

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

iROBOT CORPORATION,

Plaintiff

v.

THE BLACK & DECKER CORPORATION,

BLACK & DECKER (U.S.) INC., and

SHENZHEN SILVER STAR INTELLIGENT
TECHNOLOGY CO., LTD.,

Defendants.

Civil Action No. 1:17-cv-10648

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff iRobot Corporation (“iRobot”), by and through its attorneys, brings this complaint for patent infringement and demand for jury trial against The Black & Decker Corporation and Black & Decker (U.S.) Inc. (together, “B&D”) and Shenzhen Silver Star Intelligent Technology Co., Ltd. (“SSSIT”) (collectively, the “Defendants”) and alleges as follows:

NATURE OF THE ACTION

1. This action for patent infringement arises under the laws of the United States, Title 35 of the United States Code, 35 U.S.C. § 1 *et seq.*

PARTIES

2. Plaintiff iRobot Corporation is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 8 Crosby Drive, Bedford, Massachusetts 01730.

3. On information and belief, The Black & Decker Corporation is a corporation organized under the laws of the State of Maryland, having a principal place of business located at 701 E. Joppa Rd., Towson, Maryland 21286.

4. On information and belief, Black & Decker (U.S.) Inc. is a corporation organized under the laws of the State of Maryland, having a principal place of business located at 701 E. Joppa Rd., Towson, Maryland 21286.

5. On information and belief, Shenzhen Silver Star Intelligent Technology Co., Ltd. is a Chinese corporation, having a principal place of business located at Building D, Huiqing Technology Park, DAFU Industrial Area, Guanguang Road, Guanlan Town, Shenzhen, People's Republic of China.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. This Court has personal jurisdiction over B&D because, *inter alia*, upon information and belief, B&D has purposefully availed itself of the privileges of conducting business in this judicial district and has regularly and systematically transacted business in this district, directly or through intermediaries; B&D has committed acts of patent infringement in this district; and B&D has substantial and continuous contacts within this judicial district, at least due to soliciting customers from this judicial district via its own website, blackanddecker.com, as well as through third-party websites and/or sales via retail and wholesale stores in Massachusetts. Moreover, upon information and belief, B&D has purposefully shipped its products into this district through established distribution channels and has placed its products into the stream of

commerce with the knowledge and expectation that they will be purchased by consumers in this district.

8. This Court has personal jurisdiction over SSSIT because, *inter alia*, upon information and belief, SSSIT manufactures and/or imports infringing devices that are marketed and sold to Massachusetts consumers through a nationwide channel of distribution in the United States. Moreover, upon information and belief, SSSIT has purposefully and voluntarily placed infringing devices in the stream of commerce with the knowledge and expectation that the same will end up in, and be marketed, sold, and purchased in, Massachusetts. Upon information and belief, SSSIT has entered into a business relationship with B&D whereby SSSIT manufactures infringing devices and imports them into the United States so that B&D can sell these infringing devices throughout the United States, including in Massachusetts.

9. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and 1400(b).

SINGLE ACTION

10. This suit is commenced against Defendants pursuant to 35 U.S.C. § 299 because, *inter alia*, upon information and belief, SSSIT manufactures and/or imports infringing robotic vacuums for and on behalf of B&D, who offers them for sale in the United States, and sells them in the United States, including in Massachusetts. Defendants are therefore part of the same manufacturing and distribution chain and share accused product lines and products involving iRobot's patented technologies.

11. Accordingly, Defendants are jointly and severally liable for patent infringement relating to the infringing robotic vacuums made, used, imported, offered for sale, sold, and/or used in the United States by one or more of them. iRobot's right to relief against each of these

Defendants arises out of the same transaction, occurrence, or series of transactions or occurrences relating to the making, using, importing into the United States, offering for sale, and/or selling of the same accused robotic vacuums. Questions of fact common to both of these Defendants will arise in this action, including as to whether the accused products infringe the asserted patents. Thus, joinder of the Defendants is proper under 35 U.S.C. § 299.

THE PATENTS-IN-SUIT

The '308 Patent

12. On December 26, 2006, United States Patent No. 7,155,308 (“the '308 Patent”), entitled “Robot Obstacle Detection System,” was duly and legally issued by the United States Patent and Trademark Office from U.S. Patent Application Serial No. 10/453,202, filed on June 3, 2003. iRobot is the owner, by valid assignment, of the entire right, title and interest in and to the '308 Patent, including the right to assert all causes of action arising under the patent and the right to any remedies for infringement of the patent.

13. The '308 Patent relates to a robot obstacle detection system that includes a robot housing that navigates with respect to a surface, and a sensor subsystem. The sensor subsystem includes an optical emitter which emits a directed beam having a defined field of emission and a photon detector having a defined field of view which intersects the field of emission of the emitter at a region. A circuit in communication with a detector redirects the robot when the surface does not occupy the region to avoid obstacles. A similar system is employed to detect walls.

The '090 Patent

14. On July 2, 2013, United States Patent No.8,474,090 (“the '090 Patent”), entitled “Autonomous Floor-Cleaning Robot,” was duly and legally issued by the United States Patent and Trademark Office from U.S. Patent Application Serial No. 12/201,554, filed on August 29, 2008.

iRobot is the owner, by valid assignment, of the entire right, title and interest in and to the '090 Patent, including the right to assert all causes of action arising under the patent and the right to any remedies for infringement of the patent.

15. The '090 Patent relates to a floor cleaning robot that includes a housing, wheels, and a motor driving the wheels to move the robot across a floor, a control module disposed within the housing and directing movement of the robot across the floor, a sensor for detecting and communicating obstacle information to the control module so that the control module can cause the robot to react to the obstacle, a removable bin disposed at least partially within the housing and receiving particulates, a first rotating member directing particulates toward the bin, and a second rotating member cooperating with the first rotating member to direct particulates toward the bin.

The '490 Patent

16. On October 26, 2004, United States Patent No. 6,809,490 (“the '490 Patent”), entitled “Method and System for Multi-Mode Coverage for an Autonomous Robot,” was duly and legally issued by the United States Patent and Trademark Office from U.S. Patent Application Serial No. 10/167,851, filed on June 12, 2002. iRobot is the owner, by valid assignment, of the entire right, title, and interest in and to the '490 Patent, including the right to assert all causes of action arising under the patent and the right to any remedies for infringement of the patent.

17. The '490 Patent relates to a control system for a mobile robot to effectively cover a given area by operating in a plurality of modes. In an exemplary embodiment, an autonomous mobile robot can operate in an obstacle following mode, a random bounce mode, or in a spot coverage mode. Additionally, the '490 Patent describes a behavior based architecture for the control system to ensure full coverage.

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