

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

FANTASIA TRADING, LLC D/B/A
ANKERDIRECT, and
POWER MOBILE LIFE, LLC,

Plaintiffs,

v.

NEC CORPORATION,

Defendant.

Case No. 1:24-cv-01870

JURY TRIAL DEMANDED

COMPLAINT FOR DECLARATORY JUDGMENT OF NON-INFRINGEMENT

Plaintiffs Fantasia Trading, LLC d/b/a AnkerDirect (“Fantasia”), and Power Mobile Life, LLC (“Power Mobile Life”) (collectively, “Plaintiffs”) bring this action against Defendant NEC Corporation (“NEC”) for declaratory judgment that certain of Plaintiffs’ products do not infringe certain U.S. patents identified more specifically below (“the Asserted NEC Patents”), and hereby allege and aver as follows:

NATURE OF THE ACTION

1. This action arises under the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, and the patent laws of the United States of America, 35 U.S.C. § 1 et seq., for a declaratory judgment of non-infringement of the Asserted NEC Patents, in response to claims asserted by NEC that certain surveillance products imported, distributed, and sold in the United States by Plaintiffs (“the Accused Eufy Products”) infringe the Asserted NEC Patents. NEC’s claims give rise to a substantial and concrete controversy between the parties, which Plaintiffs seek to resolve by this action.

THE PARTIES

2. Fantasia Trading, LLC d/b/a AnkerDirect is a Delaware limited liability company with its principal place of business at 5350 Ontario Mills Pkwy, Suite 100, Ontario, California 91764.

3. Power Mobile Life, LLC is a limited liability company organized and existing under the laws of the state of Washington, with its principal place of business at 10800 NE 8th ST #900, Bellevue, WA, 98004, United States.

4. Eufy is a brand under the Anker family of companies, a global leader in consumer electronics and smart devices, known for its range of smart home products designed to simplify and enhance everyday living. Eufy products are recognized for their innovative features, user-friendly design, and affordability.

5. Plaintiffs are both members of the Anker family of companies, which are wholly owned by Anker Innovations Ltd. respectively, and their ultimate parent company is Anker Innovations Technology Co., Ltd. Plaintiffs are committed to innovation, quality, and customer satisfaction. Plaintiffs distribute various products in the United States, including the Accused Eufy Products.

6. On information and belief, Defendant NEC Corporation is a corporation organized under the laws of Japan, with its principal place of business at 7-1, Shiba 5-chome Minato-ku, Tokyo 108-8001 Japan, which claims ownership of the NEC Patents.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this controversy pursuant to 28 U.S.C. §§ 2201, 2202, 1331, and/or 1338(a), because this action arises under the laws of the United States, in particular the Patent Act of the United States, 35 U.S.C. §§ 100 et seq., and

seeks relief under the Federal Declaratory Judgment Act.

8. This Court has personal jurisdiction over NEC pursuant to 35 U.S.C. § 293, which provides that, in cases involving a “patentee not residing in the United States,” this Court “shall have the same jurisdiction to take any action respecting the patent or rights thereunder that it would have if the patentee were personally within the jurisdiction of the court.”

9. On information and belief, NEC is the current assignee and owner of the Asserted NEC Patents. NEC is the assignee listed on the face of the NEC Patents.

10. On information and belief, NEC, a Japanese resident, has not filed with the United States Patent and Trademark Office “a written designation stating the name and address of a person residing within the United States on whom may be served process or notice or proceedings affecting the patent or rights thereunder.” Thus, NEC is subject to this Court’s personal jurisdiction under 35 U.S.C. § 293 for the claims brought in this Complaint.

11. Venue is proper in this district, *inter alia*, pursuant to 28 U.S.C. § 1391(b)(3) because NEC is subject to this Court’s personal jurisdiction under 35 U.S.C. § 293 and pursuant to 28 U.S.C. § 1391(c)(3).

**NEC’S CLAIMS GIVING RISE TO
A JUSTICIABLE CONTROVERSY BETWEEN NEC AND PLAINTIFFS**

12. On September 3, 2024, NEC filed a complaint against Anker Innovations Technology Co., Ltd. and Anker Innovations Ltd. (collectively, “Anker”), in the Eastern District of Texas alleging patent infringement (“NEC’s Texas Complaint”). NEC’s Texas Complaint alleges that Anker infringes U.S. Patent No. 9,953,240 (“the ’240 Patent”), U.S. Patent No. 10,037,467 (“the ’467 Patent”), U.S. Patent No. 10,970,995 (“the ’995 Patent”), U.S. Patent No. 10,999,635 (“the ’635 Patent”), U.S. Patent No. 11,210,526 (“the ’526 Patent”), and U.S. Patent No. 11,537,814 (“the ’814 Patent”). These patents, along with U.S. Patent No. 10,325,160

(“the ’160 Patent”) are the Asserted NEC Patents. Copies of the Asserted NEC Patents are attached as Exhibits A-G. A copy of NEC’s Texas Complaint (Case 2:24-cv-00720) is attached as Exhibit H

13. NEC’s Texas Complaint inaccurately alleges that Anker infringes the ’240 Patent, the ’467 Patent, the ’995 Patent, the ’635 Patent, the ’526 Patent, and the ’814 Patent, including (a) direct infringement “by or through its sale, offer for sale, manufacture, use, or import of” the Accused Eufy Products, and (b) indirect infringement such as induced and contributory infringement, by “actively inducing the use, offering for sale, selling, or importation of” the Accused Eufy Products, and by “inducing and/or contributing to infringement by making available tutorial videos on [its] official YouTube channel encouraging customers to infringe.” (See Paragraph Nos. 32, 37, 39, 50, 55, 57, 68, 73, 75, 86, 92, 94, 105, 109, 111, 122, 126, and 128, NEC’s Texas Complaint). With regard to the ’635 Patent, NEC further inaccurately alleges that Anker “directly infringe by performing th[e] method claim in the United States, when, for example, performing testing, generating, and/or producing instructional videos showing how the accused products perform cross-camera tracking functionality” (See Paragraph No. 89, *Id.*) In particular, the NEC’s Texas Complaint identifies at least the following Accused Eufy Products as infringing products.

Asserted NEC Patents	Accused Eufy Products
'240 Patent	Surveillance products with package notifications (i.e., “Delivery Guard”), including at least the Video Doorbell (Wired) S330; Video Doorbell E340 (Battery Powered); Video Doorbell E340 + Rechargeable Battery Pack with USB-C; Video Doorbell S330; Video Doorbell S330 Add-on; Whole Protection E Deluxe Bundle;

Asserted NEC Patents	Accused Eufy Products
	<p>Whole Protection E Premium Business Bundle; Whole Protection E Standard Plus Bundle; Video Doorbell Dual 2K (Battery-Powered); eufy’s BionicMind AI Service, eufy security application, and eufy servers supporting such products (collectively, “the Accused ’240 Eufy Products”).</p>
<p>’467 Patent</p>	<p>Surveillance products with object detection functionality, including at least the 4G Camera S230 (1 Pack); 5-Piece Home Alarm Kit; eufy 4G LTE Cam S330; eufy 4G LTE Cam S330 (2-Cam Pack); eufy 4G LTE Cam S330 (3-Cam Pack); eufy 4G LTE Cam S330 (4-Cam Pack); eufy 4G LTE Cam S330 + Video Smart Lock S330; eufy 4G LTE Cam S330+Floodlight Camera E340; eufy 4G LTE Cam S330+Video Doorbell E340; eufy Pet Camera Pro N140; eufy Pet Dog Camera D605; eufy Security Indoor Cam C220; eufy Security SoloCam C210 with Solar Panel; eufyCam E330 (Professional) 4-Cam Kit; eufyCam S210 (eufyCam 2C); eufyCam S220 (eufyCam 2C Pro); eufyCam S300 (eufyCam 3C) 3-Cam Kit+1 TB Drive; eufyCam S330 (eufyCam 3) 4-Cam Kit +1 TB Hard Drive; Floodlight Cam S330; Floodlight Cam S330 (Renewed); Floodlight Camera E340; Garage-Control Cam E110; HomeBase S380 (HomeBase 3); Indoor and Entryway Standard Bundle; Indoor Cam C120 (2K, Plug-In); Indoor Cam E220; Indoor Cam E220 (Renewed); Indoor Cam S350; Motion Sensor; Outdoor</p>

Asserted NEC Patents	Accused Eufy Products
	<p>Cam E210; Outdoor Cam E220; Outdoor E Delux Bundle; Outdoor E Premium Bundle; Outdoor E Standard Bundle; Outdoor S Delux Business Bundle; Outdoor S Standard Bundle; Smart Drop S300; Solar Wall Light Cam S120; Solar Wall Light Cam S120 + Solar Panel Charger; Solar Wall Light Cam S120 (Renewed); SoloCam C120; SoloCam C210; SoloCam S220; SoloCam S220 (Renewed); SoloCam S230 (S40); SoloCam S230 (S40) (Renewed); SoloCam S340 (2-Cam Pack) + eufy 4G LTE Cam S330; SoloCam S340 + eufy 4G LTE Cam S330; SoloCam S340 Wireless Outdoor Security Camera with Dual Lens and Solar Panel; Video Doorbell (Wired) S330; Video Doorbell 2K (Wired); Video Doorbell C210; Video Doorbell E340 (Battery Powered); Video Doorbell E340 + Rechargeable Battery Pack with USB-C; Video Doorbell S220; Video Doorbell S220 Add-on; Video Doorbell S330; Video Doorbell S330 Add-on; Video Smart Lock E330; Video Smart Lock S330; Whole Protection E Delux Bundle; Whole Protection E Premium Business Bundle; Whole Protection E Standard Plus Bundle; Wired Wall Light Cam S100 (2-Cam Pack); eufy’s BionicMind AI Service, eufy security application; and eufy servers supporting such products (collectively, “the Accused ’467 Eufy Products”).</p>
'995 Patent	Surveillance products with object detection with imaging range

Asserted NEC Patents	Accused Eufy Products
	<p>adjustment functionality, including at least the eufy 4G LTE Cam S330; eufy 4G LTE Cam S330 (2-Cam Pack); eufy 4G LTE Cam S330 (3-Cam Pack); eufy 4G LTE Cam S330 (4-Cam Pack); eufy 4G LTE Cam S330 + Video Smart Lock S330; eufy 4G LTE Cam S330+Floodlight Camera E340; eufy 4G LTE Cam S330+Video Doorbell E340; eufy Pet Camera Pro N140; eufy Pet Dog Camera D605; eufy Security Indoor Cam C220; Floodlight Cam S330; Floodlight Cam S330 (Renewed); Floodlight Camera E340; Indoor and Entryway Standard Bundle; Indoor Cam E220; Indoor Cam E220 (Renewed); Indoor Cam S350; Outdoor E Delux Bundle; Outdoor E Premium Bundle; Outdoor E Standard Bundle; Outdoor S Delux Business Bundle; Outdoor S Standard Bundle; SoloCam S340 (2-Cam Pack) + eufy 4G LTE Cam S330; SoloCam S340 + eufy 4G LTE Cam S330; SoloCam S340 Wireless Outdoor Security Camera with Dual Lens and Solar Panel; Whole Protection E Delux Bundle; and ; eufy’s BionicMind AI Service, eufy security application; and eufy servers supporting such products (collectively, “the Accused ’995 Eufy Products”)</p>
’635 Patent	<p>Surveillance products with cross-camera tracking functionality, including at least the eufy 4G LTE Cam S330 (2-Cam Pack); eufy 4G LTE Cam S330 (3-Cam Pack); eufy 4G LTE Cam S330 (4-Cam Pack); eufy 4G LTE Cam S330 + Video Smart Lock S330; eufy 4G</p>

Asserted NEC Patents	Accused Eufy Products
	<p>LTE Cam S330+Floodlight Camera E340; eufy 4G LTE Cam S330+Video Doorbell E340; eufyCam E330 (Professional) 4-Cam Kit; eufyCam S210 (eufyCam 2C); eufyCam S220 (eufyCam 2C Pro); eufyCam S300 (eufyCam 3C) 3-Cam Kit+1 TB Drive; eufyCam S330 (eufyCam 3) 4-Cam Kit + 1 TB Hard Drive; Floodlight Camera E340; HomeBase S380 (HomeBase 3); Outdoor Cam E210; Outdoor Cam E220; Outdoor S Standard Bundle; Solar Wall Light Cam S120; SoloCam S220; SoloCam S220 (Renewed); SoloCam S230 (S40); SoloCam S230 (S40) (Renewed); SoloCam S340 (2-Cam Pack) + eufy 4G LTE Cam S330; SoloCam S340 + eufy 4G LTE Cam S330; Video Doorbell E340 (Battery Powered); Video Doorbell E340 + Rechargeable Battery Pack with USB-C; Video Smart Lock E330; Video Smart Lock S330; Whole Protection E Delux Bundle; Wired Wall Light Cam S100 (2-Cam Pack); eufy's BionicMind AI Service; and eufy servers supporting such products (collectively, "the Accused '635 Eufy Products").</p>
'526 Patent	<p>Surveillance products with AI learning functionality, including at least the 4G Camera S230 (1 Pack); 5-Piece Home Alarm Kit; eufy 4G LTE Cam S330; eufy 4G LTE Cam S330 (2-Cam Pack); eufy 4G LTE Cam S330 (3-Cam Pack); eufy 4G LTE Cam S330 (4-Cam Pack); eufy 4G LTE Cam S330 +Video Smart Lock S330; eufy 4G LTE Cam S330+Floodlight Camera E340; eufy 4G LTE Cam</p>

Asserted NEC Patents	Accused Eufy Products
	<p>S330+Video Doorbell E340; eufy Pet Camera Pro N140; eufy Pet Dog Camera D605; eufy Security Indoor Cam C220; eufy Security SoloCam C210 with Solar Panel; eufyCam E330 (Professional) 4-Cam Kit; eufyCam S210 (eufyCam 2C); eufyCam S220 (eufyCam 2C Pro); eufyCam S300 (eufyCam 3C) 3-Cam Kit+1 TB Drive; eufyCam S330 (eufyCam 3) 4-Cam Kit +1 TB Hard Drive; Floodlight Cam S330; Floodlight Cam S330 (Renewed); Floodlight Camera E340; Garage-Control Cam E110; HomeBase S380 (HomeBase 3); Indoor and Entryway Standard Bundle; Indoor Cam C120 (2K, Plug-In); Indoor Cam E220; Indoor Cam E220 (Renewed); Indoor Cam S350; Motion Sensor; Outdoor Cam E210; Outdoor Cam E220; Outdoor E Delux Bundle; Outdoor E Premium Bundle; Outdoor E Standard Bundle; Outdoor S Delux Business Bundle; Outdoor S Standard Bundle; Smart Drop S300; Solar Wall Light Cam S120; Solar Wall Light Cam S120 + Solar Panel Charger; Solar Wall Light Cam S120 (Renewed); SoloCam C120; SoloCam C210; SoloCam S220; SoloCam S220 (Renewed); SoloCam S230 (S40); SoloCam S230 (S40) (Renewed); SoloCam S340 (2-Cam Pack) + eufy 4G LTE Cam S330; SoloCam S340 + eufy 4G LTE Cam S330; SoloCam S340 Wireless Outdoor Security Camera with Dual Lens and Solar Panel; Video Doorbell (Wired) S330; Video Doorbell 2K (Wired); Video Doorbell C210; Video</p>

Asserted NEC Patents	Accused Eufy Products
	<p>Doorbell E340 (Battery Powered); Video Doorbell E340 + Rechargeable Battery Pack with USB-C; Video Doorbell S220; Video Doorbell S220 Add-on; Video Doorbell S330; Video Doorbell S330 Add-on; Video Smart Lock E330; Video Smart Lock S330; Whole Protection E Delux Bundle; Whole Protection E Premium Business Bundle; Whole Protection E Standard Plus Bundle; Wired Wall Light Cam S100 (2-Cam Pack); eufy's BionicMind AI Service; eufy security application; and eufy servers supporting such products (collectively, "the Accused '526 Eufy Products").</p>
'814 Patent	<p>Surveillance products with AI learning functionality, including at least the 4G Camera S230 (1 Pack); 5-Piece Home Alarm Kit; eufy 4G LTE Cam S330; eufy 4G LTE Cam S330 (2-Cam Pack); eufy 4G LTE Cam S330 (3-Cam Pack); eufy 4G LTE Cam S330 (4-Cam Pack); eufy 4G LTE Cam S330 +Video Smart Lock S330; eufy 4G LTE Cam S330+Floodlight Camera E340; eufy 4G LTE Cam S330+Video Doorbell E340; eufy Pet Camera Pro N140; eufy Pet Dog Camera D605; eufy Security Indoor Cam C220; eufy Security SoloCam C210 with Solar Panel; eufyCam E330 (Professional) 4-Cam Kit; eufyCam S210 (eufyCam 2C); eufyCam S220 (eufyCam 2C Pro); eufyCam S300 (eufyCam 3C) 3-Cam Kit+1 TB Drive; eufyCam S330 (eufyCam 3) 4-Cam Kit +1 TB Hard Drive;</p>

Asserted NEC Patents	Accused Eufy Products
	<p>Floodlight Cam S330; Floodlight Cam S330 (Renewed); Floodlight Camera E340; Garage-Control Cam E110; HomeBase S380 (HomeBase 3); Indoor and Entryway Standard Bundle; Indoor Cam C120 (2K, Plug-In); Indoor Cam E220; Indoor Cam E220 (Renewed); Indoor Cam S350; Motion Sensor; Outdoor Cam E210; Outdoor Cam E220; Outdoor E Delux Bundle; Outdoor E Premium Bundle; Outdoor E Standard Bundle; Outdoor S Delux Business Bundle; Outdoor S Standard Bundle; Smart Drop S300; Solar Wall Light Cam S120; Solar Wall Light Cam S120 + Solar Panel Charger; Solar Wall Light Cam S120 (Renewed); SoloCam C120; SoloCam C210; SoloCam S220; SoloCam S220 (Renewed); SoloCam S230 (S40); SoloCam S230 (S40) (Renewed); SoloCam S340 (2-Cam Pack) + eufy 4G LTE Cam S330; SoloCam S340 + eufy 4G LTE Cam S330; SoloCam S340 Wireless Outdoor Security Camera with Dual Lens and Solar Panel; Video Doorbell (Wired) S330; Video Doorbell 2K (Wired); Video Doorbell C210; Video Doorbell E340 (Battery Powered); Video Doorbell E340 + Rechargeable Battery Pack with USB-C; Video Doorbell S220; Video Doorbell S220 Add-on; Video Doorbell S330; Video Doorbell S330 Add-on; Video Smart Lock E330; Video Smart Lock S330; Whole Protection E Delux Bundle; Whole Protection E Premium Business Bundle; Whole Protection E Standard Plus</p>

Asserted NEC Patents	Accused Eufy Products
	Bundle; Wired Wall Light Cam S100 (2-Cam Pack); eufy's BionicMind AI Service; eufy security application; and eufy servers supporting such products (collectively, "the Accused '814 Eufy Products").

14. NEC's Texas Complaint also alleges that it first sent a letter to the legal departments of Anker on June 3, 2024 (the "Letter"), offering to license patents currently owned by NEC. That letter alleged that 80 United States patents, including the Asserted NEC Patents, are infringed, either alone or in combination, by products including by not limited to, the SoloCam S340 Wireless Outdoor Security Camera with Dual Lens and Solar Panel, eufy 4G LTE Cam S330, Indoor Cam S350, SoloCam S230 (S40), SoloCam S220, SoloCam C210, Indoor Cam E220, Outdoor Cam E210, eufy Security SoloCam C210 with Solar Panel, Indoor Cam C120 (2K, Plug-In), eufyCam S220 (eufyCam 2C Pro), eufyCam S210 (eufyCam 2C), Outdoor Cam E220, 4G Camera S230 (1 Pack), SoloCam C120, Garage-Control Cam E110, eufy Security Indoor Cam C220, Video Doorbell E340 (Battery Powered), Video Doorbell (Wired) S330, Video Doorbell S330, Video Doorbell S220, Video Doorbell 2K (Wired), Video Doorbell C210, Video Doorbell E340 + Rechargeable Battery Pack with USB-C, Video Smart Lock S330, Video Smart Lock E330, Floodlight Camera E340, Floodlight Cam S330, Wired Wall Light Cam S100 (2-Cam Pack), Solar Wall Light Cam S120, Solar Wall Light Cam S120 + Solar Panel Charger, eufy Pet Dog Camera D605, eufy Pet Camera Pro N140, Smart Drop S300, HomeBase S380 (HomeBase 3), 5-Piece Home Alarm Kit, other Anker products with similar functionalities, the eufy security app, various bundles, and/or other Anker security solutions with similar functionalities.

15. To the extent it occurs, the alleged conduct inaccurately attributed to Anker in

NEC's Texas Complaint and the Letter is in fact undertaken by Plaintiffs, and NEC's assertions and claims therefore present threats against Plaintiffs, Plaintiffs' products, and their customers, thereby giving rise to a dispute between Plaintiffs and NEC. For example, the website that is the subject of the allegations in NEC's Texas Complaint and the Letter (<https://www.eufy.com>) was established and is maintained by Fantasia, as the website itself states and identifies the copyright as held by "Fantasia Trading LLC." Power Mobile Life is the seller of EufyHome store on Amazon. The eufy Security app is operated by Power Mobile Life, and Apple Inc.'s App Store also identifies its copyright as held by "Power Mobile Life LLC." *See, e.g.*, <https://apps.apple.com/us/app/eufy-security/id1424956516>.

16. Anker Innovations Technology Co., Ltd. is a corporation organized under the laws of the People's Republic of China, and Anker Innovations Limited is a corporation organized under the laws of Hong Kong.

17. Plaintiffs, Anker Innovations Technology Co., Ltd., and Anker Innovations Ltd. are separate legal and juridical entities that maintain and respect all corporate formalities and distinctions. Plaintiffs are registered to do business in the United States, while Anker Innovations Technology Co., Ltd., and Anker Innovations Ltd. are not.

18. Plaintiffs are responsible for and engage in the importation, distribution and sale of the Accused Eufy Products in the United States.

19. Anker Innovations Technology Co., Ltd. and Anker Innovations Ltd. do not have minimum contacts with Texas and, accordingly, there is no personal jurisdiction over Anker in the United States District Court for the Eastern District of Texas.

20. On information and belief, NEC also has no place of business in the Eastern District of Texas. On information and belief, NEC sued Anker—rather than Plaintiffs, the proper

parties—in an effort to manufacture venue in the Eastern District of Texas, because Plaintiffs are not subject to venue in the Eastern District of Texas under 28 U.S.C. § 1400(b).

21. Service of NEC's Texas Complaint on Anker has not been effected.

22. There exists an actual controversy between Plaintiffs and NEC concerning whether the Accused Eufy Products infringe the Asserted NEC Patents. NEC's claims that the Accused Eufy Products infringe the Asserted NEC Patents have caused and will continue to cause direct and substantial injury to Plaintiffs and their business, including Plaintiffs' marketing and sales of the Accused Eufy Products.

23. Plaintiffs aver and maintain that Plaintiffs have the right to manufacture, use, sell, offer for sale, and import all of the Accused Eufy Products without license from NEC, because the Accused Eufy Products do not infringe the Asserted NEC Patents, and denies NEC's claims to the contrary.

24. The meritless claims and allegations of NEC have (i) cast uncertainty over Plaintiffs' business and the Accused Eufy Products, (ii) injured and are injuring Plaintiffs' business; and (iii) created a concrete and immediate controversy between Plaintiffs and Defendant. Plaintiffs bring this case to clear its name and to protect its suppliers, distributors, customers, and end-users against the meritless claims of infringement brought by NEC.

**FIRST CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 9,953,240)**

25. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

26. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '240 Patent.

27. None of the Accused Eufy Products infringes any of the claims of the '240 Patent.

28. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '240 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1	identify static areas from input images captured at a plurality of time points, wherein, in the static areas, the input images include motion indicating a value smaller than a threshold value;
5, 6	identifying static areas from input images captured at a plurality of time points, wherein, in the static areas, the input images include motion indicating a value smaller than a threshold value;
1	compare the first image and the second image and identify an area having a difference;
5, 6	comparing the first image and the second image and identify an area having a difference; and
1	classify static objects included in the input images according to a length of a static time period, based on a comparison of the first image, the second image, and the third image.
5, 6	classifying static objects included in the input images according to a length of a static time period, based on a comparison of the first image, the second image, and the third image.

29. The claim limitations recited by the preceding paragraph are present in claims 1, 5, and 6 of the '240 Patent, which NEC alleges Accused Eufy Products meet.

30. The Accused Eufy Products do not meet these limitations at least because they do

not identify static areas from input images that include motion indicating a value smaller than a threshold value, nor compare a first image and a second image and identify an area having a difference, nor classify static objects included in the input images according to a length of a static time period, based on a comparison of the first image, the second image, and a third image.

31. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '240 Patent, literally or under the doctrine of equivalents.

32. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '240 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**SECOND CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 10,037,467)**

33. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

34. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '467 Patent.

35. None of the Accused Eufy Products infringes any of the claims of the '467 Patent.

36. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '467 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1	select the frame image satisfying a frame selection criterion for each of the object elements, the frame selection criterion being set in advance for each of the object elements;
13	a frame selecting unit that selects the frame image that satisfies a frame selection criterion for each of the object elements, the frame selection criterion being set in advance for each of the object elements; and
15	selecting the frame image that satisfies a frame selection criterion before and after extracting the feature quantity, for each of the object elements, the frame selection criterion being set in advance for each of the object elements; and
1	associate frame specifying information for specifying the selected frame image with the feature quantity of the object element extracted from the selected frame image.
13	a feature quantity associating unit that associates frame specifying information for specifying the frame image selected by the frame selecting unit with the feature quantity of the object element extracted from the selected frame image...
15	associating frame specifying information for specifying the frame image selected by a frame selecting unit with the feature quantity of the object element extracted from the selected frame image...

11	...the feature quantity of the object element extracted from a frame image selected based on a frame selection criterion for each of the object elements and frame specifying information for specifying the selected frame image in association with each other, the frame selection criterion being set in advance for each of the object elements...
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37. The claim limitations recited by the preceding paragraph are present in claims 1, 11, 13, and 15 of the '467 Patent, which NEC alleges Accused Eufy Products meet.

38. The Accused Eufy Products do not meet these limitations at least because a frame image from which they extract, if they do at all, a feature quantity of each of the object elements is not the same as a frame image satisfying a frame selection criterion for each of the object elements. The Accused Eufy Products also do not associate frame specifying information for specifying the selected frame image with the feature quantity of the object element extracted from the selected frame image.

39. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '467 Patent, literally or under the doctrine of equivalents.

40. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '467 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**THIRD CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 10,970,995)**

41. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

42. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '995 Patent.

43. None of the Accused Eufy Products infringes any of the claims of the '995 Patent.

44. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '995 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1	identify a type of the detected event; and
6, 11	identifying a type of the detected event; and
1	control a predetermined imaging range of a camera depending on the identified type of the detected event in the surveillance area,
6, 11	controlling a predetermined imaging range of a camera depending on the identified type of the detected event in the surveillance area,
1, 6, 11	wherein the varieties of the imaging ranges are defined differently depending on the type.

45. The claim limitations recited by the preceding paragraph are present in claims 1, 6, and 11 of the '995 Patent, which NEC alleges Accused Eufy Products meet.

46. The Accused Eufy Products do not meet these limitations at least because they neither identify a type of event nor control a predetermined imaging range of a camera depending on the identified event type. Further, the Accused Eufy Products do not define varieties of imaging ranges differently depending on one event type of a detected event.

47. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused

Eufy Products do not infringe any claim of the '685 Patent, literally or under the doctrine of equivalents.

48. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '995 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**FOURTH CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 10,999,635)**

49. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

50. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '635 Patent.

51. None of the Accused Eufy Products infringes any of the claims of the '635 Patent.

52. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '635 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1, 5, 9	wherein the first window includes: a first set of videos among the plurality of videos, the first set of videos being associated with a first assigned person; a first diagram in which information of time ranges when the plurality of video cameras each captured the first assigned person is shown with identifiers of the plurality of video cameras and a time axis; and a first tab including an image of the first assigned person; and

1, 5, 9	wherein the first window is switchable by operation of the tabs to a second window including:
1, 5, 9	<p>wherein ... a second window including:</p> <p>a second set of videos among the plurality of videos, the second set of videos being associated with a second assigned person;</p> <p>a second diagram in which information of time ranges when the plurality of video cameras each captured the second assigned person is shown with the identifiers of the plurality of video cameras and the time axis, the second diagram which is associated with the second assigned person being different from the first diagram which is associated with the first assigned person; and</p> <p>a second tab including an image of the second assigned person.</p>

53. The claim limitations recited by the preceding paragraph are present in claims 1, 5, and 9 of the '635 Patent, which NEC alleges Accused Eufy Products meet.

54. The Accused Eufy Products do not meet these limitations at least because they do not perform a display control method comprising a first window as claimed and is switchable by operation of the plurality of tabs to a second window. Similarly, they do not perform a display control method comprising a second window as claimed, e.g., a second window including a second tab including an image of the second assigned person.

55. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '635 Patent, literally or under the doctrine of equivalents.

56. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '635 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**FIFTH CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 11,210,526)**

57. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

58. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '526 Patent.

59. None of the Accused Eufy Products infringes any of the claims of the '526 Patent.

60. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '526 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1, 6, 9	acquiring a second region designated by an operator, the second region indicating a part of the object and being a part of the first region;
1, 6, 9	generating a new category corresponding to the part of the object, the new category having a name input by the operator, and the new category being different from the predetermined category; and
1, 6, 9	accumulating, as learning data, video data of the second region, the second region corresponding to the name of the new category.

61. The claim limitations recited by the preceding paragraph are present in claims 1, 6, and 9 of the '526 Patent, which NEC alleges Accused Eufy Products meet.

62. Plaintiffs do not infringe these limitations at least because they do not operate the

Accused Eufy Products to perform the actions therein and because the Accused Eufy Products can not perform these actions, e.g., acquiring a second region, as recited, designated by an operator, generating a new category having a name input by the operator corresponding to the part of the object, and accumulating, as learning data, video data of the second region.

63. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '526 Patent, literally or under the doctrine of equivalents.

64. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '526 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**SIXTH CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 11,537,814)**

65. Plaintiffs repeat, reallege, and incorporate by reference the allegations of paragraphs 1-24 above as if fully set forth herein.

66. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '814 patent.

67. None of the Accused Eufy Products infringes any of the claims of the '814 Patent.

68. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations in the independent claims of the '814 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1	a data transmission unit that transmits the data determined to be the transmission target data to the predetermined computer at a predetermined timing.
12	transmitting the data determined to be the transmission target data to the predetermined computer at a predetermined timing.
13	data transmission processing of transmitting the data determined to be the transmission target data to the predetermined computer at a predetermined timing.

69. The claim limitations recited by the preceding paragraph are present in claims 1, 12, and 13 of the '814 Patent, which NEC alleges Accused Eufy Products meet.

70. The Accused Eufy Products do not meet these limitations at least because they do not comprise a data transmission unit that transmits the data through which an identification unit identifies an object and which is applied to a model learned by machine learning.

71. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 *et seq.* and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '814 Patent, literally or under the doctrine of equivalents.

72. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '814 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

**SEVENTH CAUSE OF ACTION
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF
U.S. PATENT NO. 10,325,160)**

73. Plaintiffs repeat, reallege, and incorporate by reference the allegations of

paragraphs 1-24 above as if fully set forth herein.

74. There is an actual controversy between Plaintiffs and NEC as to alleged infringement of the '160 patent.

75. None of the Accused Eufy Products infringes any of the claims of the '160 Patent.

76. For example, the Accused Eufy Products at least, by way of example, do not literally, or under the doctrine of equivalents, meet the following limitations the independent claims of the '160 Patent:

Claim No.	Example Limitation Not Present in Accused Eufy Products
1, 3, 10, 11, 12, 13	output a graph indicating any of a number of persons in each of the local regions, a number of persons that have moved to a predetermined direction, and a number of persons that have crossed over a predetermined line; and
1, 10, 12	predict a future quantity of the monitoring targets in each of the local regions,

77. The claim limitations recited by the preceding paragraph are present in claims 1, 3, 10, 11, 12, and 13 of the '160 Patent, which NEC alleges Accused Eufy Products meet.

78. The Accused Eufy Products do not meet these limitations at least because they do not comprise a unit or a step that output a graph indicating any of a number of persons in each of the local regions, a number of persons that have moved to a predetermined direction, and a number of persons that have crossed over a predetermined line, and they do not comprise a unit or a step that predict a future quantity of the monitoring targets in each of the local regions.

79. The controversy between the parties is sufficient to entitle Plaintiffs to a declaratory judgment pursuant to 28 USC § 2201 et seq. and Fed. R. Civ. P. 57 that the Accused Eufy Products do not infringe any claim of the '160 Patent, literally or under the doctrine of equivalents.

80. Accordingly, Plaintiffs seek and are entitled to a judgment declaring that the claims of the '160 Patent are not infringed by any of the Accused Eufy Products, literally or under the doctrine of equivalents.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request the following relief, including:

- a) A declaratory judgment that each of the claims of the '240 Patent is not infringed;
- b) A declaratory judgment that each of the claims of the '467 Patent is not infringed;
- c) A declaratory judgment that each of the claims of the '995 Patent is not infringed;
- d) A declaratory judgment that each of the claims of the '635 Patent is not infringed;
- e) A declaratory judgment that each of the claims of the '526 Patent is not infringed;
- f) A declaratory judgment that each of the claims of the '814 Patent is not infringed;
- g) A declaratory judgment that each of the claims of the '160 Patent is not infringed ;
- h) A declaration that this case is an exceptional case pursuant to 35 U.S.C. § 285;
- i) An award to Plaintiffs of their costs, expenses, and fees, including reasonable attorneys' fees, in this action:
 - (1) 35 U.S.C. § 285;
 - (2) any other applicable Virginia statutes or common law; and
- j) Such other and further relief as the Court deems just, equitable, and proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial on all issues and claims so triable.

Dated: October 24, 2024

Respectfully submitted,

/s/ Joshua Carrigan

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