

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

IOT INNOVATIONS LLC,
Plaintiff,
v.
LEVITON MANUFACTURING CO.,
INC.,
Defendant.

Civil Action No. #:23-cv-#####

JURY TRIAL DEMANDED

**INJUNCTIVE RELIEF
REQUESTED**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff IoT Innovations LLC (“IoT Innovations” or “Plaintiff”) files this complaint against Leviton Manufacturing Co., Inc. (“Leviton” or “Defendant”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant’s infringement of the following United States Patents (collectively, the “Asserted Patents”), copies of which are attached hereto as **Exhibit A**, **Exhibit B**, **Exhibit C**, **Exhibit D**, and **Exhibit E**, respectively:

	U.S. Patent No.	Title
A.	6,920,486	Method And Apparatus For Enabling Synchronizing Data In Different Devices Having Different Capabilities And Unmatched Data Fields

	U.S. Patent No.	Title
B.	7,280,830	Automatic Registration Services Provided Through a Home Relationship Established Between a Device And a Local Network
C.	7,408,872	Modulation Of Signals For Transmission In Packets Via An Air Interface
D.	7,643,423	Dynamic Channel Allocation In Multiple-Access Communication Systems
E.	8,085,796	Methods, Systems, And Products For Virtual Personalized Networks

2. Plaintiff seeks injunctive relief and monetary damages.

PARTIES

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

4. Leviton is a corporation organized under the laws of the State of Delaware with its principal place of business located at 201 N Service Rd, Melville, New York 11747.

5. Leviton may be served through its registered agent for service, Corporation Service Company, located at 1201 Hays Street, Tallahassee, Florida 32301-2525.

JURISDICTION AND VENUE

6. Plaintiff repeats and re-alleges the foregoing allegations as though fully set forth in their entirety.

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

matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

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

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

10. Specifically, Defendant intends to do and does business in, has committed acts of infringement in, and continues to commit acts of infringement in this District directly, through intermediaries, by contributing to and through inducement of third parties, and offers its products or services, including those accused of infringement here, to customers and potential customers located in this State, including in this District.

11. Defendant maintains regular and established places of business in

this District. Defendant offers products and services and conducts business in this District. Defendant owns, operates, manages, conducts business, and directs and controls the operations of, and has employees that work from and out of, facilities at locations in this District, including a location at 8456/8472 Tavistock Lakes Blvd., Orlando, Florida 32827 (the “Lake Nona location”).¹

12. At the Lake Nona location. Defendant maintains its “Leviton LIVE Residential Experience Center” at which it provides its customers “an immersive experience that demonstrates how Leviton’s innovative products can transform any home via private in-person or virtual tours.”²

13. Defendant commits acts of infringement from this District, including, but not limited to, use of the Accused Products and inducement of third parties to use the Accused Products.

THE ACCUSED PRODUCTS

14. Plaintiff repeats and re-alleges the foregoing allegations as though fully set forth in their entirety.

15. Based upon public information, Leviton owns, operates, advertises, and/or controls the website <https://www.leviton.com> through which it

¹ See <https://www.leviton.com/en/company/about-leviton/locations> (visited September 25, 2023)

² See <https://www.leviton.com/en/company/about-leviton/news-events/press-releases/leviton-live-residential-space-opens-in-lake-nona> (the “July 19, 2023 Press Release”; visited September 25, 2023)

advertises, sells, offers to sell, provides and/or educates customers about their products and services. *See* **Exhibit F; Exhibit M; Exhibit N**.

16. Defendant uses, causes to be used, sells, offers for sale, provides, supplies, or distributes its Smart Home control platform and systems, including but not limited to those products and services offered under the Decora brand name. *See id.*³

17. Defendant uses, causes to be used, sells, offers for sale, provides, supplies, or distributes Leviton's Smart Home control platform and systems, which includes, but is not limited to, the Decora Smart® Devices (and their Wi-Fi, Zigbee, and/or Z-Wave/Z-Wave Plus capabilities), including but not limited to the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors, Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers, the Leviton Smart Load Center, the Leviton Smart Breaker, the Smart Breaker Data Hub, the My Leviton Cloud Service, the My Leviton App, and associated phone apps and website functionality, and associated hardware, software and applications (the "Accused Products"). *See id.*

18. Defendant also instructs its customers, agents, employees, and affiliates regarding how to use the Accused Products for controlling home systems. *See* **Exhibit G; Exhibit H; Exhibit I; Exhibit J; Exhibit K;**

³ *See also* www.leviton.com/en/company/about-leviton/where-to-buy (visited September 25, 2023)

Exhibit L.

19. According to the July 19, 2023 Press Release, Defendant “showcases simple, easy-to-use, and cost-effective solutions to help increase convenience and comfort at home” and “offers a unique and educational opportunity for builders and contractors to experience and better understand how the latest solutions, trends, and technologies can help them differentiate their businesses and better serve their customers” at its Leviton LIVE Residential Experience Center at its Lake Nona location.⁴

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

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,920,486

21. Plaintiff repeats and re-alleges the allegations of Paragraphs 3 through 20 as though fully set forth in their entirety.

22. The United States Patent and Trademark Office (“USPTO”) duly issued U.S. Patent No. 6,920,486 (the “486 patent”) on July 19, 2005, after full and fair examination of Application No. 10/153,170, which was filed on May 20, 2002. *See Ex. A* at A-1.

23. IoT Innovations owns all substantial rights, interest, and title in and to the ’486 patent, including the sole and exclusive right to prosecute this

⁴ See Footnote 2.

action and enforce the '486 patent against infringers and to collect damages for all relevant times.

24. The claims of the '486 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve database synchronization technologies by solving problems with synchronization of multiple data stores.

25. The written description of the '486 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

26. Defendant has directly infringed one or more claims of the '486 patent by making, using, selling, offering to sell, providing, supplying, or distributing the Accused Products.

27. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '486 patent.

28. For example, Defendant, using the Accused Products, including but not limited to the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors,

Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers, Leviton Smart Load Center, the Leviton Smart Breaker, the Smart Breaker Data Hub, the My Leviton Cloud Service, and the My Leviton App, performs a method by which a first client data store hosted by a first client device is synchronized with respect to a second client data store hosted by a second client device by synchronizing the two client data stores with respect to a server data store hosted by a server device, the server having an established connection with the client devices, the two client data stores each including various data fields, the method characterized by: forming structure information indicative of the structure of the two client data stores in respect to at least one data field of the first client data store, for which the second client data store does not have either one corresponding data field or does not have two or more data fields that in combination correspond to the at least one data field; detecting by the server or the first client device a use of the at least one data field in the first client data store; and setting a correspondence of the at least one data field in the first client data store in respect to the second client data store, in order for the at least one data field in the first client data store to be used by the second client. *See, e.g., Ex. F, Ex. M, Ex. N.*

29. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '486 patent by inducing

others to directly infringe the '486 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '486 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '486 patent, including, for example, claim 1 of the '486 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '486 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '486 patent. Defendant's inducement is ongoing. *See, e.g.*, **Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.**

30. Defendant has also indirectly infringed by contributing to the infringement of the '486 patent. Defendant has contributed to the direct

infringement of the '486 patent by their personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '486 patent, including, for example, claim 1 of the '486 patent. The special features constitute a material part of the invention of one or more of the claims of the '486 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing. *See, e.g., Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.*

31. Defendant had knowledge of the '486 patent at least as of the date when it was notified of the filing of this action.

32. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

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

34. Defendant's direct infringement of one or more claims of the '486 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

35. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '486 patent.

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

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,280,830

37. Plaintiff repeats and re-alleges the allegations of Paragraphs 3 through 20 as though fully set forth in their entirety.

38. The USPTO duly issued U.S. Patent No. 7,280,830 (hereinafter, the "830 patent") on October 9, 2007 after full and fair examination of Application No. 10/859,735 which was filed on June 2, 2004. *See Ex. B* at B-1.

39. IoT Innovations owns all substantial rights, interest, and title in and to the '464 patent, including the sole and exclusive right to prosecute this action and enforce the '464 patent against infringers and to collect damages for

all relevant times.

40. The claims of the '830 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve the registration of new devices through automation and the establishment of a home relationship with a network server

41. The written description of the '830 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

42. Defendant has directly infringed one or more claims of the '830 patent by making, using, selling, offering to sell, providing, supplying, or distributing the Accused Products.

43. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '830 patent.

44. For example, Defendant, using the Accused Products, including but not limited to the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors, Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers,

Leviton Smart Load Center, the Leviton Smart Breaker, the Smart Breaker Data Hub, the My Leviton Cloud Service, and the My Leviton App, performs a method for automatic registration of a new wireless device with a registration server, comprising: establishing a home relationship between the new wireless device and a network server, such that no additional configuration is required by a user of the new device to communicate over a network once the relationship is established, wherein establishing a home relationship includes, determining at the network server, that the wireless device is an owned device, wherein the owned device is previously known to the network server; automatically obtaining registration information for the new device; establishing a connection between a registration server and the network server; and sending the registration information from the network server to the registration server. *See, e.g., Ex. F, Ex. M, Ex. N.*

45. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed the '830 patent by inducing others to directly infringe the '830 patent. Defendant has induced end-users, including, but not limited to, Defendant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '830 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others,

with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '830 patent, including, for example, claim 1 of the '830 patent. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '830 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '830 patent. Defendant's inducement is ongoing. *See, e.g., Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.*

46. Defendant has also indirectly infringed by contributing to the infringement of the '830 patent. Defendant has contributed to the direct infringement of the '830 patent by their personnel, contractors, and customers. The Accused Products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '830 patent, including, for example, claim 1 of the '830 patent. The special features constitute a material part of

the invention of one or more of the claims of the '830 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing. *See, e.g., Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.*

47. Defendant had knowledge of the '830 patent at least as of the date when it was notified of the filing of this action.

48. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

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

50. Defendant's direct infringement of one or more claims of the '830 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

51. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '830 patent.

52. IoT Innovations has been damaged as a result of the infringing

conduct by Defendant alleged above. Thus, Defendant is liable to Plaintiff in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

53. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '830 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 7,408,872

54. Plaintiff repeats and re-alleges the allegations in Paragraphs 3 through 20 as though fully set forth in their entirety.

55. The USPTO duly issued U.S. Patent No. 7,408,872 (hereinafter, the "872 patent") on August 5, 2008, after full and fair examination of Application No. 10/483,367, which was filed on July 9, 2001. *See Ex. C* at C-1.

56. IoT Innovations owns all substantial rights, interest, and title in and

to the '872 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers and to collect damages for all relevant times.

57. The claims of the '872 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components and functionalities that improve upon the function, operation, and security of communications devices.

58. The written description of the '872 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

59. Defendant has directly infringed one or more claims of the '872 patent by making, using, selling, offering to sell, providing, supplying, or distributing the Accused Products.

60. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '872 patent.

61. For example, Defendant, using the Accused Products, including but not limited to the Decora Smart® Devices and related products and services,

such as, for example, the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors, Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers, the My Leviton Cloud Service, the My Leviton App, and associated phone apps and website functionality, and associated hardware, software and applications, perform a method for modulating signals, wherein signals are to be transmitted by a device in packets via an air interface, the method comprising: receiving a first plurality of bits and a second plurality of bits, creating a pair of bits by adding a set bit to a first bit of said first plurality of bits, wherein one of said set bit and said first bit of said first plurality of bits has a fixed value, and mapping one of a first set of values to said pair of bits according to a selected modulation scheme and mapping a second set of values to said second plurality of bits according to said selected modulation scheme. *See, e.g., Ex. F, Ex. M, Ex. N.*

62. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '872 patent.

63. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and

costs as fixed by this Court under 35 U.S.C. § 284.

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,643,423

64. Plaintiff repeats and re-alleges the allegations of Paragraphs 3 through 20 as though fully set forth in their entirety.

65. The USPTO duly issued U.S. Patent No. 7,643,423 (hereinafter, the “423 patent”) on January 5, 2010, after full and fair examination of Application No. 11/507,789, which was filed on August 21, 2006. *See Ex. D* at D-1.

66. IoT Innovations owns all substantial rights, interest, and title in and to the ’423 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers and to collect damages for all relevant times.

67. The claims of the ’423 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve communications problems resulting from interference, noise, fading and other disturbances in wireless communication systems.

68. The written description of the ’423 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon

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

69. Defendant has directly infringed one or more claims of the '423 patent by making, using, selling, offering to sell, providing, supplying, or distributing the Accused Products.

70. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '423 patent.

71. For example, Defendant, using the Accused Products, including but not limited to the Decora Smart® Devices and related products and services, such as, for example, the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors, Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers, the My Leviton Cloud Service, the My Leviton App, and associated phone apps and website functionality, and associated hardware, software and applications, performs a method comprising transmitting, via a downlink channel, a frame to two or more communication units, a first portion of the frame including reservation set information and a second portion of the frame including allocation set information, wherein the allocation set information indicates a dynamically determined set of uplink channels that constitute an allocation set, and wherein the reservation set information indicates particular channels of the allocation set that are reserved for each of the two or more

communication units; receiving uplink communications from at least one of the two or more communications units via the communications channels reserved thereto as indicated by the reservation set. *See, e.g.*, **Ex. F**, **Ex. M**, **Ex. N**.

72. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '423 patent.

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

COUNT V: INFRINGEMENT OF U.S. PATENT NO. 8,085,796

74. Plaintiff repeats and re-alleges the allegations of Paragraphs 3 through 20 as though fully set forth in their entirety.

75. The USPTO duly issued U.S. Patent No. 8,085,796 (hereinafter, the "796 patent") on December 27, 2011 after full and fair examination of Application No. 12/126,137 which was filed on May 23, 2008. *See Ex. E* at E-1.

76. IoT Innovations owns all substantial rights, interest, and title in and to the '796 patent, including the sole and exclusive right to prosecute this

action and enforce it against infringers and to collect damages for all relevant times.

77. The claims of the '796 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function, operation, and security of communications devices by sharing of personalized information and providing communications infrastructures to support and capitalize on the different communications devices of the user to provide up-to-date personalized information through a digital gateway.

78. The written description of the '796 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

79. Defendant has directly infringed one or more claims of the '796 patent by making, using, selling, offering to sell, providing, supplying, or distributing the Accused Products.

80. Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '796 patent.

81. For example, Defendant, using the Accused Products, including but not limited to the Decora Smart® Devices and related products and services, such as, for example, the Decora Smart® Switches, Dimmers, Plugs, Motion Sensors, Outlets, Smart Scene Controller Switches, Smart Fan Speed Controllers, the My Leviton Cloud Service, the My Leviton App, and associated phone apps and website functionality, and associated hardware, software and applications, performs a method for selecting a selected communications device from a plurality of communications devices associated with a user, receiving data for communication between a personal digital gateway and the selected communications device, storing profiles for each of the plurality of communications devices, retrieving a profile associated with the selected communications device, interpreting the data for communication according to a rule-based engine, processing the data for communication according to an edge side assembler, and sending the data for communication and the profile from the personal digital gateway to the selected communications device. *See, e.g., Ex. F, Ex. M, Ex. N.*

82. Since at least the time of receiving the original complaint in this action, Defendant has also indirectly infringed one or more claims of the '796 patent by inducing others to directly infringe said claims. Defendant has induced end-users, including, but not limited to, Defendant's employees,

partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '796 patent by providing or requiring use of the Accused Products. Defendant took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Products in a manner that infringes one or more claims of the '796 patent, including, for example, claim 1. Such steps by Defendant included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; or distributing instructions that guide users to use the Accused Products in an infringing manner. Defendant is performing these steps, which constitute induced infringement with the knowledge of the '796 patent and with the knowledge that the induced acts constitute infringement. Defendant is aware that the normal and customary use of the Accused Products by others would infringe the '796 patent. Defendant's inducement is ongoing. *See, e.g., Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.*

83. Defendant has also indirectly infringed by contributing to the infringement of the '796 patent. Defendant has contributed to the direct infringement of the '796 patent by their personnel, contractors, and customers. The Accused Products have special features that are specially designed to be

used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '796 patent, including, for example, claim 1. The special features constitute a material part of the invention of one or more of the claims of the '796 patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing. *See, e.g., Ex. G, Ex. H, Ex. I, Ex. J, Ex. K, Ex. L.*

84. Defendant had knowledge of the '796 patent at least as of the date when it was notified of the filing of this action.

85. Furthermore, on information and belief, Defendant has a policy or practice of not reviewing the patents of others, including instructing its employees to not review the patents of others, and thus have been willfully blind of IoT Innovations' patent rights.

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

87. IoT Innovations or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of one or more claims of the '796 patent.

88. IoT Innovations has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to IoT

Innovations in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

89. IoT Innovations has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. IoT Innovations has and will continue to suffer this harm by virtue of Defendant's infringement of the '796 patent. Defendant's actions have interfered with and will interfere with IoT Innovations' ability to license technology. The balance of hardships favors IoT Innovations' ability to commercialize its own ideas and technology. The public interest in allowing IoT Innovations to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

JURY DEMAND

90. IoT Innovations hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

91. IoT Innovations requests that the Court find in its favor and against Defendant, and that the Court grant IoT Innovations the following relief:

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

- b. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '486 patent, the '830 patent, and the '796 patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the '486 patent, the '830 patent, and the '796 patent by such entities;
- c. Judgment that Defendant accounts for and pays to IoT Innovations all damages to and costs incurred by IoT Innovations because of Defendant's infringing activities and other conduct complained of herein;
- d. Judgment that Defendant's infringements be found willful as to the '486 patent, the '830 patent, and the '796 patent, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;
- e. Pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;
- f. That this Court declare this an exceptional case and award IoT Innovations its reasonable attorneys' fees and costs in accordance

with 35 U.S.C. § 285; and

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

Dated: September 25, 2023

Respectfully submitted,

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List of Exhibits

- A. U.S. Patent No. 6,920,486
- B. U.S. Patent No. 7,280,830
- C. U.S. Patent No. 7,408,872
- D. U.S. Patent No. 7,643,423
- E. U.S. Patent No. 8,085,796
- F. Webpage – The Leviton Smart Load Center
- G. Webpage – Adding a Leviton Smart Load Center – Leviton Decora Smart Support
- H. Webpage – How do I receive notifications from my Smart Load Center – Leviton Decora Smart Support
- I. Webpage – If I lose Internet will my programmed schedules still occur? – Leviton Decora Smart Support
- J. Webpage – Video – IFTTT Integration with the My Leviton app and Decora Smart® Wi-Fi Devices – Leviton Decora Smart Support
- K. Webpage – Decora Smart with Amazon Alexa built-in
- L. Webpage – Leviton Decora Smart Support
- M. Webpage – Smart Switches, Dimmers and Outlets – Decora Smart
- N. Webpage – Decora Smart Z-Wave – Smart home dimmers, switches and plug-ins