

1 Travis E. Lynch (SBN 335684)  
lynch@rhmttrial.com  
2 **ROZIER HARDT McDONOUGH PLLC**  
659 Auburn Ave. NE, Suite 254  
3 Atlanta, Georgia 30312  
Telephone: (404) 564-1862

4 Steven W. Ritcheson (SBN 174062)  
switcheson@insightplc.com  
5 **INSIGHT, PLC**  
578 Washington Blvd. #503  
6 Marina del Rey, California 90292  
7 Telephone: (424) 289-9191

8 *Attorneys for Plaintiff CommWorks Solutions, LLC*

10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

12 **COMMWORKS SOLUTIONS, LLC,**  
13 **Plaintiff,**

14 **v.**

15 **AXON NETWORKS, INC.,**  
16  
17 **Defendant.**

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

**COMPLAINT AGAINST AXON  
NETWORKS, INC. FOR PATENT  
INFRINGEMENT**  
**JURY TRIAL DEMANDED**

HON. \_\_\_\_\_

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1 Plaintiff CommWorks Solutions, LLC (“CommWorks” or “Plaintiff”)  
 2 files this complaint against Defendant Axon Networks, Inc. (“Defendant” or  
 3 “Axon”) alleging, based on its own knowledge as to itself and its own actions, and  
 4 based on information and belief as to all other matters, as follows:

5 **NATURE OF THE ACTION**

6 1. This is a patent infringement action for Defendants’ infringement of the  
 7 following United States Patents (collectively, the “Asserted Patents”), issued by the  
 8 United States Patent and Trademark Office (“USPTO”):

	<b>Patent No.</b>	<b>Title</b>	<b>Reference</b>
11	1. 7,177,285	Time Based Wireless Access Provisioning	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7177285">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7177285,</a> <a href="https://patentcenter.uspto.gov/applications/10961959">https://patentcenter.uspto.gov/applications/10961959</a>
12	2. 7,463,596	Time Based Wireless Access Provisioning	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7463596">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7463596,</a> <a href="https://patentcenter.uspto.gov/applications/11673513">https://patentcenter.uspto.gov/applications/11673513</a>
13	3. 7,911,979	Time Based Access Provisioning System And Process	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7911979">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7911979,</a> <a href="https://patentcenter.uspto.gov/applications/12323399">https://patentcenter.uspto.gov/applications/12323399</a>
14	4. RE44,904	Method For Contention Free Traffic Detection	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/RE44904">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/RE44904,</a> <a href="https://patentcenter.uspto.gov/applications/13171882">https://patentcenter.uspto.gov/applications/13171882</a>

	Patent No.	Title	Reference
5.	7,027,465	Method For Contention Free Traffic Detection	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7027465">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/7027465,</a> <a href="https://patentcenter.uspto.gov/applications/10167986">https://patentcenter.uspto.gov/applications/10167986</a>
6.	6,891,807	Time Based Wireless Access Provisioning	<a href="https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/6891807">https://image-ppubs.uspto.gov/dirsearch-public/print/downloadPdf/6891807,</a> <a href="https://patentcenter.uspto.gov/applications/10341847">https://patentcenter.uspto.gov/applications/10341847</a>

2. Plaintiff seeks monetary damages.

### PARTIES

3. CommWorks is a limited liability company formed under the laws of the State of Georgia with its registered office address located in Alpharetta, Georgia (Fulton County).

4. Defendant Axon Networks, Inc. is a corporation organized under the laws of the state of Delaware with a principal place of business at 15420 Laguna Canyon Rd., Suite 150, Irvine, CA 92618.

### JURISDICTION AND VENUE

5. CommWorks repeats and re-alleges the allegations in the paragraphs above as though fully set forth in their entirety.

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

7. Venue is proper against Defendant in this District pursuant to 28 U.S.C. § 1400(b) because it has maintained an established and regular place of business in this District and has committed acts of patent infringement in this District. *See In re: Cray Inc.*, 871 F.3d 1355, 1362-63 (Fed. Cir. 2017).

8. Defendant is subject to this Court's specific and general personal

1 jurisdiction under due process and/or the California Long Arm Statute due at least  
2 to Defendant's substantial business in this judicial district, including: (i) at least a  
3 portion of the infringements alleged herein; and (ii) regularly doing or soliciting  
4 business, engaging in other persistent courses of conduct, or deriving substantial  
5 revenue from goods and services provided to individuals in California and in this  
6 district.

7 9. Specifically, Defendant intends to do and does business in, has committed  
8 acts of infringement in, and continues to commit acts of infringement in this District  
9 directly, and offers its services, including those accused of infringement here, to  
10 customers and potential customers located in California, including in the Central  
11 District of California.

12 10. Defendant maintains a regular and established place of business in this  
13 District, including, but not limited to, its principal place of business at 15420 Laguna  
14 Canyon Rd., Suite 150, Irvine, CA 92618.

15 11. Defendant commits acts of infringement from this District, including, but  
16 not limited to, use of the Accused Products and inducement of third parties to use  
17 the Accused Products.

18 **THE ACCUSED PRODUCTS**

19 12. CommWorks repeats and re-alleges the allegations in the paragraphs  
20 above as though fully set forth in their entirety.

21 13. Defendant uses, cause to be used, manufacture, provide, supply, or  
22 distribute one or more Axon Networks devices including, but not limited to the  
23 "Accused Products," set forth below:

- 24 • Axon Networks devices supporting **Wi-Fi Multimedia and 802.11-2007+**  
25 functionality, including:
  - 26 ○ **G6500X10WG10G Wi-Fi 6 Router**



### COMPLIANCE

- ITU G.9807.1
- ITU G.988
- TR-247
- TR-255
- FCC
- UL/IEC/EN 62368-1
- UL 60825-1
- Wi-Fi Alliance Wi-Fi 6, WPA3, and WMM
- CE\*

Figure 1 (*G6500X10WG: 10G XGSPON High Performance Wi-Fi 6 Router*, AXON NETWORKS, INC., available at <https://www.axon-networks.com/products/10g> (last visited Oct. 16, 2024)).

- Axon Networks devices supporting **Wi-Fi Protected Setup (WPS)** functionality, including:
  - **G6500X10WG10G Wi-Fi 6 Router**

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**TECHNICAL SPECIFICATIONS:**

- Model Number: G650010WG
- Wi-Fi 6 Dual Band Wi-Fi
  - 2.4 GHz: 4x4 (Tx/Rx) 1024 QAM 40MHz, up to 1.2Gbps
  - 5 GHz: 4x4 (Tx/Rx) 1024 QAM 160MHz, up to 4.8Gbps
  - Backwards compatible with 802.11a/b/g/n/ac Wi-Fi
  - OFDMA Uplink & Downlink§
  - 1024-QAM
  - 160MHz channel support\*\*\*
  - Programmable BSS Coloring
  - Supports UNII-1, UNII-2 & UNII-2x (DFS), UNII-3 channels
  - Zero-Wait DFS reentry
  - MU-MIMO Downlink
  - High Power Wi-Fi amplifiers
- Dual-Core 1.3 GHz MIPS InterAptiv™ Processor
- 1GB DDR3 Memory, 1GB Flash
  - One (1) 10/100/1,000/10,000 Mbps - 10 Gigabit Ethernet port
  - Four (4) 10/100/1,000 Mbps Gigabit Ethernet port
  - Fiber Port - Plug in SC/APC Fiber connector for XGSPON WAN connectivity
  - Single fiber bi-directional data links symmetric: 10Gbps Downstream/ 10Gbps Upstream XGSPON ONU application with XGSPON MAC function with FEC enabled.
  - Supports Dying Gasp functionality
  - Optical Subassembly -
    - Class B+ 10Gb/s symmetric XGSPON rate
    - Supports Optical classes N1/N2/E1
    - Minimum optical output power 2.5mW
    - Maximum optical output power 6.3mW
    - Max Rx sensitivity -28.5dB
    - -40°C to 85°C,
    - 9.953Gbps, 1577nm, NRZ, PRBS 2<sup>31</sup>-1
    - ER=9dB, and
    - BER=10<sup>-3</sup>
    - Wavelengths: 1577nm Rx 1270nm Tx
    - Supports 1270nm Burst-Mode Transmitter
    - Supports 1577nm Continuous-Mode Receiver
- IPv4 and IPv6 support
- USB 3.0 Host port
- Multi-color LED status
- WPS and Reset buttons

Figure 2 (*GX6500X10WG: 10G XGSPON High Performance Wi-Fi 6 Router*, AXON NETWORKS, INC., available at <https://www.axon-networks.com/products/10g> (last visited Oct. 16, 2024)).

○ **G4500**



**TECHNICAL SPECIFICATIONS:**

- Dual-Core 800 MHz MIPS InterAptiv Processor
- Programmable BSS Coloring
- Supports UNII-1, UNII-2 & UNII-2x (DFS), UNII-3 channels
- High Power Wi-Fi amplifiers
- Five 10/100/1000 Mbps gigabit Ethernet ports - one WAN/LAN and four LAN
- Reset button
- SFP Port (Supports up to 2Gbps download, 1Gbps upload)
- IPv6 Support (Internet Protocol Version 6)
- Multi-color LED Indicator
- WPS button - Allows easy connection of devices to the network
- Wi-Fi Certified WPA3 - Enables more robust security for networks

Figure 3 (*G4500: Software Defined Multi-Dwelling Unit*, AXON NETWORKS, INC., available at <https://www.axon-networks.com/products/mdu> (last visited Oct. 16, 2024)).

○ **LTE Router**



**ADDITIONAL FEATURES:**

- **Wi-Fi 6 dual-band** - dual-concurrent 2.4 GHz & 5 GHz operation
  - **Dual-stream 2x2 IEEE 5GHz** - 802.11a/n/ac/ax at up to 2,400 Mbps
  - **Dual-stream 2x2 IEEE 2.4GHz** - 802.11b/g/n/ ax at up to 600 Mbps
- **WPA2, WPA, WEP-64, WEP-128**
- **WPS Push Button Wireless Setup**
- **Multiple SSID** - with broadcast disable

1 Figure 4 (*Wireless Broadband: LTE Router*, AXON NETWORKS, INC., available at  
2 <https://www.axon-networks.com/products/lte-router> (last visited Oct. 16, 2024)).

3 14. On information and belief, Defendant provides information and assistance  
4 to its customers to enable them to use the Accused Products in an infringing manner  
5 as described below.

6 15. For these reasons and the additional reasons detailed below, the Accused  
7 Products practice at least one claim of each of the Asserted Patents.

8 16. By letter dated April 28, 2023, addressed to Siddhartha Dattagupta, Chief  
9 Executive Officer of Greenwave Systems Inc., and to Martin Manniche, Chief  
10 Executive Officer of Axon Networks, Inc.<sup>1</sup> (the “Notice Letter”), Defendant  
11 received notice of its infringement of CommWorks’ patents, including the Asserted  
12 Patents.

13 **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,177,285**

14 17. CommWorks repeats and re-alleges the allegations in the paragraphs  
15 above as though fully set forth in their entirety.

16 18. The USPTO duly issued U.S. Patent No. 7,177,285 (the “’285 patent”) on  
17 February 13, 2007, after full and fair examination of Application No. 10/961,959  
18 which was filed October 8, 2004. The ’285 patent is entitled “Time Based Wireless  
19 Access Provisioning.”

20 19. CommWorks owns all substantial rights, interest, and title in and to the  
21 ’285 patent, including the sole and exclusive right to prosecute this action and  
22 enforce the ’285 patent against infringers and to collect damages for all relevant  
23 times.

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27 <sup>1</sup> On April 13, 2021, “Axon Networks, a former business unit of Greenwave Systems  
28 . . . *spun off to form a new entity*. . . .” *Introducing Axon Networks*, AXON  
NETWORKS, INC., available at [Introducing AXON Networks \(axon-networks.com\)](https://www.axon-networks.com)  
(Apr. 13, 2021) (emphasis added).



1           20.   CommWorks or its predecessors-in-interest have satisfied all statutory  
2 obligations required to collect pre-filing damages for the full period allowed by law  
3 for infringement of the '285 patent.

4           21.   The claims of the '285 patent are not directed to an abstract idea and are  
5 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
6 inventions include inventive components that improve upon the function and  
7 operation of preexisting network provisioning systems. The written description of  
8 the '285 patent describes in technical detail each limitation of the claims, allowing a  
9 skilled artisan to understand the scope of the claims and how the non-conventional  
10 and non-generic combination of claim limitations is patently distinct from and  
11 improved upon what may have been considered conventional or generic in the art at  
12 the time of the invention.

13          22.   For example, at the time of the invention, wireless access to data networks  
14 was not yet conventional. Then existent systems for provisioning access to a  
15 network were impractical, such as for wireless devices which lacked a user interface  
16 configured for communicating provisioning information, or for simple home-based  
17 intranets, such as a wireless picture frame device lacking a control interface to read  
18 or extract identification information, such as a MAC address, to facilitate wireless  
19 access provisioning. '285 Patent at col. 3:13-26. Further, wireless devices that did  
20 have a dedicated user interface were incapable of, or cumbersome in,  
21 communicating device identification and exchanging provisioning information, still  
22 requiring a user to be technically proficient to properly initiate and complete a  
23 provisioning process. *Id.* at col. 3:27-36.

24          23.   The invention of the '285 Patent improved upon existent network  
25 provisioning systems by enabling provisioning without requiring a user interface for  
26 the initiation of a provisioning process—"a major technological advance." *Id.* at col.  
27 3:37-41. The invention of the '285 Patent further improved upon existent  
28 provisioning systems by providing a wireless access provisioning structure and

1 process with minimal device requirements and/or user proficiency, whereby a  
2 wireless device is readily provisioned by the provisioning system, and whereby other  
3 unauthorized devices within an access region are prevented from being provisioned  
4 by the provisioning system. *Id.* at col. 3:42-49. The invention of the '285 Patent  
5 further improved upon existent provisioning systems by providing a time-based  
6 wireless access provisioning system integrated with easily monitored parameters of  
7 a wireless device, such as the time monitoring of power on and/or start of signal  
8 transmission, for provisioning secure encrypted communication. *Id.* at col. 3:50-58.  
9 Moreover, the structure of the devices described in the '285 Patent was not  
10 conventional at the time of the invention. Specifically, a device such as an access  
11 point, comprising a provisioning activation button, time-based provisioning logic,  
12 access control list, wired network logic, a wired network connection and a  
13 transceiver were not conventional (or even available) at the time of the invention.

14 24. Defendant has directly infringed the '285 patent by making, using,  
15 offering to sell, selling, and/or importing the Accused Products identified above.

16 25. Defendant has directly infringed, either literally or under the doctrine of  
17 equivalents, at least claim 1 of the '285 patent, as detailed in **Exhibit A** to this  
18 Complaint (Evidence of Use Regarding U.S. Patent No. 7,177,285).

19 26. On information and belief, Defendant has infringed the '285 Patent  
20 pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by  
21 making, using, offering for sale, selling, and/or importing into the United States Wi-  
22 Fi Protected Setup ("WPS") compatible SoCs and/or devices, such as, for example,  
23 the Axon G6500X10WG10G Wi-Fi 6 Router, G4500, and LTE Routers (included  
24 in the "Accused Products").

25 27. For example, as detailed in Exhibit A, Defendant has infringed at least  
26 claim 1 of the '285 Patent by making, using, offering to sell, selling, and/or  
27 importing the Accused Products, which perform a process for provisioning between  
28 a wireless device and a network. *See* Exhibit A. The process for provisioning

1 comprises the step of tracking an operating parameter of the wireless device within  
2 a service area, wherein the operating parameter of the wireless device comprises an  
3 onset of a signal transmission of the wireless device. *Id.* The process for  
4 provisioning further comprises the step of initiating provisioning of the wireless  
5 device if the tracked operating parameter occurs within a time interval. *Id.*

6 28. Defendant has also indirectly infringed the '285 patent by inducing others  
7 to directly infringe the '285 patent. Defendant has induced distributors and end-  
8 users, including, but not limited to, Defendant's employees, partners, contractors, or  
9 customers, to directly infringe, either literally or under the doctrine of equivalents,  
10 the '285 patent by providing or requiring use of the Accused Products. Defendant  
11 has taken active steps, directly or through contractual relationships with others, with  
12 the specific intent to cause them to use the Accused Products in a manner that  
13 infringes one or more claims of the '285 patent, including, for example, claim 1 of  
14 the '285 patent. Such steps by Defendant include, among other things, advising or  
15 directing personnel, contractors, or end-users to use the Accused Products in an  
16 infringing manner; advertising and promoting the use of the Accused Products in an  
17 infringing manner; or distributing instructions that guide users to use the Accused  
18 Products in an infringing manner. Defendant has performed these steps, which  
19 constitute induced infringement with the knowledge of the '285 patent and with the  
20 knowledge that the induced acts constitute infringement. Defendant has been aware  
21 that the normal and customary use of the Accused Products by others would infringe  
22 the '285 patent.

23 29. Defendant has also indirectly infringed by contributing to the  
24 infringement of the '285 patent. Defendant has contributed to the direct  
25 infringement of the '285 patent by its personnel, contractors, distributors, and  
26 customers. The Accused Products have special features that are specially designed  
27 to be used in an infringing way and that have no substantial uses other than ones that  
28 infringe one or more claims of the '285 patent, including, for example, claim 1 of

1 the '285 patent. The special features constitute a material part of the invention of  
2 one or more of the claims of the '285 patent and are not staple articles of commerce  
3 suitable for substantial non-infringing use.

4 30. CommWorks has been damaged as a result of the infringing conduct by  
5 Defendant alleged above. Thus, Defendant is liable to CommWorks in an amount  
6 that compensates it for such infringements, which by law cannot be less than a  
7 reasonable royalty, together with interest and costs as fixed by this Court under 35  
8 U.S.C. § 284.

9 **COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,463,596**

10 31. CommWorks repeats and re-alleges the allegations in the paragraphs  
11 above as though fully set forth in their entirety.

12 32. The USPTO duly issued U.S. Patent No. 7,463,596 (the "'596 patent") on  
13 December 9, 2008, after full and fair examination of Application No. 11/673,513,  
14 which was filed on February 9, 2007. The '596 patent is entitled "Time Based  
15 Wireless Access Provisioning."

16 33. CommWorks owns all substantial rights, interest, and title in and to the  
17 '596 patent, including the sole and exclusive right to prosecute this action and  
18 enforce the '596 patent against infringers and to collect damages for all relevant  
19 times.

20 34. CommWorks or its predecessors-in-interest have satisfied all statutory  
21 obligations required to collect pre-filing damages for the full period allowed by law  
22 for infringement of the '596 patent.

23 35. The claims of the '596 patent are not directed to an abstract idea and are  
24 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
25 inventions include inventive components that improve upon the function and  
26 operation of preexisting network provisioning systems.

27 36. The written description of the '596 patent describes in technical detail  
28 each limitation of the claims, allowing a skilled artisan to understand the scope of

1 the claims and how the non-conventional and non-generic combination of claim  
2 limitations is patently distinct from and improved upon what may have been  
3 considered conventional or generic in the art at the time of the invention.

4 37. For example, at the time of the invention, wireless access to data networks  
5 was not yet conventional. Then existent systems for provisioning access to a  
6 network were impractical, such as for wireless devices which lacked a user interface  
7 configured for communicating provisioning information, or for simple home-based  
8 intranets, such as a wireless picture frame device lacking a control interface to read  
9 or extract identification information, such as a MAC address, to facilitate wireless  
10 access provisioning. '596 Patent at col. 3:13-26. Further, wireless devices that did  
11 have a dedicated user interface were incapable of, or cumbersome in,  
12 communicating device identification and exchanging provisioning information, still  
13 requiring a user to be technically proficient to properly initiate and complete a  
14 provisioning process. *Id.* at col. 3:27-36.

15 38. The invention of the '596 Patent improved upon existent network  
16 provisioning systems by enabling provisioning without requiring a user interface for  
17 the initiation of a provisioning process—"a major technological advance." *Id.* at col.  
18 3:37-41. The invention of the '596 Patent further improved upon existent  
19 provisioning systems by providing a wireless access provisioning structure and  
20 process with minimal device requirements and/or user proficiency, whereby a  
21 wireless device is readily provisioned by the provisioning system, and whereby other  
22 unauthorized devices within an access region are prevented from being provisioned  
23 by the provisioning system. *Id.* at col. 3:42-49. The invention of the '596 Patent  
24 further improved upon existent provisioning systems by providing a time-based  
25 wireless access provisioning system integrated with easily monitored parameters of  
26 a wireless device, such as the time monitoring of power on and/or start of signal  
27 transmission, for provisioning secure encrypted communication. *Id.* at col. 3:50-58.  
28 Moreover, the structure of the devices described in the '596 Patent was not

1 conventional at the time of the invention. Specifically, a device such as an access  
2 point, comprising a provisioning activation button, time-based provisioning logic,  
3 access control list, wired network logic, a wired network connection and a  
4 transceiver were not conventional (or even available) at the time of the invention.

5 39. Defendant has directly infringed the '596 patent by making, using,  
6 offering to sell, selling, and/or importing the Accused Products identified above.

7 40. Defendant has directly infringed, either literally or under the doctrine of  
8 equivalents, at least claim 1 of the '596 patent, as detailed in **Exhibit B** to this  
9 Complaint (Evidence of Use Regarding U.S. Patent No. 7,463,596).

10 41. On information and belief, Defendant has infringed the '596 Patent  
11 pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by  
12 making, using, offering for sale, selling, and/or importing into the United States Wi-  
13 Fi Protected Setup ("WPS") compatible SoCs and/or devices, such as, for example,  
14 the Axon G6500X10WG10G Wi-Fi 6 Router, G4500, and LTE Routers (included  
15 in the "Accused Products").

16 42. For example, as detailed in Exhibit B, Defendant, using the Accused  
17 Products, has infringed at least claim 1 of the '596 Patent by making, using, offering  
18 to sell, selling, and/or importing the Accused Products, which perform a process for  
19 associating devices. *See* Exhibit B. The process for associating devices comprises  
20 the step of tracking an operating parameter of a first device, wherein the operating  
21 parameter of the first device comprises any of a power on of the first device, and an  
22 onset of a signal transmission of the first device. *Id.* The process for associating  
23 devices further comprises the step of automatically associating the first device with  
24 at least one other device if the tracked operating parameter occurs within a time  
25 interval. *Id.*

26 43. Defendant has also indirectly infringed the '596 patent by inducing others  
27 to directly infringe the '596 patent. Defendant has induced distributors and end-  
28 users, including, but not limited to, Defendant's employees, partners, contractors, or

1 customers, to directly infringe, either literally or under the doctrine of equivalents,  
2 the '596 patent by providing or requiring use of the Accused Products. Defendant  
3 has taken active steps, directly or through contractual relationships with others, with  
4 the specific intent to cause them to use the Accused Products in a manner that  
5 infringes one or more claims of the '596 patent, including, for example, claim 1 of  
6 the '596 patent. Such steps by Defendant include, among other things, advising or  
7 directing personnel, contractors, or end-users to use the Accused Products in an  
8 infringing manner; advertising and promoting the use of the Accused Products in an  
9 infringing manner; or distributing instructions that guide users to use the Accused  
10 Products in an infringing manner. Defendant has performed these steps, which  
11 constitute induced infringement with the knowledge of the '596 patent and with the  
12 knowledge that the induced acts constitute infringement. Defendant has been aware  
13 that the normal and customary use of the Accused Products by others would infringe  
14 the '596 patent.

15 44. Defendant has also indirectly infringed by contributing to the  
16 infringement of the '596 patent. Defendant has contributed to the direct  
17 infringement of the '596 patent by its personnel, contractors, distributors, and  
18 customers. The Accused Products have special features that are specially designed  
19 to be used in an infringing way and that have no substantial uses other than ones that  
20 infringe one or more claims of the '596 patent, including, for example, claim 1 of  
21 the '596 patent. The special features constitute a material part of the invention of  
22 one or more of the claims of the '596 patent and are not staple articles of commerce  
23 suitable for substantial non-infringing use.

24 45. CommWorks has been damaged as a result of the infringing conduct by  
25 Defendants alleged above. Thus, Defendant is liable to CommWorks in an amount  
26 that compensates it for such infringements, which by law cannot be less than a  
27 reasonable royalty, together with interest and costs as fixed by this Court under 35  
28 U.S.C. § 284.

1       **COUNT III:       INFRINGEMENT OF U.S. PATENT NO. 7,911,979**

2       46.     CommWorks repeats and re-alleges the allegations in the paragraphs  
3 above as though fully set forth in their entirety.

4       47.     The USPTO duly issued U.S. Patent No. 7,911,979 (the “’979 patent”) on  
5 March 22, 2011, after full and fair examination of Application No. 12/323,399 which  
6 was filed on November 25, 2008. The ’979 patent is entitled “Time Based Access  
7 Provisioning System And Process.” A Certificate of Correction was issued on July  
8 19, 2011.

9       48.     CommWorks owns all substantial rights, interest, and title in and to the  
10 ’979 patent, including the sole and exclusive right to prosecute this action and  
11 enforce the ’979 patent against infringers and to collect damages for all relevant  
12 times.

13       49.     CommWorks or its predecessors-in-interest have satisfied all statutory  
14 obligations required to collect pre-filing damages for the full period allowed by law  
15 for infringement of the ’979 patent.

16       50.     The claims of the ’979 patent are not directed to an abstract idea and are  
17 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
18 inventions include inventive components that improve upon the function and  
19 operation of preexisting network provisioning systems.

20       51.     The written description of the ’979 patent describes in technical detail  
21 each limitation of the claims, allowing a skilled artisan to understand the scope of  
22 the claims and how the non-conventional and non-generic combination of claim  
23 limitations is patently distinct from and improved upon what may have been  
24 considered conventional or generic in the art at the time of the invention.

25       52.     For example, at the time of the invention wireless access to data networks  
26 was not yet conventional. Then existent systems for provisioning access to a  
27 network were impractical, such as for wireless devices which lacked a user interface  
28 configured for communicating provisioning information, or for simple home-based



1 intranets, such as a wireless picture frame device lacking a control interface to read  
2 or extract identification information, such as a MAC address, to facilitate wireless  
3 access provisioning. '979 Patent at col. 3:19-31. Further, wireless devices that did  
4 have a dedicated user interface were incapable of, or cumbersome in,  
5 communicating device identification and exchanging provisioning information, still  
6 requiring a user to be technically proficient to properly initiate and complete a  
7 provisioning process. *Id.* at col. 3:32-41.

8 53. The invention of the '979 Patent improved upon existent network  
9 provisioning systems by enabling provisioning without requiring a user interface for  
10 the initiation of a provisioning process—"a major technological advance." *Id.* at col.  
11 3:42-46. The invention of the '979 Patent further improved upon existent  
12 provisioning systems by providing a wireless access provisioning structure and  
13 process with minimal device requirements and/or user proficiency, whereby a  
14 wireless device is readily provisioned by the provisioning system, and whereby other  
15 unauthorized devices within an access region are prevented from being provisioned  
16 by the provisioning system. *Id.* at col. 3:47-53. The invention of the '979 Patent  
17 further improved upon existent provisioning systems by providing a time-based  
18 wireless access provisioning system integrated with easily monitored parameters of  
19 a wireless device, such as the time monitoring of power on and/or start of signal  
20 transmission, for provisioning secure encrypted communication. *Id.* at col. 3:54-62.  
21 Moreover, the structure of the devices described in the '979 Patent was not  
22 conventional at the time of the invention. Specifically, a device such as an access  
23 point, comprising a provisioning activation button, time-based provisioning logic,  
24 access control list, wired network logic, a wired network connection and a  
25 transceiver were not conventional (or even available) at the time of the invention.

26 54. Defendant has directly infringed the '979 patent by importing, selling,  
27 manufacturing, offering to sell, using, providing, supplying, or distributing the  
28 Accused Products identified above.

1           55. Defendant has directly infringed either literally or under the doctrine of  
2 equivalents, at least claim 1 of the '979 patent, as detailed in Exhibit C to this  
3 Complaint (Evidence of Use Regarding U.S. Patent No. 7,911,979).

4           56. On information and belief, Defendant has infringed the '979 Patent  
5 pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by  
6 making, using, offering for sale, selling, and/or importing into the United States Wi-  
7 Fi Protected Setup ("WPS") compatible SoCs and/or devices, such as, for example,  
8 the Axon G6500X10WG10G Wi-Fi 6 Router, G4500, and LTE Routers (included  
9 in the "Accused Products").

10           57. For example, as detailed in Exhibit C, Defendant, using the Accused  
11 Products, has infringed at least claim 1 of the '979 patent by making, using, offering  
12 to sell, selling, and/or importing the Accused Products, which perform a  
13 provisioning process performed by a provisioning system having provisioning logic.  
14 *See* Exhibit C. The provisioning process performed comprises tracking, by the  
15 provisioning logic, an operating parameter of a first device, wherein the operating  
16 parameter of the first device comprises any of a power on of the first device, and an  
17 onset of a signal transmission of the first device. *Id.* The provisioning process  
18 performed in the Accused Products further comprises sending a signal to initiate  
19 provisioning of the first device with a network if the tracked operating parameter  
20 occurs within a designated time interval. *Id.*

21           58. Defendant has also indirectly infringed the '979 patent by inducing others  
22 to directly infringe the '979 patent. Defendant has induced distributors and end-  
23 users, including, but not limited to, Defendant's employees, partners, contractors, or  
24 customers, to directly infringe, either literally or under the doctrine of equivalents,  
25 the '979 patent by providing or requiring use of the Accused Products. Defendant  
26 has taken active steps, directly or through contractual relationships with others, with  
27 the specific intent to cause them to use the Accused Products in a manner that  
28 infringes one or more claims of the '979 patent, including, for example, claim 1 of

1 the '979 patent. Such steps by Defendant include, among other things, advising or  
2 directing personnel, contractors, or end-users to use the Accused Products in an  
3 infringing manner; advertising and promoting the use of the Accused Products in an  
4 infringing manner; or distributing instructions that guide users to use the Accused  
5 Products in an infringing manner. Defendant has performed these steps, which  
6 constitute induced infringement with the knowledge of the '979 patent and with the  
7 knowledge that the induced acts constitute infringement. Defendant has been aware  
8 that the normal and customary use of the Accused Products by others would infringe  
9 the '979 patent.

10 59. Defendant has also indirectly infringed by contributing to the  
11 infringement of the '979 patent. Defendant has contributed to the direct  
12 infringement of the '979 patent by its personnel, contractors, distributors, and  
13 customers. The Accused Products have special features that are specially designed  
14 to be used in an infringing way and that have no substantial uses other than ones that  
15 infringe one or more claims of the '979 patent, including, for example, claim 1 of  
16 the '979 patent. The special features constitute a material part of the invention of  
17 one or more of the claims of the '979 patent and are not staple articles of commerce  
18 suitable for substantial non-infringing use.

19 60. CommWorks has been damaged as a result of the infringing conduct by  
20 Defendant alleged above. Thus, Defendant is liable to CommWorks in an amount  
21 that compensates it for such infringements, which by law cannot be less than a  
22 reasonable royalty, together with interest and costs as fixed by this Court under 35  
23 U.S.C. § 284.

24 **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. RE44,904**

25 61. CommWorks repeats and re-alleges the allegations in the paragraphs  
26 above as though fully set forth in their entirety.

27 62. The USPTO duly and lawfully reissued U.S. Patent No. RE44,904 (the  
28 "'904 patent") on May 20, 2014. The '904 patent is entitled "Method For Contention

1 Free Traffic Detection.”

2 63. CommWorks owns all substantial rights, interest, and title in and to the  
3 '904 patent, including the sole and exclusive right to prosecute this action and  
4 enforce the '904 patent against infringers and to collect damages for all relevant  
5 times.

6 64. CommWorks or its predecessors-in-interest have satisfied all statutory  
7 obligations required to collect pre-filing damages for the full period allowed by law  
8 for infringement of the '904 patent.

9 65. The claims of the '904 patent are not directed to an abstract idea and are  
10 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
11 inventions include inventive components that improve upon the function and  
12 operation of preexisting network provisioning systems.

13 66. The written description of the '904 patent describes in technical detail  
14 each limitation of the claims, allowing a skilled artisan to understand the scope of  
15 the claims and how the non-conventional and non-generic combination of claim  
16 limitations is patently distinct from and improved upon what may have been  
17 considered conventional or generic in the art at the time of the invention.

18 67. For example, at the time of the invention, “conventionally ... transmission  
19 differentiation based on priority was not conducted at all.” '904 Patent at col. 2:9-  
20 10. Obtaining priority information for traffic transmitted through an Access Point  
21 (AP) required searching all fields in all frames for indications of the priority state of  
22 the actual data frame, resulting in all fields in all frames being checked and all  
23 headers being analyzed, starting from the outer most headers, until the right field in  
24 the header had been found. *Id.* at col. 1:63-2:2. This measure was very complex,  
25 took a long time, and required a large amount of processing, especially for complex  
26 tunneling protocols. *Id.* at col. 2:5-8. All the frame headers and protocols which  
27 can be included in the data frames transmitted via the network had to be known,  
28 hence, the amount of information needed for identifying the data was huge. *Id.* at

1 col. 2:8-14. Such a huge amount of information was typically too heavy to handle  
2 in small and low price equipment like WLAN access points (AP). *Id.* Further, then  
3 existing systems according to the IEEE 802.11 standard did not separate traffic based  
4 on priority. *Id.* at col. 2:20-25.

5 68. The invention of the '904 Patent improved upon conventional network  
6 traffic routing systems by providing methods by which priority traffic can easily be  
7 distinguished from normal traffic without the need of complex processing making it  
8 possible to execute in a low cost and possibly low performance AP. *Id.* at col. 2:29-  
9 32, 3:2-4, 3:52-53. The methods of the invention of the '904 Patent further improved  
10 upon conventional network traffic routing systems by easily finding higher priority  
11 traffic from the stream of MAC layer frames without necessarily requiring  
12 knowledge of the upper layer protocols. *Id.* at col. 2:62-65. The methods of the  
13 invention of the '904 Patent further improved upon conventional network traffic  
14 routing systems by being protocol-independent and flexible such that their  
15 configuration may be done in an external configuration program; with the Access  
16 Point not needing to know anything about the processed traffic; further alleviating  
17 the need of complex structure of the device. *Id.* at col. 3:5-8, 3:14-21. A further  
18 advantage over conventional network traffic routing systems is that installation of  
19 new software or hardware in the network element would not be required when new  
20 protocols or modified protocols are introduced in the network. *Id.* at col. 3:22-31.

21 69. Defendant has directly infringed the '904 patent by importing, selling,  
22 manufacturing, offering to sell, using, providing, supplying, or distributing the  
23 Accused Products identified above.

24 70. Defendant has directly infringed either literally or under the doctrine of  
25 equivalents, at least claim 1 of the '904 patent, as detailed in **Exhibit D** to this  
26 Complaint (Evidence of Use Regarding U.S. Patent No. RE44,904).

27 71. On information and belief, Defendant, using the Accused Products, has  
28 infringed the '904 Patent pursuant to 35 U.S.C. § 271(a), literally or under the

1 doctrine of equivalents, by performing methods for contention free traffic detection  
2 using Wi-Fi Multimedia (“WMM”) and/or 802.11-2007+ compatible chips, such as,  
3 for example, the Axon G6500X10WG10G Wi-Fi 6 Router (included in the “Accused  
4 Products”).

5 72. For example, as detailed in Exhibit D, Defendant, using the Accused  
6 Products, has infringed at least claim 1 of the ’904 patent by performing a method  
7 comprising extracting a bit pattern from a predetermined position in a frame. *See*  
8 Exhibit D. The method further comprises comparing said extracted bit pattern with  
9 a search pattern. *Id.* The method further comprises identifying a received frame as  
10 a priority frame in case said extracted bit pattern matches with said search pattern.  
11 *Id.* The method further comprises forwarding said received frame to a high priority  
12 queue in case said frame is detected to be a high priority frame during a special  
13 period for sending priority traffic. *Id.* The method further comprises adjusting the  
14 duration of the special period for sending priority traffic according statistic  
15 information regarding sent priority frames. *Id.*

16 73. CommWorks has been damaged as a result of the infringing conduct by  
17 Defendant alleged above. Thus, Defendant is liable to CommWorks in an amount  
18 that compensates it for such infringements, which by law cannot be less than a  
19 reasonable royalty, together with interest and costs as fixed by this Court under 35  
20 U.S.C. § 284.

21 **COUNT V: INFRINGEMENT OF U.S. PATENT NO. 7,027,465**

22 74. CommWorks repeats and re-alleges the allegations in the paragraphs  
23 above as though fully set forth in their entirety.

24 75. The USPTO duly issued U.S. Patent No. 7,027,465 (the “’465 patent”) on  
25 April 11, 2006, after full and fair examination of Application No. 10/167,986 which  
26 was filed on June 11, 2002. The ’465 patent is entitled “Method For Contention Free  
27 Traffic Detection.”

28 76. CommWorks owns all substantial rights, interest, and title in and to the

1 '465 patent, including the sole and exclusive right to prosecute this action and  
2 enforce the '465 patent against infringers and to collect damages for all relevant  
3 times.

4 77. CommWorks or its predecessors-in-interest have satisfied all statutory  
5 obligations required to collect pre-filing damages for the full period allowed by law  
6 for infringement of the '465 patent.

7 78. The claims of the '465 patent are not directed to an abstract idea and are  
8 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
9 inventions include inventive components that improve upon the function and  
10 operation of preexisting network provisioning systems.

11 79. The written description of the '465 patent describes in technical detail  
12 each limitation of the claims, allowing a skilled artisan to understand the scope of  
13 the claims and how the non-conventional and non-generic combination of claim  
14 limitations is patently distinct from and improved upon what may have been  
15 considered conventional or generic in the art at the time of the invention.

16 80. For example, at the time of the invention, “conventionally ... transmission  
17 differentiation based on priority was not conducted at all.” '465 Patent at col. 2:9-  
18 10. Obtaining priority information for traffic transmitted through an Access Point  
19 (AP) required searching all fields in all frames for indications of the priority state of  
20 the actual data frame, resulting in all fields in all frames being checked and all  
21 headers being analyzed, starting from the outer most headers, until the right field in  
22 the header had been found. *Id.* at col. 1:53-59. This measure was very complex,  
23 took a long time, and required a large amount of processing, especially for complex  
24 tunneling protocols. *Id.* at col. 1:62-65. All the frame headers and protocols which  
25 can be included in the data frames transmitted via the network had to be known,  
26 hence, the amount of information needed for identifying the data was huge. *Id.* at  
27 col. 1:66-2:4. Such a huge amount of information was typically too heavy to handle  
28 in small and low price equipment like WLAN access points (AP). *Id.* Further, then

1 existing systems according to the IEEE 802.11 standard did not separate traffic based  
2 on priority. *Id.* at col. 2:11-15.

3 81. The invention of the '465 Patent improved upon conventional network  
4 traffic routing systems by providing methods by which priority traffic can easily be  
5 distinguished from normal traffic without the need of complex processing making it  
6 possible to execute in a low cost and possibly low performance AP. *Id.* at col. 2:19-  
7 23, 2:60-62, 3:43. The methods of the invention of the '465 Patent further improved  
8 upon conventional network traffic routing systems by easily finding higher priority  
9 traffic from the stream of MAC layer frames without necessarily requiring  
10 knowledge of the upper layer protocols. *Id.* at col. 2:53-56. The methods of the  
11 invention of the '465 Patent further improved upon conventional network traffic  
12 routing systems by being protocol-independent and flexible such that their  
13 configuration may be done in an external configuration program; with the Access  
14 Point not needing to know anything about the processed traffic; further alleviating  
15 the need of complex structure of the device. *Id.* at col. 2:63-66, col. 3:5-11. A  
16 further advantage over conventional network traffic routing systems is that  
17 installation of new software or hardware in the network element would not be  
18 required when new protocols or modified protocols are introduced in the network.  
19 *Id.* at col. 3:12-21.

20 82. Defendant has directly infringed the '465 patent by importing, selling,  
21 manufacturing, offering to sell, using, providing, supplying, or distributing the  
22 Accused Products identified above.

23 83. Defendants has directly infringed either literally or under the doctrine of  
24 equivalents, at least claim 1 of the '465 patent, as detailed in **Exhibit E** to this  
25 Complaint (Evidence of Use Regarding U.S. Patent No. 7,027,465).

26 84. On information and belief, Defendant, using the Accused Products, have  
27 infringed the '465 patent pursuant to 35 U.S.C. § 271(a), literally or under the  
28 doctrine of equivalents, by performing methods for contention free traffic detection



1 using Wi-Fi Multimedia (WMM) and/or 802.11-2007+ compatible chips and  
2 devices, such as, for example, the Axon G6500X10WG10G Wi-Fi 6 Router  
3 (included in the “Accused Products”).

4 85. For example, as detailed in Exhibit E, Defendant has infringed at least  
5 claim 1 of the ’465 patent by performing a method for detecting priority of data  
6 frames in a network. *See* Exhibit E. The method for detecting priority of data frames  
7 comprises the step of extracting a bit pattern from a predetermined position in a  
8 frame. *Id.* The method for detecting priority of data frames further comprises the  
9 step of comparing said extracted bit pattern with a search pattern. *Id.* The method  
10 for detecting priority of data frames further comprises the step of identifying a  
11 received frame as a priority frame in case said extracted bit pattern matches with  
12 said search pattern. *Id.* In the method for detecting priority of data frames, the  
13 predetermined position in said frame is defined by the offset of said bit pattern in  
14 said frame. *Id.*

15 86. Defendant had knowledge of the ’465 patent when it received the Notice  
16 Letter in April of 2023.

17 87. Furthermore, on information and belief, Defendant has a policy or practice  
18 of not reviewing the patents of others, including instructing its employees to not  
19 review the patents of others, and thus have been willfully blind of CommWorks’  
20 patent rights.

21 88. Defendant’s actions are at least objectively reckless as to the risk of  
22 infringing a valid patent and this objective risk was either known or should have  
23 been known by Defendant.

24 89. Defendant’s direct infringement of one or more claims of the ’465 patent  
25 is, has been, and continues to be willful, intentional, deliberate, or in conscious  
26 disregard of CommWorks’ rights under the patent.

27 90. CommWorks has been damaged as a result of the infringing conduct by  
28 Defendant alleged above. Thus, Defendant is liable to CommWorks in an amount

1 that compensates it for such infringements, which by law cannot be less than a  
2 reasonable royalty, together with interest and costs as fixed by this Court under 35  
3 U.S.C. § 284.

4 **COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 6,891,807**

5 91. CommWorks repeats and re-alleges the allegations in the paragraphs  
6 above as though fully set forth in their entirety.

7 92. The USPTO duly issued U.S. Patent No. 6,891,807 (the “’807 patent”) on  
8 May 10, 2005, after full and fair examination of Application No. 10/341,847 which  
9 was filed on January 13, 2003. The ’807 patent is entitled “Time Based Wireless  
10 Access Provisioning.”

11 93. CommWorks owns all substantial rights, interest, and title in and to the  
12 ’807 patent, including the sole and exclusive right to prosecute this action and  
13 enforce the ’807 patent against infringers and to collect damages for all relevant  
14 times.

15 94. CommWorks or its predecessors-in-interest have satisfied all statutory  
16 obligations required to collect pre-filing damages for the full period allowed by law  
17 for infringement of the ’807 patent.

18 95. The claims of the ’807 patent are not directed to an abstract idea and are  
19 not limited to well-understood, routine, or conventional activity. Rather, the claimed  
20 inventions include inventive components that improve upon the function and  
21 operation of preexisting network provisioning systems.

22 96. The written description of the ’807 patent describes in technical detail  
23 each limitation of the claims, allowing a skilled artisan to understand the scope of  
24 the claims and how the non-conventional and non-generic combination of claim  
25 limitations is patently distinct from and improved upon what may have been  
26 considered conventional or generic in the art at the time of the invention.

27 97. For example, at the time of the invention, wireless access to data networks  
28 was not yet conventional. Then existent systems for provisioning access to a

1 network were impractical, such as for wireless devices which lacked a user interface  
2 configured for communicating provisioning information, or for simple home-based  
3 intranets, such as a wireless picture frame device lacking a control interface to read  
4 or extract identification information, such as a MAC address, to facilitate wireless  
5 access provisioning. '807 Patent at col. 3:5-18. Further, wireless devices that did  
6 have a dedicated user interface were incapable of, or cumbersome in,  
7 communicating device identification and exchanging provisioning information, still  
8 requiring a user to be technically proficient to properly initiate and complete a  
9 provisioning process. *Id.* at col. 3:19-28.

10 98. The invention of the '807 Patent improved upon existent network  
11 provisioning systems by enabling provisioning without requiring a user interface for  
12 the initiation of a provisioning process—"a major technological advance." *Id.* at col.  
13 3:29-33. The invention of the '807 Patent further improved upon existent  
14 provisioning systems by providing a wireless access provisioning structure and  
15 process with minimal device requirements and/or user proficiency, whereby a  
16 wireless device is readily provisioned by the provisioning system, and whereby other  
17 unauthorized devices within an access region are prevented from being provisioned  
18 by the provisioning system. *Id.* at col. 3:34-41. The invention of the '807 Patent  
19 further improved upon existent provisioning systems by providing a time-based  
20 wireless access provisioning system integrated with easily monitored parameters of  
21 a wireless device, such as the time monitoring of power on and/or start of signal  
22 transmission, for provisioning secure encrypted communication. *Id.* at col. 3:42-50.  
23 Moreover, the structure of the devices described in the '807 Patent was not  
24 conventional at the time of the invention. Specifically, a device such as an access  
25 point, comprising a provisioning activation button, time-based provisioning logic,  
26 access control list, wired network logic, a wired network connection and a  
27 transceiver were not conventional (or even available) at the time of the invention.  
28

1 99. Defendant has directly infringed either literally or under the doctrine of  
2 equivalents, at least claim 17 of the '807 patent, as detailed in **Exhibit F** to this  
3 Complaint (Evidence of Use Regarding U.S. Patent No. 6,891,807).

4 100. On information and belief, Defendant has infringed the '807 Patent  
5 pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by  
6 making, using, offering for sale, selling, and/or importing into the United States Wi-  
7 Fi Protected Setup ("WPS") compatible consumer electronics chips, such as, for  
8 example, the Axon G6500X10WG10G Wi-Fi 6 Router, G4500, and LTE Routers  
9 (included in the "Accused Products").

10 101. For example, as detailed in Exhibit F, Defendant has infringed at least  
11 claim 17 of the '807 Patent by making, using, offering to sell, selling, and/or  
12 importing the Accused Products, which include a time based network access  
13 provisioning system between a wireless device and a network. *See* Exhibit F. The  
14 time based network access provisioning system comprises a network access point  
15 connected to the network, the network access point comprising logic for tracking  
16 operation of the wireless device. *Id.* The time based network access provisioning  
17 system further comprises logic for provisioning the wireless device if the operation  
18 of the wireless device occurs within an activatable time interval. *Id.*

19 102. Defendant had knowledge of the '807 patent when it received the Notice  
20 Letter in April of 2023.

21 103. Furthermore, on information and belief, Defendant has a policy or practice  
22 of not reviewing the patents of others, including instructing its employees to not  
23 review the patents of others, and thus have been willfully blind of CommWorks'  
24 patent rights.

25 104. Defendant's actions are at least objectively reckless as to the risk of  
26 infringing a valid patent and this objective risk was either known or should have  
27 been known by Defendant.

28 105. Defendant's direct infringement of one or more claims of the '807 patent

1 is, has been, and continues to be willful, intentional, deliberate, or in conscious  
2 disregard of CommWorks' rights under the patent.

3 106. CommWorks has been damaged as a result of the infringing conduct by  
4 Defendant alleged above. Thus, Defendant is liable to CommWorks in an amount  
5 that compensates it for such infringements, which by law cannot be less than a  
6 reasonable royalty, together with interest and costs as fixed by this Court under 35  
7 U.S.C. § 284.

8 **JURY DEMAND**

9 107. CommWorks hereby requests a trial by jury on all issues so triable by  
10 right.

11 **PRAYER FOR RELIEF**

12 108. CommWorks requests that the Court find in its favor and against  
13 Defendants, and that the Court grant CommWorks the following relief:

- 14 a. Judgment that one or more claims of each of the Asserted Patents has been  
15 infringed, either literally or under the doctrine of equivalents, by the  
16 Defendant or others acting in concert therewith;
- 17 b. Judgment that Defendants account for and pay to CommWorks all  
18 damages to and costs incurred by CommWorks because of Defendants'  
19 infringing activities and other conduct complained of herein;
- 20 c. Judgment that Defendant's infringements of the '465 patent be found  
21 willful, and that the Court award treble damages for the period of such  
22 willful infringement pursuant to 35 U.S.C. § 284;
- 23 d. Pre-judgment interest on the damages caused by Defendants' infringing  
24 activities and other conduct complained of herein;
- 25 e. That this Court declare this an exceptional case and award CommWorks  
26 its reasonable attorneys' fees and costs in accordance with 35 U.S.C. §  
27 285; and
- 28 f. All other and further relief as the Court may deem just and proper under

1 the circumstances.  
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1 Dated: October 17, 2024

Respectfully submitted,

2 /s/ Travis E. Lynch

3 Travis E. Lynch (SBN 335684)  
4 **ROZIER HARDT MCDONOUGH PLLC**  
659 Auburn Avenue NE, Unit 254  
Atlanta, Georgia 30312  
Telephone: (404) 564-1862  
Email: lynch@rhmttrial.com

7 Steven W. Ritcheson (SBN 174062)  
8 **INSIGHT, PLLC**  
578 Washington Blvd., #503  
Marina del Rey, California 90292  
Telephone: (424) 289-9191  
Email: switcheson@insightplc.com

9 *Attorneys for Plaintiff COMMWORKS*  
10 *SOLIUTIONS, LLC*

11 **List of Exhibits**

- 12 A. Evidence of Use Regarding U.S. Patent No. 7,177,285  
13 B. Evidence of Use Regarding U.S. Patent No. 7,463,596  
14 C. Evidence of Use Regarding U.S. Patent No. 7,911,979  
15 D. Evidence of Use Regarding U.S. Patent No. RE44,904  
16 E. Evidence of Use Regarding U.S. Patent No. 7,027,465  
17 F. Evidence of Use Regarding U.S. Patent No. 6,891,807  
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