

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

CONTOUR IP HOLDING, LLC,

Plaintiff,

vs.

PORTABLE MULTIMEDIA LIMITED T/A
NEXTBASE,

Defendant.

CASE NO.: 4:25-cv-115

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Contour IP Holding, LLC (“Contour” or “Plaintiff”) files this Complaint against Portable Multimedia Company T/A Nextbase (“Nextbase”) and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 1, *et seq.*

THE PARTIES

2. Contour IP Holding, LLC, is a limited liability company organized under the laws of the State of Utah and its address is 26 Patriot Place, Suite 301, Foxboro, MA 02035.

3. Nextbase is a company organized under the laws of the United Kingdom and is registered in England and Wales. Nextbase has its principal place of business at 230 Blackfriars Road, Floor 6E, London, SE1 8NW, United Kingdom. Nextbase is one of the leading providers of dashboard cameras (“Dash Cams”) throughout the world and in the United States. Nextbase does business in the State of Texas, directly or through intermediaries, and offers its products, including those accused of infringement herein, to customers and potential customers in Texas, including in the Eastern District of Texas.

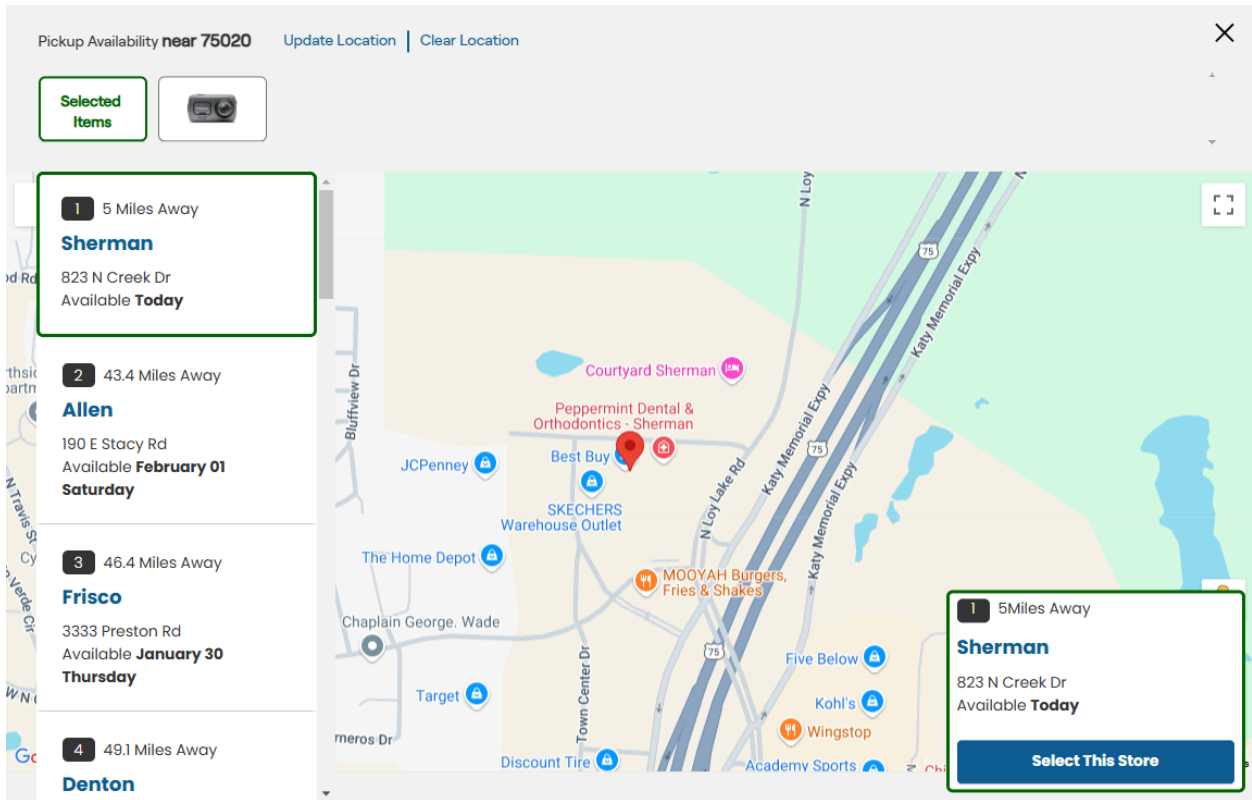
JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 1, *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Nextbase. Nextbase regularly conducts business and has committed acts of patent infringement and/or has induced or contributed to acts of patent infringement by others in this District and in the State of Texas. Nextbase, directly and/or through subsidiaries or intermediaries, has committed acts of infringement and continues to commit acts of infringement in this District by making, using, selling, offering to sell, and/or importing its Dash Cams that infringe one or more of Contour's patents.

6. Nextbase purposefully directs its infringing Dash Cams identified herein into established distribution channels within this District and the United States. Further, Nextbase induces its subsidiaries, affiliates, retail partners, and customers to make, use, sell, offer for sale, and/or import into the United States, including within this District, its infringing Dash Cams and place those products into the stream of commerce via established distribution channels knowing that such products would be sold and used in the United States, and in the Eastern District of Texas. For example, Nextbase sells its infringing Dash Cams through its website at www.Nextbase.com, which is accessible to the residents of this District. Indeed, the website states "Buy your Nextbase Dash Cam and accessories here and pick up at your nearest Best Buy." Further, in addition to facilitating Nextbase's sales to consumers, Best Buy and Amazon are authorized to sell and offer to sell Nextbase's infringing Dash Cams directly to consumers in the State of Texas and within this District. As an example, a consumer may purchase a product from Nextbase through its website and obtain the infringing product at Best Buy at 823 N Creek Dr, Sherman, TX 75090, as

shown in the image below from Nextbase's website. Nextbase also induces Best Buy, an authorized reseller, to sell Nextbase's infringing products directly to consumers.



See e.g., <https://nextbase.com/dash-cams/622gw-build-own-bundle/> (last visited 1/28/2025).

7. Nextbase regularly markets and sells (directly or indirectly), its products within this district. As stated above, Nextbase owns, operates, advertises and/or controls the website www.Nextbase.com, through which it advertises, sells, offers to sell, provides, and/or educates customers about its products and services using infringing systems. As shown below and alleged above, consumers in this District can purchase Nextbase's infringing products through its website.

The screenshot shows the Nextbase website's cart page. At the top, there is a navigation menu with links for 'Smart Dash Cams', 'Front & Rear Dash Cams', 'Accessories', 'Renewed', 'Outlet', 'Assistance', and 'Exclusive Offers'. A blue banner at the top of the cart area states 'Your order qualifies for free shipping.' Below this is a table with the following columns: 'Item', 'Price', 'Quantity', and 'Total'. The table contains one item: 'iQ Smart Dash Cam' with a price of '\$499.99', a quantity of '1', and a total of '\$499.99'. The item's SKU is 'NBIQ1KJ5'. To the right of the item is a 'REMOVE' link. Below the table, there is a 'BEST BUY' logo and links for 'Check availability' and 'See all pickup locations near 75219'. At the bottom of the cart, there is a summary section with the following fields: 'Subtotal: \$499.99', 'Coupon Code: Add Coupon', 'Gift Certificate: Gift Certificate', and 'Grand total: \$499.99 or 4 payments of \$125.00'. A blue 'CHECK OUT' button is located at the bottom right of the cart area.

See e.g., <https://nextbase.com/cart.php> (last visited 1/28/2025).

8. Nextbase has placed and continues to place into the stream of commerce infringing products via established distribution channels with the knowledge and understanding that such products are being and will continue to be sold in this Judicial District. Nextbase ships or causes to be shipped infringing products and materials instructing its customers to perform infringing activities into this District. Therefore, this Court has personal jurisdiction over Nextbase.

9. Venue is proper in this judicial district because Nextbase is not a resident of the United States, and may be sued in any judicial district, including this one, pursuant to 28 U.S.C. § 1391(c)(3).

ASSERTED PATENTS

10. Contour is the owner and the assignee of U.S. Patent No. 8,896,694 (the “’694 Patent”), entitled “Portable Digital Video Camera Configured for Remote Image Acquisition Control and Viewing.” Contour has ownership of all substantial rights in the ’694 Patent, including

the right to exclude others and to enforce, sue and recover damages for past and future infringement. A true and correct copy of the '694 Patent is attached as Exhibit A.

11. The '694 Patent is valid, enforceable, and was duly and legally issued on November 25, 2014, by the United States Patent Office and in full compliance with Title 35 of the United States Code.

12. Contour is the owner and the assignee of U.S. Patent No. 8,890,954 (the "'954 Patent"), entitled "Portable Digital Video Camera Configured for Remote Image Acquisition Control and Viewing." Contour has ownership of all substantial rights in the '954 Patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringement. A true and correct copy of the '954 Patent is attached as Exhibit B.

13. The '954 Patent is valid, enforceable, and was duly and legally issued on November 18, 2014, by the United States Patent Office and in full compliance with Title 35 of the United States Code.

14. Contour is the owner and the assignee of U.S. Patent No. 12,206,983 (the "'983 Patent"), entitled "Portable Digital Video Camera Configured for Remote Image Acquisition Control and Viewing." Contour has ownership of all substantial rights in the '983 Patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringement. A true and correct copy of the '983 Patent is attached as Exhibit C.

15. The '983 Patent is valid, enforceable, and was duly and legally issued on January 21, 2025, by the United States Patent Office in full compliance with Title 35 of the United States Code.

16. The '694, '954, and '983 Patents are referred to collectively as the "Asserted Patents."

BACKGROUND

17. The claimed inventions of the Asserted Patents were developed in December 2009 by a team at Contour, Inc., who recognized that improvements were needed in the point-of-view (POV) camera business. For example, existing POV cameras generally lacked preview and control ability to ensure users were able to capture the perfect shot the first time. Further, existing products lacked the ability to provide quality video along with other non-video data to help capture the full experience, and to be able to remotely view and control the camera. The technological advancements claimed by the Asserted Patents allowed for features and capabilities existing POV cameras were incapable of.

18. Contour implemented the claimed inventions into its award-winning camera, the ContourGPS. In 2011, the ContourGPS was awarded the prestigious Consumer Electronics Show (CES) Innovations Award (<https://www.bikeradar.com/news/contourgps-helmet-cam-lets-you-use-phone-as-viewfinder>). Similarly, Notebooks.com awarded the ContourGPS and Contour mobile app the coveted Best Mobile Lifestyle Accessory of CES 2011 award (<https://notebooks.com/2011/01/13/best-of-ces-2011-awards-for-notebooks-com/>), CNET awarded the ContourGPS its Editor's Choice Award (<https://www.cnet.com/reviews/contour-gps-hd-wearable-camcorder-camera-1400-review/>), and Red Dot awarded the ContourGPS the 2011 Red Dot Production Design Award (<https://www.red-dot.org/zh/project/contourgps-28132>). When explaining its rationale for giving the ContourGPS and Contour mobile app its award, Notebook.com accurately captured the essence of the invention: "When it comes to capturing your life on the go it's hard to find a solution that's more versatile than the ContourGPS Camera which comes with an app that allows you to use your iPod or iPhone as a viewfinder and to adjust settings on the fly." (<https://notebooks.com/2011/01/13/best-of-ces-2011-awards-for-notebooks-com/>).

19. As proven by the many prestigious accolades, the claimed inventions of the '954, '694, and '983 Patents are marked improvements to existing camera design and technology. For example, some claims recite a specific solution for generating a data stream that can be wirelessly transmitted to a personal device that can allow the user to change settings of the camera and/or adjust the angle of the camera. The Asserted Patents do not merely claim a result or the mere idea of having a video image stream wirelessly sent to a portable device. Instead, they claim a specific architecture for a camera system including, among other things, a “lens,” an “image sensor,” a “camera processor,” a “wireless connection protocol device,” and a “personal portable computing device.” *See, e.g.*, '954 Claim 11. The Asserted Patents also claim technologic improvements, such as a camera processor which “generate[s] from the video image data a first . . . and a second image data stream, wherein the second image data stream is higher quality than the first,” the wireless connection protocol device which “send[s] the first image data stream directly to the personal portable computing device for display,” the personal portable computing device “generates the control signals for the video camera,” and the processor “adjust[s] one or more settings of the video camera based . . . [on] the control signals.” *See, e.g.*, '954 Claim 11. As another example, claim 3 of the '694 Patent teaches a “camera mount” and a “mounting interface” that is integrated into the camera. And in another example, claim 1 of the '983 Patent teaches additional innovations including integrating “non-audio data sensors” into the camera that can capture non-audio data, “combin[ing] the first non-audio sensor data with the at least one encoded video stream to form a combined video stream,” “communicat[ing] at least part of the combined video stream to memory,” storing the encoded video data stream “as a first track and the first non-audio sensor data as a second track,” and “generat[ing] time-synchronizing data, wherein the time-synchronizing data is used to synchronize the first track with the second track.” These innovations

expand the utility of the camera. Indeed, these inventions allow the camera to capture video footage combined with additional data, such as GPS data, to provide video files with additional and important context. This feature has also received public acclaim. For example, as CNET noted, ContourGPS's GPS functionality allows Contour's Storyteller software to "parse and display [GPS data] on a Google Map with an elevation graph." (<https://www.cnet.com/reviews/contour-gps-hd-wearable-camcorder-camera-1400-review/>). These improvements benefit diverse audiences including athletes (like skiers whose performance relies on elevation), daily vloggers who want to geotag their favorite experiences, and families looking to document where milestones occurred. Furthermore, these improvements also allow dash cams on vehicles to report additional context, such as speed and location of the vehicle, alongside a footage of an accident.

20. The claims of the Asserted Patents involve more than well-understood, routine, and conventional activities. For example, generating two video streams of different quality and wirelessly transmitting the lower quality stream from a camera to a remote computer device, along with the other claimed elements, was a novel idea that Contour invented and patented. The conventional approaches, such as after-the-fact generation of a video from a previously recorded video or streaming a higher quality video were limited by bandwidth and battery power limits, especially in the 2009 timeframe. Contour's solution allowed devices to quickly transmit lower quality videos wirelessly for previews or live video while also generating a higher quality video with contextual data as well.

21. Contour's inventions as claimed in the Asserted Patents are and have been used in innovative wearable and gear-mountable camera products sold under the Contour brand, such as the Contour+, Contour+2, and Contour 4K, and in mobile applications such as the Contour Connect app for iOS, Android, and Windows Phone.

ACCUSED PRODUCTS

22. Nextbase makes, uses, offers to sell, sells, and/or imports into the United States Dash Cams that infringe claims of the Asserted Patents. Nextbase's infringing Dash Cams include, but are not limited to, Piqo, iQ, 622GW, 522GW, 422GW, 322GW, 380GW, 380GWX, 300W, and all other similar Dash Cam products ("Nextbase's Dash Cam Products").

23. Nextbase also sells Dash Cam accessories that are specially designed for and sold with its infringing Dash Cams. Nextbase's Dash Cam accessories include, but is not limited to, Rear Window Cam, Rear View Camera, Cabin View Camera, of U3 Industrial Grade microSD Cards, Piqo Quick Connect OBD Cable, Piqo Pouch, Piqo Pro Install Cable, Polarizing Filter, Hardwire Kit, Click&Go PRO Mount, Click&Go PRO GPS Mount, Adhesive Plate for Click & Go Mount, Suction Cup, Rear Window Cable, Rear Window Camera Mount, and all other similar Dash Cam accessories ("Dash Cam Accessories").

24. Additionally, Nextbase also provides Android and iOS applications for use with its Dash Cams. The Android and iOS applications include, but are not limited to, Nextbase App, Nextbase iQ, MyNextbase Connect, Cam Viewer, DriveGuard, and all other similar applications ("Nextbase Applications").

25. Nextbase's Dash Cam Products, Dash Cam Accessories, and Nextbase Applications are collectively referred to as the "Accused Products" or "Accused System."

26. Nextbase's iQ product is exemplary of the structure and function of Nextbase's Dash Cam Products and the Accused Products. For example, and as shown in its product manual, the iQ is a Dash Cam that is designed to be mounted to a vehicle's windshield and records video from the point of view of a driver or other passenger of the vehicle.

Introduction


Welcome to your iQ Dash Cam, the world's most advanced connected Dash Cam.

It's safety, security, and peace of mind like never before.

Record your journeys front, back and inside, giving you total coverage in case of an incident.

All of your footage can be stored in the cloud, letting you access it anytime.

Before using iQ, please ensure you familiarise yourself with the contents of this manual including Safety Notices on page 36.

A black Nextbase iQ Dash Cam with blue LED light strips around the top and bottom edges. The camera lens is visible in the center.

See e.g., Nextbase iQ Manual at p. 4 (available at <https://nextbase.com/iq-support/>).

27. iQ has front facing and interior cameras (and an optional rear-window camera) to record videos in and around the vehicle.

iQ Overview

How a Dash Cam Works

5

Camera

iQ has front facing and interior cameras (and an optional rear-window camera) to record in and around your vehicle.

Power Source

When connected to your vehicle's OBD port, iQ automatically turns on and starts recording when the engine is started.

Recording

The camera continuously records video footage while you're driving. The video is typically recorded in short segments, a few minutes long, to make it easier to manage the files.

Storage

The recorded video footage is stored on a memory card inserted into the dash cam. The memory card acts as storage, similar to an SD card in a digital camera.

Loop Recording

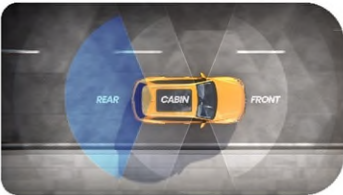
As the memory card fills up with recorded video, iQ uses a feature called 'loop recording' to overwrite the oldest footage with new recordings. This ensures that the camera can keep recording even when the memory card is full. Important files can be manually saved to prevent them from being overwritten.

Event Recording

iQ has built-in G-sensors and Radar, which detect sudden movements or impacts in and around your vehicle. When an event like a collision or sudden braking is detected, iQ will automatically save the footage surrounding the event and mark it as an important file that to be reviewed. When you're away from your vehicle, iQ can send you notifications to let you know of suspicious activity near where you're parked, letting you keep an eye on what's going on.

Playback and Accessing Footage

To view the recorded footage, use the iQ app (recommended) or remove the memory card from the dash cam and insert it into a computer. Once the footage is accessed, you can review, edit, or share the recordings as needed.

A top-down diagram of a yellow car on a road. Three overlapping circular fields of view are shown: a blue circle labeled 'REAR' behind the car, a white circle labeled 'FRONT' in front of the car, and a grey circle labeled 'CABIN' inside the car's interior.

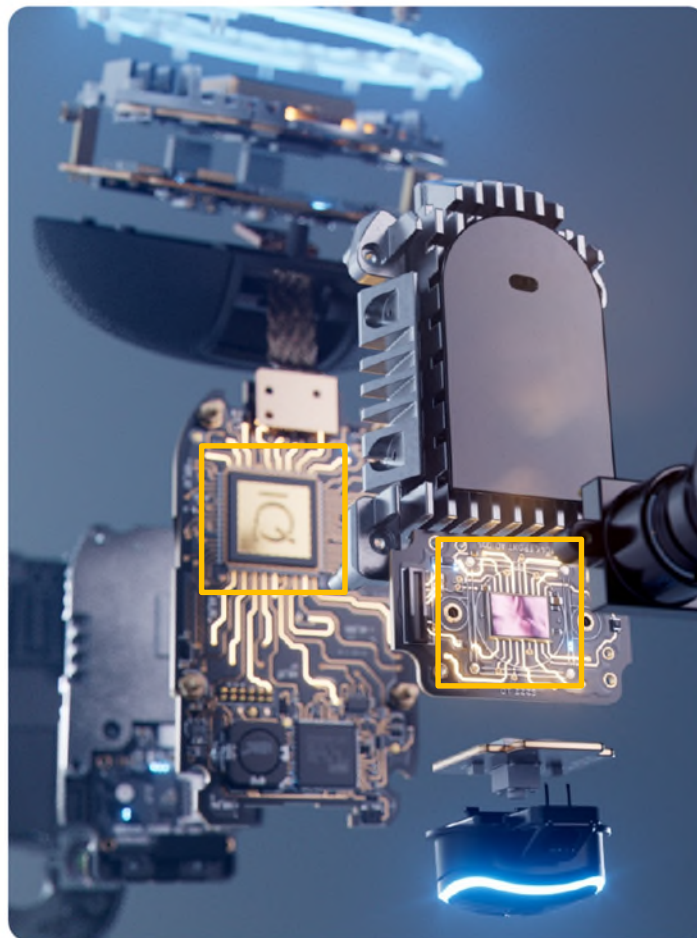
☰

See e.g., Nextbase iQ Manual at p. 5.

28. The iQ includes a lens, an image sensor that captures light representing the camera's field of view to create video image data, and a camera processor to, among other things, generate multiple image data streams at differing resolutions, control the transmission of image data streams to a peripheral device and adjust the settings of iQ's camera. On information and belief, the iQ contains the Ambarella CV22-A1-RH processor and Omnivision 8MP CMOS image sensor. The processor includes a video encoder and a memory. As shown in the iQ's manual, light propagating through the lens is captured by the image sensor. The electrical signals from the sensors are then passed to the camera processor to create real time video. And the iQ contains a microSD card to which the video data, among other data, can be stored.



See e.g., Nextbase IQ Manual at p. 1 (annotated).



See e.g., Nextbase iQ Manual at p. 3 (annotated).

Micro SD Card

iQ uses a microSD card for storage. The card's capacity determines how much footage can be stored before looping begins. It's important to use Nextbase-branded, high-quality, high-capacity cards that are compatible with the dash cam. iQ comes with an SD card pre-installed; it is important that this SD Card is not removed during recording, or forced into the slot, as this could damage the SD Card.

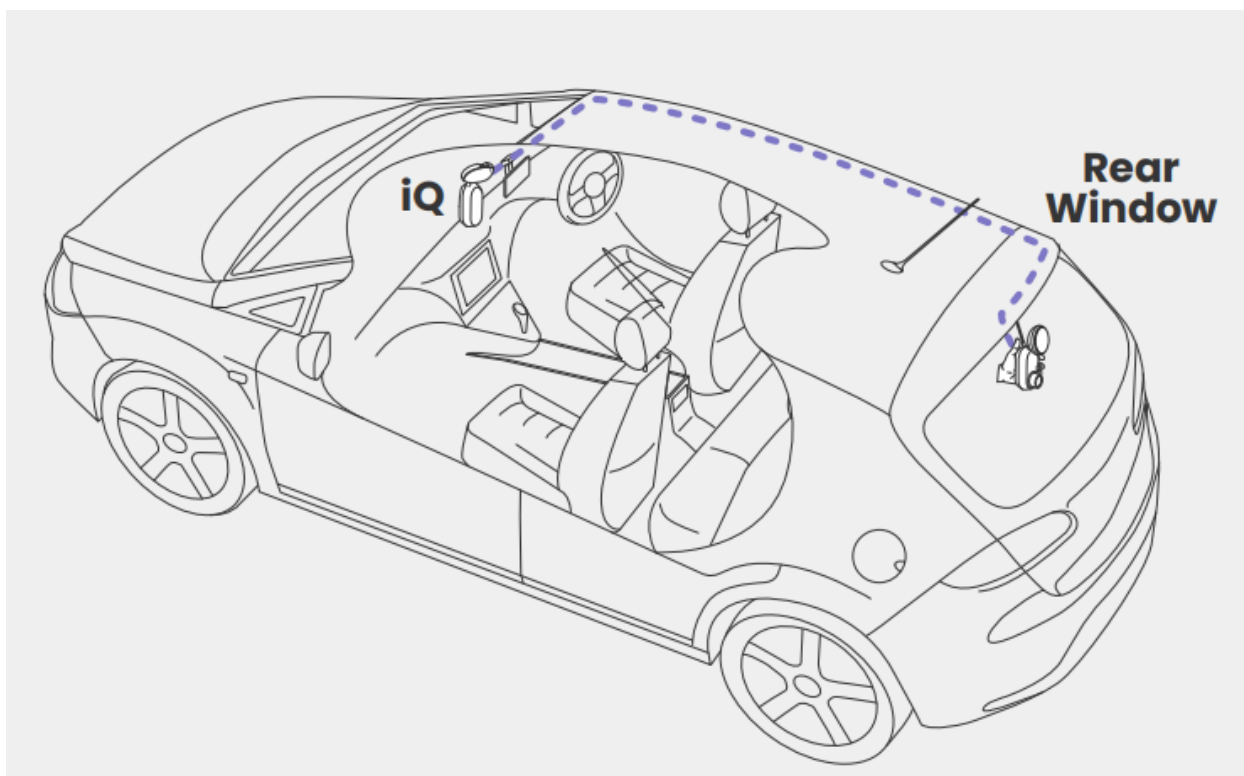
See e.g., Nextbase iQ Manual at p. 33.

Everything you see in the top Dash Cams – just better

Front camera resolution	-	iQ 4K@2160p, iQ 2K @1440p or iQ 1K@1080p
Front camera viewing angle	-	140 degrees
Cabin camera resolution	-	iQ 1K - 1080p, iQ 2K - 1440p, iQ 4K - 1440p
Cabin camera viewing angle	-	180 degrees
Rear camera resolution	-	iQ 2K @1440p
Rear camera viewing angle	-	140 degrees (not included)
Wifi/4G Connection	-	Always 'ON' 4G connection
Chipset	-	Advanced A.I. - CV chipset
Compatible extras	-	Rear view smart cam
Connection type	-	Plugs directly into the OBD port
Night vision	-	Enhanced infrared

See e.g., <https://nextbase.com/smart-dash-cams/iq-smart-dash-cam/> (annotated) (last visited 1/27/2025).

29. As discussed in its product manual, the iQ is mounted to the front windshield of a vehicle (an optional rear-view camera can be mounted to the rear window of a vehicle) allowing it to operate hands-free. The mount consists of a mounting interface coupled to the camera along with the mount to be connected to the vehicle's windshield or window. For example, A mount pad attaches directly to a windshield or a window with an adhesive pad, and the mount pad is coupled to the camera body.



See e.g., Nextbase iQ Manual at p. 16.



See e.g., Nextbase iQ Manual at p. 13.

30. As discussed in its product manual, the mount allows the iQ to be manually adjusted, rotated, and repositioned. The manual adjustment can be based on a live video preview of the camera's view.


- ④ **Mount iQ**
Remove the red cover from the adhesive mount and firmly press the mount onto the windscreen. Hold for 10 seconds. If necessary, manually adjust the angle of your iQ, also using the Live View to ensure the road is clear and level.

See e.g., Nextbase iQ Manual at p. 11.


SET UP

Positioning the Cameras
Ensure that objects on the Live View display are level and adjust as required. Ensure that the road ahead is at the centre of the image, in the central third of the display. If too much of the sky is visible it may risk underexposing details on the road; ensure that the road ahead is clearly visible on the Live View display.


Do NOT attempt to adjust the Dash Cam while driving.




✗




✗



✗



✓



① Front Camera
② Cabin Camera
③ Rear Window

Once you are happy with each cameras' position you can affix your iQ to the windscreen or rear window (see next page).

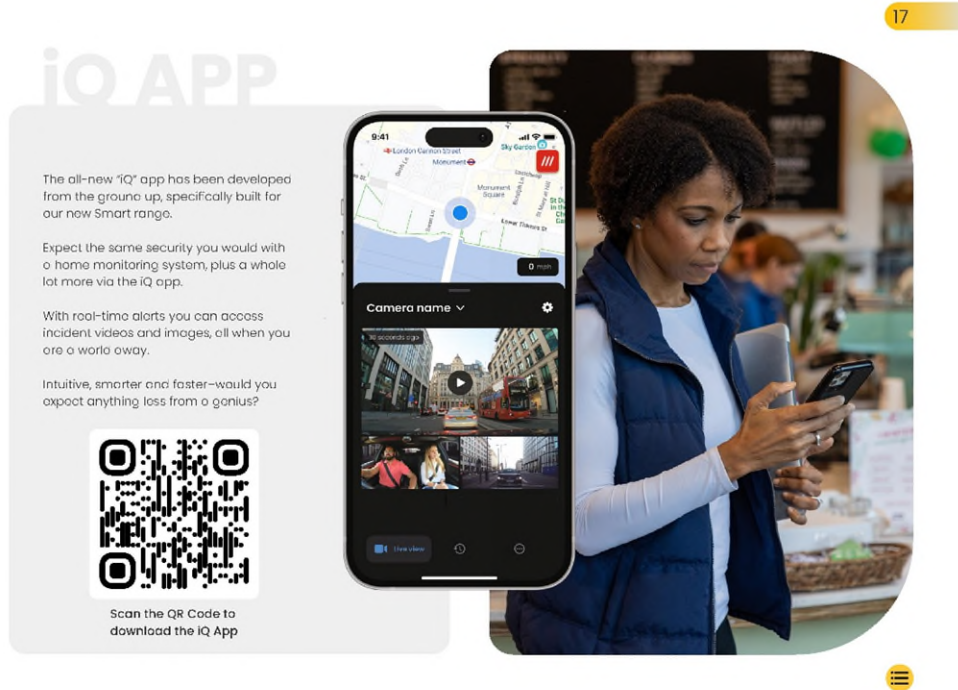
See e.g., Nextbase iQ Manual at p. 14.

31. Additionally, the iQ wirelessly communicates directly with a mobile device running the Nextbase iQ application. For example, the iQ is capable of LTE, Wi-Fi, and Bluetooth communications. On information and belief, the iQ and mobile application is initially paired using Bluetooth. The iQ will then establish a direct high speed Wi-Fi connection between the device and the user's mobile device running the iQ mobile application. This connection allows the mobile device with the Nextbase iQ application to directly communicate with the iQ to transmit video and other data to the mobile device and receive control signals from the mobile device.

Product Wireless Information

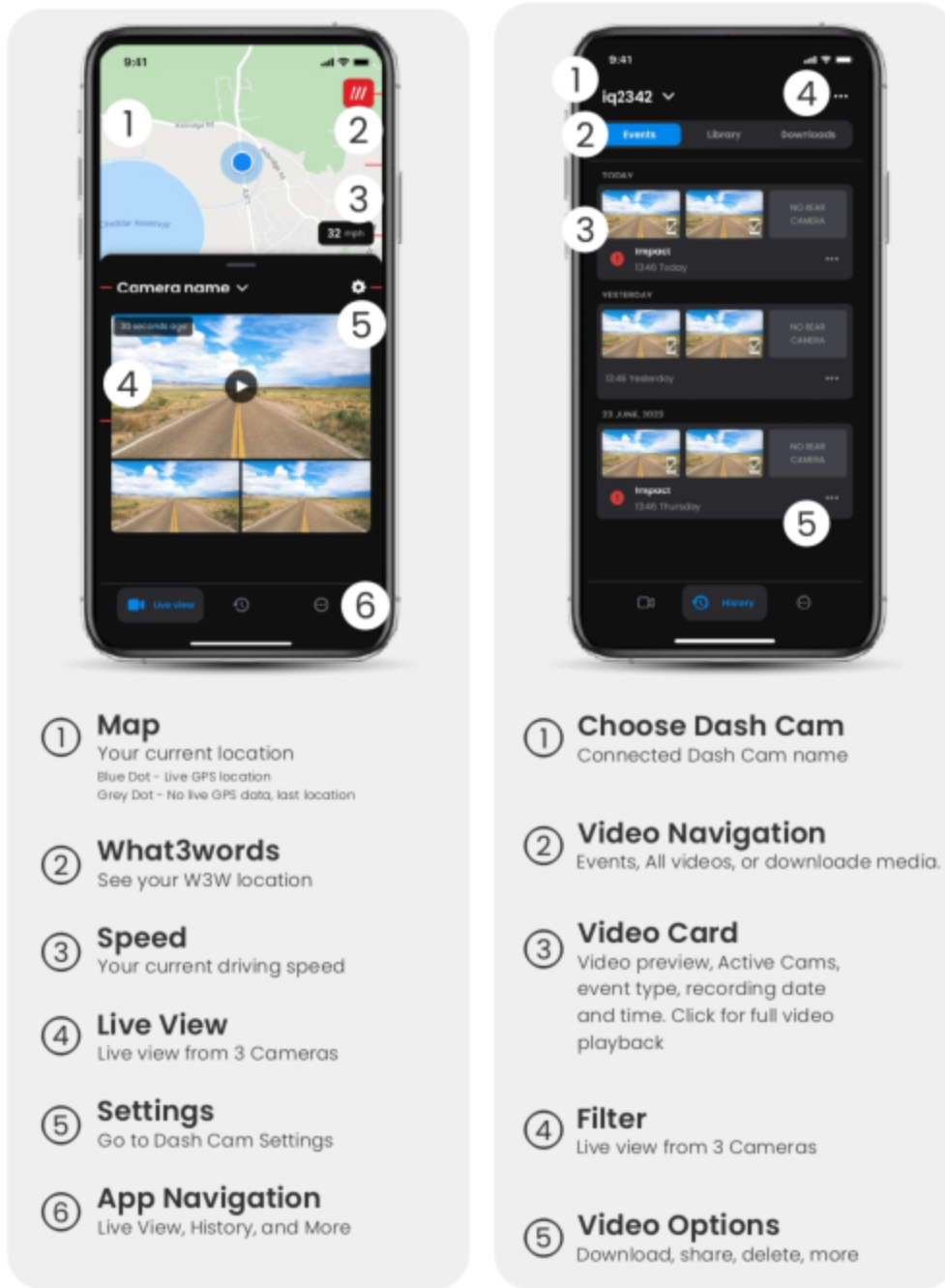
The frequency bands and transmitting power (radiated and or conducted) for this radio equipment are as follows: LTE bands 1,1920-1980MHz /3, 1710-1785MHz /7, 2500-2570MHz /8, 880-915MHz /20, 832-862MHz /28A, 703-733MHz/ 38,2570-2620MHz, 23dBm conducted Bluetooth (BR+EDR) 2402-2480MHz, 3.4Bm EIRP; 2.4G WIFI 802.11b, 802.11g, 802.11n(HT20), 2412-2472MHz,18.6dBm EIRP; 5G WIFI 802.11a, 802.11n(HT20/40), 802.11ac(VHT20/40/80) Band 1 5180-5240MHz, 19.4dBmEIRP; GPS, GLONASS, 24GHz Radar 24000-24250 Mhz, 14.37 dBm EIRP.

See e.g., Nextbase iQ Manual at p.38 (annotated).



See e.g., Nextbase iQ Manual at p. 17.

32. The Nextbase iQ application is a mobile application specifically designed for use with the iQ. With the Nextbase iQ application on a mobile device, a user can view live video, access and download recorded videos, and control iQ settings. For example, the Nextbase iQ application allows for remote file access from a mobile device. Further, the user can change various iQ settings, such as resolution, audio, and exposure settings, among others, straight from the mobile app.



- ① **Map**
Your current location
Blue Dot - Live GPS location
Grey Dot - No live GPS data, last location
- ② **What3words**
See your W3W location
- ③ **Speed**
Your current driving speed
- ④ **Live View**
Live view from 3 Cameras
- ⑤ **Settings**
Go to Dash Cam Settings
- ⑥ **App Navigation**
Live View, History, and More

- ① **Choose Dash Cam**
Connected Dash Cam name
- ② **Video Navigation**
Events, All videos, or downloaded media.
- ③ **Video Card**
Video preview, Active Cams, event type, recording date and time. Click for full video playback
- ④ **Filter**
Live view from 3 Cameras
- ⑤ **Video Options**
Download, share, delete, more

See e.g., Nextbase iQ Manual at p. 18.

Audio

Toggle Audio recording on videos On or Off.

Exposure

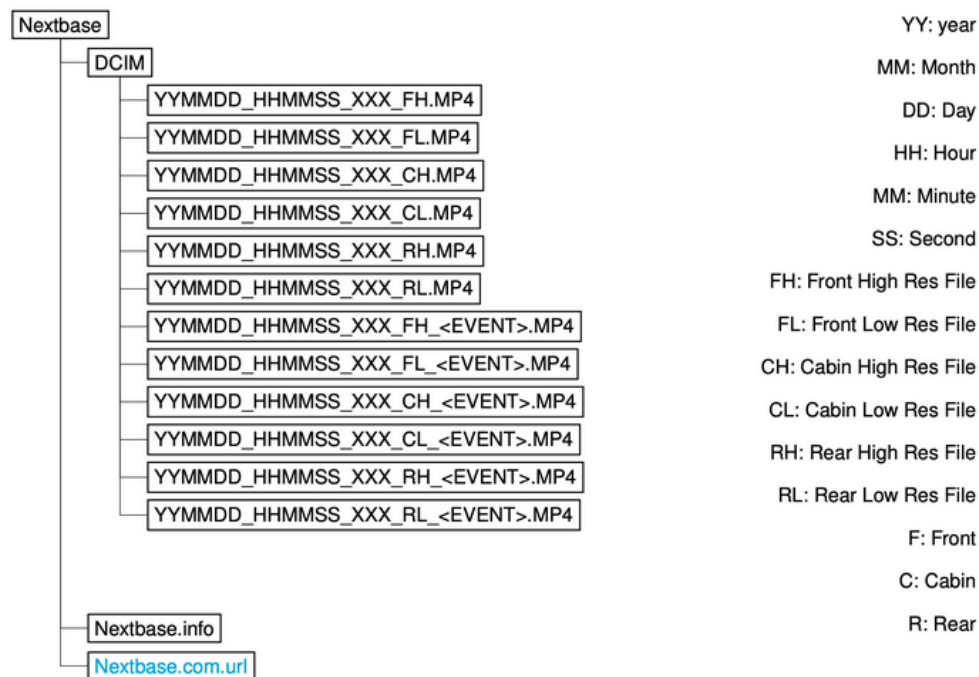
Move the sliders to adjust the exposure levels of the iQ Cameras.

See e.g., Nextbase iQ Manual at p. 20.

33. The iQ generates both a high- and low-resolution MP4 file for each recording. Both high- and low-resolution files are saved on the microSD card. This video data is not only at different resolution but also different frame rates. See <https://nextbase.com/hub/what-resolution-can-a-dash-cam-record-in/> (“Resolution specs in Nextbase dash cams, for example, start from 720p, shooting 30 frames per second. ... In terms of dash cam resolution, the next step up is 1080p. Labelled more widely as full HD, cameras with 1080p resolution, including Nextbase’s 222 and 322GW models, can record at a higher rate of 60 frames per second.”). The iQ can also transfer the lower resolution file directly to the mobile application, such as when using the iQ’s live view functionality either when setting up the device or at other times.

What do the file names on the Micro SD card mean?

Each file created by your iQ can be found within the DCIM folder on your Micro SD card and all have the same naming format. This format tells you exactly when the video was recorded, and what type of file it is. See the below file name as an example:



See e.g., <https://support.nextbase.com/hc/en-us/articles/14112833037853-File-Names>.

How many files are created?

Your iQ creates a high and low resolution file from each camera for each recording. This means with a rear window camera attached, your iQ will create up to 6 files every 30 seconds. The end of the file name indicates which camera the file was recorded from and the video resolution. e.g. "231011_175029_199_FH_RADR".

File name	Description
FH	Front Camera - High Resolution
FL	Front Camera - Low Resolution
CH	Cabin Camera - High Resolution
CL	Cabin Camera - Low Resolution
RH	Rear Window Camera - High Resolution
RL	Rear Window Camera - Low Resolution

See e.g., <https://support.nextbase.com/hc/en-us/categories/12068969581981-iQ>.

34. iQ has a record command which can cause the videos to be recorded. For example, iQ has voice commands specifically for starting and stopping the iQ recording video.

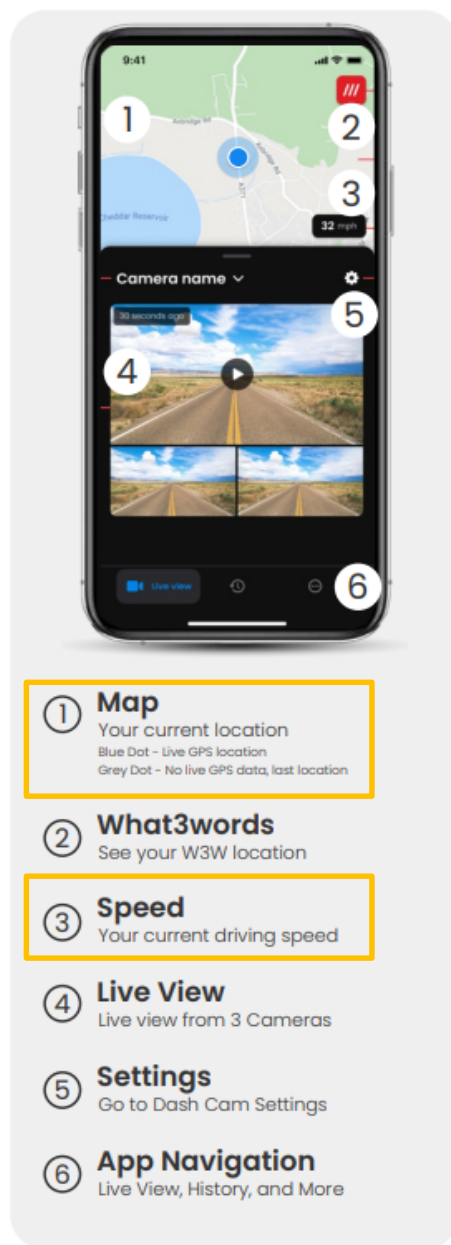
Which voice commands will my iQ recognise?

Below are some examples of voice commands that you can use with your iQ. Your iQ will also recognise variations of these commands:

Feature	Voice Command	Effect
File Protection	"Hey Dashcam, protect this file"	Protects the current set of files being recorded by your iQ so that they do not get overwritten when your SD Card is full
Witness Mode Start	"Hey Dashcam, Start Witness Mode"	Turns on the Witness Mode feature and begins a live stream
Witness Mode Stop	"Hey Dashcam, Stop Witness Mode"	Turns off the Witness Mode feature and ends the live stream
Audio Recording On	"Hey Dashcam, Start Audio Recording"	Turns on audio recording
Audio recording Off	"Hey Dashcam, Stop Audio Recording"	Stops your iQ from recording audio
Start Recording	"Hey Dashcam, Start Recording"	Starts video recording
Stop Recording	"Hey Dashcam, Stop Recording"	Stops your iQ from recording video
Start Privacy Mode	"Hey Dashcam, Enable Privacy Mode"	Turns on Privacy Mode and stops your iQ from recording audio and cabin video
Stop Privacy Mode	"Hey Dashcam, Disable Privacy Mode"	Turns off Privacy Mode and starts iQ recording audio and cabin video

See e.g., <https://support.nextbase.com/hc/en-us/articles/13977384339613-Voice-Commands> (annotated).

35. Outside of video and audio, the iQ also captures other non-audio data, such as GPS and speed data through its sensors. With the Nextbase iQ application, video data can be viewed alongside corresponding GPS and speed data. The data is synchronized.



See e.g., Nextbase iQ Manual at p. 18 (annotated).

36. In addition to sending the video and other non-audio data to be viewed through the mobile application, the iQ generates MP4 files by combining the video data and other non-audio data. The video data and non-audio data are stored as separate tracks within the file and the file is stored on the SD card. The user is able to access and download these stored files for later use.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,896,694

37. The allegations set forth in the foregoing paragraphs are hereby realleged and incorporated herein by reference.

38. In violation of 35 U.S.C. § 271(a), Nextbase has directly infringed and continues to directly infringe, both literally and/or under the doctrine of equivalents, at least claim 1 of the '694 Patent by making, using, offering for sale, selling, and/or importing Nextbase Dash Cam Products into the United States without authority.

39. In violation of 35 U.S.C. § 271(b), Nextbase has induced its customers and/or end users to infringe, both literally and/or under the doctrine of equivalents, at least claim 1 of the '694 Patent by providing instructions via its website, product manuals, user manuals, product support and other documents that Nextbase knows will cause its customers and end users to directly infringe claim 1 of '694 Patent. For example, through its various communication mediums, Nextbase provides detailed instructions to its customers and end users on how to practice each and every limitation of at least claim 1 of the '694 Patent.

40. In violation of 35 U.S.C. § 271(c), Nextbase has actively contributed to the infringement of at least claim 1 of the '694 Patent by knowingly providing components, such as the Nextbase Dash Cam Products and Nextbase Applications. These components have no substantial non-infringing use and are especially made or especially adapted for use in a direct infringement of the '694 Patent.

41. Nextbase has been aware of one or more of the Asserted Patents since at least June 24, 2024. Indeed, in patent litigation in Europe against Contour Technosciences Ltd., Nextbase admitted it was aware of the '954 Patent and claimed it was “very similar” to the European patent at issue there. Further, Nextbase has been aware of Contour’s litigation with GoPro in which both the '954 and '694 Patents are being asserted since at least June 24, 2024. Given Nextbase’s own

statement regarding the similarity of the Asserted Patents to the European patent asserted against it, on information and belief, Nextbase has been aware of its infringement of the Asserted Patents since at least June 24, 2024. At a minimum, Nextbase has knowledge of the '694 Patent and its alleged infringement at least through the filing and service of this Complaint.

42. Unless enjoined by this Court, Nextbase will continue to infringe the '694 Patent.

43. Because of Nextbase's infringing activities, Contour has suffered damages and will continue to suffer damages in the future.

44. Nextbase's continuing acts of infringement are willful, entitling Contour to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT II – INFRINGEMENT OF U.S. PATENT NO. 8,890,954

45. The allegations set forth in the foregoing paragraphs are hereby realleged and incorporated herein by reference.

46. In violation of 35 U.S.C. § 271(a), Nextbase has directly infringed and continues to directly infringe, both literally and/or under the doctrine of equivalents, at least claim 11 of the '954 Patent by making, using, offering for sale, selling, and/or importing Nextbase Dash Cam Products in the United States without the authority.

47. In violation of 35 U.S.C. § 271(b), Nextbase has induced its customers and/or end users to infringe, both literally and/or under the doctrine of equivalents, at least claim 11 of the '954 Patent by providing instructions via its website, product manuals, user manuals, product support and other documents that Nextbase knows will cause its customers and end users to directly infringe claim 11 of '954 Patent. For example, through its various communication mediums, Nextbase provides detailed instructions to its customers and end users on how to practice each and every limitation of at least claim 11 of the '954 Patent.

48. In violation of 35 U.S.C. § 271(c), Nextbase has actively contributed to the infringement of at least claim 11 of the '954 Patent by knowingly providing components, such as the Nextbase Dash Cam Products and Nextbase Applications. These components have no substantial non-infringing use and are especially made or especially adapted for use in a direct infringement of the '954 Patent.

49. Nextbase has been aware of one or more of the Asserted Patents since at least June 24, 2024. Indeed, in a patent litigation in Europe against Contour Technosciences Ltd., Nextbase admitted it was aware of the '954 Patent and claimed it was “very similar” to the European patent asserted in that matter. Further, Nextbase has been aware of Contour’s litigation with GoPro in which both the '954 and '694 Patents are being asserted since at least June 24, 2024. Given Nextbase’s own statement regarding the similarity of the Asserted Patents to the European patent asserted against it, on information and belief, Nextbase has been aware of its infringement of the Asserted Patents since at least June 24, 2024. At a minimum, Nextbase has had knowledge of the '954 Patent since at least the filing date of this Complaint.

50. Unless enjoined by this Court, Nextbase will continue to infringe the '954 Patent.

51. Because of Nextbase’s infringing activities, Contour has suffered damages and will continue to suffer damages in the future.

52. Nextbase’s continuing acts of infringement are willful, entitling Contour to increased damages under 35 U.S.C. § 284 and to attorneys’ fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT III – INFRINGEMENT OF U.S. PATENT NO. 12,206,983

53. The allegations set forth in the foregoing paragraphs are hereby realleged and incorporated herein by reference.

54. In violation of 35 U.S.C. § 271(a), Nextbase has directly infringed and continues to directly infringe, both literally and/or under the doctrine of equivalents, the '983 Patent by making, using, offering for sale, selling, and/or importin device in the United States, including within this judicial district, that infringe at least Claim 1 of the '983 Patent without the authority of Contour.

55. In violation of 35 U.S.C. § 271(b), Nextbase has induced its customers and/or end users to infringe, both literally and/or under the doctrine of equivalents, at least claim 1 of the '983 Patent by providing instructions via its website, product manuals, user manuals, product support and other documents that Nextbase knows will cause its customers and end users to directly infringe claim 1 of '983 Patent. For example, through its various communication mediums, Nextbase provides detailed instructions to its customers and end users on how to practice each and every limitation of at least claim 1 of the '983 Patent.

56. In violation of 35 U.S.C. § 271(c), Nextbase has actively contributed to the infringement of at least claim 1 of the '983 Patent by knowingly providing components, such as the Nextbase Dash Cam Products and Nextbase Applications. These components have no substantial non-infringing use and are especially made or especially adapted for use in a direct infringement of the '983 Patent.

57. Nextbase has had knowledge of the '983 Patent since at least the filing date of this Complaint.

58. Unless enjoined by this Court, Nextbase will continue to infringe the '983 Patent.

59. Because of Nextbase's infringing activities, Contour has suffered damages and will continue to suffer damages in the future.

60. Nextbase's continuing acts of infringement are willful, entitling Contour to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

JURY DEMAND

61. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Contour demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

62. Contour respectfully requests that this Court enter judgment in Contour's favor and against Nextbase as follows:

A. That Nextbase has directly and indirectly infringed at least one claim from each of the Asserted Patents;

B. That Nextbase's infringement has been willful;

C. An award of damages to be paid by Nextbase adequate to compensate Contour for Nextbase's infringement of the Asserted Patents and in no event less than a reasonable royalty together with interests and costs;

D. An award of treble damages in accordance with 35 U.S.C. § 284;

E. An order enjoining Nextbase and its officers, agents, servants, employees, users, attorneys, and all those persons in active concert or participation with Nextbase from the acts described in this Complaint;

F. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Contour's reasonable attorneys' fees; and

G. Any other relief at law or in equity as the Court deems just and proper.

Dated: February 7, 2025

/s/ Gary R. Sorden

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