

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

EDST, LLC, a Texas limited liability company; and **Quext IoT, LLC**, a Texas limited liability company,

Plaintiffs,

v.

IAPARTMENTS, INC.,
a Florida corporation,

Defendant.

§ Civil Action No. _____
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PLAINTIFFS EDST, LLC AND QUEXT IOT, LLC’S COMPLAINT AND DEMAND FOR JURY TRIAL AND INJUNCTIVE RELIEF

Plaintiffs EDST, LLC (“EDST”) and Quext IoT, LLC (“Quext”) (collectively “Plaintiffs”), for their complaint of patent infringement against Defendant iApartments, Inc. (“iApartments” or “Defendant”) allege as follows:

I. BACKGROUND

1. This is an action for patent infringement by Plaintiffs. Based in Lubbock, Texas, EDST began in 2017 (as “Asmartment”) to develop, among other things, state of the art Internet-of-Things (“IoT”) solutions, cloud-based property management software, and artificial intelligence (“AI”) for use in the multifamily residential and commercial property management industries. Quext was formed later to be the exclusive seller and continued developer of these IoT solutions.

2. Today, Quext develops IoT systems that are integrated in multifamily and commercial properties and leverage long-range and short-range communication protocols to provide property management and on-premises solutions.

3. Quext focuses on designing intuitive, easy to install, and powerful technologies that help build safer, happier communities. Quext's technology effectuates communication between, e.g., a property management platform, a smart hub, and IoT devices (such as smart locks) in proximity to the smart hub to support both resident and property management control.

4. In 2020, Quext introduced a line of smart home technology and property management solutions, including a long-range (LoRa) wide access network (WAN) thermostat with built-in smart hub technology for interfacing with smart door locks. Quext refers to these products simply as the "Quext IoT Products," so named because they represent Quext's proprietary solution to smart device property management. These products have enjoyed substantial success in the United States, and their sales have grown rapidly since their introduction in 2020.

5. Quext's technology is installed in or contracted to be installed in dozens of communities consisting of over 13,500 units, allowing more than 30,000 residents across the United States to thrive. Quext's full range of cutting-edge, multi-dwelling property-specific technologies aid in building value and transforming communities for residents, operators, and ownership teams alike.

6. Plaintiffs first filed suit against iApartments in this District on February 1, 2022, asserting U.S. Patent Nos. 10,825,273, 10,803,685, and 11,189,118 (“Original Asserted Patents”), of which the currently asserted patent is a family member, as well as claims regarding false advertising and unfair competition (Case No. 8:22-cv-00272-CEH-JSS) (the “First Florida Action”).

7. On September 16, 2022, Plaintiffs filed a Section 337 complaint with the United States International Trade Commission (Dkt. No. 337-3644), naming iApartments, Huarifu Technology Co., Ltd., and Hsun Wealth Technology Co., Ltd. as Respondents (Investigation No. 337-TA-1339, the “ITC Investigation”). There, Plaintiffs have asked the Commission to remedy violations of Section 337 arising from the unlawful and unauthorized importation into the United States, the sale for importation into the United States, and the sale within the United States after importation of certain smart thermostat hubs, systems that incorporate these hubs, and components of the hubs, including, but not limited to, the iApartments Smart Home and Smart Access products and services based on infringement of the Original Asserted Patents.

8. Also on September 16, 2022, Plaintiffs filed suit against Hsun Wealth Technology Co., Ltd. and Huarifu Technology Co., Ltd. in the Eastern District of Texas, asserting the Original Asserted Patents (Case No. 2:22-cv-00365-JRG) (the “Texas Action”).

9. On October 28, 2022, the First Florida Action was partially stayed pending resolution of the ITC Investigation. *See* First Florida Action, Dkt. 77. Plaintiffs' false advertising and unfair competition claims remain active. *Id.* On November 11, 2022, the Texas Action was stayed pending resolution of the ITC Investigation. *See* Texas Action, Dkt. 11.

II. THE PARTIES

10. EDST is a Texas limited liability company with a principal place of business at 5214 68th Street, Suite 402, Lubbock, Texas.

11. Quext is a Texas limited liability company with a principal place of business at 5214 68th Street, Suite 201, Lubbock, Texas.

12. On information and belief, iApartments is a Florida Corporation with a principal place of business at 201 E. Kennedy Blvd., Suite 1925, Tampa, Florida.

III. NATURE OF ACTION

13. This is a civil action against iApartments for patent infringement under the United States patent laws, as amended, 35 U.S.C. §§ 101 *et seq.* (the "Patent Laws"). This action arises out of iApartments making, using, selling, offering to sell, and/or importing into the United States certain products and services covered by Plaintiffs' patents and/or inducing or contributing to its customers' direct infringement. Accordingly, Plaintiffs seek monetary and injunctive relief under the Patent Laws.

IV. JURISDICTION AND VENUE

14. This Court has subject matter jurisdiction over Plaintiffs' claims for patent infringement pursuant to 35 U.S.C. §§ 101 *et seq.* and 28 U.S.C. §§ 1331 and 1338(a).

15. On information and belief, this Court has specific and general personal jurisdiction over iApartments consistent with the requirements of the Due Process Clause of the United States Constitution and the Florida Long Arm Statute due at least to its business in this forum, including at least a portion of the infringement alleged herein. Without limitation, on information and belief, within this state, iApartments has used Plaintiffs' patented inventions thereby committing, and continuing to commit, acts of patent infringement. Further, iApartments is subject to this Court's specific and general personal jurisdiction because iApartments is incorporated in Florida and its principal place of business is in Florida.

16. Venue is proper in this District because iApartments is a Florida company and has a regular and established place of business in this District at 201 E. Kennedy Blvd., Suite 1925, Tampa, FL 33602. iApartments resides in this judicial district under 35 U.S.C. § 1400(b). Also, on information and belief, iApartments' products and services that are alleged to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

V. THE ASSERTED PATENT

17. United States Patent No. 11,532,189 (the “’189 Patent”) is entitled “Smart Thermostat Hub,” and issued on December 20, 2022. A true and correct copy of the ’189 Patent is attached as Exhibit A and is incorporated herein by reference.

18. The ’189 Patent is directed generally to a smart hub, such as a smart thermostat hub, that interfaces with one or more smart door locks to form a system for use in multifamily residential properties. More particularly, the patent describes embodiments of “an intelligent thermostat that can function as a hub having multi-band / multi-radio communication capabilities and can be implemented in a system for controlling and securing offline door locks and other smart devices within a multi-family property.” Ex. A (’189 Patent) at 1:21-26.

19. EDST is the assignee of all right, title, and interest in the ’189 Patent. In addition to the ’189 Patent, EDST is the owner of the Original Asserted Patents, as well as several pending and soon-to-issue utility patent applications, including: U.S. Patent Application Nos. 17/571,462 (issuing December 27, 2022, as U.S. Patent No. 11,538,294); 17/572,530 (issuing December 27, 2022, as U.S. Patent No. 11,538,295); 17/576,933 (issuing December 27, 2022, as U.S. Patent No. 11,538,296); 17/576,931 (allowed November 25, 2022); and 17/512,577.

20. iApartments has had knowledge of the '189 Patent since at least February 1, 2022, when the First Florida Action was filed. *See, e.g., EDST, LLC et al v. iApartments, Inc.*, 8:22-cv-00272-CEH-JSS (M.D. Fla. Feb. 1, 2022), Dkt. 1 at ¶ 12 (“EDST is the owner of several pending utility patent applications, including: U.S. Patent Application Nos. 17/512,577; 17/571,462; 17/572,530; 17/576,931; 17/576,933; and 17/576,934”). On September 15, 2022, in the First Florida Action, Plaintiffs produced, *inter alia*, file histories for Plaintiffs’ pending patent applications, including U.S. Application No. 17/576,934, which issued as the '189 Patent.

21. The inventions claimed in the '189 Patent are not directed to an abstract idea. For instance, the claims recite specific systems, methods, and non-transitory computer readable media that improve the functionality of devices used within multi-family residential properties, and also improve property management of such multi-family residential properties. These claimed improvements allow a user, such as a property manager, property maintenance personnel, and/or end user, to remotely manage smart devices, while also improving security, communication, and ease of implementation in carrying out such property management.

22. The claimed inventions also include additional, non-conventional, and non-generic elements and combinations thereof that, for instance, provide the

aforementioned improvements to smart device functionalities in multi-family residential properties and management of same.

VI. THE ACCUSED PRODUCTS

23. On information and belief, iApartments has been engaged and continues to engage in making, using, offering to sell, selling, and/or importing into the United States infringing iApartments Smart Home and Smart Access products and services (collectively, “Accused Products”) as described on, *inter alia*, <https://www.iapts.com/>, with the knowledge that the Accused Products infringe one or more claims of the ’189 Patent.

24. On information and belief, iApartments has known of its infringement of the ’189 Patent’s claims since at least the filing of the First Florida Action.

25. On information and belief, the Accused Products are marketed in the United States by iApartments.

VII. COUNT ONE: INFRINGEMENT OF THE ’189 PATENT

26. Plaintiffs incorporate by reference paragraphs 1-25 as if fully set forth herein.

27. iApartments has been and continues to directly infringe one or more claims of the ’189 Patent by making, using, offering to sell, selling, and/or importing Accused Products that satisfy one or more claims of the ’189 Patent, literally or under the doctrine of equivalents.

28. Independent claim 1 of the '189 Patent recites:

A system for controlling and securing smart devices within a unit of a multi-family residential or commercial property, the system comprising:

a user device associated with an occupant of a first unit of a multi-family residential or commercial property, the user device comprising:

a memory; and

one or more processors communicatively coupled to the memory, the one or more processors configured to:

transmit a status request to a property management platform for the multi-family residential or commercial property, the status request corresponding to a smart door lock of a plurality of smart devices, where:

the property management platform is configured to be communicatively coupled to a smart thermostat hub associated with the first unit via a bi-directional low-power, wide area network (LPWAN) communication link between the property management platform and the smart thermostat hub,

the property management platform is located at a location different from a location of the smart thermostat hub,

the smart thermostat hub is enclosed within a housing and includes one or more other processors configured to implement a smart hub controller and a heating, ventilation, and air conditioning (HVAC) controller that is configured to control HVAC operations for the first unit,

the smart thermostat hub further includes a power interface configured to couple the smart thermostat hub to a power source, the power interface configured to be coupled to existing thermostat electrical wiring of the first unit such that the smart

thermostat hub is configured to replace an existing thermostat of the first unit,

the smart thermostat hub is configured to be communicatively coupled via a non-LPWAN communication link to the plurality of smart devices, and

the status request is configured to cause the property management platform to transmit control information to the smart thermostat hub via the bi-directional LPWAN communication link, the control information configured to cause the smart thermostat hub to transmit a command to retrieve status information from the smart door lock via the non-LPWAN communication link; and


receive the status information from the property management platform, the status information received by the property management platform from the smart thermostat hub via the bi-directional LPWAN communication link after retrieval from the smart door lock by the smart thermostat hub via the non-LPWAN communication link.

29. iApartments' Accused Products include every feature of at least claim 1, which is representative of claims 22 and 27 for the purposes of infringement. The Accused Products include "a system for controlling and securing smart devices within a unit of a multi-family residential or commercial property," as required by claim 1 of the '189 Patent. For example, the Accused Products include a "smart apartment platform" that "automates asset protection, access control, and operational efficiencies for multifamily property owners, manager, and their residents," as shown below:

Smart apartment technology that works


iApartments is an enterprise-level smart apartment platform that turns ordinary apartments into intelligent apartments. Our smart technology automates asset protection, access control, and operational efficiencies for multifamily property owners, managers, and their residents.





SMART HOME

All-in-one solution to modernize your multifamily property [LEARN MORE](#)



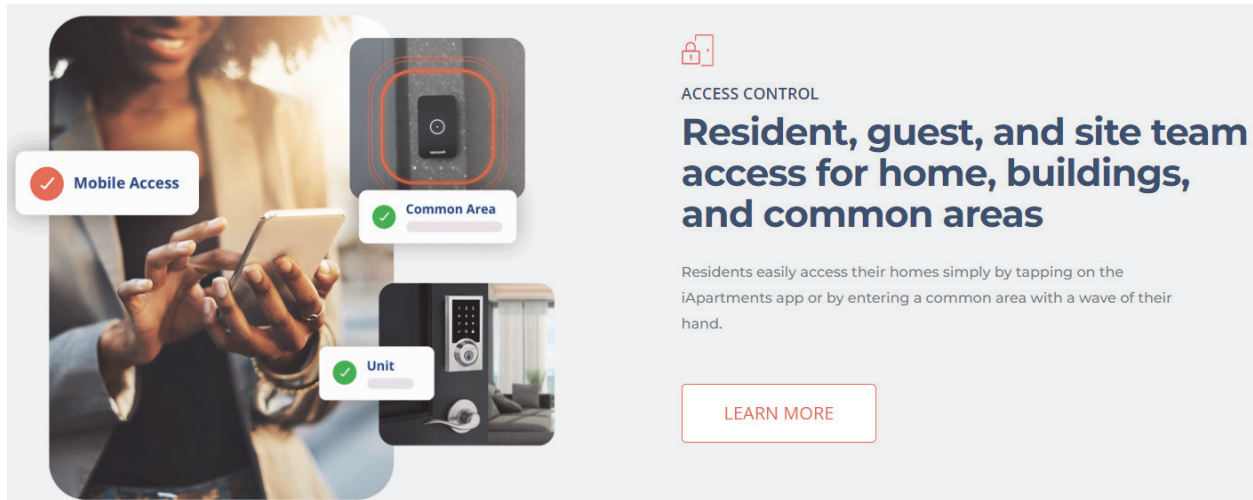
SMART ACCESS

Reliable mobile access control that's convenient and secure [LEARN MORE](#)

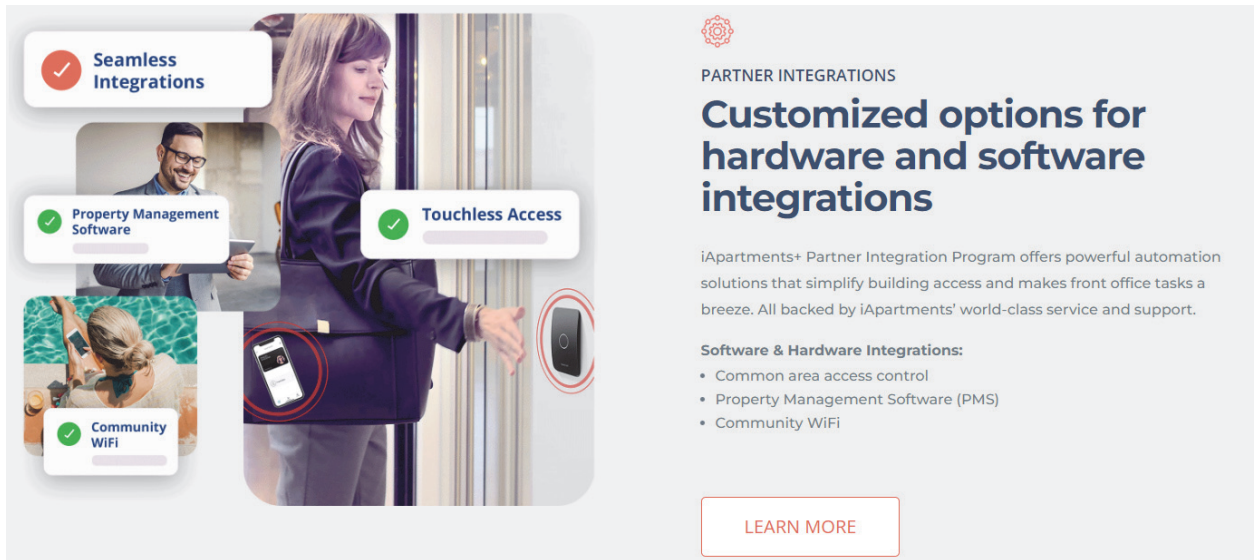
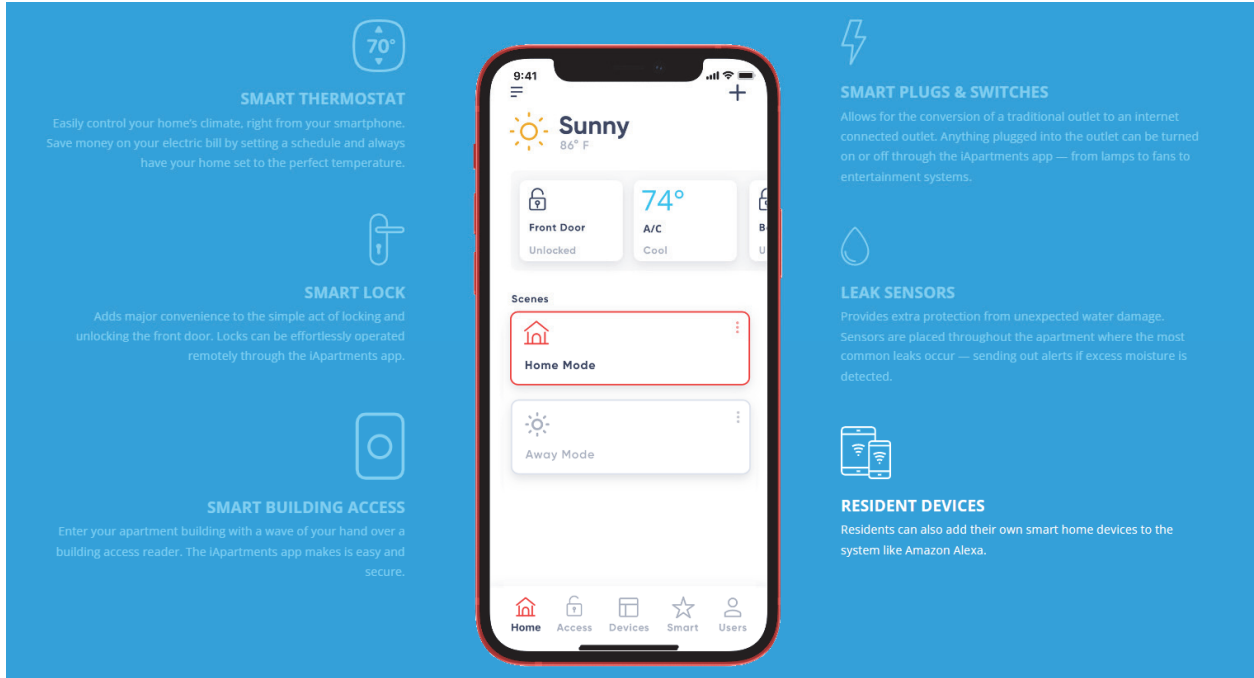
30. The Accused Products include “a user device associated with an occupant of a first unit of a multi-family residential or commercial property, the user device comprising: a memory; and one or more processors communicatively coupled to the memory.” For example, the claimed user device may include a resident or property manager’s smartphone that is configured to be used to “easily access their

¹ See <https://www.iapts.com/>.

homes simply by tapping on the iApartments app or by entering a common area with a wave of their hand,” as shown below:



31. The Accused Products’ user device is further configured to “transmit a status request to a property management platform for the multi-family residential or commercial property, the status request corresponding to a smart door lock of a plurality of smart devices.” For example, the user may transmit status requests to a property management platform (e.g., iApartments’ “Property Management Software (PMS)”) via the iApartments app, as shown below:



32. The Accused Products include “the property management platform is configured to be communicatively coupled to a smart thermostat hub associated with the first unit via a bi-directional low-power, wide area network (LPWAN) communication link between the property management platform and the smart thermostat hub.” For example, the iApartments Smart Hub Thermostat “uses CAT

M1 cellular technology that was built specifically for IoT projects. Not only will it connect to smart home devices in the apartment, but it will push out and collect data that your management team needs to make better decisions,” as shown below. LTE-M (LTE CAT M) is a low power, wide area network (LPWAN) communication technology for providing devices, such as smart devices, with wide area network/Internet connections.

Connectivity

Connectivity should be near the top of your “smart property must-have list.” It allows property managers to use data from the building as a whole. The strength of the connection to IoT devices, like smart door locks, is paramount. You can invest in an IoT network infrastructure and connect with community Wi-Fi. However, this route can be expensive. At times up to hundreds of thousands of dollars. Luckily, leading smart apartment platform providers have a second option that is less costly.

A smart hub thermostat with built in cellular connectivity eliminates the need for a costly network infrastructure. Now The one shown here uses CAT M1 cellular technology that was built specifically for IoT projects. Not only will it connect to smart home devices in the apartment, but it will push out and collect data that your management team needs to make better decisions.



Smart Hub Thermostat with cellular connectivity

1. No costly network infrastructure needed
2. Commercial grade smart thermostat, built for multifamily
3. Asset protection & proactive maintenance built in
4. On-screen resident engagement
5. Quick installation/setup for retrofits and new construction

Seamless Integrations

- Property Management Software
- Touchless Access
- Community WiFi

PARTNER INTEGRATIONS

Customized options for hardware and software integrations

iApartments+ Partner Integration Program offers powerful automation solutions that simplify building access and makes front office tasks a breeze. All backed by iApartments' world-class service and support.

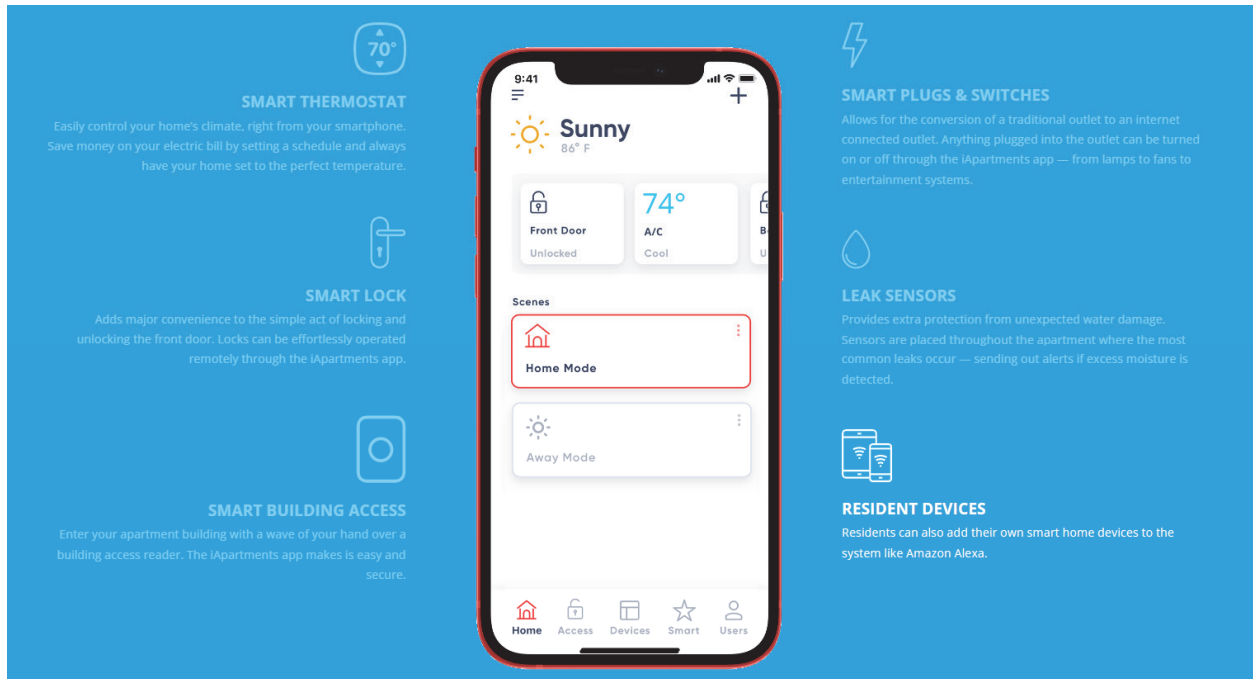
Software & Hardware Integrations:

- Common area access control
- Property Management Software (PMS)
- Community WiFi

[LEARN MORE](#)

33. Moreover, iApartments’ Terms of Use page (<https://www.iapts.com/terms/>) states that that “Users’ ability to access and use the functionalities of the Products and Services is dependent upon an uninterrupted connection to iApartments and/or the iApartments Devices and related equipment, via a variety of means including, but not limited to, Ethernet, Bluetooth, Wi-Fi, Z-Wave, Local Area Networks, Dial-Up, DSL, LoRa, LoRaWan, routers, modems, wireless hotspots, Satellite, and/or ISDN with such connection functionalities included and built into the Products and Services provided to Users and/or otherwise maintained at an apartment facility, building, and/or certain space (collectively the ‘Connections’).”

34. The Accused Products include “the property management platform is located at a location different from a location of the smart thermostat hub.” For example, the iApartments Property Management Software is, e.g., loaded on a server, which would be located at a different location from that of the Smart Thermostat Hub, e.g., located in a unit, as shown below:



35. The Accused Products include “the smart thermostat hub is enclosed within a housing and includes one or more other processors configured to implement a smart hub controller and a heating, ventilation, and air conditioning (HVAC) controller that is configured to control HVAC operations for the first unit.” For example, the Smart Hub Thermostat includes one or more processors configured to implement a smart hub controller, as well as an HVAC controller configured to control HVAC operations, as shown below:

SMART HUB THERMOSTAT

Command center for temperature and more

It's a Smart Hub

Control all smart devices like smart locks, lighting, switches, and sensors from one in-unit point powered by next generation cellular for an always-on connection.

It's a Smart Thermostat

Keep energy bills down and convenience up with personalize and remote climate controls.

It's That Easy

Residents control their home's climate, front door lock, and all smart devices from anywhere. Management can control vacant units automatically without the need for a redundant hub device.



SMART THERMOSTAT
Easily control your home's climate, right from your smartphone. Save money on your electric bill by setting a schedule and always have your home set to the perfect temperature.

SMART LOCK
Adds major convenience to the simple act of locking and unlocking the front door. Locks can be effortlessly operated remotely through the iApartments app.

SMART BUILDING ACCESS
Enter your apartment building with a wave of your hand over a building access reader. The iApartments app makes it easy and secure.

SMART PLUGS & SWITCHES
Allows for the conversion of a traditional outlet to an internet connected outlet. Anything plugged into the outlet can be turned on or off through the iApartments app — from lamps to fans to entertainment systems.

LEAK SENSORS
Provides extra protection from unexpected water damage. Sensors are placed throughout the apartment where the most common leaks occur — sending out alerts if excess moisture is detected.

RESIDENT DEVICES
Residents can also add their own smart home devices to the system like Amazon Alexa.



36. The Accused Products include “the smart thermostat hub further includes a power interface configured to couple the smart thermostat hub to a power source, the power interface configured to be coupled to existing thermostat electrical wiring of the first unit such that the smart thermostat hub is configured to replace an existing thermostat of the first unit.” For example, the Smart Hub Thermostat is configured for “quick installation/setup for retrofits and new construction,” as shown below:



Smart Hub Thermostat with cellular connectivity

- 1. No costly network infrastructure needed
- 2. Commercial grade smart thermostat, built for multifamily
- 3. Asset protection & proactive maintenance built in
- 4. On-screen resident engagement
- 5. Quick installation/setup for retrofits and new construction

37. The Accused Products include “the smart thermostat hub is configured to be communicatively coupled via a non-LPWAN communication link to the plurality of smart devices.” For example, the Smart Hub Thermostat and an ecosystem of different smart devices, e.g., smart locks, smart sensors, smart devices, and voice controllers, can communicate using non-LPWAN communications, such as Z-Wave, Bluetooth, or Wi-Fi, as shown below:

An ecosystem of automation for comfort, convenience, and peace of mind

iApartments smart products can be installed in new construction or retrofitted into existing assets. There are no limitations to bringing technology to the residents at any stage of a property's life.

Smart Hub Thermostat



Smart Lock



Smart Sensors



Smart Devices



Voice Control



DOWNLOAD THE iAPARTMENTS APP

Smarter living on another level

With the iApartments app, the conveniences of modern living are right at your resident's fingertips. They are in full control of their apartment's thermostat, able to turn lights on and off, and able to make sure the front door is locked from anywhere. Add on iApartment's white-glove service and support and everything just works.

38. Moreover, iApartments' Terms of Use page (<https://www.iapts.com/terms/>) states that that “Users’ ability to access and use the functionalities of the Products and Services is dependent upon an uninterrupted

connection to iApartments and/or the iApartments Devices and related equipment, via a variety of means including, but not limited to, Ethernet, Bluetooth, Wi-Fi, Z-Wave, Local Area Networks, Dial-Up, DSL, LoRa, LoRaWan, routers, modems, wireless hotspots, Satellite, and/or ISDN with such connection functionalities included and built into the Products and Services provided to Users and/or otherwise maintained at an apartment facility, building, and/or certain space (collectively the ‘Connections’).” Bluetooth, Wi-Fi, and Z-Wave are non-LPWAN communication protocols.

39. Further, “the status request is configured to cause the property management platform to transmit control information to the smart thermostat hub via the bi-directional LPWAN communication link, the control information configured to cause the smart thermostat hub to transmit a command to retrieve status information from the smart door lock via the non-LPWAN communication link” and the user device is further configured to “receive the status information from the property management platform, the status information received by the property management platform from the smart thermostat hub via the bi-directional LPWAN communication link after retrieval from the smart door lock by the smart thermostat hub via the non-LPWAN communication link.” For example, the user device’s status request (e.g., a user opening the iApartments app to see the status of the smart lock) causes the Property Management Software (e.g., on a server) to transmit

control information to the Smart Hub Thermostat (via LPWAN connection), and this control information causes the Smart Hub Thermostat to transmit a command to the smart lock (via non-LPWAN connection) to retrieve status information from the smart lock. The user device (e.g., with iApartments app) receives the status information (e.g., “unlocked”) from the Property Management Software, which received the status information from the Smart Hub Thermostat (via LPWAN connection), which received the status information from the smart lock (via non-LPWAN connection), as shown below:

SMART HUB THERMOSTAT

Command center for temperature and more

It's a Smart Hub
Control all smart devices like smart locks, lighting, switches, and sensors from one in-unit point powered by next generation cellular for an always-on connection.

It's a Smart Thermostat
Keep energy bills down and convenience up with personalize and remote climate controls.

It's That Easy
Residents control their home's climate, front door lock, and all smart devices from anywhere. Management can control vacant units automatically without the need for a redundant hub device.

SMART THERMOSTAT
Easily control your home's climate, right from your smartphone. Save money on your electric bill by setting a schedule and always have your home set to the perfect temperature.

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SMART BUILDING ACCESS
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SMART PLUGS & SWITCHES
Allows for the conversion of a traditional outlet to an internet connected outlet. Anything plugged into the outlet can be turned on or off through the iApartments app — from lamps to fans to entertainment systems.

LEAK SENSORS
Provides extra protection from unexpected water damage. Sensors are placed throughout the apartment where the most common leaks occur — sending out alerts if excess moisture is detected.

RESIDENT DEVICES
Residents can also add their own smart home devices to the system like Amazon Alexa.

40. On information and belief, since at least the time iApartments became aware of the '189 Patent, it induced and continues to induce infringement of the '189 Patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others, including, but not limited to, iApartments' partners, clients, customers, and end users to infringe at least claims 1, 22, and 27 of the '189 Patent.

41. iApartments' actions that aid and abet others, such as its partners, customers, clients, and end users, to infringe include advertising and distributing iApartments' Accused Products, providing instruction materials, training, and services regarding the Accused Products, including user guides and the like,² and/or providing software for use with one or more of the Accused Products. On information and belief, iApartments has engaged in such actions with specific intent to cause infringement or with willful blindness to resulting infringement because iApartments had knowledge of the '189 Patent and knowledge that its acts induce infringement of the '189 Patent.

42. iApartments' acts of induced infringement of the '189 Patent are committed with knowledge of Plaintiffs' rights in the '189 Patent. On information and belief, iApartments continues to act with knowledge that its actions constitute

² See, e.g., iApartments Support, <https://iapartments.force.com/knowledgebase/s/> (last visited Dec. 19, 2022); iApartments, Inc.'s Terms Of Use, <https://www.iapts.com/terms/> (last visited Dec. 19, 2022).

induced infringement of a valid patent. iApartments' infringement is willful and deliberate, entitling Plaintiffs to enhanced damages under 35 U.S.C. § 284 and reasonable attorneys' fees and costs.

43. iApartments has and continues to contributorily infringe the '189 Patent under 35 U.S.C. § 271(c). With knowledge of the '189 Patent, iApartments has sold, sells, offers to sell, has imported and/or is importing into the United States one or more of iApartments' Accused Products to be especially made or adapted for use in infringing the '189 Patent. The Accused Products are a material component for use in practicing the '189 Patent and are specifically made and are not a staple article of commerce suitable for substantial noninfringing use. Use of the Accused Products by iApartments' partners, clients, customers, and end users infringes at least claims 1, 22, and 27 of the '189 Patent.

44. iApartments' acts of contributory infringement of the '189 Patent are committed with knowledge of Plaintiffs' rights in the '189 Patent. On information and belief, iApartments continues to act with knowledge that its actions constitute contributory infringement of a valid patent. iApartments' infringement is willful and deliberate, entitling Plaintiffs to enhanced damages under 35 U.S.C. § 284 and reasonable attorneys' fees and costs.

45. iApartments is not and has never been licensed or authorized to commit the acts described above with respect to any claim of the '189 Patent.

46. As a result of iApartments' infringement of the '189 Patent, Plaintiffs have suffered and continue to suffer damages, in an amount to be determined, of at least a reasonable royalty and/or lost profits due to lost sales, and potential sales that Plaintiffs would have made but for iApartments' infringing acts.

47. Plaintiffs have been damaged by iApartments' infringement of the '189 Patent and will continue to be damaged unless iApartments is enjoined by this Court pursuant to 35 U.S.C. § 283 and/or the equitable powers of this Court. Plaintiffs have suffered and continue to suffer irreparable injury for which there is no adequate remedy at law. The balance of hardships favors Plaintiffs, and public interest is not disserved by an injunction.

VIII. DEMAND FOR JURY TRIAL

48. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury on all issues triable of right by a jury.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the entry of a judgment from this Court as follows:

1. A declaration that iApartments is liable for infringement of one or more claims of the '189 Patent pursuant to 35 U.S.C. § 271, *et seq.*;

2. Entry of a preliminary and permanent injunction against iApartments pursuant to 35 U.S.C. § 283 and/or the equitable powers of the Court to prevent further infringement of the '189 Patent;

3. An award to Plaintiffs and against iApartments of compensatory damages for infringement, but in no event less than a reasonable royalty, for the use made of the invention by iApartments of the '189 Patent, together with all pre-judgment and post-judgement interest;

4. A declaration that iApartments' infringement is willful and an award of enhanced damages, in the form of treble damages, pursuant to 35 U.S.C. § 284;

5. An award to Plaintiffs of costs pursuant to 28 U.S.C. § 1920, 35 U.S.C. § 284, Fed. R. Civ. P. 54, and/or the Court's discretion;

6. A declaration that this is an exceptional case within the meaning of 35 U.S.C. § 285 and an award to Plaintiffs of their reasonable attorneys' fees; and

7. Such other and further relief as the Court deems just and proper.

Dated: December 22, 2022

Respectfully submitted,

/s/ Brian R. Gilchrist

Brian R. Gilchrist, FL Bar No. 774065
bgilchrist@allendyer.com
ALLEN, DYER, DOPPELT + GILCHRIST, PA
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando FL 32802-3791
Telephone: (407) 841-2330
Facsimile: (407) 841-2343

Robert Greeson, Texas Bar No. 24045979
(*Pro Hac Vice* forthcoming)
robert.greeson@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
2200 Ross Avenue, Suite 3600
Dallas, Texas 75201-2784
Telephone: (214) 855-8000
Facsimile: (214) 855-8200

Erik Janitens, Texas Bar No. 24097878
(*Pro Hac Vice* forthcoming)
erik.janitens@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Telephone: (713) 651-5151
Facsimile: (713) 651-5246

Peter Hillegas, Texas Bar No. 24101913
(*Pro Hac Vice* forthcoming)
peter.hillegas@nortonrosefulbright.com
NORTON ROSE FULBRIGHT US LLP
98 San Jacinto Boulevard, Suite 1100
Austin, Texas 78701-4255
Telephone: (512) 536-2402
Facsimile: (512) 536-4598
Attorneys for Plaintiffs,
EDST, LLC and Quext IoT, LLC

CERTIFICATE OF FILING

I hereby certify that on December 22, 2022, the foregoing document was submitted for electronic filing with the Clerk of Court using the Case Management/Electronic Case Filing (“CM/ECF”) system.

/s/ Brian R. Gilchrist
Brian R. Gilchrist
Florida Bar No. 774065