

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SIPCO, LLC, and IP CO, LLC
(d/b/a INTUS IQ),

Plaintiffs,

v.

EMERSON ELECTRIC CO., FISHER-
ROSEMOUNT SYSTEMS, INC., and
ROSEMOUNT INC.,

Defendants.

Civil Action No. 6:15-cv-907

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

SIPCO, LLC and IP CO, LLC (d/b/a INTUS IQ) (“Plaintiffs” or “SIPCO”), by and through their counsel Nutter, McClennen & Fish LLP, hereby file this Complaint for Patent Infringement against Emerson Electric Co., Fisher-Rosemont Systems, Inc., and Rosemount Inc. as follows:

THE PARTIES

1. SIPCO, LLC is a limited liability company organized and existing under the laws of the State of Georgia, having its principal office at 8215 Roswell Road, Building 900, Suite 950, Atlanta, Georgia 30350.
2. IP CO, LLC (d/b/a INTUS IQ) is a limited liability company organized and existing under the laws of the State of Georgia, having its principal office at 8215 Roswell Road, Building 900, Suite 950, Atlanta, Georgia 30350.
3. Emerson Electric Co. (“EEC”) is a corporation organized and existing under the laws of the State of Missouri, having a place of business at 1300 East Whaley Street, Suite B, Longview, Texas 75601.

4. Fisher-Rosemount Systems, Inc. (“Fisher Rosemount”) is a wholly-owned subsidiary of Emerson Electric Co., and is a corporation incorporated under the laws of the State of Delaware, having its principal place of business at 1100 W. Louis Henna Blvd., Bldg. 1, Round Rock, Texas 78681.

5. Rosemount, Inc. (“Rosemount”) is a wholly-owned subsidiary of Emerson Electric Co., and is a corporation organized and existing under the laws of the State of Minnesota, having its principal place of business at 8200 Market Blvd., Chanhassen, Minnesota 55317.

JURISDICTION AND VENUE

6. Plaintiffs’ Complaint is for patent infringement arising under the patent statutes, 35 U.S.C. § 101 *et seq.*, in particular 35 U.S.C. § 271.

7. This Court has subject matter jurisdiction over Plaintiffs’ claims under 28 U.S.C. §§ 1331 and 1338(a).

8. The Court has personal jurisdiction over the Defendants at least because they have purposefully availed themselves of jurisdiction in this state and judicial district by voluntarily and purposefully committing and continuing to commit acts of infringement in this state and judicial district. In particular, this Court has personal jurisdiction over Rosemount because it has its principal place of business in this state, over EEC because it has an office in this Judicial District and thus has purposefully availed itself of the benefits of doing business here, and over Fisher-Rosemount because it has purposefully availed itself of the benefits of doing business here by selling infringing products in this state and district.

9. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391 and 1400(b) at least because a substantial part of the infringing acts of each defendant have occurred and are occurring in this judicial district.

THE PATENTS-IN-SUIT

10. U.S. Patent No. 7,697,492 (“the ‘492 patent”) was duly and legally issued on April 13, 2010.

11. The ‘492 patent is entitled “Systems and Methods for Monitoring and Controlling Remote Devices.”

12. SIPCO owns the ‘492 patent.

13. The Defendants had knowledge of the ‘492 patent and knowledge of their infringement of the ‘492 patent before the filing of the Complaint.

14. U.S. Patent No. 6,437,692 (“the ‘692 patent”) was duly and legally issued on August 20, 2002.

15. The ‘692 patent is entitled “System and Method for Monitoring and Controlling Remote Devices.”

16. SIPCO owns the ‘692 patent.

17. The Defendants had knowledge of the ‘692 patent and knowledge of their infringement of the ‘692 patent before the filing of the Complaint.

18. U.S. Patent No. 6,914,893 (“the ‘893 patent”) was duly and legally issued on July 5, 2005.

19. The ‘893 patent is entitled “System and Method for Monitoring and Controlling Remote Devices.”

20. SIPCO owns the ‘893 patent.

21. The Defendants had knowledge of the ‘893 patent and knowledge of their infringement of the ‘893 patent before the filing of the Complaint.

22. U.S. Patent No. 6,249,516 (“the ‘516 patent”) was duly and legally issued on June 19, 2001.

23. The '516 patent is entitled "Wireless Network Gateway and Method for Providing Same."

24. IP CO owns the '516 patent.

25. The Defendants had knowledge of the '516 patent and knowledge of their infringement of the '516 patent before the filing of the Complaint.

26. U.S. Patent No. 7,468,661 ("the '661 patent") was duly and legally issued on December 23, 2008.

27. The '661 patent is entitled "System and Method for Monitoring and Controlling Remote Devices."

28. SIPCO owns the '661 patent.

29. The Defendants had knowledge of the '661 patent and knowledge of their infringement of the '661 patent before the filing of the Complaint.

30. U.S. Patent No. 8,000,314 ("the '314 patent") was duly and legally issued on August 16, 2011.

31. The '314 patent is entitled "Wireless Network System and Method for Providing Same."

32. IP CO owns the '314 patent.

33. The Defendants had knowledge of the '314 patent and knowledge of their infringement of the '314 patent before the filing of the Complaint.

34. U.S. Patent No. 8,233,471 ("the '471 patent") was duly and legally issued on July 31, 2012.

35. The '471 patent is entitled "Wireless Network System and Method for Providing Same."

36. IP CO owns the '471 patent.

37. The Defendants had knowledge of the '471 patent and knowledge of their infringement of the '471 patent before the filing of the Complaint.

38. U.S. Patent No. 8,625,496 ("the '496 patent") was duly and legally issued on January 7, 2014.

39. The '496 patent is entitled "Wireless Network System and Method for Providing Same."

40. IP CO owns the '496 patent.

41. The Defendants had knowledge of the '496 patent and knowledge of their infringement of the '496 patent before the filing of the Complaint.

42. U.S. Patent No. 8,754,780 ("the '780 patent") was duly and legally issued on June 17, 2014.

43. The '780 patent is entitled "Systems and Methods for Monitoring and Controlling Remote Devices."

44. SIPCO owns the '780 patent.

45. The Defendants had knowledge of the '780 patent and knowledge of their infringement of the '780 patent before the filing of the Complaint.

46. U.S. Patent No. 8,908,842 ("the '842 patent") was duly and legally issued on December 9, 2014.

47. The '842 patent is entitled "Multi-Functional General Purpose Transceivers and Devices."

48. SIPCO owns the '842 patent.

49. The Defendants had knowledge of the '842 patent and knowledge of their infringement of the '842 patent before the filing of the Complaint.

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