

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GEOTAB INC. and GEOTAB USA, INC.,

Plaintiffs,

v.

FLEET CONNECT SOLUTIONS LLC,

Defendant.

Civil Action No.

JURY TRIAL DEMANDED

**COMPLAINT FOR DECLARATORY JUDGMENT
OF PATENT NON-INFRINGEMENT**

Plaintiffs Geotab Inc. (“Geotab Canada”) and Geotab USA, Inc. (“Geotab USA”) (collectively, “Geotab” or “Plaintiffs”) files this action against Defendant Fleet Connect Solutions LLC (“FCS” or “Defendant”) for a declaratory judgment that Geotab does not infringe U.S. Patent Nos. 6,429,810 (“the ’810 Patent”); 6,549,583 (“the ’583 Patent”); 6,633,616 (“the ’616 Patent”); 6,647,270 (“the ’270 Patent”); 6,941,223 (“the ’223 Patent”); 6,961,586 (“the ’586 Patent”); 7,123,926 (“the ’926 Patent”); 7,206,837 (“the ’837 Patent”); 7,463,896 (“the ’896 Patent”); 7,599,715 (“the ’715 Patent”); 7,741,968 (“the ’968 Patent”); 7,742,388 (“the ’388 Patent”); 7,747,291 (“the ’291 Patent”); 8,005,053 (“the ’053 Patent”); 8,494,581 (“the ’581 Patent”); 8,565,734 (“the ’734 Patent”); 8,862,184 (“the ’184 Patent”); 9,299,044 (“the ’044 Patent”); 9,747,565 (“the ’565 Patent”); and 10,671,949 (“the ’949 Patent”) (the “Patents-in-Suit”), and in support thereof alleges the following:

NATURE OF THE ACTION

1. This action arises under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02, and the patent laws of the United States of America, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Plaintiff Geotab Canada, a global leader in telematics, is a Canadian corporation with its headquarters at 2440 Winston Park Drive, Oakville, Ontario, L6H 7V2, Canada. Plaintiff Geotab USA is a Delaware corporation with an agent for service at 1209 Orange St., Wilmington, Delaware 19801.

3. Defendant FCS is a limited liability company formed under the laws of Texas, with its principal place of business located at 90 E. Halsey Road, Suite 310, Parsippany, New Jersey 07054.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this controversy under 28 U.S.C. §§ 1331, 1332, 1338, 2201 and 2202.

5. This Court has personal jurisdiction over FCS.

6. FCS's principal place of business is located in Parsippany, New Jersey.

7. FCS's sole managing members, officers, and employees, Daniel Mitry and Timothy Salmon, reside in New Jersey.

8. On February 24, 2021, FCS registered as a foreign corporation in New Jersey, New Jersey Entity ID 0450610592. FCS identified its registered agent for service of process as Incorp Services, Inc., located at 208 West State Street, Trenton, New Jersey 08608-1002, and identified FCS's main business address as 90 E. Halsey Road, Suite 310, Parsippany, New Jersey 07054. Exhibit 25.

9. As of March 27, 2024, FCS was registered as "an active business in good standing in the State of New Jersey." Exhibit 26.

10. Since FCS's incorporation in April 2020, Messrs. Mitry and Salmon have resided in New Jersey. Mr. Mitry's current address is 30 10th Street Beach Haven, New Jersey 08008,

with his prior address as 144 Fairmount Road, Ridgewood, New Jersey 07450. Mr. Salmon's current address is 26 Emily Road, Far Hills, New Jersey 07931, with his prior address as 85 Berkeley Circle, Basking Ridge, New Jersey 07920.

11. On information and belief, FCS has no officers, employees, or agents other than Messrs. Mitry and Salmon. Both of them, and the above-referenced registered agent for service, all reside in New Jersey and have since FCS was founded.

12. On information and belief, FCS has no officers, members, or employees residing or working in the State of Texas.

13. On information and belief, FCS performed work and other business activities in New Jersey relating to its litigations against various defendants, including Geotab customers LKQ Corporation ("LKQ"), Enterprise Holdings, Inc. and Enterprise Fleet Management (collectively, "Enterprise"), Orkin, LLC ("Orkin") and Wheels, LLC ("Wheels") (all together, "Geotab Customers"). *See* Exhibits 21-24. Such litigation activities performed in New Jersey comprise at least a substantial portion of FCS's business activities, if not all of FCS's business activities. On information and belief, Messrs. Mitry and Salmon have never been physically present in Texas while conducting any of FCS's business activities relating to its litigations against Geotab Customers.

14. Accordingly, FCS has purposefully availed itself of the privilege of doing business in New Jersey. Moreover, by doing business in New Jersey, FCS has availed itself of the protections of New Jersey and has thereby subjected itself to the jurisdiction of this Court.

15. In addition, by registering to do business in New Jersey and by accepting service of process in this case through its registered agent in the state, FCS has consented to personal jurisdiction and to suit in the federal and state courts of New Jersey. *See, e.g.*, N.J. Stat. Ann. §§

14A:4-1, 14A:4-2, *et seq.*; N.J. Stat. Ann. § 14A:13-3, *et seq.*; New Jersey Court Rule 4:4-4, *et seq.*

16. On information and belief, FCS and/or Messrs. Mitry and Salmon possess and maintain information, records, and other evidence in this District relating to issues in this case, including the conception and patenting of the alleged inventions of the Patents-in-Suit.

17. Venue is proper in this district under, *inter alia*, 28 U.S.C. §§ 1391(b)-(c).

THE PATENTS-IN-SUIT

18. On August 6, 2002, the United States Patent and Trademark Office (“USPTO”) issued the ’810 Patent, entitled “Integrated Air Logistics System.” Mark Stephen De Roche is listed as the sole inventor on the face of the ’810 Patent. A copy of the ’810 Patent is attached as Exhibit 1 and is incorporated by reference.

19. On April 15, 2003, the USPTO issued the ’583 Patent, entitled “Optimum Phase Error Metric for OFDM Pilot Tone Tracking in Wireless LAN.” James A. Crawford is listed as the sole inventor on the face of the ’583 Patent. A copy of the ’583 Patent is attached as Exhibit 2 and is incorporated by reference.

20. On October 14, 2003, the USPTO issued the ’616 Patent, entitled “OFDM Pilot Tone Tracking for Wireless LAN.” James A. Crawford is listed as the sole inventor on the face of the ’616 Patent. A copy of the ’616 Patent is attached as Exhibit 3 and is incorporated by reference.

21. On November 11, 2003, the USPTO issued the ’270 Patent, entitled “Vehicletalk.” Richard B. Himmelstein is listed as the sole inventor on the face of the ’270 Patent. A copy of the ’270 Patent is attached as Exhibit 4 and is incorporated by reference.

22. On September 6, 2005, the USPTO issued the ’223 Patent, entitled “Method and System for Dynamic Destination Routing.” Robert Schuessler is listed as the sole inventor on the

face of the '223 Patent. A copy of the '223 Patent is attached as Exhibit 5 and is incorporated by reference.

23. On November 1, 2005, the USPTO issued the '586 Patent, entitled "Field Assessments Using Handheld Data Management Devices." Frank A. Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '586 Patent. A copy of the '586 Patent is attached as Exhibit 6 and is incorporated by reference.

24. On October 17, 2006, the USPTO issued the '926 Patent, entitled "System and Method for Providing Information to Users Based on the User's Location." Richard B. Himmelstein is listed as the sole inventor on the face of the '926 Patent. A copy of the '926 Patent is attached as Exhibit 7 and is incorporated by reference.

25. On April 17, 2007, the USPTO issued the '837 Patent, entitled "Intelligent Trip Status Notification." Doree Duncan Seligmann is listed as the sole inventor on the face of the '837 Patent. A copy of the '837 Patent is attached as Exhibit 8 and is incorporated by reference.

26. On December 9, 2008, the USPTO issued the '896 Patent, entitled "System and Method for Enforcing a Vehicle Code." Richard B. Himmelstein is listed as the sole inventor on the face of the '896 Patent. A copy of the '896 Patent is attached as Exhibit 9 and is incorporated by reference.

27. On October 6, 2009, the USPTO issued the '715 Patent, entitled "System and Method for Matching Wireless Devices." Richard B. Himmelstein is listed as the sole inventor on the face of the '715 Patent. A copy of the '715 Patent is attached as Exhibit 10 and is incorporated by reference.

28. On June 22, 2010, the USPTO issued the '968 Patent, entitled "System and Method for Navigation Tracking of Individuals in a Group." David H. Tannenbaum and Mary C.

Tannenbaum are listed as the inventors on the face of the '968 Patent. A copy of the '968 Patent is attached as Exhibit 11 and is incorporated by reference.

29. On June 22, 2010, the USPTO issued the '388 Patent, entitled "Packet Generation Systems and Methods." Daniel Shearer and Mark A. Webster are listed as the inventors on the face of the '388 Patent. A copy of the '388 Patent is attached as Exhibit 12 and is incorporated by reference.

30. On June 29, 2010, the USPTO issued the '291 Patent, entitled "Wireless Communication Method." Richard B. Himmelstein is listed as the sole inventor on the face of the '291 Patent. A copy of the '291 Patent is attached as Exhibit 13 and is incorporated by reference.

31. On August 23, 2011, the USPTO issued the '053 Patent, entitled "Channel Interference Reduction." Dominik J. Schmidt is listed as the sole inventor on the face of the '053 Patent. A copy of the '053 Patent is attached as Exhibit 14 and is incorporated by reference.

32. On July 23, 2013, the USPTO issued the '581 Patent, entitled "System and Methods for Management of Mobile Field Assets Via Wireless Handled Devices." Frank A. Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '581 Patent. A copy of the '581 Patent is attached as Exhibit 15 and is incorporated by reference.

33. On October 22, 2013, the USPTO issued the '734 Patent, entitled "Advanced Wireless Vehicle Services." Richard B. Himmelstein is listed as the sole inventor on the face of the '734 Patent. A copy of the '734 Patent is attached as Exhibit 16 and is incorporated by reference.

34. On October 14, 2014, the USPTO issued the '184 Patent, entitled "Systems and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices." Frank A.

Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '184 Patent. A copy of the '184 Patent is attached as Exhibit 17 and is incorporated by reference.

35. On March 29, 2016, the USPTO issued the '044 Patent, entitled "Systems and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices." Frank A. Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '044 Patent. A copy of the '044 Patent is attached as Exhibit 18 and is incorporated by reference.

36. On August 29, 2017, the USPTO issued the '565 Patent, entitled "Systems and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices." Frank A. Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '565 Patent. A copy of the '565 Patent is attached as Exhibit 19 and is incorporated by reference.

37. On June 2, 2020, the USPTO issued the '949 Patent, entitled "Systems and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices." Frank A. Barbosa and Luis M. Ortiz are listed as the inventors on the face of the '949 Patent. A copy of the '949 Patent is attached as Exhibit 20 and is incorporated by reference.

**DEFENDANT'S CLAIMS GIVE RISE TO A JUSTICIABLE
CONTROVERSY BETWEEN GEOTAB AND FCS**

38. FCS has filed multiple patent infringement lawsuits against Geotab Customers. In each litigation, FCS identifies Geotab devices, software, services, and tools as among the accused products. As detailed below, FCS alleges that Geotab Customers' provision or use of these Geotab products directly or indirectly infringes claims of the patents asserted in each case.

39. On November 29, 2023, FCS filed a complaint against LKQ in the Eastern District of Texas alleging patent infringement of the '810 Patent, '837 Patent, '583 Patent, '388 Patent, '270 Patent, '291 Patent, and the '581 Patent. *Fleet Connect Solutions, LLC v. LKQ Corp.*, C. A. No. 23-cv-00555 (EDTX) ("LKQ Litigation"), Dkt. No. 1. FCS subsequently

amended its complaint (“LKQ Amended Complaint”), dropping the ’837 Patent from that litigation, though FCS later asserted the ’837 Patent against Wheels, and it remains asserted in the litigation against Wheels. A copy of the LKQ Amended Complaint (*Id.*, Dkt. No. 16) is attached as Exhibit 21.

40. In the LKQ Amended Complaint, FCS alleges that LKQ Corporation’s use of “Geotab telematics devices, or ‘Geotab GO Devices’ (any and current, predecessor, and successor models, names, or releases) with MyGeotab Portal,... EV Suitability Assessment (EVSA) instrumentalities, [and] Software Development Kits (‘SKDs’),” infringes at least one of the claims of each of the patents asserted in the LKQ Litigation. Ex. 21, 7.

41. Specifically, FCS alleges that LKQ Corporation’s use of Geotab products directly infringes claims 1, 2-18, 20-25, 27, 28, 30-41, and 43-48 of the ’810 Patent, claims 1, 3, 4, 13-15, and 25 of the ’583 Patent, claims 1, 3-5, 9-13, and 15-18 of the ’270 Patent, claims 1, 3-5, 7-9, 11, 12, 20, 28 of the ’388 Patent, claims 1, 2, 3, 5-8, 13-18, and 20-22 of the ’291 Patent, and claims 21-22 of the ’581 Patent. Ex. 21, 30. FCS also alleges that LKQ Corporation has induced and continues to induce infringement of at least claim 1 of the ’388 Patent, at least claim 1 of the ’270 Patent, and at least claim 1 of the ’291 Patent by providing or requiring use of the accused Geotab devices, software, and tools. Ex. 21, 14-15, 17-18, 20-22.

42. On March 1, 2024, FCS filed a complaint against Enterprise in the Western District of Texas alleging patent infringement of the ’810 Patent, ’053 Patent, ’184 Patent, ’223 Patent, ’586 Patent, ’616 Patent, ’896 Patent, and the ’270 Patent. *Fleet Connect Solutions, LLC v. Enterprise Holdings, et al.*, C. A. No. 24-cv-00116-ADA (WDTX) (“Enterprise Litigation”), Dkt. No. 1. A copy of the complaint is attached as Exhibit 22.

43. In the Enterprise Litigation, FCS defines the accused products as “Geotab

telematics devices, including Geotab GO Devices such as the GO7, GO9, GO9 RUGGED, GO9+ and compatible Geotab Input Output Expanders (“IOX”) (and any and all predecessor and successor models, names, or releases) with Electronic Logging Device (“ELD”), Hours of Service (“HOS”), and Driver-Vehicle Inspection Report (“DVIR”) tools, MyGeotab fleet management software, Geotab Drive, the Enterprise Fleet Management Portal, the eFleets client portal, the eFleets Mobile app, and associated hardware, software, and functionality.” Ex. 22, 5. FCS alleges that the Enterprise Litigation defendant’s use of Geotab devices, tools, and software in their vehicles infringe at least one of the claims of each of the patents asserted in the litigation. *Id.*, 5-12.

44. Specifically, FCS alleges that the Enterprise Litigation defendants’ use of the accused Geotab devices, tools, and software directly infringes at least claim 1 of the ’810 Patent, at least claim 10 of the ’053 Patent, at least claim 1 of the ’184 Patent, at least claim 19 of the ’223 Patent, at least claim 12 of the ’616 Patent, at least claim 1 of the ’896 Patent, and at least claim 1 of the ’270 Patent. *Id.*, 14-26.

45. On March 6, 2024, FCS filed a complaint against Orkin in the Eastern District of Texas alleging patent infringement of the ’926 Patent, ’715 Patent, ’968 Patent, ’291 Patent, ’734 Patent, ’044 Patent, ’565 Patent, and the ’949 Patent. *Fleet Connect Solutions LLC v. Orkin, LLC*, C. A. No. 24-cv-00157-JRG-RSP (EDTX) (“Orkin Litigation”). A copy of the complaint is attached as Exhibit 23.

46. In the Orkin Litigation, FCS defines the accused products as “Geotab telematics devices, including Geotab GO Devices such as the GO7, GO9, GO9+, and compatible Geotab Input Output Expanders (‘IOX’) (and any and all predecessor and successor models, names, or releases) with MyGeotab fleet management software, Geotab Drive, and associated hardware,

software, applications, and functionality.” Ex. 23, 5. FCS alleges that Orkin is directly infringing at least claim 1 of the ’926 Patent, at least claim 31 of the ’715 Patent, at least claim 1 of the ’968 Patent, at least claim 1 of the ’291 Patent, at least claim 5 of the ’734 Patent, at least claim 1 of the ’044 Patent, at least claim 1 of the ’565 Patent, and at least claim 1 of the ’949 Patent by using the accused Geotab devices, software, and tools. *Id.*, 8-23. FCS also alleges that Orkin, LLC is inducing infringement of the ’968 Patent by providing or requiring the use of the accused Geotab devices, software, and tools. *Id.*, 14.

47. On April 12, 2024, FCS filed a complaint against Wheels in the Northern District of Georgia alleging patent infringement of the ’616 Patent, ’223 Patent, ’586 Patent, ’837 Patent, ’896 Patent, ’715 Patent, ’968 Patent, ’053 Patent, and the ’184 Patent. *Fleet Connect Solutions LLC v. Wheels, LLC*, C. A. No. 24-cv-01563-JPB (ND Ga.) (“Wheels Litigation”). A copy of the complaint is attached as Exhibit 24.

48. In the Wheels Litigation, FCS includes the “Geotab telematics devices or ‘Geotab GO Devices’ (any and current, predecessor, and successor models, names, or releases) with MyGeotab Portal,... EV Suitability Assessment (EVSA) instrumentalities, [and] Software Development Kits (‘SDKs’)” among the products accused of infringement. Ex. 24, 6-7. FCS goes on to allege that Wheels, LLC’s use of the Geotab accused devices, software, and tools practices at least one claim of each of the patents asserted in the Wheels Litigation. *Id.*, 8-33.

49. Specifically, FCS alleges that Wheels’s use of the Geotab devices, software, and tools infringes at least claim 12 of the ’616 Patent, at least claim 19 of the ’223 Patent, at least claim 9 of the ’586 Patent, at least claim 1 of the ’837 Patent, at least claim 1 of the ’896 Patent, at least claim 31 of the ’715 Patent, at least claim 1 of the ’968 Patent, at least claim 10 of the ’053 Patent, at least claim 1 of the ’184 Patent. *Id.*, 10-33. FCS also alleges that that Wheels is

inducing others to infringe at least claim 1 of the '837 and at least claim 1 of the '968 Patent by providing or requiring use of Geotab's accused devices, software, and tools. *Id.*, 17-18, 27-28.

50. FCS's assertions that Geotab Customers infringe the Patents-in-Suit as a result of devices, software, tools, and functionality provided by Geotab described above (collectively, the "Accused Products") are tantamount to allegations that Geotab's own products infringe the Patents-in-Suit.

51. An actual and justiciable controversy exists between Geotab and FCS as to whether or not Geotab has infringed any claims of the Patents-in-Suit, directly or indirectly.

COUNT I
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,429,810

52. Geotab repeats and incorporates by reference the allegations of paragraphs 1-51 above as if fully set forth herein.

53. There is an actual controversy between Geotab and FCS as to alleged infringement of the '810 Patent.

54. None of the Accused Products infringe or have infringed any of the claims of the '810 Patent.

55. Exemplary claim 1 of the '810 Patent recites:

Limitation	Claim Language
[1Pre]	A method of providing container status information to a user, the method comprising of the steps of:
[1A]	attaching an electronic communications unit to a shipping container;
[1B]	generating a transaction identification code, wherein said transaction identification code is specific to said shipping container and specific to at least one user transaction;

Limitation	Claim Language
[1C]	initiating a status inquiry utilizing said transaction identification code, wherein said user performs said initiating step;
[1D]	receiving said status inquiry by a ground communications system;
[1E]	transmitting said status inquiry to said electronic communications unit by said ground communications system;
[1F]	obtaining a status information response by said electronic communications unit;
[1G]	transmitting said status information response to said ground communications system by said electronic communications unit; and
[1H]	forwarding said status information response to said user by said ground communications system.

56. Geotab has not infringed and does not infringe any claims of the '810 Patent, including without limitation at least claims 1-18, 20-25, 27-28, 30-41, and 43-48, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

57. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '810 Patent, including without limitation at least claims 1-18, 20-25, 27-28, 30-41, and 43-48.

58. By way of example, the Accused Products do not satisfy at least limitations [1A]-[1C] of claim 1 of the '810 Patent.

59. All of the claims of the '810 Patent either recite limitations corresponding to limitations [1A]-[1C], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed.

Therefore, Geotab does not infringe and has not infringed any of the claims of the '810 Patent for at least the same reasons described above for claim 1.

60. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '810 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '810 Patent.

61. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '810 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

62. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '810 Patent, including without limitation at least claims 1-18, 20-25, 27-28, 30-41, and 43-48. Accordingly, Geotab seeks a judgment declaring that the claims of the '810 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT II
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,549,583

63. Geotab repeats and incorporates by reference the allegations of paragraphs 1-62 above as if fully set forth herein.

64. There is an actual controversy between Geotab and FCS as to alleged infringement of the '583 Patent.

65. None of the Accused Products infringe or have infringed any of the claims of the '583 Patent.

66. Exemplary claim 1 of the '583 Patent recites:

Limitation	Claim Language
[1Pre]	A method of pilot phase error estimation in an orthogonal frequency division multiplexed (OFDM) receiver comprising:
[1A]	determining pilot reference points corresponding to a plurality of pilots of an OFDM preamble waveform; and
[1B]	estimating an aggregate phase error of a subsequent OFDM data symbol relative to the pilot reference points using complex signal measurements corresponding to each of the plurality of pilots of the subsequent OFDM data symbol and the pilot reference points;
[1C]	wherein the estimating step comprises performing a maximum likelihood-based estimation using the complex signal measurements corresponding to each of the plurality of pilots of the subsequent OFDM data symbol and the pilot reference points.

67. Geotab has not infringed and does not infringe any claims of the '583 Patent, including without limitation at least claims 1, 3-4, 13-15, and 25, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

68. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '583 Patent, including without limitation at least claims 1, 3-4, 13-15, and 25.

69. By way of example, the Accused Products do not satisfy at least limitations [1B] and/or [1C] of claim 1 of the '583 Patent.

70. All of the claims of the '583 Patent either recite limitations corresponding to limitations [1B] and/or [1C], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '583 Patent for

at least the same reasons described above for claim 1.

71. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab’s alleged infringement of the ’583 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the ’583 Patent.

72. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the ’583 Patent, including its rights to manufacture, use, offer to sell, and/or import from and/or to this judicial district the Accused Products.

73. Geotab is entitled to a declaration that it has not and does not infringe any claim of the ’583 Patent, including without limitation at least claims 1, 3-4, 13-15, and 25.

Accordingly, Geotab seeks a judgment declaring that the claims of the ’583 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT III
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,633,616

74. Geotab repeats and incorporates by reference the allegations of paragraphs 1-73 above as if fully set forth herein.

75. There is an actual controversy between Geotab and FCS as to alleged infringement of the ’616 Patent.

76. None of the Accused Products infringe or have infringed any of the claims of the ’616 Patent.

77. Exemplary claim 12 of the ’616 Patent recites:

Limitation	Claim Language
[12Pre]	A method of pilot phase error estimation in an orthogonal frequency division multiplexed (OFDM) receiver comprising:

Limitation	Claim Language
[12A]	determining pilot reference points corresponding to a plurality of pilots of an OFDM preamble waveform;
[12B]	processing, in a parallel path to the determining step, the OFDM preamble waveform with a fast Fourier transform;
[12C]	determining a phase error estimate of a subsequent OFDM symbol relative to the pilot reference points; and
[12D]	processing, in the parallel path to the determining step, the subsequent OFDM symbol with the fast Fourier transform;
[12E]	wherein the determining the phase error estimate step is completed prior to the completion of the processing the subsequent OFDM symbol with the fast Fourier transform in the parallel path.

78. Geotab has not infringed and does not infringe any claims of the '616 Patent, including without limitation at least claim 12, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

79. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '616 Patent, including without limitation at least claim 12.

80. By way of example, the Accused Products do not satisfy at least limitations [12B] and/or [12D] of claim 12 of the '616 Patent.

81. All of the claims of the '616 Patent either recite limitations corresponding to limitations [12B] and/or [12D], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '616 Patent for at least the same reasons described above for claim 12.

82. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab’s alleged infringement of the ’616 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the ’616 Patent.

83. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the ’616 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

84. Geotab is entitled to a declaration that it has not and does not infringe any claim of the ’616 Patent, including without limitation at least claim 12. Accordingly, Geotab seeks a judgment declaring that the claims of the ’616 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT IV
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,647,270

85. Geotab repeats and incorporates by reference the allegations of paragraphs 1-84 above as if fully set forth herein.

86. There is an actual controversy between Geotab and FCS as to alleged infringement of the ’270 Patent.

87. None of the Accused Products infringe or have infringed any of the claims of the ’270 Patent.

88. Exemplary claim 1 of the ’270 Patent recites:

Limitation	Claim Language
[1PRE]	A system for transmitting voice or data communications comprising a plurality of data packets between a plurality of remote units, each remote unit having a unique identifier; whereby each remote unit includes:

Limitation	Claim Language
[1A]	a memory for storing a unique identifier;
[1B]	a transceiver for receiving a wireless communication and downconverting said received communication from RF to baseband, and for upconverting a baseband communication to RF for transmission as a transmit wireless communication;
[1C]	a GPS receiver, for outputting a position signal;
[1D]	a microprocessor, for receiving said position signal and said downconverted communication, and for generating said baseband communication;
[1Di]	whereby said microprocessor generates said baseband communication by constructing said data packets from a plurality of data fields, including sender information and receiver information,
[1Dii]	whereby said sender information includes: the unique identifier of the sender, and information derived from said position signal;
[1Diii]	and whereby said receiver information includes: the address of the desired remote unit.

89. Geotab has not infringed and does not infringe any claims of the '270 Patent, including without limitation at least claims 1, 3-5, 9-13, and 15-18, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

90. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '270 Patent, including without limitation at least claims 1, 3-5, 9-13, and 15-18.

91. By way of example, the Accused Products do not satisfy at least limitations [1A]–[1Di] of claim 1 of the '270 Patent.

92. All of the claims of the '270 Patent either recite limitations corresponding to limitations [1A]-[1Di], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '270 Patent for at least the same reasons described above for claim 1.

93. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '270 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '270 Patent.

94. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '270 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

95. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '270 Patent, including without limitation at least claims 1, 3-5, 9-13, and 15-18. Accordingly, Geotab seeks a judgment declaring that the claims of the '270 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT V
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,941,223

96. Geotab repeats and incorporates by reference the allegations of paragraphs 1-95 above as if fully set forth herein.

97. There is an actual controversy between Geotab and FCS as to alleged infringement of the '223 Patent.

98. None of the Accused Products infringe or have infringed any of the claims of the '223 Patent.

99. Exemplary claim 19 of the '223 Patent recites:

Limitation	Claim Language
[19Pre]	A method for destination routing of a vehicle, the method comprising the acts of:
[19A]	determining, based on static information, an optimal route;
[19B]	receiving additional information;
[19C]	determining, based on a comparison of real travel parameters of the vehicle with travel parameters associated with the optimal route, whether the optimal route remains optimal; and
[19D]	determining a new optimal route when the optimal route does not remain optimal, wherein the new optimal route is determined using the additional information, wherein the travel parameters include at least one of travel time and traveled distance.

100. Geotab has not infringed and does not infringe any claims of the '223 Patent, including without limitation at least claim 19, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

101. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '223 Patent, including without limitation at least claim 19.

102. By way of example, the Accused Products do not satisfy at least limitations [19C]-[19D] of claim 19 of the '223 Patent.

103. All of the claims of the '223 Patent either recite limitations corresponding to limitations [19C]-[19D], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore,

Geotab does not infringe and has not infringed any of the claims of the '223 Patent for at least the same reasons described above for claim 19.

104. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '223 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '223 Patent.

105. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '223 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

106. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '223 Patent, including without limitation at least claim 19. Accordingly, Geotab seeks a judgment declaring that the claims of the '223 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT VI
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 6,961,586

107. Geotab repeats and incorporates by reference the allegations of paragraphs 1-106 above as if fully set forth herein.

108. There is an actual controversy between Geotab and FCS as to alleged infringement of the '586 Patent.

109. None of the Accused Products infringe or have infringed any of the claims of the '586 Patent.

110. Exemplary claim 9 of the '586 Patent recites:

Limitation	Claim Language
[9Pre]	A method of conducting a field assessment using a handheld data management device, comprising:
[9A]	providing a hand held data management device user performing as a field assessor access to a[n] industry specific field assessment program module for enabling the field assessor to execute at least one of the following field assessments: construction industry project analysis, HVAC system analysis; project management, equipment readiness, system and equipment troubleshooting, remote inventory tracking and ordering, conducting legal investigations in the field, and multi-users remote function coordination;
[9B]	executing said program module to conduct the field assessment;
[9C]	providing field-specific information required by said program module for said program module to render data in support of said field assessment; and
[9D]	retrieving data through said handheld data management device in support of said field assessment.

111. Geotab has not infringed and does not infringe any claims of the '586 Patent, including without limitation at least claim 9, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

112. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '586 Patent, including without limitation at least claim 9.

113. By way of example, the Accused Products do not satisfy at least limitation [9C] of claim 9 of the '586 Patent.

114. All of the claims of the '586 Patent either recite limitations corresponding to limitation [9C], or depend from a claim that recites these limitations. Dependent claims cannot

be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '586 Patent for at least the same reasons described above for claim 9.

115. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '586 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '586 Patent.

116. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '586 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

117. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '586 Patent, including without limitation at least claim 9. Accordingly, Geotab seeks a judgment declaring that the claims of the '586 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT VII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,123,926

118. Geotab repeats and incorporates by reference the allegations of paragraphs 1-117 above as if fully set forth herein.

119. There is an actual controversy between Geotab and FCS as to alleged infringement of the '926 Patent.

120. None of the Accused Products infringe or have infringed any of the claims of the '926 Patent.

121. Exemplary claim 1 of the '926 Patent recites:

Limitation	Claim Language
[1Pre]	A method for alerting a remote user to an emergency situation via a mobile unit installed in a vehicle, comprising:
[1A]	determining a geographic location of the mobile unit;
[1B]	determining an identity of the vehicle based on a unique identification stored in the mobile unit;
[1C]	determining a priority level associated with the emergency situation;
[1D]	assembling a header of a communication, the header including the geographic location of the mobile unit, the identity of the vehicle and the priority level, the header capable of being processed upon receipt by a second mobile unit to alert the remote user of the second mobile unit of the emergency situation based on the geographic location of the mobile unit, the identity of the vehicle and the priority level; and
[1E]	transmitting the communication to the second mobile unit.

122. Geotab has not infringed and does not infringe any claims of the '926 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

123. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '926 Patent, including without limitation at least claim 1.

124. By way of example, the Accused Products do not satisfy at least limitation [1D] of claim 1 of the '926 Patent.

125. All of the claims of the '926 Patent either recite limitations corresponding to limitation [1D], or depend from a claim that recites these limitations. Dependent claims cannot

be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '926 Patent for at least the same reasons described above for claim 1.

126. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '926 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '926 Patent.

127. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '926 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

128. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '926 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '926 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT VIII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,206,837

129. Geotab repeats and incorporates by reference the allegations of paragraphs 1-128 above as if fully set forth herein.

130. There is an actual controversy between Geotab and FCS as to alleged infringement of the '837 Patent.

131. None of the Accused Products infringe or have infringed any of the claims of the '837 Patent.

132. Exemplary claim 1 of the '837 Patent recites:

Limitation	Claim Language
[1Pre]	A method comprising:
[1A]	(i) receiving a location of a mobile communication device that is in transit to a destination;
[1B]	(ii) estimating the time-of-arrival bounds for said mobile communication device at said destination for a confidence interval based on:
[1Bi]	(a) said location, and
[1Bii]	(b) at least one historical travel time statistic: and
[1C]	(iii) sending the time-of-arrival bounds to said mobile communications device.

133. Geotab has not infringed and does not infringe any claims of the '837 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

134. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '837 Patent, including without limitation at least claim 1.

135. By way of example, the Accused Products do not satisfy at least limitation [1B] of claim 1 of the '837 Patent.

136. All of the claims of the '837 Patent either recite limitations corresponding to limitation [1B], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab

does not infringe and has not infringed any of the claims of the '837 Patent for at least the same reasons described above for claim 1.

137. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '837 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '837 Patent.

138. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '837 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

139. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '837 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '837 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT IX
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,463,896

140. Geotab repeats and incorporates by reference the allegations of paragraphs 1-139 above as if fully set forth herein.

141. There is an actual controversy between Geotab and FCS as to alleged infringement of the '896 Patent.

142. None of the Accused Products infringe or have infringed any of the claims of the '896 Patent.

143. Exemplary claim 1 of the '896 Patent recites:

Limitation	Claim Language
[1Pre]	A method for enforcing a vehicle code, comprising:
[1A]	receiving a wireless communication signal by a first mobile unit having a unique identifier, the wireless communication signal transmitted by a second mobile unit associated with a vehicle;
[1B]	downconverting data in the received wireless communication signal from radio frequency to baseband;
[1C]	determining based on the downconverted data: a vehicle identifier associated with the vehicle, and a GPS position associated with the vehicle;
[1D]	determining by a system administrator a status of the vehicle using the vehicle identifier to monitor the vehicle for code enforcement, wherein the determining the status includes parsing the received wireless communication signal to determine the status of the vehicle;
[1E]	generating baseband message data indicating the status by constructing at least one data packet from a plurality of data fields, the data fields including the unique identifier of the first mobile unit and the vehicle identifier; and
[1F]	upconverting the baseband message data to radio frequency for transmission to the second mobile unit, thereby transmitting the upconverted baseband message data indicating the status of the vehicle.

144. Geotab has not infringed and does not infringe any claims of the '896 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

145. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '896 Patent, including without limitation at least claim 1.

146. By way of example, the Accused Products do not satisfy at least limitations [1A], [1C], and/or [1E] of claim 1 of the '896 Patent.

147. All of the claims of the '896 Patent either recite limitations corresponding to limitations [1A], [1C], and/or [1E], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '896 Patent for at least the same reasons described above for claim 1.

148. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '896 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '896 Patent.

149. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '896 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

150. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '896 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '896 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT X
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,599,715

151. Geotab repeats and incorporates by reference the allegations of paragraphs 1-150 above as if fully set forth herein.

152. There is an actual controversy between Geotab and FCS as to alleged infringement of the '715 Patent.

153. None of the Accused Products infringe or have infringed any of the claims of the '715 Patent.

154. Exemplary claim 31 of the '715 Patent recites:

Limitation	Claim Language
[31Pre]	A method of tracking vehicle maintenance information by a wireless communication system, comprising:
[31A]	receiving a signal transmitted by a vehicle comprising a mobile unit, the signal comprising a vehicle identifier and a status of the vehicle;
[31B]	storing the signal in a first communication log, the first communication log including the vehicle identifier, a transmission time, a transmission date, and the status;
[31C]	determining maintenance information associated with the vehicle, the determining comprises parsing the signal to determine the vehicle identifier and the status;
[31D]	constructing a communication comprising at least one communication packet, the at least one communication packet comprising the maintenance information, an address, and an identification of the vehicle;
[31E]	forwarding the at least one communication packet to a router;
[31F]	transmitting the at least one communication packet over the Internet by the router via the address; and
[31G]	storing the communication through the Internet in a second communication log.

155. Geotab has not infringed and does not infringe any claims of the '715 Patent, including without limitation at least claim 31, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

156. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '715 Patent, including without limitation at least claim 31.

157. By way of example, the Accused Products do not satisfy at least limitation [31C] of claim 31 of the '715 Patent.

158. All of the claims of the '715 Patent either recite limitations corresponding to limitation [31C], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '715 Patent for at least the same reasons described above for claim 31.

159. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '715 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '715 Patent.

160. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '715 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

161. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '715 Patent, including without limitation at least claim 31. Accordingly, Geotab seeks a judgment declaring that the claims of the '715 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XI
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,741,968

162. Geotab repeats and incorporates by reference the allegations of paragraphs 1-161 above as if fully set forth herein.

163. There is an actual controversy between Geotab and FCS as to alleged infringement of the '968 Patent.

164. None of the Accused Products infringe or have infringed any of the claims of the '968 Patent.

165. Exemplary claim 1 of the '968 Patent recites:

Limitation	Claim Language
[1Pre]	A method of tracking a plurality of portable devices, said method comprising:
[1A]	creating a select group of target portable devices in association with a master portable device;
[1B]	establishing at said master portable device the current geographical positions of said selected group of target portable devices;
[1C]	displaying on said master device said established geographical positions of each said target device;
[1D]	sending from said master device to at least one of said target devices, convergence navigational instructions designed to facilitate convergence between said at least one target device and said master device; and
[1E]	generating ETAs pertaining to said convergence between said one target device and said master device.

166. Geotab has not infringed and does not infringe any claim of the '968 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

167. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '968 Patent, including without limitation at least claim 1.

168. By way of example, the Accused Products do not satisfy at least limitation [1E] of claim 1 of the '968 Patent.

169. All of the claims of the '968 Patent either recite limitations corresponding to limitation [1E], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '968 Patent for at least the same reasons described above for claim 1.

170. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '968 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '968 Patent.

171. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '968 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

172. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '968 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '968 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,742,388

173. Geotab repeats and incorporates by reference the allegations of paragraphs 1-172 above as if fully set forth herein.

174. There is an actual controversy between Geotab and FCS as to alleged infringement of the '388 Patent.

175. None of the Accused Products infringe or have infringed any of the claims of the '388 Patent.

176. Exemplary claim 1 of the '388 Patent recites:

Limitation	Claim Language
[1Pre]	A method comprising:
[1A]	generating a packet with a size corresponding to a protocol used for a network transmission, wherein the packet comprises a preamble having a first training symbol and a second training symbol;
[1B]	increasing the size of the packet by adding subcarriers to the second training symbol of the packet to produce an extended packet, wherein a quantity of subcarriers of the second training symbol is greater than a quantity of subcarriers of the first training symbol; and
[1C]	transmitting the extended packet from an antenna.

177. Geotab has not infringed and does not infringe any claim of the '388 Patent, including without limitation at least claims 1, 3-5, 7-9, 11-12, 20 and 28, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

178. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '388 Patent, including without limitation at least claims 1, 3-5, 7-9, 11-12, 20 and 28.

179. By way of example, the Accused Products do not satisfy at least limitation [1B] of claim 1 of the '388 Patent.

180. All of the claims of the '388 Patent either recite limitations corresponding to limitation [1B], or depend from a claim that recites these limitations. Dependent claims cannot

be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '388 Patent for at least the same reasons described above for claim 1.

181. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '388 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '388 Patent.

182. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '388 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and /or to this judicial district the Accused Products.

183. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '388 Patent, including without limitation at least claims 1, 3-5, 7-9, 11-12, 20 and 28. Accordingly, Geotab seeks a judgment declaring that the claims of the '388 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XIII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 7,747,291

184. Geotab repeats and incorporates by reference the allegations of paragraphs 1-183 above as if fully set forth herein.

185. There is an actual controversy between Geotab and FCS as to alleged infringement of the '291 Patent.

186. None of the Accused Products infringe or have infringed any of the claims of the '291 Patent.

187. Exemplary claim 1 of the '291 Patent recites:

Limitation	Claim Language
[1Pre]	A method of wirelessly interconnecting a vehicle with a mobile unit and a website, the method comprising:
[1A]	broadcasting a short range communication link from the vehicle comprising a transceiver to the mobile unit wherein the short range communication link is a first communication link;
[1B]	determining by the vehicle if the first communication link with the mobile unit is authorized;
[1C]	establishing a second communication link between the vehicle and the website;
[1D]	receiving a communication from the mobile unit, by the vehicle, the communication comprising information to be stored at the website;
[1E]	uploading the communication from the vehicle to the website;
[1F]	receiving by the vehicle a confirmation that the communication was received by the website; and
[1G]	sending the confirmation from the vehicle to the mobile unit.

188. Geotab has not infringed and does not infringe any claim of the '291 Patent, including without limitation at least claims 1, 2-3, 5-8, 13-18, and 20-22, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

189. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '291 Patent, including without limitation at least claims 1, 2-3, 5-8, 13-18, and 20-22.

190. By way of example, the Accused Products do not satisfy at least limitations [1D] and/or [1E] of claim 1 of the '291 Patent.

191. All of the claims of the '291 Patent either recite limitations corresponding to limitations [1D] and/or [1E], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '291 Patent for at least the same reasons described above for claim 1.

192. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '291 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '291 Patent.

193. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '291 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

194. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '291 Patent, including without limitation at least claims 1, 2-3, 5-8, 13-18, and 20-22. Accordingly, Geotab seeks a judgment declaring that the claims of the '291 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XIV
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 8,005,053

195. Geotab repeats and incorporates by reference the allegations of paragraphs 1-194 above as if fully set forth herein.

196. There is an actual controversy between Geotab and FCS as to alleged infringement of the '053 Patent.

197. None of the Accused Products infringe or have infringed any of the claims of the '053 Patent.

198. Exemplary claim 10 of the '053 Patent recites:

Limitation	Claim Language
[10Pre]	A method comprising:
[10A]	a communication device storing data encoded for a plurality of different wireless protocols, the communication device including a plurality of wireless transceivers, each of which is configured to transmit data according to a corresponding one of the plurality of different wireless protocols;
[10B]	the communication device selecting one of the plurality of different wireless protocols;
[10C]	the communication device encoding data of an unselected one of the plurality of different wireless protocols into the selected wireless protocol; and
[10D]	the communication device transmitting the encoded data using the one of the plurality of wireless transceivers corresponding to the selected wireless protocol.

199. Geotab has not infringed and does not infringe any claim of the '053 Patent, including without limitation at least claim 10, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

200. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '053 Patent, including without limitation at least claim 10.

201. By way of example, the Accused Products do not satisfy at least limitation [10A] of claim 10 of the '053 Patent.

202. All of the claims of the '053 Patent either recite limitations corresponding to

limitation [10A], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '053 Patent for at least the same reasons described above for claim 10.

203. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '053 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '053 Patent.

204. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '053 Patent, including its rights to manufacture, use, offer to sell, sell and/or import from and/or to this judicial district the Accused Products.

205. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '053 Patent, including without limitation at least claim 10. Accordingly, Geotab seeks a judgment declaring that the claims of the '053 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XV
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 8,494,581

206. Geotab repeats and incorporates by reference the allegations of paragraphs 1-205 above as if fully set forth herein.

207. There is an actual controversy between Geotab and FCS as to alleged infringement of the '581 Patent.

208. None of the Accused Products infringe or have infringed any of the claims of the '581 Patent.

209. FCS asserts dependent claims 21-22 of the '581 Patent, both of which depend from unasserted claim 18, which was cancelled in *ex parte* reexamination number 90/014,071:

Limitation	Claim Language
[18Pre] [Unasserted and cancelled]	An apparatus, comprising:
[18A] [Unasserted and cancelled]	means for establishing a two-way communication channel between a server and at least one handheld device located at a field geographically distant from the server;
[18B] [Unasserted and cancelled]	means for accessing a program stored at the server to enable an assessment at the field using the at least one handheld device;
[18C] [Unasserted and cancelled]	means for managing data collected at the field using the at least one handheld device responsive to program;
[18D] [Unasserted and cancelled]	means for determining a geographic location of the at least one handheld device; and
[18E] [Unasserted and cancelled]	means for enabling communicating the data collected at the field and the geographic location of the at least one handheld device between the at least one handheld device and other devices or the server.
21	The apparatus of claim 18, further comprising means for enabling the at least one handheld device to identify service schedule requirements.
22	The apparatus of claim 18, further comprising means for enabling synchronization of a service schedule on the at least one handheld device with inventory data stored in the server.

210. Geotab has not infringed and does not infringe any claim of the '581 Patent, including without limitation at least claims 21 and 22, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

211. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '581 Patent, including without limitation at least claims 21 and 22.

212. By way of example, the Accused Products do not satisfy at least the limitations in claims 21-22 of the '581 Patent.

213. All of the claims of the '581 Patent either recite limitations corresponding to claims 21-22, or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '581 Patent for at least the same reasons described above for claim 21-22.

214. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '581 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '581 Patent.

215. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '581 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

216. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '581 Patent, including without limitation at least claims 21-22. Accordingly, Geotab seeks a judgment declaring that the claims of the '581 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XVI
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 8,565,734

217. Geotab repeats and incorporates by reference the allegations of paragraphs 1-216

above as if fully set forth herein.

218. There is an actual controversy between Geotab and FCS as to alleged infringement of the '734 Patent.

219. None of the Accused Products infringe or have infringed any of the claims of the '734 Patent.

220. Exemplary claim 5 of the '734 Patent recites:

Limitation	Claim Language
[5Pre]	A method performed by a network connected vehicle computer unit, the method comprising:
[5A]	receiving and updating, by the network connected vehicle computer unit, vehicle maintenance and operation information sent over a cellular data network using internet protocol (IP);
[5B]	receiving, by the network connected vehicle computer unit, an instruction sent over the cellular data network using IP to remotely control locks or a horn of a vehicle, wherein the instruction is provided based on a plurality of security levels and based on a request for permission of control of the vehicle;
[5C]	contacting, by the network connected vehicle computer unit, a vehicle management system over the cellular data network using IP based on an unauthorized operator accessing the vehicle;
[5D]	detecting, by the network connected vehicle computer unit, an accident involving the vehicle; and
[5E]	sending, by the network connected vehicle computer unit, a message over the cellular data network using IP to notify the vehicle management system of the accident.

221. Geotab has not infringed and does not infringe any claim of the '734 Patent, including without limitation at least claim 5, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

222. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '734 Patent, including without limitation at least claim 5.

223. By way of example, the Accused Products do not satisfy at least limitation [5B] of claim 5 of the '734 Patent.

224. All of the claims of the '734 Patent either recite limitations corresponding to limitation [5B], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '734 Patent for at least the same reasons described above for claim 5.

225. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '734 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '734 Patent.

226. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '734 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

227. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '734 Patent, including without limitation at least claim 5. Accordingly, Geotab seeks a judgment declaring that the claims of the '734 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XVII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 8,862,184

228. Geotab repeats and incorporates by reference the allegations of paragraphs 1-227

above as if fully set forth herein.

229. There is an actual controversy between Geotab and FCS as to alleged infringement of the '184 Patent.

230. None of the Accused Products infringe or have infringed any of the claims of the '184 Patent.

231. Exemplary claim 1 of the '184 Patent recites:

Limitation	Claim Language
[1Pre]	A method, comprising:
[1A]	downloading a field assessment program to a handheld device from a server geographically distant from the handheld device;
[1B]	executing the field assessment program on the handheld device, the field assessment program configured to enable assessment of a job;
[1C]	collecting data associated with the job in response to prompts from the field assessment program;
[1D]	obtaining information associated with a location of the job based at least part on determining the location of the job;
[1E]	rendering the collected data using the handheld device based at least in part on the obtained information; and
[1F]	providing the assessment of the job in response to the rendering.

232. Geotab has not infringed and does not infringe any claim of the '184 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

233. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that

infringes any claim of the '184 Patent, including without limitation at least claim 1.

234. By way of example, the Accused Products do not satisfy at least limitation [1B] of claim 1 of the '184 Patent.

235. All of the claims of the '184 Patent either recite limitations corresponding to limitation [1B], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '184 Patent for at least the same reasons described above for claim 1.

236. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '184 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '184 Patent.

237. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '184 Patent, including its rights to manufacture, use, offer to sell, sell, and/or import from and/or to this judicial district the Accused Products.

238. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '184 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '184 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XVIII
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 9,299,044

239. Geotab repeats and incorporates by reference the allegations of paragraphs 1-238 above as if fully set forth herein.

240. There is an actual controversy between Geotab and FCS as to alleged

infringement of the '044 Patent.

241. None of the Accused Products infringe or have infringed any of the claims of the '044 Patent.

242. Exemplary claim 1 of the '044 Patent recites:

Limitation	Claim Language
[1Pre]	A method, comprising:
[1A]	accessing, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device, the at least one template listing tasks that are assigned to be completed before an end of the work shift;
[1B]	reporting a status of each of the tasks at least once during the work shift by synchronizing the handheld device to the server; and
[1C]	updating the at least one template stored on the server in response to the status with unfinished or new tasks.

243. Geotab has not infringed and does not infringe any claim of the '044 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

244. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '044 Patent, including without limitation at least claim 1.

245. By way of example, the Accused Products do not satisfy at least limitations [1A] and/or [1C] of claim 1 of the '044 Patent.

246. All of the claims of the '044 Patent either recite limitations corresponding to limitations [1A] and/or [1C], or depend from a claim that recites these limitations. Dependent

claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '044 Patent for at least the same reasons described above for claim 1.

247. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '044 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '044 Patent.

248. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '044 Patent, including its rights to manufacture, use, offer to sell, sell, and/or important from and/or to this judicial district the Accused Products.

249. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '044 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '044 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XIX
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 9,747,565

250. Geotab repeats and incorporates by reference the allegations of paragraphs 1-249 above as if fully set forth herein.

251. There is an actual controversy between Geotab and FCS as to alleged infringement of the '565 Patent.

252. None of the Accused Products infringe or have infringed any of the claims of the '565 Patent.

253. Exemplary claim 1 of the '565 Patent recites:

Limitation	Claim Language
[1Pre]	A method, comprising:
[1A]	accessing a template stored on a server located remotely from a handheld device, the template listing tasks to be completed before an end of a work shift;
[1B]	reporting a status of each of the tasks at least once by synchronizing the handheld device to the server; and
[1C]	updating the template responsive to the status with unfinished or new tasks at the end of the work shift.

254. Geotab has not infringed and does not infringe any claim of the '565 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

255. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '565 Patent, including without limitation at least claim 1.

256. By way of example, the Accused Products do not satisfy at least limitations [1A] and/or [1C] of claim 1 of the '565 Patent.

257. All of the claims of the '565 Patent either recite limitations corresponding to limitations [1A] and/or [1C], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '565 Patent for at least the same reasons described above for claim 1.

258. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '565 Patent that warrants

issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '565 Patent.

259. A judicial declaration is necessary and appropriate so that Geotab may ascertain its rights regarding the '565 Patent, including its rights to manufacture, use, offer to sell, sell, and/or important from and/or to this judicial district the Accused Products.

260. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '565 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '565 Patent are not infringed by any of the Accused Products as FCS alleges.

COUNT XX
DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 10,671,949

261. Geotab repeats and incorporates by reference the allegations of paragraphs 1-260 above as if fully set forth herein.

262. There is an actual controversy between Geotab and FCS as to alleged infringement of the '949 Patent.

263. None of the Accused Products infringe or have infringed any of the claims of the '949 Patent.

264. Exemplary claim 1 of the '949 Patent recites:

Limitation	Claim Language
[1Pre]	A method, comprising:
[1A]	accessing a template stored on a server located remotely from a handheld device, the template listing a first set of tasks to be completed in a first predetermined time period;

Limitation	Claim Language
[1B]	reporting, after a time of the accessing, a status of each of the tasks of the first set of tasks by synchronizing the handheld device to the server; and
[1C]	updating the template responsive to the status, the updated template including a second set of tasks to be completed in a second predetermined time period.

265. Geotab has not infringed and does not infringe any claim of the '949 Patent, including without limitation at least claim 1, either directly or indirectly, literally or under the doctrine of equivalents, by shipping, distributing, making, using, importing, offering for sale, selling, and/or advertising the Accused Products or via any other means.

266. None of Geotab's employees, contractors, agents, customers, or any other entity or individual associated with Geotab has ever used any of the Geotab Products in a manner that infringes any claim of the '949 Patent, including without limitation at least claim 1.

267. By way of example, the Accused Products do not satisfy at least limitations [1A] and/or [1C] of claim 1 of the '949 Patent.

268. All of the claims of the '949 Patent either recite limitations corresponding to limitations [1A] and/or [1C], or depend from a claim that recites these limitations. Dependent claims cannot be infringed if the independent claim from which they depend is not infringed. Therefore, Geotab does not infringe and has not infringed any of the claims of the '949 Patent for at least the same reasons described above for claim 1.

269. Based on the foregoing, an actual controversy has arisen and now exists between Geotab and FCS regarding Geotab's alleged infringement of the '949 Patent that warrants issuance of a declaratory judgment pursuant to 28 U.S.C. § 2201 *et seq.* and Fed. R. Civ. P. 57 that Geotab has not infringed any claim of the '949 Patent.

270. A judicial declaration is necessary and appropriate so that Geotab may ascertain

its rights regarding the '949 Patent, including its rights to manufacture, use, offer to sell, sell, and/or important from and/or to this judicial district the Accused Products.

271. Geotab is entitled to a declaration that it has not and does not infringe any claim of the '949 Patent, including without limitation at least claim 1. Accordingly, Geotab seeks a judgment declaring that the claims of the '949 Patent are not infringed by any of the Accused Products as FCS alleges.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Geotab Inc. and Geotab USA, Inc. pray for a judgment in their favor, including:

- A. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '810 Patent;
- B. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '583 Patent;
- C. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '616 Patent;
- D. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '270 Patent;
- E. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '223 Patent;
- F. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '586 Patent;
- G. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '926 Patent;

- H. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '837 Patent;
- I. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '896 Patent;
- J. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '715 Patent;
- K. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '968 Patent;
- L. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '388 Patent;
- M. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '291 Patent;
- N. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '053 Patent;
- O. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '581 Patent;
- P. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '734 Patent;
- Q. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '184 Patent;
- R. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '044 Patent;

- S. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '565 Patent;
- T. A declaration that neither Geotab Inc. nor Geotab USA, Inc. infringe any claim of the '949 Patent;
- U. A declaration that this case is an exceptional case pursuant to 35 U.S.C. § 285;
- V. An award of Geotab's reasonable attorneys' fees, costs, and expenses under 35 U.S.C. § 285, any applicable New Jersey statutes, or common law; and
- W. Such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Under Federal Rule of Civil Procedure 38 and the Seventh Amendment to the United States Constitution, Geotab demands a trial by jury of all issues so triable.

Respectfully submitted,

Date: May 13, 2024

s/ Anthony J. DiMarino

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