including the sole and exclusive right to prosecute this action and enforce said patent
18 against infringers and to collect damages for all relevant times.

19 94. The claims of the '388 patent are not directed to an abstract idea and are not
20 limited to well-understood, routine, or conventional activity. Rather, the claimed
21 inventions include inventive components that improve upon the function and operation
22 of preexisting systems and methods of generating packets in a digital communications
23 system.

24 95. The written description of the '388 patent describes in technical detail each
25 limitation of the claims, allowing a skilled artisan to understand the scope of the claims
26 and how the non-conventional and non-generic combination of claim limitations is
27 patently distinct from and improved upon what may have been considered
28 conventional or generic in the art at the time of the invention.

1 96. FCS or its predecessors-in-interest have satisfied all statutory obligations
2 required to collect pre-filing damages for the full period allowed by law for
3 infringement of the '388 patent.

4 97. C.R. England has directly infringed and continues to directly infringe the
5 '388 patent by importing, manufacturing, providing, supplying, using, distributing,
6 selling, or offering to sell the Accused Products.

7 98. C.R. England has directly infringed and continues to directly infringe, either
8 literally or under the doctrine of equivalents, at least claim 1 of the '388 patent. For
9 example, C.R. England performs a method including generating a packet with a size
10 corresponding to a protocol used for a network transmission, wherein the packet
11 comprises a preamble having a first training symbol and a second training symbol.
12 The method further includes increasing the size of the packet by adding subcarriers to
13 the second training symbol of the packet to produce an extended packet, wherein a
14 quantity of subcarriers of the second training symbol is greater than a quantity of
15 subcarriers of the first training symbol; and transmitting the extended packet from an
16 antenna.

17 99. More specifically, and as just one example of infringement, C.R. England's
18 conduct has comprised using the Accused Products, which are adapted for wireless
19 communications using 80.211n and/or the 3GPP Long Term Evolution cellular
20 standard ("LTE"). The Accused Products receive the generated packet (or "frame")
21 with a size ("Tf") corresponding to a protocol (LTE) used for network transmission.
22 Each packet (or "frame") comprises 10 subframes, each sub frame equals 1ms
23 duration. Further, each subframe includes two slots each 0.5ms long. An LTE frame
24 structure (for example frame structure Type 1) is defined using a resource grid that
25 includes multiple subcarriers and OFDM symbols. The resource grid represents
26 various subframes/slots that can include multiple signals such as synchronization
27 signals and reference signals. The synchronization signals PSS and SSS (first training
28 symbols) are used for time and frequency synchronization steps to identify where the

1 frame begins and ends. Also, the reference signals/symbols (second training symbols)
2 are used for the channel estimation. Similarly, the Accused Products generate a packet
3 (or “frame”) with a size (“LENGTH”) corresponding to a protocol (*e.g.*, 802.11n) used
4 for network transmission. The packet (or “frame”) comprises a preamble (“PLCP
5 Preamble”) having a first training symbol (“Short Training Sequence” or “STS”) in
6 HT-STF field and a second training symbol (“Long Training Sequence” or “LTS”) in
7 HT-LTF fields. The Accused Products increase the size of the packet by adding
8 subcarriers to the second training symbol (“Reference Signal”) to produce an extended
9 packet. The quantity of subcarriers of the second training symbol (“Reference
10 Signal”) is greater than a quantity of subcarriers of the first training symbol
11 (“Synchronization Signals”). Likewise, when utilizing the 802.11 protocols, the
12 Accused Products increase the size of the packet by adding subcarriers to the second
13 training symbol (“LTS”) to produce an extended packet. The quantity of subcarriers
14 of the second training symbol (“LTS”) is greater than a quantity of subcarriers of the
15 first training symbol (“STS”). The Accused Products receive the extended packet
16 transmitted via network and include antennas for transmitting the extended packet.

17 100. C.R. England had knowledge of the ’388 patent at least as of the date when
18 it was notified of the filing of this action.

19 101. C.R. England has also indirectly infringed and continues to indirectly infringe
20 the ’388 patent by inducing others to directly infringe the ’388 patent. C.R. England
21 has induced and continues to induce customers and end-users, including, but not
22 limited to, C.R. England’s customers, employees, partners, or contractors, to directly
23 infringe, either literally or under the doctrine of equivalents, the ’388 patent by
24 providing or requiring use of the Accused Products. C.R. England has taken active
25 steps, directly or through contractual relationships with others, with the specific intent
26 to cause them to use the Accused Products in a manner that infringes one or more
27 claims of the ’388 patent, including, for example, claim 1. Such steps by C.R. England
28 have included, among other things, advising or directing customers, personnel,

1 contractors, or end-users to use the Accused Products in an infringing manner;
2 advertising and promoting the use of the Accused Products in an infringing manner;
3 or distributing instructions that guide users to use the Accused Products in an
4 infringing manner. C.R. England has been performing these steps, which constitute
5 induced infringement with the knowledge of the '388 patent and with the knowledge
6 that the induced acts constitute infringement. C.R. England has been aware that the
7 normal and customary use of the Accused Products by others would infringe the '388
8 patent. C.R. England's inducement is ongoing.

9 102. C.R. England has also indirectly infringed and continues to indirectly infringe
10 by contributing to the infringement of the '388 patent. C.R. England has contributed
11 and continues to contribute to the direct infringement of the '388 patent by its
12 customers, personnel, and contractors. The Accused Products have special features
13 that are specially designed to be used in an infringing way and that have no substantial
14 uses other than ones that infringe one or more claims of the '388 patent, including, for
15 example, claim 1. The special features constitute a material part of the invention of
16 one or more of the claims of the '388 patent and are not staple articles of commerce
17 suitable for substantial non-infringing use. C.R. England's contributory infringement
18 is ongoing.

19 103. Furthermore, on information and belief, C.R. England has a policy or practice
20 of not reviewing the patents of others, including instructing its employees to not review
21 the patents of others, and thus have been willfully blind of FCS's patent rights.

22 104. C.R. England's actions are at least objectively reckless as to the risk of
23 infringing a valid patent and this objective risk was either known or should have been
24 known by C.R. England.

25 105. C.R. England's direct infringement of the '388 patent is, has been, and
26 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
27 rights under the patent.
28

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

5 107. FCS has suffered irreparable harm, through its loss of market share and
6 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
7 suffer this harm by virtue of C.R. England's infringement of the '388 patent. C.R.
8 England's actions have interfered with and will interfere with FCS's ability to license
9 technology. The balance of hardships favors FCS's ability to commercialize its own
10 ideas and technology. The public interest in allowing FCS to enforce its right to
11 exclude outweighs other public interests, which supports injunctive relief in this case.

12 **COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 6,549,583**

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

15 109. The USPTO duly issued U.S. Patent No. 6,549,583 (hereinafter, the "'583
16 patent") on April 15, 2003, after a full and fair examination of Application No.
17 09/790,429, which was filed February 21, 2001.

18 110. FCS owns all substantial rights, interest, and title in and to the '583
19 patent, including the sole and exclusive right to prosecute this action and enforce said
20 patent against infringers and to collect damages for all relevant times.

21 111. The claims of the '583 patent are not directed to an abstract idea and are
22 not limited to well-understood, routine, or conventional activity. Rather, the claimed
23 inventions include inventive components that improve upon the function and operation
24 of logistics and tracking systems.

25 112. The written description of the '583 patent describes in technical detail
26 each limitation of the claims, allowing a skilled artisan to understand the scope of the
27 claims and how the non-conventional and non-generic combination of claim
28

1 limitations is patently distinct from and improved upon what may have been
2 considered conventional or generic in the art at the time of the invention.

3 113. FCS or its predecessors-in-interest have satisfied all statutory obligations
4 required to collect pre-filing damages for the full period allowed by law for
5 infringement of the '583 patent.

6 114. C.R. England has directly infringed and continues to directly infringe the
7 '583 patent by importing, manufacturing, providing, supplying, using, distributing,
8 selling, or offering to sell the Accused Products.

9 115. C.R. England has directly infringed, either literally or under the doctrine
10 of equivalents, at least claim 1 of the '583 patent. For example, C.R. England
11 performed a method of pilot phase error estimation in an orthogonal frequency division
12 multiplexed (OFDM) receiver. The method includes determining pilot reference
13 points corresponding to a plurality of pilots of an OFDM preamble waveform; and
14 estimating an aggregate phase error of a subsequent OFDM data symbol relative to the
15 pilot reference points using complex signal measurements corresponding to each of
16 the plurality of pilots of the subsequent OFDM data symbol and the pilot reference
17 points; wherein the estimating step comprises performing a maximum likelihood-
18 based estimation using the complex signal measurements corresponding to each of the
19 plurality of pilots of the subsequent OFDM data symbol and the pilot reference points.

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

24 **COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 6,633,616**

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

1 118. The USPTO duly issued U.S. Patent No. 6,633,616 (hereinafter, the “’616
2 patent”) on October 14, 2003, after a full and fair examination of Application No.
3 09/935,081, which was filed August 21, 2001.

4 119. FCS owns all substantial rights, interest, and title in and to the ’616
5 patent, including the sole and exclusive right to prosecute this action and enforce said
6 patent against infringers and to collect damages for all relevant times.

7 120. The claims of the ’616 patent are not directed to an abstract idea and are
8 not limited to well-understood, routine, or conventional activity. Rather, the claimed
9 inventions include inventive components that improve upon the function and operation
10 of logistics and tracking systems.

11 121. The written description of the ’616 patent describes in technical detail
12 each limitation of the claims, allowing a skilled artisan to understand the scope of the
13 claims and how the non-conventional and non-generic combination of claim
14 limitations is patently distinct from and improved upon what may have been
15 considered conventional or generic in the art at the time of the invention.

16 122. FCS or its predecessors-in-interest have satisfied all statutory obligations
17 required to collect pre-filing damages for the full period allowed by law for
18 infringement of the ’616 patent.

19 123. C.R. England has directly infringed and continues to directly infringe the
20 ’616 patent by importing, manufacturing, providing, supplying, using, distributing,
21 selling, or offering to sell the Accused Products.

22 124. C.R. England has directly infringed, either literally or under the doctrine
23 of equivalents, at least claim 12 of the ’616 patent. For example, C.R. England
24 performed a method pilot phase error estimation in an orthogonal frequency division
25 multiplexed (OFDM) receiver. The method includes determining pilot reference
26 points corresponding to a plurality of pilots of an OFDM preamble waveform;
27 processing, in a parallel path to the determining step, the OFDM preamble waveform
28 with a fast Fourier transform; determining a phase error estimate of a subsequent

1 OFDM symbol relative to the pilot reference points; and processing, in the parallel
2 path to the determining step, the subsequent OFDM symbol with the fast Fourier
3 transform; wherein the determining the phase error estimate step is completed prior to
4 the completion of the processing the subsequent OFDM symbol with the fast Fourier
5 transform in the parallel path.

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

10 **COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 7,206,837**

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

13 127. The USPTO duly issued U.S. Patent No. 7,206,837 (the “’837 patent”)
14 on April 17, 2007, after a full and fair examination of Application No. 10/287,151,
15 which was filed November 4, 2002.

16 128. FCS owns all substantial rights, interest, and title in and to the ’837
17 patent, including the sole and exclusive right to prosecute this action and enforce said
18 patent against infringers and to collect damages for all relevant times.

19 129. The claims of the ’837 patent are not directed to an abstract idea and are
20 not limited to well-understood, routine, or conventional activity. Rather, the claimed
21 inventions include inventive components that improve upon the function and operation
22 of preexisting systems and methods of wireless communication with a mobile unit.

23 130. The written description of the ’837 patent describes in technical detail
24 each limitation of the claims, allowing a skilled artisan to understand the scope of the
25 claims and how the non-conventional and non-generic combination of claim
26 limitations is patently distinct from and improved upon what may have been
27 considered conventional or generic in the art at the time of the invention.
28

1 131. FCS or its predecessors-in-interest have satisfied all statutory obligations
2 required to collect pre-filing damages for the full period allowed by law for
3 infringement of the '837 patent.

4 132. C.R. England has directly infringed and continues to directly infringe the
5 '837 patent by importing, manufacturing, providing, supplying, using, distributing,
6 selling, or offering to sell the Accused Products.

7 133. C.R. England has directly infringed and continues to directly infringe,
8 either literally or under the doctrine of equivalents, at least claim 1 of the '837 patent.
9 For example, C.R. England, using the Accused Products, performs a method
10 comprising receiving a location of a mobile communications device that is in transit
11 to a destination, estimating the time-of-arrival bounds for said mobile communications
12 device at said destination for a confidence interval based on said location and at least
13 one historical travel time statistic, and sending the time-of-arrival bounds to said
14 mobile communications device.

15 134. C.R. England had knowledge of the '837 patent at least as of the date
16 when it was notified of the filing of ORBCOMM's Answer and Counterclaims in this
17 action (Dkt. No. 63).

18 135. C.R. England has also indirectly infringed and continues to indirectly
19 infringe the '837 patent by inducing others to directly infringe the '837 patent. C.R.
20 England has induced and continues to induce customers and end-users, including, but
21 not limited to, C.R. England's customers, employees, partners, or contractors, to
22 directly infringe, either literally or under the doctrine of equivalents, the '837 patent
23 by providing or requiring use of the Accused Products. C.R. England has taken active
24 steps, directly or through contractual relationships with others, with the specific intent
25 to cause them to use the Accused Products in a manner that infringes one or more
26 claims of the '837 patent, including, for example, claim 1. Such steps by C.R. England
27 have included, among other things, advising or directing customers, personnel,
28 contractors, or end-users to use the Accused Products in an infringing manner;

1 advertising and promoting the use of the Accused Products in an infringing manner;
2 or distributing instructions that guide users to use the Accused Products in an
3 infringing manner. C.R. England has been performing these steps, which constitute
4 induced infringement with the knowledge of the '837 patent and with the knowledge
5 that the induced acts constitute infringement. C.R. England has been aware that the
6 normal and customary use of the Accused Products by others would infringe the '837
7 patent. C.R. England's inducement is ongoing.

8 136. C.R. England has also indirectly infringed and continues to indirectly
9 infringe by contributing to the infringement of the '837 patent. C.R. England has
10 contributed and continues to contribute to the direct infringement of the '837 patent
11 by its customers, personnel, and contractors. The Accused Products have special
12 features that are specially designed to be used in an infringing way and that have no
13 substantial uses other than ones that infringe one or more claims of the '837 patent,
14 including, for example, claim 1. The special features constitute a material part of the
15 invention of one or more of the claims of the '837 patent and are not staple articles of
16 commerce suitable for substantial non-infringing use. C.R. England's contributory
17 infringement is ongoing.

18 137. Furthermore, on information and belief, C.R. England has a policy or
19 practice of not reviewing the patents of others, including instructing its employees to
20 not review the patents of others, and thus have been willfully blind of FCS's patent
21 rights.

22 138. C.R. England's actions are at least objectively reckless as to the risk of
23 infringing a valid patent and this objective risk was either known or should have been
24 known by C.R. England.

25 139. C.R. England's direct infringement of the '837 patent is, has been, and
26 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
27 rights under the patent.
28

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

5 141. FCS has suffered irreparable harm, through its loss of market share and
6 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
7 suffer this harm by virtue of C.R. England's infringement of the '837 patent. C.R.
8 England's actions have interfered with and will interfere with FCS's ability to license
9 technology. The balance of hardships favors FCS's ability to commercialize its own
10 ideas and technology. The public interest in allowing FCS to enforce its right to
11 exclude outweighs other public interests, which supports injunctive relief in this case.

12 **COUNT X: INFRINGEMENT OF U.S. PATENT NO. 7,741,968**

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

15 143. The USPTO duly issued U.S. Patent No. 7,741,968 (the "'968 patent")
16 on June 22, 2010, after a full and fair examination of Application No. 12/143,707,
17 which was filed June 20, 2008.

18 144. FCS owns all substantial rights, interest, and title in and to the '968
19 patent, including the sole and exclusive right to prosecute this action and enforce said
20 patent against infringers and to collect damages for all relevant times.

21 145. The claims of the '968 patent are not directed to an abstract idea and are
22 not limited to well-understood, routine, or conventional activity. Rather, the claimed
23 inventions include inventive components that improve upon the function and operation
24 of preexisting systems and methods of wireless communication with a mobile unit.

25 146. The written description of the '968 patent describes in technical detail
26 each limitation of the claims, allowing a skilled artisan to understand the scope of the
27 claims and how the non-conventional and non-generic combination of claim
28

1 limitations is patently distinct from and improved upon what may have been
2 considered conventional or generic in the art at the time of the invention.

3 147. FCS or its predecessors-in-interest have satisfied all statutory obligations
4 required to collect pre-filing damages for the full period allowed by law for
5 infringement of the '968 patent.

6 148. C.R. England has directly infringed and continues to directly infringe the
7 '968 patent by importing, manufacturing, providing, supplying, using, distributing,
8 selling, or offering to sell the Accused Products.

9 149. C.R. England has directly infringed and continues to directly infringe,
10 either literally or under the doctrine of equivalents, at least claim 7 of the '968 patent.
11 For example, the Accused Products, used by Defendant, provide a computer readable
12 medium having stored thereon computer executable code, said computer executable
13 code. The Accused Products include code for controlling a reception at a master
14 mobile device of geographical positional data relating to a plurality of mobile devices;
15 code for controlling said master mobile device to display received ones of said
16 geographical positions of said plurality of other mobile devices; code for causing said
17 master mobile device to send convergence geographical data-to a selected one of said
18 other mobile devices, said sent geographical data allowing said selected mobile device
19 to converge with said master mobile device; wherein said geographical data comprises
20 turn by turn instructions leading said selected mobile device to said master device; and
21 wherein said code continuously generates an ETA for said selected mobile device to
22 converge with said master mobile device.

23 150. C.R. England had knowledge of the '968 patent at least as of the date
24 when it was notified of the filing of ORBCOMM's Answer and Counterclaims in this
25 action (Dkt. No. 63).

26 151. C.R. England has also indirectly infringed and continues to indirectly
27 infringe the '968 patent by inducing others to directly infringe the '968 patent. C.R.
28 England has induced and continues to induce customers and end-users, including, but

1 not limited to, C.R. England's customers, employees, partners, or contractors, to
2 directly infringe, either literally or under the doctrine of equivalents, the '968 patent
3 by providing or requiring use of the Accused Products. C.R. England has taken active
4 steps, directly or through contractual relationships with others, with the specific intent
5 to cause them to use the Accused Products in a manner that infringes one or more
6 claims of the '968 patent, including, for example, claim 7. Such steps by C.R. England
7 have included, among other things, advising or directing customers, personnel,
8 contractors, or end-users to use the Accused Products in an infringing manner;
9 advertising and promoting the use of the Accused Products in an infringing manner;
10 or distributing instructions that guide users to use the Accused Products in an
11 infringing manner. C.R. England has been performing these steps, which constitute
12 induced infringement with the knowledge of the '968 patent and with the knowledge
13 that the induced acts constitute infringement. C.R. England has been aware that the
14 normal and customary use of the Accused Products by others would infringe the '968
15 patent. C.R. England's inducement is ongoing.

16 152. C.R. England has also indirectly infringed and continues to indirectly
17 infringe by contributing to the infringement of the '968 patent. C.R. England has
18 contributed and continues to contribute to the direct infringement of the '968 patent
19 by its customers, personnel, and contractors. The Accused Products have special
20 features that are specially designed to be used in an infringing way and that have no
21 substantial uses other than ones that infringe one or more claims of the '968 patent,
22 including, for example, claim 7. The special features constitute a material part of the
23 invention of one or more of the claims of the '968 patent and are not staple articles of
24 commerce suitable for substantial non-infringing use. C.R. England's contributory
25 infringement is ongoing.

26 153. Furthermore, on information and belief, C.R. England has a policy or
27 practice of not reviewing the patents of others, including instructing its employees to
28

1 not review the patents of others, and thus have been willfully blind of FCS's patent
2 rights.

3 154. C.R. England's actions are at least objectively reckless as to the risk of
4 infringing a valid patent and this objective risk was either known or should have been
5 known by C.R. England.

6 155. C.R. England's direct infringement of the '968 patent is, has been, and
7 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
8 rights under the patent.

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

13 157. FCS has suffered irreparable harm, through its loss of market share and
14 goodwill, for which there is no adequate remedy at law. FCS has and will continue to
15 suffer this harm by virtue of C.R. England's infringement of the '968 patent. C.R.
16 England's actions have interfered with and will interfere with FCS's ability to license
17 technology. The balance of hardships favors FCS's ability to commercialize its own
18 ideas and technology. The public interest in allowing FCS to enforce its right to
19 exclude outweighs other public interests, which supports injunctive relief in this case.

20 **COUNT XI: INFRINGEMENT OF U.S. PATENT NO. 7,747,291**

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

23 159. The USPTO duly issued U.S. Patent No. 7,747,291 (hereinafter, the "'291
24 patent") on June 29, 2010, after a full and fair examination of Application No.
25 12/546,650, which was filed August 24, 2009. A Certificate of Correction was issued
26 on June 18, 2013.

1 160. FCS owns all substantial rights, interest, and title in and to the '291
2 patent, including the sole and exclusive right to prosecute this action and enforce said
3 patent against infringers and to collect damages for all relevant times.

4 161. The claims of the '291 patent are not directed to an abstract idea and are
5 not limited to well-understood, routine, or conventional activity. Rather, the claimed
6 inventions include inventive components that improve upon the function and operation
7 of logistics and tracking systems.

8 162. The written description of the '291 patent describes in technical detail
9 each limitation of the claims, allowing a skilled artisan to understand the scope of the
10 claims and how the non-conventional and non-generic combination of claim
11 limitations is patently distinct from and improved upon what may have been
12 considered conventional or generic in the art at the time of the invention.

13 163. FCS or its predecessors-in-interest have satisfied all statutory obligations
14 required to collect pre-filing damages for the full period allowed by law for
15 infringement of the '291 patent.

16 164. C.R. England has directly infringed and continues to directly infringe the
17 '291 patent by importing, manufacturing, providing, supplying, using, distributing,
18 selling, or offering to sell the Accused Products.

19 165. C.R. England has directly infringed, either literally or under the doctrine
20 of equivalents, at least claim 20 of the '291 patent. For example, C.R. England, using
21 the Accused Products, performs a method of wirelessly providing a traffic update to a
22 vehicle. The method includes storing information, at a wireless communication
23 system, the information associated with the vehicle comprising a transceiver; receiving
24 a communication from the vehicle, through a mobile unit comprising a
25 microprocessor, the communication comprising identification and GPS information;
26 interfacing the wireless communication system with a network to obtain a traffic
27 update; sending the traffic update from the wireless communication system, through
28

1 the mobile unit, to the vehicle, and storing, in a memory, information related to the
2 communication in a communication log.

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

7 **COUNT XII: INFRINGEMENT OF U.S. PATENT NO. 8,005,053**

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

10 168. The USPTO duly issued U.S. Patent No. 8,005,053 (hereinafter, the “’053
11 patent”) on August 23, 2011, after a full and fair examination of Application No.
12 12/696,760, which was filed January 29, 2010. A Certificate of Correction was issued
13 on February 14, 2012.

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

17 170. The claims of the ’053 patent are not directed to an abstract idea and are
18 not limited to well-understood, routine, or conventional activity. Rather, the claimed
19 inventions include inventive components that improve upon the function and operation
20 of logistics and tracking systems.

21 171. The written description of the ’053 patent describes in technical detail
22 each limitation of the claims, allowing a skilled artisan to understand the scope of the
23 claims and how the non-conventional and non-generic combination of claim
24 limitations is patently distinct from and improved upon what may have been
25 considered conventional or generic in the art at the time of the invention.

26 172. FCS or its predecessors-in-interest have satisfied all statutory obligations
27 required to collect pre-filing damages for the full period allowed by law for
28 infringement of the ’053 patent.

1 173. C.R. England has directly infringed and continues to directly infringe the
2 '053 patent by importing, manufacturing, providing, supplying, using, distributing,
3 selling, or offering to sell the Accused Products.

4 174. C.R. England has directly infringed, either literally or under the doctrine
5 of equivalents, at least claim 1 of the '053 patent. For example, the Accused Products,
6 used by C.R. England, comprise a first wireless transceiver configured to communicate
7 data according to a first wireless protocol; a second wireless transceiver configured to
8 communicate data according to a second wireless protocol that is different from the
9 first wireless protocol; and a controller configured to select one of the first and second
10 wireless transceivers to communicate data of both the first and second wireless
11 protocols, wherein the apparatus is configured to encode data of the wireless protocol
12 for the unselected transceiver into data of the wireless protocol for the selected
13 transceiver.

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

18 **COUNT XIII: INFRINGEMENT OF U.S. PATENT NO. 9,299,044**

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

21 177. The USPTO duly issued U.S. Patent No. 9,299,044 (hereinafter, the "'044
22 patent") on March 29, 2016, after a full and fair examination of Application No.
23 14/480,297, which was filed September 8, 2014.

24 178. FCS owns all substantial rights, interest, and title in and to the '044
25 patent, including the sole and exclusive right to prosecute this action and enforce said
26 patent against infringers and to collect damages for all relevant times.

27 179. The claims of the '044 patent are not directed to an abstract idea and are
28 not limited to well-understood, routine, or conventional activity. Rather, the claimed

1 inventions include inventive components that improve upon the function and operation
2 of logistics and tracking systems.

3 180. The written description of the '044 patent describes in technical detail
4 each limitation of the claims, allowing a skilled artisan to understand the scope of the
5 claims and how the non-conventional and non-generic combination of claim
6 limitations is patently distinct from and improved upon what may have been
7 considered conventional or generic in the art at the time of the invention.

8 181. FCS or its predecessors-in-interest have satisfied all statutory obligations
9 required to collect pre-filing damages for the full period allowed by law for
10 infringement of the '044 patent.

11 182. C.R. England has directly infringed and continues to directly infringe the
12 '044 patent by importing, manufacturing, providing, supplying, using, distributing,
13 selling, or offering to sell the Accused Products.

14 183. C.R. England has directly infringed, either literally or under the doctrine
15 of equivalents, at least claim 1 of the '044 patent. For example, C.R. England, using
16 the Accused Products, performs a method for management of mobile field assets *via*
17 wireless handheld devices. The method includes accessing, at a beginning of a work
18 shift using a handheld device, at least one template stored on a server located remotely
19 from the handheld device, the at least one template listing tasks that are assigned to be
20 completed before an end of the work shift; reporting a status of each of the tasks at
21 least once during the work shift by synchronizing the handheld device to the server;
22 and updating the at least one template stored on the server in response to the status
23 with unfinished or new tasks.

24 184. FCS has been damaged as a result of the infringing conduct by C.R.
25 England alleged above. Thus, C.R. England is liable to FCS in an amount that
26 compensates it for such infringements, which by law cannot be less than a reasonable
27 royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.
28

COUNT XIV: INFRINGEMENT OF U.S. PATENT NO. 9,747,565

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

186. The USPTO duly issued U.S. Patent No. 9,747,565 (hereinafter, the “’565 patent”) on August 29, 2017, after a full and fair examination of Application No. 15/071,003, which was filed March 15, 2016.

187. FCS owns all substantial rights, interest, and title in and to the ’565 patent, including the sole and exclusive right to prosecute this action and enforce said patent against infringers and to collect damages for all relevant times.

188. The claims of the ’565 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of logistics and tracking systems.

189. The written description of the ’565 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

190. FCS or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the ’565 patent.

191. C.R. England has directly infringed and continues to directly infringe the ’565 patent by importing, manufacturing, providing, supplying, using, distributing, selling, or offering to sell the Accused Products.

192. C.R. England has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the ’565 patent. For example, C.R. England, using the Accused Products, performs a method for management of mobile field assets *via* wireless handheld devices. The method includes accessing a template stored on a

1 server located remotely from a handheld device, the template listing tasks to be
2 completed before an end of a work shift, reporting a status of each of the tasks at least
3 once by synchronizing the handheld device to the server, and updating the template
4 responsive to the status with unfinished or new tasks at the end of the work shift.

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

9 **COUNT XV: INFRINGEMENT OF U.S. PATENT NO. 10,671,949**

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

12 195. The USPTO duly issued U.S. Patent No. 10,671,949 (hereinafter, the
13 “’949 patent”) on June 2, 2020, after a full and fair examination of Application No.
14 15/660,685, which was filed July 26, 2017.

15 196. FCS owns all substantial rights, interest, and title in and to the ’949
16 patent, including the sole and exclusive right to prosecute this action and enforce said
17 patent against infringers and to collect damages for all relevant times.

18 197. The claims of the ’949 patent are not directed to an abstract idea and are
19 not limited to well-understood, routine, or conventional activity. Rather, the claimed
20 inventions include inventive components that improve upon the function and operation
21 of logistics and tracking systems.

22 198. The written description of the ’949 patent describes in technical detail
23 each limitation of the claims, allowing a skilled artisan to understand the scope of the
24 claims and how the non-conventional and non-generic combination of claim
25 limitations is patently distinct from and improved upon what may have been
26 considered conventional or generic in the art at the time of the invention.

1 199. FCS or its predecessors-in-interest have satisfied all statutory obligations
2 required to collect pre-filing damages for the full period allowed by law for
3 infringement of the '949 patent.

4 200. C.R. England has directly infringed and continues to directly infringe the
5 '949 patent by importing, manufacturing, providing, supplying, using, distributing,
6 selling, or offering to sell the Accused Products.

7 201. C.R. England has directly infringed, either literally or under the doctrine
8 of equivalents, at least claim 1 of the '949 patent. For example, C.R. England, using
9 the Accused Products, performs a method for management of mobile field assets *via*
10 wireless handheld devices. The method includes accessing a template stored on a
11 server located remotely from a handheld device, the template listing a first set of tasks
12 to be completed in a first predetermined time period, reporting, after a time of the
13 accessing, a status of each of the tasks of the first set of tasks by synchronizing the
14 handheld device to the server, and updating the template responsive to the status, the
15 updated template including a second set of tasks to be completed in a second
16 predetermined time period.

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

21 JURY DEMAND

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

23 PRAYER FOR RELIEF

24 204. FCS requests that the Court find in its favor and against C.R. England,
25 and that the Court grant FCS the following relief:

- 26 a. Judgment that one or more claims of each of the Asserted Patents has
27 been infringed, either literally or under the doctrine of equivalents, by
28 C.R. England or others acting in concert therewith;

- b. An award of a reasonable royalty for infringement Asserted Patents;
- c. A permanent injunction enjoining C.R. England and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '040 patent, the '153 patent, the '845 patent, the '388 patent, the '837 patent, and the '968 patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the Asserted Patents by such entities;
- d. Judgment that C.R. England accounts for and pays to FCS all damages to and costs incurred by FCS because of C.R. England's infringing activities and other conduct complained of herein;
- e. Judgment that C.R. England's infringements be found willful as to the '040 patent, the '153 patent, the '845 patent, the '388 patent, the '837 patent, and the '968 patent, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;
- f. Pre-judgment and post-judgment interest on the damages caused by C.R. England's infringing activities and other conduct complained of herein;
- g. That this Court declare this an exceptional case and award FCS its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and
- h. All other and further relief as the Court may deem just and proper under the circumstances.

1 Dated: November 29, 2024

Respectfully submitted,

2 /s/ C. Matthew Rozier

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24 ***For Plaintiff FLEET CONNECT SOLUTIONS LLC***

25 * admitted to Central District of California

26 ** admitted *pro hac vice*