

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IOT INNOVATIONS LLC,

Plaintiff,

v.

SAVANT SYSTEMS, INC.,

Defendant.

Civil Action No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff IoT Innovations LLC (“IoT Innovations” or “Plaintiff”) files this Complaint against Savant Systems, Inc. (“Savant Systems” 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 Savant Systems’ 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 available, respectively in the links below:

<b>U.S. Patent No.</b>	<b>Title</b>	<b>Available At</b>
7,246,173	Method And Apparatus For Classifying IP Data	USPTO.GOV, <a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7246173">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7246173</a>
7,474,667	Multi-Path Gateway Communications Device	USPTO.GOV, <a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7474667">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7474667</a>
7,567,580	Edge Side Assembler	USPTO.GOV, <a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7567580">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7567580</a>
7,593,428	Apparatus, And Associated Method, For Forming, And Operating Upon, Multiple-Checksum-Protected Data Packet	USPTO.GOV, <a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7593428">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7593428</a>

U.S. Patent No.	Title	Available At
8,085,796	Establishing A Home Relationship Between A Wireless Device And A Server In A Wireless Network	USPTO.GOV, <a href="https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8085796">https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8085796</a>
8,401,571	Mobile Electronic System	USPTO.GOV, <a href="https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8401571">https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8401571</a>
8,972,576	Establishing A Home Relationship Between A Wireless Device And A Server In A Wireless Network	USPTO.GOV, <a href="https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8972576">https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/8972576</a>
RE44742	Dynamic Message Templates And Messaging Macros	USPTO.GOV, <a href="https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/RE44742">https://imageppubs.uspto.gov/dirsearch-public/print/downloadPdf/RE44742</a>

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 (Travis County).

4. Savant Systems is a corporation organized under the laws of the State of Delaware and has its principal place of business located at 45 Perseverance Way Hyannis, MA 02601-1812.

5. Savant Systems may be served through its registered agent for service, Cogency Global Inc., located at 45 School Street, STE 202, Boston, MA 02108.

### JURISDICTION AND VENUE

6. IoT Innovations repeats and re-alleges the allegations in 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 Defendant in this District pursuant to 28 U.S.C. § 1400(b) 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 because of 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.

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

13. Defendant 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. 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 in an infringing manner.

## THE ACCUSED PRODUCTS

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

16. Based upon public information, Savant Systems owns, operates, advertises, and/or controls the website and domain [www.savantsystems.com](http://www.savantsystems.com), through which it advertises, sells, offers to sell, provides and/or educates customers about their products and services.

17. Defendant uses, causes to be used, sells, offers for sale, provides, supplies, or distributes its home security and control platform and systems, including but not limited those marketed as Savant Home Systems, which include, at least, Savant Systems' Home Manager<sup>1</sup> and Smart Hosts, and any predecessor or successor of the same Savant Touch Panels (and any predecessor or successor of the same); Smart Home Apps (and any predecessor or successor of the same);<sup>2</sup> Smart Locks, Smart Lighting, Smart Fixtures, Smart Keypads, and Smart Thermostats (and any predecessor or successor of the same); Smart Remotes (and any predecessor or successor of the same); Savant Systems Server(s), and Savant Systems' encryption technologies and its cellular and Wi-Fi capabilities (including but not limited to the Savant IP Video Network); and their associated hardware and software and functionalities (the "Accused Products").

18. Defendant also instructs its customers, agents, employees, and affiliates regarding how to use the Accused Products for home security and control. *See, e.g.,* SAVANT, [https://sav-](https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-)

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<sup>1</sup> Savant Systems' Home Manager is available on Defendant's website. *See* SAVANT, <https://home.savant.com/>.

<sup>2</sup> Savant Systems' Smart Home Apps are available for download through mobile app providers, including but not limited to the App Store and Google Play Store. *See Savant Systems Inc., APP STORE*, <https://apps.apple.com/us/app/savant/id1095325838>; *Savant Systems Inc., GOOGLE PLAY STORE*, <https://play.google.com/store/apps/details?id=com.savantsystems.controlapp.pro&hl>.

[01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf](#); SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

19. 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. 7,246,173**

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

21. The USPTO duly issued U.S. Patent No. 7,246,173 (hereinafter, the “’173 patent”) on July 17, 2007, after full and fair examination of Application No. 09/834,918, which was filed on April 16, 2001. *See* ’173 patent at 1.

22. IoT Innovations owns all substantial rights, interest, and title in and to the ’173 patent, including the sole and exclusive right to prosecute this action and enforce the ’173 patent against infringers and to collect damages for all relevant times.

23. 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 ’173 patent.

24. The claims of the ’173 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 IP data classification systems and methods in packet switch networks.

25. The written description of the ’173 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. Based upon information and belief, Plaintiff is informed and believes that Savant has directly infringed and continues to infringe the claims of the '173 patent by making, using, selling, offering for sale, importing into the United States, providing, supplying, or distributing the Accused Products.

27. For instance, Savant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '173 patent. As just one example of infringement, the Accused Products perform a method of classifying Internet Protocol (IP) data to be sent from a source apparatus to a destination apparatus in a packet switched network, said method comprising: receiving said data at a first node, the data comprising a header comprising a list of at least one intermediate node to be visited on a way to the destination apparatus; and classifying said data at said first node based on an entry in said header. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit A**.

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

29. 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 Savant's infringement of the '173 patent. Savant'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.

30. Savant had knowledge of the '173 patent at least as of the date when it was notified of the filing of this action.

31. Upon information and belief, Savant has also indirectly infringed one or more claims of the '173 patent by inducing others to directly infringe said claims. *See* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; *see also* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

32. Savant has induced end-users, including, but not limited to, Savant's employees, partners, contractors, customers, and/or potential customers, to directly infringe, either literally or under the doctrine of equivalents, the '173 patent by providing or requiring use of the Accused Products.

33. Savant 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 '173 patent, including, for example, claim 1 of the '173 patent.

34. Such steps by Savant 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 Savant Pro App on how to use the Accused Products in an infringing manner.

35. Savant is performing these steps, which constitute induced infringement with the knowledge of the '173 patent and with the knowledge that the induced acts constitute infringement.

36. Savant is aware that the normal and customary use of the Accused Products by others would infringe the '173 patent.

37. Savant's inducement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

38. Upon information and belief, Savant has also indirectly infringed by contributing to the infringement of the '173 patent.

39. Savant has contributed to the direct infringement of the '173 patent by its personnel, contractors, and customers.

40. 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 '173 patent, including, for example, claim 1 of the '173 patent.

41. The special features constitute a material part of the invention of one or more of the claims of the '173 patent and are not staple articles of commerce suitable for substantial non-infringing use.

42. Savant's contributory infringement is ongoing. *See, e.g.,* SAVANT, <https://sav->



[documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf](https://documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf); SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

43. Furthermore, on information and belief, Savant 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.

44. Savant'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 Savant.

45. Savant's direct infringement of one or more claims of the '173 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. 7,474,667**

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

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

48. 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* '667 patent at p. 1. A Certificate of Correction was issued on January 1, 2013. *See id.* at p. 18.

49. 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.

50. 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.

51. 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 and functionalities that improve upon the function, operation, and security of communications devices.

52. 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.

53. Savant has directly infringed the claims of the '667 patent by making, using, selling, offering for sale, importing into the United States, providing, supplying, or distributing the Accused Products.

54. For instance, Savant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '667 patent.

55. As just one example, Savant, using the Accused Products and associated hardware and software and functionalities, performs a method for 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. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit B**.

56. IoT Innovations has been damaged as a result of the infringing conduct by Savant alleged above. Thus, Savant 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 III: INFRINGEMENT OF U.S. PATENT NO. 7,567,580**

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

58. The USPTO duly issued U.S. Patent No. 7,567,580 (hereinafter, the "'580 patent") on July 28, 2009 after full and fair examination of Application No. 11/787,977 which was filed on April 18, 2007. *See* '580 patent at p. 1.

59. IoT Innovations owns all substantial rights, interest, and title in and to the '580 patent, including the sole and exclusive right to prosecute this action and enforce the '580 patent against infringers and to collect damages for all relevant times.

60. 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 '580 patent.

61. The claims of the '580 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.

62. The written description of the '580 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.

63. Savant has directly infringed the claims of the '580 patent by making, using, selling, offering to sell, importing into the United States, providing, supplying, or distributing the Accused Products.

64. For instance, Savant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '580 patent. As just one example, Savant, using the Accused Products and its associated hardware and software and functionalities, performs a method, comprising: identifying data associated with a common user of a personal digital gateway and of a communications device selected from a plurality of communications devices; locating remote data stored the selected communications device; querying to retrieve the remote data; integrating the data and the remote data; formatting the integrated data according to a presentation format associated with the selected communications device; and communicating the formatted, integrated data to at least one of the plurality of communications devices. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit C**.

65. IoT Innovations has been damaged as a result of the infringing conduct by Savant alleged above. Thus, Savant 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. 7,593,428**

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

67. 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* ’428 patent at p. 1.

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

69. 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.

70. 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 and functionalities that improve electronic communications by providing a for the detection and discarding of corrupted data in a data packet using additional checksums.

71. 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.

72. Savant has directly infringed the claims of the '428 patent by making, using, selling, offering to sell, importing into the United States, providing, supplying, or distributing the Accused Products.

73. For instance, Savant has directly infringed, either literally or under the doctrine of equivalents, at least claim 14 of the '428 patent. As just one example, Savant, using the Accused Products and their associated hardware and software and functionalities, performs a method comprising 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. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit D**.

74. IoT Innovations has been damaged as a result of the infringing conduct by Savant alleged above. Thus, Savant 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**

75. Plaintiff 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. 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* ’796 patent at p. 1.

77. 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.

78. 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.

79. 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.

80. 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.

81. Savant has directly infringed the claims of the ’796 patent by making, using, selling, offering for sale, importing into the United States, providing, supplying, or distributing the

Accused Products.

82. Savant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '796 patent, as detailed in Attachment E to Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit E**.

83. As just one example, as detailed in **Exhibit E**, Savant, using the Accused Products and their associated hardware and software and functionalities, 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.

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

85. 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 Savant's infringement of the '796 patent. Savant'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.

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

87. Upon information and belief, Savant has also indirectly infringed one or more claims of the '796 patent by inducing others to directly infringe said claims. *See* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; *see also* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

88. Savant has induced end-users, including, but not limited to, Savant's customers, 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.

89. Savant 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.

90. Such steps by Savant 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 on how to use the Accused Products in an infringing manner.

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

92. Savant's inducement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

93. Upon information and belief, Savant has also indirectly infringed by contributing to the infringement of the '796 patent.

94. Savant has contributed to the direct infringement of the '796 patent by their personnel, contractors, and customers.

95. 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.

96. 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.

97. Savant's contributory infringement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838->

[05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf](#).

98. Furthermore, on information and belief, Savant 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.

99. Savant'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 Savant.

100. Savant'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: INFRINGEMENT OF U.S. PATENT NO. 8,401,571**

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

102. The USPTO duly issued U.S. Patent No. 8,401,571 (hereinafter, the "'571 patent") on March 19, 2013 after full and fair examination of Application No. 10/534,012 which was filed on May 5, 2005, which claims priority to a PCT application, filed November 5, 2002. *See* '571 patent at 1. A Certificate of Correction was issued on March 11, 2014. *See id.* at 11.

103. IoT Innovations owns all substantial rights, interest, and title in and to the '571 patent, including the sole and exclusive right to prosecute this action and enforce it against infringers and to collect damages for all relevant times.

104. 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 '571 patent.

105. The claims of the '571 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 operation of previous devices and systems by using a posture of an apparatus to select a mode of presentation.

106. The written description of the '571 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.

107. Savant has directly infringed and continues to infringe the claims of the '571 patent making, using, selling, offering for sale, importing into the United States, providing, supplying, or distributing the Accused Products.

108. For instance, Savant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the '571 patent. As just one example of infringement, the Accused Products comprise an apparatus with at least one processing component configured to process data indicative of the current posture of said apparatus for enabling a posture related presentation of information to a user *via* an output component, said processing including selecting one of at least two different modes of presentation depending on said current posture of said apparatus. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit F**.

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

110. 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 Savant's infringement of the '571 patent. Savant'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.

111. Savant had knowledge of the '571 patent at least as of the date when it was notified of the filing of this action.

112. Upon information and belief, Savant has also indirectly infringed one or more claims of the '571 patent by inducing others to directly infringe said claims. *See* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; *see also* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>

113. Savant has induced end-users, including, but not limited to, Savant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '571 patent by providing or requiring use of the Accused Products.

114. Savant 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 '571 patent, including, for example, claim 1 of the '571 patent.

115. Such steps by Savant 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; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Savant Pro App on how to use the Accused Products in an infringing manner.

116. Savant is performing these steps, which constitute induced infringement with the knowledge of the '571 patent and with the knowledge that the induced acts constitute infringement. Savant is aware that the normal and customary use of the Accused Products by others would infringe the '571 patent.

117. Savant's inducement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

118. Upon information and belief, Savant has also indirectly infringed by contributing to the infringement of the '571 patent.

119. Savant has contributed to the direct infringement of the '571 patent by their personnel, contractors, and customers.

120. 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 '571 patent, including, for example, claim 1 of the '571 patent.

121. The special features constitute a material part of the invention of one or more of the

claims of the '571 patent and are not staple articles of commerce suitable for substantial non-infringing use.

122. Savant's contributory infringement is ongoing. *See, e.g.*, SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

123. Furthermore, on information and belief, Savant 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.

124. Savant'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 Savant.

125. Savant's direct infringement of one or more claims of the '571 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

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

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

127. 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* '576 patent at p. 1.

128. 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.

129. 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.

130. 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 and functionalities that improve upon the function, operation, and security communications devices and networks by employing an improved network protocol that enables the establishment of a known, persistent relationship between a mobile wireless device and a wireless network that allows the device to communicate over the network absent further configuration once the relationship has been established.

131. 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.

132. Savant has directly infringed and continues to infringe the claims of the '576 patent by making, using, selling, offering to sell, importing into the United States, providing, supplying, or distributing the Accused Products.

133. For instance, Savant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 1 of the '576 patent. As just one example of infringement, Savant, 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, comprising; (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. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit G**.

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

135. 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 Savant's infringement of the '576 patent. Savant'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.

136. Savant had knowledge of the '576 patent at least as of the date when it was notified of the filing of this action.

137. Upon information and belief, Savant has also indirectly infringed one or more claims of the '576 patent by inducing others to directly infringe said claims. *See* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; *see also* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

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

139. Savant 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.

140. Such steps by Savant 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 Savant Pro App on how to use the Accused Products in an infringing manner.

141. Savant 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.

142. Savant is aware that the normal and customary use of the Accused Products by others would infringe the '576 patent.

143. Savant's inducement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

144. Upon information and belief, Savant has also indirectly infringed by contributing to the infringement of the '576 patent.

145. Savant has contributed to the direct infringement of the '576 patent by their personnel, contractors, and customers.

146. 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.

147. 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.

148. Savant's contributory infringement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

149. Furthermore, on information and belief, Savant 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.

150. Savant'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 Savant.

151. Savant'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.

**COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. RE44742**

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

153. The USPTO duly issued U.S. Patent No. RE44,742 (hereinafter, the "'742 patent") on February 4, 2014 after full and fair examination of Application No. 13/542,351 which was filed on July 5, 2012. *See* '742 patent at 1. The '724 patent is a reissue of U.S. Patent No. 7,751,533. *See id.* at 12.

154. IoT Innovations owns all substantial rights, interest, and title in and to the '742 patent, including the sole and exclusive right to prosecute this action and enforce the '742 patent against infringers and to collect damages for all relevant times.

155. 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 '742 patent.

156. The claims of the '742 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 preexisting template-based

messaging systems.

157. The written description of the '742 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.

158. Savant has directly infringed and continues to infringe the claims of the '742 patent by making, using, selling, offering for sale, importing into the United States, providing, supplying, or distributing the Accused Products.

159. For instance, Savant has directly infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claim 22 of the '742 patent. As just one example of infringement, Savant, using the Accused Products and their associated hardware and software and functionalities, performs a method comprising determining, by a processing device, a message to be generated from a message template; automatically populating, by the processing device, a dynamic field of the message template with message context data in response to the determination; and sending, by the processing device, the message having the message context data in the dynamic field of the message template to a remote device. *See, e.g.*, Plaintiff's Evidence of Use, which is incorporated by reference herein and attached as **Exhibit H**.

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

161. 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 Savant's infringement of the '742 patent. Savant'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.

162. Savant had knowledge of the '742 patent at least as of the date when it was notified of the filing of this action.

163. Upon information and belief, Savant has also indirectly infringed one or more claims of the '742 patent by inducing others to directly infringe said claims. *See* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; *see also* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

164. Savant has induced end-users, including, but not limited to, Savant's employees, partners, or contractors, to directly infringe, either literally or under the doctrine of equivalents, the '742 patent by providing or requiring use of the Accused Products.

165. Savant 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 '742 patent, including, for example, claim 22 of the '742 patent.

166. Such steps by Savant 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; and/or providing ongoing instructional and technical support to customer on its website and/or *via* the Savant Pro App on how to use the Accused Products in an infringing manner.

167. Savant is performing these steps, which constitute induced infringement with the knowledge of the '742 patent and with the knowledge that the induced acts constitute infringement.

168. Savant is aware that the normal and customary use of the Accused Products by others would infringe the '742 patent.

169. Savant's inducement is ongoing. *See, e.g.,* SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

170. Upon information and belief, Savant has also indirectly infringed by contributing to the infringement of the '742 patent.

171. Savant has contributed to the direct infringement of the '742 patent by their personnel, contractors, and customers.

172. 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 '742 patent, including, for example, claim 22 of the '742 patent.

173. The special features constitute a material part of the invention of one or more of the claims of the '742 patent and are not staple articles of commerce suitable for substantial non-

infringing use.

174. Savant's contributory infringement is ongoing. *See, e.g.*, SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>; SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20User%20Guides/009-1838-05%20Savant%20Pro%20App%20User%20Guide%20%5BVersion%209.4%20and%20Higher%5D.pdf>.

175. Furthermore, on information and belief, Savant 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.

176. Savant'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 Savant.

177. Savant's direct infringement of one or more claims of the '742 patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of IoT Innovations' rights under the patent.

### **JURY DEMAND**

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

### **PRAYER FOR RELIEF**

179. 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 '173 patent, the '796 patent, the '571 patent, the '576 patent, and the '742 patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of said patents 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 '173 patent, the '796 patent, the '571 patent, the '576 patent, and the '742 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: April 22, 2024

Respectfully submitted,

By: /s/ David S. Godkin

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*Attorneys for Plaintiff IOT INNOVATIONS LLC*

\* Admission *pro hac vice* anticipated

### **List Of Exhibits**

- A. Attachment A to Plaintiff's Evidence of Use Relating to U.S. Patent No. 7,246,173
- B. Attachment B to Plaintiff's Evidence of Use Relating to U.S. Patent No. 7,474,667
- C. Attachment C to Plaintiff's Evidence of Use Relating to U.S. Patent No. 7,567,580
- D. Attachment D to Plaintiff's Evidence of Use Relating to U.S. Patent No. 7,593,428
- E. Attachment E to Plaintiff's Evidence of Use Relating to U.S. Patent No. 8,085,796
- F. Attachment F to Plaintiff's Evidence of Use Relating to U.S. Patent No. 8,401,571
- G. Attachment G to Plaintiff's Evidence of Use Relating to U.S. Patent No. 8,972,576
- H. Attachment H to Plaintiff's Evidence of Use Relating to U.S. Patent No. RE44742

### **List Of Supportive Links**

- 1. U.S. Patent No. 7,246,173, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7246173>.
- 2. U.S. Patent No. 7,474,667, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7474667>.
- 3. U.S. Patent No. 7,567,580, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7567580>.
- 4. U.S. Patent No. 7,593,428, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7593428>.
- 5. U.S. Patent No. 8,085,796, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8085796>.
- 6. U.S. Patent No. 8,401,571, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8401571>.
- 7. U.S. Patent No. 8,972,576, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/8972576>.
- 8. U.S. Patent No. RE44742, USPTO.GOV, <https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/RE44742>.
- 9. SAVANT, <https://sav-documentation.s3.amazonaws.com/Product%20QRGs/009-2065-01%20Savant%20Touch%208%20Inch%20Control%20Screen%20V2%20QRG.pdf>.
- 10. SAVANT, <https://sav->

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