

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

INTERNATIONAL HEALTH TECHNOLOGY
COMPANY, LLC,

Plaintiff,

v.

SILENT BEACON, LLC

Defendant.

CIVIL ACTION

NO. _____

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff International Health Technology Company, LLC (“Plaintiff”) files this Complaint for Patent Infringement and states as follows:

THE PARTIES

1. Plaintiff is a limited liability company organized under the laws of the State of Colorado with a place of business at 2990 East 17th Avenue, #807, Denver, CO 80206.
2. Upon information and belief, Silent Beacon, LLC (“Defendant”) is a corporation organized and existing under the laws of Maryland, with an office at 9200 Corporate Blvd, Ste 250, Potomac, MD 20850.

JURISDICTION AND VENUE

3. This Court has exclusive subject matter jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises under the Patent Laws of the United States, 35 U.S.C. § 1 et seq., including, without limitation, 35 U.S.C. §§ 271, 281, 284, and 285.
4. This Court has personal jurisdiction over Defendant, consistent with due process, including at least because Defendant resides in Maryland. Moreover, on information and belief,

Defendant has engaged in systematic and continuous business activities in this District, directly or through intermediaries. On information and belief, Defendant has committed acts of patent infringement and/or has induced acts of patent infringement by others in this State.

5. Venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant resides in this State. Moreover, on information and belief, Defendant has committed acts of infringement and has a regular and established place of business in this State.

FACTUAL BACKGROUND

U.S. Patent No. 7,486,194

6. On February 3, 2009, U.S. Patent No. 7,486,194 (“the '194 patent”) was duly and legally issued by the United States Patent and Trademark Office (“USPTO”) for “Personal Alarm System for Obtaining Assistance from Remote Recipients.” Exhibit A (which is incorporated by reference in its entirety).

7. As set forth in the '194 patent, “[t]he present invention relates to alarm systems for individuals.” '194 patent at 1:13-14. As the specification describes, “In recent years, employers, employees, trade unions, and others have become increasingly concerned about the problem of violence to staff working in direct contact with the public. Employees who work alone in this capacity are considered to be in high-risk occupations. Violence in the workplace has been an escalating problem in both the private and public sectors.” '194 patent at 1:24-30.

8. The '194 patent explains that “[s]ystems disclosed in the prior art have provided various forms of personal alarms designed to ward off and deter attackers or potential attackers. Such systems may have an audible alarm meant to draw attention to the victim or the potential victim. However, such systems are unsuitable or unusable for a large variety of different work environments as these systems are audible and therefore detectable by the perpetrator. Further,

such systems are of limited benefit to workers and other users who may need a personal alarm which notifies remote parties.” *Id.* at 1:44-53.

9. The ’194 patent observes that “[r]elated prior art systems enable users to contact the 911 emergency number by pushing a single button on a cell phone or radio. These systems pre-suppose that the aggressor will allow the threatened user to complete the call and may escalate the degree of violence or hasten a hands-on attack if the alarm is used in plain view of the aggressor.” *Id.* at 1:54-59.

10. The ’194 patent further explains that “[o]ther prior art systems, such as the alarm system taught in U.S. Pat. No. 5,971,921, contact a monitoring center through a receiver/caller unit. However, such receiver/caller units are stationary units designed to be used exclusively with a telephone line which limits the system's application for mobile individuals.” *Id.* at 1:60-65.

11. The ’194 patent states that, “[t]here is an unfulfilled need to provide a mobile personal alarm system which is suitable for a large variety of work environments and capable of contacting authorities or other resources, possibly silently, and either with a one-way signal or by two-way communications, where the authorities or other resources may be remote.” *Id.* at 2:10-15. It goes on to describe that, “[i]n response to the threat of workplace violence, which is not addressed in the prior art, the present personal alarm system has been conceived. The present system provides a ‘lifeline’ which has the potential to greatly improve the personal safety of workers in a variety of different occupations. Public nurses, home care workers, real estate agents and others who are required to meet with clients or strangers in their homes or other similar (secluded or remote) locations will benefit from the protection provided by the present

system. In addition, anyone needing a system which contacts a monitoring center or the authorities in case of an emergency will also benefit from the present system.” *Id.* at 2:16-27.

12. The ’194 patent includes claims directed to various technological improvements that address shortcomings in the art identified in the ’194 patent. For example, claims 37 and 39 of the ’194 patent are directed to technological improvements to address those shortcomings:

37. A personal alarm system comprising:

a communication device for transmitting a signal to a recipient;

an interface module in operative communication with the communication device for controlling the communication device, the interface module having a user-programmable memory and a user interface; and

a triggering key in operative communication with the interface module for activating the interface module,

wherein the triggering key and the interface module respectively include a radio signal transmitter and a radio signal receiver for allowing the triggering key to remotely activate the interface module.

39. A personal alarm system comprising:

a communication device for transmitting a signal to a recipient;

an interface module in operative communication with the communication device for controlling the communication device, the interface module having a user-programmable memory and a user interface; and

a triggering key in operative communication with the interface module for activating the interface module,

wherein the triggering key and the interface module respectively include a Bluetooth™ transmitter and a Bluetooth™ receiver for allowing the triggering key to remotely activate the interface module.

13. Plaintiff is the assignee and owner of the right, title and interest in and to the ’194 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,486,194

14. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

15. Defendant has in the past and continues to infringe one or more claims of the '194 patent, including at least claims 37 and 39, in violation of 35 U.S.C. § 271(a) by making, using, offering to sell, or selling products covered by at least one claim of the '194 patent (“accused products”) within the United States or importing accused products into the United States, including in connection with its Silent Beacon emergency alert system (“Accused Instrumentalities”), at least in internal testing and usage, as set forth in the illustrative claim chart attached hereto as Exhibit B (which is incorporated herein by reference).

16. Plaintiff provided Defendant notice of its infringement by letter dated March 2, 2024.

17. On information and belief, after receiving notice of the '194 patent and its infringement, Defendant has continued to induce third-parties (e.g., its customers and users of accused products (including the Accused Instrumentalities)) to directly infringe the '194 patent, including, for example, by marketing, advertising, and distributing the above-referenced Accused Instrumentalities and encouraging others to use them in a way known to infringe when used in their customary and intended manner as set forth in Exhibit B.

18. In particular, Defendant’s actions that aid and abet others, such as their customers, to infringe include distributing the Accused Instrumentalities and providing materials and/or services related to the Accused Instrumentalities. On information and belief, since receiving notice of its infringement, Defendant has engaged in such actions with specific intent to cause infringement or with willful blindness to the resulting infringement of at least claims 37 and 39

(as shown in Exhibit B) because Defendant has had actual knowledge of the '194 patent and that its acts were inducing infringement of the '194 patent.

19. Defendant also has and continues to indirectly infringe at least claims 37 and 39 of the '194 patent in violation of 35 U.S.C. § 271(c) by actively, knowingly, and intentionally contributing to an underlying direct infringement by other persons, such as Defendant's customers and end users, by offering and providing Defendant's Accused Instrumentalities without authority or license from Plaintiff with features understood and intended to infringe the '194 Patent as set forth in the claim chart attached as Exhibit B, which do not constitute a staple article, and which have no substantial non-infringing use.

20. Plaintiff has been harmed by Defendant's infringing activities regarding the '194 patent, and Plaintiff is entitled to recover damages for Defendant's infringement, which damages cannot be less than a reasonable royalty. Moreover, Defendant's infringement has been willful since, on information and belief, its conduct has continued since receiving notice of its infringement.

JURY DEMAND

Plaintiff demands a trial by jury of all issues so triable.

PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- A. Entry of judgment that Defendant has infringed one or more claims of the '194 patent,
- B. Damages in an amount to be determined at trial for Defendant's infringement, including any continuing or future infringement through the date such judgment is entered, which amount cannot be less than a reasonable royalty, and an

accounting of all infringing acts, including but not limited to those acts not presented at trial,

- C. Enhanced damages for willful infringement,
- D. Pre-judgment and post-judgment interest on the damages assessed,
- E. That the Court declare this to be an exceptional case and award Plaintiff its reasonable attorneys' fees and expenses in accordance with 35 U.S.C. § 285, and
- F. Such other and further relief, both at law and in equity, to which Plaintiff may be entitled and which the Court deems just and proper.

This 2nd day of April, 2024.

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