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

FLEET CONNECT SOLUTIONS LLC, Plaintiff, v. POWERFLEET, INC., Defendant.	Civil Action No. 2:24-cv-00718-JRG-RSP **JURY TRIAL DEMANDED**

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Fleet Connect Solutions LLC ("Fleet Connect" or "Plaintiff") files this Complaint against PowerFleet, Inc. ("PowerFleet" or "Defendant") alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant's infringement of the following United States Patents (collectively, the "Asserted Patents") issued by the United States Patent and Trademark Office ("USPTO"):

	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
2	7,058,040	Channel Interference Reduction	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7058040
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
4	7,599,715	System And Method For Matching Wireless Devices	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7599715

	U.S. Patent No.	Title	Available At
5	7,656,845	Channel Interface Reduction	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7656845
6	7,742,388	Packet Generation Systems And Methods	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7742388
7	7,747,291	Wireless Communication Method	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7747291
8	7,783,304	Wireless Communication Method	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7783304
9	8,005,053	Channel Interference Reduction	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8005053
10	8,494,581	System And Methods For Management Of Mobile Field Assets Via Wireless Handheld Devices	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8494581
11	9,299,044	System And Methods For Management Of Mobile Field Assets Via Wireless Handheld Devices	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/9299044
12	9,747,565	System And Methods For Management Of Mobile Field Assets Via Wireless Handheld Devices	https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/9747565

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.

4. Defendant is a corporation organized under the laws of the State of Delaware with its principal place of business located at 123 Tice Boulevard, Suite 101, Woodcliff Lake, New Jersey 07677.

5. Defendant's registered agent for service is National Registered Agents, Inc., located at 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

6. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

9. Defendant offers products and services, including through the use of Accused Products, and conducts business in this District.

10. Defendant is subject to this Court's specific and general personal jurisdiction under due process due at least to Defendant's substantial business in this judicial district, including: (i) at least a portion of the infringements alleged herein; (ii) regularly transacting, doing, and/or soliciting business, engaging in other persistent courses of conduct, or deriving substantial revenue from goods and services provided to individuals in Texas and in this District; (iii) having an interest in, using or possessing real property in Texas and this District; (iv) and having and keeping personal property in Texas and in this District.

11. Specifically, Defendant intends to do and does business in, has committed acts of infringement in, and continues to commit acts of infringement in this District directly, through

intermediaries, by contributing to and through inducement of third parties, and offers its products or services, including those accused of infringement here, to customers and potential customers located in this state, including in this District.

12. On information and belief, Defendant owns, operates, manages, conducts business, and directs and controls the operations and employees of facilities at several locations in this District, including, but not limited to, facilities at the following addresses: 2601 Network Boulevard, Suite 680, Frisco, TX 75034 USA (https://www.powerfleet.com/contact/) and/or 5700 Granite Parkway, Suite 550, Plano, Texas 75024 (https://www.linkedin.com/company/powerfleetaiot/about/)

13. In addition, to conduct this business, Defendant employs a number of individuals within this District. These individuals' employment with Defendant is conditioned upon and based on their residence and continued residence within the District to further the specific infringing business activities of Defendant within the District. *See, e.g.,* https://www.powerfleet.com/?job_listing_region=Powerfleet-for-logistics ("Candidates must be local to one of the IDSY offices (Woodcliff Lake, NJ, Plano, TX, or Tampa, FL").[1]

14. Defendant's business specifically depends on employees, exclusive and non-exclusive contractors, agents, and affiliates, *etc.*, being physically present at places in the District, and Defendant affirmatively acted to make permanent operations within this District. *See In re: Cray Inc.,* 871 F.3d 1355 (Fed. Cir. 2017); *In re: Cordis Corp.,* 769 F.2d 733, 736 (Fed. Cir. 1985).

15. Defendant commits acts of infringement from this District, including, but not limited to, using, installing, testing of the Accused Products, selling and offering to sell the Accused

[1] In 2019, I.D. Systems, Inc. rebranded to "PowerFleet, Inc." https://ir.powerfleet.com/press-releases/detail/341/i-d-systems-closes-pointer-telocation-acquisition.

Products, and inducement of third parties to use the Accused Products in an infringing manner.

16. Through at least its website, www.powerfleet.com/, Defendant instructs its customers on how to install and use the Accused Products.

THE ACCUSED PRODUCTS

17. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

18. Defendant uses, causes to be used, sells, offers for sale, imports, provides, supplies, or distributes one or more fleet management tracking solutions, including, but not limited to, the Dashcam, Track and Trace System, including Compliance and Workflow Management, Keyless Gateway, Micromobility Gateway, Forklift Gateway (VAC), Logistics Gateway, Logistics Gateway-Solar, Cold Chain Gateway, Asset Gateway, Mount and Load Sensor, Fleet Management Solution, PowerFleet Unity Platform, Asset Tracking, Cello-CANiQ, iPointer, iFleet, CelloTrack Nano, CelloTrack, CelloTrack 1oY, CelloTrack Solar, MultiSense, CelloSense, LV-9000, LV-500, LV-550, LV-300, LV-100, LV-750, VAC4S, LCD601, MiX 4000, and other substantially similar products and services offered in the past or the future, and 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").[2]

19. On information and belief, Defendant, using the Accused Products, performs wireless communications and methods associated with performing and/or implementing wireless

[2] https://www.powerfleet.com/vehicle-telematics/; https://www.powerfleet.com/material-handling-telematics/; https://www.powerfleet.com/asset-tracking/; https://www.powerfleet.com/unity-platform-overview/; https://www.powerfleet.com/fleet-management-solutions/; https://www.powerfleet.com/container-chassis-and-trailer-tracking/

communications including, but not limited to, wireless communications and methods pursuant to various protocols and implementations, including, but not limited to, Bluetooth, IEEE 802.11, and LTE protocols and various subsections thereof, including, but not limited to, 802.11b and 802.11n.

20. On information and belief, Defendant, using the Accused Products, performs singular value decomposition of estimated channel matrices, transmit data over various media, compute time slot channels, generate packets for network transmissions, perform or cause to be performed error estimation in orthogonal frequency division multiplexed ("OFDM") receivers, and various methods of processing OFDM symbols.

21. Defendant, using the Accused Products, also tracks, analyzes, and reports vehicle maintenance needs and driver warnings associated with a vehicle, tracks or causes to be tracked vehicle locations, and allows for communication between a system administrator and a remote unit to communicate, *e.g.*, advisory notifications.

22. By way of a letter to Defendant dated March 14, 2022, FCS described its patent portfolio and provided claim charts of a number of its patents comparing representative claims to Defendant's products. Claim charts for all twelve of the Asserted Patents ('810 patent, '040 patent, '845 patent, '053 patent, '388 patent, '715 patent, '291 patent, '304 patent, '153 patent, '581 patent, '044 patent, '565 patent) were included in this letter (the "FCS Letter"), attached hereto as **Exhibit M**.[3]

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

[3] For convenience and reference, Exhibits A-L are claim charts for each of the twelve Asserted Patents discussed above in paragraph 1.

OTHER CONSIDERATIONS

24. Fleet Connect hereby incorporates by reference in this operative complaint the entirety of the Declaration of Dr. Steven H. Goldberg, which is attached as **Exhibit N** ("Goldberg Decl.").

I. THE '810 PATENT— INTEGRATED AIR LOGISTICS SYSTEM

25. U.S. Patent No. 6,429,810 was filed on January 31, 2001, and it claims autonomous cargo tracking systems and methods of using autonomous cargo tracking systems. '810 patent, Abstract. The '810 patent claims priority to: 1) provisional application No. 60/179,536, which was filed on February 1, 2000; 2) provisional application No. 60/228,100, which was filed on August 28, 2000; and 3) provisional application No. 60/242,355, which was filed on October 23, 2000. In general, the '810 patent is directed to methods and systems for "freight shipping and, more particularly, to a method and apparatus" autonomous tracking. '810 patent, 1:13-15. *See* Goldberg Decl., ¶ 21.

26. With respect to the '810 patent, a person of ordinary skill in the art ("POSITA") at the time of the 2000 priority date of the '810 patent would have had a Bachelor of Science in electrical engineering, computer science, physics, or the equivalent, and at least two years of experience related to designing and/or developing communication systems. *See* Goldberg Decl., ¶ 22.[4]

The Technical Problems In Cargo Tracking Systems In 2000

27. The specification of the '810 patent recognized that cargo tracking systems at the time of invention suffered from a variety of problems caused by human error and a need for

[4] This level of skill in the art for a POSITA applies to all Asserted Patents. *See, e.g.*, *id.* at ¶¶ 46, 95.

repeated data entry. '810 patent, 1:58-2:14. For example, "[d]uring shipment, it [wa]s extremely difficult and typically very labor intensive to determine the exact location of goods being shipped. Such tracking often requires multiple communications via phone, fax, e-mail, or other means between the shipper, forwarder, and the various carrier personnel." *Id.* at 1:24-29. Further, "[l]ocation determination may even require physically searching a cargo storing warehouse, trucking warehouse, airport cargo terminal, or other location." *Id.* at 1:29-31; *see also* Goldberg Decl., ¶ 23.

28. The specification of the '810 patent explains that "[s]hipment tracking is complicated by a number of factors. First, a variety of parties typically handle a piece of cargo during shipping, the parties potentially working for multiple independent companies. For example, a single shipment may require handling by multiple trucks and/or trucking companies and utilize multiple airline flights and/or airline companies. Additionally, a variety of cargo handlers/loaders are required to move the cargo between trucks/flights/carriers, staging areas, and temporary storage locations. Second, there are often last-minute changes in shipping, for example due to a piece of freight being off-loaded from a scheduled flight in order to make room for a more valuable or time sensitive piece of freight. Such changes are typically made at the discretion of the carrier without notifying either the shipper or the forwarder. In this situation the shipper or forwarder may not be aware of the change until the freight does not arrive on the scheduled flight or at the expected time. As a result, the shipper is likely to expend additional time attempting to locate the delayed freight." '810 patent, 1:32-51; *see also* Goldberg Decl., ¶ 24.

29. Before the priority date of the '810 patent, those in the shipping industry had made efforts to develop technology to address these issues. For instance, "a number of carriers . . . attempted to provide improved tracking information by allowing at least some of the larger

forwarders to directly view their loafing manifests via a Web site." '810 patent, at 1:52-55. "Although this approach can provide some tracking information, it requires carriers to accurately update the status of cargo at each step of cargo movement. As a consequence, this approach is labor intensive and costly. Additionally, the cargo status may not be updated at each step, for example, the carrier may only update the status when the cargo is actually loaded or unloaded from a plane, not when the cargo is simply moved from a storage facility to a loading site. Lastly, as cargo status information relies on human operators inputting the data, the data may be incorrect or delayed." *Id.* at 1:55-65; *see also* Goldberg Decl., ¶ 25.

30. Additionally, "[s]ome shipping integrators ha[d] begun to use bar code tracking as a means of providing cargo tracking. Typically, each piece of cargo is immediately tagged with a bar code upon receipt by the integrator. At each step of shipping, the handler scans the bar code, thereby immediately logging the location of the cargo as well as the time that the bar code was scanned into a manifest readable by the shipper via a Web site or other means. Although this approach reduce[d] the risk of human error through the use of bar codes, the approach is still labor intensive as human operators are required to input the data. Additionally, the provided information is still only as accurate as the last bar code scan." *Id.* at 1:65-2:10; *see also* Goldberg Decl., ¶ 26.

31. The '810 patent therefore recognized that there was a need in the art for "a system that autonomously tracks cargo during shipping, providing the shipper and/or forwarder with accurate, timely cargo status." *Id.* at 2:11-13; *see also* Goldberg Decl., ¶ 27.

The Claimed Advances Of The '810 Patent

32. The '810 patent describes and claims methods and systems that improve the performance and reliability of cargo tracking systems by using electronic communications units attached to and move with shipping containers. '810 patent, Abstract; 2:33-37; FIGS. 2, 9; claim 1; *see also* Goldberg Decl., ¶ 28.

33. In general, "[t]he system is comprised of communication and sensor unit that is affixed to the container to be tracked, a ground system that coordinates communications between the unit and the users, and one or more satellite systems that provide communication capabilities as well as position information." '810 patent, at 2:17-23. The '810 patent teaches that the "system can operate either as a unidirectional system or as a bi-directional system. As a unidirectional system data is sent either directly to the users or, more preferably, sent indirectly to the users via the ground system. As a bi-directional system users are able to both request and receive data from the unit, either directly or indirectly through the ground system." '810 patent, at 2:23-32; *see also* Goldberg Decl., ¶ 29.

34. For example, as recited by the specification, and as seen below in FIG. 3, the claimed "electronic communications units" communicate with "ground communications systems" by using transaction identification codes to provide status and other information regarding the shipping container to users, resulting in a tracking system with improved accuracy, ease of use, and reliability:

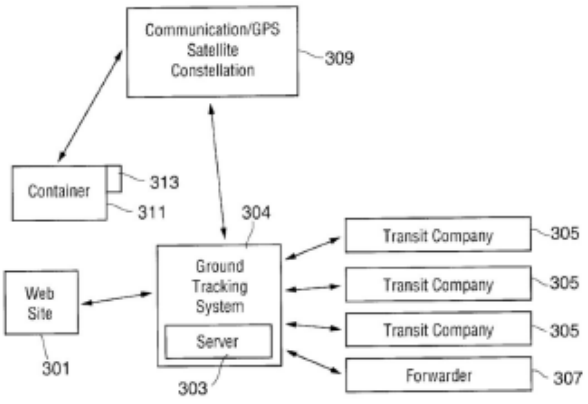


FIG. 3

'810 patent, Abstract, 2:17-31, 5:1-7, Fig., 3, claim 1; *see also* Goldberg Decl., ¶ 30.

35. Figure 2, as illustrated below, illustrates an embodiment of a method of using the inventions of the '810 patent. *See* Goldberg Decl., ¶ 31.

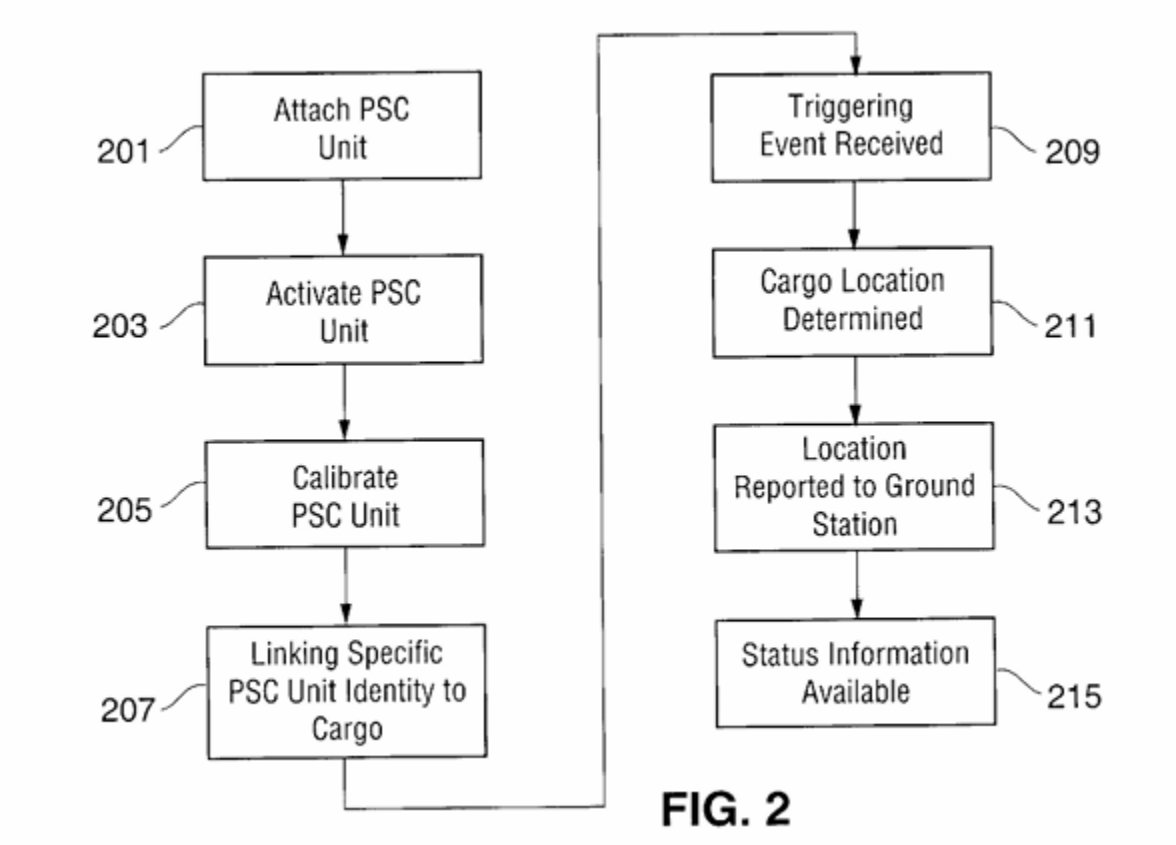


FIG. 2

36. In Figure 2, a PCS unit is attached to a cargo container or other freight to be tracked (step **201**). Preferably at this time the PSC unit is activated (step **203**), calibrated, if necessary (step **205**), and the PSC unit's identity is linked to the cargo in question (step **207**). Once activated, each time the PSC unit receives a triggering event (step **209**), the PSC unit queries the GPS satellite constellation to determine its current location (step **211**). *See* Goldberg Decl., ¶ 32.

37. After the PSC unit determines its location (step **211**), the PSC unit reports its location (step **213**) to the ground station *via* the GPS communication satellite constellation. This information can be reported each time the unit determines its location, only upon a registered change in location, or at specific time intervals, for example. Once received by the ground station,

updated status information is made available to the user, shipper, and forwarding party (step **215**). *See* Goldberg Decl., ¶ 33.

38. "In the preferred embodiment position coordinates, once determined, are sent to a ground system for translation into user recognizable locations, the translated coordinates provided either textually (i.e., as a location description) or graphically (i.e., as a map with a location indicator). The ground system sends the location information to a user, either in response to a request for the information by the user or automatically according to a predefined set of rules." '810 patent, at 2:53-60. Ultimately, once the PSC unit is attached and activated, cargo tracking is performed without human intervention. Further, since the location is determined and immediately reported whenever the cargo is moved, the shipper obtains current location information. '810 patent, at 2:6-38; *see also* Goldberg Decl., ¶ 34.

II. THE '715, '291, AND '304 PATENTS – THE MOBILE UNIT TRACKING PATENTS

39. U.S. Patent No. 7,599,715 (the "'715 patent") was filed on July 18, 2007. '715 patent, at p. 1. The '715 patent is a continuation of application No. 12/018,588, filed on January 23, 2008, which is a continuation of application No. 11/524,858, filed on September 20, 2006, now Pat. No. 7,450,955, which is a continuation of application No. 10/705,674, filed on November 10, 2003, now Pat. No. 7,123,926, which is a continuation of application No. 09/659,074, filed on September 11, 2000, now Pat. No. 6,647,270, which claims priority to provisional application No. 60/153,424, filed on September 10, 1999, which means that the '715 patent has a priority date of September 10, 1999. *See* Goldberg Decl., ¶ 42.

40. U.S. Patent No. 7,747,291 ("the '291 patent") was filed on August 24, 2009. '291 patent, at p. 1. The '291 patent is a continuation of U.S. application Ser. No. 12/389,245, filed on February 19, 2009, now Pat. No. 7,599,715, which is a continuation of application No. 12/018,588, filed on January 23, 2008, which is a continuation of application No. 11/524,858, filed on

September 20, 2006, now Pat. No. 7,450,955, which is a continuation of application No. 10/705,674, filed on November 10, 2003, now Pat. No. 7,123,926, which is a continuation of application No. 09/659,074, filed on September 11, 2000, now Pat. No. 6,647,270, which claims priority to provisional application No. 60/153,424, filed on September 10, 1999, which means that the '291 patent has a priority date of no later than September 10, 1999. *See* Goldberg Decl., ¶ 43.

41. U.S. Patent No. 7,783,304 (the "'304 patent") was filed on August 24, 2009. '304 patent, at p. 1. The '304 patent is a continuation of application No. 12/389,245, filed on February 19, 2009, now Pat. No. 7,599,715, which is a continuation of application No. 12/018,588, filed on January 23, 2008, which is a continuation of application No. 11/524,858, filed on September 20, 2006, now Pat. No. 7,450,955, which is a continuation of application No. 10/705,674, filed on November 10, 2003, now Pat. No. 7,123,926, which is a continuation of application No. 09/659,074, filed on September 11, 2000, now Pat. No. 6,647,270, which claims priority to provisional application No. 60/153,424, filed on September 10, 1999, which means that the '304 patent has a priority date of no later than September 10, 1999. *See* Goldberg Decl., ¶ 44.

42. "[T]he inventions of the Mobile Unit Tracking Patents relate to a mobile communication system which allows mobile vehicles to communicate with neighboring vehicles and roadside communication networks." '715 patent, at 1:21-26; '291 patent, 1:21-26; '304 patent, at 1:21-26. Richard B. Himmelstein is the inventor of the innovations claimed in the '715, '291, and '304 patents (collectively, the "Mobile Unit Tracking Patents"). *See* Goldberg Decl., ¶ 45.

The Technical Problems In Using Conventional Communication Networks to Communicate With Vehicles And Roadside Communication Networks In September 1999

43. In general, the Mobile Unit Tracking Patents are directed to communication systems and methods to allow communication with and among vehicles from a central location and to log those communications for future use. Notably, at the priority date of these patents,

Internet connected vehicles were not yet introduced, and the "connected vehicle" was in its infancy. Although General Motors introduced OnStar system and BMW had introduced the BMW Assist, those systems leveraged the voice functionality of cellular systems that routed emergency calls to call center agents. For instance, when the airbags were deployed in an OnStar connected vehicle, the system connected to an OnStar Advisor. BMW Assist users could contact emergency services and obtain traffic and road condition information *via* cellular calls to the BMW Assist agents.[5] By November 2000, OnStar could also provide real-time traffic and road condition information to drivers. *See* Goldberg Decl., ¶ 47.

44. The Mobile Unit Tracking Patents sought to integrate modern wireless communications (short range wireless protocols such as Bluetooth, 802.11, *etc., see* '715 patent, 8:15-22) into the vehicle, along with the ability to communicate with, between, and among vehicles. The Mobile Unit Tracking Patents note that "[v]arious communication systems have been used by automobile drivers to communicate with other vehicles while the vehicle is in motion. While many advances have been made in vehicle-to-vehicle communication, numerous disadvantages still remain in using conventional communication systems." '715 patent, 1:27-31; '291 patent, 1:27-31; '304 patent, 1:27-31; *see also* Goldberg Decl., ¶ 48.

45. "Conventional mobile communication systems include[d] cellular telephones and CB or two-way radio." '715 patent, 1:32-33; '291 patent, 1:32-33; '304 patent, 1:32-33. For example, according to the Mobile Unit Tracking Patents' specification, when using cell phones as a means of mobile communication, "there is no practical way of discovering whether a neighboring vehicle operator possesses a cell phone." '715 patent, 1:33-36; '291 patent, 1:33-36; '304 patent,

[5] *See, e.g.*, https://www.automotive-fleet.com/9822/bmw-of-north-america-to-launch-next-generation-telematics-services (last visited Dec. 2, 2024).

1:33-36. "Additionally, there is no process for determining the phone number of the targeted cell phone. Accordingly, the cellphone as a communication method is severely limited." '715 patent, 1:36-39; '291 patent, 1:36-39; '304 patent, 1:36-39; *see also* Goldberg Decl., ¶ 49.

46. The Mobile Unit Tracking Patents explain that "CB radio [wa]s a widely broadcast public medium where mobile users may talk to other mobile or stationary users in their vicinity." '715 patent, 1:40-42; '291 patent, 1:40-42; '304 patent, 1:40-42. However, CB or two-way radios were also limited because "there is no ability to prevent others from listening," which meant there was no privacy between mobile communicators. '715 patent, 1:42-44; '291 patent, 1:42-44; '304 patent, 1:42-44; *see also* Goldberg Decl., ¶ 50.

47. Further, "[a]utomobile accidents are one of the greatest causes of serious injury and fatalities in society. The development of improved control and warning systems to minimize personal and financial losses resulting from automobile accidents is of utmost importance. The limitations of present forms of communication are even more severe when considering the extent to which a communication link can improve both the driving experience and the safety statistics of modern vehicles." '715 patent, 1:45-53; '291 patent, 1:45-53; '304 patent, 1:45-53; *see also* Goldberg Decl., ¶ 51.

48. The Mobile Unit Tracking Patents' specification also disclosed that it would be extremely useful to update a vehicle activity log on the order of fractions of a second during accident reconstruction. '715 patent, 9:13-16; '291 patent, 8:62-65; '304 patent, 8:66-9:2; *see also* Goldberg Decl., ¶ 52.

The Claimed Advances Of The Mobile Unit Tracking Patents

49. The Mobile Unit Tracking Patents generally claim communication links among vehicles which solve the problems described above and comprise a broadband RF transceiver with antenna, a position determining means, an audiovisual interface, an electromechanical interface,

and a microprocessor with associated memory that are incorporated into a mobile unit located within each vehicle. '715 patent, 3:11-17; '291 patent, 2:61-67; '304 patent, 2:66-3:5; *see also* Goldberg Decl., ¶ 53.

50. Figure 2 of the Mobile Unit Tracking Patents, as illustrated below, show an example embodiment of the mobile unit. *See* Goldberg Decl., ¶ 54.

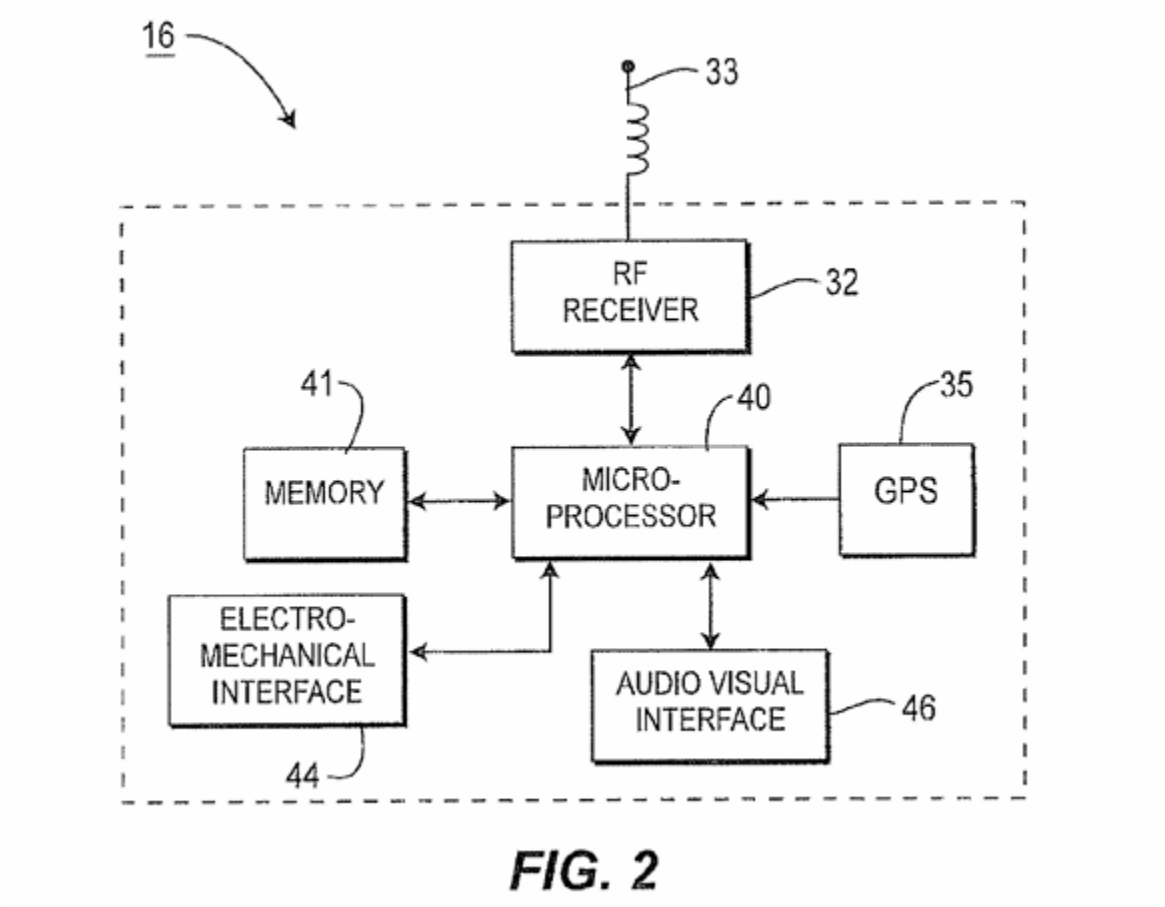


FIG. 2

Figure 2, '715 patent; '291 patent; '304 patent.

51. In Figure 2, each mobile unit includes an RF transceiver **32** with an antenna **33** capable of transmitting and receiving a plurality of RF signals, a global positioning system ("GPS") receiver **35**, a microprocessor **40** with associated memory **41**, an interface to the vehicle's electromechanical systems **44**, and an audiovisual interface **46**. The RF transceiver **32** transmits and receives RF signals at a plurality of RF frequencies to one or more vehicles that include a

mobile unit **16**. Received signals are downloaded to the baseband and forwarded to the microprocessor **40** for further processing. Transmitted signals are forwarded from the microprocessor **40** to the RF transceiver **32** for upconversion and transmission over one of the plurality of RF frequencies. '715 patent, 4:22-36; '291 patent, 4:5-18; '304 patent, 4:10-23; *see also* Goldberg Decl., ¶ 55.

52. Referring to Figures 3A and 3B, as illustrated below, communications between mobile units are achieved through a stream of transmitted communication packets **50**. '715 patent, 5:18-20; '291 patent, 5:1-3; '304 patent, 5:6-8. Specifically, as seen below in Figure 3A, each communication packet comprises a header **51** and a payload **53**. '715 patent, at 5:20-22; '291 patent, 5:3-5; '304 patent, 5:8-10. As seen below in Figure 3B, the header **51** includes a plurality of information fields that are categorized into three functional groups: 1) transmission administrative information **55**; 2) sender information **56**; and 3) receiver information **57**. '715 patent, 5:37-41; '291 patent, 5:20-24; '304 patent, 5:25-29.

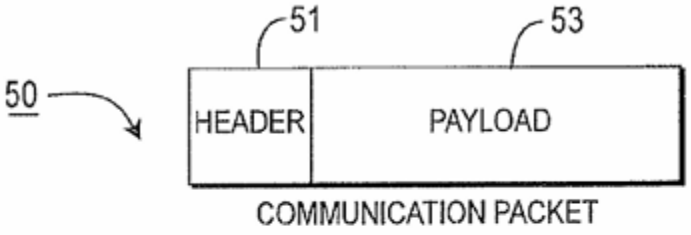


FIG. 3A

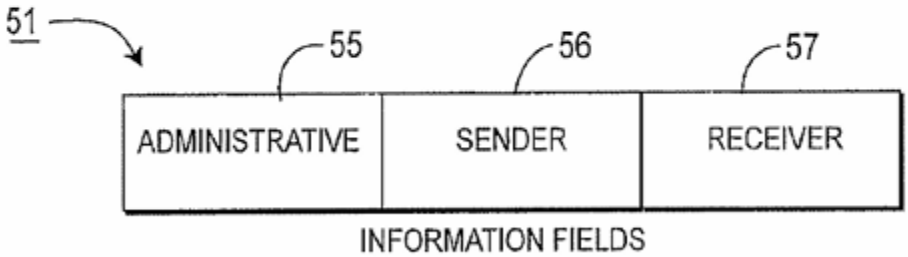
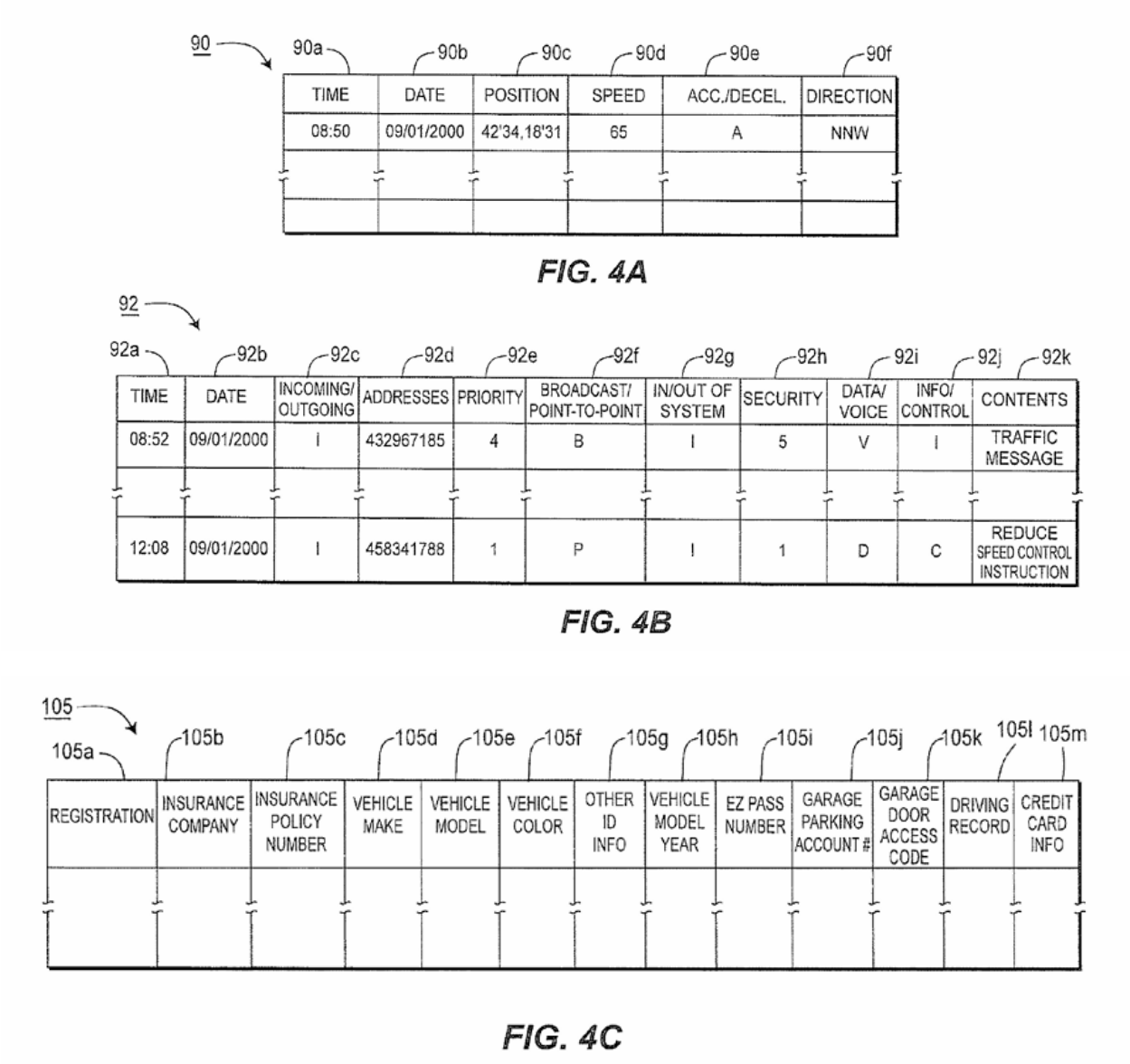


FIG. 3B

Figures 3A, 3B, '715 patent; '291 patent; '304 patent; *see also* Goldberg Decl., ¶ 56.

53. Communications may include data transmissions, such as uploads from the mobile unit **16**, downloads to the mobile unit **16**, or voice communications. '715 patent, 5:33-36; '291 patent, 5:16-19; '304 patent, 5:21-24; *see also* Goldberg Decl., ¶ 57.

54. As shown in Figures 4A, 4B, and 4C, the memory **41** is also used to store information and track communications. '715 patent, 8:59-60; '291 patent, 8:40-41; '304 patent, 8:45-46.



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90a TIME	90b DATE	90c POSITION	90d SPEED	90e ACC./DECEL.	90f DIRECTION
08:50	09/01/2000	42'34,18'31	65	A	NNW

FIG. 4A

92

92a TIME	92b DATE	92c INCOMING/ OUTGOING	92d ADDRESSES	92e PRIORITY	92f BROADCAST/ POINT-TO-POINT	92g IN/OUT OF SYSTEM	92h SECURITY	92i DATA/ VOICE	92j INFO/ CONTROL	92k CONTENTS
08:52	09/01/2000	I	432967185	4	B	I	5	V	I	TRAFFIC MESSAGE
12:08	09/01/2000	I	458341788	1	P	I	1	D	C	REDUCE SPEED CONTROL INSTRUCTION

FIG. 4B

105

105a REGISTRATION	105b INSURANCE COMPANY	105c INSURANCE POLICY NUMBER	105d VEHICLE MAKE	105e VEHICLE MODEL	105f VEHICLE COLOR	105g OTHER ID INFO	105h VEHICLE MODEL YEAR	105i EZ PASS NUMBER	105j GARAGE PARKING ACCOUNT #	105k GARAGE DOOR ACCESS CODE	105l DRIVING RECORD	105m CREDIT CARD INFO

FIG. 4C

FIGS 4A, 4B, 4C ’715 patent; ’291 patent; ’304 patent ; *see also* Goldberg Decl., ¶ 58.

55. For example, as seen in Figure 4A above, the memory **41** is used to automatically store a current vehicle activity log **90** and previously entered logs. The vehicle activity log **90** includes a plurality of fields including the time **90a**, date **90b**, position **90c**, speed **90d**, acceleration/deceleration **90e**, and direction **90f** of the vehicle. The log may be updated every 15 seconds or less. ’715 patent, 9:4-16; ’291 patent, 8:53-65; ’304 patent, 8:57-66; *see also* Goldberg Decl., ¶ 59.

56. As seen above in Figure 4B, a vehicle communication log **92** includes the following fields: the time of the communication **92a**; the date of the communication **92b**; an indication of whether the communication was incoming or outgoing **92c**; the addresses of the communicating entity **92d**; the priority of the communication **92e**; an indication of whether the communication is broadcast or point-to-point **92f**; an indication of whether the communicating entity is within the system or outside the system **92g**; the security level of the communicating entity **92h**; an indication of whether the communication is data or voice **92i**; an indication of whether the communication is information or control **92j**; and the contents of the communication **92k**. The vehicle communication log **92** continually tracks each congoing communication and stores the contents of a particular communication in the contents field **92k**. ’715 patent, 9:17-33; ’291 patent, 8:66-9:15; ’304 patent, 9:3-19; *see also* Goldberg Decl., ¶ 60.

57. As illustrated above in Figure 4C, an operator may input via the AVI **46** a plurality of fields related to the specific user and/or vehicle in a user log **105**. The user log includes a plurality of fields, including: registration number **105a**; insurance company **105b**; insurance policy number **105c**; vehicle make **105d**; vehicle model **105e**; vehicle color **105f**; other identifying information **105g**; vehicle model year **105h**; EZ pass number **105i**; garage parking account number **105j**; garage door access code **105k**; driving record **105l**; and credit card information **105m**.

Because many of the fields in the user log **105** include sensitive information, the mobile unit operator may decide not to send any information from the user log **105** and the microprocessor **40**, will place null data in those fields when constructing data packets. '715 patent, 9:34-50; '291 patent, 9:16-32; '304 patent, 9:20-36; *see also* Goldberg Decl., ¶ 61.

58. Because all the detailed information is available in the packet header **51**, the system **10** can provide the speed, direction, and location of the other vehicle in relation to the present vehicle. This information is important for the system to evaluate whether another mobile unit **16** is available for a conversation having a duration of a minimum length. '715 patent, 10:64-11:2; '291 patent, 10:45-50; '304 patent, 10:50-55; *see also* Goldberg Decl., ¶ 62.

59. As shown below in Figure 5, upon receipt of a communication packet **50**, the microprocessor **40** determines whether the incoming packet **50** is addressed to the specific mobile unit **16**. '715 patent, 9:51-54; '291 patent, 9:35-37; '304 patent, 9:38-40.

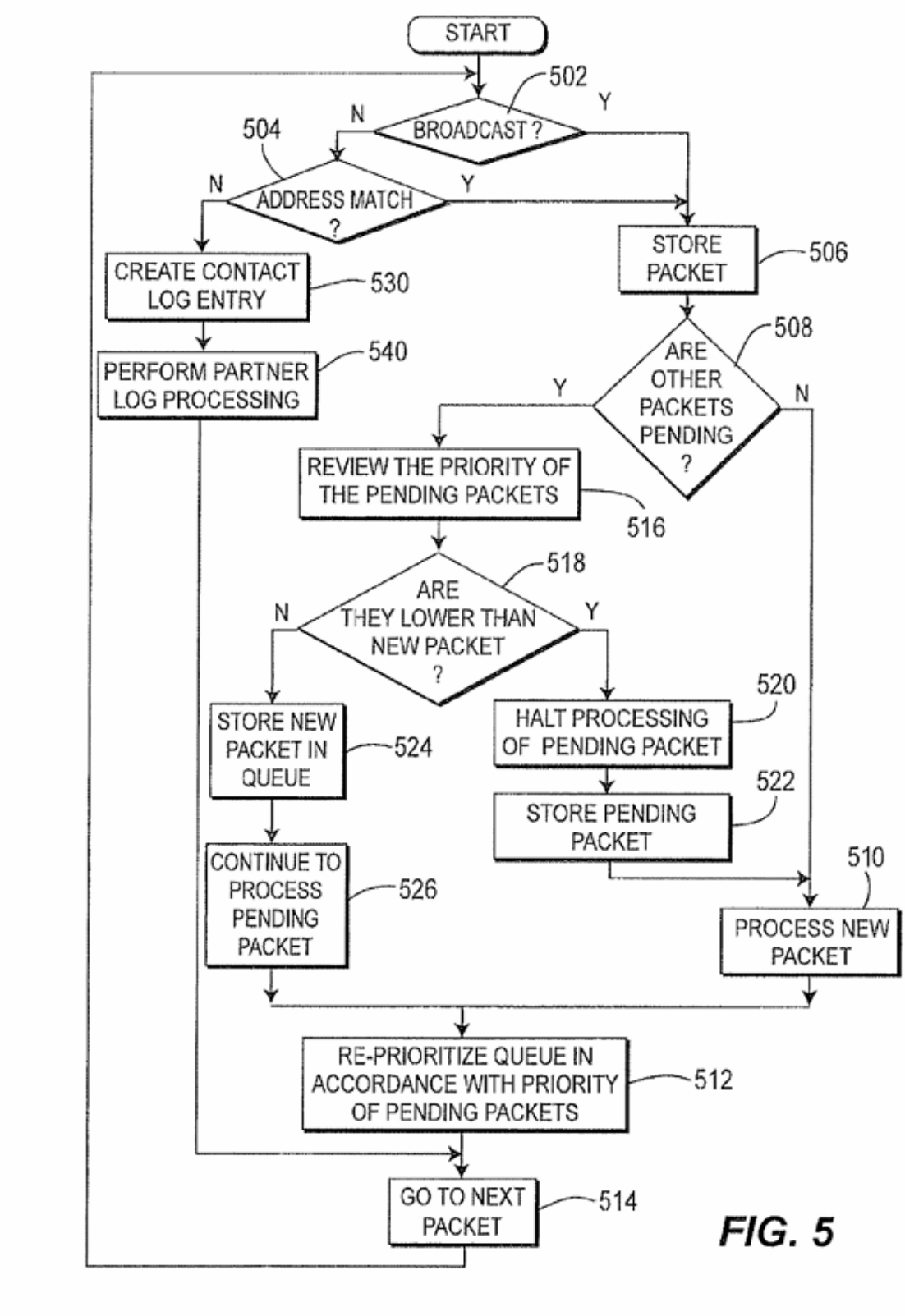

FIG. 5

FIG. 5, ’715 patent; ’291 patent; ’304 patent ; *see also* Goldberg Decl., ¶ 63.

60. At step **502**, the microprocessor determines whether the incoming packet is a broadcast, and at step **504**, the microprocessor determines whether the specific address matches the mobile unit address. If either of these determinations is affirmative, the new packet is stored at step **506**. The microprocessor then determines if there are other communication packets pending for processing at step **508**. If no other packets are pending, the new packet is processed at step **510**. If necessary, any packets in the queue are reprioritized in accordance with the priority of each packet at step **512**. The microprocessor then reviews the next packet at step **514**. If, at step **508**, other packets are pending, the priority of all the pending packets are reviewed at step **516**; a determination is then made at step **518** determining whether the pending packets have a lower priority than the new packets. If the new packet has a higher priority than the pending packets, the microprocessor stops processing the pending packet currently being processed at step **520**, restores the pending packet into memory at step **522**, and proceeds with processing the new packet at step **510**. If the pending packets do not have a lower priority than the new packet, the microprocessor stores the new packet in a queue with all other pending packets at step **524** and continues to process the pending packet at step **526**. '715 patent, 9:54-10:13; '291 patent, 9:37-63; '304 patent, 9:40-66; *see also* Goldberg Decl., ¶ 64.

61. As a result, the microprocessor **40** processes higher priority packets first, and delays processing of lower priority packets to a more appropriate time when the microprocessor has the proper resources. '715 patent, 10:13-17; '291 patent, 9:63-67; '304 patent, 9:66-10:3. This innovation has particular importance for safety and accident prevention. Specifically, because the communication packets **50** are prioritized, communication sent from an emergency vehicle in transit will have the highest priority and override all other communication signals having a lower

priority. '715 patent, at 12:63-66; '291 patent, 12:46-49; '304 patent, 12:49-52 *see also*; Goldberg Decl., ¶ 65.

62. As noted below in Counts IV, VII, and VIII, the Mobile Unit Tracking Patents comprise three separate patents and each set of claims are directed to different subject matter taught in the specification of the patents. The '715 patent claims are directed to methods and systems of collecting and logging maintenance information through short range wireless protocols. The claims of the '291 patent are directed to connecting vehicles through secure short range wireless communication links that provide, among other things, the ability to log communications and provide real time weather, traffic, and accident data. The claims of the '304 patent are directed to methods and systems that allow vehicles to communicate with each other through short range wireless communication links.

III. THE '581, '044, AND '565 PATENTS – SYSTEM AND METHODS FOR MANAGEMENT OF MOBILE FIELD ASSETS *VIA* WIRELESS HANDHELD DEVICES

63. U.S. Patent No. 8,494,581 (the "'581 patent") was filed on August 25, 2009. '576 patent, Abstract. The '581 patent is a continuation of application No. 11/262,699, filed on October 31, 2005, now Pat. No. 7,593,751, which is a continuation of application No. 09/955,543, filed on September 17, 2001, now 6,961,586, which claims priority to provisional application No. 60/233,120, filed on September 18, 2000, which means that the '581 patent has a priority date no later than September 18, 2000. *See* Goldberg Decl., ¶ 91.

64. U.S. Patent No. 9,299,044 (the "'044 patent") was filed on September 8, 2014, and in general, the '044 patent is directed to "systems and methods of managing mobile assets in the field such as personnel, equipment and inventory via communications with handheld data management devices . . . located in the field." '044 patent, 1:23-28. The '044 patent is a division of application No. 13/925,692, filed on June 24, 2013, now Pat. No. 8,862,184, which is a

continuation of application No. 12/547,363, filed on August 25, 2009, no Pat. No. 8,494,581, which is a continuation of application No. 11/262,699, filed on October 31, 2005, now Pat. No. 7,593,751, which is a continuation of application No. 09/955,543, filed on September 17, 2001, now Pat. No. 6,961,586, which claims priority to provisional application No. 60/233,120, filed on September 18, 2000, which means that some of the claimed subject matter of the '044 Patent claims priority to no later than September 18, 2000. *See* Goldberg Decl., ¶ 92.

65. U.S. Patent No. 9,747,565 (the "'565 patent") was filed on March 15, 2016, and is a continuation of application No. 14/480,297, filed on September 8, 2014, now U.S. Pat. No. 9,299,044; which is a division of application No. 13/925,692, filed on June 24, 2013, now U.S. Pat. No. 8,862,184; which is a continuation of application No. 12/547,363, filed on August 25, 2009, now U.S. Pat. No. 8,494,581; which is a continuation of application No. 11/262,699, filed on October 31, 2005, now U.S. Patent No. 7,593,751; which is a continuation of application No. 09/955,543, filed on September 17, 2001, now U.S. Patent No. 6,961,586; which claims priority to provisional application No. 60/233,120, filed on September 18, 2000, which means that some of the claimed subject matter of the '565 Patent claims priority to no later than September 18, 2000. *See* Goldberg Decl., ¶ 93.

66. In general, the '581, '044, and '565 patents (collectively, the "Mobile Field Asset Management Patents") are directed to a method, device, and apparatus for managing mobile assets in the field such as personnel, equipment and inventory *via* communications with handheld data management devices located in the field. '581 patent, Abstract, 1:23-28; '044 patent, 1:23-28; '565 patent, 1:25-31. Frank A. Barbosa and Luis M. Ortiz, are the co-inventors of the innovations claimed in the Mobile Field Asset Management Patents. *See* Goldberg Decl., ¶ 94.

The Technical Problems of Mobile Field Asset Management In September 2000

67. The Mobile Field Asset Management Patents are generally targeted towards professional services, trades, and other industries that involve remote or distributed work in the field. According to the Mobile Field Asset Management Patents' specification, the inventions claimed are "related to systems and methods in the management of mobile field assets via wireless handheld devices." '581 patent, 1:28-31; '044 patent, 1:28-31; '565 patent, 1:30-33. Specifically, it describes a system and methods for managing mobile field assets such as personnel, equipment, and inventory using wireless handheld devices including smartphones, laptops, PDAs, and other portable computing devices. '581 patent, 1:22-28; '044 patent, 1:22-28; '565 patent, 1:26-32; *see also* Goldberg Decl., ¶ 96.

68. There were several limitations in the management of mobile field assets "that ha[d] been experienced with the growth of services [that] . . . can be attributed to the expansion of remote or distributed field activities, such as situation/location assessments, estimates, or appraisals." '581 patent, 1:35-39; '044 patent, 1:35-39; '565 patent, 1:36-41. For instance, "less experienced personnel may be undertaking the initial tasks of customer interaction, sales, data collection and/or the analysis and troubleshooting of problems in the field. Personnel in field are usually required to collect data regarding a field situation that is generally be used later by more senior, experienced and/or responsible personnel to make decisions (business, technical, administrative and/or political)." '581 patent, 1:39-45; '044 patent, 1:39-45; '565 patent, 1:42-45. The specification explains that "[e]ven the most experienced professionals m[ight have] f[ou]nd themselves lacking access to critical information or support that would be helpful in undertaking field operations." '581 patent, 1:46-49; '044 patent, 1:46-49; '565 patent, 1:49-52. Further, "[e]fficiency in the remote dispatching of personnel given personnel vs. customer or field locations, as well as asset

and inventory control can also be improved." '581 patent, 1:49-51; '044 patent, 1:49-51; '565 patent, 1:52-55; *see also* Goldberg Decl., ¶ 97.

69. The specification of the Mobile Field Asset Management Patents provides the "construction industry" as an example of a trade/industry with fleet vehicles and remote work needs where these issues had arisen by September 2000. According to the Mobile Field Asset Management Patents, "individuals in the construction industry are often responsible for carrying out field assessments and providing estimates," and there were "consequences of under bidding a project in the construction field," including that such underbidding "can be very costly and/or can affect performance and quality of services/activities related to the underbid project." '581 patent, 1:52-57; '044 patent, 1:52-57; '565 patent, 1:56-61; *see also* Goldberg Decl., ¶ 98.

70. Notably, "[c]onstruction project estimates require an accurate assessment and analysis of a job-site/projects in order to develop the data/facts necessary for an estimate to be rendered regarding use of labor, materials and completion time for a project." '581 patent, 1:63-67; '044 patent, 1:63-67; '565 patent, 1:67-2:4. Field operators were unlikely to have reasonable means to access supplemental information or update the current information about the field operations, which impacted the accuracy of field operations. '581 patent, 2:1-9; '044 patent, 2:1-9; '565 patent, 2:5-11. For that reason, "[i]n cases where a project cost estimate, or bid, must be provided for a construction project, a business owner or senior journeymen can oftentimes be compelled to personally go to the field and collect information regarding a project in order to render a realistic and profitable bid because an inexperienced estimator might render an inaccurate appraisal." '581 patent, 1:57-63; '044 patent, 1:57-63; '565 patent, 1:61-67; *see also* Goldberg Decl., ¶ 99.

71. The Mobile Field Asset Management Patents teach various components and functionalities of smartphones, laptops, PDAs, and other portable computing devices, including GPS navigation, wireless communication modules and protocols for wirelessly transmitting data (such as TCP/IP, CDPD, PPP, PSTN, GSM, PCS, CDMA, TDMA, GPRS, and Bluetooth), and discusses various user interfaces that could be used to interact with field data management programs. '581 patent, 2:10-3:24; '044 patent, 2:10-3:24; '565 patent, 2:9-3:31; *see also* Goldberg Decl., ¶ 100.

72. The Mobile Field Asset Management Patents explain that, as of September 2000, "few applications were available that directly relate to interactive or industry-specific programs providing management of associated data and providing users with access to daily business practices and procedures related to a particular industry." '581 patent, 3:27-32; '044 patent, 3:27-32; '565 patent, 3:34-39. Further, the Mobile Field Asset Management Patents explains that, at that time, "what was, and continue[s] to be needed in business, government, and industry where field operators are utilized is a system and method for managing assets in the field via wireless handheld devices. Systems were, and remain, needed by businesses that could enable their field operators (*e.g.*, users, operators, estimators, investigators, salesmen, and the like) to more efficiently and accurately operate in the field." '581 patent, 3:33-41; '044 patent, 3:33-41; '565 patent, 3:40-48; *see also* Goldberg Decl., ¶ 101.

THE CLAIMED ADVANCES OF THE MOBILE FIELD ASSET MANAGEMENT PATENTS

73. The methods and systems of the Mobile Field Aset Management Patents enable targeted real-time communication and data synchronization between enterprise servers and handheld devices in the field to facilitating tasks such as vehicle dispatch, navigation logistics, project management, equipment inspection, troubleshooting, inventory tracking, sales, customer

invoicing, legal investigations, and field data collection. '581 patent, 3:45-12:47; '044 patent, 3:45-12:47; '565 patent, 3:50-13:10. This enables field operators to access supplemental information and expert assistance, improving the accuracy and efficiency of field operations. *Id.*; *see also* Goldberg Decl., ¶ 102.

74. Referring to Figures 1 through 5, the Mobile Field Aset Management Patents' specification describes devices to be used with the methods and systems claimed. *See* Goldberg Decl., ¶ 103.

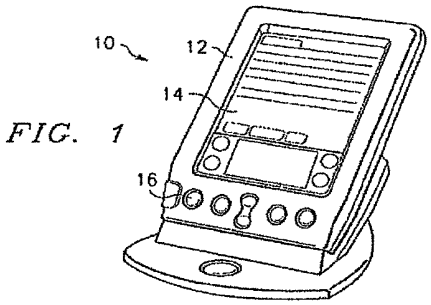

FIG. 1

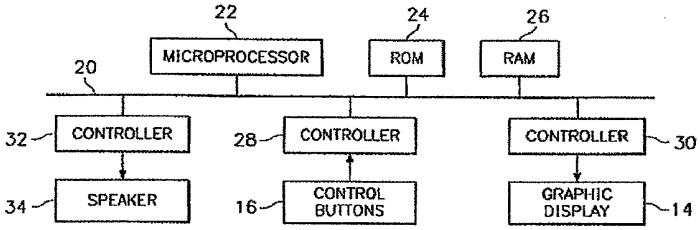

FIG. 2

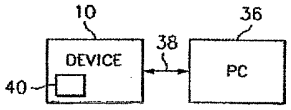

FIG. 4

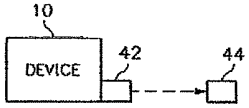

FIG. 3

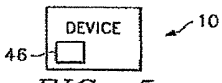

FIG. 5

75. For instance, handheld data management devices in accordance with the present invention can be any of several commercially available hand-held devices such as personal digital assistants (PDAs), two-way pagers, and Web/WAP-enabled mobile phones. Referring to FIG. 1,

a device **10** exemplary of a prior art PDA that could implement software and/or communication methods in accordance with carrying out methods of the invention is illustrated. The device **10** includes an outer housing **12** sufficiently small to be easily portable such that it substantially fits within the palm of a user's hand, a display **14** that can also preferably include touch-screen technology to operate in combination with control buttons **16** to provide a User Interface (UI) for operating, controlling and/or otherwise interacting with the device **10**. Not shown on the device **10**, but well known in the art to be incorporated in such devices are communication ports (wired and wireless). *See* Goldberg Decl., ¶ 104.

76. As shown in FIG 2, the device **10** includes a system bus or plurality of system buses **20** to which various resident components are coupled and by which communication between the various components is accomplished. A processor **22** is connected to the system bus **20** and is supported by a read only memory (ROM) **24** and a random-access memory (RAM) **26**. The ROM **24** contains, among other code, the code controlling basic hardware operations. The RAM **26** is the main memory into which the operating system and application programs are loaded. Also connected to this system bus **20** are various I/O controllers, including a controller **28** providing the hardware interface for the control buttons **16**, and a controller **30** providing the hardware interface for the display **14**. A controller **32** provides the hardware interface for a speaker **34**. *See* Goldberg Decl., ¶ 105.

77. The inventions claimed by the Mobile Field Asset Management Patents solved the above problems through an integrated communication module **42** to facilitate wired and wireless communication, as seen above in Figure 3. '581 patent, 6:21-23; '044 patent, 6:21-23; '565 patent, 6:37-40; *see also* Goldberg Decl., ¶ 106.

78. As illustrated above in Figure 3, communications can occur with remote resources **44**, such as servers, through a network that enables monitoring and feedback of field assessment operations. The wireless communication module **42** includes digital communication technology and/or wireless modems and protocols for facilitating local area communication, such as TCP/IP, CDPD, PPP, PSTN, GSM, PCS, CDMA, TDMA, GPRS, and Bluetooth. '581 patent, 2:10-3:24; '044 patent, 2:10-3:24; '565 patent, 2:9-3:31. Communications module **42** provides wireless real-time access to servers and personnel in support of assessments, along with email, chat, Intranet and Internet information over networks. '581 patent, 6:26-38; '044 patent, 6:24-38; '565 patent, 6:40-55; *see also* Goldberg Decl., ¶ 107.

79. As illustrated above in Figure 4, the device **10** can also communicate with a personal computer **36** through an infrared communications link **38** to exchange and update information in two directions, which "makes it particularly easy to update and change . . . schedules as needed." '581 patent, 6:39-43; '044 patent, 6:39-43; '565 patent, 6:56-60. The device **10** can include an integrated modem **40** to provide data transfer functions and remote connectivity. This feature allows a supervisor, counselor, or service representative remote from the user to provide tasks, answers to queries, notes and other information. '581 patent, 6:43-50; '044 patent, 6:43-50; '565 patent, 6:60-6; *see also* Goldberg Decl., ¶ 108.

80. As noted in Counts X, XI, and XII (below), the Mobile Field Asset Management Patents comprise three separate patents and each set of claims are directed to different subject matter taught in the specification of the patents. The relevant '581 patent claims are directed to an apparatus with means for establishing communication between a server and handheld devices, managing collected data, determining geographic location, and enabling communication of data and location between devices and the server, including means for the handheld device to determine

service schedule requirements, synchronize the service schedules with inventory data, and troubleshoot field problems. The claims of the '044 patent are directed to devices and methods for managing work in the field through worker specific templates on handheld devices that are synchronized to a remote server. The claims of the '565 patent are directed to devices and methods that focus on identifying unfinished tasks, reporting the status of tasks, synchronizing that data with the server at the end of the completion of the field event or project, and allocating unfinished tasks to another worker/shift.

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

79. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

80. The USPTO duly issued U.S. Patent No. 6,429,810 (the "'810 patent") on August 6, 2002, after full and fair examination of Application No. 09/774,547 which was filed January 31, 2001.

81. Fleet Connect owns all substantial rights, interest, and title in and to the '810 patent, including the sole and exclusive right to prosecute this action and enforce the '810 patent against infringers and to collect damages for all relevant times.

82. Fleet Connect 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 '810 patent.

83. The written description of the '810 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '810 PATENT PROVIDE TECHNICAL SOLUTIONS TO THE PROBLEMS WITH CARGO TRACKING SYSTEMS IN 2000

39. The '810 patent contains 50 total claims (two independent and forty-eight dependent). Independent claims 1 and 30 are recited below, along with other exemplary claims dependent from claims 1 and 30 that are directed to more specific patentable subject matter and solve some of the then-existing technical problems existing as of October 2000. Bolding, italics, and underlining are used for emphasis, as shown below, to highlight the limitations that are directed to solving then-existing problems:

> **1.** A ***method of providing container status information to a user***, the method comprising of the steps of:
>
> ***attaching an electronic communications unit to a shipping container***;
>
> ***generating a transaction identification code***, wherein said ***transaction identification code is specific to said shipping container and specific to at least one user transaction***;
>
> ***initiating a status inquiry utilizing said transaction identification code***, wherein said user performs said initiating step;
>
> receiving said status inquiry ***by a ground communications system***;
>
> ***transmitting said status inquiry to said electronic communications unit*** by said ground communications system;
>
> ***obtaining a status information response by said electronic communications unit***;
>
> ***transmitting said status information response to said ground communications system*** by said electronic communications unit; and
>
> ***forwarding said status information response to said user*** by said ground communications system.

'810 patent at claim 1 (emphasis added). I have also recited several of the dependent claims to the independent claim, which provide:

3. The method of claim 2, said step of obtaining said status information response further comprising the step of ***obtaining a set of shipping container position coordinates by said electronic communications unit***.

4. The method of claim 3, said step of obtaining said set of shipping container position coordinates ***further comprising the step of querying a GPS satellite system by said electronic communications unit***.

6. The method of claim 3, further comprising the step of ***translating said set of position coordinates to a shipping container location description*** by said ground communications system, w***herein said set of position coordinates are transmitted*** to said ground communications system by said electronic communications ***system as said status information response and said location description is forwarded to said user by said ground communications system as a translated status information response***.

8. The method of claim 7, said step of obtaining said status information response further comprising the step of ***interrogating a sensor module coupled to said electronic communications unit to obtain an environmental status response***, said environmental status response transmitted to said ground communications system as said status information response.

10. The method of claim 9, said step of obtaining said status information response ***further comprising the step of interrogating a sensor module coupled to said electronic communications unit to obtain a shipping container status response***, said shipping container status response transmitted to said ground communications system as said status information response.

11. The method of claim 1, wherein said step of transmitting said status inquiry to said electronic communications unit by said ground communications system ***utilizes a satellite communications system.***

15. The method of claim 1, wherein said ***transaction identification code is an air-way bill***.

> **22.** The method of claim 20, ***wherein said monitored status indicator corresponds to an environmental condition***.
>
> **24.** The method of claim 1, said status information response forwarding step further comprising the step of ***transmitting said status information response to said user via an e-mail system***.
>
> **26.** The method of claim 1, said status information response forwarding step further comprising the step of ***transmitting said status information response to said user via a telephone system and a voice synthesized message***.
>
> **28.** The method of claim 1, further comprising the steps of:
>
> ***monitoring at least one shipping container status indicator*** with said electronic communications unit;
>
> ***obtaining a set of shipping container position coordinates in response to a change in said at least one monitored shipping container status indicator***;
>
> ***transmitting said set of shipping container position coordinates to said ground communications system*** by said electronic communications unit; and
>
> ***forwarding said set of shipping container position coordinates to said user*** by said ground communications system.

'810 patent at claims 2-11 (emphasis added). Independent claim 13 is a means-plus-function claim that is directed to the below subject matter:

> **30.** A ***method of providing container status information to a user,*** the method comprising of the steps of:
>
> ***attaching an electronic communications unit to a shipping container***;
>
> ***generating a transaction identification code***, wherein said transaction identification code is ***specific to said shipping container and specific to at least one user transaction***;
>
> ***monitoring at least one shipping container status indicator*** with said electronic communications unit;

> ***updating shipping container status information in response to a change in said at least one monitored shipping container status indicator***;
>
> ***transmitting said updated shipping container status information to a ground communications system*** by said electronic communications unit; and
>
> ***forwarding said updated shipping container status information to said user*** by said ground communications system.

'810 patent at claim 30 (emphasis added). The claims depending from independent claim 30 (claims 31 to 50) approximate the limitations of claims 2 to 29. *E.g.*, *compare* claim 34 *with* claim 4 (same); *compare* claim 41 *with* claim 14 (same); *compare* claim 42 *with* claim 15 (same); *compare* claim 43 *with* claim 16 (same); *compare* claim 46 *with* claim 23 (similar); *compare* claim 49 *with* claim 26 (similar). The other dependent claims are also directed to subject matter that provided technical solutions to technical problems that existed as of July 2001. Those specific claims are directed to a method that employs automation through various technologies to track a shipment in real time using location coordinates and environmental information, for example. '810 patent, claims 21-25; *see also* Goldberg Decl., ¶ 35.

40. A POSA would understand that these claims are directed to more than "collecting, analyzing, and distributing information from geo-tracking devices" or any other abstract idea. The claims are concrete and specific in the subject matter they claim, which solve the technical problems in cargo tracking systems and logistics as of July 2001. These claims are directed to various embodiments of automated systems that track cargo and update status in real-time using location and environmental information (removing the need for labor intensive human input for cargo status, including each load/unload). For instance, claim 1 is directed to a method of providing container status information by way of attaching an ECU (electronic communications unit) to the container, generating a transaction ID code specific to the container and a user

transaction, initiating a status inquiry utilizing the transaction ID code, receiving the status inquiry by a ground communications system that transmits the status inquiry to the ECU, then obtaining a status information response from the ECU, transmitting it to the ground communications system and ultimately to the user. Claim 30 is directed to similar subject matter but focuses on updating that status in response to changes in the status and providing the updated status to the user. The dependent claims depending from claims 1 and 30 are directed to more specific tracking activity, including tracking position coordinates (claim 3) and environmental statuses, through, *inter alia*, GPS (claim 4) and/or satellite communication systems (claim 6 and 11), specific sensor modules coupled to the ECU (claims 8 and 10), and specific types of transaction ID codes (claim 15), and means to communicate the status/updated status to users (claims 24, 26, and 28). *See* Goldberg Decl., ¶ 36.

41. Additionally, none of these claims are directed to subject matter that can be performed by a human, mentally, or with pen and paper. The claims in this patent, including the claims highlighted above, accomplish something tangible in the computer world (*i.e.*, provide automated systems that track cargo and update status in real-time using location and environmental information using ECU and sensors coupled thereto). As explained above, the claims of the '810 patent are directed at improving cargo tracking systems that existed in 2000. None of these steps could be performed by a human or with a pen and paper because, as recited in the specific claims of the '810 patent, the technical solutions are used to overcome the problems with human operators who were required to update cargo status along the way. Goldberg Decl., ¶ 37.

42. Finally, the claims of the '810 patent do not preempt all the ways of tracking cargo. There are many other ways that cargo could be tracked, including without an electronic communications unit, and without GPS technology (using triangulation only). Notably, the

systems that were disclosed in the prior art patents and applications identified on the face of the patent would not be preempted, nor would any other references that do not include all limitations in the claims of the '810 patent. *See* Goldberg Decl., ¶ 38.

43. The '810 patent claims are not directed at an abstract idea and the claims capture subject matter that is inventive. A POSITA would understand that the claims of the '810 patent are directed to subject matter that was unknown in the art at the time. To the extent that the claims employ components and technology that existed at the time of invention (for instance, ECUs, sensors, transaction codes, GPS, or ground communication systems), the components and technologies were employed together in a way that was new and would not have been considered conventional, routine, or generic to those skilled in the art. The use of automated systems that track cargo and update status in real-time using location and environmental information *via* an ECU and sensors (avoiding the need for labor intensive human input to track cargo status), as claimed in the claims highlighted above, was not previously known in the art. *See* Goldberg Decl., ¶ 39.

44. The ordered combinations of the limitations in claim 1 (and its dependent claims 2-29), claim 30 (and its dependent claims 31-50), as recited and described in detail above, were not known in the art, much less well-known. A POSITA would not be aware of any art or system that existed at the time and that disclosed all the limitations of these claims in a way that solved the then-existing problems with cargo tracking systems. A POSITA also would have understood that these claims do not merely employ known generic components in a conventional or routine way. Rather, these claims are directed to specific solutions using technology in an inventive and unique way (described above) to solve the problems then-known in the art. *See* Goldberg Decl., ¶ 40.

45. For the reasons stated above, the claims of the '810 patent claim a combination of elements sufficient to ensure that the claims themselves, both in substance and in practice, are directed to concrete and inventive concepts (and not abstract ideas). *See* Goldberg Decl., ¶ 41.

INFRINGEMENT OF THE '810 PATENT

46. PowerFleet has directly infringed the claims of the '810 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

47. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 16, and 23 of the '810 patent, as detailed in the claim chart attached hereto as **Exhibit A**.

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

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

49. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

52. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '040 patent.

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

54. PowerFleet has directly infringed the claims of the '040 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

55. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 3, and 11 of the '040 patent, as detailed in the claim chart attached hereto as **Exhibit B**.

56. PowerFleet had knowledge of the '040 patent at least as of the date it received the FCS Letter in March 2022.

57. Since at least the time of receiving the FCS Letter in March 2022 until the '040 patent expired in March 2024, PowerFleet also indirectly infringed by inducing others to directly infringe the '040 patent. PowerFleet has induced distributors and end-users, including, but not limited to, PowerFleet's employees, partners, contractors, or customers, to directly infringe, either literally or under the doctrine of equivalents, the '040 patent by providing or requiring use of the Accused Products. PowerFleet took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes

one or more claims of the ’040 patent, including, for example, claims 1, 2, 3, and 11 of the ’040 patent.

58. Such steps by PowerFleet included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or instructional and technical support on its website. PowerFleet was performing these steps, which constitute induced infringement with the knowledge of the ’040 patent and with the knowledge that the induced acts constitute infringement. PowerFleet was aware that the normal and customary use of the Accused Products by others would infringe the ’040 patent.

59. Since at least the time of receiving the FCS Letter in March 2022 until the ’040 patent expired in March 2024, PowerFleet has also indirectly infringed by contributing to the infringement of the ’040 patent. PowerFleet has contributed to the direct infringement of the ’040 patent by its personnel, contractors, distributors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the ’040 patent, including, for example, claims 1, 2, 3, and 11 of the ’040 patent. The special features constitute a material part of the invention of one or more of the claims of the ’040 patent and are not staple articles of commerce suitable for substantial non-infringing use.

60. PowerFleet’s actions were at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by PowerFleet.

61. PowerFleet's direct infringement of the '040 patent was willful, intentional, deliberate, or in conscious disregard of Fleet Connect's rights until the '040 patent expired in March 2024.

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

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

63. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

66. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '153 patent.

67. The written description of the '153 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from

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

68. PowerFleet has directly infringed, and continues to directly infringe, the claims of the '153 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

69. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 19, 28, and 29 of the '153 patent, as detailed in the claim chart attached hereto as **Exhibit C**.

70. PowerFleet had knowledge of the '153 patent at least as of the date when it received in the FCS Letter in March 2022.[6]

71. Since at least the time of receiving the FCS Letter in March 2022, PowerFleet has indirectly infringed and continues to indirectly infringe the '153 patent by inducing others to directly infringe the '153 patent. PowerFleet has induced and continues to induce customers and end-users, including, but not limited to, PowerFleet's customers, employees, partners, contractors, customers and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '153 patent by providing or requiring use of the Accused Products. PowerFleet has taken active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '153 patent, including, for example, claims 1, 2, 19, 28, and 39. *See* Exhibit C.

72. Such steps by PowerFleet have included, among other things, advising or directing customers, personnel, contractors, or end-users to use the Accused Products in an infringing

[6] Alternatively, at the latest, PowerFleet had knowledge of the '153 Patent as of August 30, 2024, the date Fleet Connect filed the Original Complaint against PowerFleet. *See* Dkt. No. 1.

manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or instructional and technical support on its website/dashboard. PowerFleet has been performing these steps, which constitute induced infringement with the knowledge of the '153 patent and with the knowledge that the induced acts constitute infringement. PowerFleet has been aware that the normal and customary use of the Accused Products by others would infringe the '153 patent. PowerFleet's inducement is ongoing. *See* Exhibit C.

73. Since at least the time of receiving the FCS Letter in March 2022, PowerFleet has indirectly infringed and continues to indirectly infringe by contributing to the infringement of the '153 patent. PowerFleet has contributed and continues to contribute to the direct infringement of the '153 patent by its customers, personnel, and contractors. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '153 patent, including, for example, claims 1, 2, 19, 28, and 39. The special features constitute a material part of the invention of one or more of the claims of the '153 patent and are not staple articles of commerce suitable for substantial non-infringing use. PowerFleet's contributory infringement is ongoing. *See* Exhibit C.

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

75. PowerFleet's direct infringement of the '153 patent was willful, intentional, deliberate, or in conscious disregard of Fleet Connect's rights under the patent until the '153 patent expired in September 2024.

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

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,599,715

77. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

78. The USPTO duly issued U.S. Patent No. 7,599,715 (hereinafter, the "'715 patent") on October 6, 2009 after full and fair examination by the USPTO of Application No. 12/389,245 which was filed on February 19, 2009. A Certificate of Correction was issued on June 25, 2013.

79. Fleet Connect owns all substantial rights, interest, and title in and to the '715 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers and to collect damages for all relevant times.

80. Fleet Connect 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 '715 patent.

81. The written description of the '715 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '715 PATENT PROVIDE TECHNICAL SOLUTIONS THAT ARE FOCUSED ON COLLECTING AND LOGGING MAINTENANCE INFORMATION

82. The '715 patent contains 28 total claims (7 independent and 21 dependents, each of which includes additional technical steps/limitations). Claim 31, for example, is recited below. Bolding, italics, and underlining are used for emphasis, as shown below, to highlight the limitations that are directed to solving then-existing problems:

> **31.** A ***method of tracking vehicle maintenance information by a wireless communication system***, comprising:
>
> ***receiving a signal transmitted by a vehicle comprising a mobile unit***, the signal comprising ***a vehicle identifier and a status*** of the vehicle;
>
> ***storing the signal in a first communication log***, the first communication log including ***the vehicle identifier, a transmission time, a transmission date, and the status***;
>
> ***determining maintenance information*** associated with the vehicle, the determining comprises ***parsing the signal to determine the vehicle identifier and the status***;
>
> ***constructing a communication comprising at least one communication packet***, the at least one communication packet comprising ***the maintenance information, an address, and an identification of the vehicle***;
>
> ***forwarding the at least one communication packet to a router***;
>
> ***transmitting the at least one communication packet over the Internet by the router via the address***; and
>
> ***storing the communication through the Internet in a second communication log***.

'715 patent, at claim 31 (emphasis added). Claims 26 to 28 are directed to wireless vehicle communications systems while Claims 1 to 25, 29, and 30 are also directed to methods of tracking vehicle maintenance information using wireless vehicle communication systems. *See* Goldberg Decl., ¶ 67.

83. These claims claim methods and systems for tracking vehicle maintenance information using wireless communication systems. These methods and systems addressed the then-existing issues with conventional systems for communicating with vehicles and providing roadside assistance. For example, claim 31 provides vehicle maintenance information through a wireless communication system by receiving a signal transmitted by a vehicle (the signal includes a vehicle ID, status, and transmission time/date) and storing that information from the signal in a first communication log. From there, the maintenance information is determined by parsing the signal to determine the vehicle ID and the status. Then, the system constructs a communication packet that includes the maintenance information, an address, and the vehicle ID and sends that packet to a router to the Internet *via* the address in the packet and then storing that in a second communication log. *See* Goldberg Decl., ¶ 68.

84. A POSITA would understand that these claims are directed to much more than "collecting, analyzing, and storing information from vehicle monitoring devices," or any other abstract idea. For instance, these claims are directed to, among other things, using wireless signals to construct, transmit, and receive data packets that are formatted with specific data (*e.g.*, status information, transmission date/time, maintenance information, an address, and a vehicle ID) that are stored in two separate communication logs. These claims are directed to technical solutions to technical problems that existed as of September 1999. More specifically, the claimed subject matter overcame technical problems with conventional roadside communications networks that existed in September 1999. These claims provided specific improvements to the conventional communication systems used to communicate with vehicles prior to the filing of the '715 patent. *See* Goldberg Decl., ¶ 69.

85. These claims are not directed to subject matter that can be performed by a human, mentally or with pen and paper. The claims in the patent, including claim 1, accomplish something tangible in the computer world. As explained above, the claims of the '715 patent were directed at improving then-existing roadside communications systems by using data packets and wireless communication protocols and devices to communicate real-time maintenance information and log that information for future use and tracking. At the time, cell phones were not ubiquitous, and these claims used wireless data packets to update vehicle activity logs that would allow minute-by-minute tracking of vehicle maintenance information, which would be helpful in accident reconstruction or determining the need to pull a vehicle off the road. None of these steps could be performed by a human or with a pen and paper because the problems that were addressed by these patents were due to the inability of humans to make calls at certain times or to know in real time if certain important maintenance should be performed. *See* Goldberg Decl., ¶ 70.

86. Finally, the claims of the '715 patent do not preempt all the ways of "collecting, analyzing, and storing information from vehicle monitoring devices." For instance, the prior art systems discussed in the '715 patent, such as the cited prior art systems (OnStar in its 1999 form, for instance) can still be practiced. The more than 150 patented systems disclosed on the face of the '715 patent can be practiced without infringing on the claims of the '715 patent. '715 patent, at pp. 2-3. There are myriad other ways such systems could be built (*e.g.,* without using wireless data packets to update vehicle activity logs and without employing real time maintenance information) to attempt to improve the roadside assistance systems of the time. *See* Goldberg Decl., ¶ 71.

87. Even if the '715 patent claims were directed at an abstract idea, which a person of ordinary skill in the art would not reasonably believe, the claims capture subject matter that is

inventive. A POSITA would understand that the claims of the '715 patent are directed to subject matter that was unknown in the art at the time. To the extent that the claims employ components and technology that existed at the time (for instance, mobile units, communication packets, routers, and communication logs), these components and technology were employed together here in a way that was new and would not have been considered conventional, routine, or generic to those skilled in the art. The use of in-vehicle wireless communication systems to construct, transmit, and receive data packets that are formatted with specific data (*e.g.*, status information, transmission date/time, maintenance information, an address, and an vehicle ID) that are stored in two separate communication logs to improve then-existing roadside communications systems by providing and logging real-time maintenance information for future use and tracking, as claimed in the various forms in the claims highlighted above, was not previously known in the art. *See* Goldberg Decl., ¶ 72.

88. Even if that were not true, the ordered combination of the elements in claim 31 (and the other claims, for that matter) of the '715 patent, as recited and described in detail above, were not known in the art. A POSITA would not have been aware of any art or system that existed at the time and that disclosed all the limitations of these claims in a way that solved the then-existing problems with conventional roadside communication networks. A POSITA would have understood that these claims do not merely employ known generic components in a conventional or routine way. These claims are directed to specific solutions using technology in an inventive and unique way (described above) to solve the problems then-known in the art. *See* Goldberg Decl., ¶ 73.

89. For the above reasons, the subject claims in the '715 patent recite a combination of elements sufficient to ensure that the claims in substance and in practice amount to significantly more than a patent-ineligible abstract idea. *See* Goldberg Decl., ¶ 74.

INFRINGEMENT OF THE '715 PATENT

90. PowerFleet has directly infringed the claims of the '715 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

91. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claim 31 of the '715 patent, as detailed in the claim chart attached hereto as **Exhibit D**.

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

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

93. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

96. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '845 patent.

97. The written description of the '845 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

98. PowerFleet has directly infringed, and continues to directly infringe, the claims of the '845 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

99. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claim 18 of the '845 patent, as detailed in the claim chart attached hereto as **Exhibit E**.

100. PowerFleet had knowledge of the '845 patent at least as of the date when it received the FCS Letter in March 2022.

101. Since at least the time of receiving the FCS Letter in March 2022 until the '845 patent expired in March 2024, PowerFleet also indirectly infringed by inducing others to directly infringe the '845 patent. PowerFleet has induced distributors and end-users, including, but not limited to, PowerFleet's employees, partners, contractors, or customers, to directly infringe, either literally or under the doctrine of equivalents, the '845 patent by providing or requiring use of the Accused Products. PowerFleet took active steps, directly or through contractual relationships with

others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the ’845 patent, including, for example, claim 18 of the ’845 patent.

102. Such steps by PowerFleet included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or instructional and technical support on its website. PowerFleet was performing these steps, which constitute induced infringement with the knowledge of the ’845 patent and with the knowledge that the induced acts constitute infringement. PowerFleet was aware that the normal and customary use of the Accused Products by others would infringe the ’845 patent.

103. Since at least the time of receiving the FCS Letter in March 2022 until the ’845 patent expired in March 2024, PowerFleet has also indirectly infringed by contributing to the infringement of the ’845 patent. PowerFleet has contributed to the direct infringement of the ’845 patent by its personnel, contractors, distributors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the ’845 patent, including, for example, claim 18 of the ’845 patent. The special features constitute a material part of the invention of one or more of the claims of the ’845 patent and are not staple articles of commerce suitable for substantial non-infringing use.

104. PowerFleet’s actions were at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by PowerFleet.

105. PowerFleet's direct infringement of the '845 patent was willful, intentional, deliberate, or in conscious disregard of Fleet Connect's rights until the '845 patent expired in March 2024.

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

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

107. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

110. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '388 patent.

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

112. PowerFleet has directly infringed, and continues to directly infringe, the claims of the '388 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

113. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 3-5, 7-9, 11, 12, and 28 of the '388 patent, as detailed in the claim chart attached hereto as **Exhibit F**.

114. PowerFleet had knowledge of the '388 patent at least as of the date when it received the FCS Letter in March 2022.7

115. Since at least the time of receiving the FCS Letter in March 2022, PowerFleet has indirectly infringed and continues to indirectly infringe the '388 patent by inducing others to directly infringe the '388 patent. PowerFleet has induced and continues to induce customers and end-users, including, but not limited to, PowerFleet's customers, employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '388 patent by providing or requiring use of the Accused Products. PowerFleet has taken active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '388 patent, including, for example, claim 1, 3-5, 7-9, 11, 12, and 28. *See* Exhibit F.

116. Such steps by PowerFleet have included, among other things, advising or directing customers, personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner;

[7] Alternatively, at the latest, PowerFleet had knowledge of the '388 Patent as of August 30, 2024, the date Fleet Connect filed the Original Complaint against PowerFleet. *See* Dkt. No. 1.

and/or instructional and technical support on its website. PowerFleet has been performing these steps, which constitute induced infringement with the knowledge of the ’388 patent and with the knowledge that the induced acts constitute infringement. PowerFleet has been aware that the normal and customary use of the Accused Products by others would infringe the ’388 patent. PowerFleet’s inducement is ongoing. *See* Exhibit F.

117. Since at least the time of receiving the FCS Letter in March 2022, PowerFleet has indirectly infringed and continues to indirectly infringe by contributing to the infringement of the ’388 patent. PowerFleet has contributed and continues to contribute to the direct infringement of the ’388 patent by its customers, personnel, and contractors. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the ’388 patent, including, for example, claims 1, 3-5, 7-9, 11, 12, and 28. The special features constitute a material part of the invention of one or more of the claims of the ’388 patent and are not staple articles of commerce suitable for substantial non-infringing use. PowerFleet’s contributory infringement is ongoing. *See* Exhibit F.

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

119. PowerFleet’s infringement of the ’388 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of Fleet Connect’s rights under the patent.

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

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

COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 7,747,291

122. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

124. Fleet Connect owns all substantial rights, interest, and title in and to, the '291 patent including the sole and exclusive right to prosecute this action and enforce the '291 patent against infringers and to collect damages for all relevant times.

125. Fleet Connect 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 '291 patent.

126. The written description of the '291 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '291 PATENT ARE DIRECTED TO CONNECTING VEHICLES TO BROADCAST REAL TIME TRAFFIC AND WEATHER DATA

127. The '291 Patent contains 22 total claims (six independent and fourteen depending from the independent claims). For example, Claim 1 is directed to establishing a secure, short range communication link that allows the vehicle with a mobile unit to store communications on the website. Bolding, italics, and underlining are used for emphasis, as shown below, to highlight the limitations that are directed to solving then-existing problems:

> **1.** A method of ***wirelessly interconnecting a vehicle with a mobile unit and a website***, the method comprising:
>
> ***broadcasting a short range communication link from the vehicle comprising a transceiver to the mobile unit wherein the short range communication link is a first communication lin***k;
>
> ***determining by the vehicle if the first communication link with the mobile unit is authorized***;
>
> establishing a ***second communication link between the vehicle and the website***;
>
> ***receiving a communication*** from the mobile unit, by the vehicle, the communication comprising information ***to be stored at the website***;
>
> ***uploading the communication from the vehicle to the website***;
>
> ***receiving by the vehicle a confirmation that the communication was received by the website***; and
>
> ***sending the confirmation from the vehicle to the mobile unit***.

'291 patent, at claim 1 (emphasis added). Claim 6 narrows its scope to authorizing communication links that provide real-time weather and traffic data.

> **6.** A method of ***wirelessly providing a weather or traffic update to a vehicle***, the method comprising:
>
> ***establishing a short range communication link*** between a mobile unit comprising a memory, and ***the vehicle comprising a transceiver*** wherein the ***short range communication link is a first communication link***;
>
> ***establishing a second communication link between the mobile unit and a wireless communication system***;
>
> ***receiving a communication by the mobile unit from the vehicle***, the communication ***comprising identification and GPS information***;
>
> ***transmitting the identification and GPS information*** from the mobile unit to the wireless communication system;
>
> ***receiving a weather or traffic update by the mobile unit from the wireless communication system***;
>
> ***sending the weather or traffic update from the mobile unit to the vehicle***; and
>
> ***storing, in the memory, information related to the weather or traffic update in a communication log***.

Claims 9, 13, 16, and 20 of the '291 patent claim a similar method directed to a system that provides real-time weather, traffic, and accident data from various sources through secure (authorized) short range communication links (with the ability to direct that data to various outputs). *See* Goldberg Decl., ¶ 75.

128. A POSITA would understand that these claims are directed to much more than an abstract idea, including the "collecting, analyzing, and storing information from vehicle monitoring devices." In fact, the foregoing claim elements are both concrete and specific in what they claim. For instance, claim 6 is directed to establishing a short-range communication link (WiFi/Bluetooth) between a mobile unit and a vehicle with a transceiver and a second communication link between the mobile unit and a wireless communication system, receiving a communication with ID and GPS information by the mobile unit from the vehicle and using that

to receive a weather or traffic update from the wireless communication system and storing information related to that update in a communication log. The other claims are also specific and concrete and are far from what a POSITA would consider abstract. *See* Goldberg Decl., ¶ 76.

129. These claims are directed to technical solutions to technical problems that existed in roadside assistance systems that existed in September 1999. These claims provided a specific improvement in the capabilities of those systems (cellular telephone-based systems that used phone calls to deliver information). Like the claims of the '715 patent, the claims of the '291 patent are directed to the use of connected vehicles communicating through secure wireless communication links that provide, among other things, the ability to log communications and provide real time weather, traffic, and accident data that improved the state of roadside assistance systems that existed in September 1999. The claimed means of secure, shortrange communication links (*e.g.,* Bluetooth, 802.11, *etc.*) to send real time data on traffic, weather, and accidents, along with the ability to store those communications in a remote location, improved the conventional roadside assistance systems of the time, which used, at the time, voice calls through cellular telephone communications. *See* Goldberg Decl., ¶ 77.

130. These claims are not directed at subject matter that can be performed by a human, mentally or with pen and paper. The claims in the patent, including claim 1, accomplish something tangible in the computer world. As explained above, the claims of the '291 patent were directed to improving then-existing roadside communications systems by using secure short range communication protocols (*e.g.*, WiFi and Bluetooth) to send real time data on traffic, weather and accidents, while providing means to store these communications, which allowed the user to dispense with using voice calls to accomplish the same (the technology used in prior art systems). At the time, cell phones were not ubiquitous, and these claims used wireless data packets to update

vehicle activity logs that would allow minute-by-minute tracking weather, traffic, and accident data and to store those communications. None of these steps could be performed by a human or with a pen and paper because the problems sought to be addressed by these patents were due to the inability of humans to make calls at certain times or to, for example, store the contents of those calls. *See* Goldberg Decl., ¶ 78.

131. Finally, the claims of the ’291 patent do not preempt all the ways of “collecting, analyzing, and storing information from vehicle monitoring devices.” For instance, the prior art systems discussed in the ’291 patent, like the cited prior art systems (OnStar in its 1999 form, for instance) can still be practiced. The more than 150 patented systems disclosed on the face of the ’291 patent can be practiced without infringing the claims of the ’291 patent. ’291 patent, at pp. 2-3. There are myriad other ways such systems could be built (*e.g.,* without a secure short range communication link and or the ability to store communications initiated by the vehicles, users, or the system) to attempt to improve the roadside assistance systems at the time of invention. *See* Goldberg Decl., ¶ 79.

132. Even if the ’291 Patent claims were directed at an abstract idea (and they are not), the claims capture subject matter that is inventive. A POSITA would understand that the claims of the ‘291 Patent are directed to matter that was not known in the art at the time. To the extent that the claims employ components and technology that existed at the time (for instance, short range communication protocols, transceivers, GPS, mobile units, websites, communication logs, and audio/visual interfaces) these components and technology are employed together here in a way that was new and would not have been considered conventional, routine, or generic to those skilled in the art. This specific use of secure short range communication protocols to send real time data

on traffic, weather and accidents and a means to store these communications, is inventive and was not previously known in the art. *See* Goldberg Decl., ¶ 80.

133. Even if that were not true, the ordered combination of steps in claims 1 and 6 (along with the other claims) of the '291 Patent, as recited and described in detail above, were not well-known in the art. A POSITA would not have known of any art that existed at the time and that disclosed all these steps (or limitations) in a way that solved the then-existing problems with roadside assistance systems as of September 1999. These claims do not merely employ known generic components in a conventional or routine way. These claims are directed to specific solutions using technology in an inventive and unique way to solve the well-documented problems that were then-known in the art. *See* Goldberg Decl., ¶ 81.

134. For the above reasons, the claims of the '291 Patent claim a combination of elements sufficient to ensure that the claims themselves, both in substance and in practice, are directed to concrete and inventive concepts (not an abstract idea). *See* Goldberg Decl., ¶ 82.

INFRINGEMENT OF THE '291 PATENT

135. PowerFleet has directly infringed the claims of the '291 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

136. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '291 patent, as detailed in the claim chart attached hereto as **Exhibit G**.

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

COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 7,783,304

138. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

139. The USPTO duly issued U.S. Patent No. 7,783,304 (the "'304 patent") on August 24, 2010, after full and fair examination of Application No. 12/546,645, which was filed on August 24, 2009. A Certificate of Correction was issued on May 28, 2013.

140. Fleet Connect owns all substantial rights, interest, and title in and to the '304 patent, including the sole and exclusive right to prosecute this action and enforce the '304 patent against infringers and to collect damages for all relevant times.

141. Fleet Connect 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 '304 patent.

142. The written description of the '304 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '304 PATENT PROVIDE TECHNICAL SOLUTIONS TO THE PROBLEMS WITH ROADSIDE COMMUNICATION SYSTEMS IN SEPTEMBER 1999

143. The '304 patent contains 22 total claims (3 independent and 19 dependent claims, each of which include additional technical steps/limitations). Claim 1, as an example, is recited below. Bolding, italics, and underlining are used for emphasis, as shown below, to highlight the limitations that are directed to solving then-existing problems:

> 1. A method of ***wirelessly communicating with a mobile unit***, the method comprising:
>
> ***establishing a communication link between a first mobile unit and a website***;
>
> ***searching a list of users via a log comprising an address of a second mobile unit***;
>
> ***outputting a match comprising the address of the second mobile unit via a display***;
>
> ***constructing a communication comprising*** a plurality of information fields, the plurality of information fields comprising ***an address of the first mobile unit and the address of the second mobile unit***;
>
> ***transmitting the communication from the first mobile unit, through the website, to the second mobile unit***; and
>
> ***storing information related to the communication in a communication log***.

'304 patent, claim 1 (emphasis added). The other independent claims are directed to similar subject matter: claim 9 is focused on displaying and logging the communication between two mobile units through a website, while claim 16 is directed to connecting the two mobile units to the website, storing the two mobile units' communications, and remembering information associated with those units. The dependent claims of the '304 patent require communication of location information (claims 4, 12, and 19), traffic and weather information (claims 7, 8, 14, 15, 21 and 22), and advertisements (claims 5, 13, and 20). *See* Goldberg Decl., ¶ 83.

144. A POSITA would understand that the claims of the '304 patent are directed to more than "collecting, analyzing, and storing information from vehicle monitoring devices" or any other abstract idea. In fact, the foregoing claim elements are both concrete and specific in what they claim. Like the claims of the '715 and '291 patents, the '304 patent's claims also claim the use of wireless communication to solve the problems in traditional communication networks to establish

communication links between vehicles and communicate with vehicles and their drivers. However, the claims of the '304 Patent are directed more specifically to technology that allows vehicles to establish communication and directly communicate with each other through short-range wireless communication links *via* a website. These claims provide a specific improvement in computer capabilities that did not exist prior to the priority date of the '304 Patent; more specifically, these claims are directed to technology that allows vehicles to establish communication and directly communicate with each other (by allowing a user to search for another) through short-range wireless communication links *via* a website to overcome the limitations of cellular telephone and CB/two-way radio mobile communication systems. *See* Goldberg Decl., ¶ 84.

145. As shown above, claim 1 is directed to establishing a communication link between a first mobile unit and a website, searching a list of users *via* a log with an address of a second mobile unit; pulling up the match for the address of the second mobile unit *via* a display, constructing a communication with the address information for each unit, transmitting a communication from the first mobile unit to the second mobile unit through the website and storing information related to it in a communication log. The features of the communication systems are well defined, and they directly address the issues with conventional mobile communication systems, including cellular telephone and CB/two-way radio (*e.g.*, lack of access to vehicle drivers' phone numbers and inability to control who was listening from broadcasts on CB/two-way radio). *See* Goldberg Decl., ¶ 85.

146. These claims are not directed to subject matter that can be performed by a human, mentally or with pen and paper. The claims of the '304 patent, including claim 1, accomplish something tangible in the computer world. As explained above, the claims of the '304 patent were

directed to improving conventional vehicle communication networks by using secure short range communication protocols to allow mobile units to find each other (by searching a list of users) and communicate through a website and storing a communication record in a communication log (addressing the issues with the lack of access to cellular telephone numbers and the security concerns of CB/two-way radio). None of these steps could be performed by a human or with a pen and paper because the problems sought to be addressed by these patents were due to the inability of humans to know the phone numbers of other mobile unit users and the lack of privacy with CB/two-way radio calls. *See* Goldberg Decl., ¶ 86.

147. Finally, the claims of the '304 patent do not preempt all the ways of "collecting, analyzing, and storing information from vehicle monitoring devices." For instance, the prior art systems discussed in the '304 patent, such as the cited prior art systems (OnStar in its 1999 form, for instance) can still be practiced. The more than 150 patented systems disclosed on the face of the '304 patent can be practiced without infringing the claims of the '304 patent. '304 patent, at pp. 2-3. There are many other ways such systems could be built (*e.g.*, without the ability to match users from a list or connect them through a website) to attempt to improve the vehicle communication systems of the time. *See* Goldberg Decl., ¶ 87.

148. Even if the '304 Patent claims were directed toward an abstract idea (which, again, they are not), the claims capture subject matter that is inventive. A POSITA would understand that the claims of the '304 Patent are directed to matter that was not known in the art at the time of invention. To the extent that the claims employ components and technology that existed at the time (for instance, mobile units, communication links, displays, communication logs, and websites) these components and technologies were employed together here in a way that was new and would not have been considered conventional, routine, or generic to those skilled in the art.

The use of the claimed vehicle communication networks that use secure short range communication protocols to allow mobile units to search for each other and to communicate through a website and store a record of those communications in a communication log is inventive and was not previously known in the art. *See* Goldberg Decl., ¶ 88.

149. Even if that were not true, the ordered combination of steps in claim 1 of the '304 patent, as recited and described in detail above, were not well-known in the art. A POSITA would not have known any art or system that existed at the time and that disclosed all these steps in a way that solved the then-existing problems with vehicle communication systems using conventional cellular telephone and CB/two-way radio technology. These claims do not merely employ known generic components in a conventional or routine way. These claims disclose and claim specific solutions using technology in an inventive and unique way, as described at length above, to solve problems that were then known in the art. *See* Goldberg Decl., ¶ 89.

150. For the above reasons, the claims of the '304 Patent claim a combination of elements sufficient to ensure that the claims themselves, both in substance and in practice, are directed to inventive subject matter and are not trying to cover an abstract idea. *See* Goldberg Decl., ¶ 90.

INFRINGEMENT OF THE '304 PATENT

151. PowerFleet has directly infringed the claims of the '304 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

152. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '304 patent, as detailed in the claim chart attached hereto as **Exhibit H**.

153. Fleet Connect has been damaged as a result of the infringing conduct by PowerFleet alleged above. Thus, PowerFleet is liable to Fleet Connect in an amount that compensates it for

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

COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 8,005,053

154. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

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

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

157. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '053 patent.

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

159. PowerFleet has directly infringed the claims of the '053 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

160. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 3, 6, 7, and 19 of the '053 patent, as detailed in the claim chart attached hereto as **Exhibit I**.

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

COUNT X: INFRINGEMENT OF U.S. PATENT NO. 8,494,581

162. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

163. The USPTO duly issued U.S. Patent No. 8,494,581 (hereinafter, the "'581 patent") on July 23, 2013 after full and fair examination of Application No. 12/547,363 which was filed on August 25, 2009.

164. Fleet Connect owns all substantial rights, interest, and title in and to the '581 patent, including the sole and exclusive right to prosecute this action and enforce the '581 patent against infringers and to collect damages for all relevant times.

165. Fleet Connect or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '581 patent.

166. The written description of the '581 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.

SUBJECT MATTER ELIGIBIILITY: THE CLAIMS OF THE '581 PATENT PROVIDE TECHNICAL SOLUTIONS TO THE PROBLEMS IN MOBILE FIELD ASSET MANAGEMENT IN SEPTEMBER OF 2000

167. The '581 patent contains 3 active claims: dependent claims 21, 22, and 23. Each of these claims depend from claim 18, and therefore also include every limitation of claim 18. Claims 18, 21, 22, and 23 are recited below, each of which are directed to specific patentable subject matter that solves some of the then-existing technical problems existing in mobile field asset management in September 2000. Bolding, italics, and underlining are used for emphasis, as shown below, to highlight the limitations that are directed to solving then existing problems:

> **18.** An apparatus, comprising:
>
> ***means for establishing a two-way communication channel*** between a server and ***at least one handheld device located at a field geographically distant from the server***;
>
> means for accessing a program stored at the server to ***enable an assessment at the field using the at least one handheld device***;
>
> ***means for managing data collected at the field*** using the at least one handheld device responsive to program;
>
> ***means for determining a geographic location of the at least one handheld device***; and
>
> ***means for enabling communicating the data collected at the field and the geographic location of the at least one handheld device*** between the at least one handheld device and ***other devices or the server***.
>
> **21.** The apparatus of claim 18, further comprising means for ***enabling the at least one handheld device to identify service schedule requirements***.
>
> **22.** The apparatus of claim 18, further comprising ***means for enabling synchronization of a service schedule on the at***

> ***least one handheld device with inventory data stored in the server***.
>
> **23.** The apparatus of claim 18, further comprising:
>
> ***means for enabling troubleshooting a field problem and collecting data related to the field problem***;
>
> ***means for collecting information related to the field problem responsive to the program*** using the at least one handheld device;
>
> means for enabling analysis of the information; and
>
> ***means for rendering post-analysis instructions from the at least one handheld device for use in resolving the field problem***.

'581 patent at claim 1 (emphasis added); *see also* Goldberg Decl., ¶ 110

168. Notably, these claims are means-plus-function claims. Goldberg Decl., ¶ 111.

169. In a reexamination related to the '581 patent (Reexamination Control No. 90/014,071), the Examiner construed certain terms in claim 18 in a communication dated January 7, 2019. *See* Goldberg Decl., ¶ 112.

170. A skilled artisan would understand that the technical solutions discussed in the '581 patent are in claims 21, 22, and 23. These claims are directed to solutions that were identified as problems in the art of mobile field asset management, as described in the specification of the '581 patent. For instance, claim 21-23 (individually and collectively) claim devices with means for establishing communication between a server and handheld devices for a field assessment program, managing the collected data, determining geographic location of the handheld device, and enabling communication of data and location between devices and the remote server, including a means for the handheld device to determine service schedule requirements for synchronizing the service schedules with inventory data, and troubleshooting field problems. *See* Goldberg Decl., ¶ 113.

171. A POSITA would understand that these claims are directed to more than "remotely gathering and storing data" or any other abstract idea. The claims are concrete and specific in the subject matter they claim, which solve the technical problems existing in September of 2000. Specifically, the inventions of the '581 patent solve the above-identified issues with the management of mobile field assets in professional services, trades, and other industries involving remote or distributed work that had arisen from the expansion of remote/distributed field activities such as situation/location assessments, estimates, or appraisals and to avoid the need to constantly deploy senior/experienced personnel to ensure the quality of field work. Claim 18 is directed to a device with means for establishing communication between a server and handheld devices for a field assessment program, managing the collected data, determining geographic location of the handheld device, and enabling communication of data and location between devices and the remote server. The dependent claims to claim 18 are directed to more specific devices, including those that include a means for the handheld device to determine service schedule requirements (claim 21), a means on the handheld device for synchronizing the service schedules with inventory data (claim 22), and a means for troubleshooting field problems, collecting related data, and rendering post-analysis instructions to solve the problem (claim 23). Importantly, each of the means elements of claims 21, 22, and 23 (including those inherited from claim 18) are directed to specific structures. Each of these additional limitations provides supplemental solutions to then-existing technical problems in mobile field asset management. A skilled artisan would understand that each of the highlighted claims above provided a specific improvement in existing computer systems that did not exist prior to the priority date of the '581 patent, and, more specifically, provide for specific means to manage mobile field assets in a way that could avoid the need to

deploy more experienced personnel while ensuring that the quality of the field work was sufficient to provide quality assessments/estimates/appraisals. *See* Goldberg Decl., ¶ 114.

172. Additionally, none of these claims are directed to subject matter that can be performed by a human, mentally or with pen and paper. The claims in this patent, including the claims highlighted above, accomplish something tangible in the computer world (*i.e.*, specific means to manage mobile field assets in a way that addressed the technical issues of the time). None of these steps could be performed by a human or with a pen and paper because, as recited in the claims of the '581 patent, the problems that the solutions of the '581 patent solve are specifically due to the human factor, *i.e.*, problems with allocating less experienced personnel in the field to collect data and complete analyses for more experienced personnel. *See* Goldberg Decl., ¶ 115.

173. Finally, the claims of the '581 patent do not preempt all the ways of managing mobile field assets. There are many other ways that field assets could be managed. For instance, field asset management could be done without relying on GPS technology (*e.g.*, having a person enter the address/coordinates) or using specific. Notably, the systems that were disclosed in the nearly fifty (50) prior art patents and publications identified on the face of the patent would also not be preempted. *See* Goldberg Decl., ¶ 116.

174. Even if the '581 patent claims were directed at an abstract idea (and they are not), the claims capture subject matter that is inventive. A POSITA would understand that the claims of the '581 patent are directed to subject matter that was unknown in the art at the time. To the extent that the claims employ components and technology that existed at the time (for instance, a handheld device, wireless modem, wireless transmitters, processors, user interfaces, client, servers, GPS chips, *etc.*) these components and technology were employed together here in a way

that was new and would not have been considered conventional, routine, or generic to those skilled in the art. The '581 patent's provision of specific means to manage mobile field assets in a way to avoid the need to deploy more experienced personnel while ensuring that the quality of the field work was sufficient to provide quality assessments/estimates/appraisals using an apparatus with means for establishing communication between a server and handheld devices, managing collected data, determining geographic location, and enabling communication of data and location between devices and the server, including means for the handheld device to determine service schedule requirements, synchronize the service schedules with inventory data, and troubleshoot field problems, is inventive and was not previously known in the art. *See* Goldberg Decl., ¶ 117.

175. Even if that were not true, the ordered combination of the limitations in claims 21, 22, and 23 of the '581 patent, as recited and described in detail above, were not known in the art, much less well-known. A POSITA would not have been aware of any art that existed at the time and that disclosed all the limitations of these claims in a way that solved the then-existing problems in mobile field asset management, including avoiding the need to deploy experienced personnel into the field by ensuring the quality of the field work was sufficient to provide quality assessments/estimates/appraisal. A skilled artisan would have understood that these claims do not merely employ known generic components in a conventional or routine way. These claims are directed to specific solutions using technology in an inventive and unique way (described above) to solve the problems then-known in the art. *See* Goldberg Decl., ¶ 118.

176. For the reasons stated above, the claims of the '581 patent claim a combination of elements sufficient to ensure that the claims themselves, both in substance and in practice, are directed to concrete and inventive concepts (and not abstract ideas). *See* Goldberg Decl., ¶ 119.

INFRINGEMENT OF THE '581 PATENT

177. PowerFleet has directly infringed the claims of the '581 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

178. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claim 21 of the '581 patent, as detailed in the claim chart attached hereto as **Exhibit J**.

179. PowerFleet had knowledge of the '581 patent at least as of the date it received the FCS Letter in March 2022.

180. Since at least the time of receiving the FCS Letter in March 2022 until the '581 patent expired in January 2024, PowerFleet also indirectly infringed by inducing others to directly infringe the '581 patent. PowerFleet has induced distributors and end-users, including, but not limited to, PowerFleet's employees, partners, contractors, or customers, to directly infringe, either literally or under the doctrine of equivalents, the '581 patent by providing or requiring use of the Accused Products. PowerFleet took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '581 patent, including, for example, claim 21 of the '581 patent.

181. Such steps by PowerFleet included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or instructional and technical support on its website. PowerFleet was performing these steps, which constitute induced infringement with the knowledge of the '581 patent and with the knowledge that the induced acts constitute infringement. PowerFleet was aware that the normal and customary use of the Accused Products by others would infringe the '581 patent.

182. Since at least the time of receiving the FCS Letter in March 2022 until the '581 patent expired in January 2024, PowerFleet has also indirectly infringed by contributing to the infringement of the '581 patent. PowerFleet has contributed to the direct infringement of the '581 patent by its personnel, contractors, distributors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '581 patent, including, for example, claim 21 of the '581 patent. The special features constitute a material part of the invention of one or more of the claims of the '581 patent and are not staple articles of commerce suitable for substantial non-infringing use.

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

184. PowerFleet's direct infringement of the '581 patent was willful, intentional, deliberate, or in conscious disregard of Fleet Connect's rights under the patent.

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

COUNT XI: INFRINGEMENT OF U.S. PATENT NO. 9,299,044

186. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

187. The USPTO duly issued U.S. Patent No. 9,299,044 (the "'044 patent") on March 29, 2016 after full and fair examination by the USPTO of Application No. 14/480,297 which was filed on September 8, 2014. *See* '044 patent at 1.

188. Fleet Connect owns all substantial rights, interest, and title in and to the '044 patent, including the sole and exclusive right to prosecute this action and enforce the '044 patent against infringers and to collect damages for all relevant times.

189. Fleet Connect 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 '044 patent.

190. The written description of the '044 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '044 PATENT PROVIDE SOLUTIONS TO PROBLEMS IN MOBILE FIELD ASSET MANAGEMENT IN SEPTEMBER OF 2000

191. The '044 patent contains 7 total claims (2 independent and 5 dependents, each of which include additional technical steps/limitations) Claim 5 and some of the claims depending from Claim 5 are listed below, with some bolding, italics, and underlining to highlight the limitations that are directed to solving the problems in mobile field asset management:

> **5.** A device, comprising:
>
> ***a memory device configured to store instructions***; and
>
> ***a processing device configured to execute the instructions stored in the memory*** device to:
>
> ***access, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device***, the at least one template ***listing tasks that are assigned to be completed before an end of the work shift***;

> ***report a status of each of the tasks at least once during the work shift by synchronizing the handheld device to the server***; and
>
> ***update the at least one template stored on the server in response to the status with unfinished or new tasks***.
>
> **6.** The device of claim 5,
>
> ***wherein the at least one template corresponds to a worke***r; and
>
> ***wherein the worker is to complete the tasks before the end of the work shift***.
>
> **7.** The device of claim 6,
>
> ***wherein the processing device is configured to*** execute the instructions stored in the memory device further to ***enable generating at least another template corresponding to at least another worker in response to the update***; and
>
> ***wherein the at least another template lists tasks assigned to the at least another worker to be completed*** by the at least another ***worker before an end of a work shift*** corresponding to the at least another worker.

'044 Patent, claims 5-7 (emphasis added). Claim 2, depending from independent claim 1, is a method claiming roughly analogous elements to dependent claim 6. Claim 3, depending from independent claim 1, is also a method that has roughly the same limitations as dependent claim 7. *See* Goldberg Decl., ¶ 120.

192. A POSITA would not reasonably understand these claims to be directed to any abstract idea, much less the idea of "remotely gathering and storing data." That characterization is far removed from the actual teachings and claims of the '044 patent, which are concrete (and not abstract). A skilled artisan would understand that the technical solutions discussed in the '044 patent are directly captured in claims 5 (and its dependent claims) and claim 1 (and its dependent claims). These claims are directed toward solutions that were identified as problems in the art of mobile field asset management as described in the specification of the '044 patent. For instance,

claims 5-7 (individually and collectively) and claims 1-4 (individually and collectively) claim devices and methods for managing work in the field through worker specific templates on handheld devices that are synchronized to a remote server, which provide for specific means to manage mobile field assets in a way that could avoid the need to deploy more experienced personnel while ensuring that the quality of the field work was sufficient to provide quality assessments/estimates/appraisals. A skilled artisan would understand that these claims provided a specific improvement in mobile field asset management by disclosing devices and methods for managing work in the field through worker specific templates on handheld devices that are synchronized to a remote server, and this type of solution did not exist prior to the priority date of the '044 patent. *See* Goldberg Decl., ¶ 121.

193. These claims are not directed at subject matter that could be performed by a human, mentally or with pen and paper. The claims in the '044 patent, including claims 1, 5, and the dependent claims referenced above, accomplish something tangible in the computer world. As explained above, the claims of the '044 patent are directed at improving the then-existing state of mobile field asset management by providing devices and methods for managing field work through worker specific templates on handheld devices that synchronize with a server and reports the status of work (and suggests follow up tasks). None of these steps could be performed by a human or with a pen and paper because, as recited in the specific claims of the '044 patent, the problems that the solutions of the '044 patent solve are specifically due to the human factor, *i.e.*, the inability to have certain personnel on site at the field and allowing an inexperienced personnel to get sufficient and correct data for more experienced personnel. Goldberg Decl., ¶ 122.

194. Nor do the claims of the '044 patent preempt all ways of managing mobile field assets. For instance, field asset management could be performed without relying on templates and

without requiring work tasks associated with specific personnel. Other ways of managing mobile field assets could be employed without infringing the '044 patent, including by using the nearly fifty (50) prior art patents and publications identified on the face of the patent. *See* Goldberg Decl., ¶ 123.

195. Even if the '044 patent claims were directed to an abstract idea, which no POSITA would reasonably believe, the claims capture subject matter that was previously unknown and inventive. A POSITA would understand that the claims of the '044 patent are directed to matter that was not known in the art at the time; to the extent that the claims employ components and technology that existed at the time (like "memory devices," "processing devices," "templates," "handheld devices," and a "server," for instance), these components and technologies are employed together here in a way that was new and in a way that would not have been considered conventional, routine, or generic to skilled artisans. In fact, the claims of the '044 patent are directed to matter and specific inventions that were not previously disclosed in the art. The '044 patent's provision of specific means to manage mobile field assets in a way that could avoid the need to deploy more experienced personnel while ensuring that the quality of the field work was sufficient to provide quality assessments/estimates/appraisals using an devices and methods for managing work in the field through worker specific templates on handheld devices that are synchronized to a remote server is inventive and was not previously known in the art. *See* Goldberg Decl., ¶ 124.

196. Moreover, the elements of each claim as a whole, in the ordered combination of their limitations, including (A) independent claim 1, coupled with dependent claims 2-4, which build on each other, and (B) independent claim 5, coupled with its dependent claims 6-7, as recited and described in detail above, were not known in the art. A POSITA would understand that these

claims did not merely employ known generic components in a conventional or routine way, which is supported by the description of the systems and methods claimed and how they are directed to solve the problems in search technologies that existed as of September 2000. A POSITA would not have been aware that this particular combination of claim elements, including in independent claims 1 and 5, in light of their dependent claims, were being used in the way described above (to solve then-existing problems in mobile field asset management) before the priority date of the '044 patent. *See* Goldberg Decl., ¶ 125.

197. For the above reasons, the claims in the '044 patent recite a combination of elements sufficient to ensure that the amount to considerably more than any abstract idea, including the idea of "collecting, analyzing, and providing information." *See* Goldberg Decl., ¶ 126.

INFRINGEMENT OF THE '044 PATENT

198. PowerFleet has directly infringed the claims of the '044 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

199. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 4, 5, and 6 of the '044 patent, as detailed in the claim chart attached hereto as **Exhibit K**.

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

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

201. Fleet Connect repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

202. The USPTO duly issued U.S. Patent No. 9,747,565 ("'565 patent") on August 29, 2017 after full and fair examination of Application No. 15/071,003 which was filed on March 15, 2016.

203. Fleet Connect 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 it against infringers and to collect damages for all relevant times.

204. Fleet Connect 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.

205. 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.

SUBJECT MATTER ELIGIBILITY: THE CLAIMS OF THE '565 PATENT PROVIDE TECHNICAL SOLUTIONS TO THE PROBLEMS IN MOBILE FIELD ASSET MANAGEMENT IN SEPTEMBER OF 2000

206. The '565 patent contains 15 total claims (three independent and twelve dependent). Claim 6 and its dependent claims are recited below, which claim specific patentable subject matter that solve some of the then-existing technical problems existing as of September 2000. Bolding, italics, and underlining were used for emphasis, as shown below, to highlight the limitations that are directed to solving then-existing problems in mobile field asset management:

> **6.** A device, comprising:
>
> ***a memory device configured to store instructions***; and

a processing device configured to execute the instructions stored in the memory device to:

access a template stored on a server located remotely from the device, the template ***listing tasks to be completed before an end of a work shift***;

report a status of each of the tasks at least once ***by synchronizing the device to the server***; and

update the template responsive to the status with unfinished or new tasks at the end of the work shift.

7. The device of claim 6,

wherein the at least one template lists the tasks to be completed by a worker during the work shift.

8. The device of claim 6,

wherein the processing device is configured to execute the instructions stored in the memory device further ***to enable generating at least another template corresponding to at least another worker*** in response to the update; and

wherein the at least another template lists at least another task assigned to the at least another worker to be completed by the at least another worker before ***an end of another work shift corresponding to the at least another worker***.

9. The device of claim 6,

wherein the processing device is configured to execute the instructions stored in the memory device ***further to wirelessly synchronize the device to the server***.

10. The device of claim 6,

wherein the processing device is configured to execute the instructions stored in the memory device ***further to report the status of each of the tasks at least once during the work shift by synchronizing the device to the server***.

'565 patent, claims 6-10. Independent claim 1 and its dependent claims 2-5, and independent claim 11 and its dependent claims 12-15, provide methods and non-transitory computer-readable

media, respectively, with elements almost identical to those in claims 6-10 above. *See* Goldberg Decl., ¶ 127.

207. A POSITA would understand that these claims are directed to more than "remotely gathering and storing data" or any other abstract idea. The foregoing claim elements are both concrete and specific in what they claim. A skilled artisan would understand that the technical solutions discussed in the '565 patent are directly captured in claim 1 and its dependent claims (claims 2-5) and claim 6 and its dependent claims (claims 7-10), and claim 11 and its dependent claims (claims 12-15). These claims are directed to solutions that were identified as problems in the art of mobile field asset management as described in the specification of the '565 patent. For instance, claims 1-5 (individually and collectively), claims 6-10 (individually and collectively) and claims 11-15 (individually and collectively) claim devices and methods for managing field assets through handheld devices by identifying unfinished tasks, reporting the status of tasks, synchronizing that data with the server at the end of the completion of the field event or project, and allocating unfinished tasks to another worker/shift, which was a means to deploy less experienced personnel while ensuring that the quality of the field work was sufficient to provide quality assessments/estimates/appraisals. A skilled artisan would understand that the subject matter to which these claims are directed, in the form they are claimed and to solve then existing problems in mobile field asset management, was not previously known in the art. *See* Goldberg Decl., ¶ 128.

208. These claims are not directed to subject matter that could be performed by a human, mentally or with pen and paper. The claims in the patent, including claims 1 (and its dependent claims), claim 6 (and its dependent claims), and claim 11 (and its dependent claims) achieve tangible results in the then-existing computer systems that existed for managing field assets. As

explained above, the claims of the '565 patent are directed to improving the then-existing state of mobile field asset management by providing devices and methods for managing field work through the use of templates deployed on handheld devices that control task allocation, report on the status of tasks, and ensure reallocation of unfinished tasks. None of these steps could be performed by a human or with a pen and paper because, as recited in the specific claims of the '565 patent, the problems that the solutions of the '565 patent solve are due to the human factor, *i.e.*, the problems caused by having less experienced personnel on site at the field, which has become more of a problem in industries with the expansion of remote/distributed field activities, such as location assessments, estimates, or appraisals. *See* Goldberg Decl., ¶ 129.

209. Also, the claims of the '565 patent do not preempt all the ways of managing mobile field assets. For instance, field asset management could be performed without relying on templates and without requiring unfinished tasks being reallocated among workers. Additionally, any number of other ways of managing mobile field assets could be employed without infringing, including by using the nearly fifty (50) prior art patents and publications identified on the face of the '565 patent. *See* Goldberg Decl., ¶ 130.

210. Even if the '565 patent's claims were directed to an abstract idea (and they are not), the claims capture subject matter that is inventive. A POSITA would understand the claims of the '565 patent are directed to matter that was not known in the art at the time; to the extent that the claims employ components and technology that existed at the time (like a "template," "memory device" and "processing device," "server," or a "handheld device," for instance), these components and technologies were employed together here in a way that was new (and certainly would not have been considered conventional, routine, or generic to those skilled in the art). A POSITA would understand that the use of the components in claim 1 (and its dependent claims), claim 6

(and its dependent claims), and claim 11 (and its dependent claims), as claimed in the various forms in these claims to address the problems existing as of September 2000 in mobile field asset management, is inventive and was not previously known in the art. *See* Goldberg Decl., ¶ 131.

211. Even if that were not true, the specific ordered combination of limitations in claims 1-5 (individually and collectively), claims 6-10 (individually and collectively) and claims 11-15 (individually and collectively) of the '565 patent, as recited and described in detail above, were not well-known in the art. A POSITA would not have been aware of any art or system that existed at the time and that disclosed all these limitations in a way that solved the then-existing problems in mobile field asset management. A skilled artisan would have understood that these claims do not merely employ known generic components in a conventional or routine way. These claims are directed to specific solutions using technology in an inventive and unique way, as explained above, to solve the well-documented problems that were then-known in the art. *See* Goldberg Decl., ¶ 132.

212. For the above reasons, the claims of the '565 patent claim a combination of elements sufficient to ensure that the claims themselves, both in substance and in practice, are directed to concrete and inventive concepts (not an abstract idea). *See* Goldberg Decl., ¶ 133.

INFRINGEMENT OF THE '565 PATENT

213. PowerFleet has directly infringed the claims of the '565 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

214. For instance, as just one example of infringement, PowerFleet has directly infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 4, 6, 7, and 9 of the '565 patent, as detailed in the claim chart attached hereto as **Exhibit L**.

215. Fleet Connect has been damaged as a result of the infringing conduct by PowerFleet alleged above. Thus, PowerFleet is liable to Fleet Connect in an amount that compensates it for

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

JURY DEMAND

216. Fleet Connect hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

217. Fleet Connect requests that the Court find in its favor and against PowerFleet, and that the Court grant Fleet Connect the following relief:

a. Judgment that one or more claims of each of the Asserted Patents has been infringed, either literally or under the doctrine of equivalents, by PowerFleet or others acting in concert therewith;

b. A permanent injunction enjoining PowerFleet and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the'388 patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the'388 patent by such entities;

c. Judgment that PowerFleet account for and pay to Fleet Connect all damages to and costs incurred by Fleet Connect because of PowerFleet's infringing activities and other conduct complained of herein;

d. Judgment that PowerFleet's infringements of the'040 patent, the '153 patent, the '845 patent, the '388 patent, and the '581 patent be found willful, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;

e. Pre-judgment and post-judgment interest on the damages caused by PowerFleet's

infringing activities and other conduct complained of herein;

f. That this Court declare this an exceptional case and award Fleet Connect its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

g. All other and further relief as the Court may deem just and proper under the circumstances.

Dated: December 6, 2024

Respectfully submitted,

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

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service.

Dated: December 6, 2024

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

Exhibits

A. Claim Chart for U.S. Patent 6,429,810
B. Claim Chart for U.S. Patent 7,058,040
C. Claim Chart for U.S. Patent 7,260,153
D. Claim Chart for U.S. Patent 7,599,715
E. Claim Chart for U.S. Patent 7,656,845
F. Claim Chart for U.S. Patent 7,742,388
G. Claim Chart for U.S. Patent 7,747,291
H. Claim Chart for U.S. Patent 7,783,304
I. Claim Chart for U.S. Patent 8,005,053
J. Claim Chart for U.S. Patent 8,494,581
K. Claim Chart for U.S. Patent 9,299,044
L. Claim Chart for U.S. Patent 9,747,565
M. March 14, 2022 Letter to PowerFleet
N. Declaration of Stephen H. Goldberg