

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.**

**In the Matter of**

**CERTAIN VEHICLE TELEMATICS,  
FLEET MANAGEMENT, AND VIDEO-  
BASED SAFETY SYSTEMS, DEVICES,  
AND COMPONENTS THEREOF**

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINT UNDER SECTION 337  
OF THE TARIFF ACT OF 1930, AS AMENDED**

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1	Certified Copy of U.S. Patent No. 11,190,373
2	Certified Copy of U.S. Patent No. 11,127,130
3	Certified Copy of U.S. Patent No. 11,611,621
4	Copy of Assignment Recorded at USPTO Reel/Frame No. 056177_0578
5	Copy of Assignment Recorded at USPTO Reel/Frame No. 050612_0001
6	Copy of Assignment Recorded at USPTO Reel/Frame No. 055665_0121
7	Copy of Assignment Recorded at USPTO Reel/Frame No. 055881_0776
8	Copy of Assignment Recorded at USPTO Reel/Frame No. 065359_0893
9	Infringement Claim Chart for U.S. Patent No. 11,190,373
10	Infringement Claim Chart for U.S. Patent No. 11,127,130
11	Infringement Claim Chart for U.S. Patent No. 11,611,621
12	CONFIDENTIAL Technical Domestic Industry Claim Chart for U.S. Patent No. 11,190,373
13	Technical Domestic Industry Claim Chart for U.S. Patent No. 11,127,130
14	CONFIDENTIAL Technical Domestic Industry Claim Chart for U.S. Patent No. 11,611,621
15	<a href="https://www.samsara.com/products/safety/dash-cam">https://www.samsara.com/products/safety/dash-cam</a>
16	Samsara Vehicle Gateways VG54-NA, VG54-NAH & VG34 Datasheets
17	Samsara CM31 Dash Camera Datasheet
18	Samsara CM32 Dash Camera Datasheet
19	<a href="https://www.glassdoor.com/Reviews/Employee-Review-Motive-RVW33088350.htm">https://www.glassdoor.com/Reviews/Employee-Review-Motive-RVW33088350.htm</a>
20	Motive Vehicle Gateway Spec Sheet
21	<a href="https://gomotive.com/products/driver-safety/">https://gomotive.com/products/driver-safety/</a>
22	<a href="https://helpcenter.gomotive.com/hc/en-us/articles/6161577899165-What-is-Fuel-Hub-">https://helpcenter.gomotive.com/hc/en-us/articles/6161577899165-What-is-Fuel-Hub-</a>
23	Motive AI Dashcam Spec Sheet
24	Motive AI Omnicam Spec Sheet
25	<a href="https://techcrunch.com/2012/11/18/cisco-acquires-enterprise-wi-fi-startup-meraki-for-1-2-billion-in-cash/">https://techcrunch.com/2012/11/18/cisco-acquires-enterprise-wi-fi-startup-meraki-for-1-2-billion-in-cash/</a>
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33	<a href="https://gpstrackit.com/blog/a-timeline-of-the-eld-mandate-history-and-important-dates/">https://gpstrackit.com/blog/a-timeline-of-the-eld-mandate-history-and-important-dates/</a>
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37	<a href="https://gomotive.com/blog/announcing-smart-dashcam/">https://gomotive.com/blog/announcing-smart-dashcam/</a>
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40	<a href="https://www.businesswire.com/news/home/20220412005423/en">https://www.businesswire.com/news/home/20220412005423/en</a>
41	Motive System Overview
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44	Motive Import Records January 19, 2018 – January 19, 2024
45	CONFIDENTIAL Declaration of John McQueen in Support of the Complaint of Samsara Inc. Under Section 337 of the Tariff Act of 1930
46	<a href="https://gomotive.com/products/platform/">https://gomotive.com/products/platform/</a>
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76	Samsara, Inc. v. Motive Technologies, Inc., C.A. No. 24-085 MN, Dkt. 1 (D. Del. Jan. 24, 2024)
77	Letter from J. Lefkowitz to J. Petrosinelli re Motive Technologies, Inc.’s Unlawful Business Practices dated January 23, 2024

## APPENDICES

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A	Certified Copy of Prosecution History of U.S. Patent No. 11,190,373
B	Certified Copy of Prosecution History of U.S. Patent No. 11,127,130
C	Certified Copy of Prosecution History of U.S. Patent No. 11,611,621
D	Patents and Technical References Cited in Prosecution History of U.S. Patent No. 11,190,373
E	Patents and Technical References Cited in Prosecution History of U.S. Patent No. 11,127,130
F	Patents and Technical References Cited in Prosecution History of U.S. Patent No. 11,611,621



## **I. INTRODUCTION**

1. Since its founding in 2015, Samsara Inc. (“Samsara”) has pioneered industry-leading technology that enables businesses that depend on physical operations to harness the Internet of Things (“IoT”) data to develop actionable business insights and improve their operations. Samsara solves problems resulting from disconnected systems and operations for organizations with physical assets, including businesses in critical industries like transportation, wholesale and retail trade, construction, field services, logistics, utilities and energy, government, healthcare and education, manufacturing, food and beverage, and many others. Samsara’s platform, the Connected Operations™ Cloud, is a cloud-based solution that allows customers to obtain information about their devices, equipment, and operations using IoT devices, and to manage and analyze this information with advanced AI tools, allowing them to operate more safely, efficiently, and sustainably. Samsara’s technology enables customers to visualize and analyze their physical operations in real time on a single integrated platform, in a way that was impossible or impractical only a few years ago. Samsara’s significant investments have led the U.S. Patent and Trademark Office to award Samsara numerous patents protecting its groundbreaking technology.

2. Motive Technologies Inc. (“Motive”) imports, sells for importation, and/or sells in the United States after importation fleet management and driver safety technology in this country that infringes several of Samsara’s patents, and was shamelessly copied from Samsara’s products. For years, Motive’s business plan has been simple, predictable, and endorsed by its senior management team: covertly steal Samsara’s innovations and present them falsely as Motive’s own. Although Samsara has tried—for over a year—to address Motive’s conduct without resorting to litigation, Motive’s leadership team has not only refused to own up to its actions, but it has used this time to continue and escalate its tactics. Accordingly, Samsara brings this Complaint against

Motive under Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based on Motive’s unlawful importation into the United States, sale for importation into the United States, and/or sale within the United States after importation of certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof that infringe at least these Samsara patents: U.S. Patent Nos. 11,190,373 (“the ’373 patent”), 11,127,130 (“the ’130 patent”), and 11,611,621 (“the ’621 patent”) (collectively, the “Asserted Patents”).

**A. Samsara’s Groundbreaking Solutions for IoT Data-Driven Operations**

3. Samsara began its journey by creating innovative digital solutions for the physical operations of connected fleets. Commercial vehicle fleets are the backbone of many physical operations and are required to deliver and transport services, goods, and people in virtually all industries. Businesses with commercial vehicle fleets face continued pressure to reduce costs and improve services, while simultaneously finding ways to overcome high accident rates, inefficient fuel consumption, and compliance burdens.

4. Samsara discovered substantial problems in the industry associated with the inability to effectively and accurately obtain real-time updates and actionable information while vehicles were in transit. One of its initial products was a vehicle telematics solution, supported by the Vehicle Gateway. This hardware device connects directly to a vehicle’s engine to read vehicle diagnostic information, track GPS location, and support temperature monitoring. It also connects wirelessly to the cloud, feeding vehicle information to the Samsara Dashboard, a customer-facing online platform where a customer can see data for assets across their organization all in one place. This product gave customers operational visibility and actionable data insights to drive meaningful improvements in their operations like never before.

5. Unlike other existing telematics solutions, Samsara’s product offered customers a single integrated platform that brought together data from across an organization’s physical

operations. The quality and quantity of the data types on Samsara's platform, and Samsara's innovations in the technologies used to obtain, analyze, and report that data, also increased the value of the solution, offering customers more precise, analytic insights that only improved as they entrusted Samsara with more and more of their data. This product was also built to fully integrate with third-party applications, such as enterprise resource planning, payroll, and human capital management applications, extending the impact of the data collected by the Samsara devices to a customer's existing applications. Samsara's solution was also easy to install and use, enabling customers of all sizes and levels of sophistication to deploy it. These and other differentiating factors set Samsara apart and allowed it to grow quickly.

6. In Spring 2017, Samsara introduced a high-definition webcam—the CM11—that connected to the USB port of the Vehicle Gateway. The CM11 was a groundbreaking Internet-connected dash cam developed based on customers' need to instantly flag and upload for a fleet manager's review footage of harsh driving events (*e.g.*, harsh turns, accelerations, or stops). Unlike other in-vehicle cameras that required manual downloads and time-consuming reviews, Samsara's CM11 and Vehicle Gateway system detected these harsh events and allowed organizations to quickly access footage showing what happened in the time leading up to and immediately following a crash or near-miss event. The CM11 also integrated with Samsara's Safety Reports feature, which aggregates data from the Vehicle Gateway to help fleet managers see how their drivers are performing, allowing them to identify unsafe driving, incentivize good behavior, and give effective feedback. The Safety Report, paired with footage captured by the CM11, helped customers see footage relevant to their drivers' performance and effectively coach drivers on safe driving behavior, resulting in lower operating costs while improving fleet safety.

7. After releasing the CM11, Samsara continued to build on the product's success by updating it based on customer feedback. In December 2017, Samsara introduced the CM22, a dash cam also having an inward-facing camera, as shown below. With this product, fleet managers could better analyze driver behavior and coach their drivers on unsafe driving habits to help improve road safety and avoid accidents altogether.



CM11 Dash Cam



CM22 Dash Cam

8. As Samsara continued to iterate on its technology through its extensive research-and-development investments, AI increasingly became a key part of the company's product offering. Samsara's IoT sensors generate and collect raw data in the form of millions of hours of dash cam video and trillions of vehicle-related data points. Samsara leveraged this data to build innovative and advanced AI models. In February 2019, Samsara also introduced the CM31 and CM32 dash cams, which ran state-of-the-art AI algorithms onboard the cameras able to automatically detect unsafe driving behaviors.

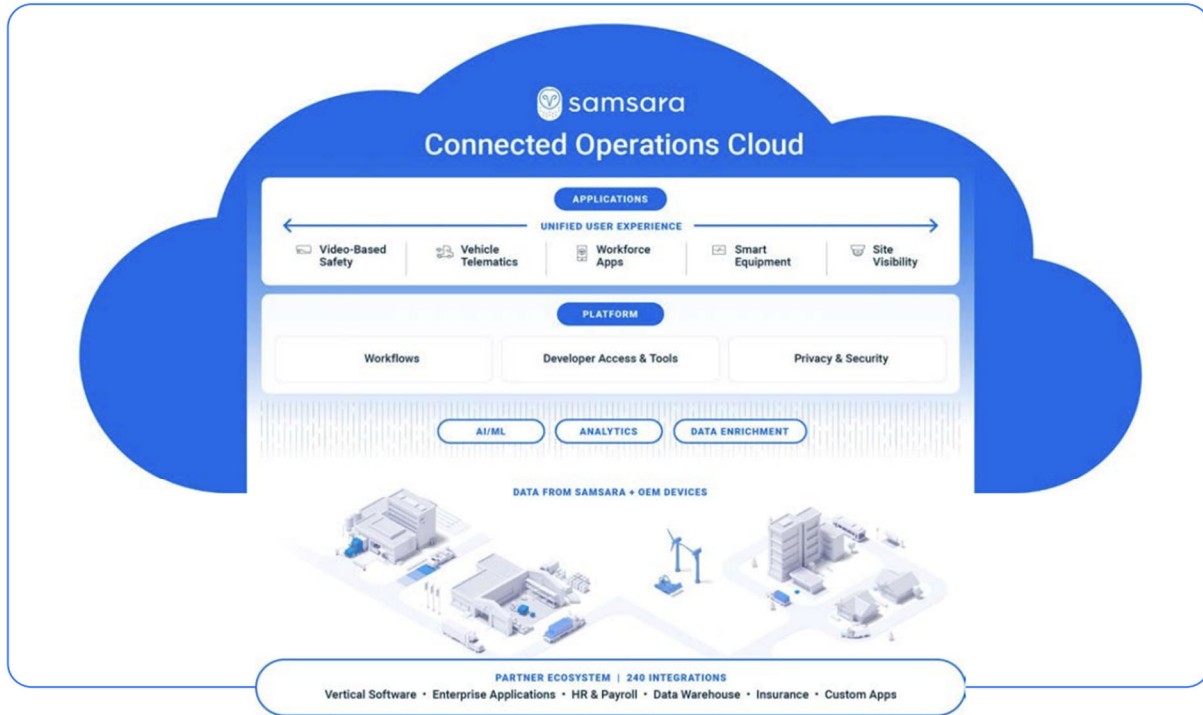


### Dash Cam Detecting Unsafe Driving Behavior<sup>1</sup>

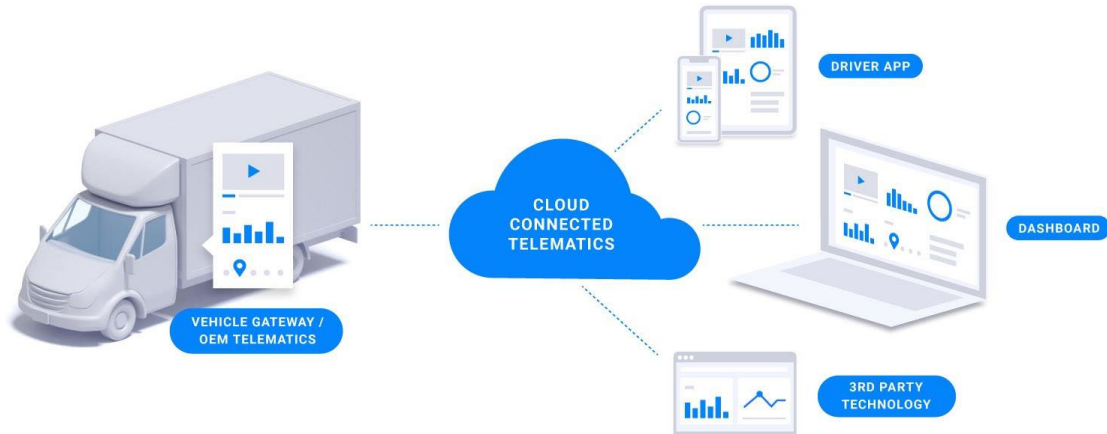
9. Today, Samsara’s technology offers an end-to-end solution, connecting physical operations data from IoT devices to its Connected Operations™ Cloud. The Connected Operations™ Cloud consists of Samsara’s Data Platform and Applications, as shown below. The Data Platform ingests, aggregates, and enriches data both from Samsara’s IoT devices and a growing ecosystem of connected assets and third-party systems, and makes the data available for use by the Applications. The Applications provide analyses that customers can use to make their operations safer and more efficient.

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<sup>1</sup> <https://www.samsara.com/products/safety/dash-cam>.








10. For physical devices or equipment that are offline, Samsara offers IoT devices that capture data and connect them to the cloud. For physical assets already embedded with cloud connectivity, Samsara partners with original equipment manufacturers (“OEMs”) to receive data via application programming interfaces (“APIs”). Data may also be captured from customer enterprise applications or local software systems. The collected data is ingested into Samsara’s Data Platform, as shown below, where it is aggregated, enriched, and analyzed using embedded functionality for AI, workflows and analytics, alerts, API connections, and data security and privacy.



11. The Samsara Data Platform powers Samsara’s Applications, which include:

- **Video-Based Safety:** Enables Samsara’s customers to build a safety program and protect their teams with AI-enabled video, with many features including detecting high-risk behaviors and incidents for real-time coaching alerts, preserving video records to exonerate drivers and dispute fraudulent damage claims, and providing software coaching workflows to analyze and improve driver safety. Samsara’s Video-Based Safety primarily utilizes Samsara’s AI Dash Cams and supporting software licenses.
- **Vehicle Telematics:** Provides GPS tracking, routing and dispatch, fuel efficiency management, electric vehicle usage and charge planning, preventative maintenance, and diagnostics capabilities to efficiently manage vehicle fleets in a sustainable way. Samsara’s Vehicle Telematics primarily utilizes Samsara’s Vehicle Gateways and supporting software licenses.
- **Apps and Driver Workflows:** Improves driver productivity and enable regulatory compliance, as drivers see upcoming jobs, capture electronic documents, perform maintenance inspections, maintain compliance logs, and message with back-office administration. Samsara’s Apps and Driver Workflows include Samsara’s all-in-one Driver Experience mobile application and Mobile Experience Management, a software subscription for remotely managing, locating, and accessing mobile devices to easily customize and control a safe, seamless, and contextually relevant mobile experience for an organization’s workers and administrators.
- **Equipment Monitoring:** Provides extensive visibility and management of unpowered and powered assets, ranging from generators and compressors to heavy construction equipment and trailers, to improve operating efficiency and prevent unplanned downtime. Samsara’s Equipment Monitoring primarily utilizes Samsara’s Asset Gateways and supporting software licenses.
- **Site Visibility:** Provides remote visibility for IP (or Internet Protocol) cameras—whether provisioned by Samsara or a customer—with mobile and cloud-based software to improve site security and incident response times, and proprietary AI algorithms to power alerting and search features. Samsara’s Site Visibility primarily utilizes Samsara’s Site Gateways and Site Cameras and supporting software licenses.

12. In total, Samsara offers several tools that have proven critical to improving vehicle safety and fleet management, including through its Domestic Industry Products (“DI Products”):

<u>Vehicle Gateways</u>	<u>Dash Cameras</u>
 <p data-bbox="342 667 662 709">Vehicle Gateway VG34<sup>2</sup></p>	 <p data-bbox="984 680 1260 722">CM31 Dash Camera<sup>3</sup></p>
 <p data-bbox="315 1024 695 1066">Vehicle Gateway VG54-NA<sup>4</sup></p>	 <p data-bbox="984 1003 1260 1045">CM32 Dash Camera<sup>5</sup></p>
 <p data-bbox="305 1388 699 1430">Vehicle Gateway VG54-NAH<sup>6</sup></p>	

2 <https://www.samsara.com/pdf/VG34-VG54-DataSheet.pdf>

3 [https://www.samsara.com/pdf/docs/CM31\\_Datasheet\\_Final.pdf](https://www.samsara.com/pdf/docs/CM31_Datasheet_Final.pdf)

4 <https://www.samsara.com/pdf/VG34-VG54-DataSheet.pdf>

5 <https://www.samsara.com/pdf/docs/CM32-datasheet.pdf>

6 <https://www.samsara.com/pdf/VG34-VG54-DataSheet.pdf>



## **B. Motive Copied Samsara's Technology**

13. Motive chose to copy Samsara rather than invest the time and resources necessary to innovate. Motive's unlawful practices have been covert, systematic, and extensive. In one of its more brazen campaigns, its management team endorsed a policy whereby senior Motive employees created fictitious companies to procure Samsara products and access its platform. This fraudulent access of Samsara's technology dates back at least to 2018, the year before Motive launched its vehicle telematics offering, and three years before Motive released its video-based safety product. Activity records for some of the fictitious Motive-related accounts of which Samsara is aware (there may be others Samsara has not identified), show that Motive employees surreptitiously viewed the Samsara Dashboard nearly 21,000 times from 2018 to 2022, when Samsara discovered this access and disabled it. Motive's current Vice President of Product—a leadership role responsible for developing and executing the company's product roadmap and strategy—frequently used a fake account to access Samsara's platform, sometimes multiple times a week. Some of the fictitious companies Motive concocted listed addresses associated with members of Motive's senior management team, including at least one address tied to the company's CEO, Shoaib Makani. Video footage and audio captured by a Samsara device also confirms that Mr. Makani, Motive's Chief Product Officer, Jairam Ranganathan, and Motive's Chief Technology Officer, Siva Gurumurthy, have personally used Samsara's products and platform for improper purposes.



Footage of Motive’s CEO, Shoaib Makani (left), and Chief Product Officer, Jairam Ranganathan (right), studying Samsara’s products.

**Shoaib Makani**  
Chief Executive Officer & Co-founder



**Jairam Ranganathan**  
Chief Product Officer



Motive employees have also manipulated Samsara’s Customer Support team, posing as employees of real Samsara customers, to ask questions and make requests, including inquiries about the operation of certain of Samsara’s AI video-based safety features, and to seek information about Samsara’s third-party integrations. Samsara recognizes that competitors look at one another’s products and ensure they understand their offerings. This might spur innovation and encourage robust competition. That is not what Motive has done. The surreptitious and extensive nature of Motive’s deceitful conduct went well beyond mere competitive intelligence. It has been carried

out and sanctioned by Motive’s CEO, CPO, CTO and other senior employees, and is emblematic of a corporate culture of theft and fraudulent commercial practices.

14. When confronted about these practices, Motive did not sincerely investigate them or put an end to them. Rather, Motive’s leadership team doubled down and continued to use fictitious companies and accounts to copy Samsara’s products. It also launched a campaign to solicit Samsara employees to join Motive’s workforce to acquire Samsara’s confidential and proprietary information relating to current and future product plans, sales, and prospective and existing customers. These actions are part of a years-long campaign by Mr. Makani and his leadership team to siphon off as much information about Samsara’s patented products as possible. As one former “senior manager” at Motive has stated publicly, “[Motive] *relies heavily on observing competitor decision-making and duplicating those efforts*. [Motive] chooses not to study customer insights or conduct user research.”<sup>7</sup>

15. Motive’s shameless copying reached new heights in 2022, when it rebranded from KeepTruckin to Motive and broadened its market focus to mirror Samsara’s business model, operations platform, and service offerings, as well as Samsara’s marketing and product-marketing strategy and materials. This was not merely a case of a competitor adopting a fast-follow strategy to mimic an innovative market leader. Rather, to stay afloat in the market, Motive has relied on copying Samsara, including Samsara’s patented technology. Motive has carried out its infringement through its clandestine campaign to infiltrate Samsara’s platform using false customer accounts that its employees have hidden behind to study integral pieces of Samsara’s products. That this has been done secretly, through fictitious company names and accounts to

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<sup>7</sup> <https://www.glassdoor.com/Reviews/Employee-Review-Motive-RVW33088350.htm>  
(emphasis added).

avoid detection, illuminates the duplicitous intent behind the conduct. Moreover, Motive cannot claim its imitative conduct is the work of one or more rogue low-level employees; indeed, its CEO himself is involved.

16. The Accused Products identified below are examples of the scope of Motive’s unlawful conduct:

<b><u>U.S. Patent No. 11,190,373</u></b>	<b><u>U.S. Patent No. 11,127,130</u></b>	<b><u>U.S. Patent No. 11,611,621</u></b>
 <p data-bbox="280 940 513 978">Vehicle Gateway<sup>8</sup></p>	 <p data-bbox="699 940 925 978">Vehicle Gateway</p>	 <p data-bbox="1073 940 1375 1003">Safety Event Detection Service<sup>9</sup></p>
 <p data-bbox="326 1220 467 1257">Fuel Hub<sup>10</sup></p>	 <p data-bbox="716 1276 899 1314">AI Dashcam<sup>11</sup></p>	

<sup>8</sup> <https://gomotive.com/content-library/spec-sheet/vehicle-gateway/>

<sup>9</sup> <https://gomotive.com/products/driver-safety/>

<sup>10</sup> <https://helpcenter.gomotive.com/hc/en-us/articles/6161577899165-What-is-Fuel-Hub->

<sup>11</sup> [https://gomotive.com/wp-content/uploads/2023/05/ai\\_dashcam\\_spec\\_sheet.pdf](https://gomotive.com/wp-content/uploads/2023/05/ai_dashcam_spec_sheet.pdf)

<u>U.S. Patent No. 11,190,373</u>	<u>U.S. Patent No. 11,127,130</u>	<u>U.S. Patent No. 11,611,621</u>
	 <p>AI Omnicam<sup>12</sup></p>	

17. Motive’s Accused Products infringe at least these claims of the Asserted Patents:

Asserted Patents	Asserted Claims (Independent Claims in Bold)
11,190,373	<b>15, 17, 18</b>
11,127,130	<b>1, 5</b>
11,611,621	<b>1-5, 8-12, 15-19</b>

Exhibits 1-3 are certified versions of the Asserted Patents. Exhibits 4-6 are assignment records relating to the Asserted Patents.<sup>13</sup> Samsara owns all rights, title, and interest in each of the Asserted Patents, including the right to sue for infringement.

18. A domestic industry exists in the United States for articles protected by the Asserted Patents. *See* 19 U.S.C. § 1337(a)(2), (3). The domestic industry includes Samsara’s significant

<sup>12</sup> <https://gomotive.com/content-library/spec-sheet/ai-omnicam/>

<sup>13</sup> Certified copies of the assignment records and prosecution histories of the Asserted Patents have been ordered from the U.S. Patent and Trademark Office and will be filed upon receipt.

domestic investments in plant and equipment, significant domestic employment of labor and capital, and substantial domestic investment in exploiting the inventions claimed in the Asserted Patents.

19. Samsara seeks a permanent limited exclusion order barring from entry into the United States infringing vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof that are made abroad, sold for importation, imported, and/or sold in the United States after importation by or on behalf of Motive. *See* 19 U.S.C. § 1337(d). Samsara also seeks permanent cease-and-desist orders prohibiting Motive from importing, selling, marketing, advertising, distributing, offering for sale, transferring (except for exportation), soliciting United States agents or distributors, or aiding and abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof that infringe the Asserted Patents. *See id.* § 1337(f).

## **II. COMPLAINANT**

20. Samsara is a Delaware corporation, with its headquarters and principal place of business located at: 1 De Haro Street, San Francisco, CA 94107.

21. Founded in 2015, Samsara has been on a mission to increase the safety, efficiency and sustainability of physical operations that power the global economy. Its Connected Operations™ Cloud platform is a cloud-based™ solution that allows customers with physical operations in broad-based industries to obtain information about their devices, equipment, and operations using IoT devices, and to manage and analyze this information with advanced AI tools, allowing them to operate more safely, efficiently, and sustainably—in a word, more intelligently.

22. Samsara was founded by Sanjit Biswas and John Bicket. The two met as graduate students at the Computer Science and Artificial Intelligence Laboratory at the Massachusetts

Institute of Technology (“MIT”). In 2006, they co-founded Meraki, a cloud-managed networking company that was later acquired by Cisco Systems in December 2012 for \$1.2 billion in cash.<sup>14</sup>

23. Mr. Biswas, currently serving as Samsara’s Chief Executive Officer, has been recognized as an MIT Technology Review “Innovator Under 35” honoree, a Technology Pioneer by the World Economic Forum, Glassdoor’s 2018 Top CEO, one of Goldman Sachs 100 Most Intriguing Entrepreneurs, and one of The Software Report’s top 50 SaaS CEOs. He holds a B.S. in Computer Systems Engineering from Stanford and an S.M. in Electrical Engineering and Computer Science from MIT.

24. Mr. Bicket, who currently serves as Samsara’s Chief Technology Officer, is responsible for Samsara’s ground-breaking technology that makes operating thousands of sensors simple and secure. He holds a B.S. in Computer Science and an S.M. in Computer Science from MIT. He co-founded Meraki based on his MIT research, building integrated hardware, software, and cloud-based infrastructure that powered over 100% annual sales growth. Meraki’s platform scaled to connect millions of network devices across 140 countries. After Cisco acquired Meraki, Mr. Bicket served as Vice President of Engineering in Cisco’s Cloud Networking Group and led Meraki as Cisco’s fastest-growing cloud product.

25. Messrs. Biswas and Bicket formed Samsara to create integrated IoT solutions that bring the benefits of data to the operations that power our economy. Since its founding, Samsara’s growth, propelled by its groundbreaking research and development, intense focus on customer feedback, and the hard work of its employees, has been meteoric. Within three years of its founding, it reached “unicorn” status—a start-up with a valuation of over \$1 billion. In December

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<sup>14</sup> <https://techcrunch.com/2012/11/18/cisco-acquires-enterprise-wi-fi-startup-meraki-for-1-2-billion-in-cash/>.

2020, just five years after its founding, Samsara reached 20,000 customers, one million connected devices, and a valuation of \$5.4 billion.<sup>15</sup> Between 2018 to 2021, Samsara’s revenue grew 2,828%, as it continued its trajectory of substantial growth at scale, earning it a spot on the respected Deloitte Technology Fast 500™ for three consecutive years.<sup>16</sup>

26. In 2021, *Financial Times* ranked Samsara as the second-fastest growing company in America,<sup>17</sup> and in November of that year, Samsara filed for an initial public offering of its shares at the New York Stock Exchange. The IPO took place in December 2021 at a valuation of approximately \$12 billion. By late 2022, Samsara surpassed 1,600 employees worldwide and became the largest open ecosystem for physical operations with more than 200 integration partners on the Samsara platform.<sup>18</sup> Samsara’s strong commitment to innovation earned it a spot on *Fast Company*’s 2023 Best Workplaces for Innovators list, which honors “organizations and businesses that demonstrate an inspiring commitment to encourage and develop innovation at all levels.”<sup>19</sup>

27. Presently, Samsara serves tens of thousands of customers across a wide range of industries, including transportation, wholesale and retail trade, construction, field services, logistics, utilities and energy, government, healthcare and education, manufacturing, and food and

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15 [https://www.prnewswire.com/news-releases/samsara-reaches-20-000-customers-and-1-million-connected-devices-301195338.html?tc=eml\\_cleartime](https://www.prnewswire.com/news-releases/samsara-reaches-20-000-customers-and-1-million-connected-devices-301195338.html?tc=eml_cleartime).

16 <https://www.businesswire.com/news/home/20221116005821/en/Samsara-Recognized-as-one-of-North-Americas-Fastest-Growing-Companies-on-the-2022-Deloitte-Technology-Fast-500%E2%84%A2>.

17 <https://www.prnewswire.com/news-releases/samsara-named-2-on-financial-times-list-of-fastest-growing-companies-in-the-americas-301267963.html>.

18 *Id.*; <https://www.businesswire.com/news/home/20220913005304/en/Samsara-Announces-200th-Partner-Integration-with-its-Connected-Operations-Cloud-Becoming-System-of-Record-for-Physical-Operations>.

19 <https://www.samsara.com/blog/samsara-recognized-as-a-best-workplace-for-innovators>.



beverage. Businesses in these industries operate critical infrastructure and are the foundation of the global economy. They operate high-value assets, coordinate large field workforces, manage complex logistics and distributed sites, and face environmental, safety and other regulatory requirements. Historically, these businesses relied on error-prone, deficient, inefficient, and manual processes and legacy systems that were siloed and lacked cloud connectivity as well as computational and operational capability to obtain real-time and actionable information and analysis. Without connected digital tools, and innovative improvements to the operation of such tools, physical-operations businesses struggled to access real-time data, making it nearly impossible to achieve complete operational visibility or drive meaningful improvements in productivity.

### **III. PROPOSED RESPONDENT**

28. Motive is a Delaware corporation, with its headquarters and principal place of business located at: 55 Hawthorne Street, Suite 400, San Francisco, CA 94105.

29. Motive was founded as KeepTruckin in 2013 by Shoaib Makani, Ryan Johns, and Obaid Khan. KeepTruckin was founded with a narrow focus and without any real technological innovation: It began by offering an electronic logbook app for truck drivers to record their hours of service,<sup>20</sup> as well as electronic logging devices (“ELDs”) for trucking companies that sought to meet U.S. regulatory mandates around how long truck drivers could work and drive. On information and belief, the KeepTruckin ELD connected to the truck driver’s smartphone app, creating a digital log of hours worked that could not be altered. Even at KeepTruckin’s founding,

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<sup>20</sup> <https://web.archive.org/web/20131213071205/https://keeptruckin.com/>.

an ELD was a well-known device for automatically recording a driver's driving time and other aspects of the hours-of-service ("HOS") recordkeeping.<sup>21</sup> ELDs go back at least to the 1980's.<sup>22</sup>



KeepTruckin's first offering in 2013.

30. KeepTruckin initially focused on digital freight brokerage.<sup>23,24</sup> But despite raising venture capital funds, by its own CEO's admission it had a "middling" growth trajectory and faced existential moments during which it almost ran out of money.<sup>25</sup> Starting in 2018, KeepTruckin began to realize that its bet on digital freight brokerage was a mistake, and by late 2019 sought to

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21 <https://www.fmcsa.dot.gov/hours-service/elds/eld-fact-sheet-english-version>.

22 <https://gpstrackit.com/blog/a-timeline-of-the-eld-mandate-history-and-important-dates/>.

23

[https://www.supplychain247.com/article/keeptruckin\\_raises\\_18\\_million\\_as\\_silicon\\_valley\\_yes\\_trucking\\_industry/CSA](https://www.supplychain247.com/article/keeptruckin_raises_18_million_as_silicon_valley_yes_trucking_industry/CSA).

24 CEO Motive, Shoaib Makani w/ special guest Illya Fushman: Powering the Physical Economy, Grit Podcast (available at: <https://podcasts.apple.com/us/podcast/grit/id1510985491?i=1000613035204>) ("Grit Podcast") at 37:20–50.

25 Grit Podcast at 18:40–53; 27:30–27:44.

exit that business altogether<sup>26</sup> and re-orient towards developing systems for connecting physical operations and developing AI tools to automate workflows—the same market that Samsara had pioneered years earlier.

31. Motive did not enter that market as a pioneer or an innovator, but as a follower and a consummate copyist. The history of KeepTruckin’s products highlights this practice: well after Samsara had introduced its video-based safety application, in June 2018 KeepTruckin released its imitation product, the Smart Dashcam.<sup>27</sup> Mimicking the Samsara dual-facing dash cam, KeepTruckin’s copy had a road-facing camera and a driver-facing camera, and relied on the assistance of an “[i]n-house safety team” to detect high-risk events, including harsh driving events, stop sign violations, and passing violations.<sup>28</sup> In August 2021, KeepTruckin introduced its AI Dashcam.<sup>29</sup> That AI Dashcam, like the Samsara AI dash cam released in 2019, includes an AI processor and computer vision algorithms that can detect unsafe driving and alert drivers in real time.<sup>30</sup>

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26 Grit Podcast at 37:50–38:38; 41:31–41:43.

27 <https://www.facebook.com/keeptruckin/videos/keeptrucking-smart-dashcam/10212841352048331/>; <https://gomotive.com/blog/announcing-smart-dashcam/>; <https://gomotive.com/content-library/spec-sheet/smart-dashcam/>.

28 <https://gomotive.com/blog/announcing-smart-dashcam/>; [https://gomotive.com/wp-content/uploads/2023/03/smart\\_dashcam\\_spec\\_sheet.pdf](https://gomotive.com/wp-content/uploads/2023/03/smart_dashcam_spec_sheet.pdf).

29 <https://www.businesswire.com/news/home/20210812005612/en/KeepTruckin-Launches-New-AI-Dashcam-Featuring-Industry-Leading-Accuracy-to-Proactively-Prevent-Accidents-Increase-Safety-and-Efficiency>.

30 <https://gomotive.com/content-library/spec-sheet/ai-dashcam/>.



Samsara's CM32 Dash Camera



Motive's AI Dashcam

32. KeepTruckin also copied Samsara with respect to its vehicle telematics product. Several years after Samsara had introduced its vehicle telematics application, Motive followed with its imitation product, even lifting the name of Samsara's Vehicle Gateway hardware device.



Samsara Vehicle Gateway<sup>31</sup> (released 2016)



Motive Vehicle Gateway<sup>32</sup> (released 2019)

33. More recently, on information and belief, KeepTruckin has continued to copy Samsara to offer products relevant to the market and stay afloat. In 2022, KeepTruckin rebranded itself as Motive to leave behind its roots as an electronic logging device and freight brokerage company.<sup>33</sup> Alongside the rebrand, Motive launched the Automated Operations Platform,<sup>34</sup> which, on information and belief, was modeled on Samsara's Connected Operations™ Cloud. Like Samsara's pioneering cloud product, Motive's copycat platform collects and analyzes fleet data from hardware sensors. Motive advertises its "integrated platform" as having three main layers:

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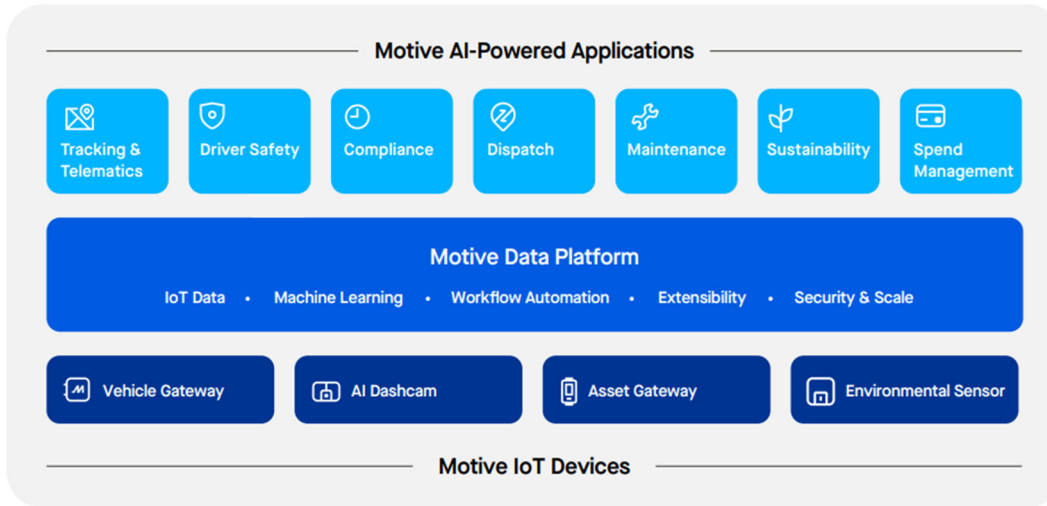
31 <https://www.samsara.com/pdf/VG34-VG54-DataSheet.pdf>.

32 <https://gomotive.com/content-library/spec-sheet/vehicle-gateway/>.

33 <https://www.businesswire.com/news/home/20220412005423/en>.

34 Id.

(i) the Motive IoT devices that collect data from the fleet (the Vehicle Gateway; the AI Dashcam and Omnicam; the Asset Gateway; and the Environmental Sensor); (ii) Motive Data Platform; and (iii) Motive AI-Powered Applications, as depicted below.<sup>35</sup> On information and belief, this structure mimics that of Samsara’s Connected Operations™ Cloud, which is also based on three layers: (i) IoT devices; (ii) Samsara Data Platform; and (iii) Samsara Applications:



<sup>35</sup> <https://gomotive.com/content-library/guides/system-overview/>.



34. Motive is copying Samsara’s patented technology at all levels: the overall structure of its system, the AI applications it offers to analyze customer data, the look and feel of the user interface for its telematics and safety solutions, and the IoT hardware devices (e.g., Vehicle Gateway and AI dash cams) that collect the necessary data and enable all follow-on services.

35. On information and belief, Motive or others on its behalf make the Accused Products in China, Malaysia, or another country other than the United States, then import into the United States, sell for importation into the United States, and/or sell within the United States after importation each of the Accused Products. *See infra* § VI.A.

#### **IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE**

36. The technologies in this case concern vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof. Pursuant to Commission Rule 210.12(a)(12), the Accused Products are AI dashcams, vehicle gateways, and corresponding software. The Accused Products are made abroad and imported into the United States, sold for importation in the United States, and/or sold in the United States after importation by or on behalf of Motive.

#### **V. THE ASSERTED PATENTS AND NONTECHNICAL DESCRIPTIONS OF THE INVENTIONS**

##### **A. The '373 Patent**

##### **i. Identification and ownership of the '373 patent**

37. Samsara owns by assignment the full right, title, and interest in U.S. Patent No. 11,190,373, titled "Vehicle Gateway Device and Interactive Graphic User Interfaces Associated Therewith," which issued November 30, 2021, naming Alexander Stevenson, Wendy Greenberg, Josephine Nord, Matvey Zagaynov, Jennifer Leung, Andrew Robbins, Michael Ross, Aaron Szerlip, and Rushil Goel as inventors. A certified copy of the '373 patent is attached as Exhibit 1. A copy of the assignment from the named inventors to Samsara of U.S. Patent App. No. 17/242,919 ("the '919 Application") and, *inter alia*, all patents issuing from continuations of the '919 Application (including the '373 patent), is attached as Exhibit 4. A copy of the prosecution history of the '373 patent is attached as Appendix A. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '373 patent are attached as Appendix D.

##### **ii. Expiration date for the '373 patent**

38. The '373 patent expires on April 28, 2041.

**iii.**        Foreign counterparts to the '373 patent

39.        There are no foreign patents; foreign patent applications (not already issued as a patent); or denied, abandoned, or withdrawn foreign patent applications in the '373 patent family.

**iv.**        Non-technical description of the '373 patent

40.        The '373 patent is generally directed to, *inter alia*, vehicle gateway devices, sensors, systems and methods that allow for efficient monitoring, management, data acquisition, and data processing for vehicles and/or fleets. Certain embodiments of the '373 patent relate to systems that allow for the assessment of fuel efficiency by the fleet based on driving parameters.

**v.**        Licensees to the '373 patent

41.        There are no licensees under the '373 Patent.

**B.        The '130 Patent**

**i.**        Identification and ownership of the '130 patent

42.        Samsara owns by assignment the full right, title, and interest in U.S. Patent No. 11,127,130, titled "Machine Vision System and Interactive Graphical User Interfaces Related Thereto," which issued September 21, 2021, naming Anubhav Jain, John Bicket, Yu Kang Chen, Arthur Pohsiang Huang, Adam Eric Funkenbusch, Sanjit Zubin Biswas, Benjamin Arthur Calderon, Andrew William Deagon, William Waldman, Noah Paul Gonzales, Ruben Vardanyan, Somasundara Pandian, Ye-Sheng Kuo, and Siri Amrit Ramos as inventors. A certified copy of the '130 patent is attached as Exhibit 2. Copies of the assignments from the named inventors to Samsara Networks, Inc., which subsequently assign full right, title, and interest to Samsara, of U.S. Patent App. 16/567,616 ("the '616 Application") and, *inter alia*, all patents issuing from continuations of the '616 Application (including the '130 patent), are attached as Exhibits 5 and 6. A copy of the prosecution history of the '130 patent is attached as Appendix B. Copies of each



patent and applicable pages of each technical reference mentioned in the prosecution history of the '130 patent are attached as Appendix E.

**ii.**        Expiration date for the '130 patent

43.        The '130 patent expires on September 11, 2039.

**iii.**       Foreign counterparts to the '130 patent

44.        There are no foreign patents; foreign patent applications (not already issued as a patent); or denied, abandoned, or withdrawn foreign patent applications in the '130 patent family.

**iv.**        Non-technical description of the '130 patent

45.        The '130 patent is generally directed to machine vision devices, sensors, systems and methods that allow for image acquisition and processing. Certain embodiments of the '130 patent further relate to devices, systems, and methods that provide machine vision devices, sensors, and systems.

**v.**        Licensees to the '130 patent

46.        There are no licensees under the '130 patent.

**C.        The '621 Patent**

**i.**        Identification and ownership of the '621 patent

47.        Samsara owns by assignment the full right, title, and interest in U.S. Patent No. 11,611,621, titled "Event Detection System," which issued on March 21, 2023, naming Saleh ElHattab, Justin Joel Delegard, Bodecker John DellaMaria, Brian Tuan, Jennifer Winnie Leung, Sylvie Lee, Jesse Michael Chen Sean Kyungmok Bae, Angel Manalastas Lim, and Timothy John Passaro as inventors. A certified copy of the '621 patent is attached as Exhibit 3. Copies of the assignments from the named inventors to Samsara Networks, Inc, which subsequently assign its full right, title, and interest to Samsara, of U.S. Patent App. No. 17/301,658 ("the '658 Application") and, *inter alia*, all patents issuing from continuations of the '658 Application

(including the '621 patent), are attached as Exhibits 7 and 8. A copy of the prosecution history of the '621 patent is attached as Appendix C. Copies of each patent and applicable pages of each technical reference mentioned in the prosecution history of the '621 patent are attached as Appendix F.

**ii.**        Expiration date for the '621 patent

48.        The '621 patent expires on April 26, 2039.

**iii.**        Foreign counterparts to the '621 patent

49.        There are no foreign patents; foreign patent applications (not already issued as a patent); or denied, abandoned, or withdrawn foreign patent applications in the '621 patent family.

**iv.**        Non-technical description of the '621 patent

50.        The '621 patent generally relates to a system and method for detecting driving events using multiple sensors (e.g., a dashcam or event data recorder).

**v.**        Licensees to the '621 patent

51.        There are no licensees under the '621 Patent.

**VI.        PROPOSED RESPONDENT'S UNLAWFUL AND UNFAIR ACTS**

52.        Proposed Respondent sells for importation, imports, and/or sells in the United States after importation certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof that infringe one or more claims of the Asserted Patents. Specific examples of infringing products imported into and sold within the United States by or on behalf of the Proposed Respondent are set forth below in detail.

**A.        Importation and Sale**

53.        Specific instances of importation, sale for importation into the United States, and/or sale within the United States after importation of the Accused Products by the Proposed Respondent are set forth below. These instances are exemplary in nature and not intended to

restrict the scope of any exclusion order or other remedy the International Trade Commission may order.

54. Upon information and belief, the Proposed Respondent is involved in the importation, sale for importation, and/or sale in the United States after importation of the Accused Products for use by consumers. For example, Accused Products imported into the United States bear the designation “Assembled in China” and “Assembled in Malaysia,” as shown below (Ex. 42):

**Motive: Vehicle Gateway**



## Motive: AI Dashcam



55. Moreover, according to import records, such as Exhibits 43 and 44, Motive Technologies, Inc. is the Consignee for imported products, including dashcams and electronic logging devices, shipped by Tech-Front Shanghai Computer Co. and/or Tech-Front Chongqing Computer Co., from China to ports in California, including Oakland, Long Beach, and Los Angeles.

### **B. Direct Infringement**

#### **i. The '373 patent**

56. The Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 15, 17, and 18 of the '373 patent. Proposed Respondent directly infringes these claims under 35 U.S.C. § 271(a) by making, using, offering to sell, importing, selling for importation, and/or selling after importation into the United States the Accused Products. On information and belief, the Proposed Respondent imports into the United States, sells for importation, and/or sells after importation the Accused Products.

57. A claim chart comparing asserted independent claims 15 and 18 of the '373 patent to an Accused Product is attached as Exhibits 9.

**ii.** The '130 patent

58. The Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1 and 5 of the '130 patent. Proposed Respondent directly infringes these claims under 35 U.S.C. § 271(a) by making, using, offering to sell, importing, selling for importation, and/or selling after importation into the United States the Accused Products. On information and belief, the Proposed Respondent imports into the United States, sells for importation, and/or sells after importation the Accused Products.

59. A claim chart comparing asserted independent claim 1 of the '130 patent to an Accused Product is attached as Exhibit 10.

**iii.** The '621 patent

60. The Accused Products directly infringe, literally and/or under the doctrine of equivalents, at least claims 1-5, 8-12, and 15-19 of the '621 patent. Proposed Respondent directly infringes these claims under 35 U.S.C. § 271(a) by making, using, offering to sell, importing, selling for importation, and/or selling after importation into the United States the Accused Products. On information and belief, the Proposed Respondent imports into the United States, sells for importation, and/or sells after importation the Accused Products.

61. A claim chart comparing asserted independent claims 1, 8, and 15 of the '621 patent to an Accused Product is attached as Exhibit 11.

**C. Indirect Infringement**

**i.** The '373 Patent

62. Upon information and belief, the Proposed Respondent directly infringes the asserted claims of the '373 patent at least through its sale for importation, importation, and/or sale

after importation into the United States of the Accused Products. On information and belief, U.S. customers of the Proposed Respondents also infringe the asserted claims of the '373 patent at least by using the Accused Products in accordance with the claims. Further, upon information and belief, the Proposed Respondent indirectly infringes all asserted claims of the '373 patent by contributing to the direct infringement of its U.S. customers and other end users of the Accused Products in the United States. The Proposed Respondent has had knowledge of the Asserted Patents and of its infringement at least as of January 23, 2024. *See* Exs. 76 and 77. Further, the Accused Products constitute a material part of the inventions described in the asserted claims of the '373 patent, and they (including components thereof such as spare parts) have no substantial non-infringing uses.

63. In addition, the Proposed Respondent has induced, and continues to induce, direct infringement of the Asserted Patents at least by its customers and/or end users with knowledge of the Asserted Patents, and with the specific intent that such customers' and/or end users' acts infringe the Asserted Patents. On information and belief, the Proposed Respondent actively induces others to infringe the asserted claims of the '373 patent through its sale of the Accused Products to customers in the United States and through the support and instructions that it provides to said customers offered via, *e.g.*, brochures and website articles. Upon information and belief, the Proposed Respondent creates and distributes promotional and product literature for the use by customers and other end users of the Accused Products including the Vehicle Gateway, the Safety Score feature, and the Fuel Score feature. These materials are designed to instruct, encourage, enable, and facilitate the users of the Accused Products in a manner that directly infringes the Asserted Patents. *See, e.g.*, Exs. 76-77.

64. The Proposed Respondent induces such infringing acts and knows or should have known that its actions would induce direct infringement of the '373 patent. The Proposed Respondent had actual notice of the '373 patent and of their infringement at least upon January 23, 2024.<sup>36</sup> The Proposed Respondent's knowledge of their infringement of the '373 patent, and their continued sale, offer for sale, importation, and/or sale for importation of the Accused Products constitutes infringement as well as active inducement of others to infringe the '373 patent.

**ii. The '130 Patent**

65. Upon information and belief, the Proposed Respondent directly infringes the asserted claims of the '130 patent at least through its sale for importation, importation, and/or sale after importation into the United States of the Accused Products. On information and belief, U.S. customers of the Proposed Respondents also infringe the asserted claims of the '130 patent at least by using the Accused Products in accordance with the claims. Further, upon information and belief, the Proposed Respondent indirectly infringes all asserted claims of the '130 patent by contributing to the direct infringement of its U.S. customers and other end users of the Accused Products in the United States. The Proposed Respondent has had knowledge of the Asserted Patents and of its infringement at least as of January 23, 2024. *See* Exs. 76 and 77. Further, the Accused Products constitute a material part of the inventions described in the asserted claims of the '373 patent, and they (including components thereof such as spare parts) have no substantial non-infringing uses.

66. In addition, the Proposed Respondent has induced, and continues to induce, direct infringement of the Asserted Patents at least by its customers and/or end users with knowledge of

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<sup>36</sup> Concurrently with the filing of this Complaint, a non-confidential copy of the same will be provided by Complainant to the Proposed Respondent at the address herein identified on the front cover.

the Asserted Patents, and with the specific intent that such customers' and/or end users' acts infringe the Asserted Patents. On information and belief, the Proposed Respondent actively induces others to infringe the asserted claims of the '130 patent through its sale of the Accused Products to customers in the United States and through the support and instructions that it provides to said customers offered via, *e.g.*, brochures and website articles. Upon information and belief, the Proposed Respondent creates and distributes promotional and product literature for the use by customers and other end users of the Accused Products including the Vehicle Gateway, the Safety Score feature, and the Fuel Score feature. These materials are designed to instruct, encourage, enable, and facilitate the users of the Accused Products in a manner that directly infringes the Asserted Patents. *See, e.g.*, Exs. 76-77.

67. The Proposed Respondent induces such infringing acts and knows or should have known that its actions would induce direct infringement of the '130 patent. The Proposed Respondent had actual notice of the '130 patent and of their infringement at least upon January 23, 2024.<sup>37</sup> The Proposed Respondent's knowledge of their infringement of the '130 patent, and their continued sale, offer for sale, importation, and/or sale for importation of the Accused Products constitutes infringement as well as active inducement of others to infringe the '130 patent.

**iii.** The '621 Patent

68. Upon information and belief, the Proposed Respondent directly infringes the asserted claims of the '621 patent at least through its sale for importation, importation, and/or sale after importation into the United States of the Accused Products. On information and belief, U.S. customers of the Proposed Respondents also infringe the asserted claims of the '621 patent at least

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<sup>37</sup> Concurrently with the filing of this Complaint, a non-confidential copy of the same will be provided by Complainant to the Proposed Respondent at the address herein identified on the front cover.



by using the Accused Products in accordance with the claims. Further, upon information and belief, the Proposed Respondent indirectly infringes all asserted claims of the '621 patent by contributing to the direct infringement of its U.S. customers and other end users of the Accused Products in the United States. The Proposed Respondent has had knowledge of the Asserted Patents and of its infringement at least as of January 23, 2024. *See* Exs. 76 and 77. Further, the Accused Products constitute a material part of the inventions described in the asserted claims of the '621 patent, and they (including components thereof such as spare parts) have no substantial non-infringing uses.

69. In addition, the Proposed Respondent has induced, and continues to induce, direct infringement of the Asserted Patents at least by its customers and/or end users with knowledge of the Asserted Patents, and with the specific intent that such customers' and/or end users' acts infringe the Asserted Patents. On information and belief, the Proposed Respondent actively induces others to infringe the asserted claims of the '621 patent through its sale of the Accused Products to customers in the United States and through the support and instructions that it provides to said customers offered via, *e.g.*, brochures and website articles. Upon information and belief, the Proposed Respondent creates and distributes promotional and product literature for the use by customers and other end users of the Accused Products including the Vehicle Gateway, the Safety Score feature, and the Fuel Score feature. These materials are designed to instruct, encourage, enable, and facilitate the users of the Accused Products in a manner that directly infringes the Asserted Patents. *See, e.g.*, Exs. 76-77.

70. The Proposed Respondent induces such infringing acts and knows or should have known that its actions would induce direct infringement of the '621 patent. The Proposed Respondent had actual notice of the '621 patent and of their infringement at least upon January 23,

2024.<sup>38</sup> The Proposed Respondent's knowledge of their infringement of the '621 patent, and their continued sale, offer for sale, importation, and/or sale for importation of the Accused Products constitutes infringement as well as active inducement of others to infringe the '621 patent.

## **VII. CLASSIFICATION OF THE INFRINGING PRODUCTS UNDER THE HARMONIZED TARIFF SCHEDULE**

71. On information and belief, the Harmonized Tariff Schedule of the United States item numbers under which the infringing autonomous fleet management devices and components thereof may be imported into the United States includes at least HTSUS 8517.62.9900 and 9031.80.8085. These classifications are exemplary in nature and not intended to restrict the scope of any exclusion order or other remedy ordered by the Commission.

## **VIII. RELATED LITIGATION**

72. The Asserted Patents have been asserted in a concurrent district court litigation and no other litigation: *Samsara Inc. v. Motive Technologies, Inc.*, No. 24-cv-00084-MN (D. Del.).

## **IX. THE DOMESTIC INDUSTRY**

73. An industry exists in the United States relating to the Asserted Patents and articles protected by the Asserted Patents.

### **A. Samsara's Articles that Practice the Asserted Patents (Technical Prong)**

74. Samsara's fleet management, vehicle telematics devices, and video-based safety systems and services, including its AI Dash Cams (*e.g.*, Dual-Facing AI Dash Cam; Front-Facing AI Dash Cam), Vehicle Gateways, Safety Score, Samsara Safety Event Detection (Rolling Stop Detection), and the Samsara Connected Operations<sup>TM</sup> Cloud Platform and software (collectively,

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<sup>38</sup> Concurrently with the filing of this Complaint, a non-confidential copy of the same will be provided by Complainant to the Proposed Respondent at the address herein identified on the front cover.

“the DI Products”) each practice at least one claim of at least one Asserted Patent. Claim charts demonstrating that a representative DI Product practices an exemplary claim of each of the Asserted Patents are attached as Exhibits 12-14.<sup>39</sup>

**B. United States Economic Activity Relating to the Domestic Industry Products and the Asserted Patents (Economic Prong)**

75. A domestic industry exists under 19 U.S.C. § 1337(a)(3), comprised of Samsara’s significant and substantial investments in plants and equipment, employment of labor and capital, and substantial investments in exploiting the Asserted Patents in the United States. Samsara’s DI Products are protected by the Asserted Patents, and Samsara’s domestic activities include engineering, research, development, and support related to the DI Products and exploitation of the Asserted Patents. The DI Products account for a substantial portion of Samsara’s overall domestic revenues.

76. As of January 28, 2023, Samsara had over 19,000 Core Customers (*i.e.*, customers representing over \$5,000 in annual recurring revenue) subscribed to its Connected Operations™ Cloud. Samsara’s overall revenue has increased over the past two fiscal years from \$428.3 million in the year ending January 29, 2022 to \$652.5 million in the year ending January 28, 2023. The DI Products make up a significant portion of that revenue. These products are critical to Samsara’s success, and Samsara’s CTOs (Benjamin Calderon and John Bicket) and CEO (Sanjit Biswas) have played an ongoing role in the development of the DI Products.

77. Samsara invests significantly in plants and equipment for the DI Products in the United States. Samsara is headquartered in San Francisco, California and has facilities in Georgia.

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<sup>39</sup> The Domestic Industry Products practice more claims than the claims charted in Exhibits 9-11, and Complainant may demonstrate satisfaction of the technical prong through other claims of the Asserted Patents.

Samsara invests significantly in these facilities, whose activities include engineering, researching, developing, and supporting the DI Products.

78. Samsara invests significantly in labor and capital for the DI Products. Samsara hires highly talented professionals to continue its track record of excellence. That focus on talent has produced cutting-edge products and created an award-winning workplace, including awards for being the “Best Workplace for Innovators – 2023” from Fast Company, the Excellence Award – in Artificial Intelligence Product from the Business Intelligence Group (2023), Frost & Sullivan’s Company of the Year for Commercial Telematics Solutions (2023), CIO 100 Winner (2023), “Best Places to Work 2023” from Built In, RippleMatch: Campus Forward Award (2023), Great Place to Work – US (2023), Glassdoor: Top 10 Tech Company in Culture & Values (2023), and Glassdoor’s Best Places to Work (2024).

79. The bulk of Samsara’s workforce is in this country, as Samsara has thousands of employees and contractors in the United States. Over the past few years alone, Samsara has invested hundreds of millions of dollars in labor and capital costs to support the engineering, research, development, and support of the DI Products.

80. Samsara significantly invests in exploiting the Asserted Patents. Samsara invests in the engineering, research, development, and support of the features of the DI Products covered by the Asserted Patents through its investments in the technical projects performed at its United States facilities.

81. The activities described above are discussed in greater detail in the declaration of Samsara’s Vice President of Finance & Strategy, John McQueen. *See* Exhibit 45.

## **X. RELIEF REQUESTED**

82. Complainant respectfully requests that the Commission:

(a) Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to Proposed Respondent's violations of that section arising from the importation into the United States, sale for importation, and/or the sale within the United States after importation of certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof thereof that infringe one or more claims of the Asserted Patents;

(b) Schedule and conduct a hearing pursuant to Section 337(c) for the purposes of: (i) receiving evidence and hearing argument concerning whether there has been a violation of Section 337; and (ii) following the hearing, determining that there has been a violation of Section 337;

(c) Issue a permanent limited exclusion order directed to products manufactured, designed, offered for sale, and/or sold by the Proposed Respondent, its subsidiaries, their related companies, and/or agents pursuant to 19 U.S.C. § 1337(d), excluding entry into the United States of certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof thereof that infringe one or more claims of the Asserted Patents;

(d) Issue a permanent cease and desist order pursuant to 19 U.S.C. § 1337(f) prohibiting the Proposed Respondent, its subsidiaries, its related companies, agents, and/or other affiliates from conducting any of the following activities in the United States: importing, selling, marketing, advertising, distributing, offering for sale, transferring (except for exportation), soliciting United States agents or distributors, or aiding and abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of certain vehicle telematics, fleet management, and video-based safety systems,

devices, and components thereof thereof that infringe one or more claims of the Asserted Patents;

(e) Impose a bond upon importation, sale, or transfer of certain vehicle telematics, fleet management, and video-based safety systems, devices, and components thereof thereof that infringe one or more claims of the Asserted Patents during the 60-day review period pursuant to 19 U.S.C. § 1337(j); and

(f) Issue other and further relief as the Commission deems just and proper under the law, based on the facts determined by the investigation and the authority of the Commission.

Dated: February 8, 2024

Respectfully submitted,

*Ellisen S. Turner*

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