

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ICONTROL NETWORKS, INC.,)
a Delaware corporation,)
)
Plaintiff,)
)
v.)
)
SECURENET TECHNOLOGIES LLC,)
a Delaware limited liability company,)
)
Defendant.)

CASE NO.:
JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL

Plaintiff Icontrol Networks, Inc. (“Icontrol”), by its attorneys and for its Complaint, hereby alleges and states as follows:

THE PARTIES

1. Icontrol is a Delaware corporation having its principal place of business at 555 Twin Dolphin Drive, Suite 280, Redwood City, California 94065.
2. On information and belief, Defendant SecureNet Technologies, LLC, dba SecureNet Interactive Technologies LLC, (“SecureNet”) is a Delaware limited liability company having its principal place of business at 1135 Townpark Avenue, Suite 2155, Lake Mary, Florida, 32746.

THE NATURE OF THE ACTION

3. On December 21, 2010, the USPTO issued United States Patent No. 7,855,635 (“the ’635 patent”), entitled “Method and System For Coupling An Alarm System To An External Network”. Icontrol is the owner and assignee of all right, title and interest in and to the ’635 patent and holds the right to sue and recover damages for infringement thereof, including past damages. A true and correct copy of the ’635 patent is attached hereto as Exhibit 1.



4. On June 25, 2013, the USPTO issued United States Patent No. 8,473,619 (“the ’619 patent”), entitled “Security Network Integrated with Premise Security System”. Icontrol is the owner and assignee of all right, title and interest in and to the ’619 patent and holds the right to sue and recover damages for infringement thereof, including past damages. A true and correct copy of the ’619 patent is attached hereto as Exhibit 2.

5. On July 2, 2013, the USPTO issued United States Patent No. 8,478,844 (“the ’844 patent”), entitled “Forming a Security Network Including Integrated Security System Components and Network Devices”. Icontrol is the owner and assignee of all right, title and interest in and to the ’844 patent and holds the right to sue and recover damages for infringement thereof, including past damages. A true and correct copy of the ’844 patent is attached hereto as Exhibit 3.

6. On December 6, 2011, the USPTO issued United States Patent No. 8,073,931 (“the ’931 patent”), entitled “Networked Touchscreen with Integrated Interfaces”. Icontrol is the owner and assignee of all right, title and interest in and to the ’931 patent and holds the right to sue and recover damages for infringement thereof, including past damages. A true and correct copy of the ’931 patent is attached hereto as Exhibit 4.

7. Icontrol is informed and believes, and thereon alleges, that SecureNet infringes one or more claims of ’635, ’931, ’619, and ’844 patents (collectively, “the Asserted Patents”) literally or under the doctrine of equivalents, under 35 U.S.C. §271(a)-(c), as alleged below.

JURISDICTION AND VENUE

8. This action arises under the Patent Laws of the United States, codified at Title 35, United States Code §101, et seq. Accordingly, subject matter jurisdiction of this Court exists under at least 28 U.S.C. §§1331 and 1338(a).

9. On information and belief, this Court has personal jurisdiction over SecureNet because SecureNet is a Delaware limited liability company and therefore resides in this district. Further, on information and belief SecureNet has committed acts of infringement in this district.

10. On information and belief, SecureNet is doing business in this district by making, using, offering for sale, and/or selling its products including, but not limited to, products that practice the subject matter of the Asserted Patents, including, without limitation, its various “Interactive Gateway Modules” such as (again, without limitation) its “SecureNet GSM Interactive Gateway” and various other gateway modules; its “Video Pro” system; its “Remote Control” system; SecureNet Platform; SmartLink mobile app; and the Helix wireless security system. Various combinations of the aforementioned products are packaged and sold under its “Interactive,” “Lifestyle,” and “Lifestyle Premium” packages (collectively, “Accused Products”).

11. On information and belief, venue is proper in this Court pursuant to 28 U.S.C. §§1391(b), (c) and 1400 because SecureNet is a Delaware limited liability company and therefore resides in this district. Further, on information and belief, venue is proper in this Court pursuant to 28 U.S.C. §§1391(b), (c) and 1400 because SecureNet has committed acts of infringement in this district. On information and belief, SecureNet is doing business in this district by making, using, offering for sale, and/or selling its products including, but not limited to, products that practice the subject matter of the Asserted Patents, including without limitation the Accused Products.

SECURENET’S KNOWLEDGE OF THE ASSERTED PATENTS

12. For the reasons discussed herein, on information and belief, SecureNet either had actual knowledge of the Asserted Patents and/or their respective applications prior to this action or willfully blinded itself to the existence of those patents.

13. Icontrol is informed and believes that SecureNet first obtained knowledge of the Asserted Patents prior to this action through the instances of direct competition between Icontrol and SecureNet as well as the numerous interactions between the two companies. Icontrol and SecureNet have directly competed for one or more customer accounts. On information and belief, during the process of this direct competition, SecureNet learned of the Asserted Patents.

14. On information and belief, SecureNet independently learned about the Asserted Patents because it researched Icontrol. SecureNet and Icontrol are both members of the Z-Wave Alliance. On information and belief, SecureNet researched Icontrol not only because of this mutual membership in the Z-Wave Alliance, but moreover because they have directly competed for one or more customer accounts, SecureNet affirmatively investigated Icontrol and its patent portfolio, at which time SecureNet learned about the Asserted Patents.

15. On information and belief, as part of SecureNet's investigation of Icontrol, SecureNet visited Icontrol's website, where the Asserted Patents are, and have been, prominently displayed.

16. On information and belief, as part of its investigation about Icontrol, SecureNet further independently learned about at least the '931, '619, and '844 patents on account of a patent infringement lawsuit brought by Icontrol on July 10, 2013, against Alarm.com Inc. and Frontpoint Security Solutions LLC that involved the aforementioned patents.

17. On information and belief, SecureNet was aware of a publication by Imperial Capital entitled "Security Industry Monitor," dated March 2014.

18. On information and belief, SecureNet is aware of U.S. Patent Application No. 13/311,365, which will issue as U.S. Patent No. 9,141,276 and was published on October 11, 2012, because it is displayed on Icontrol's website at <http://www.icontrol.com/patents/>.

19. That publication states that “Alarm.com and iControl Networks have been and remain from our past publications the best known companies providing interactive wireless software platforms to the security and cable-telecom industries.” (emphasis added).

20. SecureNet willfully blinded itself to the Asserted Patents to the extent that it lacked affirmative knowledge of the Asserted Patents prior to this publication and/or failed to investigate Icontrol, one of the “best known” companies in the applicable industry.

21. On September 16, 2014, Icontrol filed a complaint against SecureNet alleging infringement of the ’635, ’619, and ’844 patents, and other Icontrol patents. The patents asserted in that action expressly reference the ’931 patent as a related patent. Accordingly, SecureNet had actual knowledge of the Asserted Patents no later than the filing of the Complaint in that action, *Icontrol Networks, Inc. v. SecureNet Technologies, LLC*, Case No. 1:14-cv-001198 (“First Action”).

22. Discovery in the First Action commenced, and Icontrol propounded discovery requests to garner information regarding SecureNet’s non-infringement contentions. SecureNet refused to respond substantively, and instead filed two motions to dismiss.

23. The Court held a scheduling conference in the First Action on February 27, 2015. After the conference, Icontrol filed a Joint Motion to voluntarily dismiss its claims against SecureNet without prejudice.

24. The Court dismissed the First Action on March 18, 2015. After the dismissal was granted, Icontrol and SecureNet engaged in further discussions relating to Icontrol’s patents.

25. On information and belief, SecureNet misrepresented the lawsuit’s dismissal by, in part, informing industry members that Icontrol did not have a meritorious case and neglecting

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