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10 Counsel for GLOBAL CONNECT, LLC

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

14 GLOBAL CONNECT, LLC, a Nevada limited
liability company,

15 Plaintiff,

16 v.

17 NobelBiz, Inc., a Delaware corporation

18 Defendant.
19
20

Case No.

**COMPLAINT FOR DECLARATORY
JUDGMENT OF NON-INFRINGEMENT
AND PATENT INVALIDITY**

21
22 Plaintiff, Global Connect, LLC, (“Global Connect” or “Plaintiff”), by and through its
23 attorneys makes and files this Complaint against Defendant, NobelBiz, Inc., (“NobelBiz” or
24 “Defendant”); and hereby alleges and demands a jury trial.

25 **THE PARTIES**

26 1. Global Connect is a limited-liability company formed organized under the laws of the
27 State of Nevada with its principal place of business located at 5218 Atlantic Avenue, Suite 300,
28 Mays Landing, New Jersey 08330.

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1 2. Upon information and belief, NobelBiz is a privately held company incorporated
2 under the laws of the State of Delaware with its principal place of business at 5973 Avenida Encinas,
3 Suite 202, Carlsbad, California 92008.

4 3. On information and belief, NobelBiz is a provider of telecommunication solutions to
5 call centers worldwide.

6 4. NobelBiz has asserted it is the owner by assignment of U.S. Patent No. 7,899,169,
7 issued on March 1, 2011 (“the ’169 Patent”), U.S. Patent No. 8,135,122 (“the ’122 Patent”), issued
8 March 13, 2012, and U.S. Patent No. 8,565,399, issued October 22, 2013 (“the ’399 Patent”), which
9 are all entitled “System and Method for Modifying Communication Information (MCI).” These
10 three patents are all related, the ’169 Patent is the grandparent patent of the ’122 Patent and the ’399
11 Patent (with the same parent patent application). A true and correct copy of the ’399 Patent is
12 attached hereto at Exhibit A.

13 **JURISDICTION AND VENUE**

14 5. This is an action for declaratory relief of non-infringement and/or invalidity of the
15 ’399 Patent that arises under United States patent laws (35 U.S.C. §101, et seq.). These claims arise
16 under the Declaratory Relief Act, 28 U.S.C. §2201 and §2202.

17 6. The Court has jurisdiction over this case under Title 35 of United States Code and
18 U.S.C. §1331 and §1338(a).

19 7. This Court has personal jurisdiction over Defendant because Defendant has
20 established substantial contacts in and purposefully availed itself to the laws of the state of Nevada
21 thus establishing personal jurisdiction over the Defendant, including because, on information and
22 belief, NobelBiz is doing business in this District.

23 8. Venue is proper in the United States District Court for the District of Nevada under
24 28 U.S.C. §1391(b), §1391(c), §1391(d), §1400(b), §2201 and §2202, including because NobelBiz is
25 subject to personal jurisdiction in this District and because a substantial part of the events or
26 omissions giving rise to the claim occurred in this District.

27 ...

28 ...

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FACTUAL BACKGROUND

1
2 9. Global Connect is a business that provides web-based voice messaging, and since its
3 inception (on or before 2002) has helped a variety of organizations throughout the United States,
4 Canada, and Puerto Rico to deliver personalized voice messages quickly and cost-effectively.

5 10. Global Connect has provided these services utilizing its interactive system (“Global
6 Connect’s System”). Global Connect’s System uses a Voice Over Internet Protocol (“VoIP”) to
7 deliver prerecorded voice messages to designated telephone numbers over the Internet. Twice,
8 Collection Advisor has named Global Connect’s System as one of the Top 100 Collection
9 Technology Products of the year.

10 11. In general terms, Global Connect’s System allows its clients to connect to Global
11 Connect’s website, record a prerecorded message, select one or more call lists (having designated
12 telephone numbers), and schedule a distribution time for broadcasting that prerecorded message to
13 the designated telephone numbers. Global Connect’s System then broadcasts the prerecorded
14 message from Global Connect’s data centers located in Philadelphia, New York, and Canada.

15 12. Since September 2004 (and earlier), Global Connect’s System can and has set the
16 caller identification data (“caller ID”) for the client (such as one having the same area code as the
17 receiving party) at the time each particular telephone call is originated. The process by which Global
18 Connect has set the caller ID for a client has remained the same since before September 2004.

19 13. In 2011, NobelBiz contacted Global Connect to assert Global Connect infringed the
20 ’169 Patent. In September 2011, Global Connect explained to NobelBiz’ s counsel in detail why
21 Global Connect’s System did not infringe the ’169 Patent.

22 14. In a letter dated September 8, 2011, Global Connect’s Intellectual Property counsel
23 Robert Ryan Morishita informed NobelBiz’s counsel Frank A. Bruno that, among other things:

24 [C]all broadcasts [from Global Connect’s System] originate with caller ID
25 information selected by the system user. In short, the caller ID information is not
26 modified; the caller ID information that will be seen by the target party is determined
27 at the source of the call without modification by an intermediary.

28 15. NobelBiz has conceded its ’169 Patent infringement claim against Global Connect.

16. On April 3, 2012 (just three weeks after issuance of the ’122 Patent), NobelBiz filed a
complaint against Global Connect asserting infringement of the ’122 Patent in the Eastern District of

1 Texas in a lawsuit presently styled *NobelBiz, Inc. v. Global Connect, L.L.C*, Civil Action No. 6:12-
2 cv-00244-MHS (“the ‘122 Patent Lawsuit”).

3 17. Global Connect has denied infringement of the ‘122 Patent in the ‘122 Patent
4 Lawsuit. Global Connect has also brought a counterclaim in the ‘122 Patent Lawsuit, seeking a
5 declaratory judgment that Global Connect does not infringe any claim of the ‘122 Patent, and all
6 claims of the ‘122 Patent are invalid.

7 18. The ‘122 Patent Lawsuit is presently pending.

8 19. In a letter dated September 19, 2013, NobelBiz’s counsel Ralph A. Dengler informed
9 Global Connect that the ‘399 Patent was soon to be issued (within 60 days of that letter), that the
10 allowed claims in the then soon to be issued ‘399 Patent were broader than the claims in the ‘122
11 Patent (which NobelBiz contended were being infringed by Global Connect in the ‘122 Patent
12 Lawsuit), and that when the ‘399 Patent issued, NobelBiz would file claims against Global Connect
13 in Federal Court that Global Connect was infringing one or more claims of the ‘399 Patent.

14 20. In a Notice to the Court presiding over the ‘122 Patent Lawsuit, NobelBiz likewise
15 indicated that, once the ‘399 Patent issued, NobelBiz intended to file claims against Global Connect
16 in Federal Court that Global Connect was infringing one or more claims of the ‘399 Patent.

17 **COUNT ONE**
18 **(Declaration of Non-Infringement Under the**
19 **Declaratory Judgment Act, 28 U.S.C. §§ 2201, et seq).**

20 21. The allegations set forth in paragraphs 1-20 are incorporated herein by reference.

21 22. A case and controversy exists between Global Connect and NobelBiz concerning the
22 ‘399 Patent as to whether Global Connect is infringing the ‘399 Patent, which requires a declaration
23 of rights by the Court.

24 23. Global Connect’s System and the use of Global Connect’s System in the United
25 States does not infringe, contributorily infringe, nor constitute inducement of infringement of any
26 valid claim of the ‘399 Patent.

27 24. While NobelBiz contends otherwise, Global Connect is not directly infringing, and
28 has not directly infringed the ‘399 Patent, including literally or under the doctrine of equivalents.

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1 25. While NobelBiz contends otherwise, Global Connect is not indirectly infringing, and
2 has not indirectly infringed, the '399 Patent, including contributorily and/or by active inducement.

3 26. Global Connect is entitled to a declaratory judgment that it has not infringed and it is
4 not now infringing, has not contributorily infringed and is not now contributorily infringing, and has
5 not induced and is not now inducing infringement any valid claim of the '399 Patent.

6 27. Under the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, Global Connect
7 requests a declaration that Global Connect is not infringing and has not infringed, directly or
8 indirectly, the '399 Patent (literally and under the doctrine of equivalents).

9 **COUNT TWO**
10 **(Declaration of Invalidity Under**
11 **Declaratory Judgment Act, 28 U.S.C. §§ 2201, et seq.)**

12 28. The allegations set forth in paragraphs 1-27 are incorporated herein by reference.

13 29. A case and controversy exists between Global Connect and NobelBiz concerning
14 NobelBiz's '399 Patent as to whether the claims of the '399 Patent are valid, which requires a
15 declaration of rights by the Court.

16 30. While NobelBiz contends otherwise, the claims of the '399 Patent are invalid because
17 they each fail to satisfy one or more conditions for patentability specified in Title 35 of the United
18 States Code, including, but not limited to, 35 U.S.C. §§ 101, 102, 103, 112, and 112.

19 31. The bases for invalidity of the claims include the following:

20 32. Each of the claims of the '399 Patent are anticipated under 35 U.S.C. § 102, including
21 in view of, but not limited to,

22 (a) Global Connect's System as it existed on or before September 2004 ("Global
23 Connect's 2004 System") (in view of NobelBiz's indication that the claims of
24 the '399 Patent are broader than the claims of the '122 Patent and in view of
25 the breadth of the claims of the '122 Patent that NobelBiz is asserting in the
26 '122 Patent Lawsuit);

27 (b) Lippincott, Melanie G., *Users Guide* (September 2004), Global Connect
28 Strategic Voice Broadcasting, produced by Global Connect, (September 15,

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1 2004) (in view of NobelBiz's indication that the claims of the '399 Patent
 2 NobelBiz's are broader than the claims in the '122 Patent and in view of the
 3 breadth of the claims of the '122 Patent that NobelBiz is asserting in the '122
 4 Patent Lawsuit);

5 (c) U.S. Patent No. 7,640,009 to Belkin, *et al.*;

6 (d) U.S. Patent No. 8,027,332 to Martin, *et al.*;

7 (e) U.S. Patent No. 5,901,209 to Tannenbaum, *et al.*;

8 (f) U.S. Patent No. 7,925,003 to Haug, Jr., *et al.*;

9 (g) U.S. Patent Application No. 11/286,310 to Black, *et al.*;

10 (h) U.S. Patent No. 7,756,253 to Breen, *et al.*;

11 (i) U.S. Patent No. 5,590,184 to London;

12 (j) U.S. Patent Application No. 10/655.880 to Giannoit;

13 (k) Torrone, Phillip, *Questions about the Caller ID falsification service answered*,
 14 www.engadget.com (August 31, 2004); and

15 (l) TCN Inc.'s ("TCN") method and system as it existed on or before September
 16 2004 that TCN provided its customers with the ability to enter any of their
 17 phone numbers to be displayed on the recipient's caller ID (in view of
 18 NobelBiz's indication that the claims of the '399 Patent NobelBiz's are
 19 broader than the claims in the '122 Patent and in view of the breadth of the
 20 claims of the '122 Patent that NobelBiz is asserting in the '122 Patent
 21 Lawsuit).

22 33. Each of the claims of the '399 Patent is obvious under 35 U.S.C. § 103.

23 34. Each of the anticipatory prior art references identified in Paragraph 32, either alone or
 24 in combination with other prior art, render each of the '399 Patent claims invalid as obvious.

25 35. Each of the claims of the '399 Patent is invalid for lack of enablement and for lack of
 26 written description under 35 U.S.C. § 112, ¶ 1.

1 36. In view of NobelBiz’s indication that the claims of the ’399 Patent NobelBiz’s are
2 broader than the claims in the ’122 Patent and in view of the breadth of the claims of the ’122 Patent
3 that NobelBiz is asserting in the ’122 Patent Lawsuit, all claims are not supported by the written
4 description of the ’399 Patent and are not enabled in the ’399 Patent.

5 37. Each of the claims of the ’399 Patent is invalid for indefiniteness under 35 U.S.C.
6 § 112, ¶ 2.

7 38. Global Connect is entitled to a declaratory judgment that each of the claims of the
8 ’399 Patent is invalid.

9 39. Under the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, Global Connect
10 requests a declaration that each of the claims of the ’399 Patent is invalid.

11 **EXCEPTIONAL CASE**

12 40. The allegations set forth in paragraphs 1-39 are incorporated herein by reference.

13 41. This is an exceptional case entitling Global Connect to an award of its attorneys’ fees
14 incurred in connection with this action pursuant to 35 U.S.C. § 285.

15 42. It was necessary for Global Connect to retain and employ legal counsel to defend this
16 legal action. Global Connect requests the recovery of its reasonable attorneys’ fees. Global Connect
17 reserves the right to plead for compensatory and exemplary damages, if, during discovery or during
18 the pendency of this action, NobelBiz causes injury, loss or damage to Global Connect.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Global Connect respectfully prays that the Court enter declaratory judgment,
21 relief and Order against NobelBiz as follows:

22 (A) A declaration that Global Connect has not, and is not currently infringing,
23 contributorily infringing, or inducing infringement of any valid claim of U.S. Patent No. 8,565,399;

24 (B) A declaration that each of the claims of U.S. Patent No. 8,565,399 is invalid;

25 (C) A declaration that this suit exceptional under 35 U.S.C. §285 and Global Connect be
26 awarded its costs, expenses, and reasonable attorneys’ fees, including, without limitation pre-
27 judgment interest and post-judgment interest; and
28 . . .

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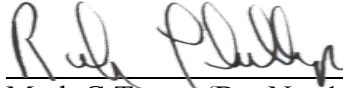
1 (D) Awarding such other and further relief as this Court may deem just and proper.

2 **JURY DEMAND**

3 Global Connect hereby demands a trial by jury on all issues so triable.

4
5 Respectfully submitted this 23rd day of October, 2013.

6 GREENBERG TRAUERIG LLP

7 

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Exhibit A



US008565399B2

(12) **United States Patent**
Siminoff

(10) **Patent No.:** **US 8,565,399 B2**
(45) **Date of Patent:** ***Oct. 22, 2013**

(54) **SYSTEM AND METHOD FOR MODIFYING COMMUNICATION INFORMATION (MCI)**

(71) Applicant: **NobelBiz, Inc.**, Carlsbad, CA (US)
(72) Inventor: **James Siminoff**, Pacific Palisades, CA (US)
(73) Assignee: **NobelBiz, Inc.**, Carlsbad, CA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.
This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/676,546**

(22) Filed: **Nov. 14, 2012**

(65) **Prior Publication Data**
US 2013/0070918 A1 Mar. 21, 2013

Related U.S. Application Data

(63) Continuation of application No. 13/013,233, filed on Jan. 25, 2011, which is a continuation of application No. 11/584,176, filed on Oct. 20, 2006, now Pat. No. 7,899,169.
(60) Provisional application No. 60/728,717, filed on Oct. 20, 2005.
(51) **Int. Cl.**
H04M 3/42 (2006.01)
(52) **U.S. Cl.**
USPC **379/201.01**; 379/220.01; 379/221.01; 379/142.06
(58) **Field of Classification Search**
USPC 379/201.01, 220.01, 221.01, 142.06
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

6,137,870 A	10/2000	Scherer
6,324,272 B1	11/2001	Abu-Shukhaidem et al.
6,330,327 B1	12/2001	Lee et al.
6,546,238 B1	4/2003	Nightingale et al.
6,556,818 B1	4/2003	Meehan
6,608,892 B2	8/2003	Shaffer et al.
6,700,972 B1	3/2004	McHugh et al.

(Continued)

FOREIGN PATENT DOCUMENTS

EP	0944229 A1	9/1999
JP	2004112253	4/2004

OTHER PUBLICATIONS

Treese, G. Windfield and Stewart, Lawrence C., An Architecture for Security and Privacy in Mobile Communications, 29th TPRC Conference, 2001, arXiv:cs/0110042v1 [cs.CY] Oct. 19, 2001, Cornell University Library, submitted Oct. 19, 2001.

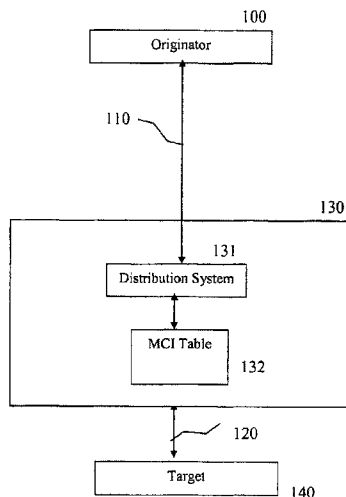
(Continued)

Primary Examiner — Quynh Nguyen

(57) **ABSTRACT**

A system for handling an outbound call from a call originator to a call target including a database storing a plurality of outgoing telephone numbers, each outgoing telephone number having one of two or more area codes; and an information processor controlled by the call originator. The information processor configured to process a trigger comprising at least an area code of a telephone number of the call target; select from the database a telephone number from the plurality of outgoing telephone numbers where the selected telephone number has at least an area code the same as the area code of the telephone number of the call target; set caller identification data of the outbound call to the selected telephone number; and transmit the caller identification data to the call target in connection with the outbound call.

27 Claims, 5 Drawing Sheets



US 8,565,399 B2

Page 2

(56)

References Cited

U.S. PATENT DOCUMENTS

6,714,535	B1	3/2004	Herh
6,813,344	B1	11/2004	Lemke
6,901,266	B2	5/2005	Henderson
7,027,575	B1	4/2006	Burgess
7,340,262	B1	3/2008	Gillespie et al.
7,346,156	B1	3/2008	Choupak et al.
7,376,228	B2	5/2008	Haug, Jr. et al.
7,602,894	B1	10/2009	Shaffer et al.
7,640,009	B2	12/2009	Belkin et al.
7,756,253	B2	7/2010	Breen et al.
7,925,003	B2	4/2011	Haug, Jr. et al.
8,027,332	B1	9/2011	Martin et al.
8,040,875	B2	10/2011	Barclay et al.
2002/0061100	A1	5/2002	DiCamillo et al.
2002/0181681	A1	12/2002	Mani
2003/0007616	A1	1/2003	Alves et al.
2004/0120477	A1	6/2004	Nguyen et al.
2005/0053213	A1	3/2005	Giannoit
2005/0105705	A1	5/2005	Elcock et al.
2006/0140200	A1	6/2006	Black et al.

OTHER PUBLICATIONS

Chang, Cheng-Shin et al, Efficient End-to-End Authentication Protocols for Mobile Networks, Personal, Indoor and Mobile Radio Communications, 1996 Seventh IEEE International Symposium. Date of Conference: Oct. 15-18, 1996. vol. 3, pp. 1252-1256.

Clarke, Ronald V. and Newman, Graeme R., Modifying Criminogenic Products: What Role for Government?, Crime Prevention Studies, vol. 18, pp. 7-83 (Jul. 2005).

Lau, Tessa, Etzioni, Oren and Weld, Daniel S., Privacy Interfaces for Information Management, Communications of the ACM, vol. 42, issue 10, pp. 88-94, Oct. 1999.

www.Star38.com/s38.php, (Aug. 31, 2004) via Wayback Machine (archive.org).

In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, CG Docket No. 02-278, Section XII. Caller Identification, Federal Communications Commission (Jul. 3, 2003) available at: http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-03-153A1.pdf.

TCN Broadcasting User's Manual, Jan. 22, 2004, version 1.001.

Lippincott, Melanie G., Global Connect "User's Guide", Sep. 2004.

Maney, Kevin, USA Today Article, Money, "Who's Calling? It might not be who you think it is", website: http://www.usatoday.com/money/industries/telecom/2004-09-01-spoof_x.htm, Sep. 2004.

Torrone, Phillip, Cellphones, Article, Questions about the Caller I.D. falsification (Caller ID Spoofing) service answered, Aug. 2004, website: www.engadget.com/2004/08/31/questions-about-the-caller-i-d-falsification-caller-id/.

Belson, Ken, The New York Times, Article, "A Commercial Software Service Aims to Outfox Caller ID", Sep. 2, 2004.

Ring Central (Your Phone System Everywhere), Press Release, RingCentral Launches RingOut Click-to-call feature Helps Entrepreneurs to Generate Sales and Leads, Article, Aug. 19, 2005, website: www.ringcentral.com/whyringcentral/company/press-releases/click-to-call.html.

Ring Central (Your Phone System everywhere), Press Release, "RingCentral Announces Virtual Local Telephone Numbers in Major U.S. Cities", Article, Jan. 22, 2004, website: www.ringcentral.com/whyringcentral/company/press-releases/localnumbers.html.

Civil docket for *NobelBiz, Inc. v. Five 9, Inc.*, 6:12-cv-00243-MHS (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Five 9, Inc.*, 4:13-cv-01846-YGR (N. D. Cal. 2013).

Civil docket for *NobelBiz, Inc. v. LiveVox Inc.*, 6:12-cv-00246-MHS (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. LiveVox Inc.*, 4:13-cv-01773-YGR (N. D. Cal. 2013).

Civil docket for *NobelBiz, Inc. v. AireSpring, Inc.*, 6:12-cv-00242-LED (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Global Connect, L.L.C.*, 6:12-cv-00244-MHS (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. T C N, Inc.*, 6:12-cv-00247-MHS (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. inContact, Inc.*, 6:12-cv-00272-LED (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Stage 2 Networks, L.L.C.*, 6:12-cv-00308-LED (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Omega Services, LLC*, 6:12-cv-00432-LED (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Connect First, Inc.*, 6:12-cv-00549-LED (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. Intelligent Contacts, Inc.*, 6:12-cv-00831-MHS (E.D. Tex. 2012).

Civil docket for *NobelBiz, Inc. v. InsideSales.com*, 6:13-cv-00360-MHS (E.D. Tex. 2013).

Civil docket for *NobelBiz, Inc. v. SafeSoft Solutions Inc.*, 4:13-cv-02423-YGR (N.D. Cal. 2013).

Civil docket for *NobelBiz, Inc. v. Veracity Networks, LLC*, 4:13-cv-02518-YGR (N.D. Cal. 2013).

TCN Inc.'s response to First Set of Interrogatories—Partially Redacted, Jun. 14, 2013, *NobelBiz, Inc. v. TCN, Inc.*, 6:12-cv-247-JHS (E.D. Tex. 2012).

LiveVox, Inc.'s Disclosure of Invalidity Contentions, May 13, 2013, *NobelBiz, Inc. v. LiveVox, Inc.*, 4:13-CV-01773-YGR (N.D. Cal. 2013).

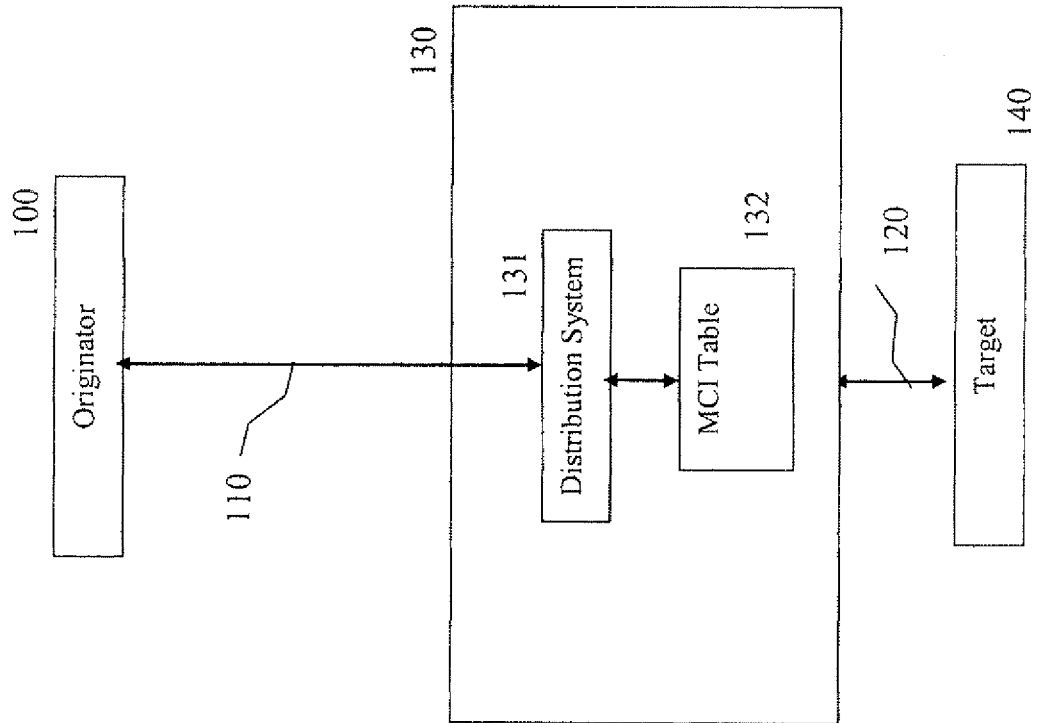
Five 9, Inc.'s Disclosure of Invalidity Contentions, May 13, 2013, *NobelBiz, Inc. v. Five 9, Inc.*, 4:13-cv-01846-YGR (N.D. Cal. 2013).

TCN, Inc.'s Invalidity Contentions, Apr. 26, 2013, *NobelBiz, Inc. v. Global Connect, L.L.C.*, 6:12-cv-00244-MHS (E.D. Tex. 2012).

NobelBiz, Inc. v. TCN, Inc., 6:12-cv-00247-MHS (E.D. Tex. 2012).

Global Connect, L.L.C.'s Disclosures of Invalidity Contentions and Accompanying Document Production, Apr. 26, 2013, 6:12-cv-00244-MHS (E.D. Tex. 2012).

Fig. 1



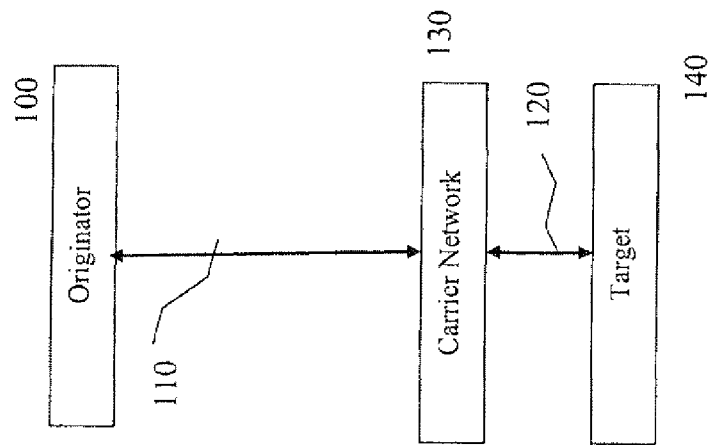


Fig. 2

Related Art

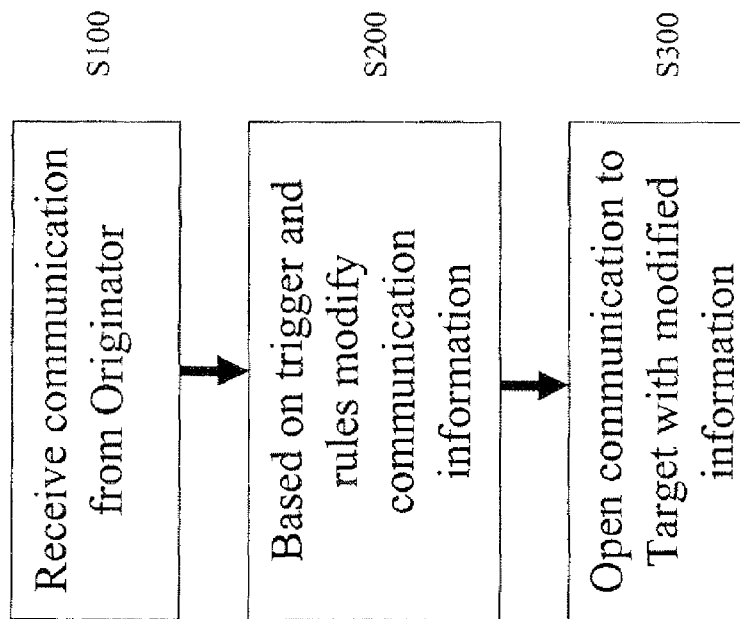


Fig. 3

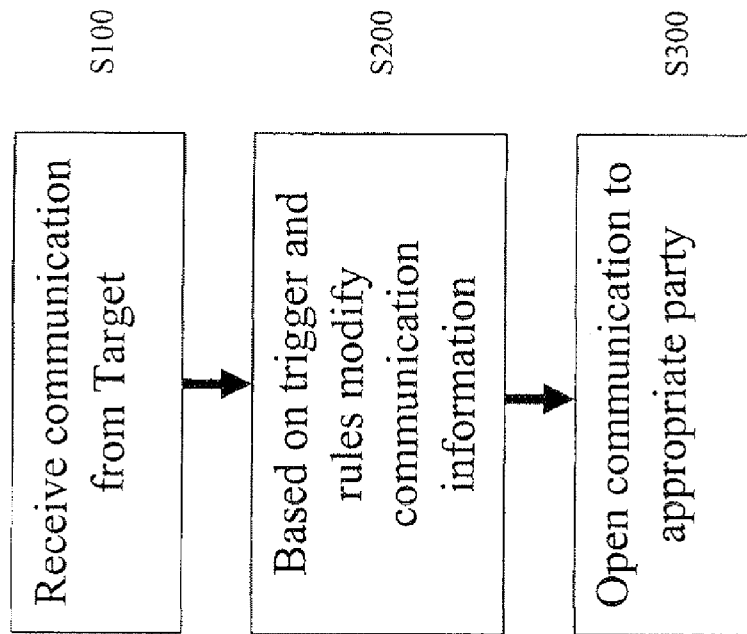


Fig. 4

Fig. 5

Index	Column A	Column B	Column C
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4	954-444-0001	212-333-xxxx, Sat and Sun	212-333-0002
5	954-444-0001	917-xxx-xxxx	917-111-0001
6	998-111-0001	917-xxx-xxxx	917-111-0001

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1

**SYSTEM AND METHOD FOR MODIFYING
COMMUNICATION INFORMATION (MCI)****CROSS-REFERENCE TO RELATED
APPLICATIONS**

This application claims priority to and is a continuation of pending U.S. application Ser. No. 13/013,233, filed Jan. 25, 2011, which claims priority to and is a continuation of U.S. application Ser. No. 11/584,176, filed Oct. 20, 2006, now U.S. Patent No. 7,899,169, which claims priority to U.S. provisional patent application Ser. No. 60/728,717, filed Oct. 20, 2005, entitled System and Method for Modifying Communication Information (MCI), the disclosures of which are incorporated herein by reference.

BACKGROUND OF THE INVENTION

In certain forms of communication, the party being contacted (the "Target") may have the opportunity to know information about the party attempting to originate a communication (the "Originator") before the Target interacts with the Originator. Two notable forms of communication where this is true are telephone and e-mail. In each of those forms of communication, the Target may learn some information about the Originator, such as the Originator's telephone number or email address, before the Target agrees to accept data or create a two-way communication, i.e. a conversation. The information the Target receives may also be used to allow the Target to identify or contact the Originator.

When an Originator, such as a telemarketing firm, wishes to contact a Target, such as an individual, via telephone, the Originator may insert into the caller ID field a telephone number where the Originator may be contacted. When making a call, the Originator inserts a telephone number used at the location from which the call originated, e.g. a call center. However, the Originator may call a Target in an area distant from the Originator. As a result, if the Target wishes to call back the Originator at the telephone number listed, e.g. to be put on a Do Not Call List (DNC) or to receive other information, the Target may have to pay long distance charges to do so. However, the Originator may operate telephone numbers that are a local call from the Target, or are at least closer to the Target, and therefore less expensive to call, than the Originator's telephone number that appears on the Target's caller ID.

Therefore, it would be desirable to implement a system to modify a communication from an Originator to provide a callback number or other contact information to the Target that may be closer to or local to the Target, in order to reduce or eliminate the payment of long distance toll charges in the event the Target dials the callback number.

SUMMARY OF THE INVENTION

The present disclosure relates to a method for processing a communication between a first party and a second party. A communication is received from the first party, the communication having first party information, and second party information. An entry in a database is identified that matches at least one of the first party information and the second party information and for which a predetermined rule is satisfied. A telephone number associated with the matching database entry is selected. The selected telephone number is transmitted to the second party.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a view of an end-to-end telecommunication connection according to an aspect of the system and method of the present disclosure.

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FIG. 2 is a view of an end-to-end telecommunication connection found in related art.

FIG. 3 is a process flow of communication traveling from Originator to Target according to an aspect of the system and method of the present disclosure.

FIG. 4 is a process flow of communication traveling from Target to Originator according to an aspect of the system and method of the present disclosure.

FIG. 5 is an example of a routing table according to an aspect of the system and method of the present disclosure.

DETAILED DESCRIPTION OF THE DRAWINGS

FIG. 2 is a view of an end-to-end contact as would occur during standard communication between Originator 100 (e.g. call center, person or organization) and Target 140 (e.g. a person or organization) using Carrier Network 130 (e.g. telecommunication provider). Information, such as Target 140 telephone number, may be transmitted from Originator 100 to Carrier Network 130 via physical/virtual connection 110 (e.g. phone line, voice T1, voice DS3) for an outbound call. Carrier Network 130 routes the call to Target 140 using, for example, a circuit switch, softswitch, or other routing intelligent system (not shown).

FIG. 1 illustrates aspects of the system of the present disclosure and includes Originator 100 which may transmit a call (including, e.g. sound and other data) through physical/virtual connection 110 to Target 140 through Carrier Network 130. Originator 100 may transmit data including signaling messages of telecommunication protocols (e.g., SS7, C7, ISDN, SIP, H.323, MGCP, MEGACO, IAX, IAX2) that may be used to identify or contact Originator 100. This may include caller ID information such as telephone number and subscriber name associated with Originator 100 telephone number.

Originator 100 may transmit Target Identifying Information, including Target 140 telephone number and other information via physical/virtual connection 110 to Carrier Network 130 for outbound calls. Target Identifying Information may include geographic location information about Target 140, which may be determined based on Caller ID of Target 140 in conjunction with telephone subscriber database information.

Carrier Network 130 may route the call to Distribution System 131 which may check each call for a trigger, such as information in the call or where the call originated from, such as which physical/virtual connection 110. Distribution System 131 may be a circuit switch, softswitch, or other routing intelligent system. Distribution System 131 may communicate with a table of data, such as, MCI Table 132, based on the trigger for the call. MCI Table 132 may be stored in a computer, server, database, flash memory or other computing storage device. Target 140 may receive information from the MCI Table 132 in the Caller ID field on received call via physical/virtual connection 120.

In one aspect, the system and method of the present disclosure may operate within or may be connected to Carrier Network 130. In other aspects, the system and method may operate in Originator's 100 PBX (e.g. corporate phone system, predictive dialer, call distribution system) or may be attached to or embedded within Originator's 100 communication device (e.g. telephone, VoIP phone, VoIP soft phone).

FIG. 3 shows the process flow where in Step S100 a communication is received by Carrier Network 130 from Originator 100. In one aspect, the system of the present invention may receive from Originator 100 Target Identifying Information and a trigger. As described above, Target Identifying

Information may include the telephone number of Target **140**. A trigger may be one or more predetermined numbers in the Caller ID field, one or more predetermined numbers appended to the telephone number of Target **140** when transmitted by Originator **100**, or may be another predetermined communication between Originator **100** and the system.

In Step **S200**, the system checks the communication for the existence of trigger information and Target Identifying Information, and, based on this information, the system may modify the communication. Rules and data used to modify the communication may be stored in a table database, such as MCI Table **132** shown in FIG. **5**.

As shown in FIG. **5**, MCI Table **132** column A is a list of triggers, column B is a list of Target Identifying Information, and column C is a list of modified information that may be displayed to Target **140**.

When the system of the present disclosure receives a call from Originator **100**, the system may check for one of the triggers located in column A to determine whether this communication may be modified. In one aspect, the system may be initiated manually, e.g. using a website, and may be used to process communications originating from a specific physical or virtual area, e.g. one or more telephone lines, so that any communication originating from one of these areas will be processed by the system. If the system does not receive a trigger or is not initiated manually, then the system may pass the communication on to Target **140** without modifying data.

If the system has been manually initiated or finds the communication contains a trigger listed in column A, the system may then search column B for one or more entries associated with the trigger in column A based on the Target Identifying Information included in the communication. Column B entries may be telephone numbers, portions of telephone numbers, street addresses or geographic designations, such as country, state, city, or township. Column B entries may also include rules indicating how or when they may be applied, for example, days of the week and/or times of day.

In one aspect, the system may search a telephone number in column B that matches Target **140** telephone number. In another aspect, if multiple column B entries for a given trigger match the area code of the Target **140** telephone number, the system may select the column B entry based on prefix. If there are no acceptable column B entries for a trigger, the system may pass the communication without alterations thereto.

In other aspects, column B entries may be selected based on predetermined Originator **100** preference, by geographic proximity to Target **140**.

Based on the results of the search in column B, information in the communication may be modified to appear as what is shown in the corresponding entry in column C, i.e. the telephone number in column C may be displayed in the Caller ID field in the call to Target **140**.

Using information in MCI Table **132** in FIG. **5**, suppose for example, the system encounters a telephone call coming from Originator **100** telephone number 954-444-0001 that is made to Target **140** having telephone number 212-333-1234 on a weekday. The system may note the incoming caller ID field 954-444-0001 and attempt to match this to a trigger entry in column A. In this case, the number 954-444-0001 has five matches in column A, corresponding to table index entries A1 through A5. Once one or more acceptable entries are found in column A, the system may then compare Target ID information, in this case 212-333-1234, with one or more entries in column B corresponding to the one or more acceptable entries in column A.

In one aspect, the "x" character may be used as a wildcard to signify any character or number. Although not shown, such a wildcard character may also be used in elsewhere in the table.

In one aspect, the system may compare the Target ID information with the entries in column B by area code, prefix, and other rules, such as time of day. It will be clear to one of ordinary skill that the type, order and priority of such data comparison may be configurable.

Continuing the example, of the presently eligible entries 1-5 in column B, only entries 2, 3, and 4 match the area code "212" of the Target ID information, and of those, entries 3 and 4 match both the area code "212" and prefix "333" of the Target ID information. Column B entries 3 and 4 each contain a rule relating to the day of the week the call is made. In this example, because the call is placed on a weekday, column B entry 3 is the closest match to the Target ID information, and all rules of that entry are satisfied.

Based on this match in column B, the system may modify the communication to send an outbound Caller ID to Target **140** having the contents of entry 3 in column C, here 212-333-0001. Therefore, Target **140** may then make a return call to a local telephone number 212-333-0001 at a local area code (212), rather than potentially incurring long distance charges by making a return call to Originator **100** at a non-local number 954-444-0001 at a non-local area code (954).

In Step **S300** the system then establishes the communication with Target **140** containing modified information.

Originator **100** may receive calls made to the telephone numbers listed in column C. Originator **100** may operate the telephone numbers listed in column C and/or calls to the telephone numbers in column C may be directed to telephone numbers used by Originator **100**, in a manner described below with reference to FIG. **4**.

FIG. **4** shows the process flow, according to an aspect of the invention, when a communication is initiated by Target **140** to Originator **100**. The system may receive the communication from Target **140** in Step **S100**. In Step **S200**, based on a set of rules, Target Identifying Information and the telephone number Target **140** is calling, the system may modify and/or route the communication to Originator **100**. Originator **100** may receive the communication at an inbound customer service center or voice recording, at a predetermined telephone number. When routing and/or modifying Target **140** call, the system may use a table.

In Step **S300**, the system sends the communication to the appropriate party. When the system routes a call from Target **140** to Originator **100**, the system may pass any one of the following information to Originator **100**: the telephone number of Target **140**, the "trigger" number in column A associated with that telephone number, or other identifier correlated to the Target **140**, such as geographic location of the Target **140**. In addition, the system can forward the call from Target **140** to a telephone number, trunk line, IP address as a VoIP call, or any other form of return communication as predetermined rules dictate.

Although illustrative embodiments have been described herein in detail, it should be noted and will be appreciated by those skilled in the art that numerous variations may be made within the scope of this invention without departing from the principle of this invention and without sacrificing its chief advantages.

Unless otherwise specifically stated, the terms and expressions have been used herein as terms of description and not terms of limitation. There is no intention to use the terms or expressions to exclude any equivalents of features shown and

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described or portions thereof and this invention should be defined in accordance with the claims that follow.

What is claimed is:

1. A system for handling an outbound call from a call originator to a call target, the system comprising:

a database storing a plurality of outgoing telephone numbers, each outgoing telephone number having one of two or more area codes; and

an information processor controlled by the call originator and configured to:

a) process a trigger comprising at least an area code of a telephone number of the call target;

b) select from the database a telephone number from the plurality of outgoing telephone numbers where the selected telephone number has at least an area code the same as the area code of the telephone number of the call target;

c) set caller identification data of the outbound call to the selected telephone number; and

d) transmit the caller identification data to the call target in connection with the outbound call.

2. The system of claim 1, wherein the system is embedded in one of a carrier network, a private branch exchange, and a communications device.

3. The system of claim 2, wherein the communications device is one of a telephone, a VoIP phone, and a VoIP soft phone.

4. The system of claim 1, wherein the system is embedded in one of a corporate phone system, a predictive dialer, and a call distribution system.

5. The system of claim 1, wherein the selected telephone number has an area code and a prefix the same as an area code and a prefix of the telephone number of the call target.

6. The system of claim 1, wherein the selected telephone number has an area code different from an area code of a telephone number of the call originator.

7. A computer for handling an outbound call from a call originator to a call target, the computer comprising:

memory having at least one region for storing computer executable program code; and

processor for executing the computer executable program code stored in the memory, where the computer executable program code comprises:

code for processing at least a portion of a telephone number of the call target;

code for accessing a database storing a plurality of outgoing telephone numbers, each outgoing telephone number having one of two or more area codes;

code for selecting from the database a telephone number from the plurality of outgoing telephone numbers based on at least a portion of the telephone number of the call target, the selected telephone number having an area code from a geographic region the same as a geographic region of an area code of the telephone number of the call target;

code for setting caller identification data of the call to the selected telephone number; and

code for transmitting the caller identification data to the call target in connection with the outbound call.

8. The computer of claim 7, wherein the selected telephone number has at least an area code the same as an area code of the telephone number of the call target.

9. The computer of claim 7, wherein the geographic region is one of a state and other municipality smaller than a state.

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10. The computer of claim 7, wherein the area code of the selected telephone number is associated with a state different from a state associated with the area code of the telephone number of the call target.

11. The computer of claim 7, wherein the selected telephone number has an area code and a prefix the same as an area code and prefix of the telephone number of the call target.

12. The computer of claim 7, wherein the area code and prefix of the selected telephone number corresponds to a geographic region the same as the area code and prefix of the telephone number of the call target.

13. The computer of claim 12, wherein the geographic region is one of a state and other municipality smaller than a state.

14. The computer of claim 7, wherein the computer is embedded in one of a carrier network, a private branch exchange, and a communications device.

15. The computer of claim 14, wherein the communications device is one of a telephone, a VoIP phone, and a VoIP soft phone.

16. The computer of claim 7, wherein the computer is embedded in one of a corporate phone system, a predictive dialer, and a call distribution system.

17. The computer of claim 7, wherein the area code of the selected telephone number is of a geographic region different than a geographic region of the call originator.

18. A computer implemented method for handling an outbound call from a call originator to a call target comprising: processing a trigger in the form of at least a portion of a telephone number of the call target;

accessing a database storing a plurality of outgoing telephone numbers, each outgoing telephone number having one of two or more area codes;

selecting from the database a telephone number from the plurality of outgoing telephone numbers based on at least a portion of the telephone number of the call target, the selected telephone number having an area code from a geographic region the same as a geographic region of an area code of the telephone number of the call target;

setting caller identification data of the call to the selected telephone number; and

transmitting the caller identification data to the call target in connection with the outbound call.

19. The computer implemented method of claim 18, wherein the selected telephone number has at least an area code the same as an area code of the telephone number of the call target.

20. The computer implemented method of claim 18, wherein the geographic region is one of a state and other municipality smaller than a state.

21. The computer implemented method of claim 18, wherein the selected telephone number has an area code and a prefix the same as an area code and prefix of the telephone number of the call target.

22. The computer implemented method of claim 18, wherein the area code and prefix of the selected telephone number corresponds to a geographic region the same as the area code and prefix of the telephone number of the call target.

23. The computer implemented method of claim 22, wherein the geographic region is one of a state and other municipality smaller than a state.

24. The computer implemented method of claim 18, wherein the method is performed in one of a carrier network, a private branch exchange, and a communications device.

25. The computer implemented method of claim 24, wherein the communications device is one of a telephone, a VoIP phone, and a VoIP soft phone.

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26. The computer implemented method of claim 18, wherein the method is performed in one of a corporate phone system, a predictive dialer, and a call distribution system.

27. The computer implemented method of claim 18, wherein the area code of the selected telephone number is of a geographic region different than a geographic region of the call originator.

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