

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WOODSTREAM CORPORATION and	)	
FREDERICK PERKINS,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 24-1236 (JCB)
	)	JURY TRIAL DEMANDED
BIRD BUDDY, INC.,	)	
	)	
Defendant.	)	

**BIRD BUDDY, INC.’S ANSWER TO
AMENDED COMPLAINT AND COUNTERCLAIMS**

Defendant Bird Buddy, Inc. (“Bird Buddy”) makes this Answer and Counterclaims in response to Plaintiffs Woodstream Corporation and Frederick Perkins’ (collectively, “Plaintiffs”) Amended Complaint (D.I. 17) as follows:

Preliminary Statement

1. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code.

ANSWER: Bird Buddy admits that Plaintiffs’ amended complaint alleges patent infringement under the U.S. patent laws. Bird Buddy denies any remaining allegations in paragraph 1.

Jurisdiction and Venue

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

ANSWER: Paragraph 2 contains a statement of law to which no response is required.

3. Personal jurisdiction over Defendant is proper in this District for at least the following reasons: (1) Defendant is present in Delaware and has availed itself of the rights and benefits of the laws of Delaware; (2) Upon information and belief, Defendant has committed and continues to commit patent infringement in Delaware; (3) Upon information and belief, Defendant has derived substantial revenue from the sales of bird feeders in Delaware; and (4) Defendant has purposefully established systematic and continuous business contacts with Delaware and should reasonably expect to be brought into Court in this District.

ANSWER: Bird Buddy admits that the Court has personal jurisdiction over it. Bird Buddy denies the remaining allegations in paragraph 3.

4. Venue is proper under 28 U.S.C. §§ 1391 and 1400(b) because Defendant is incorporated under the laws of the State of Delaware. Upon information and belief, Defendant has transacted business in this District and has committed acts of infringement in this District.

ANSWER: Bird Buddy admits that venue is proper in this judicial district and that Bird Buddy is incorporated in the State of Delaware. Bird Buddy denies the remaining allegations in paragraph 4.

Parties

5. Woodstream is a Pennsylvania corporation, with a principal place of business at 29 E. King Street, Lancaster, PA 17602.

ANSWER: Bird Buddy is without information sufficient to form a belief as to the truth of the allegations in paragraph 5 and therefore denies the same.

6. Perkins is an individual who resides in Becket, Massachusetts. Perkins is a citizen of the United States.

ANSWER: Bird Buddy is without information sufficient to form a belief as to the truth of the allegations in paragraph 6 and therefore denies the same.

7. Upon information and belief, Bird Buddy is a corporation that is incorporated in Delaware and has its principal place of business at 200 East Michigan Avenue, Suite 330, Kalamazoo, MI, 49007. Upon information and belief, Bird Buddy may be served with process via its registered agent, the Corporation Service Company, 251 Little Falls Drive, Wilmington, DE, 19808.

ANSWER: Bird Buddy admits that it is incorporated in the State of Delaware. Bird Buddy denies that it has a principal place of business at the address alleged. Bird Buddy admits that its registered agent in the State of Delaware is the Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808. Bird Buddy denies any remaining allegations in paragraph 7.

The Asserted Patent

8. United States Patent Number 11,627,242 (“the ’242 Patent”), entitled “Self-

Contained Bird Feeder with Camera and Streaming Video”, was duly and legally issued on April 11, 2023, and names Perkins as the inventor. Attached as Exhibit A is a true and correct copy of the ’242 Patent.

ANSWER: Bird Buddy admits that the ’242 Patent is entitled “Self-Contained Bird Feeder with Camera and Streaming Video” and bears on its face a date of “Apr. 11, 2023” and Mr. Perkins’ name. Bird Buddy admits that a copy of the ’242 Patent was attached to the Amended Complaint as Exhibit A. Bird Buddy denies the remaining allegations in paragraph 8.

9. The ’242 Patent claims, among other things, a self-contained bird feeder configured to provide detailed images over a wireless network.

ANSWER: Bird Buddy denies that paragraph 9 contains a complete and accurate recitation of all limitations of the ’242 Patent claims. Bird Buddy denies any remaining allegations in paragraph 9.

10. Perkins is the owner of the ’242 Patent.

ANSWER: Bird Buddy is without information sufficient to form a belief as to the truth of the allegations in paragraph 10 and therefore denies the same.

11. Woodstream holds an exclusive license under the ’242 Patent, including the right to use, manufacture, import, market, distribute, sublicense, and sell products covered by the ’242

Patent, and the right to assert, maintain, and obtain remedies for infringement of the '242 Patent.

ANSWER: Bird Buddy is without information sufficient to form a belief as to the truth of the allegations in paragraph 11 and therefore denies the same.

Defendant's Products and Activities

As to the Amended Complaint headings, no response is required. To the extent a response is required, Bird Buddy denies any allegations contained within the headings.

12. Upon information and belief, Defendant has and continues to infringe the '242 Patent by using, selling, and offering for sale the Bird Buddy Smart Bird Feeder ("Smart Bird Feeder") in the United States and importing into the United States the Smart Bird Feeder that embodies or uses the invention claimed in the '242 Patent. The Smart Bird Feeder is shown in Exhibit B.

ANSWER: Bird Buddy admits that it sells a product called the Smart Bird Feeder in the United States. Bird Buddy is without information sufficient to form a belief as to whether the product shown in Exhibit B is Bird Buddy's Smart Bird Feeder and therefore denies the same. Bird Buddy denies the remaining allegations in paragraph 12.

13. Upon information and belief, Defendant has been and is inducing infringement of the '242 Patent by actively and knowingly inducing others to use the Smart Bird Feeder that embodies or uses the inventions claimed in the '242 Patent. Defendant was aware of the '242

Patent and specifically intended its customers to use the Smart Bird Feeder, which has no substantial non-infringing use.

ANSWER: Denied.

14. The Smart Bird Feeder shown in Exhibit B is a self-contained bird feeder that, as described throughout the Defendant's marketing materials, provides detailed images over a wireless network. A further detailed comparison of the Smart Bird Feeder to claims 1 and 3 of the '242 Patent is presented in Exhibit C.

ANSWER: Bird Buddy is without information sufficient to form a belief as to whether the product shown in Exhibit B is Bird Buddy's Smart Bird Feeder and therefore denies the same. Bird Buddy admits that an alleged claim chart was attached to the Amended Complaint as Exhibit C but denies that its content is correct. Bird Buddy denies the remaining allegations in paragraph 14.

15. The Smart Bird Feeder is a bird feeder with a camera internally mounted to the bird feeder such that the camera is aligned to observe feeding birds.

ANSWER: Denied.

16. The Smart Bird Feeder's camera is designed for a single purpose: capturing images of birds while positioned within the specifically designed opening of the Smart Bird

Feeder. See Ex. C. See also, <https://support.mybirdbuddy.com/hc/en-us/articles/18559055060369-The-Postcard-Creation-Process>, last visited February 3, 2025 (stating the “camera is calibrated specifically for Bird Buddy-designed systems....”);

ANSWER: Denied.

17. The Smart Bird Feeder’s camera is shaped to fit into the opening located in the feeder and only works when integrated with the Bird Buddy feeder housing.

ANSWER: Denied.

18. The Smart Bird Feeder’s feed compartment can be accessed by opening a rear hatch door that provides access to the interior of the feeder. Photographs showing the Smart Bird Feeder’s rear hatch door and internal compartment are attached as Exhibit D.

ANSWER: Bird Buddy is without information sufficient to form a belief as to whether the product shown in Exhibit D is Bird Buddy’s Smart Bird Feeder and therefore denies the same.

Bird Buddy denies the allegations in paragraph 18.

19. The interior of the Smart Bird Feeder contains a magnet that facilitates internal mounting and operation of the camera . See Ex. D.

ANSWER: Bird Buddy is without information sufficient to form a belief as to whether the

product shown in Exhibit D is Bird Buddy's Smart Bird Feeder and therefore denies the same. Bird Buddy denies the allegations in paragraph 19.

20. The Smart Bird Feeder is also designed to further secure the internally mounted camera to the feeder by opening the rear hatch door and inserting a security screw through the separator that divides the feed from the camera, and into the camera. *Id.*

ANSWER: Denied.

21. The Smart Bird Feeder's camera is internally mounted and integrated with the feeder structure by a magnet and optional security screw located inside the feeder compartment.

ANSWER: Denied.

22. The Smart Bird Feeder's camera must be fully seated in the feeder and connected to the magnet located inside the feeder to operate as intended. When the camera is removed from the feeder, the camera will not collect photos or videos.

ANSWER: Denied.

23. The Smart Bird Feeder's camera cannot operate as a standalone device to take pictures separate from the bird feeder and lacks any significant use or value as a separate component with separate functionality.

ANSWER: Denied.

24. Upon information and belief, Defendant has and continues to infringe the '242 Patent by using, selling, and offering for sale other products that incorporate the Smart Bird Feeder or share the same components as the Smart Bird Feeder, including the Smart Bird Feeder with Solar Roof, the Fall Bundle, the Perfect Gift Bundle, the Smart Bird Feeder PRO, and the Smart Bird Feeder PRO Solar ("Bundled Bird Feeders"), in the United States and importing into the United States the Bundled Bird Feeders that embody or use the invention claimed in the '242 Patent. The Bundled Bird Feeders are shown in comparison with the Smart Bird Feeder in Exhibit E.

ANSWER: Bird Buddy admits that a page of images of Bird Buddy's Smart Bird Feeder was attached to the Amended Complaint as Exhibit E. Bird Buddy denies the remaining allegations in paragraph 24.

25. Upon information and belief, Defendant has been and is inducing infringement of the '242 Patent by actively and knowingly inducing others to use the Bundled Bird Feeders that embody or use the inventions claimed in the '242 Patent. Defendant was aware of the '242 Patent and specifically intended its customers to use the Bundled Bird Feeders, which have no substantial non-infringing use.

ANSWER: Denied.

26. The Bundled Bird Feeders shown in Exhibit E each incorporate the Smart Bird Feeder and therefore share the same features as the Smart Bird Feeder in comparison to claims 1 and 3 of the '242 Patent described in Paragraph 12.

ANSWER: Bird Buddy is unable to determine what is being alleged in paragraph 26 including because the cited paragraph 12 does not reference claims 1 and 3 as alleged, and therefore Bird Buddy denies the allegations of paragraph 26. Bird Buddy also incorporates by reference its Answer to paragraph 12.

27. Upon information and belief, Defendant has and continues to infringe the '242 Patent by using, selling, and offering for sale the Bird Buddy Smart Hummingbird Feeder ("Smart Hummingbird Feeder") in the United States and importing into the United States the Smart Hummingbird Feeder that embodies or uses the invention claimed in the '242 Patent. The Smart Hummingbird Feeder is shown in Exhibit F.

ANSWER: Bird Buddy admits that it sells a product called Smart Hummingbird Feeder in the United States. Bird Buddy admits that an image of its Smart Hummingbird Feeder was attached to the Amended Complaint as Exhibit F. Bird Buddy denies the remaining allegations in paragraph 27.

28. Upon information and belief, Defendant has been and is inducing infringement of the '242 Patent by actively and knowingly inducing others to use the Smart Hummingbird

Feeder that embodies or uses the inventions claimed in the '242 Patent. Defendant was aware of the '242 Patent and specifically intended its customers to use the Smart Hummingbird Feeder, which has no substantial non-infringing use.

ANSWER: Denied.

29. The Smart Hummingbird Feeder shown in Exhibit F is a self-contained bird feeder that, as described throughout the Defendant's marketing materials, provides detailed images over a wireless network. A further detailed comparison of the Smart Hummingbird Feeder to claim 1 of the '242 Patent is presented in Exhibit G.

ANSWER: Bird Buddy admits that an alleged claim chart was attached to the Amended Complaint as Exhibit G but denies that its content is correct. Bird Buddy denies the remaining allegations in paragraph 29.

30. Upon information and belief, Defendant has and continues to infringe the '242 Patent by using, selling, and offering for sale the Smart Hummingbird Feeder and other products that incorporate the Smart Hummingbird Feeder, including the Smart Hummingbird Feeder with Solar Roof ("Bundled Hummingbird Feeder"), in the United States and importing into the United States the Bundled Hummingbird Feeder that embodies or uses the invention claimed in the '242 Patent. The Bundled Hummingbird Feeder is shown in Exhibit H.

ANSWER: Bird Buddy admits that an image of Bird Buddy's Smart Hummingbird Feeder was

attached to the Amended Complaint as Exhibit H. Bird Buddy denies the remaining allegations in paragraph 30.

31. Upon information and belief, Defendant has been and is inducing infringement of the '242 Patent by actively and knowingly inducing others to use the Bundled Hummingbird Feeder that embodies or uses the inventions claimed in the '242 Patent. Defendant was aware of the '242 Patent and specifically intended its customers to use the Bundled Hummingbird Feeder, which has no substantial non-infringing use.

ANSWER: Denied.

32. The Bundled Hummingbird Feeder shown in Exhibit H incorporates the Smart Hummingbird Feeder and therefore shares the same features as the Smart Hummingbird Feeder in comparison to claim 1 of the '242 Patent described in Paragraph 25.

ANSWER: Bird Buddy is unable to determine what is being alleged in paragraph 32 including because the cited paragraph 25 does not reference claim 1 or the Smart Hummingbird Feeder as alleged, and therefore Bird Buddy denies the allegations of paragraph 32. Bird Buddy also incorporates by reference its Answer to paragraph 25.

33. Upon information and belief, Defendant has known of the existence of the '242 Patent, and its acts of infringement have been willful and in disregard for the '242 Patent, without any reasonable basis for believing that it had a right to engage in the infringing conduct.

ANSWER: Denied.

34. On May 14, 2023, Perkins sent an email to Defendant, asking Defendant to contact Perkins for a license, specifically referencing the recently granted '242 Patent and the Bird Buddy products. The initial email was directed to Kyle Buzzard ("Buzzard"), among others, at Bird Buddy.

ANSWER: Admitted that Kyle Buzzard and Michael Dietz of Bird Buddy received an e-mail on or about May 14, 2023 from a sender claiming to be "Fred Perkins" using the e-mail address berkshirebirds@icloud.com. Otherwise denied.

35. On May 18, 2024, Buzzard responded to Perkins, writing that Defendant would review the '242 Patent and would follow up with Perkins. Perkins responded the same day, suggesting a connection with intellectual property counsel for any questions.

ANSWER: Admitted that on or about May 18, 2023, Kyle Buzzard of Bird Buddy and the sender claiming to be "Fred Perkins" using the e-mail address berkshirebirds@icloud.com exchanged e-mails. Bird Buddy denies that the email was sent in the year 2024 as alleged. Otherwise denied.

36. Perkins sent a subsequent email to Buzzard on May 26, 2023, describing that Perkins had begun negotiating licensing of the '242 Patent with other entities. Perkins did not

receive any further communications directly from Defendant.

ANSWER: Admitted that Kyle Buzzard of Bird Buddy received an e-mail on or about May 26, 2023 from a sender again claiming to be “Fred Perkins” but using a different e-mail address, froglinx@gmail.com. Otherwise denied.

COUNT 1

U.S. Patent No. 11,627,242

As to the Amended Complaint headings, no response is required. To the extent a response is required, Bird Buddy denies any allegations contained within the headings.

37. Woodstream and Perkins incorporate paragraphs 1-36 herein by reference.

ANSWER: Bird Buddy incorporates by reference, as if fully set forth herein, its responses to paragraphs 1-36.

38. Upon information and belief, Defendant has imported, used, offered to sell, sold and may now or in the future import, make, use and/or sell, in the United States and in Delaware, an invention described and claimed by the '242 Patent without authority or approval, with the importation, use, and sale of at least its Smart Bird Feeder shown in Exhibit B, its Bundled Bird Feeders shown in Exhibit E, its Smart Hummingbird Feeder shown in Exhibit F, and its Bundled Hummingbird Feeder shown in Exhibit H.

ANSWER: Denied.

39. Upon information and belief, Defendant has been and is inducing infringement of the '242 Patent by actively and knowingly inducing others to use at least its Smart Bird Feeder shown in Exhibit B, its Bundled Bird Feeders shown in Exhibit E, its Smart Hummingbird Feeder shown in Exhibit F, and its Bundled Hummingbird Feeder shown in Exhibit H, which embody or use the invention claimed in the '242 Patent.

ANSWER: Denied.

40. Defendant's activities in connection with the above-identified acts constitute infringement of the '242 Patent pursuant to the provisions of 35 U.S.C. § 1, *et seq.*

ANSWER: Denied.

41. Defendant is liable for direct infringement and inducing infringement of the '242 Patent pursuant to 35 U.S.C. § 271(a) and (b).

ANSWER: Denied.

42. Upon information and belief, Defendant's infringement has been, and continues to be deliberate, knowing, and willful.

ANSWER: Denied.

43. Defendant's acts of infringement of the '242 Patent have caused and will continue to cause Plaintiffs damages for which Plaintiffs are entitled to compensation pursuant to 35 U.S.C. § 284.

ANSWER: Denied.

44. Defendant's acts of infringement of the '242 Patent have caused and will continue to cause Plaintiffs immediate and irreparable harm unless such infringing activities are enjoined by this Court pursuant to 35 U.S.C. § 283. Plaintiffs have no adequate remedy at law.

ANSWER: Denied.

45. This case is exceptional and, therefore, Plaintiffs are entitled to an award of attorneys fees pursuant to 35 U.S.C. § 285.

ANSWER: Denied.

Request for Relief

Bird Buddy denies that Plaintiffs are entitled to any of the relief requested.

JURY DEMAND

As to the Amended Complaint headings, no response is required. To the extent a response is required, Bird Buddy denies any allegations contained within the headings.

BIRD BUDDY'S AFFIRMATIVE DEFENSES

Without assuming any burden other than that imposed by operation of law or admitting that it bears the burden of proof with respect to any of the following, Bird Buddy alleges as follows, and specifically reserves all rights to allege additional defenses, affirmative or otherwise, that become known through the course of discovery:

FIRST AFFIRMATIVE DEFENSE Non-Infringement of the Asserted Patent

Bird Buddy does not infringe and has not infringed (not directly, contributorily, by inducement, or in any other way) literally or under the doctrine of equivalents any claim of the Asserted Patent (U.S. Patent No. 11,627,242).

SECOND AFFIRMATIVE DEFENSE Invalidity of the Asserted Patent

The claims of the Asserted Patent are invalid for failure to satisfy one or more of the requirements of Title 35 of the United States Code including but not limited to §§ 101, 102, 103, and 112.

THIRD AFFIRMATIVE DEFENSE Estoppel

Plaintiffs' claims of infringement under the Asserted Patent are barred, in whole or in part, by the doctrine of estoppel (including, but not limited to, equitable estoppel, prosecution

history estoppel, or otherwise).

FOURTH AFFIRMATIVE DEFENSE
Failure to State a Claim

Plaintiffs' Amended Complaint fails to state a claim upon which relief can be granted.

FIFTH AFFIRMATIVE DEFENSE
No Willful Infringement

Plaintiffs' claim of willful infringement under the Asserted Patent is barred, in whole or in part, for absence of deliberate or intentional infringement.

SIXTH AFFIRMATIVE DEFENSE
Limitation on Damages

Plaintiffs' purported damages, if any, are limited under Title 35 of the United States Code §§ 286, 287, and 288.

SEVENTH AFFIRMATIVE DEFENSE
Prosecution Laches

Plaintiffs' attempted enforcement of the Asserted Patent against Bird Buddy is barred by unreasonable and inexcusable delay in prosecution.

BIRD BUDDY'S COUNTERCLAIMS AND DEMAND FOR JURY TRIAL

Bird Buddy, Inc. ("Bird Buddy"), by and through its attorneys, brings these Counterclaims against Defendants Woodstream Corporation and Frederick Perkins (collectively, "Woodstream") for declaratory judgment of non-infringement and invalidity of the Asserted

Patent (U.S. Patent No. 11,627,242).

Bird Buddy alleges as follows:

PARTIES

1. Bird Buddy is incorporated in the State of Delaware, with a place of business of 169 Madison Ave STE 15233 New York, NY 10016.

2. On information and belief, Woodstream Corporation is “a Pennsylvania corporation, with a principal place of business at 29 E. King Street, Lancaster, PA 17602.” D.I. 17 at ¶ 5.

3. On information and belief, Frederick Perkins is “an individual who resides in Becket, Massachusetts.” D.I. 17 at ¶ 6.

JURISDICTION AND VENUE

4. These counterclaims arise under the patent laws of the United States, Title 35, United States Code. The jurisdiction of this Court is proper under at least 35 U.S.C. § 271 et seq. and 28 U.S.C. §§ 1331, 1338, 1367, 2201, and 2202.

5. Venue over these counterclaims is proper in this District pursuant to at least 28 U.S.C. §§ 1391 and 1400.

6. This Court has personal jurisdiction over Woodstream Corporation and Frederick Perkins because Woodstream Corporation and Frederick Perkins have voluntarily appeared and consented to this venue by filing their Amended Complaint.

COUNT I

Declaratory Judgement of Noninfringement of the ‘242 Patent

7. Bird Buddy repeats and realleges each and every allegation in paragraphs 1-6 of Bird Buddy’s Counterclaims and Demand for Jury Trial, as if fully set forth herein.

8. Bird Buddy is an innovative company that has received international recognition for its smart bird feeder and for helping people meaningfully connect with nature.

9. On information and belief, neither Woodstream Corporation nor Mr. Perkins is selling a product covered by the '242 Patent.

10. On information and belief, neither Woodstream Corporation nor Mr. Perkins is selling a product that competes with the accused products.

11. Bird Buddy's product lineup includes bird feeders and bird baths.

12. Bird Buddy's product lineup includes a camera called the "Nature Cam."

13. Bird Buddy's bird feeders may include a Nature Cam that allows users to photograph birds while feeding.

14. Bird Buddy's bird baths may include a Nature Cam that allows users to photograph birds while bathing.

15. Woodstream does not accuse Bird Buddy's bird baths of infringing the '242 Patent.

16. Woodstream does not accuse the Nature Cam of infringing the '242 Patent when used with Bird Buddy's bird baths.

17. Photography of bathing birds is a substantial noninfringing use of the Nature Cam.

18. Photography of birds that are not feeding is a substantial noninfringing use of the Nature Cam.

19. Woodstream does not accuse the Nature Cam, standing alone, of infringing the '242 Patent.

20. Bird Buddy's bird feeders do not require the Nature Cam in order for birds to

feed from Bird Buddy's bird feeders.

21. Feeding birds is a substantial noninfringing use of Bird Buddy's bird feeders without the Nature Cam.

22. Bird Buddy's bird feeders do not infringe the '242 Patent when sold and used without the Nature Cam.

23. Bird Buddy's Nature Cam does not infringe the '242 Patent when sold and used without Bird Buddy's bird feeders.

24. Claim 1 of the '242 Patent claims a "self-contained bird feeder" requiring a camera that is both "built in" and "internally mounted."

25. Bird Buddy's camera is externally mounted on the outside of the bird feeder.

26. Bird Buddy's camera is modular and interchangeable among Bird Buddy's bird feeders and bird baths.

27. Bird Buddy's Smart Bird Feeder does not infringe the '242 Patent at least because, among other reasons, it does not have a camera that is "built in." Likewise, Bird Buddy's Smart Bird Feeder does not infringe the '242 Patent at least because, among other reasons, it does not have a camera that is "internally mounted."

28. Bird Buddy's Smart Hummingbird Feeder does not infringe the '242 Patent at least because, among other reasons, it does not have a camera that "built in." Likewise, Bird Buddy's Smart Hummingbird Feeder does not infringe the '242 Patent at least because, among other reasons, it does not have a camera that is "internally mounted."

COUNT II

Declaratory Judgement of Invalidity of the '242 Patent

29. Bird Buddy repeats and realleges each and every allegation in paragraphs 1-28

of Bird Buddy's Counterclaims and Demand for Jury Trial, as if fully set forth herein.

30. The asserted claims of the '242 Patent are invalid under at least 35 U.S.C. §§ 102 and/or 103.

31. Independent claim 1 of the '242 Patent recites as follows:

1. A self-contained bird feeder configured to provide detailed images over a wireless network, comprising: a bird feeder with a built in camera, computer, and internet connection, the bird feeder comprising: a. a feeder housing; b. a feeder bottom; c. a feed port disposed on the feeder bottom; d. the camera internally mounted to the bird feeder such that the camera is aligned with the feed port to observe feeding birds; e. the computer located within the feeder housing; f. an internal power source; and g. a WiFi adapter located within the feeder housing.

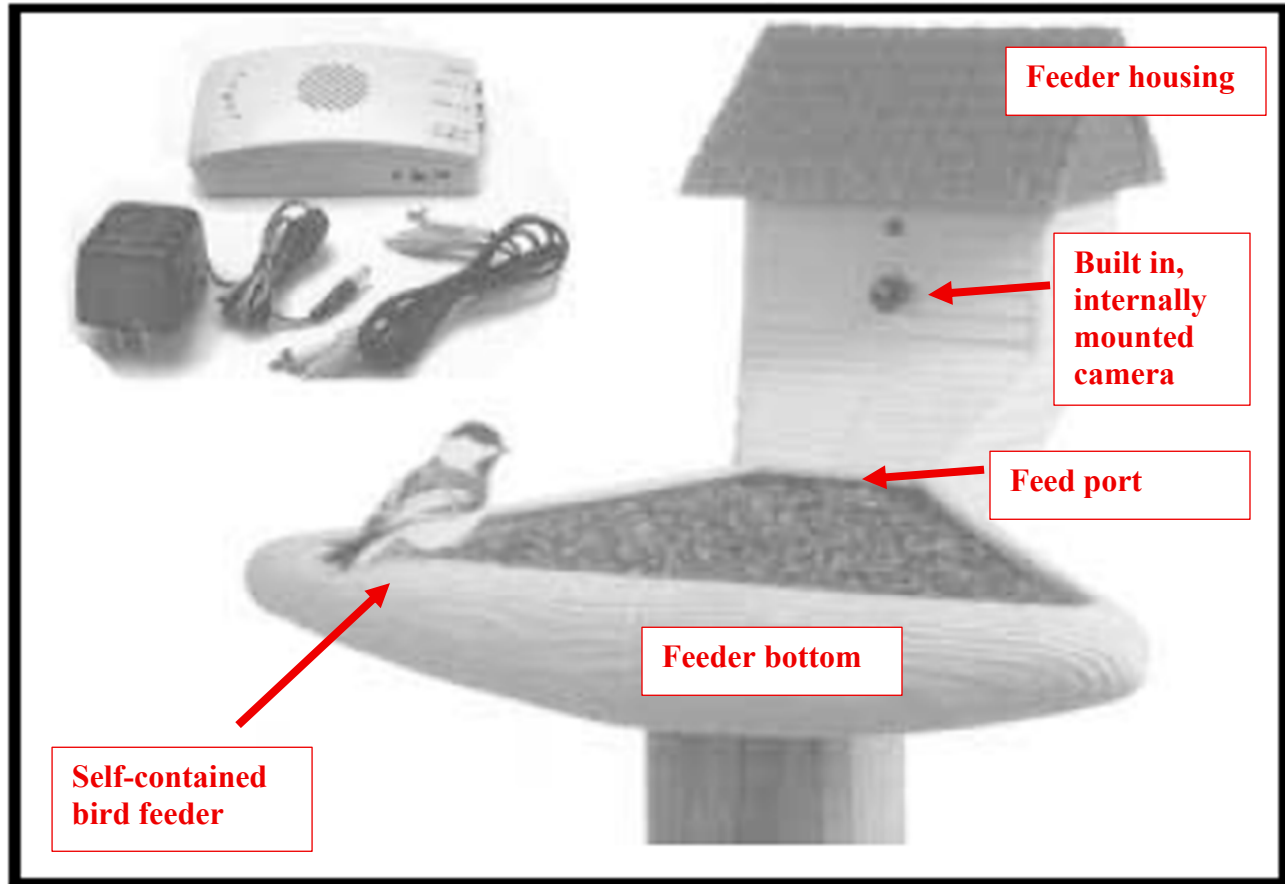
32. For example, and without limitation, "Bird-Vu" by Jeff Zernov ("Zernov") anticipates or renders obvious claim 1 of the '242 Patent.

33. A true and correct copy of Zernov is attached as Exhibit A, which includes (1) the cover page of Farm Show® Magazine Vol. 24, No. 2, 2000, and (2) page 32 on which Zernov is published. A true and correct copy of Zernov's design patent, U.S. Patent No. D426,352 entitled "Bird Feeder" and filed on July 15, 1999 is attached as Exhibit B ("the '352 Patent").

34. The publication date of Zernov (year 2000) predates the earliest priority date claimed by the '242 Patent (June 10, 2015).

35. The publication date of the '352 Patent (issued June 6, 2000) predates the earliest priority date claimed by the '242 Patent (June 10, 2015).

36. Zernov discloses or renders obvious a self-contained bird feeder configured to provide detailed images over a wireless network including a built in camera, and including a feeder housing, feeder bottom, feed port disposed on the feeder bottom, a camera internally mounted to the bird feeder such that the camera is aligned with the feed port to observe feeding birds, as follows:



37. Alternate views of Zernov's bird feeder are disclosed in the '352 Patent, as follows:

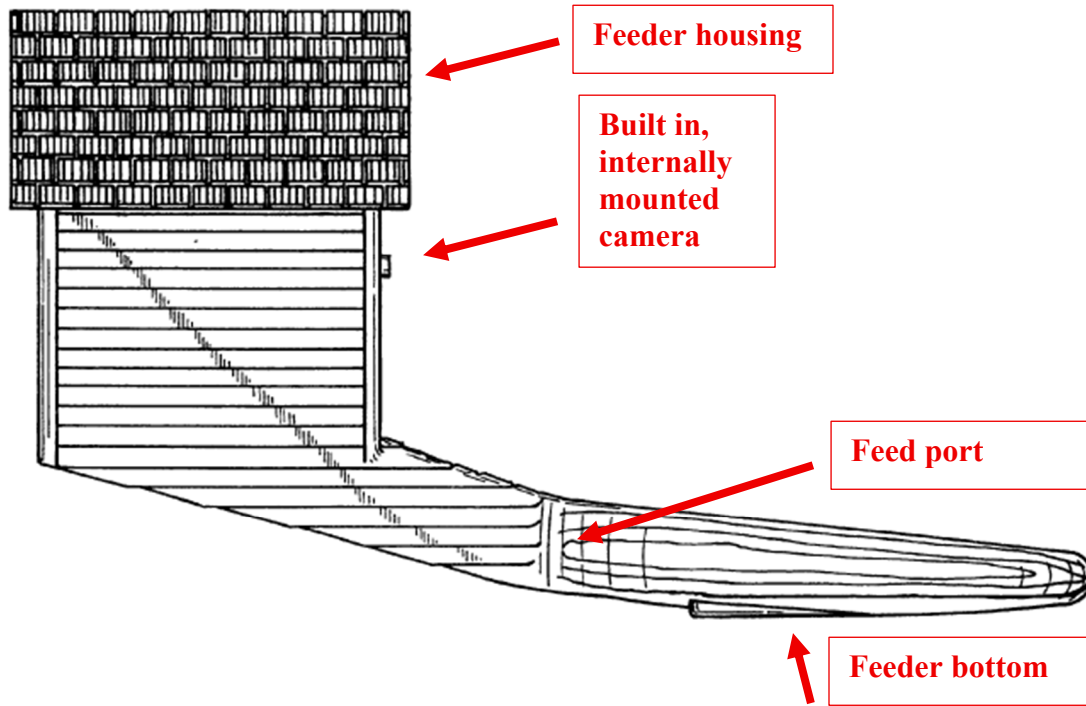
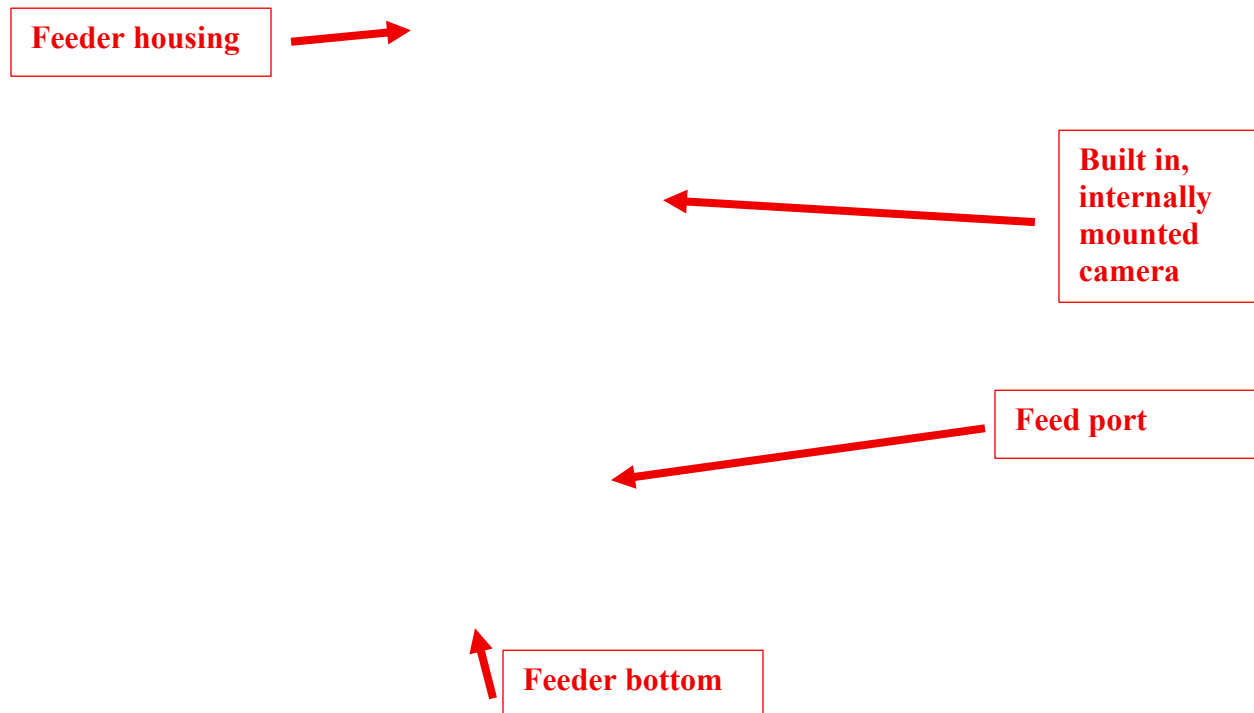


FIG. 2



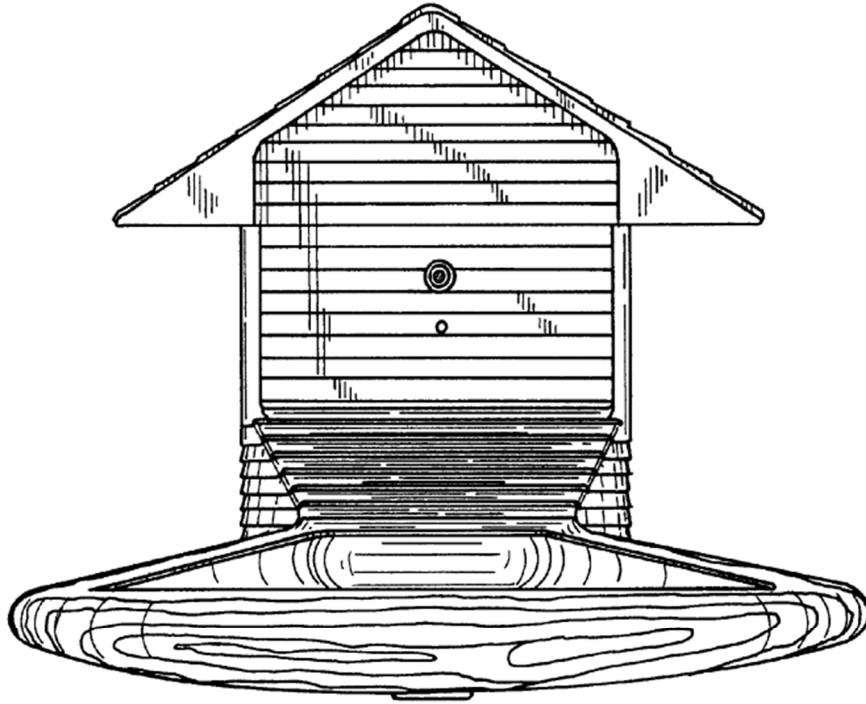


FIG. 3

38. Zernov expressly discloses that the camera is “**built-in**,” including disclosing that “new bird feeder that has a video **camera built into it**.”

39. Zernov further discloses or renders obvious providing detailed images over a wireless network (“feeder with a built-in color video camera, microphone, and **wireless** transmitter”).

40. Zernov further discloses an internal power source (“operates on either a **battery** or electric power”).

41. It would have been obvious to a person of ordinary skill in the art before Perkins’ effective filing date of June 10, 2015 to replace Zernov’s analog wireless transmission (i.e., wireless transmitter, remote receiver, and TV/VCR) with well-known digital wireless

transmission (i.e., computer, internet connection, and WiFi adapter) due to decreased use and production of VCR technology from 2000 to 2015.

42. As a further example and without limitation, U.S. Patent Publication No. 2012/0048203 (“Bonham”) anticipates or renders obvious claim 1 of the ‘242 Patent.

43. A true and correct copy of Bonham is attached as Exhibit C.

44. Bonham’s filing date of September 1, 2010 and publication date of March 1, 2012 predate the earliest priority date claimed by the ‘242 Patent (June 10, 2015).

45. Bonham discloses or renders obvious a self-contained bird feeder configured to provide detailed images over a wireless network including a built in camera, computer, and internet connection, and including a feeder housing, feeder bottom, feed port, a camera internally mounted to the bird feeder to observe feeding birds, a computer located within the feeder housing, an internal power source, and a WiFi adapter located within the feeder housing, as follows:

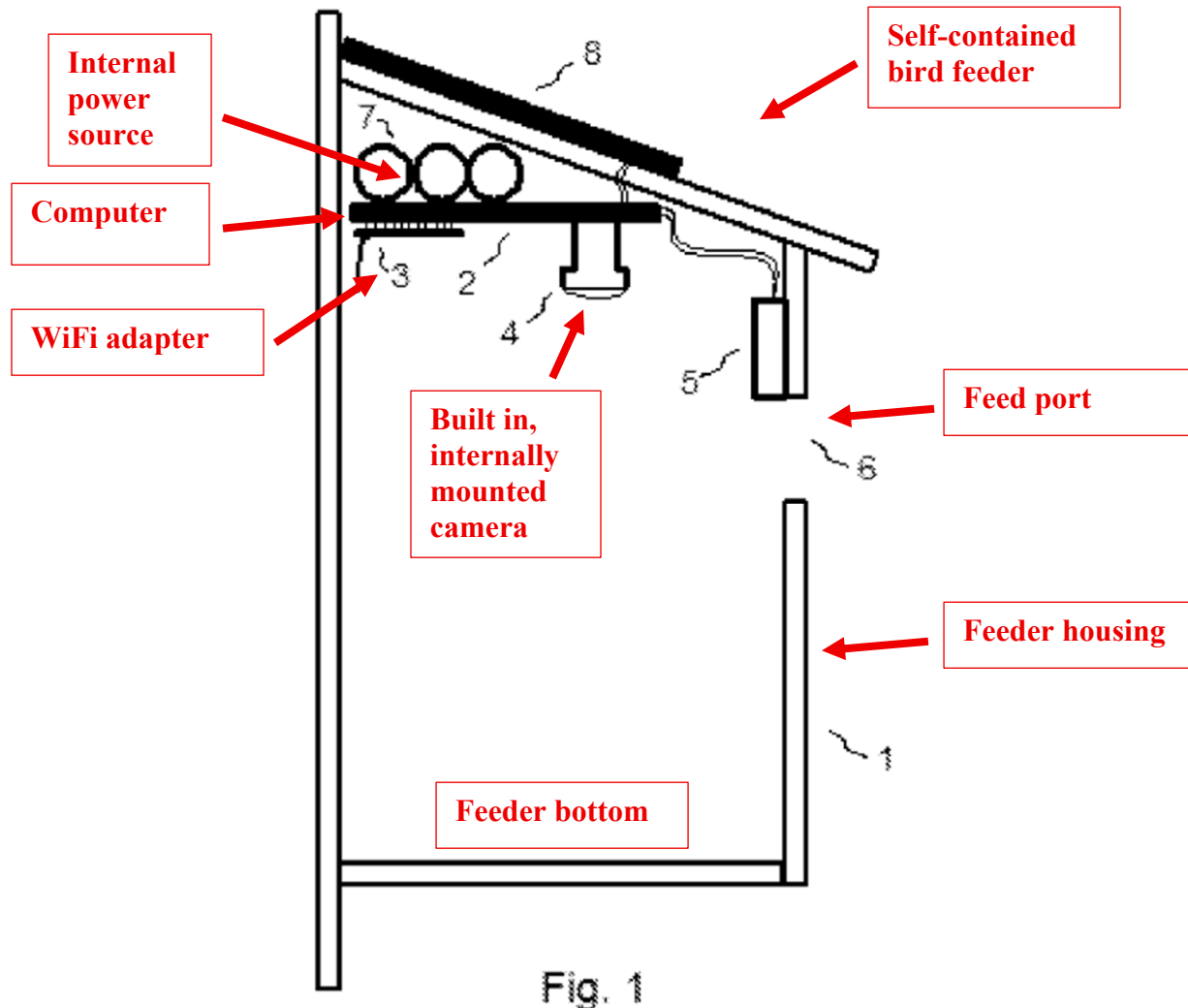


Fig. 1

46. Bonham discloses that its “backyard birdhouses” are for the purpose of “acquir[ing] data on feeding rates” and that “the entrance of a birdhouse can compile and store an archive of feeding rates” when adult birds return to the housing with “food for their young.”

47. Bonham discloses that by September 1, 2010, backyard birdfeeders “integrated” with digital cameras for transmitting image and data over the Internet had become so “popular” that “most homeowners have purchased and installed backyard birdhouses or birdfeeders, and recently the advent of small commercial digital cameras on or inside of birdhouses has added to the recreational potential for such devices....a typical user of a birdhouse camera will download and view the pictures on an Internet-connected computer.”

48. The above-quoted disclosures from Bonham in paragraphs 46-47 predate the earliest priority date claimed by the '242 Patent.

49. It would have been known to a person of ordinary skill in the art before Perkins' effective filing date of June 10, 2015 that birds eat while inside of bird houses.

50. It would have been obvious to a person of ordinary skill in the art before Perkins' effective filing date of June 10, 2015 that Bonham's built in, internally mounted camera could be mounted anywhere inside the bird feeder to capture images and data of feeding birds from different viewpoints.

51. It would have been obvious to a person of ordinary skill in the art reviewing Bonham in 2012 to dispose the feed port on the feeder bottom, as Bonham discloses that both birdhouses and birdfeeders are popular structures in which to insert a digital camera.

52. As a result of Woodstream's actions and statements, including the filing of this action, an actual controversy now exists between Woodstream and Bird Buddy regarding the validity of the asserted claims of the '242 Patent.

53. Bird Buddy is entitled to a declaration that any and all asserted claims of the '242 Patent are invalid.

EXCEPTIONAL CASE DETERMINATION

54. Bird Buddy repeats and realleges each and every allegation in paragraphs 1-53 of Bird Buddy's Counterclaims and Demand for Jury Trial, as if fully set forth herein.

55. This case is exceptional under 35 U.S.C. § 285.

DEMAND FOR JURY TRIAL

56. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Bird Buddy respectfully requests a trial by jury of any issue so triable by right.

PRAYER FOR RELIEF

57. WHEREFORE, Bird Buddy respectfully requests that Woodstream take nothing on its claims against Bird Buddy, that the Court enter judgment in favor of Bird Buddy and against Woodstream, and that the Court award Bird Buddy its costs, expenses, and reasonable attorney's fees in this action, including as follows:

- A. A judgment in favor of Bird Buddy denying Woodstream all relief requested in its Amended Complaint in this action and dismissing Woodstream's Amended Complaint with prejudice;
- B. A judgment in favor of Bird Buddy on all of its Counterclaims;
- C. A declaration that the asserted patent (U.S. Patent No. 11,627,242) is not infringed by any accused Bird Buddy product;
- D. A declaration that the asserted patent (U.S. Patent No. 11,627,242) is invalid, unenforceable, or both;
- E. A declaration that this case is exceptional under 35 U.S.C. § 285 and an award to Bird Buddy of its reasonable costs and expenses of litigation, including attorney's fees and expert witness fees, with pre- and post-judgment interest; and
- F. Such other and further relief as this Court deems just and proper.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jeremy A. Tigan

OF COUNSEL:

Craig R. Smith
Andrea B. Reed
Kevin M. Eckert
LANDO & ANASTASI, LLP
60 State Street, 23rd Floor
Boston, MA 02109
(617) 395-7000

Jeremy A. Tigan (#5239)
Ben Yenerall (#7132)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jtigan@morrisnichols.com
byenerall@morrisnichols.com

Attorneys for Defendant Bird Buddy, Inc.

September 5, 2025

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on September 5, 2025, upon the following in the manner indicated:

Stephanie S. Riley, Esquire
Zachary Murphy, Esquire
WOMBLE BOND DICKINSON (US) LLP
1313 North Market Street, Suite 1200
Wilmington, DE 19801
Attorneys for Plaintiffs

VIA ELECTRONIC MAIL

Salvatore Anastasi, Esquire
Matthew Hennesy, Esquire
BARLEY SNYDER
2 Great Valley Parkway, Suite 110
Malvern, PA 19355
Attorneys for Plaintiffs

VIA ELECTRONIC MAIL

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)

EXHIBIT A

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Look What They're Doing With ATV's!



16-Wheel ATV Runs Through Water - Gene Riddlestine didn't like the fact that he had to stop at the edge of the water with his ATV. So he added 12 wheels to the bike, more than enough to float it in water. To help propel the bike, he fitted small paddles to the steel spacers between each set of wheels. See story on page 2.



Diesel-Powered ATV - An Illinois company recently started importing diesel-powered ATV's from England. Besides running cheaper, the heavy-duty utility vehicles are geared for farm chores. See story on page 2.



Amphibious ATV Fitted With Floats - Mike Dick welded steel drums together to make big floats for the front and back of his ATV. He wanted to be able to cross rivers and lakes when hunting or trail riding. See story on page 2.

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| 9 Old Barns Converted Into Beautiful Homes | 29 New "Steerable Axle" Grain Cart |
| 44 Humongous Rock Moved From Field To Farmyard | |

Like The Sound Of Old Engines? Then This CD (Or Tape) Is For You

If you or someone you know can spend all day listening to the sounds of old engines at antique threshing shows, you'll want to take a look at this new 74-min. recording of more than 124 models of old tractors.

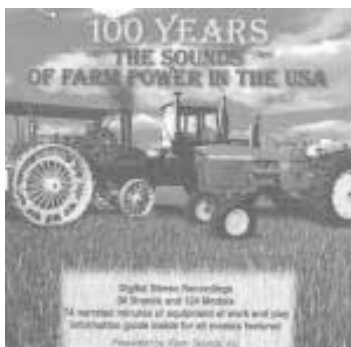
The brainchild of Paul Salow of Milan, Mich., "100 Years - The Sounds Of Farm Power In The U.S.", is a delight to listen to for anyone who gets a chill up their spine when they hear an old two banger come to life.

The high-quality recording is available in CD or on audiotape. A narrator announces each tractor before it starts up. Other than that, it's all sounds of tractors, recorded in clear, digital stereo.

Salow first got the idea for the recording a few years ago. But he didn't get going on the project until he saw a recording of car and motorcycle sounds come on the market.

Paul and his young son, Adam, spent more than a year travelling to county fairs, steam and antique tractors shows, and out to fields, gathering recordings. By the time he was done, he had more than 1,000 recordings.

In editing the recording, he tried to pick brands that he knew would interest the



"The Sounds Of Farm Power In The U.S.A." is a 74-min. recording of more than 124 models of old tractors.

greatest number of people. Deere and IHC models represent nearly half of the models featured. You'll hear everything from a Waterloo Boy and a Rumley Oil Pull to a Deere 4020.

The CD's sell for \$12 each. Cassette tapes sell for \$10 each. Add \$2 for S&H.

Contact: FARM SHOW Followup, Paul Salow, Farm Sounds, Inc., Box 127, Milan, Mich. 48160 (ph 734-615-2286).

Door-Mount Hat Rack

Keeping hats organized and in great condition is easy with this door-mount hat rack.

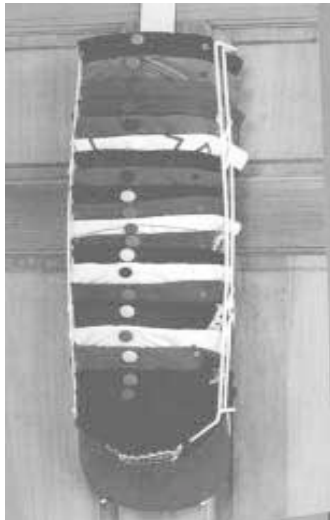
"Dad's Hat Rack" is made from vinyl-coated steel. It mounts on any door and can hold up to 20 hats.

You fold the hats into storage position and put them into the top of the rack, then slide the hats down into each other. To remove a hat you simply pull it out no matter where it is in the rack.

Sells for \$9.99 plus S&H.

Contact: FARM SHOW Followup, LeGreg, Inc., Box 2568, Merced, Calif. 95344 (ph 209 723-8217; Website: www.dadshatrack.com)

"Dad's Hat Rack" mounts on any door and can hold up to 20 hats.



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New
Products
Especially For
Women And The
Farm, Ranch
Home

Two-Seat Tricycle "Drives Like A Car"

Either one or two riders can operate this two-seat, three-wheel tricycle that's equipped with twin pedals, drives, and coaster brakes.

The "Tri-Hauler" rides on three 20-in. wheels and has a twin plastic seat that can be moved back and forth 10 in. to accommodate all size riders. The specially designed handlebar is wide enough for both riders.

"It's the best marriage counselor you can buy," says Gary Albertson, Isanti Engineering, Inc., Fergus Falls, Minn. "If one person gets tired they can simply stop pedaling and let the other take over. It's geared high enough that two kids can go 20 mph with it, yet it's geared low enough that two older people can drive it up a hill. The handlebar can be folded all the way to the front so if necessary you can get off the unit and pull it up hill. It'll turn 360 degrees in its own tracks.

"There's nothing on it that you can't buy at a local bike shop. We sell a lot of them to handicapped people who can pedal but can't be left on their own with a conventional



Two-seat, three-wheel "Tri-Hauler" is equipped with twin pedals, drives, and coaster brakes.

bicycle. There's a hitch on back so you can pull a wagon with it."

Optional equipment includes a 20-in. rear-mount basket, battery-operated headlight, between-seat tray, and upholstered soft seat.

Sells for \$795 plus S&H.

Contact: FARM SHOW Followup, Isanti Engineering, Inc., 715 W. Birch, Fergus Falls, Minn. 56537 (ph 218 739-4949).

Video Bird-Feeder Lets You Watch Birds On TV

You can watch birds up close and personal on your TV with this new bird feeder that has a video camera built into it.

"It brings your bird feeder right into your living room," says inventor Jeff Zernov.

"Bird-Vu" is a plastic feeder with a built-in color video camera, microphone, and wireless transmitter. It comes with a remote receiver that you attach to a TV or VCR. The video camera and microphone are mounted on the unit's feed hopper and face the platform where the birds feed. No matter where the bird lands on the platform it's always within sight of the camera. The system sends audio and video signals up to 300 ft. through trees, brush and walls to the TV or VCR.

The camera is equipped with a wide-angle lens and operates on either a battery or electric power.

"The feeder is designed so the birds are always on camera. The microphone picks up tweets and chirps that normally aren't heard from more than a few feet away. With the birds up close you can see things you wouldn't normally see, such as the social

interaction between individual birds. You can also learn the personalities and subtle color variations of individual birds.

"A clear acrylic support archway allows you to hang a suet block, seed bell, or hummingbird feeder. It's really fun to watch hummingbirds live on your TV.

"People in senior citizen homes love it because they can watch nature in action. When it's used with a big screen TV even visually challenged residents can see the birds, which they would never be able to see otherwise."

According to Zernov, the Bird-Vu compliments any feeding stations that you may already have. "We recommend mounting it on top of a post so that the other bird feeders are in the background. That way you can see birds as they land on other feeders. Also, because the video camera's depth of field goes to infinity you'll be able to see birds up to 100 yards away as they approach the Bird-Vu."

Sells for \$499 plus S&H.

For more information, contact: FARM SHOW Followup, Nature Vision, Inc., 1701



Bird feeder has a video camera and microphone built into it and comes with a remote receiver that you attach to a TV. Inset photo at upper left shows the hardware used to hook up unit.

College Road, Baxter, Minn. 56425 (ph 800 295-1546 or 218 825-0733; 0721; E-mail:

aquavu.com; Website: www.birdvu.com).

EXHIBIT B



US00D426352S

United States Patent

Zernov

[19]

[11] Patent Number:

Des. 426,352

[45] Date of Patent:

** Jun. 6, 2000

[54] BIRD FEEDER

[76] Inventor: Jeffrey P. Zernov, 1701 College Rd.,
Baxter, Minn. 56425

[**] Term: 14 Years

[21] Appl. No.: 29/107,951

[22] Filed: Jul. 15, 1999

[51] LOC (7) Cl. 30-03

[52] U.S. Cl. D30/125

[58] Field of Search D30/124-128,
D30/110, 111; 119/51.01, 52.2, 52.3, 57.8,
57.9, 428

[56] References Cited

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D. 298,974 12/1988 Granger D30/125
D. 328,655 8/1992 Embree D30/124
D. 346,976 5/1994 Jones D30/110 X

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Duncraft, Red Barn, 1989, p. 32.
Miles Kimball Company, Redwood Bird Feeder, 1970, p. 180.
Popular Mechanics, Bird Cafe, May 1950, 173.

Primary Examiner—Louis S. Zarfes
Assistant Examiner—Catherine R. Oliver
Attorney, Agent, or Firm—D. L. Tschida

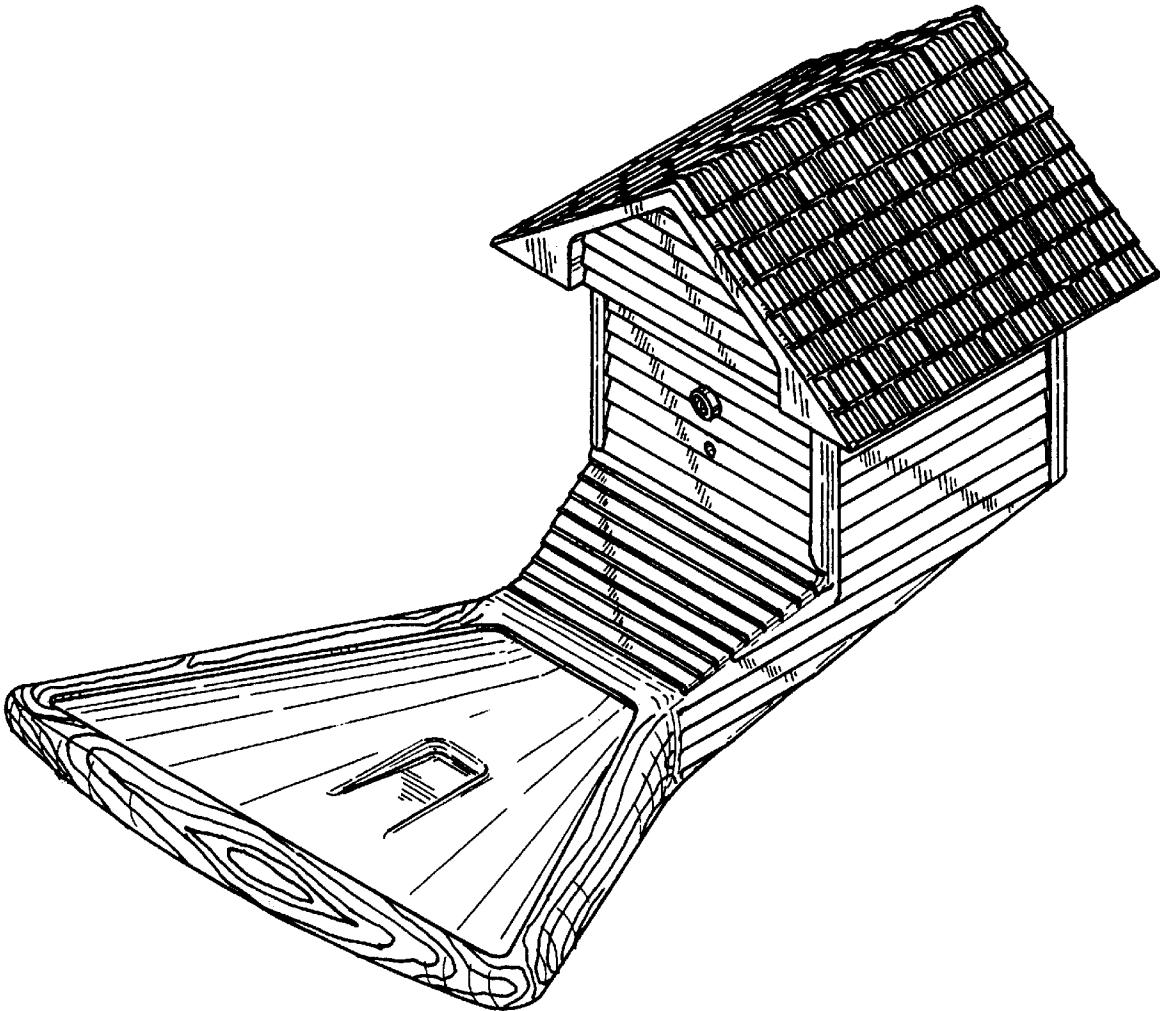
[57] CLAIM

The ornamental design for a bird feeder, as shown and described.

DESCRIPTION

FIG. 1 is a perspective drawing showing front, top and right side views of my new design for a bird feeder;
FIG. 2 is a left side view thereof;
FIG. 3 is a front view thereof;
FIG. 4 is a rear view thereof;
FIG. 5 is a top view thereof; and,
FIG. 6 is a bottom thereof.

1 Claim, 6 Drawing Sheets



U.S. Patent

Jun. 6, 2000

Sheet 1 of 6

Des. 426,352

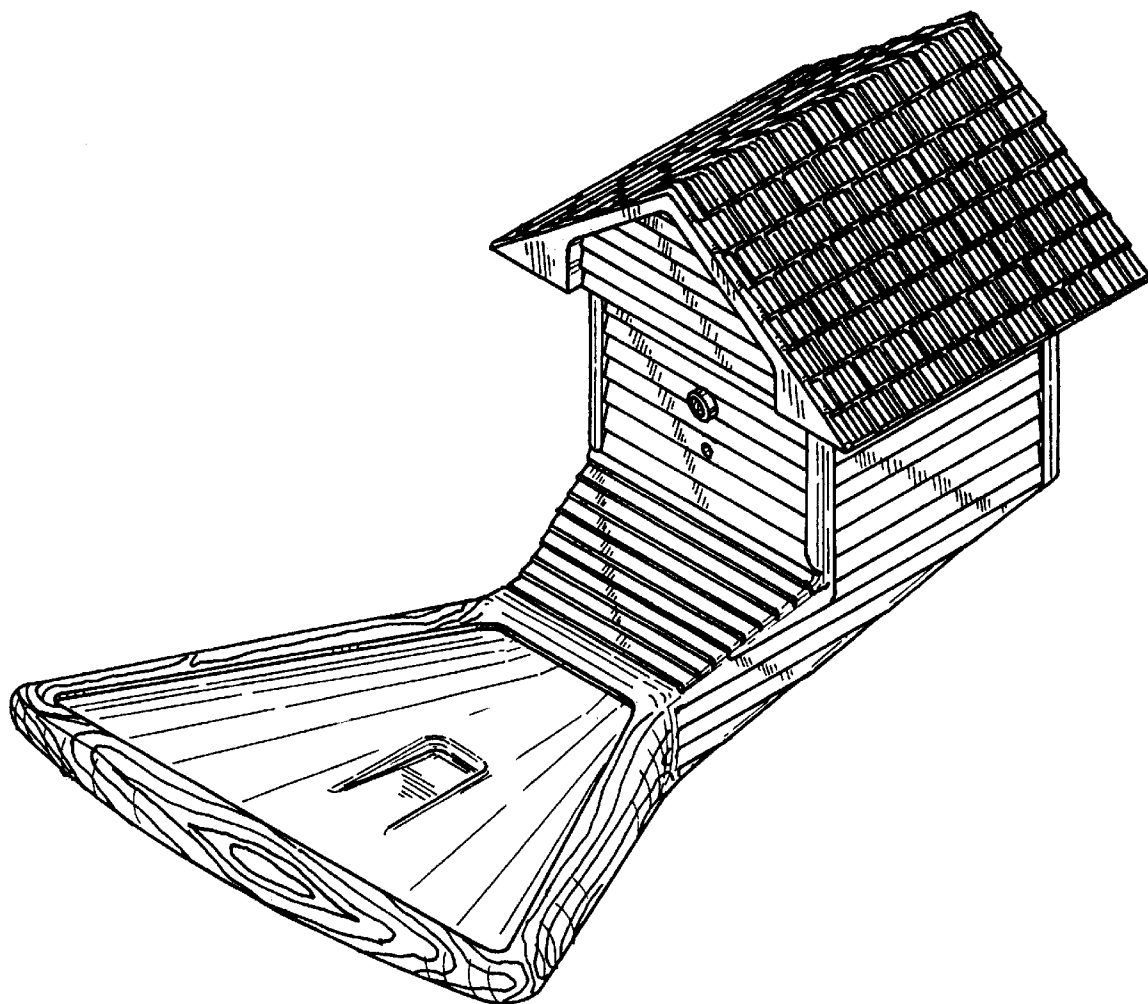


FIG. 1

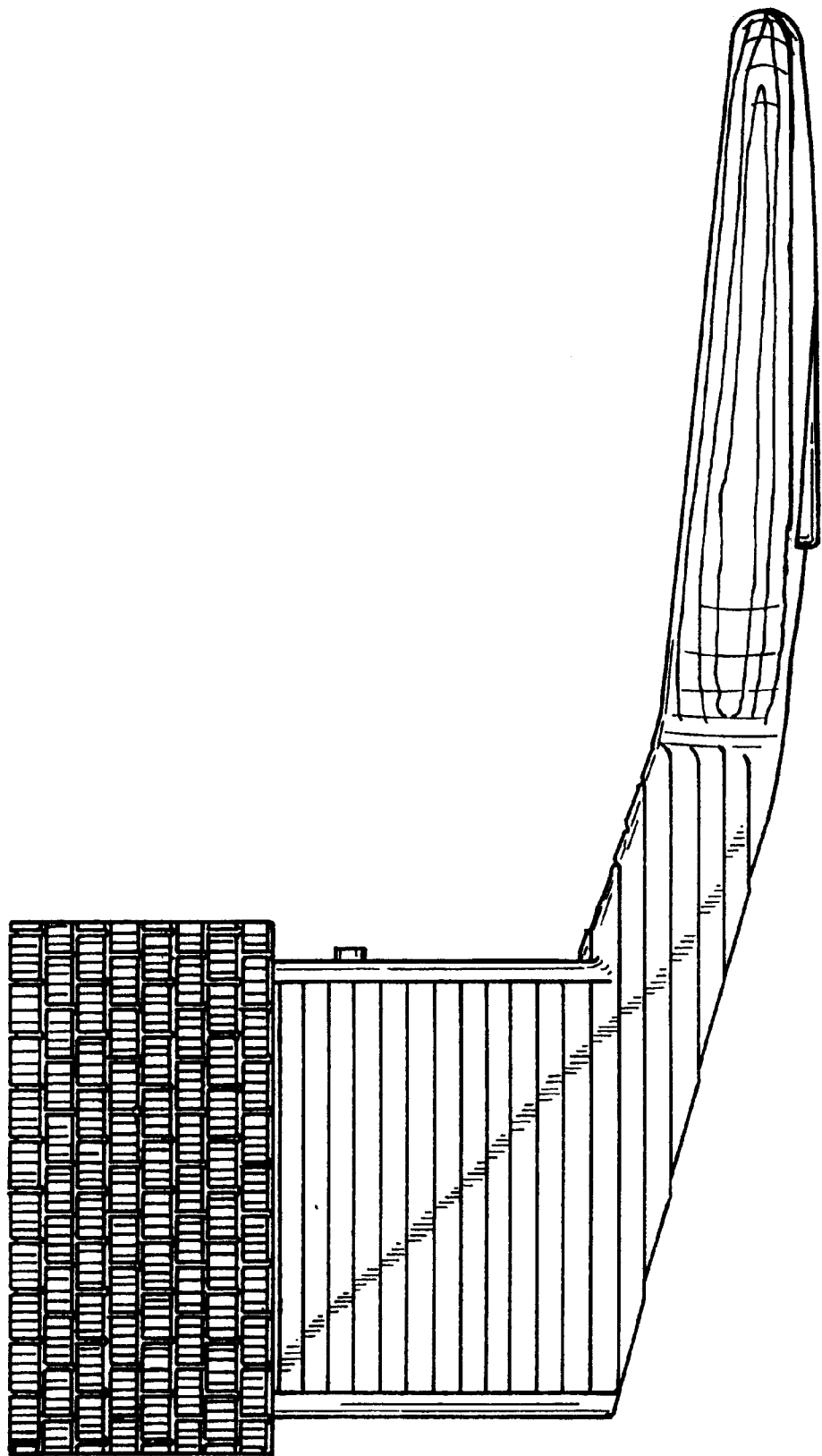


FIG. 2

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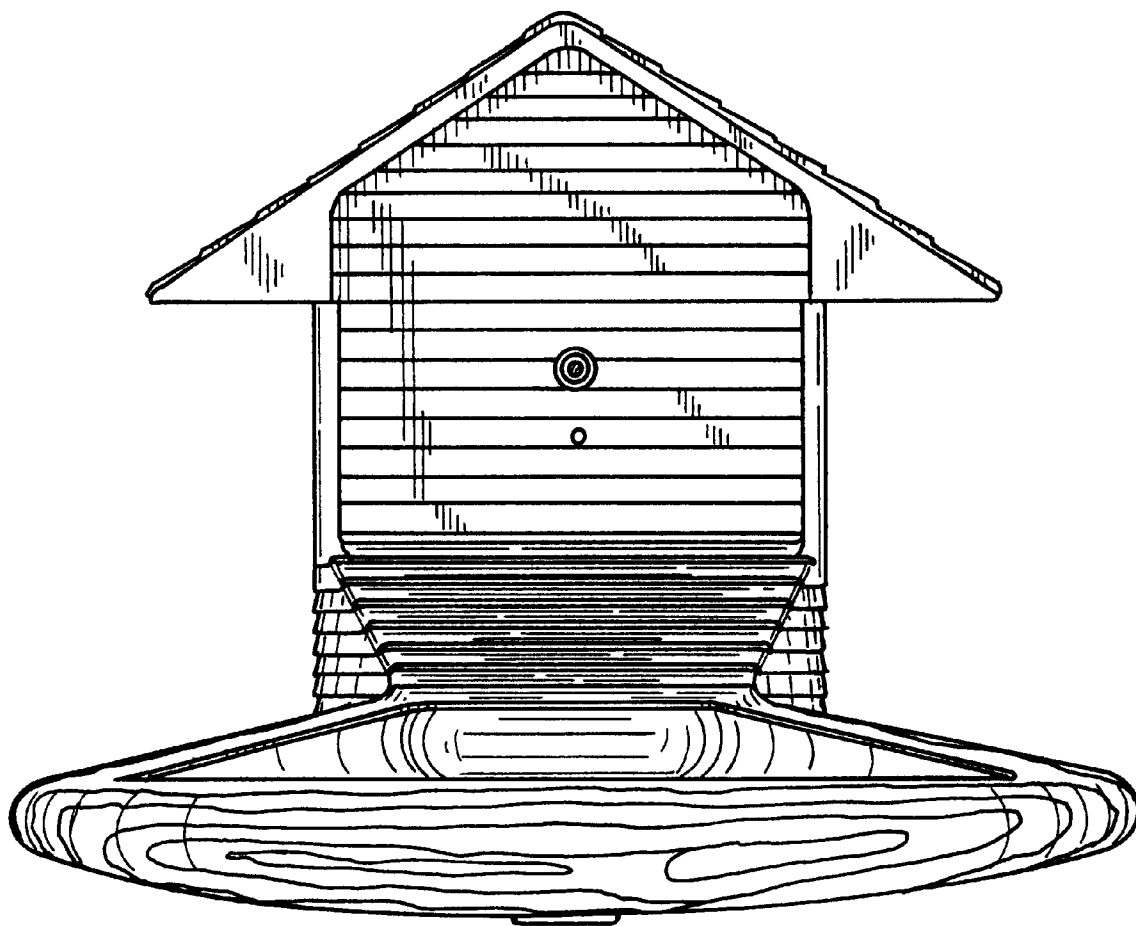


FIG. 3

U.S. Patent

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Des. 426,352

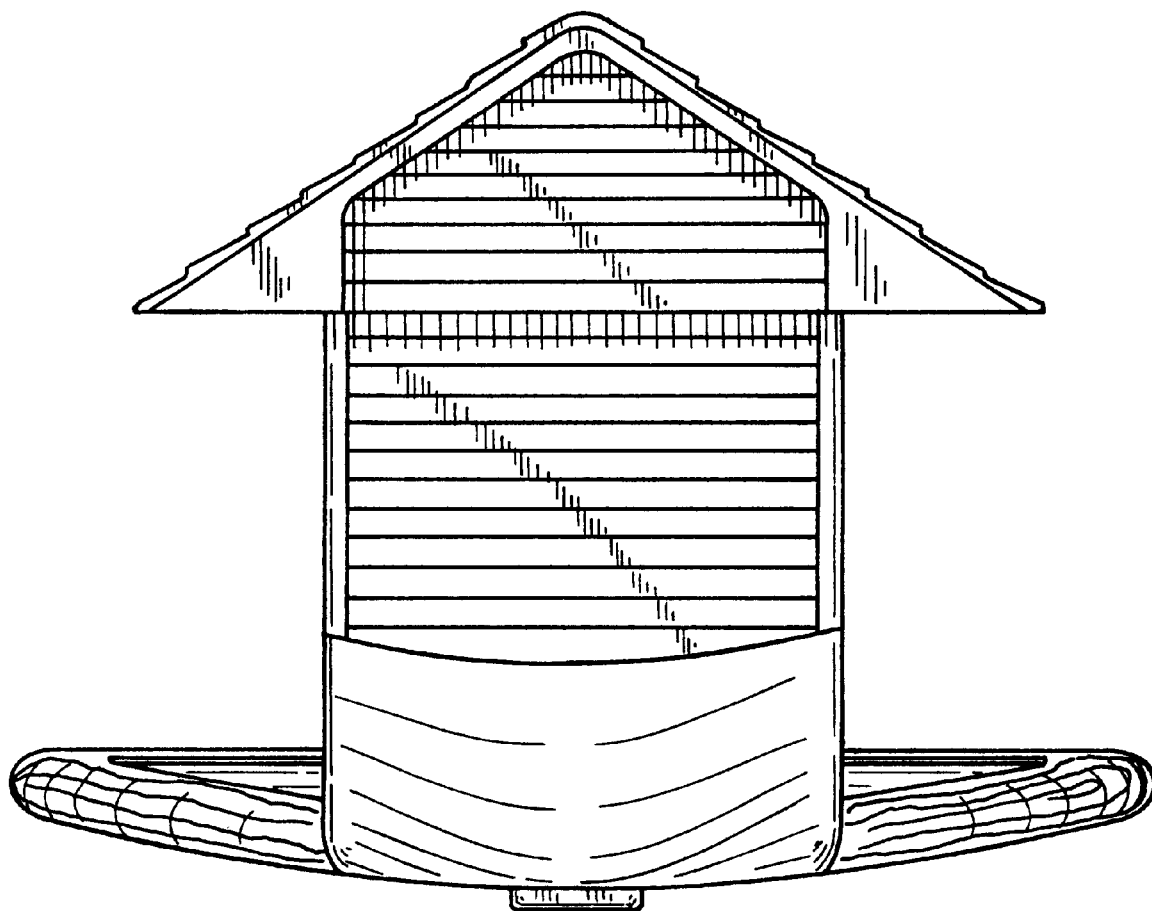


FIG. 4

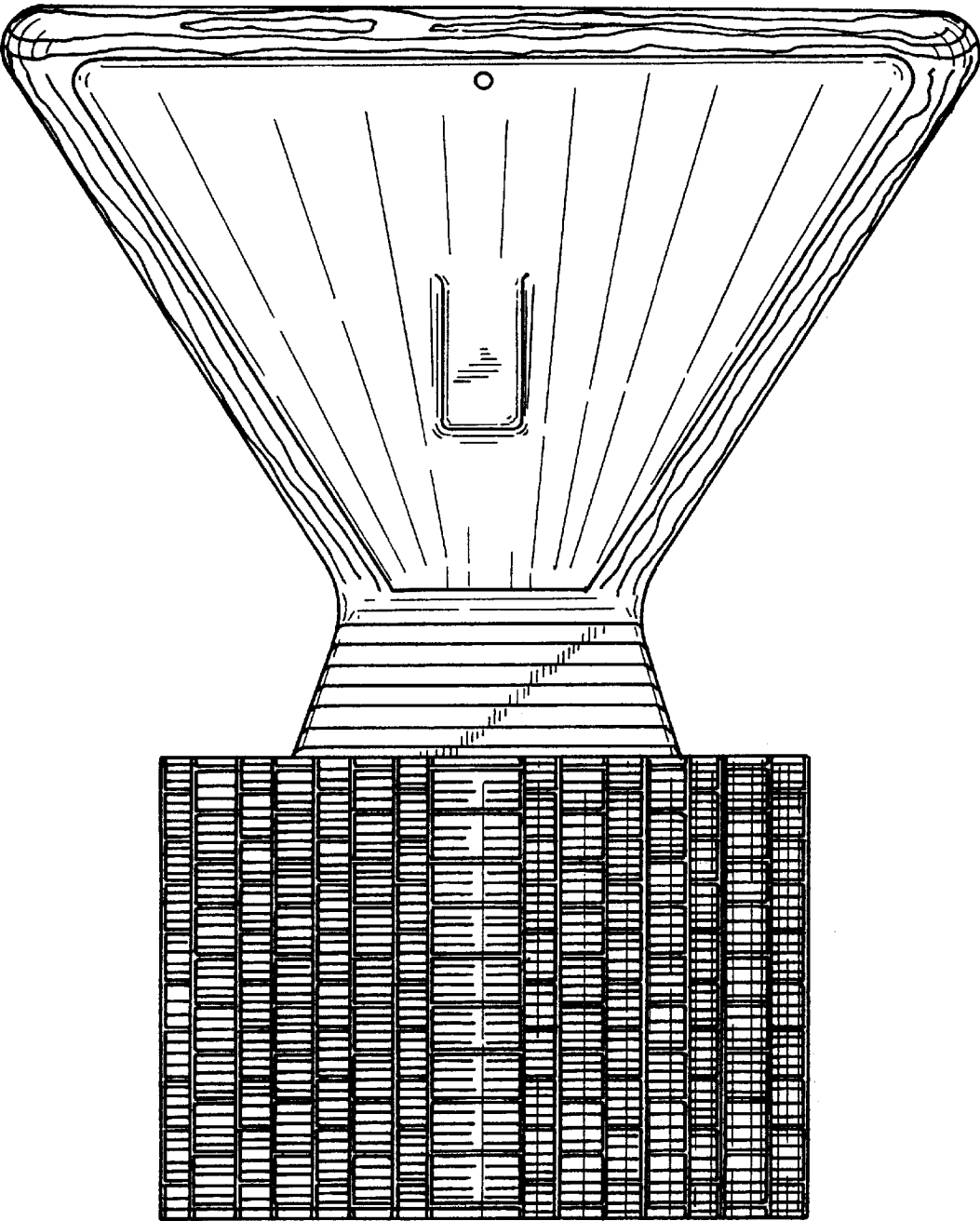


FIG. 5

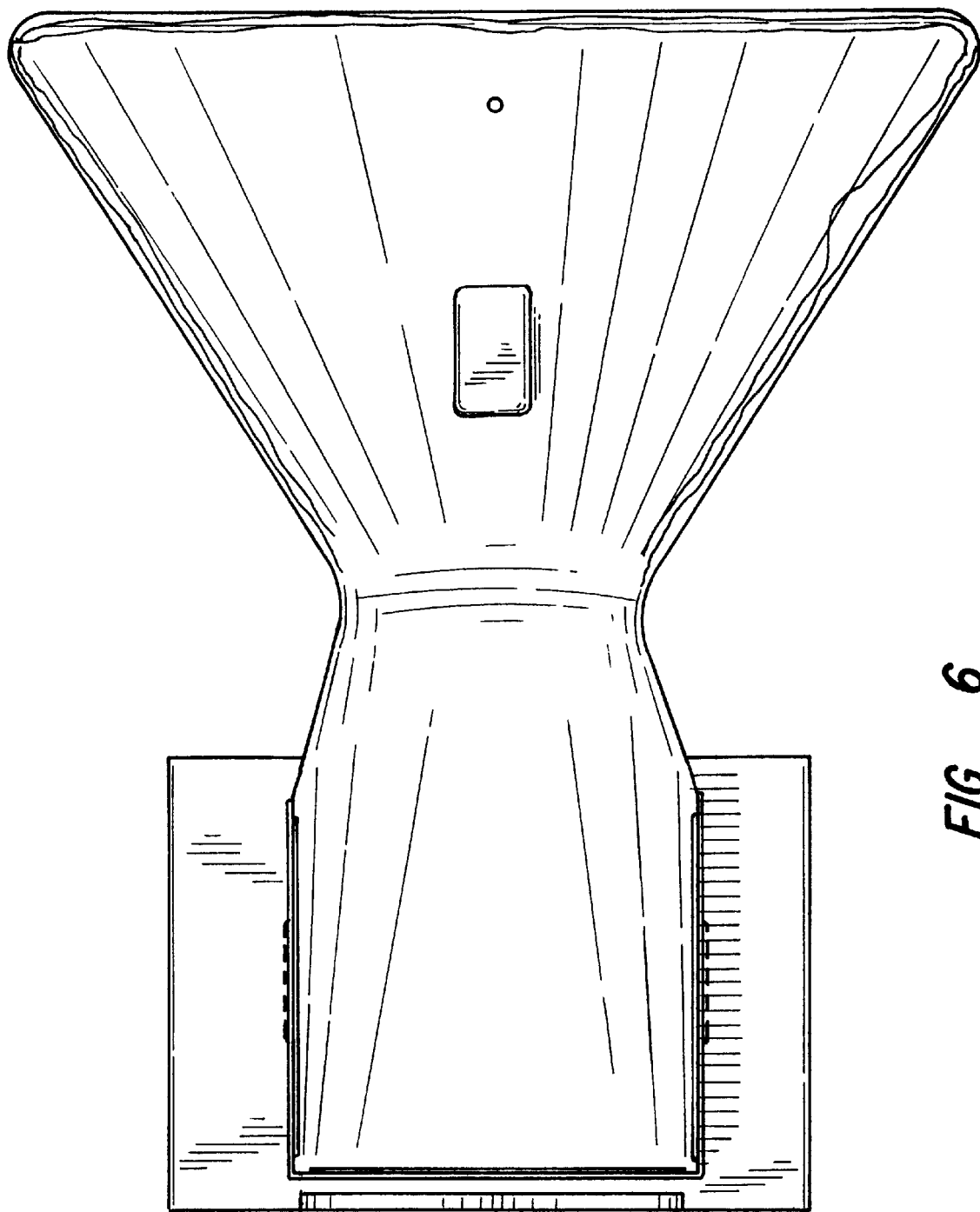


FIG. 6

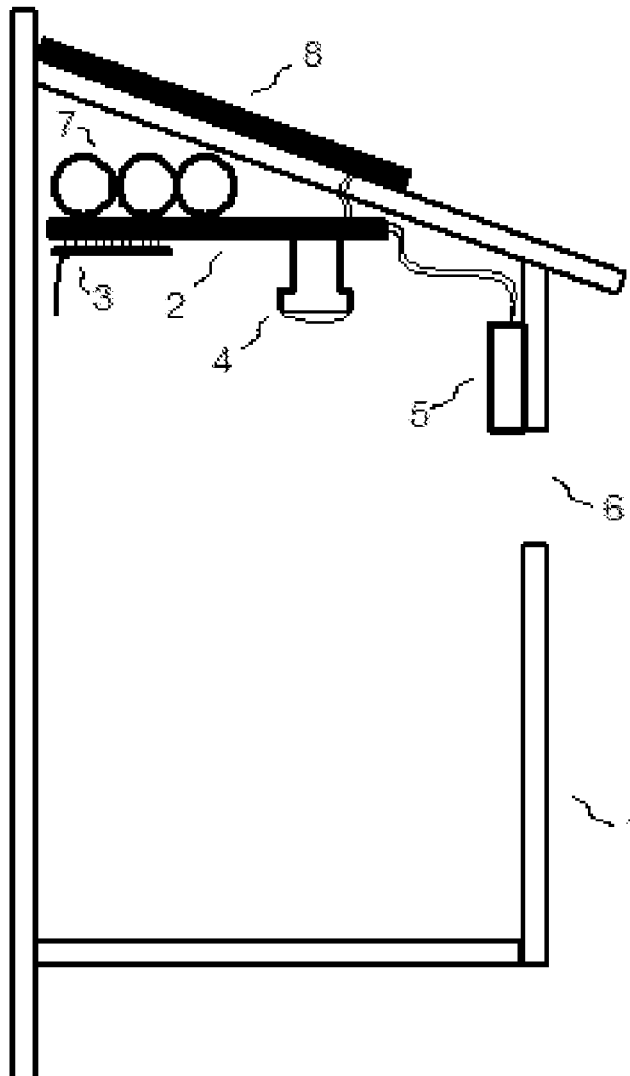
EXHIBIT C



US 20120048203A1

(19) **United States**(12) **Patent Application Publication**
Bonham(10) **Pub. No.: US 2012/0048203 A1**(43) **Pub. Date: Mar. 1, 2012**(54) **METHOD AND APPARATUS FOR
ENCOURAGING CITIZENS TO ACQUIRE
BIOLOGICAL DATA BY ADDING SENSORS
TO A CAMERA-EQUIPPED BIRDHOUSE**(52) **U.S. Cl. 119/421**(76) Inventor: **Douglas M. Bonham, Essex, MT
(US)**(21) Appl. No.: **12/873,525**(22) Filed: **Sep. 1, 2010****Publication Classification**(51) **Int. Cl.**
A01K 1/03 (2006.01)
A01K 31/00 (2006.01)(57) **ABSTRACT**

A method and apparatus for encouraging a citizen-based effort to collect and compile scientifically-valid biological information utilizing the popular appeal of camera-equipped birdhouses integrated with an electronic apparatus that collects biological and environmental data in a controlled and repeatable fashion suitable for contribution to a centralized database. The apparatus is used to monitor a wildlife nest, den or roost. The apparatus comprises a birdhouse with an electronic circuit for controlling an image sensor, motion detector, light detector and means of communicating with an Internet-connected computer or handheld device.



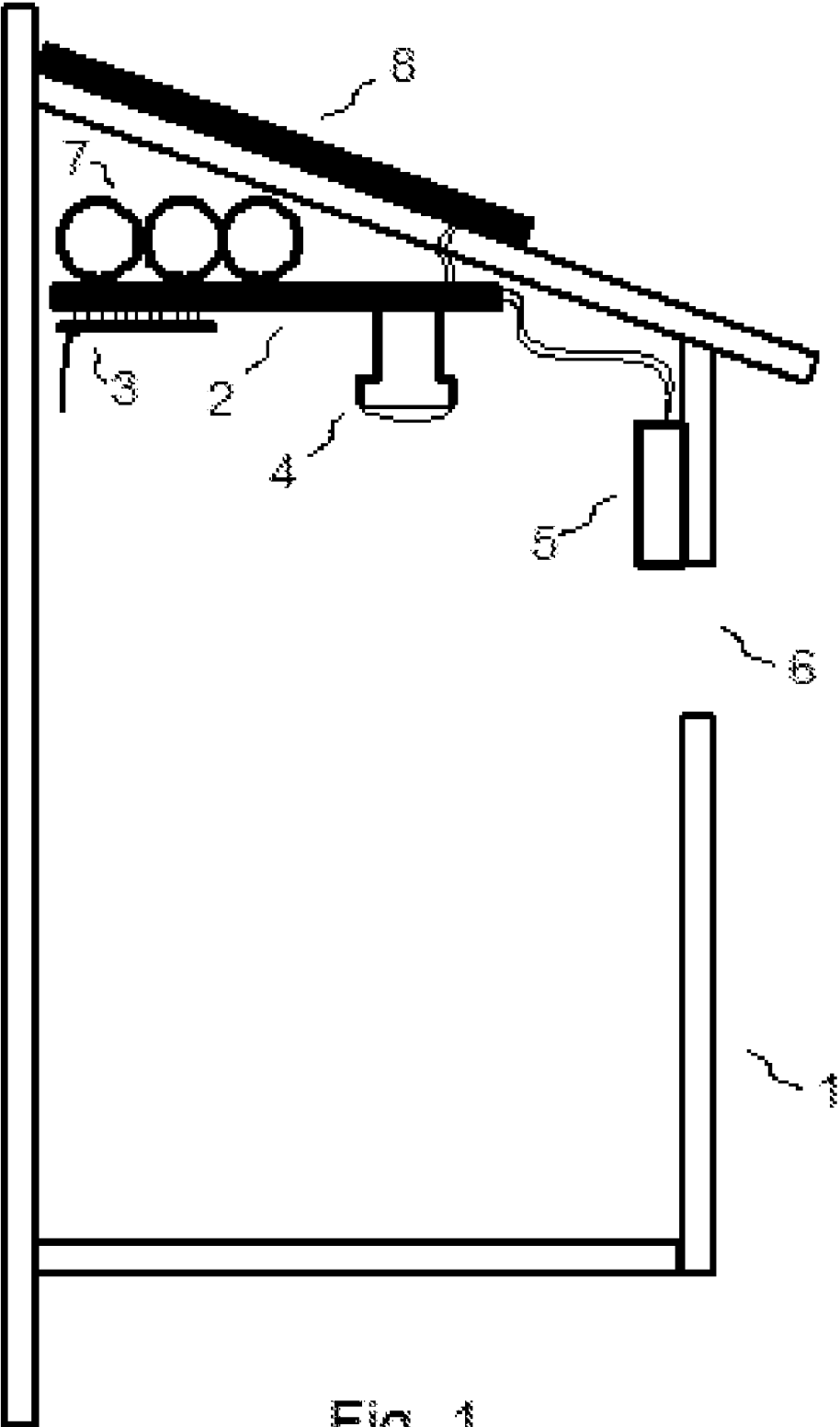


Fig. 1

US 2012/0048203 A1

Mar. 1, 2012

1

METHOD AND APPARATUS FOR ENCOURAGING CITIZENS TO ACQUIRE BIOLOGICAL DATA BY ADDING SENSORS TO A CAMERA-EQUIPPED BIRDHOUSE

FIELD OF THE INVENTION

[0001] The present invention relates to methods and apparatus for fostering a broad citizen scientist effort to acquire long-term and scientifically valid biological data on the behavior and timing of cavity-nesting birds and other wildlife by taking advantage of the popular appeal of cameras in backyard birdhouses and adding precise scientific instruments that acquire data on feeding rates and other behaviors that can be uploaded to centralized databases.

BACKGROUND OF THE INVENTION

[0002] The National Phenology Network is a new federal multi-agency effort to monitor climate change by fostering a broad citizen scientist effort to record and report the timing of natural events such as flowers blooming, birds migrating, insects hatching and other animal behaviors and environmental phenomenon (USANPN 2010). The potential to inexpensively gather vast amounts of long-term environmental data by enlisting contributions from untrained but motivated citizens is attractive, however the challenge with such citizen-based programs has always been the questionable reliability and repeatability of the methods and data for making valid scientific conclusions. The annual Christmas Bird Count is conducted and managed by up to 50,000 volunteer amateur birdwatchers with the National Audubon Society and has been gathering data for 110 years. Although data from these counts does appear in scientific journals it is always qualified and of limited value due to poorly-controlled methods and wide variations in the levels of training and expertise of the participants.

[0003] Gathering valid scientific field data on environmental phenomenon can be tedious and requires substantial attention to detail and documentation of methods and results. It is often carried out with the assistance of expensive software-controlled scientific instruments that take care of much of the tedium and precise repeatability. The price of such instruments is normally beyond ordinary consumers but the price could be substantially reduced if they were mass-produced in numbers more in line with consumer products. If such devices were deployed in large numbers across wide geographic regions the voluminous data would be extremely valuable for wildlife, environmental and climate sciences.

[0004] Many, if not most homeowners have purchased and installed backyard birdhouses or birdfeeders, and recently the advent of small commercial digital cameras on or inside of birdhouses has added to the recreational potential for such devices (Hawk Eye 2010, Cornell 2010). Birdhouses also provide an excellent opportunity to gather valid biological data using motion sensors, thermometers, infrared detectors, light sensors, gram-scales, and software analyzed sounds and images. For instance, a data-logger and motion detector installed at the entrance of a birdhouse can compile and store an archive of feeding rates. The ability of adult birds to find food for their young is a valuable indicator of the surrounding habitat quality and species health. In addition to feeding rates, motion detectors can provide data on nest selection, nest building, fledging, roosting, predation and nest parasitism.

[0005] By combining the electronics for a birdhouse camera with precise biological sensors and data archiving, the ability to gather large amounts of objective and scientifically valid data can be piggy-backed on the desire of birdwatchers and other homeowners to watch the development of baby birds in their backyard. Since a typical user of a birdhouse camera will download and view the pictures on an Internet-connected computer, the archives of biological data from their birdhouse can be loaded along with their pictures and sent to a centralized database. The data-collecting functions of the birdhouse can be fully automated in order to make this citizen-collected data perfectly valid for scientific analysis and interpretation.

[0006] Prior art includes a number of commercial efforts to place cameras on birdhouses sold to the public (Hawk Eye 2010), but none have the ability to acquire and centralize the collection of valid biological data. Field biologists have long used a wide variety of sensors and data-collectors at bird nests and animal dens, but none have tried disseminating these instruments to general homeowners for use with their otherwise non-scientific backyard birdhouses. U.S. Pat. No. 5,348,922, to Hall, describes use of a photo-electric sensor across the entrance to a birdhouse, but it is a dependent claim on the primary technology for using thermometers to detect when a bird is inside of a birdhouse. No attempt was made by that invention to systematically gather and archive biological data as part of a centralized scientific effort.

SUMMARY OF THE INVENTION

[0007] The present invention is directed to a microprocessor-controlled data-logger with sensors that detect biological activity in or on a birdhouse along with a camera and the ability for untrained users to contribute their data to a collective scientific effort to study wildlife biology or environmental phenomenon. Accompanying software facilitates downloading of pictures and data to an Internet-connected computer where the data can be uploaded and added to centralized databases for scientific analysis.

[0008] A circuit is provided with a central processor that controls the timing and storage of the sensor data acquisition as well as triggering pictures in response to user commands, or to a pre-programmed timer or sensor-detected activity.

[0009] In addition, at least one of the sensors is a daylight detector or solar panel capable of accurately recording the time of sunsets and sunrises which can act as an objective date-time baseline for the collected data, as well as providing the potential to calculate the geographic location of the birdhouse as confirmation of where the user claimed it was installed. This feature is intended to add scientific validity of the collected data.

[0010] Thus it is the object of the present invention to provide an apparatus and method that allows users who have no formal scientific training to collect scientifically valid data that can be added to a growing body of biological and environmental knowledge.

BRIEF DESCRIPTION OF THE DRAWINGS

[0011] The foregoing aspects and advantages of this invention will be more easily understood and appreciated by reference to the following detailed description and accompanying drawings wherein:

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[0012] FIG. 1 is a cross-sectional view of one exemplary embodiment of the invention constructed in accordance with the invention depicting components of the apparatus installed in a birdhouse.

DETAILED DESCRIPTION PREFERRED EMBODIMENTS

[0013] A method for encouraging citizens to collect scientifically valid biological data according to one embodiment is comprised of a camera-equipped birdhouse with sensors, a data-logger and the ability to download images and data to a computer. The embodiments are unlike prior art for birdhouses in that the features are integrated and used in a way that encourages untrained users to collect and contribute valid scientific data to centralized databases for scientific study.

[0014] FIG. 1 depicts a vertical cross-section through a birdhouse 1 revealing how components of a preferred embodiment can be fitted and installed inside of the birdhouse. An electronic circuit board 2 is comprised of a central processing unit, memory, clock and embedded software that controls the other elements of the invention. Other elements of the invention include a method of communication with a computer which in FIG. 1 is depicted as a two-way wireless transceiver 3. An image sensor and lens 4 provides for still pictures or video to be taken of activity inside of the birdhouse. One of numerous types of electronic sensors that can be used to acquire biological information is a motion detector 5 installed across the entrance hole 6 of the birdhouse. Power for the electronic circuit board is provided by rechargeable batteries 7 which can be recharged by a solar panel 8 mounted on the exterior of the birdhouse. The solar panel 8 or other daylight-detecting sensor can be utilized by the central processor and embedded software for determining the time of day and geographical location that the biological data were collected.

REFERENCES

[0015] U.S. Pat. No. 5,483,922 January 1996. Hall, Lance S. Hawk Eye 2010. Hawk Eye Nature Cam website <http://www.birdhousespycam.com> Cornell 2010. Cornell Laboratory of Ornithology Nestwatch Program. www.usnnpn.org USANPN 2010. National Phenology Network. <http://www.rawusanpn.org>

The embodiments of the invention in which an exclusive property or privilege is claimed are defined as follows:

1. A method and apparatus for encouraging collection of scientifically valid biological information by untrained citizens for contribution to a centralized database utilizing an

apparatus comprising a birdhouse; an electronic circuit board with embedded software for controlling the scientifically-valid collection of biological and environmental data, an image sensor, motion detector, light detection for validating collection time, and the capability for communication with an Internet connected device.

2. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board further including solar panel or other light-detecting sensor for determining the time or verifying the location of the collected data.

3. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board further including a microphone or sound transducer for acquiring or analyzing sounds at the birdhouse.

4. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board further including one or more barometric pressure or humidity sensors for acquiring or analyzing environmental conditions.

5. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board further including gram scales for acquiring or analyzing the weight of animals or material inside or landing on the birdhouse.

6. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board further including a vibration sensor for acquiring or analyzing activity in or on the birdhouse.

7. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board communicates with a computer via a Universal Serial Bus (USB) cable or USB port for connecting a data storage device.

8. A method as in claim 1 utilizing an apparatus wherein: said electronic circuit board communicates with a computer via an Ethernet or other wired connection.

9. A method as in claim 1 utilizing an apparatus wherein: said image sensor and other sensors are directed at the exterior of the entrance to the birdhouse.

10. A method as in claim 1 utilizing an apparatus wherein: said computer is a portable device that can provide a communication conduit to a centralized database of scientific data.

11. A method as in claim 1 utilizing an apparatus wherein: said communication is implemented as a Bluetooth connection to a portable device forming a conduit to a centralized database.

12. A method as in claim 1 utilizing the apparatus installed in a natural cavity nest in a tree or animal den.

13. A method as in claim 1 utilizing the apparatus directed at an open natural bird nest.

* * * * *