

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

LEXIDINE, LLC,

Plaintiff,

v.

AAMP OF FLORIDA, INC. d/b/a  
AAMP GLOBAL,

Defendant.

Case No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Lexidine, LLC ("Lexidine" or "Plaintiff") files this Complaint against Defendant AAMP of Florida, Inc. d/b/a AAMP Global ("AAMP" 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 against Defendant for infringement of U.S. Patent No. 7,609,961 (the "'961 patent" or "Asserted Patent"), issued by the United States Patent and Trademark Office ("USPTO"), a copy of which is attached hereto as **Exhibit A** (with *Ex Parte* Reexamination Certificate).

2. The '961 patent was subject to Reexamination Request No. 90/020,131, dated February 20, 2020. The USPTO issued an *Ex Parte*

Reexamination Certificate for the '961 patent on August 22, 2022 (the "Reexam Certificate"). That Reexam Certificate confirmed the patentability of original claims 19-22, determined that original claim 1 was patentable as amended, determined that claims 2-11, which are dependent on amended original claim 1, were patentable, and determined that new claims 24-80 were patentable.

3. Plaintiff seeks monetary damages and injunctive relief.

### **PARTIES**

4. Lexidine is a limited liability company organized and existing under the laws of the State of Oklahoma and maintains its principal place of business at 121 NE 52nd St., Suite 215, Oklahoma City, OK 73105 (Oklahoma County).

5. Lexidine is the owner of the Asserted Patent with all rights to recover for all past, present, and future infringement, including past damages.

6. Upon information and belief based upon public information, AAMP is a corporation duly organized and existing under the laws of the State of Florida. It has maintained a registration with the Florida Department of State Division of Corporation for the name AAMP of Florida, Inc. since at least July 26, 1988.

7. Upon information and belief based upon public information, AAMP has its headquarters located at 15500 Lightwave Drive, Suite 202, Clearwater, Florida 33760.

## JURISDICTION AND VENUE

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

9. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284–285, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

10. Defendant is subject to this Court's specific and general personal jurisdiction due at least to its substantial business in this forum, including (i) at least a portion of the infringements alleged herein; or (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.

11. Specifically, Defendant intends to and does business in this State, directly or through intermediaries, and offers products or services, including those accused herein of infringement, to customers and potential customers located in this State, including in this District.

12. Defendant commits acts, and has committed acts, of infringement in this District, including, but not limited to, use of the Accused Products (identified below) and inducement of third parties to use them in an infringing manner.

13. Upon information and belief based upon public knowledge, Defendant has committed and continue to commit acts of infringement in this District.

14. Venue is proper in this district pursuant to 28 U.S.C. §§ 1400(b) and 1391(c).

### THE ACCUSED PRODUCTS

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

16. According to public information, Defendant owns, operates, advertises, and/or controls the website <https://echomaster.com/> through which Defendant advertises, sells, offers to sell, provides, and/or educates customers about their products and services under the Echomaster brand. *See Exhibit B* (Echomaster Homepage).

17. Defendant sells, advertises, offers for sale, uses, or otherwise provides certain brake light cameras. *See Exhibit C* (Echomaster Product Catalog).

18. Representative images of offers for sale of brake light cameras from Defendant's website under the Echomaster brand (collectively, the "Accused Products") are provided at the following links: **Model #PCAM-GM1** (and related bundles, *see* ECHOMASTER, <https://catalog.echomaster.com/catalog/third-brake-light/pcam-gm1>), **Model #FC-FDFFT** (and related bundles, *see* ECHOMASTER,

<https://catalog.echomaster.com/catalog/home/fc-fdfft>), **Model #PCAM-NV4**  
(and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/pcam-nv4>), **Model #PCAM-15C**  
(and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/pcam-15c>), **Model**  
**PCAM\_FFT14** (and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/pcam-fft14>), **Model**  
**PCAM\_FFT14-N** (and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/fc-fdfft>), **Model PCAM-**  
**CHMSL2-DR08** (and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/pcam-chmsl2-dr08>), **Model**  
**NVK3R** (and related bundles, *see* ECHOMASTER,  
<https://catalog.echomaster.com/catalog/home/nvk3r>). Additionally,

Defendant's brake light cameras for sale under Defendant's Stinger Commercial (STINGER, <https://stingercommercial.com/products/cameras/chmsl/>) and PAC Audio (PAC-AUDIO, <https://catalog.pac-audio.com/catalog/vehicle-specific-cameras/>) brands are also "Accused Products" as that term is used herein. For the avoidance of doubt, all product bundles that include any of the foregoing models are also "Accused Products" as that term is defined in this complaint. The term "Accused Products" also includes all substantively similar models and any

predecessor and/or successor versions or revisions of models that satisfy each limitation of any claim of the Asserted Patent, whether sold directly or via other online marketplaces or brick and mortar retail stores.

19. Defendant provides information on its website to support its customers' use of the Accused Products. *See, e.g., Exhibit D* (User Manual for Model #PCAM-GM1), *Exhibit E* (Installation Manual for Model #PCAM-CHMSL2-FD99), *Exhibit F* (Installation Manual for Model #PCAM-CHMSL2-FD15), *Exhibit G* (Installation Manual for Model #PCAM-CHMSL2-GM14), *Exhibit H* (Installation Manual for Model #PCAM-CHMSL-RAM), *Exhibit I* (User Guide for Model #PCAM-CHMSL).

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,609,961**

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

21. The USPTO issued the '961 patent on October 27, 2002, after a full and fair examination of Application No. 11/401,405 which was filed on April 11, 2006. *See Ex. A at A-1.*

22. The USPTO issued an *ex parte* Reexamination Certificate for the '961 patent on August 22, 2022, after a full and fair examination of Application No. 90/020,131, which was filed on February 20, 2020. *See Ex. A at A-11 to A-15.*

23. Lexidine owns all substantial rights, interest, and title in and to the '961 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers, and to collect damages for all relevant times.

24. Lexidine or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '961 patent.

25. The claims of the '961 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of cameras and their integration into brake light enclosures to minimize their appearance.

26. The written description of the '961 patent describes in technical detail each of the limitations 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. The '961 patent also identifies and circumscribes all information necessary for a skilled artisan to perform each limitation in the claims in light of that which was known in the art at the priority date.

27. Defendant has directly infringed one or more claims of the '961 patent by making, having made, using, testing, providing, supplying, distributing, selling, marketing, or offering the Accused Products to its customers.

28. Defendant has directly infringed, either literally or under the doctrine of equivalents, one or more claims of the '961 patent.

29. Defendant has infringed and continues to infringe the '961 patent either literally or under the doctrine of equivalents through the manufacture and sale of infringing products, including but not limited to the Accused Products.

30. Defendant has infringed and continues to infringe one or more claims of the '961 patent, including at least claims 1, 21, and 30, among others, and because it ships, distributes, makes, uses, imports, offers for sale, sells, and/or advertises the Accused Products.

31. For example, as required in claim 1, Defendant's Accused Products provide to its customers a vehicle camera that includes a vehicle lens for an external third brake light that has an internal reflector surface and a translucent red area that allows light transmission. *See, e.g.,* Ex. D, to Ex. I. The Accused Products have an opening in the vehicle lens with the camera body within the vehicle lens and having a viewing axis through the opening in the vehicle lens. *Id.* In addition, the Accused Products include a slanted surface in close proximity to the opening in the vehicle lens. *Id.* The Accused Products also include a base



attached to the vehicle lens where the viewing axis is at an angle of between about 15 to 75 degrees with respect to a plane of that base. *Id.* The Accused Products also have a camera assembly, which includes at least a camera body housing a camera comprised of optoelectronic components, a camera lens, and a transparent camera lens cover, and is arranged such that at least a portion of the camera assembly is outside the opening in the vehicle lens and the camera assembly and camera body are fixed in position with respect to the vehicle lens. *Id.*

32. As another example, as required in claim 21, Defendant's Accused Products provide to its customers a vehicle camera that includes a vehicle lens of an external light for a vehicle, the vehicle lens having a translucent area with an internal reflector surface and having an opening in the translucent area of the vehicle lens. *See, e.g.,* Ex. D to Ex. I. The Accused Products further have a camera body mounted completely within the vehicle lens, a transparent camera lens cover attached to the opening and that protects a camera lens within the camera body, and the vehicle lens is mounted at a base. *Id.* The vehicle lens of the Accused Products also each have a slanted top surface with a concave portion having an opening at which the transparent camera lens cover and the camera body is attached at the inside of the vehicle lens. *Id.*

33. As another example, as required in claim 30, Defendant's Accused Products provide to its customers a vehicle camera that includes a vehicle lens of

an external light for a vehicle, the vehicle lens having a translucent red area for allowing light transmission therethrough of the red color with a viewing axis of about 45 degrees with respect to a plane of the base through a physical opening. *See, e.g.*, Ex. D to Ex. I. The Accused Products have a camera body mounted completely within the vehicle lens and a camera assembly attached to the vehicle lens that includes a transparent camera lens cover, camera lens, and the camera body. *Id.* The transparent camera lens cover of the Accused Products is outside the vehicle lens and protects the camera lens. *Id.* The camera assembly and camera body of the Accused Products are fixed in position with respect to the vehicle lens with a gasket positioned between the camera lens cover and the vehicle lens to keep water out. *Id.*

34. Defendant has intentionally induced and continues to induce infringement of the '961 patent claims in this District and elsewhere in the United States, by its intentional acts which have successfully, among other things, encouraged, instructed, enabled, and otherwise caused Defendant's customers to use the Accused Products in an infringing manner. *See* Ex. P, Ex. Q, Ex. R, Ex. S, Ex. T, and Ex. U. Defendant's source of revenue and business focus is the provision of and sale of the Accused Products, among other products. Defendant has specifically intended its customers to use its systems in such a way that infringes the '961 patent by, at a minimum, providing and supporting the Accused

Products and instructing its customers on how to use them in an infringing manner, at least through information available on Defendant's websites including information brochures, promotional material, user manuals, installation guides, and contact information. *See* Ex. C, Ex. P, Ex. Q, Ex. R, Ex. S, Ex. T, and Ex. U. Defendant knew that its actions, including, but not limited to any of the aforementioned systems and methods, would induce, have induced, and will continue to induce infringement by its customers by continuing to sell, support, and instruct its customers on using the Accused Products. *Id.*

35. Defendant have had knowledge of the '961 patent at least as of the date when it was notified of the filing of this action.

36. 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 has been willfully blind of Plaintiff's patent rights.

37. 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 it.

38. Since at least the time of receiving this Complaint, Defendant's direct and indirect infringement of the '961 patent is, has been, and continues to be

willful, intentional, deliberate, or in conscious disregard of Plaintiff's rights under the patent.

39. Plaintiff 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.

40. Lexidine has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. Lexidine has and will continue to suffer this harm by virtue of Defendant's infringement of the '961 patent. Defendant's actions have interfered with and will interfere with Lexidine's ability to license technology. The balance of hardships favors Lexidine's ability to commercialize its own ideas and technology. The public interest in allowing Lexidine to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

### **JURY DEMAND**

41. Plaintiff hereby requests a trial by jury on all issues so triable by right.

### **PRAYER FOR RELIEF**

WHEREFORE, Lexidine requests that the Court find in its favor and against AAMP, and that the Court grant Lexidine the following relief:

- (a) Judgment that one or more claims of the Asserted Patent has been infringed, either literally or under the doctrine of equivalents, by AAMP or all others acting in concert therewith;
  - (b) A permanent injunction enjoining AAMP and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the claims of the Asserted Patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the Asserted Patent by such entities;
  - (c) Judgment that AAMP account for and pay to Lexidine all damages to and costs incurred by Lexidine because of AAMP's infringing activities and other conduct complained of herein;
  - (d) Judgment that AAMP's infringements be found willful, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;
  - (e) Pre-judgment and post-judgment interest on the damages caused by AAMP's infringing activities and other conduct complained of herein;
  - (f) That this Court declare this an exceptional case and award Lexidine 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: January 9, 2024

Respectfully submitted,

/s/ Brian R. Gilchrist

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\* Admission *pro hac vice* anticipated

**Exhibits**

- A. U.S. Patent No. 7,609,961 (includes Re-examination Certificate)
- B. Webpage: <https://echomaster.com/>
- C. Webpage: "Third Brake Light"
- D. User Manual for Model #PCAM-GM1
- E. Installation Manual for Model #PCAM-CHMSL2-FD99
- F. Installation Manual for Model #PCAM-CHMSL2-FD15
- G. Installation Manual for Model #PCAM-CHMSL2-GM14
- H. Installation Manual for Model #PCAM-CHMSL-RAM
- I. User Guide for Model #PCAM-CHMSL