

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

VAMPIRE LABS, LLC,

Plaintiff,

v.

APPLE, INC.

Defendant.

Civil Action No. 1:24-cv-01377-DII

JURY TRIAL DEMANDED

**DEFENDANT APPLE INC.'S MOTION TO DISMISS
VAMPIRE LABS, LLC'S FIRST AMENDED COMPLAINT**

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I. INTRODUCTION

Plaintiff Vampire Labs, LLC (“Vampire”) has now had two opportunities to plead a viable claim of infringement against Apple. Yet, despite having been on notice for almost a month as to why its allegations were deficient, Vampire has been unable to do so. Its First Amended Complaint (“FAC”) should now be dismissed for two reasons: it does not plausibly allege that any Apple product or service infringes; and the sole patent-in-suit is directed to an unpatentable abstract idea.

First, Vampire has not pled facts that, even taken as true, make it plausible that any Apple product or service infringes because it targets “systems” of products without alleging which, if any, practices each claim element. (FAC ¶ 35, ECF No. 17.)¹ The only asserted claim of the only patent-in-suit—U.S. Patent No. 8,358,103 (“’103 Patent”)—relates to a way of connecting and disconnecting the power supply to a battery charger based on the battery’s level of charge. Vampire generally asserts that Apple’s “Accused Systems” infringe this claim. It also alleges that these systems include different products that can be used together: chargers (e.g., the MagSafe Charger) and devices they charge (e.g., an iPhone or an Apple Watch). But Vampire’s FAC never alleges which products supposedly practice any given limitation. This falls well short of the standards required by the Supreme Court’s *Twombly* and *Iqbal* decisions.

Second, the asserted claim (claim 1) is directed to an abstract idea, and is thus not patent-eligible under the two-step framework in *Alice Corp. Pty. v. CLS Bank Int’l.*, 573 U.S. 208 (2014). In particular, claim 1 is directed to the abstract idea of automatically connecting and disconnecting a charging current for a battery based on its level of charge. Claims directed to similar feedback-based systems, including in the field of battery charging, have repeatedly been held patent-ineligible. Nor is there any “inventive concept” in claim 1 that could save it. Instead, it recites

¹ Vampire did not attach the patent that forms the basis for this case as an exhibit to its FAC. Apple has therefore attached it hereto as Exhibit 1.

components purely defined by their functions or well-understood elements, used for routine and conventional purposes. Vampire’s FAC fails to state a claim on which relief could be granted, and the Court should thus dismiss it with prejudice.

II. FACTUAL BACKGROUND

The ’103 Patent—the sole patent at issue here—is titled “Automatic Coupling of an Alternating Current Power Source and an Inductive Power Apparatus to Charge a Target Device Battery.” (FAC, ¶ 9.) The ’103 Patent purports to teach ways of automatically connecting and disconnecting a power source to a battery charger. (*See* ’103 Pat., Abstract.) According to the specification, when in use, such a charger—which the patent calls an “inductive power apparatus,” or “inductive charging unit”—is connected to an “alternating current power source,” like a wall outlet. (*See* ’103 Pat., 1:19–22, 1:28–31, 1:51–54.) If the charger remains connected to its power source, it may continue to consume power even when no “target device battery” is coupled to it and there is thus nothing for it to charge. (*Id.* at 1:19–22, 1:44–47.) This results in a waste of power, which the ’103 Patent calls “vampiric power loss.” (*Id.* at 1:29–30, 1:43.) According to the patent, “vampiric power loss” may “result in an unnecessary generation of power by a power plant,” cause “[c]arbon pollution, nuclear waste, or other forms of pollution and waste, . . . waste a financial resource[,] and/or contribute to causing an insufficient supply of power.” (*Id.* at 1:54–62.)

In both its November 12, 2024 Complaint and February 7, 2025 FAC, Vampire asserts a single count, alleging that Apple directly infringes claim 1 of the ’103 Patent. (Compl., ¶¶ 27–33, ECF No. 1; FAC, ¶¶ 34–41.) Claim 1—the only asserted claim—recites:

An inductive battery charging system, comprising:

a connection module to determine when a target device is coupled to an inductive power apparatus;

a monitoring module to determine when a target device battery is below a charging threshold while using power from a supplemental power source; and

an activation module to automatically couple the inductive power apparatus and an alternating current power source when a power level of the target device battery is below the charging threshold;

a separation module to automatically decouple the inductive power apparatus and the alternating current power source when a desired charging state of the target device battery is observed,

wherein the separation module is comprised of a relay switch,

wherein the inductive power apparatus includes at least one of a transformer to inductively generate an electric current, a rectification circuit, and a voltage regulation circuit.

(’103 Pat., cl. 1.) Vampire does not allege that it invented inductive charging, coupling and decoupling of a power source to a charger, or the use of relay switches, transformers, rectification circuits, or voltage regulator circuits. (*See* ’103 Pat., 1:25–50; FAC, ¶¶ 11, 13–14, 18.)

Like Vampire’s Complaint, Vampire’s FAC accuses Apple’s “Accused Systems” of infringement. According to Vampire, the “Accused Systems” include both (1) devices with rechargeable batteries, including iPhones and Apple Watches, and (2) chargers for those devices, such as MagSafe Chargers. (FAC, ¶ 36.) Despite the differing functionality in these two categories of products within the “Accused Systems,” the FAC does not allege which product supposedly includes which element of claim 1. (*See id.* at ¶¶ 27–30, 35–41.) And even though it filed its FAC in response to Apple’s first Motion to Dismiss, Vampire did not attempt to clarify these allegations. (*Compare* Compl., ¶¶ 20–21, 27–33, *with* FAC, ¶¶ 27–28, 34–41.)

III. LEGAL STANDARDS

A. Motion To Dismiss Under Fed. R. Civ. P. 12(b)(6)

To survive a motion to dismiss, “a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). To plead a facially plausible claim, the plaintiff must “plead[] factual content that allows the court to draw the

reasonable inference that the defendant is liable for the misconduct alleged.” *Iqbal*, 556 U.S. at 678. In particular, to state a claim for patent infringement, “a plaintiff must plead facts that plausibly suggest that the accused product meets each limitation of the asserted claim or claims.” *Bowmar Archery LLC v. VIP Veteran Innovative Prods. LLC*, No. 1:22-CV-00346-RP, 2023 WL 28438, at *2 (W.D. Tex. Jan. 3, 2023), *R. & R. adopted*, 2023 WL 2311988 (W.D. Tex. Jan. 18, 2023) (quotations and citation omitted). “[L]eave to amend [in response to a motion to dismiss] properly may be denied when the party seeking leave has repeatedly failed to cure deficiencies by amendments previously allowed and when amendment would be futile.” *U.S. ex rel. Willard v. Humana Health Plan of Tex. Inc.*, 336 F.3d 375, 387 (5th Cir. 2003).

B. Patent Eligibility Under 35 U.S.C. § 101

Under 35 U.S.C. § 101, “[l]aws of nature, natural phenomena, and abstract ideas are not patentable.” *Alice*, 573 U.S. at 216 (quotations and citation omitted). In *Alice*, the Supreme Court provided a two-step test for “distinguishing patents that claim laws of nature, natural phenomena, and abstract ideas from those that claim patent-eligible applications of those concepts.” *Id.* at 217. Under step one, the Court “first determine[s] whether the claims at issue are directed to a patent-ineligible concept.” *Id.* at 218. This includes “looking to the specification to understand ‘the problem facing the inventor’ and, ultimately, what the patent describes as the invention.” *ChargePoint, Inc. v. SemaConnect, Inc.*, 920 F.3d 759, 767 (Fed. Cir. 2019). Claims directed to abstract ideas are not patent-eligible unless they are determined, in step two, to contain an “inventive concept.” *Alice*, 573 U.S. at 217. To meet this test, the elements of the claim must “ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.” *Id.* at 217–18 (alteration in original) (quotations and citation omitted). The abstract idea to which the patent is directed “cannot supply the inventive concept that renders the invention ‘significantly more’ than that ineligible concept.” *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d

1281, 1290 (Fed. Cir. 2018).

Courts may determine patent eligibility under 35 U.S.C. § 101 on a motion to dismiss under Fed. R. Civ. P. 12(b)(6). *E.g.*, *Sanderling Mgmt. Ltd. v. Snap Inc.*, 65 F.4th 698, 701 (Fed. Cir. 2023); *PerformancePartners, LLC v. FlashParking, Inc.*, 697 F. Supp. 3d 678, 690 (W.D. Tex. 2023). Determining patent eligibility at the pleading stage “conserve[s] scarce judicial resources, provid[es] a bulwark against vexatious infringement suits, and weed[s] out . . . patents that stifle innovation and transgress the public domain.” *Affinity Labs of Tex., LLC v. DirecTV, LLC*, 109 F. Supp. 3d 916, 921 (W.D. Tex. 2015), *aff’d*, 838 F.3d 1253 (Fed. Cir. 2016) (quotations and citation omitted).

IV. ARGUMENT

A. Vampire’s FAC Fails to State a Claim Because It Does Not Plausibly Articulate How the Accused Products, Which Include Both Chargers and Charged Devices, Infringe Claim 1

Vampire’s only count does not state a plausible claim for infringement because it did not plead facts that “plausibly suggest that [any] accused product meets each limitation of the asserted claim[.]” *Bowmar*, 2023 WL 28438, at *2 (quotations and citation omitted). In particular, “a plaintiff cannot assert a plausible claim for infringement under the *Iqbal/Twombly* standard by reciting the claim elements and merely concluding that the accused product has those elements.” *Bot M8 LLC v. Sony Corp. of Am.*, 4 F.4th 1342, 1353 (Fed. Cir. 2021).

Here, Vampire asserts that Apple’s “Accused Systems” infringe claim 1 of the ’103 Patent, which is directed to an “inductive battery charging system.” (’103 Pat., cl. 1.) Vampire defines the “Accused Systems” as “Defendant’s wireless inductive charging devices that comply with the Qi Specification.” (FAC, ¶ 27.)² According to Vampire, the “Accused Systems” include “Apple’s

² The “Qi Specification” is a standard for inductive charging published by the Wireless Power Consortium. (See FAC, ¶¶ 12, 26.)

MagSafe Charger, iPhones and similar devices, and Apple’s accessories/wearables, including the Apple Watch line of products.” (*Id.* at ¶ 36.) These products can be used together—some are devices with rechargeable batteries (iPhones and Watches) and others charge those devices (MagSafe Chargers). Vampire’s FAC thus appears to allege that the elements of claim 1 are distributed within the charger/charged device “systems” it identifies.

Vampire, however, never alleges which products within the “Accused Systems” allegedly meet any elements of the claims. For example, claim 1 requires a “monitoring module” that determines when the “target device battery is below a charging threshold.” (’103 Pat., cl. 1.) For this limitation, Vampire points to portions of the Qi Specification providing for “transmission and receipt of communication packets between the Power Receiver and Power Transmitter.” (FAC, ¶ 30.) But even if “communication packets” are sent “between” devices, that says nothing about which device(s) Vampire alleges to include the “monitoring module.” Apple is improperly left to guess as to whether Vampire is alleging that this “module” is in the device being charged, the charger, partially in each, or wholly in both.

As another example, claim 1 requires a “separation module” with a “relay switch” to “automatically decouple the inductive power apparatus and the alternating current power source when a desired charging state of the target device battery is observed.” (FAC, ¶ 38.) According to Vampire, the claimed separating occurs “through receipt of EPT data packets and decoupling the primary coil from the AC power to stop current on a primary coil.” (*Id.* at ¶ 30.) But Vampire never alleges that any specific product(s) send or receive the “EPT data packets” or which “device” supposedly “decoupl[es] the primary coil.” (*Id.*) Apple thus has no notice as to which of its products allegedly contain the claimed “separation module.” The FAC includes similarly vague

allegations for the remaining limitations. (*See id.* at ¶¶ 27–41.)³ As a result, Vampire fails to allege “facts that plausibly suggest that [any] accused product meets each limitation of the asserted claim or claims.” *Bowmar*, 2023 WL 28438, at *2 (quotations and citation omitted). It thus fails to provide Apple “fair notice of what the claim is and the grounds upon which it rests,” and should be dismissed. *Bot M8*, 4 F.4th at 1353 (cleaned up). Given Vampire’s failure to cure these deficiencies when given the chance, any “further amendment would be futile.” *Sigmon v. Branch Banking & Tr. Co.*, No. A-15-CV-590-LY, 2016 WL 8285748, at *1 (W.D. Tex. Mar. 1, 2016) (dismissing complaint with prejudice).

B. The FAC Should Be Dismissed with Prejudice Because Claim 1 Is Directed to Ineligible Subject Matter

The FAC should be dismissed for another independent reason: it is directed to a patent-ineligible abstract idea and contains no “inventive concept” that can save it. Claim 1 as a whole is directed to the abstract idea of automatically connecting and disconnecting a charging current for a battery based on its level of charge. Both the patent and the FAC identify this concept as the claimed advance over the prior art. But this is a mere application of the basic principle of taking an action based on feedback.⁴ Claims directed to similar uses of feedback, including in the context of battery charging, have been consistently held to be patent-ineligible by the Supreme Court, the Federal Circuit, and district courts. *See infra* Section IV.B.2. Claim 1 therefore fails step one of the Supreme Court’s *Alice* framework. And it also fails step two, as it contains no inventive concept that transforms its abstract idea into patent-eligible subject matter. Instead, the claim recites purely functional language without describing how the result is obtained (e.g., a connection module to

³ The FAC also does not include or attach claim charts that would provide any additional specificity as to which Apple products are alleged to meet which claim elements.

⁴ As explained above, Vampire asserts only claim 1 in its FAC (*See* FAC, ¶¶ 28, 35.) The ’103 Patent’s other independent claims are not asserted and are thus not at issue.

determine when a device is connected). When the claim does identify hardware components (e.g., a relay switch or a transformer), the patent and FAC confirm they are being used in a well-known, routine, and conventional way.

1) The Claim, Specification, and Figures Show That Claim 1 Is Directed to the Abstract Idea of Automatically Connecting and Disconnecting a Charging Current Based on Charge Level

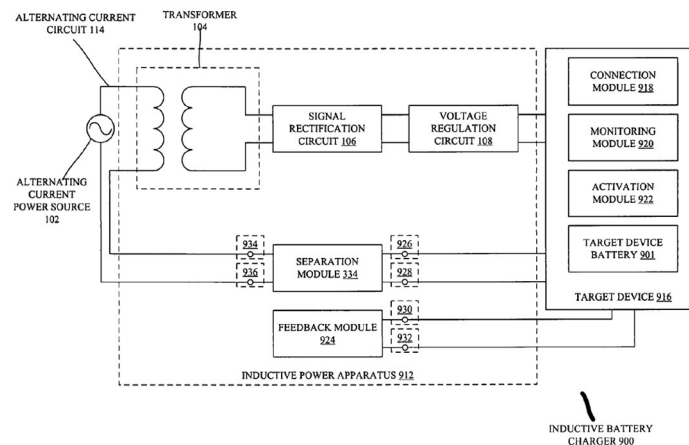
As for *Alice*'s first step, the claim language, specification, and figures show that claim 1's "character as a whole" is the abstract idea of automatically connecting and disconnecting a battery's charging current based on its level of charge. *See Internet Pats. Corp. v. Active Network, Inc.*, 790 F.3d 1343, 1346 (Fed. Cir. 2015). The initial four limitations of the claim merely recite functional "modules" that carry out the basic steps for performing the abstract idea. The first element, the "connection module," determines whether a "target device" (a device to be charged) is connected, or "coupled," for charging. The next element, the "monitoring module," monitors that device's level of charge. The "activation module" activates charging by "automatically coupling the inductive power apparatus and an alternating current power source" when the charge level is below the threshold. And the "separation module" separates, or "decouple[s]," the target device "when a desired charging state . . . is observed." These functions—monitor, connect or couple, and disconnect—are simply the functions inherent to performing the abstract idea. The language of claim 1 thus confirms that it is directed to the abstract idea of automatically connecting and disconnecting a charging current for a battery based on its level of charge.

The remainder of claim 1 does nothing to change this conclusion. First, the preamble simply recites the field of use (inductive chargers) to which the abstract idea is applied. The "Supreme Court and [the Federal Circuit] have repeatedly made clear that merely limiting the field of use of the abstract idea to a particular existing technological environment does not render the claims any less abstract." *Affinity Labs. of Tex., LLC v. DIRECTV, LLC*, 838 F.3d 1253, 1259

(Fed. Cir. 2016). And the handful of circuit elements recited in the second half of the claim (“a relay switch” and one of “a transformer,” “a rectification circuit,” and “a voltage regulation circuit”) do not change its abstract character. The Federal Circuit has made clear that the presence of tangible or even “specialized” components does not “mean that [the] claim[] [is] not directed to an abstract idea.” *Rady v. Bos. Consulting Grp., Inc.*, No. 2022-2218, 2024 WL 1298742, at *3 (Fed. Cir. Mar. 27, 2024). Indeed, in *TLI Communications*, the Federal Circuit held that a claim reciting “concrete, tangible components such as ‘a telephone unit’ and a ‘server,’” was nevertheless abstract because “the specification ma[de] clear that the recited physical components merely provide a generic environment in which to carry out the abstract idea.” *In re TLI Commc’ns LLC Pat. Litig.*, 823 F.3d 607, 611 (Fed. Cir. 2016). Here, claim 1’s “switch” is merely a generic component that carries out the “separation” function. Its “transformer” performs the generic function of “generat[ing] an electric current.” And its “rectification circuit” and “voltage regulation circuit” are not required to do anything or be connected to anything. Thus, the circuit components in claim 1 either “merely provide a generic environment in which to carry out the abstract idea” or do nothing at all. *Id.* They cannot save the claim from abstraction.

The specification and figures also confirm that the components in claim 1 are “merely [] conduit[s] for the abstract idea.” *TLI Commc’ns*, 823 F.3d at 612. Indeed, the specification describes these components “in purely functional terms” rather than providing technical details. *Id.* For example, the specification states that the “separation module 334 decouples the inductive power apparatus 112 and the alternating current power source 102 when the power consumption is lower than a threshold level.” (’103 Pat., 6:48–51; *see also id.* at 2:12–15, 3:46–50, 9:32–39.) This merely parrots the claim’s recitation of “a separation module to automatically decouple the inductive power apparatus and the alternating current power source when a desired charging state

of the target device battery is observed.” (*Id.* at cl. 1.) And the specification confirms that the patentee attempted to use the claimed “modules” to capture any combination of “software and/or . . . transistors, logic gates, and electrical circuits (e.g., application specific integrated circuitry, analog circuitry, programmable logic devices, microprocessors, etc.)” (*Id.* at 18:2–22.) That the claimed “modules” appear simply as a box in many of the figures underscores that they merely provide a generic environment to implement the abstract idea:



(*Id.* at FIG. 9; *see also id.* at FIG. 3.)⁵

As for the claimed “rectification circuit” and “voltage regulation circuit,” claim 1 does not even specify what they do in the claimed system other than that they may (but need not) be present. And the specification includes only passing references to the claimed “rectification circuit” or “voltage regulation circuit” with no technical descriptions. (*See, e.g.*, ’103 Pat., 2:17–20, 3:3–6, 4:45–49, 4:53–61, 5:31–37, 5:41–46, 6:54–60, 8:10–15, 9:43–51, 9:54–56, 9:61–62, 10:58–62, 15:59–64.) These elements also only appear in the figures simply as boxes. (*See id.* at FIGS. 1–2, 9.) The lack of “any technical details for the tangible components,” confirms that these are

⁵ While some of the figures contain basic circuitry diagrams, these figures are related to embodiments for unasserted claims requiring an “opto-coupled relay.” (*See* ’103 Pat., cls. 11, 14, FIGS. 4, 11, 12.)

conventional components that just carry out the abstract idea in a conventional way. *TLI Commc'ns*, 823 F.3d at 612. In sum, the claim, specification, and figures confirm that claim 1's "character as a whole" is the abstract idea of automatically connecting and disconnecting a charging current for a battery based on its level of charge. *Internet Pats.*, 790 F.3d at 1346.

2) The Patent's Claimed Advance Is the Abstract Idea Itself

The way the patent describes the problem facing the inventor and how it seeks to address that problem (e.g., its "claimed advance") also confirms that claim 1 is directed to an abstract idea. *ChargePoint*, 920 F.3d at 767. The alleged problem identified in the patent is that "consumption of . . . vampiric power may continuously occur *while the inductive charging unit is coupled* to the alternating power source"—even if not needed. ('103 Pat., 1:51–62 (emphasis added).) As the specification makes clear, the advance that supposedly solves this problem is simply automatically connecting and disconnecting a charging current based on a battery's level of charge.⁶ For example, the abstract describes the invention as "*perform[ing] automatic coupling* of an alternating current power source and an inductive power apparatus." ('103 Pat., Abstract (emphasis added); *see also, e.g., id.* at 4:36–38.)

The specification confirms the point, describing the invention as using an "activation module [] *to automatically couple* an inductive power apparatus [] and an alternating current power source [] when a power level of the target device battery [] is below the charging threshold." (*Id.* at 10:42–46 (emphasis added).) It also describes the invention as using a "separation module *[to] automatically decouple* the inductive power apparatus and the alternating current power source when a desired charging state of the target device battery [] is observed." (*Id.* at 10:47–50

⁶ As set forth *infra* at 14, claims directed to performing functions automatically have long been held patent-ineligible. *E.g. People.ai, Inc. v. Clari Inc.*, No. 2022-1364, 2023 WL 2820794, at *11 (Fed. Cir. Apr. 7, 2023).

(emphasis added).) Thus, “looking at the problem identified in the patent, as well as the way the patent describes the invention, the specification suggests that the invention . . . is nothing more than the abstract idea” of automatically connecting and disconnecting a charging current for a battery based on its level of charge. *ChargePoint*, 920 F.3d at 768.

3) Courts Have Repeatedly Confirmed That Feedback-Based Systems Similar to Claim 1’s Are Directed to Abstract Ideas

Precedent confirms that claim 1 is patent ineligible. The claim covers an application of the basic principle of feedback where a system measures something and responds. The Supreme Court, the Federal Circuit, and district courts have consistently held that claims of this type—including in the field of battery charging—are directed to patent-ineligible abstract ideas.

For instance, in *Uniloc USA, Inc. v. Apple Inc.*, the court held that claims covering a system “for controlling the charge and discharge currents in a battery as a function of temperature” were abstract and thus patent-ineligible. No. C-18-00358-WHA, 2018 WL 2287675, at *4 (N.D. Cal. May 18, 2018). The claim in *Uniloc* closely parallels claim 1 here—it required “a discharging circuit” and “a controller . . . operable to set said discharging current in accordance with [a measured] temperature, [or] . . . to zero when said temperature is higher than a . . . threshold.” *Id.* at *2–3 (emphasis omitted). The *Uniloc* Court explained that connecting and disconnecting current in this way (based on temperature) was an abstract idea. *See id.* at *4. Connecting and disconnecting a current based on charge, as claim 1 requires, is just as abstract as doing so based on temperature, and so claim 1 is likewise not patent-eligible.

Similarly, in *ChargePoint*, the Federal Circuit held claims for electric vehicle charging stations that connected and disconnected a charging current based on feedback from a server patent-ineligible. *See* 920 F.3d at 764. One such claim required “a control device to control application of [a] charge transfer” and “a controller . . . to cause the control device to turn the

electric supply on based on” “communications received as part of the demand response system.” *Id.* at 767, 770. The Federal Circuit held that the requirement to modify “electricity flow . . . based on demand response principles” was directed to a type of feedback called “[d]emand response [which] is itself an abstract concept.” *Id.* at 771 (emphasis omitted). Here, claim 1 recites an “activation module” to connect, and “a separation module” to disconnect, the charging current based on feedback from “a monitoring module” on a battery’s charge. (’130 Pat., cl. 1.)

Likewise, courts have repeatedly held claims directed to measure-and-respond, or feedback, systems to be directed to patent-ineligible abstract ideas. In *Parker v. Flook*, the Supreme Court held that a method for “measur[ing] the present value of [a] process variable,” “us[ing] an algorithm to calculate an updated alarm-limit value [based on the process variable],” and adjusting “the actual alarm [value] . . . to the updated value” was patent-ineligible. 437 U.S. 584, 585–86 (1978). The Supreme Court concluded that the algorithm used in the second step of the feedback loop was a patent-ineligible “principle” and that the “post-solution” step of adjusting the alarm limit could not “transform an unpatentable principle into a patentable process.” *Id.* at 589–91. Both claim 1 and the patent-ineligible claims in *Flook* are directed to the same abstract concept: (1) obtaining a measurement—here, a battery’s level of charge; and in *Flook*, an operating parameter; and (2) using that measurement to do something—here, connect or disconnect a charging current; and in *Flook*, adjust the value of the alarm limit.

The Federal Circuit and district courts have likewise held claims directed to feedback-adjustment systems to be abstract. In *Orostream LLC v. ABS-CBN International*, the Federal Circuit determined that a claim requiring “monitoring [the] length of time necessary for transfer” of an “information packet” and “adjusting the rate of target information transfer in response to the monitored transfer time” was not patent-eligible. No. 2:15-CV-00248-JRG, 2015 WL 5836949, at

*2 (E.D. Tex. Oct. 1, 2015) (quotations and citation omitted). The court concluded that this claim “essentially describes the common process of feedback adjustment,” and was therefore “directed toward an ineligible concept; that is: an abstract idea.” *Id.* at *3. Similarly, in *OIP Technologies, Inc. v. Amazon.com, Inc.*, the Federal Circuit determined claims that used feedback to set a price for a product to be directed to an abstract idea. 788 F.3d 1359, 1361 (Fed. Cir. 2015). The claims in *OIP* involved a feedback-adjustment system that: (1) “gather[ed] statistics . . . about how customers reacted to . . . offers testing [proposed] prices”; and (2) used this data to determine and “automatically select[] and offer[] a new price.” *Id.* The *OIP* court held that these claims were directed to the abstract idea of “offer-based price optimization.” *Id.* at 1362–63. Claim 1 is on all fours with the claims held ineligible in these cases. Like those claims, which recited measuring something and responding to the feedback, claim 1 describes a system that (1) measures a battery’s level of charge and (2) responds by connecting or disconnecting a charging circuit based on that level. Claim 1 is thus also patent-ineligible.

4) Claim 1’s Automation of Human Activity Confirms its Abstract Nature

Next, the fact that claim 1 merely uses electronic components to automate human activity underscores that it is patent ineligible. The Federal Circuit has repeatedly held that “automation of a longstanding manual process is not patent eligible at *Alice/Mayo* step one.” *People.ai*, 2023 WL 2820794, at *11. Connecting a charger to a power source when a battery is below a certain charge level (and vice versa) is a basic task that humans can and do routinely perform. More generally, humans routinely observe the level of some quantity—fuel level, say, or tire pressure—and connect or disconnect something, like a fuel nozzle, or air pump, in response. Swapping the human hand with an “activation module” and a “separation module” and the human mind with a “monitoring module” does nothing but take a process that humans have long performed and command that it be implemented with conventional electronics.

Consistent with this, the Federal Circuit has repeatedly determined claims directed to automating human activity, like claim 1, to be patent-ineligible. In *Repifi Vendor Logistics, Inc. v. IntelliCentrics, Inc.*, the Federal Court held a claim that automated “credentialing visitors and checking them in and out of an access-controlled environment” was directed to a patent-ineligible abstract idea. No. 2021-1906, 2022 WL 794981, at *2 (Fed. Cir. Mar. 15, 2022) (quotations and citations omitted). Likewise, in *Tranxition, Inc. v. Lenovo (U.S.) Inc.*, the Federal Circuit determined that a patent directed to “automat[ing] the migration of data between two computers” was patent-ineligible. 664 F. App’x 968, 971 (Fed. Cir. 2016) (non-precedential). Like the claims in *Repifi* and *Tranxition*, claim 1’s use of electronics to automate longstanding human activity (plugging and unplugging a charger) “is not sufficient under step one of *Alice*.” *Id.*⁷

Nor is claim 1 akin to claims that are “directed to an improvement to computer functionality.” *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1335 (Fed. Cir. 2016). Vampire claims that its battery charger overcomes problems associated with wireless charging. (FAC, ¶ 14.) But its purported “solution” to these problems is simply the abstract idea discussed above. The large swaths of text that Vampire’s FAC quotes merely identify the alleged problem of “vampiric power loss” (FAC, ¶¶ 15–17) and recite the abstract idea of automatically connecting and disconnecting a charging current based on a charge level. (*See id.* at ¶¶ 20–21.) Vampire does not claim to solve any “problem” by making batteries work better or chargers charge more quickly. It does not claim that it invented inductive charging, coupling and decoupling a power source to a charger, or the use of relay switches, transformers, rectification circuits, or voltage regulator circuits. (*See* ’103 Pat., 1:25–50; FAC, ¶¶ 11, 13–25.) In Vampire’s battery charger, everything

⁷ Any argument by Vampire that a “human could not perform [the operation] as quickly” should be rejected. *Trinity Info Media, LLC v. Covalent, Inc.*, 72 F.4th 1355, 1364 (Fed. Cir. 2023). Making an abstract idea more “efficient” is still an abstract idea. *Repifi* 2022 WL 794981, at *2.

works as it did before—it just stops and starts automatically. But this automation is not a technical solution and “does not render [the claim] any less abstract.” *Univ. of Fla. Rsch. Found., Inc. v. Gen. Elec. Co.*, 916 F.3d 1363, 1367 (Fed. Cir. 2019). Claim 1 is still not patent-eligible.

5) Because Claim 1 Employs Only Well-Known Electronic Components in Routine and Conventional Ways, There Is No Inventive Concept

Under the second step of the *Alice* framework, claim 1 does not contain an “inventive concept sufficient to transform the claimed abstract idea into a patent-eligible application.” *Alice*, 573 U.S. at 221 (quoting *Mayo Collaborative Servs. v. Prometheus Laby’s, Inc.*, 566 U.S. 66, 72 (2012)). In particular, in the second step of *Alice*, the “inquiry therefore must turn to any requirements [in the claim] for *how* the desired result is achieved.” *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1355 (Fed. Cir. 2016). Here, the claims contain no such requirements that could save claim 1.

First, most of the limitations of claim 1 are drafted in purely functional terms and recite nothing beyond the abstract idea itself, such as how that idea might be carried out. As one example, the “connection module” is tasked with “determin[ing] when a target device is coupled to an inductive power apparatus.” (’103 Pat., cl. 1.) But claim 1 says nothing about how the “connection module” would make this determination. (*See id.*) Likewise, the “activation module” is supposed to “automatically couple the inductive power apparatus and an alternating current power source when a power level of the target device battery is below the charging threshold.” (*Id.*) But there is nothing in the claim requiring any specific way of performing this function. (*See id.*)

Although the specification describes embodiments of the claimed “modules” that include circuitry, that does not save claim 1. (*See, e.g., id.* at FIG. 4.) This architecture does not appear in claim 1 and thus cannot “provide a sufficient inventive concept to render [it] patent eligible.” *Ericsson Inc. v. TCL Commc’n Tech. Holdings Ltd.*, 955 F.3d 1317, 1330 (Fed. Cir. 2020). To the

contrary, the specification makes clear the claimed “modules” are intended to be generic and cover every possible way of carrying out their functions. Specifically, it states that they “may be enabled using software and/or using transistors, logic gates, and electrical circuits (e.g., application specific integrated circuitry, analog circuitry, programmable logic devices, microprocessors, etc.) such as . . . a separation circuit, . . . a connection circuit, a monitoring circuit, an activation circuit, . . . and other circuits.” (’103 Pat. at 18:3–22.) Vampire’s only attempt to allege that any claimed “module” is anything more than well-understood components used in a routine and conventional way is a boilerplate statement that claim 1 “contains specific claim limitations directed to new, novel, and non-conventional approaches to wireless inductive charging that were not well-understood or routine.” (FAC, ¶ 23; *see also id.* at ¶¶ 11–22, 24–25.) But Vampire cannot “avoid dismissal simply by reciting in the complaint that the invention at issue is novel and nonconventional.” *Brit. Telecomms. PLC v. IAC/InterActiveCorp*, 381 F. Supp. 3d 293, 322–23 (D. Del. 2019), *aff’d*, 813 F. App’x 584 (Fed. Cir. 2020).

Second, the few pieces of circuitry that are recited in claim 1 are nothing other than “well-understood” components being used in a routine and conventional way. *Alice*, 573 U.S. at 225 (quotations and citation omitted). For example, claim 1 recites a “separation module” that is “comprised of a relay switch.” (’103 Pat., cl. 1.) But the specification confirms that the “relay switch” is being used for the well-understood, routine, and conventional purpose of any switch: turning something on and off. Indeed, the specification explains that the “relay switch” operates to “cut off” the circuit “from an alternating current power source 102” when “the voltage level has crossed the comparator threshold.” (*Id.* at 9:32–39, FIG. 8.)

The “transformer,” “rectification circuit,” and “voltage regulation circuit” also fail to add an inventive concept to claim 1. First, claim 1 does not even require that they each be present.

Instead, it requires that the “inductive power apparatus include[] **at least one** of” them. (*Id.* at cl. 1 (emphasis added).) Further, the claim language confirms that the “transformer” is being used in its routine and conventional way—“to inductively generate an electric current.” (*Id.*) The specification likewise confirms that it operates as any other conventional transformer would “as described by Faraday’s law.” (*Id.* at 4:63–5:2.) As for the “rectification circuit” and the “voltage regulation circuit,” the specification provides no detail of these elements or what they do, merely reciting that they may exist in the system. (*See id.* at 2:17–20, 3:3–6, 4:45–49, 4:53–61, 5:12–15, 5:31–37, 5:67–6:3, 8:10–15, 9:43–51, 9:54–56, 10:58–62, 15:59–64.) This lack of “technical detail[]” confirms that they are conventional elements that a person of skill would be familiar with, used in a conventional way. *Smart Sys. Innovations, LLC v. Chi. Transit Auth.*, 873 F.3d 1364, 1374 (Fed. Cir. 2017). And like the claimed “modules,” the FAC does not allege that any of claimed “relay switch,” “transformer,” “rectification circuit,” or “voltage regulation circuit” are anything more than well-understood components being used in a routine and conventional way. (*See* FAC, ¶¶ 9, 11–25.) Together, the specification and FAC’s treatment of the few circuit elements recited in claim 1 confirms that they are not “anything other than off-the-shelf, conventional” technology. *Elec. Power*, 830 F.3d at 1355.

Third, claim 1 does not arrange or combine its recited components in any inventive way. Rather, each does exactly what its name suggests: the “connection module” determines if a “target device” is connected; the “monitoring module” monitors the battery level; the “activation module” activates the charger by connecting it to the power source”; and the “separation module” separates them. The claim does not “require a particular configuration or arrangement of” the “modules” or the remaining components or describe any connections or relationships between them. *Automated Tracking Sols., LLC v. Coca-Cola Co.*, 723 F. App’x 989, 994 (Fed. Cir. 2018). And the

specification confirms that the claimed “operations, processes, and methods . . . may be performed in any order (e.g., including using means for achieving the various operations).” (’103 Pat., 18:23–28.) Finally, while Vampire alleges that claim 1 “delineates a combination of functionality for an inductive battery charging system,” it never says that the combination itself is unique or unconventional in any way. (FAC, ¶ 23.) Thus, the ordering or combination of the elements in claim 1 “as a whole” cannot provide an inventive concept.

Finally, Vampire contends that the ’103 Patent contains “novel solutions to mitigate vampiric power loss” and cites the Examiner’s reasons for allowing claim 1. (FAC, ¶¶ 18, 25; *see also id.* at ¶ 23.) But “[t]he search for a § 101 inventive concept is [] distinct from demonstrating § 102 novelty.” *Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016). In any event, the ’103 Patent’s only recitation of what the allegedly “novel solutions” are: “methods and systems that perform automatic coupling of an AC power source and an inductive power apparatus to charge a target device battery.” (FAC, ¶¶ 18–25.) But this statement “merely mirrors the abstract idea itself and thus cannot supply an inventive concept.” *ChargePoint*, 920 F.3d at 774. Claim 1 thus remains patent-ineligible at *Alice* step two.

6) The Unasserted Claims That Depend from Claim 1 Are Patent-Ineligible for the Same Reasons

As stated above, Vampire asserts only claim 1 in its FAC. (*See* FAC, ¶¶ 28, 35.) But the claims that depend from claim 1 are also directed to the same abstract idea and are, thus, patent-ineligible for the same reasons. Claims reciting the same abstract idea “will generally rise and fall together.” *Accenture Glob. Servs., GmbH vs. Guidewire Software, Inc.*, 728 F.3d 1336, 1341 (Fed. Cir. 2013). Courts need not “individually address every . . . claim[]” if the claims are “substantially similar and linked to the same abstract idea.” *Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, 1348 (Fed. Cir. 2014) (quotations and citations omitted).

Even if considered individually, dependent claims 2, 4, 6, 8, and 10 vary only in minor ways from claim 1 and are based on the same abstract idea. Claim 2 simply requires that “the relay switch of the separation module is deactivated when the target device and the inductive power apparatus are decoupled.” (’103 Pat., cl. 2.) In other words, the “relay switch” turns off when there’s no device being charged. This is the basic functionality of a switch and cannot be an inventive concept. Claim 4 requires a “battery monitor” to “determine the target device battery power level” and that the “target device” be a “mobile device.” But determining the battery’s charge level is just another step in performing the abstract idea. And limiting the “target device” to a “mobile device” does nothing but narrow the scope of the field of use of claim 1’s abstract idea and, thus, “does not render the claims any less abstract.” *Affinity Labs*, 838 F.3d at 1259.

And dependent claims 3, 5, 7, and 9 merely add more well-understood components being used in a routine and conventional way, which cannot supply an inventive concept. Claim 3 just adds a “processor” and claim 7 merely instructs the use of a “USB module.” Like claim 1, the specification also makes clear that the components recited in dependent claims 3, 5, 7, and 9 “may be enabled” using any combination of “software and/or [] transistors, logic gates, and electrical circuits.” (’103 Pat., 18:3–22.) Thus, there is nothing in any of the claims that depend from claim 1 that can save it from patent-ineligibility.

V. CONCLUSION

Vampire’s FAC fails to state a claim upon which relief can be granted under both *Twombly* and *Alice*, and the Court should therefore dismiss it with prejudice. And given Vampire’s failure to cure the deficiencies in its first amendment, it should not be given leave to amend its allegations again.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on February 21, 2025.

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