IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

POSITIONTECH LLC, Plaintiff, v. KABA ILCO CORPORATION and COMPUTERIZED SECURITY SYSTEMS, INC. dba SAFLOK, Defendants.	) Civil Action No. 2:16-cv-524) **JURY TRIAL DEMANDED**

COMPLAINT

For its Complaint, Plaintiff Positiontech LLC ("Positiontech"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1. Positiontech is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 400, Plano, Texas 75093.

2. Defendant Kaba Ilco Corporation is a North Carolina company with, upon information and belief, a place of business located at 400 Jeffreys Road, Rocky Mount, North Carolina 27804.

3. Defendant Computerized Security Systems, Inc. dba SAFLOK is a Michigan company with, upon information and belief, a place of business located at 31750 Sherman Avenue, Madison Heights, Michigan 48071.

4. Defendant Kaba Ilco Corporation previously registered with the Texas Secretary of State to conduct business in Texas.

5. Defendant Computerized Security Systems, Inc. previously registered with the Texas Secretary of State to conduct business in Texas.

6. Upon information and belief, defendants are related entities and are collectively referred to herein as "Defendants."

JURISDICTION AND VENUE

7. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

8. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

9. Upon information and belief, Defendants conduct substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

10. Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

THE PATENTS-IN-SUIT

11. On June 13, 2006, U.S. Patent No. 7,061,384 (the "'384 patent"), entitled "Positional Information Management System," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '384 patent is attached hereto as Exhibit A.

12. On November 15, 2005, U.S. Patent No. 6,965,317 (the "'317 patent"), entitled "Positional Information Management System," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '317 patent is attached hereto as Exhibit B.

13. Positiontech is the assignee and owner of the right, title and interest in and to the '384 and '317 patents, including the right to assert all causes of action arising under said patents

and the right to any remedies for infringement of them.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,061,384

14. Positiontech repeats and realleges the allegations of paragraphs 1 through 13 as if fully set forth herein.

15. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendants are liable for infringement of at least claim 1 of the '384 patent by making, using, importing, offering for sale, and/or selling, positional information management systems, including, but not limited to, SAFLOK Messenger.

16. More specifically and upon information and belief, Defendants' SAFLOK Messenger is a positional information management system that records transactions of users (e.g., time and location). *See* Messenger Wireless Lock Access Network at p. 4 (available at http://www.saftek.biz/image/users/81617/ftp/my_files/Messenger_LENS_brochure_web_1_.pdf ?id=7747596 (last accessed May 18, 2016)) ("Brochure"); SAFLOK Messenger Lens at p. 3 (available at http://www.kabalodging.com/media/1334374/v4/File/saflok-messenger-lens-fact-sheet.pdf (last accessed May 18, 2016)) ("Fact Sheet"). It includes a Messenger server, which is a management server (the Messenger server collects information from RF-enabled electronic door locks (detectors) via a coordinator hub; a plurality of coordinator hubs are connected to the Messenger server via Ethernet cable), and the Messenger server includes memory (to store e.g. credential and lock event data) and a clock (all communication between the front desk (Messenger server) and the hotel electronic locks is timestamped; the Messenger server performs time-based lock management, e.g. updating a lock expiration date after a guest's stay is extended). *See* Brochure at p. 3; Fact Sheet at p. 3. The SAFLOK Messenger includes RF-enabled electronic door locks with which the Messenger server communicates. The RF-enabled

door locks detect RF-enabled credential devices, such as the RF-enabled hotel key card carried by a hotel guest. *See* Camp Workforce Housing: Access Control Solutions at p. 4 (available at http://www.kaba-adsamericas.com/media/1042816/v1/File/camp-access-control-solutions.pdf (last accessed May 18, 2016); Video (available at http://www.kabalodging.com/en/solutions/access-control-systems/385944/saflok-messenger-lensTM.html (last accessed May 18, 2016)); Lodging Customer Services & Support at p.3 (available at http://www.kabalodging.com/media/1356632/v1/File/kaba-customer-service-m3658-web.pdf (last accessed May 18, 2016)). Each RF-enabled hotel key card has a tag IC (e.g., RFID chip) for storing a tag ID (i.e., each RFID chip has a specific ID). *See* https://www.youtube.com/watch?v=Hu0R-b1j0uk (last accessed May 18, 2016); http://www.kabalodging.com/en/solutions/372296/keycards-credentials.html (last accessed May 18, 2016); Messenger Wireless Lock Access Network Operations Manual at p. 20, attached hereto as Exhibit C. The SAFLOK Messenger employs a plurality of detectors in the form of RFID-enabled electronic door locks located throughout a property (e.g., hotel); these detectors communicate with the positional management server (the Messenger server). *See* Video (available at http://www.kabalodging.com/en/solutions/access-control-systems/385944/saflok-messenger-lensTM.html (last accessed May 18, 2016)); Brochure at pp. 3, 5; SAFLOK RT RFID Series at p. 1 (available at http://www.kabalodging.com/media/1344950/v2/File/saflok-rt-series-fact-sheet.pdf (last accessed May 18, 2016)). Each KABA RFID-enabled electronic door lock (detector) has a detector ID (e.g. a Lock Name). *See* Exh. C at p. 21; http://www.slideshare.net/marianapc2phone/saflok-messengerbrochure (last accessed May 18, 2016). Each Kaba RFID-enabled electronic door lock (detector) has a detection range (the user must place the keycard close to the detector to unlock the door). Further, each detector is located

at a specific location (e.g., each detector is located at the door lock of a specific hotel room). The detector detects a tag ID signal sent from the tag IC (e.g., upon guest check-in, the front desk associates the guest's keycard with the detector located at the guest's assigned room; the keycard's tag ID is then detected by the assigned detector, at which time the guest is permitted entry into the room). *See* Brochure at pp. 2, 5; http://www.slideshare.net/marianapc2phone/saflok-messengerbrochure (last accessed May 18, 2016). Each detector transmits to the positional information management server the tag ID detected and the detector ID of the receiver detecting the tag ID, the memory records together the tag ID, the detector ID of the detector, and, from the clock, time at which the detector has detected the tag ID, for managing positional information regarding the user, based on the tag ID, the detector IDs, and the times recorded. *See* Exh. C at p. 3.

17. Positiontech is entitled to recover from Defendants the damages sustained by Positiontech as a result of Defendants' infringement of the '384 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II – INFRINGEMENT OF U.S. PATENT NO. 6,965,317

18. Positiontech repeats and realleges the allegations of paragraphs 1 through 17 as if fully set forth herein.

19. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendants are liable for infringement of at least claim 1 of the '317 patent by making, using, importing, offering for sale, and/or selling, positional information management systems, including, but not limited to, SAFLOK Messenger.

20. More specifically and upon information and belief, Defendants' SAFLOK Messenger is a positional information management system that records transactions of users (e.g., time and location). *See* Brochure at p. 4; Fact Sheet at p. 3. The SAFLOK Messenger includes an RF-enabled keycard carried by a user in a hotel and having a tag IC for storing a tag ID. *See* Brochure at pp. 2, 5; http://www.slideshare.net/marianapc2phone/saflok-messengerbrochure (last accessed May 18, 2016); https://www.youtube.com/watch?v=Hu0R-b1j0uk (last accessed May 18, 2016); http://www.kabalodging.com/en/solutions/372296/keycards-credentials.html (last accessed May 18, 2016); Exh. C at p. 20. The SAFLOK Messenger employs a plurality of detectors (e.g., RFID detectors spread throughout the resort) that communicate with the positional management server. *See* Video (available at http://www.kabalodging.com/en/solutions/access-control-systems/385944/saflok-messenger-lensTM.html (last accessed May 18, 2016)); Brochure at pp. 3, 5; SAFLOK RT RFID Series at p. 1 (available at http://www.kabalodging.com/media/1344950/v2/File/saflok-rt-series-fact-sheet.pdf (last accessed May 18, 2016)). Each Kaba RFID-enabled electronic door lock (detector) has a detection range (the user must place the keycard close to the detector to unlock the door). Further, each detector is located at a specific location (e.g., each detector is located at the door lock of a specific hotel room). The detector detects a tag ID signal sent from the tag IC (e.g., upon guest check-in, the front desk associates the guest's keycard with the detector located at the guest's assigned room; the keycard's tag ID is then detected by the assigned detector, at which time the guest is permitted entry into the room). *See* Brochure at pp. 2, 5; http://www.slideshare.net/marianapc2phone/saflok-messengerbrochure (last accessed May 18, 2016). The SAFLOK Messenger includes means for recording a pair of the tag ID and the

detector ID, and a time at which the detector has detected. *See* Brochure at p. 3; Fact Sheet at p. 3. The SAFLOK Messenger includes means for recording a pair of the tag ID and the detector ID, and a time at which the detector has detected. *See* Exh. C at p. 3. The SAFLOK Messenger comprises a positional information management means; the system is operable to manage the positional information of the user (e.g., provide information regarding a person's location and at what time the person was at that location). *See id.*

21. Positiontech is entitled to recover from Defendants the damages sustained by Positiontech as a result of Defendants' infringement of the '317 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

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

PRAYER FOR RELIEF

WHEREFORE, Positiontech requests that this Court enter judgment against Defendants as follows:

A. An adjudication that Defendants have infringed the '384 and '317 patents;

B. An award of damages to be paid by Defendants adequate to compensate Positiontech for Defendants' past infringement of the '384 and '317 patents and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Positiontech's reasonable attorneys' fees; and

D. An award to Positiontech of such further relief at law or in equity as the Court deems just and proper.

Dated: May 18, 2016

/s/ Richard C. Weinblatt

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