

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AUTONAVIGARE LLC,

Plaintiff,

v.

TOYOTA MOTOR NORTH AMERICA,
INC. and TOYOTA MOTOR SALES,
U.S.A., INC.,

Defendants.

CIVIL ACTION NO. 2:24-cv-00439

JURY TRIAL DEMANDED

PLAINTIFF’S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff AutoNavigare LLC files this Complaint against Defendants Toyota Motor North America, Inc. and Toyota Motor Sales, U.S.A., Inc. (collectively, “Toyota”) for infringement of U.S. Patent No. 7,512,489 (“the ’489 Patent”), U.S. Patent No. 7,584,049 (“the ’049 Patent”), U.S. Patent No. 7,725,254 (“the ’254 Patent”), U.S. Patent No. 9,288,665 (“the ’665 Patent”), and U.S. Patent No. 9,766,801 (“the ’801 Patent”) (collectively, the “Asserted Patents”).

THE PARTIES

1. Plaintiff AutoNavigare LLC (“AutoNavigare”) is a Texas limited liability company located in Plano, Texas.

2. On information and belief, Defendant Toyota Motor North America, Inc. (“TMNA”) is a corporation organized and existing under the laws of California, with its principal place of business in this District at 6565 Headquarters Drive, Plano, Texas 75024. TMNA may be served with process through its registered agent, CT Corporation System, located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201. On information and belief, TMNA is responsible for

research and development, manufacturing, sales, offers for sale, marketing, importation, and distribution of automotive vehicles from Toyota-managed brands (e.g., Toyota and Lexus) in the United States, including this District.

3. On information and belief, Defendant Toyota Motor Sales, U.S.A., Inc. (“TMS”) is corporation organized and existing under the laws of California, with its principal place of business in this District at 6565 Headquarters Dr., Plano, Texas 75024. TMS may be served through its registered agent, CT Corporation System, located at 1999 Bryan Street, Suite 900, Dallas, Texas 75201. On information and belief, TMS is responsible for sales, marketing, and distribution of automotive vehicles from Toyota-managed brands (e.g., Toyota and Lexus) in the United States, including this District.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1, *et seq.*, including, without limitation, 35 U.S.C. §§ 271, 281, 284, and 285. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has specific and general personal jurisdiction over TMNA and TMS consistent with the requirements of the Due Process Clause of the United States Constitution and the Texas Long Arm Statute because, among other things, each (i) has engaged in continuous, systematic, and substantial business in Texas, (ii) maintains a principal place of business in Texas and in this District, (iii) is registered to do business in Texas, and (iv) has committed and continues to commit, directly or through intermediaries (including subsidiaries, agents, distributors, affiliates, retailers, suppliers, integrators, customers, and others), acts of patent infringement in this State and this District. Such acts of infringement include making, using, testing, offering for sale, selling, and/or importing Accused Products (as more particularly identified and described

throughout this Complaint) in this State and this District and/or inducing others to commit acts of patent infringement in this State and District. Indeed, TMNA and TMS have purposefully and voluntarily placed, and are continuing to place, one or more Accused Products into the stream of commerce through established distribution channels (including the Internet) with the expectation and intent that such products will be sold to and purchased by consumers in the United States, this State, and this District; and with the knowledge and expectation that such products (whether in standalone form or as integrated in downstream products) will be imported into the United States, this State, and this District.

6. In addition, TMNA and TMS have derived substantial revenues from their infringing acts occurring within this State and this District. TMNA and TMS have substantial business in this State and this District, including (i) at least part of its infringing activities alleged herein and (ii) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from infringing goods offered for sale, sold, and imported, and services provided to Texas residents vicariously through and/or in concert with its agents, intermediaries, distributors, importers, customers, subsidiaries, and/or consumers.

7. In addition, TMNA and TMS have knowingly induced, and continue to knowingly induce, infringements within this State and this District by advertising, marketing, offering for sale and/or selling Accused Products (as more particularly identified and described throughout this Complaint) that incorporate the fundamental technologies covered by the Asserted Patents. Such advertising, marketing, offering for sale and/or selling of Accused Products is directed to consumers, customers, manufacturers, integrators, suppliers, distributors, resellers, partners, and/or end users, and this includes providing instructions, user manuals, advertising, and/or

marketing materials that facilitate, direct and encourage use of infringing functionality with TMNA's and TMS's knowledge thereof.

8. TMNA and TMS have, in the multitude of ways described above, availed themselves of the benefits and privileges of conducting business in this State and willingly subjected themselves to the exercise of this Court's personal jurisdiction over them. TMNA and TMS also have sufficient minimum contacts with this forum through their transaction of substantial business in this State and this District and their commission of acts of patent infringement as alleged in this Complaint that are purposefully directed towards this State and District.

9. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b) because, among other things, (i) TMNA and TMS are subject to personal jurisdiction in this District, (ii) TMNA and TMS have committed acts of patent infringement in this District, and (iii) TMNA and TMS have regular and established places of business in this District, including at 6565 Headquarters Dr., Plano, Texas 75024.

THE ASSERTED PATENTS AND TECHNOLOGY

10. AutoNavigare is the sole and exclusive owner of all right, title, and interest in the Asserted Patents and holds the exclusive right to take all actions necessary to enforce its rights in, and to, the Asserted Patents, including the filing of this patent infringement lawsuit. Indeed, AutoNavigare owns all substantial rights in the Asserted Patents, including the right to exclude others and to recover damages for all past, present, and future infringements.

11. The '489 Patent is entitled, "Route Search Method and Traffic Information Display Method for a Navigation Device." The '489 Patent lawfully issued on March 31, 2009 and stems

from U.S. Patent Application No. 10/771,743, which was filed on February 5, 2004. A copy of the '489 Patent is attached hereto as Exhibit A.

12. The '049 Patent is entitled, "Navigation Method, Processing Method for Navigation System, Map Data Management Device, Map Data Management Program, and Computer Program." The '049 Patent lawfully issued on September 1, 2009 and stems from U.S. Patent Application No. 10/521,327, which was filed on October 20, 2005. A copy of the '049 Patent is attached hereto as Exhibit B.

13. The '254 Patent is entitled, "Navigation Device Used for a Route Search." The '254 Patent lawfully issued on May 25, 2010 and stems from U.S. Patent Application No. 11/514,931, which was filed on September 5, 2006. A copy of the '254 Patent is attached hereto as Exhibit C.

14. The '665 Patent is entitled, "In-Car Information System, In-Car Device, and Information Terminal." The '665 Patent lawfully issued on March 15, 2016 and stems from U.S. Patent Application No. 14/508,420, which was filed on October 7, 2014. A copy of the '665 Patent is attached hereto as Exhibit D.

15. The '801 Patent is entitled, "In-Car Information System, In-Car Device, and Information Terminal." The '801 Patent lawfully issued on September 19, 2017 and stems from U.S. Patent Application No. 15/018,060, which was filed on February 8, 2016. A copy of the '801 Patent is attached hereto as Exhibit E.

16. AutoNavigare's claims do not have damages limited by 35 U.S.C. § 287. AutoNavigare seeks damages only for infringement of (i) method claims of the '665 Patent, and (ii) claims of the '489, '049, '254, and '801 Patents accruing upon, and after, notice of infringement to Toyota.

17. The claims of the Asserted Patents are directed to patent-eligible subject matter under 35 U.S.C. § 101. They are not directed to an abstract idea, and the technologies covered by the claims comprise systems and/or ordered combinations of features and functions that, at the time of invention, were not, alone or in combination, well-understood, routine, or conventional.

DEFENDANTS' PRE-SUIT KNOWLEDGE OF ITS INFRINGEMENT

18. Prior to filing this Complaint, AutoNavigare sent a letter to Toyota, addressed to both Mr. Tetsuo Ogawa (TMNA's President and CEO), Mr. Jack Hollis (TMS's EVP and CEO), and Ms. Sandra Rogers (TMNA's General Counsel), identifying the Asserted Patents as being infringed by Toyota products, and further included claim charts demonstrating infringement.

19. The Accused Products addressed in the Counts below include, but are not limited to, products identified in AutoNavigare's letter to Toyota. Toyota's past and continuing sales of the Accused Products (i) willfully infringe the Asserted Patents, and (ii) impermissibly usurp the significant benefits of AutoNavigare's patented technologies without fair compensation.

COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 7,512,489)

20. AutoNavigare incorporates the preceding paragraphs herein by reference.

21. This cause of action arises under the patent laws of the United States, and, in particular, 35 U.S.C. §§ 271, *et seq.*

22. AutoNavigare is the owner of all substantial rights, title, and interest in and to the '489 Patent, including the right to exclude others and to enforce, sue, and recover damages for past, present, and future infringements.

23. The '489 Patent is valid, enforceable, and was duly and legally issued by the United States Patent and Trademark Office on March 31, 2009, after full and fair examination.

24. Attached hereto as Exhibit F, and incorporated herein by reference, is a claim mapping that details how Toyota infringes the '489 Patent.

Direct Infringement (35 U.S.C. § 271(a))

25. Toyota directly infringes one or more claims of the '489 Patent in this District and elsewhere in Texas and the United States.

26. To this end, Toyota directly infringes, either by itself or via its agent(s), at least claim 21 of the '489 Patent as set forth under 35 U.S.C. § 271(a) by making, using, selling, offering to sell, and/or importing Toyota and Lexus-branded vehicles equipped with dynamic and/or cloud-based navigation systems that incorporate the fundamental technologies covered by the '489 Patent, including, but not limited to, Toyota and Lexus-branded vehicles (e.g., the 2024 Toyota Camry Hybrid) equipped with Toyota's Audio Multimedia System, Toyota's Entune 3.0 system, the Lexus Gen 11 Multimedia System, or Lexus' Interface Multimedia System, with built-in navigation capabilities (collectively, "the '489 Accused Products") (*see, e.g.,* Exhibit F).

Indirect Infringement (Inducement – 35 U.S.C. § 271(b))

27. In addition and/or in the alternative to the direct infringements, Toyota indirectly infringes one or more claims of the '489 Patent by knowingly and intentionally inducing others, including its customers and/or other end users, to directly infringe the '489 Patent.

28. At a minimum, Toyota has had knowledge of the '489 Patent at least since service of this Complaint. Toyota also has knowledge of the '489 Patent since receiving detailed correspondence from AutoNaviCare prior to the filing of the Complaint, alerting Toyota to its infringements. Since receiving notice of its infringements, Toyota has actively induced, and continues to actively induce, the direct infringements of its customers and/or other end users (e.g., as illustrated by Exhibit F) as set forth under U.S.C. § 271(b). Such inducements have been

committed with the knowledge, or with willful blindness to the fact, that the acts induced constitute infringement of the '489 Patent. Indeed, Toyota has intended to cause, continues to intend to cause, and has taken, and continues to take, affirmative steps to induce infringement by, among other things, creating and disseminating advertisements and instructive materials that promote the infringing use of the Accused Products, including marketing materials, user manuals (e.g., those available via <https://www.toyota.com/owners/warranty-owners-manuals/>), and online instructional materials (e.g., those available via <https://www.youtube.com/toyotausa>) that specifically teach and encourage customers and other end users to use the '489 Accused Products in an infringing manner. By providing such instructions and support, Toyota knows (and has known), or should know (and should have known), that its actions have actively induced, and continue to actively induce, infringement of the '489 Patent.

Damages

29. AutoNavigare has been damaged as a result of Toyota's infringing conduct described in this Count. Toyota is, thus, liable to AutoNavigare in an amount that adequately compensates it for Toyota's 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.

30. On information and belief, despite having knowledge of the '489 Patent and knowledge that it directly and/or indirectly infringes one or more claims of the '489 Patent, Toyota has nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Toyota's infringing activities relative to the '489 Patent have, thus, been, and continue to be, willful, wanton, and deliberate in disregard of AutoNavigare's rights with respect to the '489 Patent, justifying enhanced damages under 35 U.S.C. § 284.

COUNT II

(INFRINGEMENT OF U.S. PATENT NO. 7,584,049)

31. AutoNavigate incorporates the preceding paragraphs herein by reference.

32. This cause of action arises under the patent laws of the United States, and, in particular, 35 U.S.C. §§ 271, *et seq.*

33. AutoNavigate is the owner of all substantial rights, title, and interest in and to the '049 Patent, including the right to exclude others and to enforce, sue, and recover damages for past infringements.

34. The '049 Patent is valid, enforceable, and was duly and legally issued by the United States Patent and Trademark Office on September 1, 2009, after full and fair examination.

35. Attached hereto as Exhibit G, and incorporated herein by reference, is a claim mapping that details how Toyota infringes the '049 Patent.

Direct Infringement (35 U.S.C. § 271(a))

36. Toyota directly infringes one or more claims of the '049 Patent in this District and elsewhere in Texas and the United States.

37. Toyota directly infringes, either by itself or via its agent(s), at least claim 9 of the '049 Patent as set forth under 35 U.S.C. § 271(a) by making, using, selling, offering to sell, and/or importing Toyota and Lexus-branded vehicles equipped with dynamic and/or cloud-based navigation systems that incorporate the fundamental technologies covered by the '049 Patent, including, but not limited to, Toyota and Lexus-branded vehicles (e.g., the 2024 Toyota Camry Hybrid) equipped with Toyota's Audio Multimedia System, Toyota's Entune 3.0 system, the Lexus Gen 11 Multimedia System, or Lexus' Interface Multimedia System with built-in navigation capabilities (collectively, the "'049 Accused Products") (*see, e.g.,* Exhibit G).

Indirect Infringement (Inducement – 35 U.S.C. § 271(b))

38. In addition and/or in the alternative to its direct infringements, Toyota indirectly infringes one or more claims of the '049 Patent by knowingly and intentionally inducing others, including its customers and/or other end users, to directly infringe the '049 Patent.

39. At a minimum, Toyota has had knowledge of the '049 Patent at least since service of this Complaint. Toyota also has knowledge of the '049 Patent since receiving detailed correspondence from AutoNavigare prior to the filing of the Complaint, alerting Toyota to its infringements. Since receiving notice of its infringements, Toyota has actively induced, and continues to actively induce, the direct infringements of its customers and/or other end users (e.g., as illustrated by Exhibit G) as set forth under U.S.C. § 271(b). Such inducements have been committed with the knowledge, or with willful blindness to the fact, that the acts induced constitute infringement of the '049 Patent. Indeed, Toyota has intended to cause, continues to intend to cause, and has taken, and continues to take, affirmative steps to induce infringements by, among other things, creating and disseminating advertisements and instructive materials that promote the infringing use of the Accused Products, including marketing materials, user manuals (e.g., those available via <https://www.toyota.com/owners/warranty-owners-manuals/>), and online instructional materials (e.g., those available via <https://www.youtube.com/toyotausa>) that specifically teach and encourage customers and other end users to use the '049 Accused Products in an infringing manner. By providing such instructions and support, Toyota knows (and has known), or should know (and should have known), that its actions have actively induced, and continue to actively induce, infringement of the '049 Patent.

Damages

40. AutoNavigare has been damaged as a result of Toyota's infringing conduct described in this Count. Toyota is, thus, liable to AutoNavigare in an amount that adequately compensates it for Toyota's 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.

41. On information and belief, despite having knowledge of the '049 Patent and knowledge that it directly and/or indirectly infringes one or more claims of the '049 Patent, Toyota has nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Toyota's infringing activities relative to the '049 Patent have, thus, been, and continue to be, willful, wanton, and deliberate in disregard of AutoNavigare's rights with respect to the '049 Patent, justifying enhanced damages under 35 U.S.C. § 284.

COUNT III

(INFRINGEMENT OF U.S. PATENT NO. 7,725,254)

42. AutoNavigare incorporates the preceding paragraphs herein by reference.

43. This cause of action arises under the patent laws of the United States, and, in particular, 35 U.S.C. §§ 271, *et seq.*

44. AutoNavigare is the owner of all substantial rights, title, and interest in and to the '254 Patent, including the right to exclude others and to enforce, sue, and recover damages for past infringements.

45. The '254 Patent is valid, enforceable, and was duly and legally issued by the United States Patent and Trademark Office on May 25, 2010, after full and fair examination.

46. Attached hereto as Exhibit H, and incorporated herein by reference, is a claim mapping that details how Toyota infringes the '254 Patent.

Direct Infringement (35 U.S.C. § 271(a))

47. Toyota has directly infringed and continues to directly infringe one or more claims of the '254 Patent in this District and elsewhere in Texas and the United States.

48. Toyota directly infringes, either by itself or via its agent(s), at least claim 1 of the '254 Patent as set forth under 35 U.S.C. § 271(a) by making, using, selling, offering to sell, and/or importing Toyota and Lexus-branded vehicles equipped with dynamic and/or cloud-based navigation systems that incorporate the fundamental technologies covered by the '254 Patent, including, but not limited to, Toyota and Lexus-branded vehicles (e.g., the 2024 Toyota Camry Hybrid) equipped with Toyota's Audio Multimedia System, Toyota's Entune 3.0 system, the Lexus Gen 11 Multimedia System, or Lexus' Interface Multimedia System with built-in navigation capabilities (collectively, the "'254 Accused Products") (*see, e.g.*, Exhibit H).

Indirect Infringement (Inducement – 35 U.S.C. § 271(b))

49. In addition and/or in the alternative to its direct infringements, Toyota has indirectly infringed and continues to indirectly infringe one or more claims of the '254 Patent by knowingly and intentionally inducing others, including its customers and/or other end users, to directly infringe the '254 Patent.

50. At a minimum, Toyota has had knowledge of the '254 Patent at least since service of this Complaint. Toyota also has knowledge of the '254 Patent since receiving detailed correspondence from AutoNavigate prior to the filing of the Complaint, alerting Toyota to its infringements. Since receiving notice of its infringements, Toyota has actively induced, and continues to actively induce, the direct infringements of its customers and/or other end users (e.g., as illustrated by Exhibit H) as set forth under U.S.C. § 271(b). Such inducements have been committed with the knowledge, or with willful blindness to the fact, that the acts induced constitute

infringement of the '254 Patent. Indeed, Toyota has intended to cause, continues to intend to cause, and has taken, and continues to take, affirmative steps to induce infringement by, among other things, creating and disseminating advertisements and instructive materials that promote the infringing use of the '254 Accused Products, including marketing materials, user manuals (e.g., those available via <https://www.toyota.com/owners/warranty-owners-manuals/>), and online instructional materials (e.g., those available via <https://www.youtube.com/toyotausa>) that specifically teach and encourage customers and other end users to use the '254 Accused Products in an infringing manner. By providing such instructions and support, Toyota knows (and has known), or should know (and should have known), that its actions have actively induced, and continue to actively induce, infringement of the '254 Patent.

Damages

51. AutoNavigare has been damaged as a result of Toyota's infringing conduct described in this Count. Toyota is, thus, liable to AutoNavigare in an amount that adequately compensates it for Toyota's 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.

52. On information and belief, despite having knowledge of the '254 Patent and knowledge that it directly and/or indirectly infringes one or more claims of the '254 Patent, Toyota has nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Toyota's infringing activities relative to the '254 Patent have, thus, been, and continue to be, willful, wanton, and deliberate in disregard of AutoNavigare's rights with respect to the '254 Patent, justifying enhanced damages under 35 U.S.C. § 284.

COUNT IV

(INFRINGEMENT OF U.S. PATENT NO. 9,288,665)

53. AutoNavigate incorporates the preceding paragraphs herein by reference.

54. This cause of action arises under the patent laws of the United States, and, in particular, 35 U.S.C. §§ 271, *et seq.*

55. AutoNavigate is the owner of all substantial rights, title, and interest in and to the '665 Patent, including the right to exclude others and to enforce, sue, and recover damages for past infringements.

56. The '665 Patent is valid, enforceable, and was duly and legally issued by the United States Patent and Trademark Office on March 15, 2016, after full and fair examination.

57. Attached hereto as Exhibit I, and incorporated herein by reference, is a claim mapping that details how Toyota infringes the '665 Patent.

Direct Infringement (35 U.S.C. § 271(a))

58. Toyota has directly infringed and continues to directly infringe one or more claims of the '665 Patent in this District and elsewhere in Texas and the United States.

59. To this end, Toyota has infringed, either by itself or via its agent(s), at least claim 3 of the '665 Patent by, among other things, testing and using Toyota and Lexus-branded vehicles equipped with touchscreen infotainment systems that incorporate the technologies covered by the '665 Patent, including, but not limited to, Toyota and Lexus-branded vehicles (e.g., the 2023 Toyota Corolla Hybrid) equipped with touchscreen infotainment systems that support the integration of multimedia devices (e.g., smartphones) with the infotainment systems through a wired connection (e.g., via a USB data interface) and/or wirelessly (e.g., via Bluetooth) (collectively, the "'665 Accused Products"). In addition, on information and belief, Toyota retains

title to, and ownership and control over, '665 Accused Products that Toyota leases to customers and end users and is, thus, liable for infringements performed by the vehicles.

60. In addition and/or in the alternative, Toyota directly infringes, either by itself or via its agent(s), at least claim 3 of the '665 Patent by directing, controlling, and setting into operation the performance of the claimed methods of the '665 Patent (e.g., as illustrated by Exhibit I). Toyota directs and controls the '665 Accused Products' performance of the steps of the claimed method(s), as Toyota provides software that is not accessible to end users and automatically performs the steps of the claimed methods through normal operation of the infotainment system without action by the user. Further, Toyota conditions receipt of various benefits upon performance of the patented methods (e.g., by providing end users seamless integration of key infotainment system functionality consistent with their expectations, as well as by providing manufacturer warranties conditioned upon operation of the vehicle without alteration). In addition, Toyota conditions use of its infotainment services and software on acceptance of a Toyota Vehicle Software End User License Agreement that prohibits end users from modifying the services and software. Thus, Toyota conditions use of its infotainment system on allowing Toyota to implement functionality that performs methods claimed by the '665 Patent. As discussed above, Toyota does more than merely sell a product with software that performs the claimed methods; rather, Toyota exercises control over the equipment and software that performs the method claimed in at least claim 3 of the '665 Patent.

Indirect Infringement (Inducement – 35 U.S.C. § 271(b))

61. In addition and/or in the alternative to its direct infringements, Toyota has indirectly infringed and continues to indirectly infringe one or more claims of the '665 Patent by knowingly

and intentionally inducing others, including its customers and/or other end users, to directly infringe the '665 Patent.

62. At a minimum, Toyota has had knowledge of the '665 Patent at least since service of this Complaint. Toyota also has knowledge of the '665 Patent since receiving detailed correspondence from AutoNavigare prior to the filing of the Complaint, alerting Toyota to its infringements. Since receiving notice of its infringements, Toyota has actively induced, and continues to actively induce, the direct infringements of its customers and/or other end users (e.g., as illustrated by Exhibit I) as set forth under U.S.C. § 271(b). Such inducements have been committed with the knowledge, or with willful blindness to the fact, that the acts induced constitute infringement of the '665 Patent. Indeed, Toyota has intended to cause, continues to intend to cause, and has taken, and continues to take, affirmative steps to induce infringement by, among other things, creating and disseminating advertisements and instructive materials that promote the infringing use of the '665 Accused Products, including marketing materials, user manuals (e.g., those available via <https://www.toyota.com/owners/warranty-owners-manuals/>), and online instructional materials (e.g., those available via <https://www.youtube.com/toyotausa>) that specifically teach and encourage customers and other end users to use the '665 Accused Products in an infringing manner. By providing such instructions and support, Toyota knows (and has known), or should know (and should have known), that its actions have actively induced, and continue to actively induce, infringement of the '665 Patent.

Damages

63. AutoNavigare has been damaged as a result of Toyota's infringing conduct described in this Count. Toyota is, thus, liable to AutoNavigare in an amount that adequately

compensates it for Toyota's 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.

64. On information and belief, despite having knowledge of the '665 Patent and knowledge that it directly and/or indirectly infringes one or more claims of the '665 Patent, Toyota has nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Toyota's infringing activities relative to the '665 Patent have, thus, been, and continue to be, willful, wanton, and deliberate in disregard of AutoNavigare's rights with respect to the '665 Patent, justifying enhanced damages under 35 U.S.C. § 284.

COUNT V

(INFRINGEMENT OF U.S. PATENT NO. 9,766,801)

65. AutoNavigare incorporates the preceding paragraphs herein by reference.

66. This cause of action arises under the patent laws of the United States, and, in particular, 35 U.S.C. §§ 271, *et seq.*

67. AutoNavigare is the owner of all substantial rights, title, and interest in and to the '801 Patent, including the right to exclude others and to enforce, sue, and recover damages for past infringements.

68. The '801 Patent is valid, enforceable, and was duly and legally issued by the United States Patent and Trademark Office on September 19, 2017, after full and fair examination.

69. Attached hereto as Exhibit J, and incorporated herein by reference, is a claim mapping that details how Toyota infringes the '801 Patent.

Direct Infringement (35 U.S.C. § 271(a))

70. Toyota directly infringes one or more claims of the '801 Patent in this District and elsewhere in Texas and the United States.

71. Toyota directly infringes, either by itself or via its agent(s), at least claim 2 of the '801 Patent as set forth under 35 U.S.C. § 271(a) by making, using, selling, offering to sell, and/or importing Toyota and Lexus-branded vehicles equipped with infotainment systems that incorporate the fundamental technologies covered by the '801 Patent, including, but not limited to, Toyota and Lexus-branded vehicles (e.g., the 2023 Toyota Corolla Hybrid) equipped with touchscreen infotainment systems that support the integration of multimedia devices (e.g., smartphones) with the infotainment systems through a wired connection (e.g., via a USB data interface) and/or wirelessly (e.g., via Bluetooth) (collectively, the "'801 Accused Products") (*see, e.g., Exhibit J*).

Indirect Infringement (Inducement – 35 U.S.C. § 271(b))

72. In addition and/or in the alternative to its direct infringements, Toyota indirectly infringes one or more claims of the '801 Patent by knowingly and intentionally inducing others, including its customers and/or other end users, to directly infringe the '801 Patent.

73. At a minimum, Toyota has had knowledge of the '801 Patent at least since being served with this Complaint. Toyota also has knowledge of the '801 Patent since receiving detailed correspondence from AutoNaviCare prior to the filing of the Complaint, alerting Toyota to its infringements. Since receiving notice of its infringements, Toyota has actively induced, and continues to actively induce, the direct infringements of its customers and/or other end users (e.g., as illustrated by Exhibit J) as set forth under U.S.C. § 271(b). Such inducements have been committed with the knowledge, or with willful blindness to the fact, that the acts induced constitute infringement of the '801 Patent. Indeed, Toyota has intended to cause, continues to intend to cause, and has taken, and continues to take, affirmative steps to induce infringement by, among other things, creating and disseminating advertisements and instructive materials that promote the

infringing use of the Accused Products, including marketing materials, user manuals (e.g., those available via <https://www.toyota.com/owners/warranty-owners-manuals/>), and online instructional materials (e.g., those available via <https://www.youtube.com/toyotausa>) that specifically teach and encourage customers and other end users to use the '801 Accused Products in an infringing manner. By providing such instructions and support, Toyota knows (and has known), or should know (and should have known), that its actions have actively induced, and continue to actively induce, infringement of the '801 Patent.

Damages

74. AutoNavigare has been damaged as a result of Toyota's infringing conduct described in this Count. Toyota is, thus, liable to AutoNavigare in an amount that adequately compensates it for Toyota's 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.

75. On information and belief, despite having knowledge of the '801 Patent and knowledge that it is directly and/or indirectly infringing one or more claims of the '801 Patent, Toyota has nevertheless continued its infringing conduct and disregarded an objectively high likelihood of infringement. Toyota's infringing activities relative to the '801 Patent have, thus, been, and continue to be, willful, wanton, and deliberate in disregard of AutoNavigare's rights with respect to the '801 Patent, justifying enhanced damages under 35 U.S.C. § 284.

CONCLUSION

76. AutoNavigare is entitled to recover from Toyota the damages sustained by AutoNavigare as a result of Toyota's wrongful acts and willful infringements in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court.

77. AutoNavigare has incurred and will incur attorneys' fees, costs, and expenses in the prosecution of this action. The circumstances of this dispute may give rise to an exceptional case within the meaning of 35 U.S.C. § 285, and, in such case, AutoNavigare is entitled to recover its reasonable and necessary attorneys' fees, costs, and expenses.

JURY DEMAND

78. AutoNavigare hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

79. AutoNavigare respectfully requests that the Court find in its favor and against Toyota, and that the Court grant AutoNavigare the following relief:

- (i) Judgment that one or more claims of the Asserted Patents have been infringed, either literally and/or under the doctrine of equivalents, by Toyota;
- (ii) Judgment that one or more claims of the Asserted Patents have been willfully infringed, either literally and/or under the doctrine of equivalents, by Toyota;
- (iii) Judgment that Toyota account for and pay to AutoNavigare all damages and costs incurred by AutoNavigare because of Toyota's infringements and other conduct complained of herein, including an accounting for any sales or damages not presented at trial;
- (iv) Judgment that Toyota account for and pay to AutoNavigare a reasonable, ongoing, post-judgment royalty because of Toyota's infringements, including continuing infringing activities, and other conduct complained of herein;

- (v) Judgment that AutoNavigare be granted pre-judgment and post-judgment interest on the damages caused by Toyota's infringements and other conduct complained of herein;
- (vi) Judgment that this case is exceptional under the provisions of 35 U.S.C. § 285 and award enhanced damages; and
- (vii) Such other and further relief as the Court deems just and equitable.

Dated: June 13, 2024

Respectfully submitted,

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