

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                |   |                            |
|--------------------------------|---|----------------------------|
| CEREBRUM SENSOR TECHNOLOGIES,) | ) |                            |
| INC. AND TIRE STICKERS LLC,    | ) |                            |
|                                | ) |                            |
| Plaintiffs,                    | ) |                            |
|                                | ) | C.A. No. _____             |
| v.                             | ) |                            |
|                                | ) | <b>JURY TRIAL DEMANDED</b> |
| REVVO TECHNOLOGIES, INC.       | ) |                            |
|                                | ) |                            |
| Defendant.                     | ) |                            |

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs Cerebrum Sensor Technologies, Inc. (“Cerebrum”) and Tire Stickers LLC (“Tire Stickers”) (collectively, “Plaintiffs”) bring this action for patent infringement against Revvo Technologies, Inc. (“Revvo” or “Defendant”).

**NATURE OF THE ACTION**

1. This is a civil action for patent infringement. This action concerns Revvo’s infringement of U.S. Patent No. 10,137,741 (“the ’741 Patent,” attached hereto as Exhibit A); U.S. Patent No. 11,124,027 (“the ’027 Patent,” attached hereto as Exhibit B); and U.S. Patent No. 11,835,421 (“the ’421 Patent,” attached hereto as Exhibit C) (collectively, “the Asserted Patents” or “Patents-in-Suit”).

2. Cerebrum is the assignee and owner of all rights, title, and interest in the ’421 Patent. Tire Stickers is the owner of the ’741 Patent and the ’027 Patent. Cerebrum is exclusive licensee of the ’741 Patent and the ’027 Patent, including *inter alia* the right to sue Revvo for its past and present acts of infringement, to recover damages therefrom, and to seek injunctive relief.

3. This action arises under the patent laws of the United States, Title 35, United States Code, including 35 U.S.C. §271.

### **THE PARTIES**

4. Cerebrum is a corporation organized and existing under the laws of Delaware, having a principal place of business located at 8105 Orion Avenue, Van Nuys, California 91406.

5. Tire Stickers is a limited liability company organized and existing under the laws of Massachusetts, having a principal place of business located at 8103 Orion Avenue, Van Nuys, California 91406.

6. On information and belief, Revvo is a corporation organized and existing under the laws of Delaware, having a principal place of business located at 900 Concar Drive, San Mateo, California 94402.

7. On information and belief, Revvo may be served through its registered agent, National Registered Agents, Inc., located at 1209 Orange Street, Wilmington, Delaware 19801.

### **JURISDICTION AND VENUE**

8. This civil action for patent infringement arises under the patent laws of the United States, 35 U.S.C. § 1 et seq., including in particular under 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a).

9. This Court has personal jurisdiction over Revvo, and venue is proper in this district pursuant to 28 U.S.C. § 1400(b), at least because Revvo is a Delaware corporation and thus resides in this district.

### **THE PATENTS-IN-SUIT**

10. The '741 Patent, entitled "Display assemblies and methods for applying the same to vulcanized rubber articles," was duly and legally issued on November 27, 2018 by the U.S. Patent and Trademark Office ("USPTO"). A copy of the '741 Patent is attached as Exhibit A.

11. The '027 Patent, entitled "Display assemblies and methods for applying the same to vulcanized rubber articles," was duly and legally issued on September 21, 2021 by the USPTO. A copy of the '027 Patent is attached as Exhibit B.

12. The '421 Patent, entitled "Sensor assemblies and systems for monitoring a dynamic object," was duly and legally issued on December 5, 2023 by the USPTO. A copy of the '421 Patent is attached as Exhibit C.

**FACTUAL BACKGROUND ON CEREBRUM AND TIRE STICKERS**

13. Founded by Chief Executive Officer (CEO) Keith Ferry in 2019, Cerebrum has developed sensor technologies for tires and/or wheels.

14. Cerebrum develops and distributes innovative tire sensors, receivers and software. Utilizing over a decade of rubber bonding experience, patented technology and extensive research and development, Cerebrum has emerged to fulfill the industry's need for universal, original equipment manufacture ("OEM") and aftermarket smart tire solutions that improve safety, tire and vehicle performance and support the continuous improvement of autonomous vehicles.

15. Cerebrum devices and software provide a range of advanced data to the vehicle and operator ultimately allowing an in-depth view of the dynamics of each wheel and tire. Utilizing strategic partnerships with tire companies, automotive manufacturers and renowned motorsports teams, Cerebrum engineers have developed innovative tire-mounted sensors capable of withstanding the most demanding track, road and off-road conditions.

16. Combining the latest in hardware technology and wireless communication protocols with sophisticated algorithms, Cerebrum products gather never-before-seen detailed tire analytics including: Tire pressure including leak detection and critical failure alerts; Tire rubber temperature monitoring vs. air temperature as measured by TPMS sensors; Tire blowout detection

alerts; Tread depth health Wheel and tire alignment variations; Fuel and premature tire wear costs; Excess Carbon Dioxide emissions summary; Advanced Mode performance sessions with GPS and tire summary; Recommendations on tire adjustments prior and post-performance sessions; and Fully exportable and shareable Session Details.

17. Cerebrum's engineers continue to expand the Cerebrum technology to include more vehicles, applications, information available and ways to access with the end goal of improving the safety and performance of vehicles worldwide.

18. As a result of innovations at Cerebrum, Keith Ferry, Cerebrum's CEO, was awarded the '421 Patent. Mr. Ferry then assigned his entire title, right and interest in the '421 Patent to Cerebrum.

19. Mr. Ferry is also CEO of Tire Stickers, which Mr. Ferry founded in 2011. Tire Stickers is a global manufacturer of branding solutions engineered for simple, steadfast application to tire sidewalls and rubber surfaces, as further described on its website <https://www.tirestickers.com/>. In addition to those solutions, Tire Stickers has partnered with Cerebrum by exclusively licensing the '741 Patent and the '027 Patent to Cerebrum, and advertising and offering Cerebrum's products, as further described on Tire Stickers' website, <https://www.tirestickers.com/cerebrum-smart-tire-sensor/> and <https://www.tirestickers.com/shop/cerebrum-smart-tire-sensor/>.

20. As a result of innovations at Tire Stickers, Keith Ferry, Cerebrum's CEO, and his co-inventor were awarded the '741 Patent and the '027 Patent. Mr. Ferry and his co-inventor then assigned their entire title, right and interest in the '741 Patent and the '027 Patent to Tire Stickers.

21. Tire Stickers has exclusively licensed Cerebrum to the '741 Patent and the '027 Patent.

22. Tire Stickers has also partnered with Cerebrum, offering Cerebrum's products through the website of a Tire Stickers' affiliate at <https://www.tirestickers.com/shop/cerebrum-smart-tire-sensor/>.

23. Tire Stickers has complied with the marking requirement under 35 U.S.C. § 287, including by marking Tire Stickers' products with the '741 Patent and the '027 Patent numbers, and by identifying the patent numbers for these Tire Stickers' products on Tire Stickers' website <https://www.tirestickers.com/virtual-patent-marking/>. Tire Stickers and Cerebrum have also complied with the marking requirement under 35 U.S.C. § 287, including by identifying the '741 Patent and the '027 Patent numbers for Cerebrum's products on their respective websites, <https://www.tirestickers.com/virtual-patent-marking/> and <https://cerebrumsensor.com/pages/virtual-patent-marking>, and by Cerebrum product instruction guides identifying the link to the Cerebrum website <https://cerebrumsensor.com/pages/virtual-patent-marking>.

24. After the '421 Patent issued on December 5, 2023, Cerebrum has complied with the marking requirement under 35 U.S.C. § 287, including by identifying the '421 Patent number for Cerebrum's products on its website, <https://cerebrumsensor.com/pages/virtual-patent-marking>, and by Cerebrum product instruction guides identifying the link to the Cerebrum website <https://cerebrumsensor.com/pages/virtual-patent-marking>.

### **FACTUAL BACKGROUND ON REVVO**

25. Revvo offers for sale sensor products through its website at <https://www.revvo.ai/>, including the Revvo Pro Tire Mounted Sensor ("the Accused Revvo Tire Sensor Products") and the Revvo Wheel ("the Accused Revvo Wheel Sensor Products") (collectively, "the Accused Revvo Sensor Products").

26. On information and belief, Revvo makes, uses, offers to sell, or sells within the United States, and imports into the United States, the Accused Revvo Sensor Products.

27. Attached as Exhibit D is a chart providing examples of infringement of the '741 Patent by the Accused Revvo Tire Sensor Products.

28. Attached as Exhibit E is a chart providing examples of infringement of the '027 Patent by the Accused Revvo Tire Sensor Products.

29. Attached as Exhibit F is a chart providing examples of infringement of the '421 Patent by the Accused Revvo Sensor Products.

30. Attached as Exhibit G is a printout of Revvo's website at <https://www.revvo.ai/tire-sensor-options>, which includes descriptions of the Accused Revvo Sensor Products.

31. Attached as Exhibit H is Revvo's Dock Installation Guide for its Revvo Pro Tire Mounted Sensor, which is available at Revvo's website <https://www.revvo.ai/setup/#hardware-guides> (attached as Exhibit I).

32. Attached as Exhibit J is Revvo's Statement of Use for trademark application Serial Number 88317303, filed by Revvo in the USPTO on February 15, 2023. Revvo's Statement of Use says "The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 07/22/2020, and first used in commerce at least as early as 10/10/2022, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) A screenshot of the website landing page with pictures of the noted goods featuring the mark and a way to contact the sales department to place an order. A picture of the noted hardware with the mark affixed. A picture of a trade show booth with the hardware featured on a table with signage featuring the mark."

33. Attached as Exhibit K is the specimen mentioned above in Exhibit J.

34. Exhibit K shows a screenshot of the Revvo website landing page with pictures of the noted goods featuring the mark and a way to contact the sales department to place an order.

35. Exhibit K shows a picture of the noted Revvo hardware with the mark affixed.

36. Exhibit K shows a picture of a Revvo trade show booth with the hardware featured on a table with signage featuring the mark.

37. In a list of references cited by the USPTO Examiner on April 15, 2022, in Revvo's patent application number 15/929,988, the Examiner cited Keith Ferry's published patent application 2021/0129601, which is based on Keith Ferry's patent application number 16/671,105, which eventually yielded the '421 Patent through Keith Ferry's patent application number 17/084,483.

38. On December 1, 2023, Cerebrum's counsel sent a letter to Revvo's CEO, Sunjay Dodani, offering to arrange a discussion involving Revvo and Keith Ferry, founder and CEO of Cerebrum, regarding intellectual property. Revvo never responded to Cerebrum's letter.

39. On December 2, 2023, Keith Ferry tried contacting Revvo's CEO, Sunjay Dodani, by email, but again never received a response.

40. On January 17, 2024, Cerebrum sent another letter to Revvo's CEO, Sunjay Dodani, providing "claim charts demonstrating that Revvo, without license or other permission, has used U.S. Patent No. 10,137,741 ("the '741 Patent") and U.S. Patent No. 11,124,027 ("the '027 Patent"). Cerebrum is the exclusive licensee of the '741 Patent and the '027 Patent." Revvo never responded to that letter either.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 10,137,741**

41. Cerebrum incorporates and realleges paragraphs 1-40 above as if fully set forth herein.

42. Revvo has infringed and continues to infringe one or more claims of the '741 Patent, including without limitation claims 1, 7-9, 11, and 19, pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof. Exhibit D provides an exemplary infringement claim chart for exemplary and/or representative Accused Revvo Tire Sensor Products.

43. Revvo, without authority and with knowledge of the '741 Patent, has actively induced infringement since no later than January 17, 2024, and continues to actively induce infringement of one or more claims of the '741 Patent, including without limitation claims 1, 7-9, 11, and 19, under 35 U.S.C. § 271(b), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and intentionally instructing or otherwise encouraging others, including Revvo's customers and end users to use the Accused Revvo Tire Sensor Products in the United States in a manner that infringes one or more claims of the '741 Patent, including as described in Exhibit D.

44. Revvo has contributed to, since no later than January 17, 2024, and continues to contribute to the infringement by others of one or more claims of the '741 Patent, including without limitation claims 1, 7-9, 11, and 19, pursuant to 35 U.S.C. § 271(c) literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof, or

has others perform such acts on its behalf, specifically so that the Accused Revvo Tire Sensor Products will be used in an infringing manner by others, including use as described in Exhibit D by Revvo's customers and end users. Moreover, as shown in Revvo's instructional materials (e.g., Exhibit H and Exhibit I) in which no alternative use of the Accused Revvo Tire Sensor Products is described, there is no other substantial use for the Accused Revvo Tire Sensor Products or its components. Thus, the Accused Revvo Tire Sensor Products are a material part of the claimed inventions of the '741 Patent that result in infringement when used. As a result of Revvo making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof, on information and belief other entities use these products for their intended purposes and according to Revvo's instructions with the result that such entities, such as Revvo's customers and users of the Accused Revvo Tire Sensor Products, directly infringe the asserted claims of the '741 Patent, literally or under the doctrine of equivalents, for the reasons stated above and in Exhibit D.

45. As explained below, on information and belief, Revvo acts knowingly and/or willfully blind as to the existence of the '741 Patent claims and as to the fact that at least the Accused Revvo Tire Sensor Products are especially made and adapted for this use in an infringing manner, are not staple articles of commerce, and do not have substantial non-infringing use.

46. On information and belief, Revvo was aware of or acted with willful blindness to the existence of the '741 Patent and the infringement of the '741 Patent by third parties, including without limitation users, customers, affiliates, parents, subsidiaries, third parties, importers, and/or sellers. As described above, Revvo knew, should have known, or was willfully blind to the existence of the '741 Patent, and has since knowingly acted in disregard of Cerebrum's patent

rights, including by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof.

47. As described above, Revvo's infringement of the '741 Patent has been willful.

48. Cerebrum has suffered and continue to suffer damages as a result of Revvo's infringement of the '741 Patent.

49. Unless Revvo is enjoined from infringing the '741 Patent, Revvo's efforts to design, develop, market, offer to sell, and sell the Accused Revvo Tire Sensor Products will cause Cerebrum to suffer irreparable injury for which damages are an inadequate remedy.

**COUNT II: INFRINGEMENT OF U.S. PATENT NO. 11,124,027**

50. Cerebrum incorporates and reallege paragraphs 1-49 above as if fully set forth herein.

51. Revvo has infringed and continues to infringe one or more claims of the '027 Patent, including without limitation claims 1, 7-9, 11, and 15-20, pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof. Exhibit E provides an exemplary infringement claim chart for exemplary and/or representative Accused Revvo Tire Sensor Products.

52. Revvo, without authority and with knowledge of the '027 Patent, has actively induced infringement since no later than January 17, 2024, and continues to actively induce infringement of one or more claims of the '741 Patent, including without limitation claims 1, 7-9, 11, and 15-20, under 35 U.S.C. § 271(b), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and intentionally instructing or otherwise encouraging

others, including Revvo's customers and end users to use the Accused Revvo Tire Sensor Products in the United States in a manner that infringes one or more claims of the '027 Patent, including as described in Exhibit E.

53. Revvo has contributed to, since no later than January 17, 2024, and continues to contribute to the infringement by others of one or more claims of the '027 Patent, including without limitation claims 1, 7-9, 11, and 15-20, pursuant to 35 U.S.C. § 271(c) literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof, or has others perform such acts on its behalf, specifically so that the Accused Revvo Tire Sensor Products will be used in an infringing manner by others, including use as described in Exhibit E by Revvo's customers and end users. Moreover, as shown in Revvo's instructional materials (e.g., Exhibit H and Exhibit I) in which no alternative use of the Accused Revvo Tire Sensor Products is described, there is no other substantial use for the Accused Revvo Tire Sensor Products or its components. Thus, the Accused Revvo Tire Sensor Products are a material part of the claimed inventions of the '027 Patent that result in infringement when used. As a result of Revvo making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof, on information and belief other entities and belief use these products for their intended purposes and according to Revvo's instructions with the result that such entities, such as Revvo's customers and users of the Accused Revvo Tire Sensor Products, directly infringe the asserted claims of the '027 Patent, literally or under the doctrine of equivalents, for the reasons stated above and in Exhibit E.

54. As explained below, on information and belief, Revvo acts knowingly and/or willfully blind as to the existence of the '027 Patent claims and as to the fact that at least the

Accused Revvo Tire Sensor Products are especially made and adapted for this use in an infringing manner, are not staple articles of commerce, and do not have substantial non-infringing use.

55. On information and belief, Revvo was aware of or acted with willful blindness to the existence of the '027 Patent and the infringement of the '027 Patent by third parties, including without limitation users, customers, affiliates, parents, subsidiaries, third parties, importers, and/or sellers. As described above, Revvo knew, should have known, or was willfully blind to the existence of the '027 Patent, and has since knowingly acted in disregard of Cerebrum's patent rights, including by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Tire Sensor Products and/or components thereof.

56. As described above, Revvo's infringement of the '027 Patent has been willful.

57. Cerebrum has suffered and continue to suffer damages as a result of Revvo's infringement of the '027 Patent.

58. Unless Revvo is enjoined from infringing the '027 Patent, Revvo's efforts to design, develop, market, offer to sell, and sell the Accused Revvo Tire Sensor Products will cause Cerebrum to suffer irreparable injury for which damages are an inadequate remedy.

### **COUNT III: INFRINGEMENT OF U.S. PATENT NO. 11,835,421**

59. Cerebrum incorporates and reallege paragraphs 1-58 above as if fully set forth herein.

60. Revvo has infringed and continues to infringe one or more claims of the '421 Patent, including without limitation claims 1 and 2, pursuant to 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Sensor Products and/or

components thereof. Exhibit F provides an exemplary infringement claim chart for exemplary and/or representative Accused Revvo Sensor Products.

61. Revvo, without authority and with knowledge of the '421 Patent, has actively induced infringement since no later than at least about December 5, 2023, and continues to actively induce infringement of one or more claims of the '421 Patent, including without limitation claims 1-2, under 35 U.S.C. § 271(b), literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Sensor Products and intentionally instructing or otherwise encouraging others, including Revvo's customers and end users to use the Accused Revvo Sensor Products in the United States in a manner that infringes one or more claims of the '421 Patent, including as described in Exhibit F.

62. Revvo has contributed to, since at least about December 5, 2023, and continues to contribute to the infringement by others of one or more claims of the '421 Patent, including without limitation claims 1-2, pursuant to 35 U.S.C. § 271I literally or under the doctrine of equivalents, by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Sensor Products and/or components thereof, or has others perform such acts on its behalf, specifically so that the Accused Revvo Sensor Products will be used in an infringing manner by others, including use as described in Exhibit E by Revvo's customers and end users. Moreover, as shown in Revvo's instructional materials (e.g., Exhibit G, Exhibit H and Exhibit I) in which no alternative use of the Accused Revvo Sensor Products is described, there is no other substantial use for the Accused Revvo Sensor Products or its components. Thus, the Accused Revvo Sensor Products are a material part of the claimed inventions of the '421 Patent that result in infringement when used. As a result of Revvo making and/or using, offering to sell,

selling, and/or importing into the United States without authority the Accused Revvo Sensor Products and/or components thereof, on information and belief other entities use these products for their intended purposes and according to Revvo's instructions with the result that such entities, such as Revvo's customers and users of the Accused Revvo Sensor Products, directly infringe the asserted claims of the '421 Patent, literally or under the doctrine of equivalents, for the reasons stated above and in Exhibit F.

63. As explained below, on information and belief, Revvo acts knowingly and/or willfully blind as to the existence of the '421 Patent claims and as to the fact that at least the Accused Revvo Sensor Products are especially made and adapted for this use in an infringing manner, are not staple articles of commerce, and do not have substantial non-infringing use.

64. On information and belief, Revvo was aware of or acted with willful blindness to the existence of the '421 Patent and the infringement of the '421 Patent by third parties, including without limitation users, customers, affiliates, parents, subsidiaries, third parties, importers, and/or sellers. As described above, Revvo knew, should have known, or was willfully blind to the existence of the '421 Patent, and has since knowingly acted in disregard of Cerebrum's patent rights, including by making and/or using, offering to sell, selling, and/or importing into the United States without authority the Accused Revvo Sensor Products and/or components thereof.

65. As described above, Revvo's infringement of the '421 Patent has been willful.

66. Cerebrum has suffered and continue to suffer damages as a result of Revvo's infringement of the '421 Patent.

67. Unless Revvo is enjoined from infringing the '421 Patent, Revvo's efforts to design, develop, market, offer to sell, and sell the Accused Revvo Sensor Products will cause Cerebrum to suffer irreparable injury for which damages are an inadequate remedy.

**JURY DEMAND**

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

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs respectfully request that this Court grant the following relief:

- a) Judgment that Revvo has infringed and will infringe the Patents-in-Suit under 35 U.S.C. § 271(a), § 271(b), and/or § 271(c);
- b) An award of damages to Cerebrum for Revvo's infringement of the Patents-in-Suit, in an amount to be determined at trial, but in no event less than a reasonable royalty pursuant to 35 U.S.C. § 284;
- c) An award of treble damages to Cerebrum for Revvo's willful infringement of the Patents-in-Suit pursuant to 35 U.S.C. § 284;
- d) A declaration that this case is exceptional within the meaning of 35 U.S.C. § 285 and an award of reasonable attorneys' fees, expenses, and disbursements of this action to Plaintiffs; and
- e) An award of Plaintiffs' reasonable costs and expenses in this action;
- f) An order enjoining and restraining Revvo and its officers, agents, employees, and those acting in privity with them, from further infringement of the Patents-in-Suit; and
- g) Such further and other relief as this Court deems proper and just.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Karen Jacobs*

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