

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

SELECT NOTIFICATIONS MEDIA, LLC,

*Plaintiff*

v.

VERIZON COMMUNICATIONS, INC.

*Defendants*

Civil Action No. 1:13-cv-00958

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Select Notifications Media, LLC (“SNM” or “Plaintiff”), for its Complaint against Defendant Verizon Communications, Inc. (“Verizon” or “Defendant”), alleges the following:

**THE PARTIES**

1. Plaintiff SNM is a Texas limited liability company with a principal place of business at 106 Fannin Avenue East, Round Rock, Texas 78664.
2. On information and belief, Verizon is a Delaware corporation with a principal place of business at 140 West Street, New York, New York 10007. Verizon has designated CT Corporation, 350 North St. Paul Street, Dallas, Texas 75201 as its registered agent for service of process.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.
4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

This Court has personal jurisdiction over Defendant because, on information and belief, Defendant regularly transacts business with customers in Texas and within this judicial district, because, as described further below, Defendant has committed, aided, abetted, contributed to, and/or participated in the commission of acts of patent infringement giving rise to this action within Texas and within this judicial district, and because Defendant has at least established minimum contacts with the forum state such that the exercise of jurisdiction over Defendant does not offend traditional notions of fair play and substantial justice.

5. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b) because Verizon is subject to personal jurisdiction in this judicial district and has committed aided, abetted, contributed to, and/or participated in the commission of acts of patent infringement in this district.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,631,101**

6. SNM re-alleges and incorporates herein by reference the allegations stated in counterclaim paragraphs 1 through 5 above.

7. On December 8, 2009, U.S Patent No. 7,631,101 (“the ’101 Patent”), entitled “Systems and Methods for Direction of Communication Traffic,” was duly and legally issued by the United States Patent and Trademark Office to inventors Alan T. Sullivan, Mark Lewyn, and Phillip Gross. A true and correct copy of the ’101 Patent is attached as Exhibit A to this Complaint.

8. SNM is the owner of all rights, title, and interest in the ’101 Patent, and has the right to bring this suit to recover damages for infringement of the ’101 Patent.

9. On information and belief, Verizon has infringed at least one of the method claims of the ’101 Patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, by making, using, offering for sale, and/or selling in the United States, and/or

importing into the United States, products and/or services for handling and redirecting certain unresolved domain name requests, including but not limited to DNS Assistance.

10. On information and belief, Verizon has profited from infringement of the '101 Patent. SNM has suffered damages as a result of Verizon's infringement of the '101 Patent, and is entitled to recover from Verizon damages adequate to compensate it for the infringement under 35 U.S.C. § 284, but in no event less than a reasonable royalty.

### **PRAYER FOR RELIEF**

Wherefore, Plaintiff SNM prays for judgment as follows:

(a) A judgment in favor of SNM that Verizon has infringed and continues to infringe, literally or under the doctrine of equivalents, U.S. Patent No. 7,631,101;

(b) An award to SNM of damages to which it is entitled for Verizon's infringement, and ordering a full accounting of same;

(c) That this Court award SNM its costs and disbursements in this civil action, including reasonable attorneys' fees;

(d) That this Court award SNM pre-judgment and post-judgment interest on its damages; and

(e) That this Court award SNM such other and further relief in law or in equity that the Court deems just and proper.

### **DEMAND FOR JURY TRIAL**

Defendant SNM hereby demands a trial by jury on all issues so triable.

Dated: November 4, 2013

*/s/ Steven R. Daniels*

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