

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

Portus Singapore Pte Ltd and
Portus Pty Ltd,

Plaintiffs,

v.

Uniden America Corporation,

Defendant.

CASE NO. _____

Jury Trial Demanded

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Portus Singapore Pte Ltd and Portus Pty Ltd (“Plaintiffs”) file this complaint for patent infringement against Defendant Uniden America Corporation (“Defendant”) and in support alleges as follows:

NATURE OF THE ACTION

1. This is a civil action arising under the Patent Laws of the United States, 35 U.S.C. § 271, *et seq.*

THE PARTIES

2. Plaintiff Portus Singapore Pte Ltd is a company organized under the laws of the Republic of Singapore.

3. Plaintiff Portus Pty Ltd. is a subsidiary of Portus Singapore Pte Ltd, and a company organized under the laws of Australia.

4. On information and belief, Uniden is a corporation organized and existing under the laws of the state of Delaware, with a principal place of business in Irving, Texas. Uniden's registered agent for service of process in Texas is Chad Arnette, 201 Main Street, Suite 2500, Fort Worth, Texas 76102.

5. Uniden makes, imports, offers to sell, sells, and uses the accused devices in the United States, including in the State of Texas generally and this judicial district in particular.

JURISDICTION AND VENUE

6. This Court has jurisdiction over the subject matter of this action asserted herein under the Patent Laws of the United States, United States Code, Title 35. This is an action for patent infringement that arises under the patent laws of the United States, 35 U.S.C. § 271, *et seq.*

7. This Court has original subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

8. This Court has personal jurisdiction over Defendant. Defendant has sustained and systematic activities in this District and is committing infringing acts in Texas and this District. Defendant regularly conducts business in the State of Texas and within this District, including the sales of the accused products that are the subject of this patent infringement lawsuit. Upon information and belief, Defendant has employees in this District who are responsible for the accused products. Defendant engages in other persistent courses of conduct and derives substantial revenue from products and/or services provided in this District and in Texas, and has purposefully established substantial, systematic, and continuous contacts within this District and should reasonably expect to be sued in a court in this District.

9. Defendant maintains an established place of business and warehouse facility at 743 Henrietta Creek Rd., Suite 100, Roanoke, Texas 76262. Defendant publicizes this facility on its website, in its user guides, and its repair website, as shown below:

Contact Us

How can we help? Our Uniden Customer Support page is designed to conveniently walk you through product setup and troubleshooting. For additional questions related to customer service, online orders, parts and accessories, or repairs, contact us below.



Address

Uniden America Corporation

Office: 6225 N. State Highway 161

Suite 300 Irving, Texas 75038

Warehouse: C/O Saddle Creek 743

Henrietta Creek Rd., Suite 100

Roanoke, Texas 76262



Hours

**Monday – Friday 8:30
AM – 4:30 PM CST**



Phone

Customer Support

1-800-297-1023



Email

custsupport@uniden.com

<https://uniden.com/pages/support-1>

PROCEDURE FOR OBTAINING PERFORMANCE OF WARRANTY:

If, after following the instructions in the owner's manual you are certain that the Product is defective, pack the Product carefully (preferably in its original packaging). The Product should include all parts & accessories originally packaged with the Product. Include evidence of original purchase & a note describing the defect that has caused you to return it. The Product should be shipped freight prepaid, by traceable means, to warrantor at:

Uniden America Service
C/O Saddle Creek
743 Henrietta Creek Rd., Suite 100
Roanoke, TX 76026

<https://www.uniden.info/download/ompdf/UC100CDCCom.pdf> (user guide for "UNIDEN SECURITY CLOUD CAMERA USER MANUAL")

https://repair.uniden.com/repairInstruct.cfm

Uniden[®]

SERVICE, INC.

Repair

We are here to get your product back on track.

Repair Procedure -Brand New Products

- Ship your unit prepaid via UPS or FEDEX or any carrier with a tracking system to:
Uniden America Corp.
C/O Saddle Creek
743 Henrietta Creek Rd., Suite 100
Roanoke, Texas 76262
ATTN. REPAIR

<https://repair.uniden.com/repairInstruct.cfm>

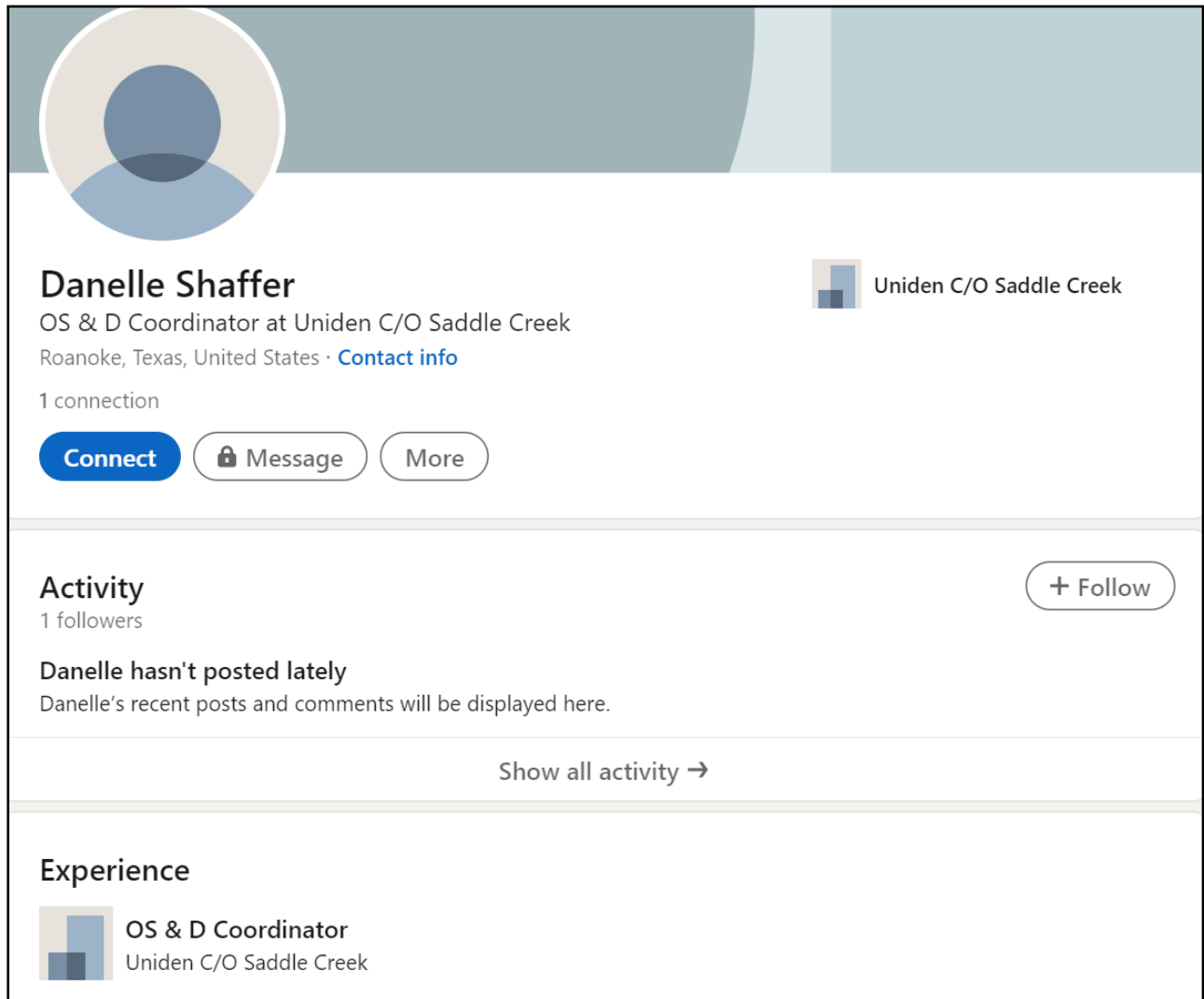
10. On information and belief, Uniden has signage at its 743 Henrietta Creek Rd facility directing customers and third parties to its location, as shown below:



<https://www.google.com/maps/place/Saddle+Creek+Logistics+Services/@32.9915008,-97.2421493,3a,75y,90t/data=!3m8!1e2!3m6!1sAF1QipO7Saxsi3uxR7jG40u8jLJWZnZJZorowzB>

<https://www.googleusercontent.com/%2F%2Fh5.googleusercontent.com/%2Fp%2FAF1QipO7Saxsi3uxR7jG40u8jLJWZnZJZorowzBG5s9N%3Dw152-h86-k-no!7i3264!8i1836!4m12!1m6!3m5!1s0x0:0x4d22867f73d77034!2sTom+Thumb%2FRandalls%2FAlbertsons+Distribution+Center!8m2!3d32.9902989!4d-97.2439332!3m4!1s0x0:0xcb7d219087bb8b3f!8m2!3d32.9915008!4d-97.2421493>

11. On information and belief, Uniden employs personnel to coordinate “OS&D,” which are overages, shortages, and damaged freight or cargo and deliveries, at its 743 Henrietta Creek Rd facility in Roanoke, as shown in the LinkedIn profile below:



<https://www.linkedin.com/in/danelle-shaffer-71506a75/> (last accessed May 16, 2022).

12. Uniden pays thousands of dollars (sometimes tens of thousands) in annual taxes to Denton County in this District on hundreds of thousands of dollars' worth of property and inventory of electronic parts that it keeps at its warehouse at its 743 Henrietta Creek Rd facility in Roanoke.

Screen shots of the Uniden accounts and payment records accessible through the Denton County Tax Office are shown below:

DENTON COUNTY TAX OFFICE

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Search Results

Search By

Owner Name ▼

Search

🔍

Account Type

ALL ▼

Pay Status:

Both

Paid

Unpaid

Search

?
Helpful Hints
▼

3 results found for **uniden**
(showing page 1 of 1)

View Style:
📄
📊

Select All

<p>ACCOUNT NUMBER 09707867TAR</p> <p>OWNER NAME UNIDEN AMERICA CORP</p> <p>PROPERTY LOCATION 0000743 HENRIETTA CREEK RD</p>	<p>TOTAL DUE \$0.00</p> <p>TYPE 🏠 Personal</p>
<div style="border: 1px solid #ccc; padding: 2px; width: 50%; margin: 0 auto;">Select</div>	<div style="border: 1px solid #ccc; padding: 2px; width: 50%; margin: 0 auto;">Details</div>

<p>ACCOUNT NUMBER 636290DEN</p> <p>OWNER NAME UNIDEN AMERICA CORPORATION</p> <p>PROPERTY LOCATION 0000743 HENRIETTA CREEK RD</p>	<p>TOTAL DUE \$0.00</p> <p>TYPE 🏠 Personal</p>
<div style="border: 1px solid #ccc; padding: 2px; width: 50%; margin: 0 auto;">Select</div>	<div style="border: 1px solid #ccc; padding: 2px; width: 50%; margin: 0 auto;">Details</div>

DENTON COUNTY TAX OFFICE

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Account: 09707867TAR

TOTAL DUE
\$0.00


E-STATEMENT

Basic Information

<p>OWNER UNIDEN AMERICA CORP ATTN TAX DEPT 6625 N STATE HWY 161 STE 300 IRVING, TX 75038-2224</p>	<p>TYPE 🏠 Personal</p>	<p>LOCATION 0000743 HENRIETTA CREEK RD</p>	<p>LEGAL UNIDEN AMERICA CORPORATION PERSONAL PROPERTY TANGIBLE COMMERCIAL</p>
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Property Tax Record




DENTON COUNTY TAX OFFICE

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← GO BACK

Account: 09707867TAR
 TOTAL DUE
\$0.00
 E-STATEMENT


Basic Information

OWNER UNIDEN AMERICA CORP ATTN	TYPE  Personal	LOCATION 0000743 HENRIETTA CREEK RD	LEGAL UNIDEN AMERICA CORPORATION PERSONAL
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Payment History
8 Records
 ✕

Print 


PAYMENT DATE	PAYMENT AMOUNT	TAX YEAR PAID	PAYER	ACTIONS
11/17/2021	\$2,230.99	2021	Sharon Burke	Receipt
11/17/2020	\$9,064.66	2020	RPS	Receipt
12/2/2019	\$8,458.48	2019	RPS	Receipt
1/23/2019	\$5,138.98	2018	RPS	Receipt
11/29/2017	\$11,718.29	2017	RPS	Receipt
1/24/2017	\$10,465.57	2016	RPS	Receipt
1/31/2016	\$25,063.65	2015	RPS	Receipt
1/30/2015	\$19,641.16	2014	UNIDEN AMERICA CORP	Receipt




DENTON COUNTY TAX OFFICE

[LOCATIONS & HOURS](#)
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[TAX ESTIMATOR](#)
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← GO BACK

Account: 636290DEN
 TOTAL DUE
\$0.00
 E-STATEMENT

Basic Information

OWNER UNIDEN AMERICA CORPORATION 743 HENRIETTA CREEK RD. ROANOKE, TX 76262	TYPE  Personal	LOCATION 0000743 HENRIETTA CREEK RD	LEGAL PERSONAL PROPERTY - ELECTRONIC PARTS INVENTORY LOCATION: 743 HENRIETTA CREEK RD ROANOKE
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[View More ▾](#)

Property Tax Record

DENTON COUNTY TAX OFFICE

LOCATIONS & HOURS PROPERTY SEARCH TAX ESTIMATOR LOG IN

← GO BACK

Account: 636290DEN

TOTAL DUE \$0.00

E-STATEMENT

Basic Information

OWNER	TYPE	LOCATION	LEGAL
UNIDEN AMERICA CORPORATION	Personal	0000743 HENRIETTA CREEK RD	PERSONAL PROPERTY - ELECTRONIC PARTS INVENTOR

Payment History
8 Records

Print

PAYMENT DATE	PAYMENT AMOUNT	TAX YEAR PAID	PAYER	ACTIONS
3/16/2022	\$1,071.76	2021	Yoichi Nishinohara	Receipt
1/19/2021	\$2,556.42	2020	UNIDEN AMERICA CORP	Receipt
11/21/2019	\$1,904.00	2019	RPS	Receipt
11/16/2018	\$1,151.97	2018	RPS	Receipt
11/29/2017	\$3,302.41	2017	RPS	Receipt
11/28/2016	\$2,972.43	2016	RPS	Receipt
1/31/2016	\$7,163.34	2015	RPS	Receipt
1/30/2015	\$5,642.53	2014	UNIDEN AMERICA CORPORATION	Receipt

Available at:

<https://taxweb.dentoncounty.gov/Search/Results?Query.SearchField=2&Query.SearchText=uniden&Query.SearchAction=&Query.PropertyType=&Query.PayStatus=Both>

13. Venue is proper in this district as to Uniden pursuant to 28 U.S.C. § 1400(b).
14. Infringement is occurring within the State of Texas and this District through Defendant's distribution and sales of "smart" devices under, for example, security and wifi cameras (the "Accused Products," which are further defined below).
15. Venue is further proper because Defendant has placed the Accused Products into the stream of commerce knowing or understanding that such products would be used in the United States,

including in the Eastern District of Texas. Defendant has manufactured, distributed, sold, and/or offered to sell the Accused Products to customers for use throughout this District.

16. This Court has personal jurisdiction over Defendants at least because Defendant has made, used, offered to sell and sold the accused products within the District thus committing acts of infringement within the District, and placed infringing products into the stream of commerce knowing or understanding that such products would be used in the United States, including in the Eastern District of Texas.

FACTUAL BACKGROUND

Plaintiff Portus

17. Portus is the original creator of the smart home. Portus pioneered the technology for viewing your home when you are away, as well as understanding and managing household energy use, so its users can live in more enjoyable, affordable homes.

18. With Portus' patented technology, users have the freedom to monitor and control their home from anywhere.

19. With Portus' patented technology, Portus enables a home to be safer and more efficient through a connected environment.

20. As well as helping households, Portus facilitated utilities by providing insight into their customers' energy use. The understanding of consumers' energy demands the technology gives is invaluable to a household's or company's planning capacity and carbon constraints.

21. Further, Portus' technology facilitates utilities' demand management by providing insight into their customers' energy use. The understanding of consumers' energy demands the technology gives is invaluable to companies' planning capacity and carbon constraints.

22. Initially founded in Australia, Portus moved to Singapore after winning equity funding through an investment arm of the Singapore government.

23. Portus Singapore Pte Ltd. is the owner by assignment from the inventors, Charles Cameron Lindquist and Timothy John Lindquist, of all right, title, and interest in and to Portus is the owner, by assignment, of the two patents-in-suit: U.S. Patent Nos. 8,914,526 (the '526 Patent) attached as Exhibit A; and 9,961,097 (the '097 Patent) attached as Exhibit B.

24. Portus Pty Ltd. is the exclusive licensee of the '526 and '097 Patents.

25. Tim Lindquist, one of the Portus founders, is one of the inventors of the asserted patents and is recognized as an inventor of the Connected Home. Tim was proclaimed as a pioneer of the Smart Grid by Smart Grid Today.

The '526 Patent

26. Portus Singapore Pte Ltd. is the owner by assignment from the inventors, Charles Cameron Lindquist and Timothy John Lindquist, of all right, title, and interest in and to United States Patent Number 8,914,526 (the "'526 Patent"), titled "Local and Remote Monitoring Using a Standard Web Browser" including the right to sue for all past infringement.

27. Portus Pty Ltd. is the exclusive licensee of the '526 Patent.

28. Attached to this Complaint as Exhibit A is a true and correct copy of the '526 Patent.

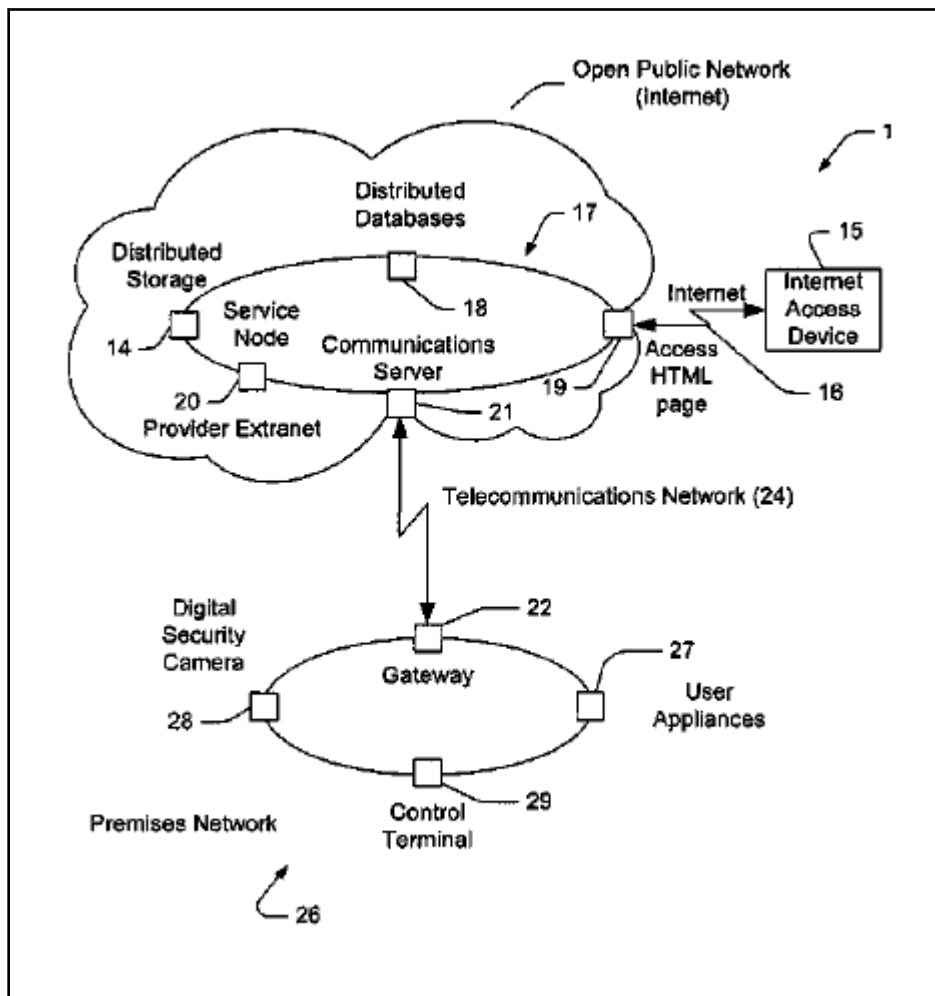
29. The '526 Patent issued from United States Patent and Trademark Office application no. 09/868,417, which was based on a PCT application no. 99/01128, which was filed on December 17, 1999. That PCT application was based on Australian patent application (PP 7764) filed on December 17, 1998.

30. The Patent Office issued the '526 Patent on December 16, 2014, after a full and fair examination.

31. The '526 Patent is valid and enforceable.

32. The '526 Patent abstract describes a home security and control system for monitoring and controlling an external environment such as a home environment comprising: an Internet browser connectable to an external network, such as an "extranet" or "Cloud"; an Cloud located external to

the home environment and accessible via the Internet browser; a communications server located in the Cloud and adapted to interconnect on demand with one of a series of connection gateways located in predetermined home environments; and a connection gateway located in the home environment adapted to control and/or monitor the operation of at least one security device in the home environment; wherein upon accessing a predetermined address by the Internet browser on the Cloud, the communications server connects to a predetermined one of the connection gateways to control and/or monitor the operation of the security device.



33. The inventors of the '526 Patent, recognized that home automation and security systems had become more advanced and that the “[u]sers often have a common need to control and monitor such systems both locally and remotely.” ’526 Patent at 1:35-36. However, despite the growing complexity of these systems, users “generally must resort to non-visual monitoring and

control mechanisms for remote operation [such as] by telephone through codes entered via a telephone handset.” *Id.* at 1:38-41.

34. The '526 Patent provides several advantages over the prior art such as: a) allowing remote control of a home security system through operation of a website rather than through the cumbersome automated systems and choices provided via telephone; b) providing a geographically independent standard interface for remote connection to a home security system that is universally accessible and not platform or hardware dependent.

35. A person of ordinary skill in the art at the time of the invention would have recognized that the steps (and combination of steps) claimed in the '526 Patent were, at the time of invention, unconventional and describe remote monitoring of home security and automation systems in a way that, at the time of the invention, was not routine.

36. A person of ordinary skill in the art at the time of the invention would have understood that, at the time of the invention, there was no conventional manner in which to use a web browser remotely to monitor and control home automation and security systems. A skilled artisan, at the time of the invention, would have recognized the problem that such remote monitoring at the time of the invention could only be accomplished via cumbersome telephone-based input and automation systems.

37. The '526 Patent provides technical solutions to this problem not solved in the prior art. The inventions disclosed in the '526 patent achieves that “when a customer connects to their home, their home effectively appears to them as a website, with all devices, security and otherwise, accessible for monitoring and control.” '526 Patent at 2:49-52.

38. A person skilled in the art at the time of the invention would have understood that the system of using an Internet browser; a Cloud external to the user premises and accessible via the Internet browser; a plurality of connection gateways that are part of the home network; and a

communications server located in the Cloud and adapted to communicate on-demand with the connection gateways was not, at the time of the invention, conventional, well-understood, nor routine.

39. A person of ordinary skill in the art at the time of the invention would have understood that the system described in claim 1 of the '526 Patent was not, at the time of the invention, conventional, well-understood, or routine.

40. A person skilled in the art at the time of the invention would have understood that the claims recite steps and structural limitations operating in an unconventional manner to achieve an improved operation of home security and automation.

41. These technological improvements provide greater cost savings and efficiencies in allowing remote monitoring of a home security and automation systems through a web browser.

42. The novel use and arrangement of the specific system recited in the '526 claims were not well-understood, routine, nor conventional to a person skilled in the relevant field at the time of the inventions.

The '097 Patent

43. Portus Singapore Pte Ltd. is the owner by assignment from the inventors, Charles Cameron Lindquist and Timothy John Lindquist, of all right, title, and interest in and to United States Patent Number 9,961,097 (the "'097 Patent"), titled "System for Remote Access of a User Premises" including the right to sue for all past infringement.

44. Portus Pty Ltd. is the exclusive licensee of the '097 Patent.

45. Exhibit B is a true and correct copy of the '097 Patent.

46. The '097 Patent issued from application no. 14/536,784 filed on November 10, 2014.

47. The Patent Office issued the '097 Patent on May 1, 2018, after a full and fair examination.

48. The '097 Patent is valid and enforceable.

49. The '097 Patent provides several advantages over the prior art such as: a) allowing remote control of a home security system through operation of a website rather than through the cumbersome automated systems and choices provided via telephone; b) providing a geographically independent standard interface for remote connection to a home security system that is universally accessible and not platform or hardware dependent.

50. A person of ordinary skill in the art at the time of the invention would have recognized that the steps (and combination of steps) claimed in the '097 Patent were, at the time of invention, unconventional and describe remote monitoring of home security and automation systems in a way that, at the time of the invention, was not routine.

51. A person of ordinary skill in the art at the time of the invention would have understood that, at the time of the invention, there was no conventional manner in which to use a web browser remotely to monitor and control home automation and security systems. A skilled artisan, at the time of the invention, would have recognized the problem that such remote monitoring at the time of the invention could only be accomplished via cumbersome telephone-based input and automation systems.

52. The '097 Patent provides technical solutions to this problem not solved in the prior art. By using a web browser so that “when a customer connects to their home, their home effectively appears to them as a website, with all devices, security and otherwise, accessible for monitoring and control.” '097 Patent at 2:64-67.

53. A person skilled in the art at the time of the invention would have understood that the system of using an Internet browser; a Cloud external to the user premises and accessible via the Internet browser; a plurality of connection gateways that are part of the home network; and a communications server located in the Cloud and adapted to communicate on-demand with the

connection gateways was not, at the time of the invention, conventional, well-understood, nor routine.

54. A person of ordinary skill in the art at the time of the invention would have understood that the system described in claim 1 of the '097 Patent was not, at the time of the invention, conventional, well-understood, or routine.

55. A person skilled in the art at the time of the invention would have understood that the claims recite steps and structural limitations operating in an unconventional manner to achieve an improved operation of home security and automation.

56. These technological improvements provide greater cost savings and efficiencies in allowing remote monitoring of a home security and automation systems through a web browser.

57. The novel use and arrangement of the specific system recited in the '097 claims were not well-understood, routine, nor conventional to a person skilled in the relevant field at the time of the inventions.

Defendant's Infringing Products

58. Uniden provides smart home solutions through the Uniden brand with products such as wired and wireless cameras that are viewable through the App Cam Solo and U Guard apps—or the “Accused Products.”

59. The Accused Products include wired and wireless camera, such as the “Solo” line of cameras and other “bullet” cameras with model numbers such as SCP1, UC4202, UC100B-DC, UCVRC55, UCVRC65, UCVRC66, WDVRC25, G71000C, GC43, APPCAM24HD, UDR744 etc. The Accused Products also include functionality whereby the Defendant is able to access and process the personal data of its users—users are required to agree to provide this information for the benefit of the Defendant in order to use the Accused Products.

Shop Products



Wireless Security

Shop Now



Wired Security

Shop Now



AppCams

Shop Now



Wired Accessories

Shop Now

<https://support.uniden.com/security/>



<https://solocloud.uniden.com/>

Uniden®



surveillance

UDR744 OUTDOOR



REMOTE ACCESS

OVERVIEW


Uniden's U Guard app lets you view live video from an iPhone®, iPad®, or Android™ smartphone or tablet. Download the app through the Apple App Store or Google Play.

Separate instructions are provided for iOS and Android operations if needed; however, only Android app screens are shown. The iOS app screens are very similar.

REQUIREMENTS

- iOS or Android™ smartphone or tablet
- UDR744 monitor connected to your router

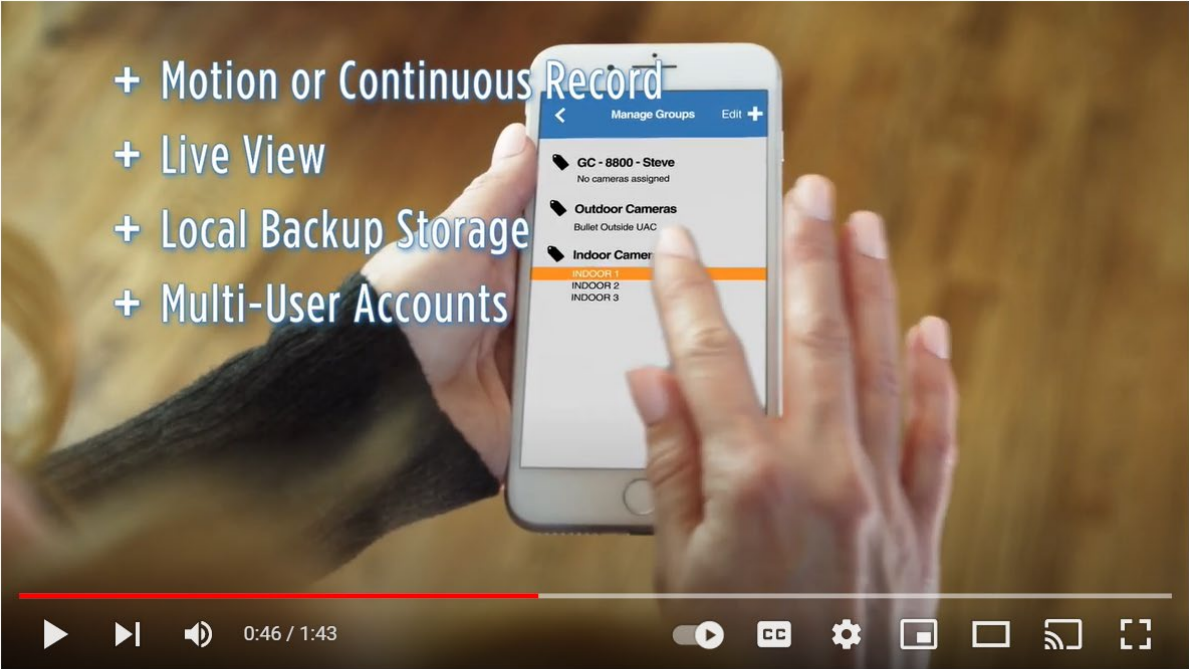
SET UP THE U GUARD APP

1. Connect the UDR744 monitor to your router using the Ethernet cable included with your system. Turn on the monitor.
2. From your mobile device, go to the Apple App Store or Google Play. Search for the Uniden U Guard app. Download and install this app to your device.
3. Tap the  icon to launch the app; tap *Click here to add device* to add your system information to the app. The *Add Device* screen displays.



<https://www.uniden.info/download/ompdf/UDR744om.pdf>

60. Uniden provided promotional and instructional videos promoting the Accused Products online on websites such as youtube.com.



+ Motion or Continuous Record
+ Live View
+ Local Backup Storage
+ Multi-User Accounts

Uniden Cloud Security System

1,165 views • Apr 26, 2019

5 DISLIKE SHARE DOWNLOAD SAVE ...



Uniden Cloud Security System


1,165 views • Apr 26, 2019

5 DISLIKE SHARE DOWNLOAD SAVE ...

<https://www.youtube.com/watch?v=esUHVpG3JFg>

61. The Uniden System provides smartphone applications, and internet web portals for monitoring home security and camera systems (collectively, the “Uniden System Apps”).

Why Uniden Security Cloud Works For You



Break Free from the DVR

Uniden Security Cloud removes all the issues of DVR recording with the same wired camera performance.

- No complex setup
- No hard drive failure
- No downtime needed for repair
- No burglar damage/theft
- No monitor needed
- No “mouse only navigation” that DVRs use

Hassle-Free Setup

Uniden Cloud doesn't require you to have any network expertise.

With simple plug and play capability, install high quality outdoor security without the hassle of a complex DVR. No need for a professional!

1. Install your cameras
2. Power and connect to the internet
3. Run the Uniden Cloud app

Access Anywhere

Our cloud security solution is designed for those who don't want to bother with complicated and expensive systems.

Monitor your footage from any browser, tablet and smartphone with Uniden's Cloud app for iOS and Android.


Scale Your Security






There's no limit to the amount of cameras to add to your account. Add another indoor or outdoor camera when you need it.

Then put the cameras into “groups” called “Labels” to easily swap between groups of cameras such as “home, or work, lake house, etc.”

LIVE VIEW SCREEN

Tap the camera listing and the Live View screen displays, showing live video from the camera.



Icon	Feature name	Description
	View Snapshot	View snapshots from the mobile device. These snapshots display in thumbnail format.
	Take Snapshot	Tap this icon to take a snapshot of the image on video.
	Camera Volume	Turns camera audio on and off.
	Talk Back	Tap this to talk back through the camera.
	Change Channels	Tap to select a different channel to view.

<https://www.uniden.info/download/ompdf/UDR744om.pdf>

62. The Uniden System includes Uniden servers that form a network (first network) (referred to as “Uniden Cloud”) located external to a user’s premises (business or home) and is

accessible via a smartphone app or Internet browser. The Uniden Cloud includes a plurality of communications servers with hardware processing circuitry (second hardware processing circuitry) (referred to interchangeably as “Uniden Communication Servers” or “Uniden Servers”).

63. The Uniden System includes a plurality of devices, such as Uniden wired and wireless camera devices and Network Video Recorder (NVR) devices, which serve as “Connection Gateways”. At least a subset (a plurality) of the Uniden Connection Gateways are located in a user (home/office) premises and is part of a local (home/office) network in such premises (referred to as “Uniden Home Network”). The Uniden Servers are configured to connect to the Uniden Connection Gateways.

64. The Uniden Communications Servers are adapted to interconnect on-demand with the Uniden Connection Gateways. The Uniden Connection Gateways are accessible by the Uniden Communications Servers. The Uniden Communications Servers are accessible via the Uniden System Apps.

65. When a Uniden System App is used to access the Uniden Cloud to monitor or control devices in the Uniden Home Network, authorization data is provided by the Uniden System App.

https://mysolo.uniden.com/login/?redirect=https://solocloud.uniden.co... A

Log in

Sign up

Email

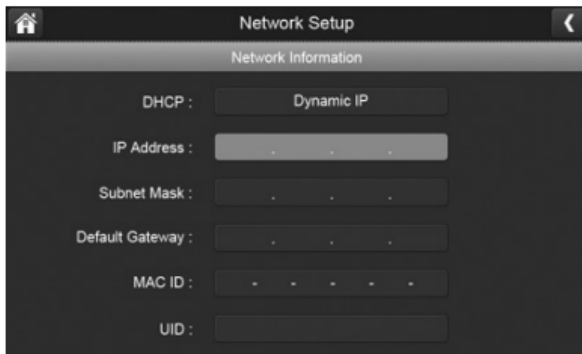
Password

Log in

[Lost your password?](#)

<https://mysolo.uniden.com/login/?redirect=https://solocloud.uniden.com/user/cloud-library/>

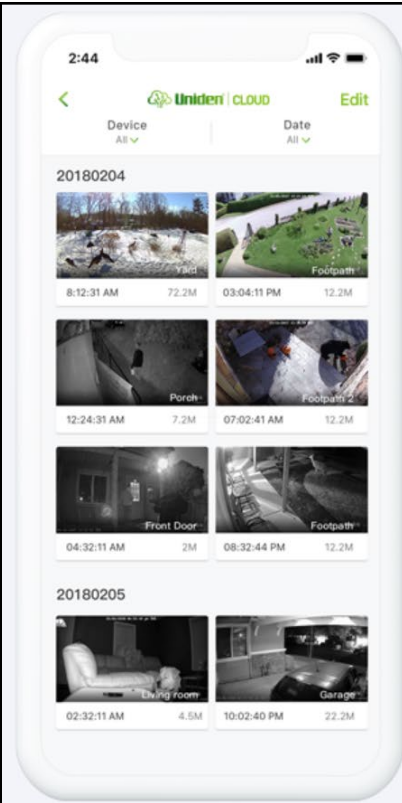
4. Enter the UID code from your UDR744 monitor in the *UID* field. There are four ways to do this:
 - If your smartphone or tablet is in the same network as the monitor, tap **SCAN** from the *Add Device* screen.
 - Tap *General Settings/Network Setup/Information* to display the *Network Information* screen. The UID code is the last item on the screen; manually enter this code.



- Manually enter the UID code from the label on the back of the monitor.
 - Scan the QR code on the label on the back of the monitor. The UID code now displays on the *Add Device* screen.
5. Enter a name for your system in the *Name* field.
 6. Enter the default password (000000).
 7. Tap **OK**. The *U Guard Camera List* screen displays a listing for your system with a screen shot from your monitor.

The monitor screen shot is from Channel 1. If you do not have a camera assigned to Channel 1, the screen shot area will be blank.

<https://www.uniden.info/download/ompdf/UDR744om.pdf>



Video Recordings in the Cloud

Save Everything That Matters, Just in Case

Solo Cloud records video every time motion is detected. You can also set up a custom recording schedule for your needs. Never miss a moment, and download video when ready. Access your cloud video history anytime, from anywhere.

<https://solocloud.uniden.com/>

COUNT I – DIRECT PATENT INFRINGEMENT OF THE '526 Patent

66. Portus re-alleges the foregoing paragraphs as if fully set forth herein.

67. Defendant's infringing Accused Products and other remote security and automation control systems with the same or similar features and functionality that satisfy each element of one or more asserted claims.

68. Defendant has directly infringed the '526 Patent in violation of 35 U.S.C. § 271(a) by one or more of the following: (1) making the Accused Products which embody the patented inventions of at least claim 57 of the '526 Patent, by combining all elements of the Accused Products as described above, in a manner that meets each limitation of at least claim 57 of the '526 Patent; and (2) putting into service and operating the Accused Products when all elements of such system are combined as described above, thus meeting each limitation of at least claim 57 of the '526 Patent.

69. The Accused Products satisfy various elements of the claims of the '526 Patent, including certain devices that are Connection Gateways or networked components of the respective home network, or both.

70. For example, through the Uniden Accused Products, Defendants infringe claim 57 of the '526 Patent. The Uniden Accused Products form a system for remote access of user premises networks in respective user premises, the system comprising:

- a. a first network (a) located external to said user premises (e.g., *the Uniden Cloud, which is located external to the user premises*), (b) including a first arrangement of processing circuitry comprising at least one hardware processor programmed to control network access (e.g., *the Uniden servers have processors programmed to control network access through a username and password*), and (c) including a hardware user access browser device that comprises a processor running an access browser (e.g., *Uniden servers and Cloud are accessible by a user through the Uniden System Apps*); and
- b. a plurality of second arrangements of processing circuitry each comprising at least one hardware processor programmed to control network access, each of at least a subset of which is located in a respective one of the user premises and part of the respective user premises network of the respective user premises (e.g., *the Uniden System includes a plurality of connection gateways, such as wired and wireless cameras*);
- c. wherein:
- d. said first circuitry arrangement is adapted by its programming to initiate an establishment of network connections to said second circuitry arrangements (e.g., *the Uniden Servers are configured to connect to the Uniden Connection Gateways*);
- e. the user access browser located on the first network is usable, by input of Uniform Resource Locators (URL), for locating and examining information on said first network and said user premises networks (e.g., *the Uniden System is configured to be responsive to the input of a URL, when the Uniden Cloud and Uniden Communications Servers are accessed as a result of the input of the URL at the Uniden System Apps, the Uniden Communications Server provides Uniden System Apps information like images or videos*);
- f. each of the at least the subset of second circuitry arrangements is accessible by the first circuitry arrangement (e.g., *the Uniden Communications Servers are configured to connect to the Uniden Connection Gateways*);
- g. responsive to user-input of a URL in accordance with which said user access browser accesses a predetermined location on said first network to which address the URL corresponds, said first circuitry arrangement subsequently, by execution of its programming (e.g., *the Uniden System is configured to be responsive to the input of a URL, at the Uniden System Apps, to access an address on the Uniden Cloud, such that the Uniden System Apps provide authorization data*):

- h. determines which one of said user premises networks in which one of said second circuitry arrangements is located authorization data indicates authority to at least one of monitor and control (e.g., *when a Uniden System App is used to access the Uniden Cloud to monitor or control devices in the Uniden Home Network, authorization data is provided by the Uniden System App*): and
- i. initiates an establishment of a network connection to said one of said second circuitry arrangements to create a new communications session for a temporary interconnection between said first network and said determined one of said user premises networks to at least one of control and monitor operation of at least one of the one or more devices of said user premises network, by which communications session the first network (e.g., *the Uniden Communications Server creates a new communications session between itself and the Uniden Connection Gateway in a user's home network that was determined to be indicated by the authorization data. In normal operation of the Uniden System, the new communications session is used to at least monitor or control at least one service or networked component in user's home network*):
- j. obtains information contained within the user premises network from the second circuitry arrangement of the determined user premises network (e.g., *after the new communications session is created, the Uniden Cloud obtains/receives information contained within the determined a user's home network from the Uniden Connection Gateway (for example, from one of the networked components)*); and
- k. using a web server, serves to the user access browser the information from the second circuitry arrangement of the determined user premises network (e.g., *the system provides such information to the Uniden System Apps*);
- l. the communications session provides a seamless access to information stored on said determined one of said user premises networks from said user access browser (e.g., *the system saves such information in the Uniden System Apps for subsequent review by a user without requiring the user to provide the authentication data*); and
- m. the at least one of control and monitoring of the at least one device using the first circuitry arrangement is possible only by interaction with information served by said one of said second circuitry arrangements (e.g., *the Uniden devices may only be remotely controlled and monitored by providing information from the device to the Uniden Cloud*).

71. Defendants various Accused Products infringed based on similar functionality as described above.

72. Defendant conditions use of the remote access features of the Accused Products and its customers' receipt of a benefit upon performance of the limitations of the asserted claims in the Asserted Patents, and Defendant establishes the manner or timing of that performance. Defendant requires that a user agree to terms and conditions that allow Defendant to track content, use, and

performance information of user and the Accused Products. For example, users must agree that “You understand that through your use of the APP you consent to the collection and use of this information, including the transfer of this information to the United States and/or other countries for storage, processing and use by the Suppliers and its affiliates. The Suppliers collect information relating to you and your use of the APP in order to provide services and features that are easy to use and responsive to your needs. We use the term “Consumer Information” to refer to any personally identifiable or anonymous information relating to you or your use of any portion of our APP. We use Consumer Information to enhance the APP and to provide you with customer service. We collect various categories of Consumer Information in connection with your use of the APP and some of this information specifically identifies you or your household, including the following: “Account Information” is information about you and your account, including your Contact Information (defined below) and other account related information that is necessary or useful for us to manage your account, your subscription to special features or services offered through the Services and privacy preferences. Account Information does not include any personally identifiable Usage Information. Account Information may be provided by you or a technology provider, service provider, third party website, or merchant involved in the development and/or provision of the functionality of the APP. We use your personally identifiable Account Information to establish and service your account with us, bill you for Services (if applicable), assist you in the use of the APP (including customer support), and for other business purposes. “Contact Information” means information that allows someone to identify or contact you, including, for example: your name, address, telephone number and email address. When you register, you provide us with Contact Information. In the event that you contact us for customer support, we may also request that you provide additional Contact Information relevant to the support requested by you. You are under no obligation to provide such information. However, we cannot guarantee that we can provide customer

support in the event that relevant information related to the use of the APP is not provided. We may retain communications relating to customer support, and information drawn from such communications, for statistical and reference purposes. “Usage Information” is information including, but not limited to, data regarding System usage. We receive this type of information from the Equipment (as defined below) and the consumer web portal as you use the APP. Usage Information can include your IP address, browser type, domain names, access times and referring website addresses and Wi-Fi service set identifier. This information is used by us for the operation of the APP, to maintain quality of the APPs, and to provide general statistics regarding use of the APP. We may use independent contractors to assist with our operations. Such contractors may include programmers, consultants, billing and other agents, auditors, attorneys and accountants, collection agencies, and third parties who provide services necessary for us to provide the APP or conduct legitimate business activities in connection with the APP. Some of these contractors will have temporary access to our databases of Consumer Information. Their access to such information will be limited to specific tasks. We also use third parties to help with certain aspects of our operations, which may require disclosure of your Consumer Information to them. For example, we may use a third party to communicate with you (via telephone, email, or letter) about your account or upcoming features or services, to process and collect payment for your Services via your credit card, to generate demographic profiles based on Consumer Information of our customers, and to perform other work as part of or in relation to the System that we may need to outsource. We may require these contractors and third parties to agree to protect the confidentiality of your Consumer Information and to use it only as necessary to perform the services they are asked to perform.” This is available at https://www.uniden.info/terms/EULA_UGuard.pdf.

73. The Accused Products, when combined and used as described above, satisfy each and every element of each asserted claim of the '526 Patent either literally or under the doctrine of equivalents.

74. Defendant's infringing activities are and have been without authority or license under the '526 Patent.

75. The preceding discussion of claim 57 in the '526 Patent serves as an example only. The Accused Products infringe other claims in the '526 Patent upon same or similar grounds. Portus reserves its right to identify additional claims and additional infringing products as supported by discovery in the case.

76. As a result of Defendant's unlawful infringement of the '526 Patent, Portus has suffered and will continue to suffer damage. Portus is entitled to recover from Defendant the damages suffered by Portus as a result of Defendant's unlawful acts of infringement.

77. On information and belief and at a minimum, Defendant has been aware that the claims in the application that became the '526 Patent were allowed before the filing of this complaint.

78. On information and belief, given Defendant's prior knowledge of the '526 Patent and their own infringement of the same, Defendant has induced their users' and contributed to their users' direct infringement of one or more claims of the '526 Patent through the Defendant's advertisements, instructions, advice, and guidance as provided by user manuals and instructions, the Defendant's websites, and Defendant's support and help services.

79. Moreover, on information and belief, its infringement has been willful and egregious. Because of Defendant's willful and egregious infringement, Portus is entitled to enhanced damages, in the form of treble damages, under 35 U.S.C. § 284.

80. To the extent Defendant did not learn of the '526 Patent and its infringement before the filing of this complaint by virtue of its monitoring of prior art and published patents and

communications from Portus and its agents, Defendant was willfully blind to its infringement of the '526 Patent.

81. Furthermore, because Defendant's infringement of the '526 Patent is willful, this action is "exceptional" within the meaning of 35 U.S.C. § 285, entitling Portus to its attorneys' fees and expenses.

COUNT II – DIRECT PATENT INFRINGEMENT OF THE '097 PATENT

82. Plaintiffs reallege and incorporate by reference the allegations set forth above, as if set forth verbatim herein.

83. Defendant's infringing Accused Products and other remote security and camera systems with the same or similar features and functionality that satisfy each element of one or more asserted claims.

84. Defendant has directly infringed the '097 Patent in violation of 35 U.S.C. § 271(a) by one or more of the following: (1) making the Accused Products which embody the patented inventions of at least claim 1 of the '097 Patent, by combining all elements of the Accused Products as described above, in a manner that meets each limitation of at least claim 1 of the '097 Patent; and (2) putting into service and by operating the Accused Products when all elements of such system are combined as described above, thus meeting each limitation of at least claim 1 of the '097 Patent.

85. For example, through the Uniden Accused Products, Defendants infringe claim 1 of the '097 Patent. The Uniden Accused Products form a system for remote access of a user premises comprising:

- a. a first hardware processing circuitry running an access browser module (*e.g., the Accused Products utilizes an access browser hardware device including a processor to access the internet through the Uniden System Apps*);
- b. a second hardware processing circuitry located in a first network (*e.g., the Accused Products include a second processor in the Uniden Cloud that is located external to the user premises*); and

- c. a connection gateway that is located in, and is part of a local network of, the user premises (*the Accused Products include a plurality of connection gateways, e.g., Uniden connection gateways, such as the Uniden cameras*) each comprising at least one hardware processor and each of at least a subset of which is located in a respective one of the user premises and is part of the respective home network of the respective user (e.g., connected to the home network via Ethernet));
- d. wherein:
- e. the second hardware processing circuitry is external to the user premises, is accessible via the access browser module, and is configured to communicate on-demand with the connection gateway (e.g., *the Accused Product includes a communications server (e.g., Uniden Communications or Cloud servers) comprising at least one hardware processor and located in said Uniden Cloud and adapted to interconnect on-demand with said connection gateways (e.g., users are able to access their devices through the Uniden System Apps)*);
- f. the connection gateway is integrated with or communicatively coupled to one or more networked components of the local network of the user premises (e.g., *the connection gateways are accessible by the Uniden Cloud and are integrated with networked components (e.g., a user's Uniden devices) of the respective home network*); and
- g. the system is configured such that user-input of a Uniform Resource Locator (URL), in accordance with which the first hardware processing circuitry, using the access browser module, accesses an address on the first network, begins a sequence in which the second hardware processing circuitry responsively serves to the first hardware processing circuitry, via the access browser module, information regarding at least one of the one or more networked components of the local network, which information the second hardware processing circuitry obtains from the connection gateway without a direct communicative coupling between the second hardware processing circuitry and the at least one networked component of the local network (e.g., *the Defendants' web application is responsive to user-input of a Uniform Resource Locator (URL) (e.g., when accessing Uniden System Apps) in accordance with which said app accesses a predetermined address on said Uniden Cloud to which the URL corresponds, in which accessing said app provides information (e.g., videos) contained within the home network from the connection gateway of the determined home network and Uniden's Cloud servers are not directly communicatively coupleable to a user's Uniden devices (e.g., certain Uniden devices only communicate through connection gateways); in which accessing said app provides authorization data to the Uniden Cloud (e.g., a login and password)*);
- h. wherein the sequence includes the first hardware processing circuitry transmitting to the second hardware processing circuitry authentication data indicating authority to access the at least one networked component of the local network, the transmission of the authentication data being required for the serving of the information to the first hardware processing circuitry (e.g., *the connection gateways for the Accused Products require that the user first provide authentication data in which accessing said app provides authorization data to the Uniden Cloud to access the networked components*), and wherein:
- i. the user premises is one of a plurality of user premises (e.g., Defendants' Accused Products serve multiple users and multiple premises);

- j. the connection gateway is one of a plurality of connection gateways, each of which is located in, and is part of a respective local network of, a respective one of the plurality of user premises, and to each of which the second hardware processing circuitry is configured to connect (*e.g., Defendants' Accused Products serve multiple users and multiple premises, which each include at least one connection gateway located in and connects to a respective local network of the premises*); and
- k. the sequence further including the second hardware processing circuitry determining which one of the local networks the authentication data indicates authority to access (*e.g., Defendants' server is configured to use the user's email and password to determine which home network is the user's home network and is further configured to provide authorization data to allow the user to access devices in the user's home network*);
- l. the sequence further including the second hardware processing circuitry establishing a new communication session between the first hardware processing circuitry and the connection gateway of the respective local network that the authentication data indicates authority to access upon verification of the authentication data (*e.g., Defendants' servers create a new communications session between the Uniden Cloud and one of the Uniden Connection Gateways to monitor operation of the Uniden devices contained within the home network, which is determined based on the authentication*); and
- m. wherein the second hardware processing circuitry receives, via the connection gateway, selected information from at least one of the networked components of the local network of the user premises, and stores the selected information in the first network for subsequent review by a user associated with the user premises, without requiring the user to provide the authentication data (*e.g., in the Accused Products, information from the Uniden devices, such as a user's login information, is stored in the first network, via for example in a user's mobile application, which may then be reviewed by a user associated with the user premises without requiring the user to provide the authentication data (e.g., a user in the first network may be automatically logged in to the Accused Products without having to subsequently enter their login information)*); and
- n. wherein the authority to access the at least one networked component of the local network by transmitting the authentication data also provides authority to access and review the previously stored selected information in the first network via the access browser module (*e.g., the Uniden user app and Uniden Cloud servers communicate such that authority is provided to access a Uniden device in a local network and review the previously stored selected information via authentication data*).

86. Defendant's other Accused Products infringe based on similar functionality as the Uniden Accused Products.

87. Defendant conditions use of the remote access features of the Accused Products and its customers' receipt of a benefit upon performance of the limitations of the asserted claims in the Asserted Patents, and Defendant establishes the manner or timing of that performance. Defendant

requires that a user agree to terms and conditions that allow Defendant to track content, use, and performance information of user and the Accused Products. For example, users must agree that “You understand that through your use of the APP you consent to the collection and use of this information, including the transfer of this information to the United States and/or other countries for storage, processing and use by the Suppliers and its affiliates. The Suppliers collect information relating to you and your use of the APP in order to provide services and features that are easy to use and responsive to your needs. We use the term “Consumer Information” to refer to any personally identifiable or anonymous information relating to you or your use of any portion of our APP. We use Consumer Information to enhance the APP and to provide you with customer service. We collect various categories of Consumer Information in connection with your use of the APP and some of this information specifically identifies you or your household, including the following: “Account Information” is information about you and your account, including your Contact Information (defined below) and other account related information that is necessary or useful for us to manage your account, your subscription to special features or services offered through the Services and privacy preferences. Account Information does not include any personally identifiable Usage Information. Account Information may be provided by you or a technology provider, service provider, third party website, or merchant involved in the development and/or provision of the functionality of the APP. We use your personally identifiable Account Information to establish and service your account with us, bill you for Services (if applicable), assist you in the use of the APP (including customer support), and for other business purposes. “Contact Information” means information that allows someone to identify or contact you, including, for example: your name, address, telephone number and email address. When you register, you provide us with Contact Information. In the event that you contact us for customer support, we may also request that you provide additional Contact Information relevant to the support requested by you. You are under no

obligation to provide such information. However, we cannot guarantee that we can provide customer support in the event that relevant information related to the use of the APP is not provided. We may retain communications relating to customer support, and information drawn from such communications, for statistical and reference purposes. “Usage Information” is information including, but not limited to, data regarding System usage. We receive this type of information from the Equipment (as defined below) and the consumer web portal as you use the APP. Usage Information can include your IP address, browser type, domain names, access times and referring website addresses and Wi-Fi service set identifier. This information is used by us for the operation of the APP, to maintain quality of the APPs, and to provide general statistics regarding use of the APP. We may use independent contractors to assist with our operations. Such contractors may include programmers, consultants, billing and other agents, auditors, attorneys and accountants, collection agencies, and third parties who provide services necessary for us to provide the APP or conduct legitimate business activities in connection with the APP. Some of these contractors will have temporary access to our databases of Consumer Information. Their access to such information will be limited to specific tasks. We also use third parties to help with certain aspects of our operations, which may require disclosure of your Consumer Information to them. For example, we may use a third party to communicate with you (via telephone, email, or letter) about your account or upcoming features or services, to process and collect payment for your Services via your credit card, to generate demographic profiles based on Consumer Information of our customers, and to perform other work as part of or in relation to the System that we may need to outsource. We may require these contractors and third parties to agree to protect the confidentiality of your Consumer Information and to use it only as necessary to perform the services they are asked to perform..” This is available at https://www.uniden.info/terms/EULA_UGuard.pdf.

88. The Accused Products satisfy each and every element of each asserted claim of the '097 Patent either literally or under the doctrine of equivalents.

89. Defendant's infringing activities are and have been without authority or license under the '097 Patent.

90. The preceding discussion of claim 1 in the '097 Patent serves as an example only. The Accused Products infringe other claims in the '097 Patent upon same or similar grounds. Portus reserves its right to identify additional claims and additional infringing products as supported by discovery in the case.

91. As a result of Defendant's unlawful infringement of the '097 Patent, Portus has suffered and will continue to suffer damage. Portus is entitled to recover from Defendant the damages suffered by Portus as a result of Defendant's unlawful acts of infringement.

92. On information and belief and at a minimum, Defendant has been aware that the claims in the application that became the '097 Patent were allowed before the filing of this complaint.

93. On information and belief, given Defendant's prior knowledge of the '097 Patent and their own infringement of the same, Defendant has induced their users' and contributed to their users' direct infringement of one or more claims of the '097 Patent through the Defendant's advertisements, instructions, advice, and guidance as provided by user manuals and instructions, the Defendant's websites, and Defendant's support and help services.

94. Moreover, on information and belief, Defendants' infringement has been willful and egregious. Because of Defendants' willful and egregious infringement, Portus is entitled to enhanced damages, in the form of treble damages, under 35 U.S.C. § 284.

95. To the extent Defendant did not learn of the '097 Patent and its infringement before the filing of this complaint by virtue of its monitoring of prior art and published patents and

communications from Portus and its agents, Defendant was willfully blind to its infringement of the '097 Patent.

96. Furthermore, because Defendant's infringement of the '097 Patent is willful, this action is "exceptional" within the meaning of 35 U.S.C. § 285, entitling Portus to its attorneys' fees and expenses.

JURY DEMAND

97. Portus hereby demands a trial by jury.

PRAYER

WHEREFORE, Portus prays for judgment in its favor and against Defendants as follows:

- a. A judgment that Defendant has infringed, either literally or under the doctrine of equivalents, one or more claims of the Asserted Patents;
- b. An award of damages adequate to compensate for the infringements, but in no event less than a reasonable royalty made for use of the inventions of the Asserted Patents, together with interest and costs as determined by the Court;
- c. An award of enhanced damages under 35 U.S.C. § 284, in the form of treble damages;
- d. An award of on-going royalties for any continuing or future infringement of the claims of the Asserted Patents;
- e. An award of Plaintiff's reasonable attorneys' fees, costs, and expenses pursuant to 35 U.S.C. §§ 284 and 285 or as otherwise permitted by law;
- f. Such other and further relief at law or in equity as the Court determines is just and proper.

Dated: May 27, 2022

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