

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

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

IOT INNOVATIONS LLC,  
Plaintiff,  
v.  
SOMFY SYSTEMS, INC.,  
Defendant.

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff IoT Innovations LLC (“IoT Innovations” or “Plaintiff”) files this Complaint against Somfy Systems, Inc. (“Somfy” 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 Somfy’s infringement of the following United States Patents (collectively, the “Asserted Patents”) issued by the United States Patent and Trademark Office (“USPTO”), copies of which are attached hereto as **Exhibit A, Exhibit B, Exhibit C, Exhibit D, Exhibit E, and Exhibit F** respectively:

	<b>U.S. Patent No.</b>	<b>Title</b>
A.	7,280,830	Automatic Registration Services Provided Through A Home Relationship Established Between A Device And Local Area Network
B.	7,379,464	Personal Digital Gateway
C.	7,474,667	Multi-Path Gateway Communications Device
D.	7,593,428	Apparatus, And Associated Method, For Forming, And Operating Upon, Multiple-Checksum-Protected Data Packet
E.	8,085,796	Methods, Systems, And Products For Virtual Personalized Networks
F.	8,972,576	Establishing A Home Relationship Between A Wireless Device And A Server In A Wireless Network

2. IoT Innovations seeks injunctive relief and monetary damages.

### **PARTIES**

3. IoT Innovations is a limited liability company formed under the laws of Texas with a registered office address located in Austin, Texas.

4. Somfy is a corporation organized under the laws of the State of Delaware and has its principal place of business located at 121 Herrod Blvd, Dayton, NJ 08810.

5. Somfy may be served through its agent, Yilmaz Ozturan, CEO of Somfy Systems Inc., at its primary place of business located at 121 Herrod Blvd, Dayton, NJ 08810.

### **JURISDICTION AND VENUE**

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

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

8. Venue is proper against Somfy 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. Somfy is subject to this Court's specific and general personal jurisdiction under due process because of Somfy'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, Somfy 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. Somfy maintains regular and established places of business in this District.

12. Somfy offers products and services and conducts business in this District as described below.

13. Somfy ships and causes to be shipped into the District infringing products and materials instructing its customers to perform infringing activities to its employees, exclusive and non-exclusive contractors, agents, and affiliates for installation, operation, and service at locations within this District.

14. For example, upon information and belief, Somfy maintains regular and established places of business in the district, including at facilities located at 1200 SW 35th Ave, Boynton Beach, Florida 33426.



FIG. 1: *Locations and Showrooms*, SOMFY, <https://www.somfysystems.com/en-us/discover->

somfy/about/corporate-locations-showrooms.

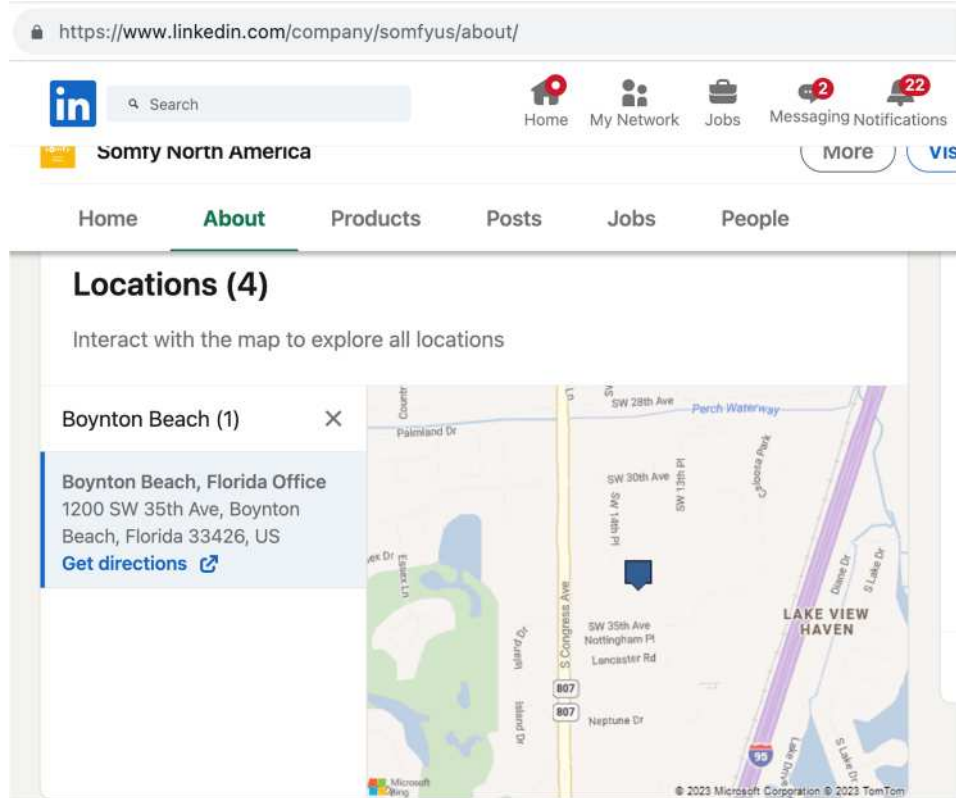


FIG. 2: *Somfy North America*, LINKEDIN, <https://www.linkedin.com/company/somfyus/about/>.

15. Somfy commits acts of infringement from this District, including, but not limited to, using, installing, testing of the Accused Products, selling and offering to sell the Accused Products, and inducement of third parties to use the Accused Products in an infringing manner.

16. Through at least its website, [www.somfysystems.com](http://www.somfysystems.com), Somfy instructs its customers on how to install and use the Accused Products.

### **THE ACCUSED PRODUCTS**

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

18. Based upon public information, Somfy owns, operates, advertises, and/or controls the website and domain [www.somfysystems.com](http://www.somfysystems.com), through which it advertises, sells, offers to sell,

provides and/or educates customers about its products and services. *See Exhibit G.*

19. Somfy uses, causes to be used, sells, offers for sale, provides, supplies, or distributes its control platform and systems, including but not limited to those marketed as Somfy Home solutions and Somfy Security System solutions, which include, at least, Somfy's Automated Smart Home & Controls Solutions (including but not limited to Somfy's Connect Main Controller and IP/io Gateway, myLink™ RTS Smartphone and Tablet Interface 120V AC, TaHoma Switch, TaHoma Gateway, and TaHoma® RTS/Zigbee Smartphone and Tablet Interface, animeo IP/RS485 and the animeo IP Building Controller, Sub Controller, and IB+Touch Building Controller 8 Zone), its wireless/RTS Motorized Products (including but not limited to all Somfy motorized controls that integrate with TaHoma, myLink, the Main Controller and IP/io Gateway, and/or animeo IP/RS485, such as the Oximo®, Altus®, Glydea®, Irismo™, Sonesse®, Sunea®, Orea, Eolis, Sunis, Soliris, Clever™, Maestria™, and Cord Lift branded wireless motors like the 540R2 RTS CMO, 525A2 RTS CMO, 550R2 RTS CMO, 535A2 RTS CMO, 530R2 RTS CMO, Oximo™ RTS 525A2, Oximo™ RTS 550R2, Altus® RTS 530R2, Altus® RTS 506S2, Altus® RTS 680R2, Altus® RTS 660R2, Altus® RTS 6100R2, Altus® RTS 540R2, Altus® RTS 535A2, Altus® RTS 409R2 RH with Fast Connector, Altus® RTS 525A2, Altus® RTS 550R2, Glydea® ULTRA 60 Motor RTS with 10' Plug, Glydea® ULTRA 35 Motor RTS with 10' Plug, Glydea® ULTRA 60 Motor RTS with 10' Plug, Irismo™ 45 WireFree RTS, Irismo™ 35 WireFree RTS, Irismo™ 35 (Mini DC) RTS, Irismo™ 45 (Mini DC) RTS, Sonesse® 40 RTS 404S2 RH with Fast Connector, Sonesse® ULTRA 506A2 RTS, Sonesse® ULTRA 504 A8 DC RTS, Sonesse® 506S2 RTS, Sonesse® 510S2 RTS, Sonesse® 510S2 RTS RH, Sonesse® 506S2 RTS RH, Sonesse® 30 DCT 24V DC, Sonesse® 30 RTS 24V DC, Sonesse® 40 RTS 406A2 RH with Fast Connector, Sonesse® 40 RTS 404A2 RH with Fast Connector, Sonesse® 40 RTS 409R2 RH with

Fast Connector, Sonesse® 28 WireFree™ RTS (Li-ion and External Battery), Sonesse® 40 WireFree™ RTS (Li-ion and External Battery), Sonesse® ULTRA 30 WireFree™ RTS (Li-ion and External Battery), Sonesse® 506A2 RTS RH 24V DC, Sonesse® 30 24V DC Zigbee, Sonesse® 30 RS485, Sonesse® 50 RS485, LT50 RS485, Sunea® RTS CMO 535A2 (with 18" Fast Connector, Black Cable), Sunea® RTS CMO 525A2 (with 18" Fast Connector), Sunea® RTS CMO 535A2 (with 18" Fast Connector), Sunea® RTS CMO 550R2 (with 18" Fast Connector), Cord Lift WireFree™ TL25 Motor, Roll Up 28 WireFree™ RTS V2 (Li-ion and External Battery), T3.5 ESP Hz 6Nm 18rpm 12V DC KIT, T3.5 ESP Hz 3Nm 23rpm 12V DC, T3.5 ESP Hz 3Nm 23rpm 12V DC KIT, T3.5 ESP Hz 3Nm 12rpm 12V DC KIT, T3.5 ESP Hz 10Nm 12rpm 12V DC, T3.5 ESP Hz 6Nm 18rpm 12V DC, T5 Hz 10Nm 35rpm 120V, T5 Hz 15Nm 18rpm 120V, T5 Hz 25Nm 18rpm 120V, T5 Hz 35Nm 18rpm 120V, T5 Hz 30Nm 12rpm 120V, T5 Hz 50Nm 12rpm 120V, T5 Hz 10Nm 12rpm 120V, T5 Hz 20Nm 12rpm 120V, T6 Hz 80Nm 14rpm 120V, T6 Hz 100Nm 14rpm 120V, Orea RTS 550R2, Orea RTS 535A2, Clever™ Tilt Blind Motors and 6, 4, 3 or 2 piece Motor Kits (with or without rechargeable batteries), Radio RTS Card (Plug-in Module), DM15Hz 15Nm 18rpm 120V, DM15Hz 25Nm 18rpm 120V, DM15Hz 30Nm 12rpm 120V, DM15Hz 35Nm 18rpm 120V, DM15Hz 50Nm 12rpm 120V, DM16Hz 60Nm 14rpm 120V With NEMA plug, DM16Hz 80Nm 14rpm 120V With NEMA plug, DM16Hz 100Nm 14rpm 120V With NEMA plug, Maestria™ RTS 550R2 Maestria™ RTS 510A2, Maestria™ RTS 525A2, Maestria™ RTS 535A2), Smart Sensors (Ondeis® WireFree RTS Rain & Sun Sensors, Eolis RTS 60 MPH Wind Sensor 24V DC Kit, Eolis 3D WireFree™ RTS Wind Sensor (White, Off-White, and Black), Sunis Outdoor WireFree™ RTS Sun Sensor, Soliris RTS Sun and Wind Sensor 24V DC Kit, Eolis RTS Wind Sensor 24V DC Kit), Smart Hosts, Smart Lighting, Smart Fixtures, Smart

Keypads, Smart Home Apps<sup>1</sup> (including but not limited to TaHoma North America and TaHoma pro), and their associated hardware and software and functionalities (the “Accused Products”). *See, e.g.*, **Exhibit G** (Smart Home Solutions); **Exhibit H** (Main Controller); **Exhibit I** (Somfy App); **Exhibit Q** (IP/io Gateway); and **Exhibit U** (Z-Wave).

20. Somfy also instructs its customers, agents, employees, and affiliates regarding how to use the Accused Products. *See, e.g.*, **Exhibit J**; **Exhibit K**; **Exhibit L**; **Exhibit M**; **Exhibit N**; **Exhibit O**; **Exhibit P**; **Exhibit R**; **Exhibit S**; and **Exhibit T**.

21. 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. 7,280,830**

22. Plaintiff repeats and re-alleges the allegations in Paragraphs 1-20 above as though fully set forth in their entirety.

23. 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. A* at p. A-1.

24. IoT Innovations owns all substantial rights, interest, and title in and to the ’830 patent, including the sole and exclusive right to prosecute this action and enforce the ’830 patent against infringers and to collect damages for all relevant times.

25. 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 that improve upon the function and operation of automatic registration of a

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<sup>1</sup> *See, e.g.*, **Exhibit I**; *Support Service*, SOMFY, <https://www.somfypro.com/services-support/useful-tools/help-me-app>; *GOOGLE PLAY STORE*, [https://play.google.com/store/apps/Search “Apps by Somfy”](https://play.google.com/store/apps/Search?q=Apps+by+Somfy).

new device through the establishment of a home relationship with a network server.

26. 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.

27. 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.

***Direct Infringement under § 271(a)***

28. Based upon information and belief, Plaintiff is informed and believes that Somfy has directly infringed and continues to infringe one or more claims of the '830 patent by using, testing, providing, installing, supplying, or distributing the Accused Products.

29. Upon information and belief, Somfy has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '830 patent.

30. For example, Defendant, using the Accused Products and their associated hardware and software and functionalities, 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.

31. An exemplary claim chart illustrating Defendant's infringement of claim 1 is attached hereto as **Attachment 1**.

32. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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.

33. 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 Somfy's infringement of the '830 patent. Somfy'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.

***Indirect Infringement under § 271(b) and (c)***

34. Upon information and belief, Somfy willfully blinded itself to the existence of the '830 patent and Somfy's infringement, but Somfy had actual knowledge of the '830 patent on or around December 1, 2023.

35. Somfy has also indirectly infringed the '830 patent by inducing others to directly infringe the '830 patent. *See, e.g., Exhibit G; Exhibit H; Exhibit R.*

36. Somfy has induced end-users, including, but not limited to, Somfy's employees, partners, contractors, customers, and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '830 patent by providing or requiring use of the Accused Products.

37. Somfy 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.

38. Such steps by Somfy included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Smart Home Apps on how to use the Accused Products in an infringing manner.

39. Somfy 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. Somfy is aware that the normal and customary use of the Accused Products by others would infringe the '830 patent.

40. Somfy's inducement is ongoing.

41. Somfy has also indirectly infringed by contributing to the infringement of the '830 patent. *See, e.g., Exhibit G; Exhibit H; Exhibit R.*

42. Somfy has contributed to the direct infringement of the '830 patent by its personnel, contractors, and customers.

43. 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.

44. 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.

45. Somfy's contributory infringement is ongoing.

### ***Willful Infringement***

46. Furthermore, on information and belief, Somfy 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.

47. Somfy'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 Somfy.

48. Somfy'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.

### **COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,379,464**

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

50. The USPTO duly issued U.S. Patent No. 7,379,464 (hereinafter, the "'464 patent") on May 27, 2008, after full and fair examination of Application No. 10/306,504 which was filed on November 27, 2002. *See Ex. B* at p. B-1.

51. 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.

52. The claims of the '464 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 by 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.

53. The written description of the '464 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

54. 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 '464 patent.

***Direct Infringement under § 271(a)***

55. Based upon information and belief, Plaintiff is informed and believes that Somfy has directly infringed one or more claims of the '464 patent by using, providing, supplying, or distributing the Accused Products.

56. Upon information and belief, Somfy has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '464 patent.

57. For example, Defendant, using the Accused Products and their associated hardware and software and functionalities, 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.

58. An exemplary claim chart illustrating Defendant's infringement of claim 1 is attached hereto as **Attachment 2**.

59. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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.

60. 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 Somfy's infringement of the '464 patent. Somfy's actions have interfered with and will interfere with Plaintiff's 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.

***Indirect Infringement under § 271(b) and (c)***

61. Upon information and belief, Somfy willfully blinded itself to the existence of the '464 patent and Somfy's infringement, but Somfy had actual knowledge of the '464 patent on or around December 1, 2023.

62. Somfy has also indirectly infringed the '464 patent by inducing others to directly infringe the '464 patent. *See, e.g., Exhibit G; Exhibits J–N.*

63. Somfy has induced end-users, including, but not limited to, Somfy's employees, partners, contractors, customers, and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '464 patent by providing or requiring use of the Accused

Products.

64. Somfy 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 '464 patent, including, for example, claim 1 of the '464 patent.

65. Such steps by Somfy included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Smart Home Apps on how to use the Accused Products in an infringing manner.

66. Somfy is performing these steps, which constitute induced infringement with the knowledge of the '464 patent and with the knowledge that the induced acts constitute infringement. Somfy is aware that the normal and customary use of the Accused Products by others would infringe the '464 patent.

67. Somfy's inducement is ongoing.

68. Somfy has also indirectly infringed by contributing to the infringement of the '464 patent. Somfy has contributed to the direct infringement of the '464 patent by its personnel, contractors, and customers. *See, e.g., Exhibit G; Exhibits J–N.*

69. 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 '464 patent, including, for example, claim 1 of the '464 patent.

70. The special features constitute a material part of the invention of one or more of the claims of the '464 patent and are not staple articles of commerce suitable for substantial non-

infringing use.

71. Somfy's contributory infringement is ongoing.

***Willful Infringement***

72. Furthermore, on information and belief, Somfy 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.

73. Somfy'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 Somfy.

74. Somfy's direct infringement of one or more claims of the '464 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

**COUNT III: INFRINGEMENT OF U.S. PATENT NO. 7,474,667**

75. IoT Innovations repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

76. The USPTO duly issued U.S. Patent No. 7,474,667 (hereinafter, the "'667 patent") on January 6, 2009, after full and fair examination of Application No. 11/879,576 which was filed on July 18, 2007. *See Ex. C* at C-1.

77. IoT Innovations owns all substantial rights, interest, and title in and to the '667 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers and to collect damages for all relevant times.

78. The claims of the '667 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 virtual personalized network settings.

79. The written description of the '667 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.

80. 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 '667 patent.

81. Based upon information and belief, Plaintiff is informed and believes that Somfy has directly infringed one or more claims of the '667 patent by using, testing, providing, installing, supplying, or distributing the Accused Products.

82. Upon information and belief, Somfy has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '667 patent.

83. For example, Defendant, using the Accused Products and their associated hardware and software and functionalities, performs a method of processing data, the method including receiving a selection of a communications device from a plurality of communications devices associated with a common user; receiving the data associated with the selected communications device; accessing a database of rule-based profiles comprising configuration and presentation parameters for the plurality of communications devices; querying the database of rule-based profiles for the selected communications device; retrieving a profile associated with the selected communications device; integrating the data into the profile; and communicating the integrated data and the profile to the selected communications device.

84. An exemplary claim chart illustrating Defendant's infringement of claim 1 is attached



hereto as **Attachment 3**.

85. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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: DIRECT INFRINGEMENT OF U.S. PATENT NO. 7,593,428**

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

87. The USPTO duly issued U.S. Patent No. 7,593,428 (hereinafter, the “’428 patent”) on September 22, 2009, after full and fair examination of Application No. 11/621,545, which was filed on January 9, 2007. *See Ex. D* at D-1.

88. IoT Innovations owns all substantial rights, interest, and title in and to the ’428 patent, including the sole and exclusive right to prosecute this action and enforce the ’428 patent against infringers and to collect damages for all relevant times.

89. The claims of the ’428 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 data packet communications, and more specifically to increasing flexibility of checksum protection in such communications.

90. The written description of the ’428 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.

91. 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 '428 patent.

92. Upon information and belief, Somfy has directly infringed, either literally or under the doctrine of equivalents, at least claim 14 of the '428 patent.

93. For example, Defendant, using the Accused Products and their associated hardware and software and functionalities, performs a method including receiving data from a data source at a transceiver station; and in response to programmed instructions in processing circuitry at the transceiver station; selecting a first portion of the data to be protected by a first checksum and selecting a second portion of the data to be protected by a second checksum; performing a first checksum calculation upon the selected first portion and performing at least a second checksum calculation upon the selected second portion; and formatting the data into a packet-formatted data packet, wherein the packet-formatted data packet comprises the selected first portion, indicia associated with the first checksum calculation, the selected second portion, and indicia associated with the second checksum calculation.

94. An exemplary claim chart illustrating Defendant's infringement of claim 14 is attached hereto as **Attachment 4**.

95. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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: DIRECT INFRINGEMENT OF U.S. PATENT NO. 8,085,796**

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

97. 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.

98. 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 the ’796 patent against infringers and to collect damages for all relevant times.

99. 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 by 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.

100. 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.

101. 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.

***Direct Infringement under § 271(a)***

102. Based upon information and belief, Plaintiff is informed and believes that Somfy has directly infringed one or more claims of the ’796 patent by using, providing, testing, installing, supplying, or distributing the Accused Products.

103. Upon information and belief, Somfy has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '796 patent.

104. For example, Defendant, using the Accused Products and their associated hardware and software and functionalities, performs a method including 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.

105. An exemplary claim chart illustrating Defendant's infringement of claim 1 is attached hereto as **Attachment 5**.

106. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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.

107. 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 Somfy's infringement of the '796 patent. Somfy's actions have interfered with and will interfere with Plaintiff's 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.

***Indirect Infringement under § 271(b) and (c)***

108. Upon information and belief, Somfy willfully blinded itself to the existence of the '796 patent and Somfy's infringement, but Somfy had actual knowledge of the '796 patent on or around December 1, 2023.

109. Somfy has also indirectly infringed the '796 patent by inducing others to directly infringe the '796 patent. *See, e.g., Exhibit G; Exhibits J–N.*

110. Somfy has induced end-users, including, but not limited to, Somfy's employees, partners, contractors, customers, and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '796 patent by providing or requiring use of the Accused Products.

111. Somfy 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 of the '796 patent.

112. Such steps by Somfy included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Smart Home Apps on how to use the Accused Products in an infringing manner.

113. Somfy 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. Somfy is aware that the normal and customary use of the Accused Products by others would infringe the '796 patent.

114. Somfy's inducement is ongoing.

115. Somfy has also indirectly infringed by contributing to the infringement of the '796 patent. Somfy has contributed to the direct infringement of the '796 patent by its personnel, contractors, and customers. *See, e.g., Exhibit G; Exhibits J–N.*

116. 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 of the '796 patent.

117. 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.

118. Somfy's contributory infringement is ongoing.

#### ***Willful Infringement***

119. Furthermore, on information and belief, Somfy 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.

120. Somfy'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 Somfy.

121. Somfy's direct infringement of one or more claims of the '796 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

#### **COUNT VI: DIRECT INFRINGEMENT OF U.S. PATENT NO. 8,972,576**

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

123. The USPTO duly issued U.S. Patent No. 8,972,576 (hereinafter, the "'576 patent") on

March 3, 2015, after full and fair examination of Application No. 10/833,381, which was filed on April 28, 2004. *See Ex. F* at F-1.

124. IoT Innovations owns all substantial rights, interest, and title in and to the '576 patent, including the sole and exclusive right to prosecute this action and enforce the '576 patent against infringers and to collect damages for all relevant times.

125. The claims of the '576 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 network protocols for enabling establishment of a persistent relationship between a device and a wireless network.

126. The written description of the '576 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.

127. 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 '576 patent.

***Direct Infringement under § 271(a)***

128. Based upon information and belief, Plaintiff is informed and believes that Somfy has directly infringed one or more claims of the '576 patent by using, providing, testing, installing, supplying, or distributing the Accused Products.

129. Upon information and belief, Somfy has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '576 patent.

130. For example, Defendant, using the Accused Products and their associated hardware

and software and functionalities, performs a method for establishing a relationship between a mobile device and a server in a network, including (a) detecting the presence of the mobile device; (b) in response to determining that the mobile device is unrecognized, automatically notifying a network administrator; (c) in response to receiving authorization from the network administrator to establish the relationship, requesting authorization from the mobile device to authorize the establishment of the relationship; and (d) establishing the relationship between the mobile device and the network in response to receiving the authorization from the mobile device, such that no additional configuration is required by the mobile device to communicate over the network once the relationship has been established.

131. An exemplary claim chart illustrating Defendant's infringement of claim 1 is attached hereto as **Attachment 6**.

132. IoT Innovations has been damaged as a result of the infringing conduct by Somfy alleged above. Thus, Somfy 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.

133. 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 Somfy's infringement of the '576 patent. Somfy's actions have interfered with and will interfere with Plaintiff's 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.

***Indirect Infringement under § 271(b) and (c)***

134. Upon information and belief, Somfy willfully blinded itself to the existence of the '576



patent and Somfy's infringement, but Somfy had actual knowledge of the '576 patent on or around December 1, 2023.

135. Somfy has also indirectly infringed the '576 patent by inducing others to directly infringe the '576 patent. *See, e.g., Exhibit G; Exhibits J–N.*

136. Somfy has induced end-users, including, but not limited to, Somfy's employees, partners, contractors, customers, and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '576 patent by providing or requiring use of the Accused Products.

137. Somfy 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 '576 patent, including, for example, claim 1 of the '576 patent.

138. Such steps by Somfy included, among other things, advising or directing personnel, contractors, or end-users to use the Accused Products in an infringing manner; advertising and promoting the use of the Accused Products in an infringing manner; distributing instructions that guide users to use the Accused Products in an infringing manner; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Smart Home Apps on how to use the Accused Products in an infringing manner.

139. Somfy is performing these steps, which constitute induced infringement with the knowledge of the '576 patent and with the knowledge that the induced acts constitute infringement. Somfy is aware that the normal and customary use of the Accused Products by others would infringe the '576 patent.

140. Somfy's inducement is ongoing.

141. Somfy has also indirectly infringed by contributing to the infringement of the '576

patent. Somfy has contributed to the direct infringement of the '576 patent by its personnel, contractors, and customers. *See, e.g.*, **Exhibit G; Exhibits J–N**.

142. 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 '576 patent, including, for example, claim 1 of the '576 patent.

143. The special features constitute a material part of the invention of one or more of the claims of the '576 patent and are not staple articles of commerce suitable for substantial non-infringing use.

144. Somfy's contributory infringement is ongoing.

#### ***Willful Infringement***

145. Furthermore, on information and belief, Somfy 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.

146. Somfy'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 Somfy.

147. Somfy's direct infringement of one or more claims of the '576 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

#### **JURY DEMAND**

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

#### **PRAYER FOR RELIEF**

149. IoT Innovations requests that the Court find in its favor and against Somfy, 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 Somfy or others acting in concert therewith;

- b. A permanent injunction enjoining Somfy and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '830, '464, '796, and '576 patents; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of said patents by such entities;
- c. Judgment that Somfy accounts for and pays to IoT Innovations all damages to and costs incurred by IoT Innovations because of Somfy's infringing activities and other conduct complained of herein;
- d. Judgment that Somfy's infringements be found willful as to the '830, '464, '796, and '576 patents, 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 Somfy'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: March 28, 2024

Respectfully submitted,

By: /s/ Brian R. Gilchrist

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*Attorneys for Plaintiff IOT INNOVATIONS LLC*

\* *Pro hac vice* application pending

**List of Exhibits**

- A. U.S. Patent No. 7,280,830
- B. U.S. Patent No. 7,379,464
- C. U.S. Patent No. 7,474,667
- D. U.S. Patent No. 7,593,428
- E. U.S. Patent No. 8,085,796
- F. U.S. Patent No. 8,972,576
- G. Somfy Website | Smart Home Solutions
- H. Somfy | Installation Guide | Connect Main Controller
- I. Apps on Google Play | Somfy Protect
- J. Somfy Protect Customer Service | How do you download a video clip if motion is detected
- K. Somfy Protect Customer Service | How does the continuous video recording (CVR) service work
- L. Somfy Protect Customer Service | How does the system work in case of a beak-in
- M. Somfy Protect Customer Service | How to receive notifications with photos and video
- N. Somfy Protect Customer Service | Which Somfy Protect mobile apps are available
- O. Somfy | User Guide | Outdoor Camera
- P. Somfy | Specifications | Somfy Outdoor Camera
- Q. Somfy | Specifications | IP/io Gateway
- R. Somfy | Installation Guide | IP/io Gateway
- S. Somfy | Ad/Flyer | Z-Wave
- T. Somfy | User Manual | Z-Wave
- U. Somfy Website | Z-Wave Integration for Blinds, Shades, Awnings and More

**List of Attachments**

- (1) Exemplary Claim Chart - U.S. Patent No. 7,280,830
- (2) Exemplary Claim Chart - U.S. Patent No. 7,379,464
- (3) Exemplary Claim Chart - U.S. Patent No. 7,474,667
- (4) Exemplary Claim Chart - U.S. Patent No. 7,593,428
- (5) Exemplary Claim Chart - U.S. Patent No. 8,085,796
- (6) Exemplary Claim Chart - U.S. Patent No. 8,972,576