IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RFJ LICENSING, LLC **Plaintiff,** **v.** **ICOM AMERICA, INC.,** **Defendant.**	**CASE NO. 3:16-cv-504** **JURY TRIAL DEMANDED**

PLAINTIFF'S FIRST AMENDED COMPLAINT

Plaintiff RFJ Licensing, LLC ("Plaintiff" or "RFJ"), by and through its undersigned counsel, files this First Amended Complaint against Defendant Icom America, Inc. ("Defendant" or "Icom") as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant's infringement of Plaintiff's United States Patent No. 7,333,806 titled "System and Method for Enabling Two-Way Radio Communications Over a Computer Network" (the "'806 patent"; a copy of which is attached hereto as Exhibit A). RFJ is the owner by assignment of the '806 patent. RFJ seeks injunctive relief and monetary damages.

PARTIES

2. Plaintiff RFJ Licensing, LLC is a limited liability company organized under the laws of the State of Texas. Plaintiff maintains its principal place of business at 3740 N. Josey Lane, Suite 238, Carrolton, Texas 75007.

3. Upon information and belief, Defendant Icom America, Inc. is a business organized and existing under the laws of the State of Washington, with its principal place of business located at 12421 Willows Road NE, Kirkland, Washington 98034. Process may be served upon

Defendant's Registered Agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. § *et seq.*, including 35 U.S.C. § 271, 281, and 284-85, among others. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §1331 and §1338(a).

5. The Court has personal jurisdiction over Defendant because: Defendant is present within or has minimum contacts with the State of Texas and the Northern District of Texas; Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in the Northern District of Texas; Defendant has sought protection and benefit from the laws of the State of Texas; Defendant regularly conducts business within the State of Texas and within the Northern District of Texas; and Plaintiff's causes of action arise directly from Defendant's business contacts and other activities in the State of Texas and in the Northern District of Texas.

6. More specifically, Defendant, directly and/or through authorized intermediaries, ships, distributes, offers for sale, sells, and/or advertises products and services in the United States, the State of Texas, and the Northern District of Texas including but not limited to the Accused Instrumentalities as detailed below. Defendant solicits customers in the State of Texas and in the Northern District of Texas. Defendant has paying customers who are residents of the State of Texas and the Northern District of Texas and who use the Defendant's products and services in the State of Texas and in the Northern District of Texas. Defendant derives substantial revenue from goods and services provided to individuals in Texas and in this district.

7. Venue is proper in the Northern District of Texas pursuant to 28 U.S.C. §§1391 and 1400(b). On information and belief, Defendant has transacted business in this district, and has directly and/or indirectly committed and/or induced acts of patent infringement in this district.

COUNT I– INFRINGEMENT OF U.S. PATENT 7,333,806

8. RFJ refers to and incorporates herein the allegations of Paragraphs 1-7 above.

9. The '806 patent was duly and legally issued by the United States Patent and Trademark Office on Feb. 19, 2008, after full and fair examination. The '806 patent is in full force and effect. Plaintiff is the owner by assignment of the '806 patent and possesses all rights of recovery under the '806 patent, including the exclusive right to sue for infringement and recover past damages.

10. Defendant owns, operates, advertises, controls, tests, sells, and otherwise provides systems that infringe the '806 patent. The '806 patent provides, among other things;

A system for two-way radio communication comprising:

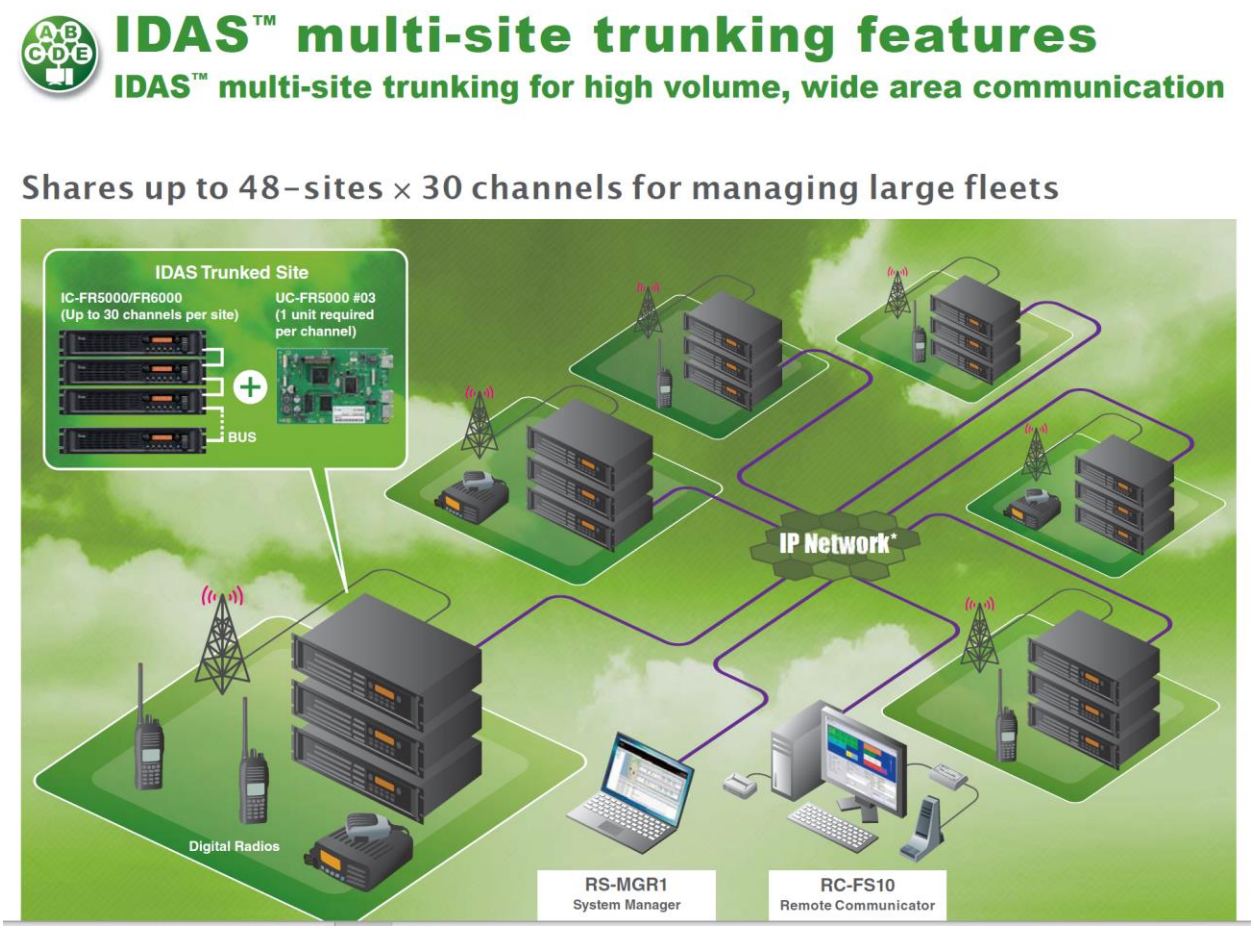
(A) A first two-way radio communication comprising:
i. A means for selecting and transmitting a signal code to a shared, public base/repeater station; and

The Defendant provides a device commonly known as the walkie talkie, that is capable of selecting and transmitting a signal code to a shared, public base/repeater station. The antenna on the device is the means for transmitting the signal code, and the keypad on the device, and/or PTT (Push to Talk) is responsible for the selection of the signal code.

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

ii. A means for sending two-way radio communication signals to said shared, public base/repeater station;

iCom's own literature claims that their IDAS multi-site trunking features allow for high volume, wide area communications wherein the customer may share up to 48 sites with each having 30 channels for managing large fleets. The Defendant provides a device commonly known as the walkie talkie, that is capable of selecting and transmitting a signal code to a shared, public base/repeater station. The antenna on the device is the means for sending two-way radio communication signals to said shared, public base/repeater station.



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

If we assume that the construction of the claim term "public" is ascertained from a dictionary of said claim term, then the following plurality of definitions may apply to the said claim term:

- of, relating to, or being in the **service of the community** or nation
- of or **relating to business or community interests** as opposed to private affairs
- **accessible to or shared by all members of the community**

See: http://www.merriam-webster.com/dictionary/public

These definitions are consistent with the arguments made to the USPTO for amending the claims to include the claim limitation of "shared/public".

REMARKS

In the Office Action, the Examiner finally rejected Claims 1 and 11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which is regarded as the invention and for various informalities. In response, Applicants have amended Claims 1 and 11 to more particularly point out and distinctly claim the subject matter and to correct the various informalities. Applicants have also amended Claims 9, 10, 16 and 18 to correct various informalities. No new matter has been added by these amendments. Therefore, Applicants respectfully request removal of this ground of rejection.

The Examiner then rejected Claims 1-3, 5, 7-13 and 16-18 under 35 U.S.C. 103(a) as being unpatentable over Scheinert et al. (U.S. Pat. Pub. 2004/0204097, hereinafter "Scheinert") in view of VOCAL Technologies Ltd. (a description of a V.34 modem, hereinafter "VOCAL"). In response, Applicants have amended Claims 1 and 11 and, therefore, respectfully request reconsideration and removal of this ground of rejection.

More specifically, Applicants aver that merely by combining the two references, that which Applicants claim as the invention would not be created. In this respect, the VOCAL reference does not add anything different to the teaching of Scheinert because VOCAL only discloses V.34 modem technology. This technology has already been incorporated into Scheinert. *See* Scheinert at paragraph 85. Therefore, VOCAL does not allow the modification of Scheinert. Trying to modify Scheinert with the disclosure of VOCAL would not create anything other than Scheinert.

Further, Applicants respectfully suggest that the Examiner has misconstrued the disclosure of Scheinert. Scheinert is designed to be used when a signal from a large communications tower (termed a base station by Scheinert) is not available. *See* Scheinert at paragraphs 8-9. Additionally, and as noted above, Scheinert discloses a method whereby a user of a cell phone can receive a strong cell phone signal where strong cell phone signals are otherwise not to be found (e.g., inside a building, at a rural location, etc.). *See* Scheinert at paragraph 8. Scheinert accomplishes this by teaching that, instead of having one large cell tower in an area, an individual user can obtain a miniature cell tower and attach it to, e.g., a cable modem. *See* Scheinert at paragraphs 9-16. The cell phone then only needs to receive a signal from the nearby miniature cell

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communications tower is available, it would not be obvious to combine the two references in order to create that which Applicants claim as the invention.

Furthermore, Scheinert teaches away from the present claimed invention for the reasons discussed above. That is, because Scheinert teaches that it is to be used when there is no large communications tower in the area, the reference teaches away from any invention designed to be used when there is a large communications tower (i.e., a shared, public base/repeater station) in the area.

Therefore, because the references as combined do not teach anything new, and because that which Applicants claim as the invention still would not be created even if the references *did* teach something new (which they do not), Applicants respectfully request removal of this ground of rejection.

The Examiner then rejected Claims 4, 6 and 14-15 under 35 U.S.C. 103(a) as being unpatentablve over Scheinert and VOCAL as applied to Claims 1 and 11, and further in view of the Admitted Prior Art. Applicants respectfully request reconsideration and removal of this ground of rejection.

More specifically, Applicants aver that the above-identified amendments and arguments prove that the present claimed invention would not be created by the combination of the first two references and the Admitted Prior Art. Most importantly, and as noted above, the Scheinert and VOCAL references cannot be combined to teach communications outside the cellular network, and the Admitted Prior Art does not cure this deficiency. If the Examiner were to argue that the Admitted Prior Art somehow does cure this deficiency by teaching the use of communications outside the cellular network, then the Admitted Prior Art would not properly be combinable with Scheinert because Scheinert teaches away from any communication system that does not utilize the cellular network.

Furthermore, the combination of Scheinert and VOCAL does not teach using a shared, public base/repeater station (as claimed by the present invention as amended). The addition of the Admitted Prior Art does not cure this deficiency, either.

In addition, Applicants have also added new Claim 19 which is directed to the same general subject matter as Claim 1 but recites that the system can only be used outside of a cellular network. As such, Claim 19 finds support in the same locations in

Page 11 of 12

communications tower is available, it would not be obvious to combine the two references in order to create that which Applicants claim as the invention.

Furthermore, Scheinert teaches away from the present claimed invention for the reasons discussed above. That is, because Scheinert teaches that it is to be used when there is no large communications tower in the area, the reference teaches away from any invention designed to be used when there is a large communications tower (i.e., a shared, public base/repeater station) in the area.

Therefore, because the references as combined do not teach anything new, and because that which Applicants claim as the invention still would not be created even if the references *did* teach something new (which they do not), Applicants respectfully request removal of this ground of rejection.

The Examiner then rejected Claims 4, 6 and 14-15 under 35 U.S.C. 103(a) as being unpatentablve over Scheinert and VOCAL as applied to Claims 1 and 11, and further in view of the Admitted Prior Art. Applicants respectfully request reconsideration and removal of this ground of rejection.

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The claim term "shared, public", refers to whether the base/repeater station is accessible to multiple users radios i.e. outside of a local in room or house private base/repeater station e.g. amateur base/station repeater. Radio communications over long distances typically would use cellular networks. These cellular networks communicate via "towers" which can be analogized with base/repeater stations in the Internet Protocol (TCP/IP) network otherwise known as the Internet. Personal/private cell towers can be used in areas where signal is poor from the public shared towers located outside of the user's residence. This fact is mentioned in the amendment argument shown above. By way of example, in the cell communications network, a Verizon cell tower for example, is considered a public, shared tower for purposes of this patent and as disclosed in the above argument for the amendment of the claim term to the patent office. It is the personal, local non-shared cell tower that a user plugs in to their access point, that would not be considered shared/public. Further, when not set for roaming to other carriers, a cell phone must be configured by their provider before it can be used on their network of cell towers. This situation is the same as with iCom's IDAS with distant sites, a user must set up their device and communication protocol

before it can communicate on the network. It doesn't matter if the network uses a VPN or other encryption or network entry barrier. The focus is on whether other users can connect to the device.

As is clear from iCom's own literature, a large national business may use their IDAS with base/repeater stations to communicate with each other with the capability of up to 60,000 IDs, and up to 48 different sites with each site having up to 30 base/repeater stations. That would allow for every state in the Union with the exception of Alaska and Hawaii, to have its own site, with 30 base/repeater stations all over each state. It doesn't get any more shared, and public than that.

Distributed control channel

The IDAS trunking system uses a distributed logic system that does not use a dedicated control channel. All trunked channels can be used for voice traffic channels to be shared more effectively with a large number of users.

Up to 48 IDAS™ trunked sites connected over an IP network

IDAS multi-site trunking can have up to 30 repeaters (RF units) per site and up to 48 trunked sites can be interlinked over the IP network. An IDAS terminal radio user can communicate with other IDAS terminal radio users working under the interlinked trunked sites.*

* Up to 16 preprogrammed sites can be down-linked simultaneously for a group call.

Up to 60,000 individual ID and 60,000 group ID numbers

In IDAS multi-site trunking, the combination of prefix ID and individual ID (or group ID) codes is used as a unique identifier. IDAS multi-site trunking can have up to 30 prefix ID codes per system and up to 2,000 individual ID codes and 2,000 group ID codes per prefix ID. In total, up to 60,000 individual IDs and 60,000 group ID numbers can be used in a system.

Automatic site roaming

When a user turns on a radio, or moves from one site to another site, the radio automatically starts a hunt scan and registers their own ID information to the repeater site. No user interaction is required.

Fleet management

The fleet management function allows the system manager to control a user group in a fleet. Users can be divided in up to 5,000 fleets and the system manager can enable or disable the use of the system for any fleet.

Fleet management examples

Fleet (1–5000)	Alias name	Prefix ID (1–30)	Individual ID (1–2000)	Group ID (1–2000)	Status
1	Security A	1	1–10,31–400	1–20	Enable
2	Taxi B	1	11–30	21–25	Enable
3	Bus C	2	1–30	1–30	Disable
4	Truck D	2	1001–1005	51–53	Enable

The system manager can enable or disable the use of the system for any fleet. (On the example above, Fleet 3 is disabled.)

Integrated system for clean and simple installation

IDAS multi-site trunking requires only the UC-FR5000 (#03) trunking controller, which can be installed into the IC-FR5000 series repeater – no external server and no extra rack space is required.

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

iii. a means for receiving two-way radio communication signals from said shared, public base/repeater station;

Defendant tests, sells, and otherwise provides handheld radios that contain antennas that allow for receiving two-way radio communication signals. The Defendant provides a device commonly known as the walkie talkie, that is capable of receiving two-way radio communication signals from said shared, public base/repeater station. The antenna on the device is the means for receiving the two-way radio communications.

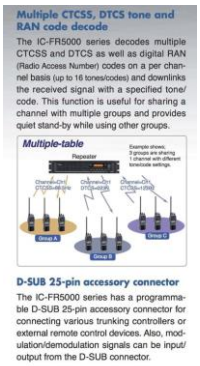
See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

(B) Said shared, public base/repeater station comprising:

i. A base/repeater station decoder at said shared, public base/repeater station for decoding the signal code from said first two-way radio into a signal that is recognized by a base/repeater station controller located at said shared, public base/repeater station and transferring said signal to said base/repeater station controller via a dedicated connection; and

Defendant provides a shared, public base/repeater station that comprises a base/repeater station from said first two-way radio into a signal that is recognized by a base/repeater station controller located at said shared, public base/repeater station and transferring said signal to said base/repeater station controller via a dedicated connection. The decoder is responsible for decoding

the signal code. Defendant creates a dedicated connection by using VPN (Virtual Private Networking), to interconnect all of its sites i.e. communication between controller, base/repeater station, to another base/repeater station etc.



Multiple CTCSS, DTCS tone and RAN code decode

The IC-FR5000 series decodes multiple CTCSS and DTCS as well as digital RAN (Radio Access Number) codes on a per channel basis (up to 16 tones/codes) and downlinks the received signal with a specified tone/code. This function is useful for sharing a channel with multiple groups and provides quiet stand-by while using other groups.

Multiple-table

D-SUB 25-pin accessory connector

The IC-FR5000 series has a programmable D-SUB 25-pin accessory connector for connecting various trunking controllers or external remote control devices. Also, modulation/demodulation signals can be input/output from the D-SUB connector.

See: http://www.icomamerica.com ("Product Brochure for IC-FR5000)

• Multisite Conventional

By inserting the CF-FR5000 card into the slot on the UC board, the UC and UR modules increase their capabilities to include multisite conventional operation. Installing the CF card does not prohibit single site trunking, it merely enables additional configuration choices to include multisite conventional operation. A multisite conventional system allows the interconnection of conventional repeaters using an IP network to create a series of geographically distributed repeaters that operate as one, or to allow UHF and VHF repeaters to share traffic in a crossover configuration.

• Multisite Conventional Voting

The UC with CF-FR5000 card in a UR repeater module can also be configured to allow the repeater to be a voting receiver, typically located in an area of poor RF coverage where the subscriber radio can not reach back to the transmitter. The signal is received at the voter, transported over IP to the transmitter which compares the incoming RSSI levels and transmits the strongest signal.

• MultiTrunk

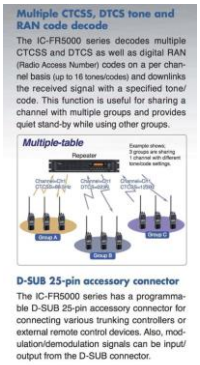
The UC board is the platform from which IDAS MultiTrunk multisite trunking systems can be created. This capability is unleashed with the installation of a variant CF-FR5000MT card installed in the UC slot. With this hardware configuration and the latest firmware, the UR repeater module can be built out to a 48 site, 30 channels per site trunked system linked via IP networks. This system has many advanced capabilities, among them the ability to seamlessly roam between sites and the administration of users into fleets of users.

See: http://www.icomamerica.com (UC-FR5000 Product Brochure)

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

ii. Wherein said base/repeater station controller comprises a means for receiving said decoded signal from said base/repeater station decoder and correlating said decoded signal to one or more internet addresses associated with at least one target base station by which there is established a bi-directional computer network link with said at least one target base station using said internet address for the exchange of two-way radio communication signals;

The Defendant tests, and sells the IC-FR5000 and ICFR6000 which comprises a means for receiving said decoded signal from said base/repeater station decoder, (Defendants product brochure for the IC-FR5000 admits that it contains a decoder for various signal codes) and correlating said decoded signal to one or more internet addresses associated with at least one target base station, (Defendants base/repeater stations communicate with each other over TCP/IP, with VPN direct connection encrypted tunnels), by which there is established a bi-directional computer network link with said at least one target base station using said internet address for the exchange of two-way radio communication signals. (Defendants base/repeater stations communicate with each other over TCP/IP, with VPN direct connection encrypted tunnels)



See: http://www.icomamerica.com ("Product Brochure for IC-FR5000)

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

iii. Wherein said shared, public base/repeater station further comprises a means for sending and receiving two-way radio communication signals to and from said first two-way radio; and

Defendant's base/repeater stations contain antennas used for sending and receiving two-way radio communication signals.

http://www.icomamerica.com/idas625/News/productbrochures/IC_FR5000.pdf

Distributed control channel

The IDAS trunking system uses a distributed logic system that does not use a dedicated control channel. All trunked channels can be used for voice traffic channels to be shared more effectively with a large number of users.

Up to 48 IDAS™ trunked sites connected over an IP network

IDAS multi-site trunking can have up to 30 repeaters (RF units) per site and up to 48 trunked sites can be interlinked over the IP network. An IDAS terminal radio user can communicate with other IDAS terminal radio users working under the interlinked trunked sites.*

* Up to 16 preprogrammed sites can be down-linked simultaneously for a group call.

Up to 60,000 individual ID and 60,000 group ID numbers

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Automatic site roaming

When a user turns on a radio, or moves from one site to another site, the radio automatically starts a hunt scan and registers their own ID information to the repeater site. No user interaction is required.

Fleet management

The fleet management function allows the system manager to control a user group in a fleet. Users can be divided in up to 5,000 fleets and the system manager can enable or disable the use of the system for any fleet.

Fleet management examples

Fleet (1–5000)	Alias name	Prefix ID (1–30)	Individual ID (1–2000)	Group ID (1–2000)	Status
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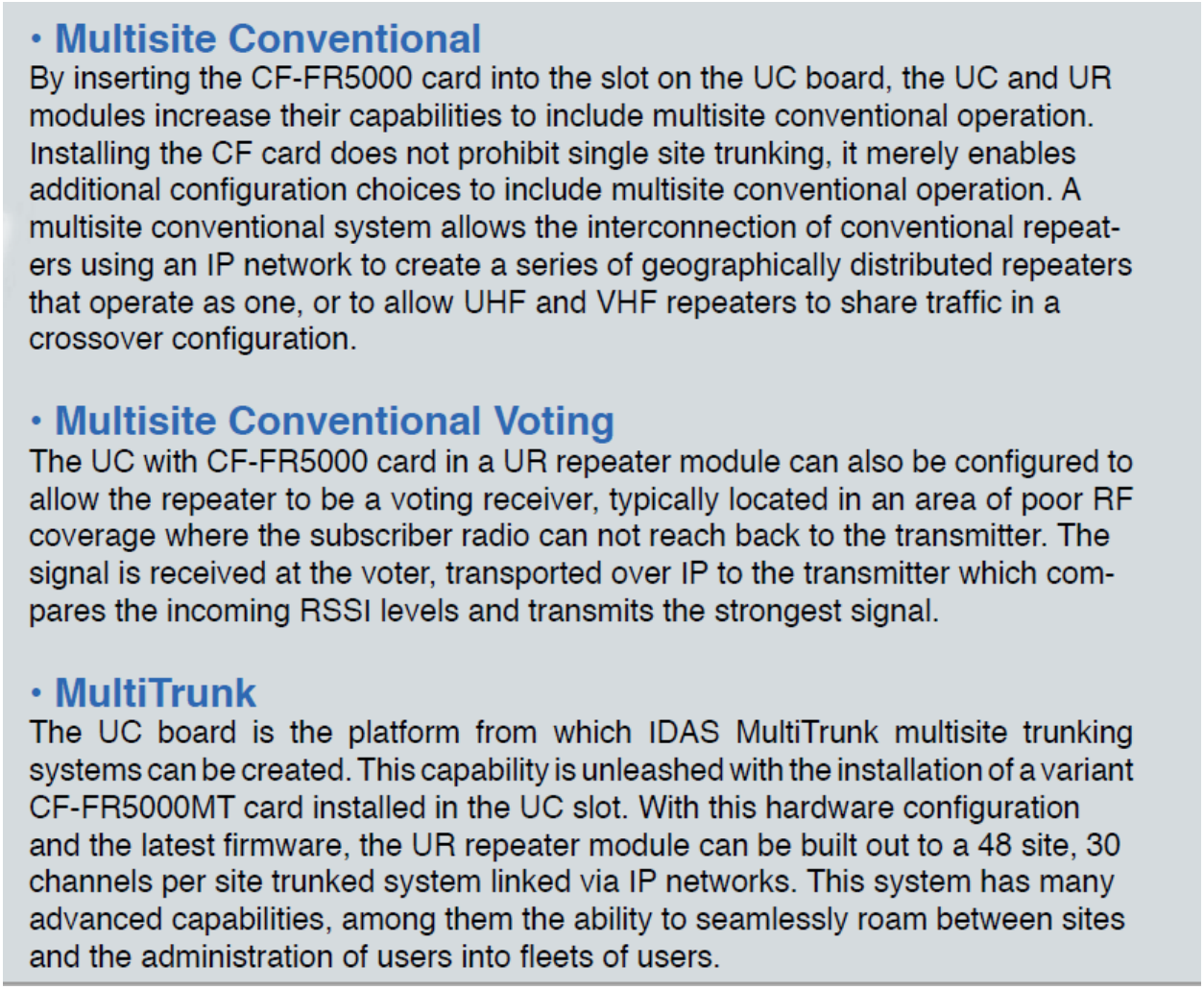
4	Truck D	2	1001–1005	51–53	Enable

The system manager can enable or disable the use of the system for any fleet. (On the example above, Fleet 3 is disabled.)

Integrated system for clean and simple installation

IDAS multi-site trunking requires only the UC-FR5000 (#03) trunking controller, which can be installed into the IC-FR5000 series repeater – no external server and no extra rack space is required.

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483



• Multisite Conventional

By inserting the CF-FR5000 card into the slot on the UC board, the UC and UR modules increase their capabilities to include multisite conventional operation. Installing the CF card does not prohibit single site trunking, it merely enables additional configuration choices to include multisite conventional operation. A multisite conventional system allows the interconnection of conventional repeaters using an IP network to create a series of geographically distributed repeaters that operate as one, or to allow UHF and VHF repeaters to share traffic in a crossover configuration.

• Multisite Conventional Voting

The UC with CF-FR5000 card in a UR repeater module can also be configured to allow the repeater to be a voting receiver, typically located in an area of poor RF coverage where the subscriber radio can not reach back to the transmitter. The signal is received at the voter, transported over IP to the transmitter which compares the incoming RSSI levels and transmits the strongest signal.

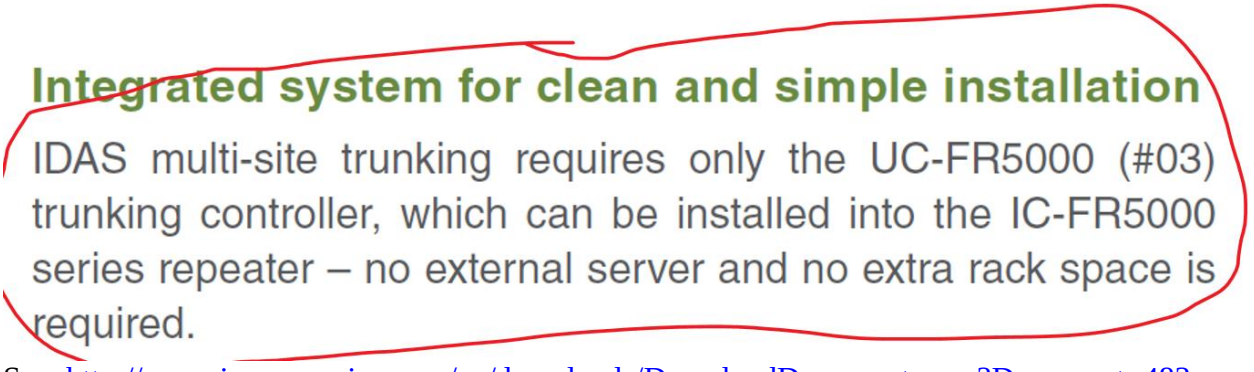
• MultiTrunk

The UC board is the platform from which IDAS MultiTrunk multisite trunking systems can be created. This capability is unleashed with the installation of a variant CF-FR5000MT card installed in the UC slot. With this hardware configuration and the latest firmware, the UR repeater module can be built out to a 48 site, 30 channels per site trunked system linked via IP networks. This system has many advanced capabilities, among them the ability to seamlessly roam between sites and the administration of users into fleets of users.

See: http://www.icomamerica.com (UC-FR5000 Product Brochure)

(C) Wherein said at least one target base station comprises:

i. A target station controller located at said target base station comprising a means for establishing a bi-directional computer network link with said shared, public base/repeater station for two-way radio communication signals;



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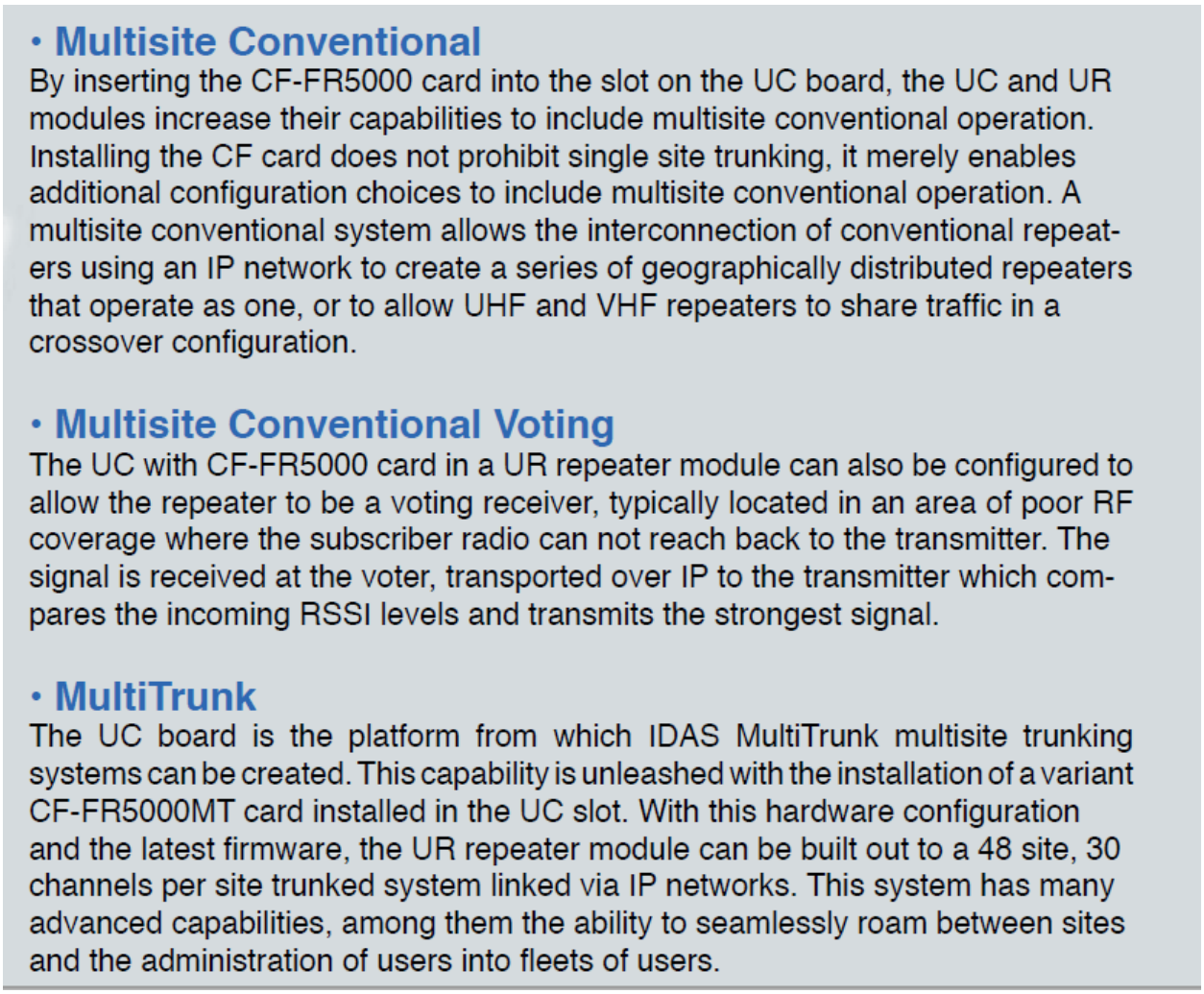
See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483



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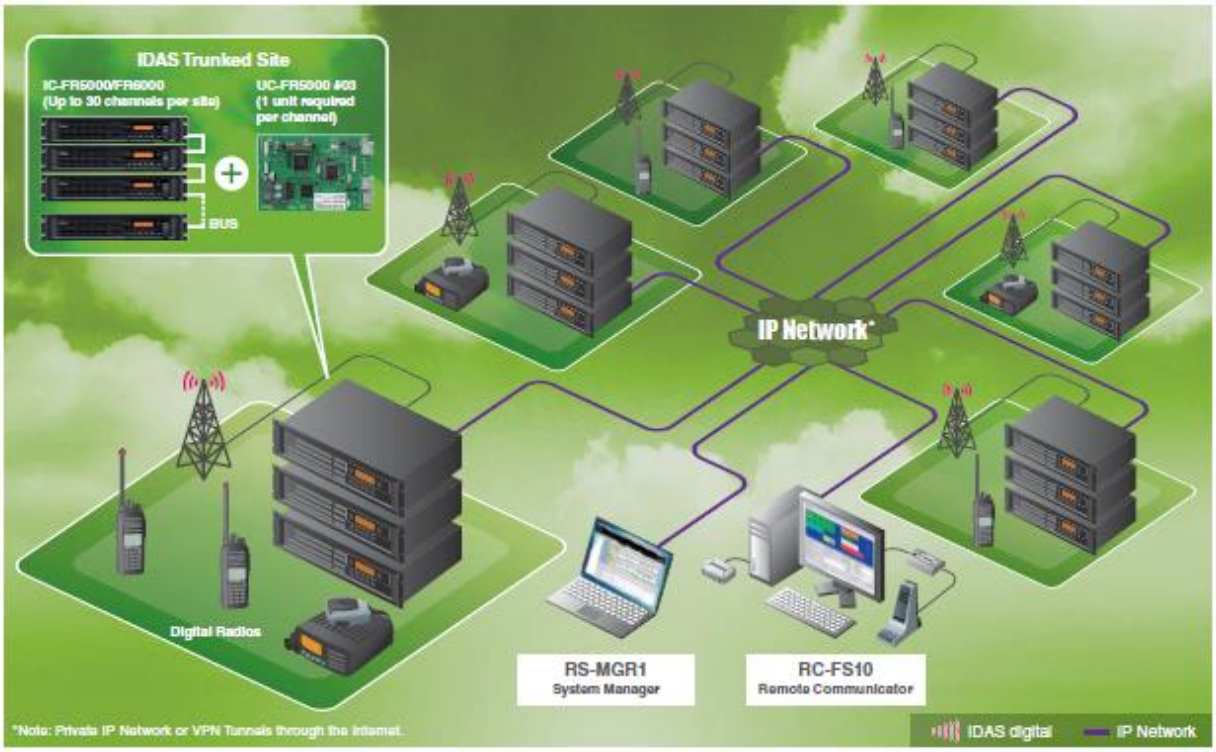
See: http://www.icomamerica.com (UC-FR5000 Product Brochure)

Defendant admits in their literature that the system includes a controller is required for the desired TCP/IP communications to take place.

ii. Wherein said at least one target base station further comprises a means for sending and receiving two-way radio communication signals to and from a second two-way radio and;



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

The photo depicted above shows Defendant's system which comprises base/repeater stations with antennas that can send and receive two-way radio transmissions from a handheld radio.

(D) At least one second two-way radio comprising:

i. A means for receiving two-way radio communication signals from said at least one target base station; and

Defendant offers handheld transceivers that allow a user to receive two-way radio communications from at least one target base station.

ii. a means for sending two-way radio communication signals to said at least one target base station; and

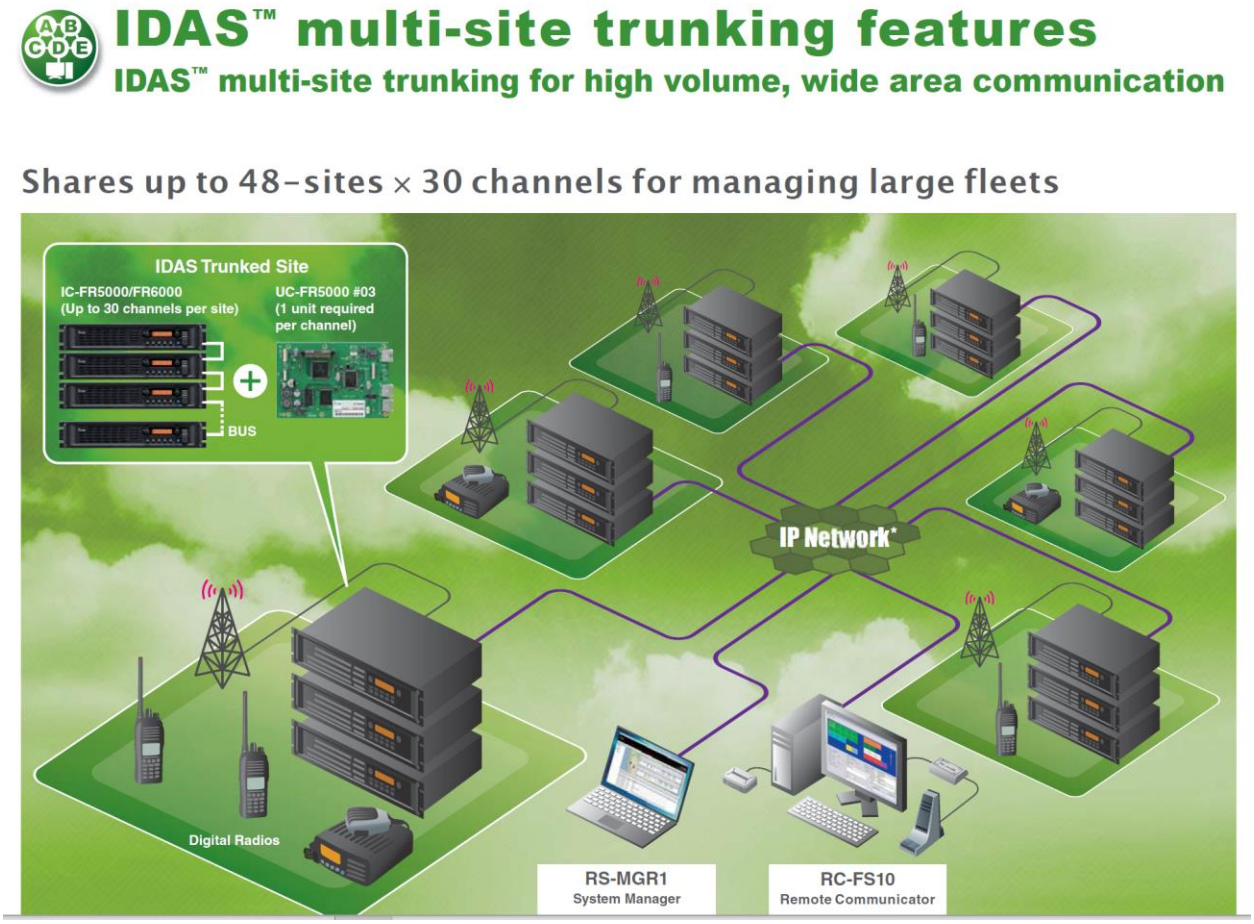
See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

The photo depicted above represents at least one handheld transceiver that is advertises as being capable of receiving and transmitting two-way radio communications signals to a base/repeater station.

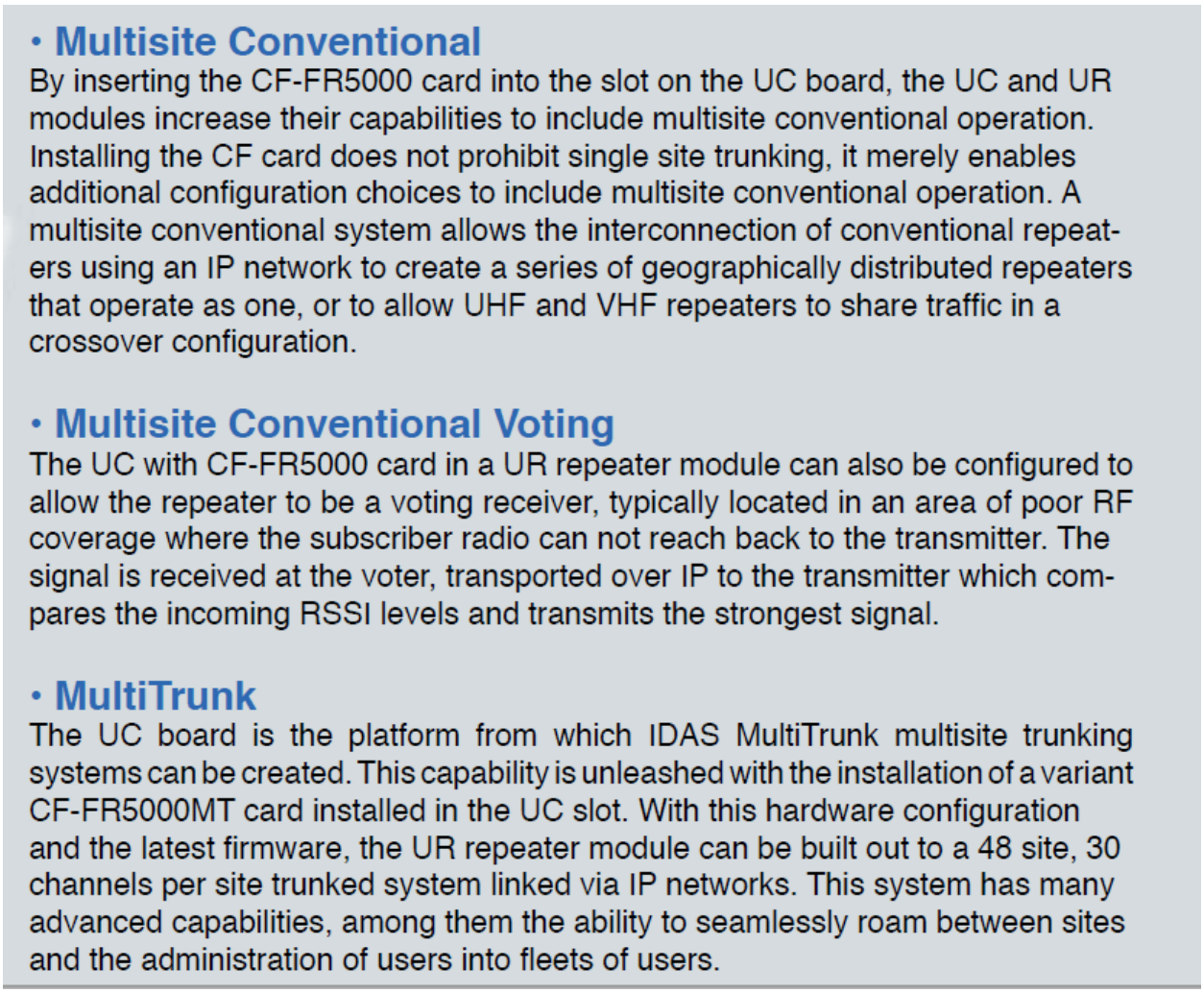
(E) Whereby two-way radio communication signals are bi-directionally exchanged directly between said first two-way radio and said second two-way radio via said bi-directional computer network link directly between said shared, public base/repeater station controller and said target station controller.

See: http://www.icomamerica.com (Product Brochure for the IC-FR5000)

Defendant's systems use VPN technology which creates direct point to point encrypted tunneling between base stations over TCP/IP networks, making the communication between these base stations secure.



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483



• Multisite Conventional

By inserting the CF-FR5000 card into the slot on the UC board, the UC and UR modules increase their capabilities to include multisite conventional operation. Installing the CF card does not prohibit single site trunking, it merely enables additional configuration choices to include multisite conventional operation. A multisite conventional system allows the interconnection of conventional repeaters using an IP network to create a series of geographically distributed repeaters that operate as one, or to allow UHF and VHF repeaters to share traffic in a crossover configuration.

• Multisite Conventional Voting

The UC with CF-FR5000 card in a UR repeater module can also be configured to allow the repeater to be a voting receiver, typically located in an area of poor RF coverage where the subscriber radio can not reach back to the transmitter. The signal is received at the voter, transported over IP to the transmitter which compares the incoming RSSI levels and transmits the strongest signal.

• MultiTrunk

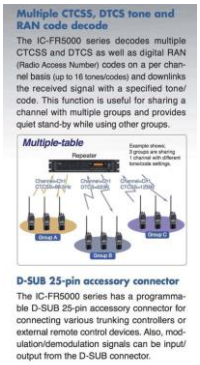
The UC board is the platform from which IDAS MultiTrunk multisite trunking systems can be created. This capability is unleashed with the installation of a variant CF-FR5000MT card installed in the UC slot. With this hardware configuration and the latest firmware, the UR repeater module can be built out to a 48 site, 30 channels per site trunked system linked via IP networks. This system has many advanced capabilities, among them the ability to seamlessly roam between sites and the administration of users into fleets of users.

See: http://www.icomamerica.com (UC-FR5000 Product Brochure)

A method for exchanging two-way radio communication signals between two-way radios via a bi-directional computer network link directly between a shared, public base/repeater station and at least one target base station, said method comprising:

> *(a) transmitting a signal code and two-way radio communication signals from a two-way radio to said shared, public base/repeater station having a controller located at said shared, public base/repeater station;*

Defendant admits in their product literature that their base/repeater stations support multiple signal codes e.g. CTCSS, DCTS and DTMF. This signal code is sent along with two-way radio communication signals from a two-way radio to a shared, public base/repeater station having a controller located at said shared, public base/repeater station.



Multiple CTCSS, DTCS tone and RAN code decode

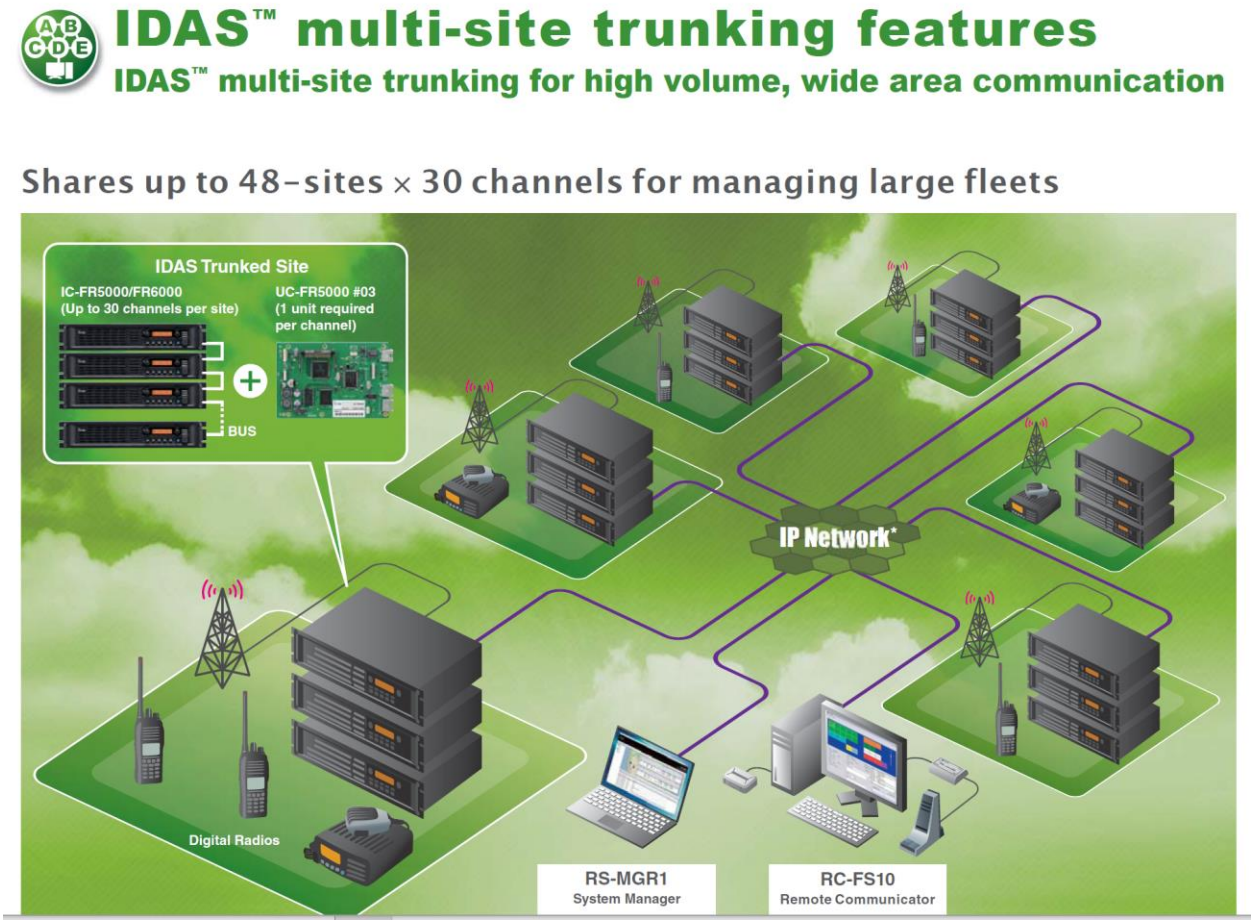
The IC-FR5000 series decodes multiple CTCSS and DTCS as well as digital RAN (Radio Access Number) codes on a per channel basis (up to 16 tones/codes) and downlinks the received signal with a specified tone/code. This function is useful for sharing a channel with multiple groups and provides quiet stand-by while using other groups.

Multiple-table

D-SUB 25-pin accessory connector

The IC-FR5000 series has a programmable D-SUB 25-pin accessory connector for connecting various trunking controllers or external remote control devices. Also, modulation/demodulation signals can be input/output from the D-SUB connector.

See: http://www.icomamerica.com (“Product Brochure for IC-FR5000)



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

Distributed control channel

The IDAS trunking system uses a distributed logic system that does not use a dedicated control channel. All trunked channels can be used for voice traffic channels to be shared more effectively with a large number of users.

Up to 48 IDAS™ trunked sites connected over an IP network

IDAS multi-site trunking can have up to 30 repeaters (RF units) per site and up to 48 trunked sites can be interlinked over the IP network. An IDAS terminal radio user can communicate with other IDAS terminal radio users working under the interlinked trunked sites.*

* Up to 16 preprogrammed sites can be down-linked simultaneously for a group call.

Up to 60,000 individual ID and 60,000 group ID numbers

In IDAS multi-site trunking, the combination of prefix ID and individual ID (or group ID) codes is used as a unique identifier. IDAS multi-site trunking can have up to 30 prefix ID codes per system and up to 2,000 individual ID codes and 2,000 group ID codes per prefix ID. In total, up to 60,000 individual IDs and 60,000 group ID numbers can be used in a system.

Automatic site roaming

When a user turns on a radio, or moves from one site to another site, the radio automatically starts a hunt scan and registers their own ID information to the repeater site. No user interaction is required.

Fleet management

The fleet management function allows the system manager to control a user group in a fleet. Users can be divided in up to 5,000 fleets and the system manager can enable or disable the use of the system for any fleet.

Fleet management examples

Fleet (1–5000)	Alias name	Prefix ID (1–30)	Individual ID (1–2000)	Group ID (1–2000)	Status
1	Security A	1	1–10,31–400	1–20	Enable
2	Taxi B	1	11–30	21–25	Enable
3	Bus C	2	1–30	1–30	Disable
4	Truck D	2	1001–1005	51–53	Enable

The system manager can enable or disable the use of the system for any fleet. (On the example above, Fleet 3 is disabled.)

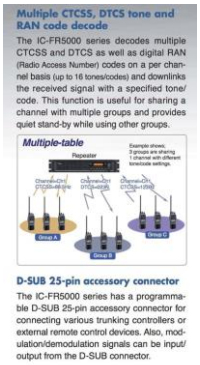
Integrated system for clean and simple installation

IDAS multi-site trunking requires only the UC-FR5000 (#03) trunking controller, which can be installed into the IC-FR5000 series repeater – no external server and no extra rack space is required.

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

(b) decoding said signal code and correlating said decoded signal code at said shared, public base/repeater station location to one or more internet addresses and establishing a bi-directional computer network link with said at least one target base station using said internet address to exchange two-way radio communication signals;

Defendant provides a shared, public base/repeater station that comprises a base/repeater station from said first two-way radio into a signal that is recognized by a base/repeater station controller located at said shared, public base/repeater station and transferring said signal to said base/repeater station controller via a dedicated connection. The decoder is responsible for decoding the signal code sent from a handheld transceiver. Defendant creates a dedicated connection by using VPN (Virtual Private Networking), to interconnect all of its sites i.e. communication between controller, base/repeater station, to another base/repeater station etc.



See: http://www.icomamerica.com ("Product Brochure for IC-FR5000)

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

(c) establishing a bi-directional computer network link directly between said shared, public base/repeater station and said at least one target base station having a controller at said at least one target base station through said internet address;

See: http://www.icomamerica.com (Product Brochure for the IC-FR5000)

Defendant's systems use VPN technology which creates direct point to point encrypted tunneling between base stations over TCP/IP networks, making the communication between these base stations secure.

• Multisite Conventional

By inserting the CF-FR5000 card into the slot on the UC board, the UC and UR modules increase their capabilities to include multisite conventional operation. Installing the CF card does not prohibit single site trunking, it merely enables additional configuration choices to include multisite conventional operation. A multisite conventional system allows the interconnection of conventional repeaters using an IP network to create a series of geographically distributed repeaters that operate as one, or to allow UHF and VHF repeaters to share traffic in a crossover configuration.

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See: http://www.icomamerica.com (UC-FR5000 Product Brochure)

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* Up to 16 preprogrammed sites can be down-linked simultaneously for a group call.

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The fleet management function allows the system manager to control a user group in a fleet. Users can be divided in up to 5,000 fleets and the system manager can enable or disable the use of the system for any fleet.

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IDAS multi-site trunking requires only the UC-FR5000 (#03) trunking controller, which can be installed into the IC-FR5000 series repeater – no external server and no extra rack space is required.

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

(d) transmitting two-way radio communication signals over said computer network link directly to said at least one target base station;

See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

See: http://www.icomamerica.com (Product Brochure for the IC-FR5000)

Defendant's systems use VPN technology which creates direct point to point encrypted tunneling between base stations over TCP/IP networks, making the communication between these

base stations secure.

(e) transmitting said two-way radio communication signals from said at least one target base station to a second two-way radio;

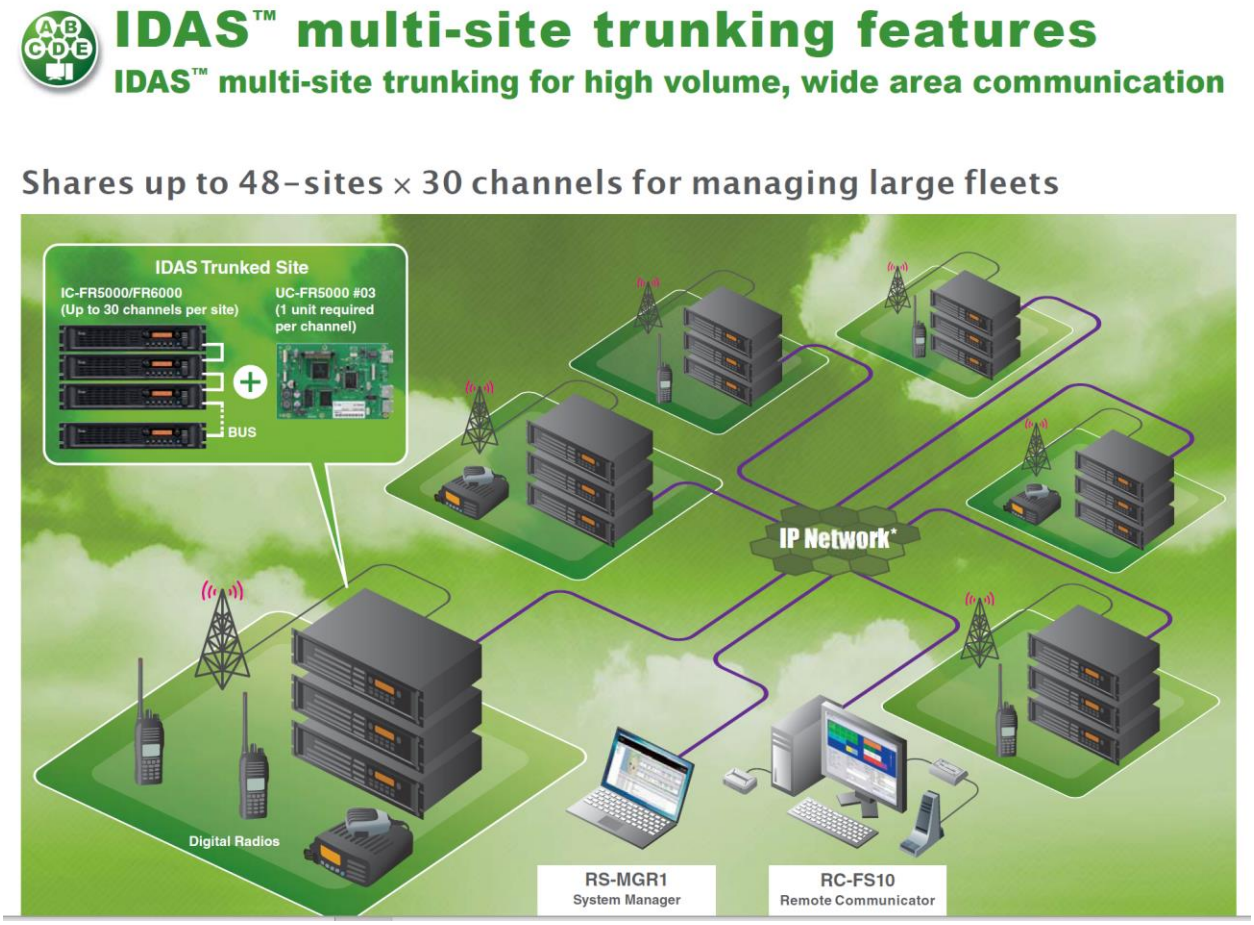
See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

Defendant provides two-way radio handheld transceivers which contain antennas that send and receive two-way radio communication signals to and from Defendants base/repeater stations.

(f) transmitting two-way radio communication signals from said second two-way radio to said at least one target base station;

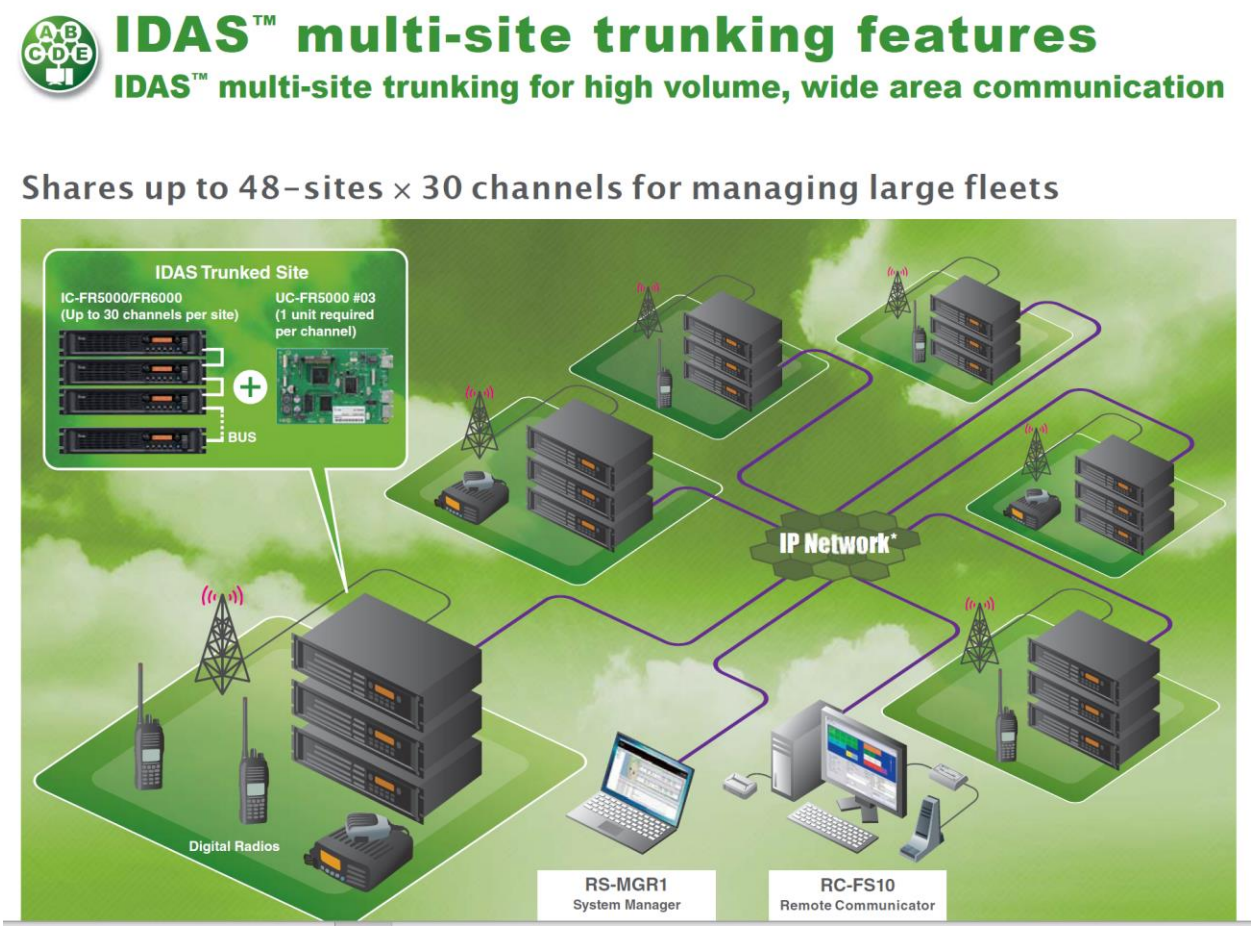
Defendant tests, provides, sells etc. two-way radio handheld transceivers, which transmit

and receive two-way radio communication signals to and from Defendants base/repeater stations.



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

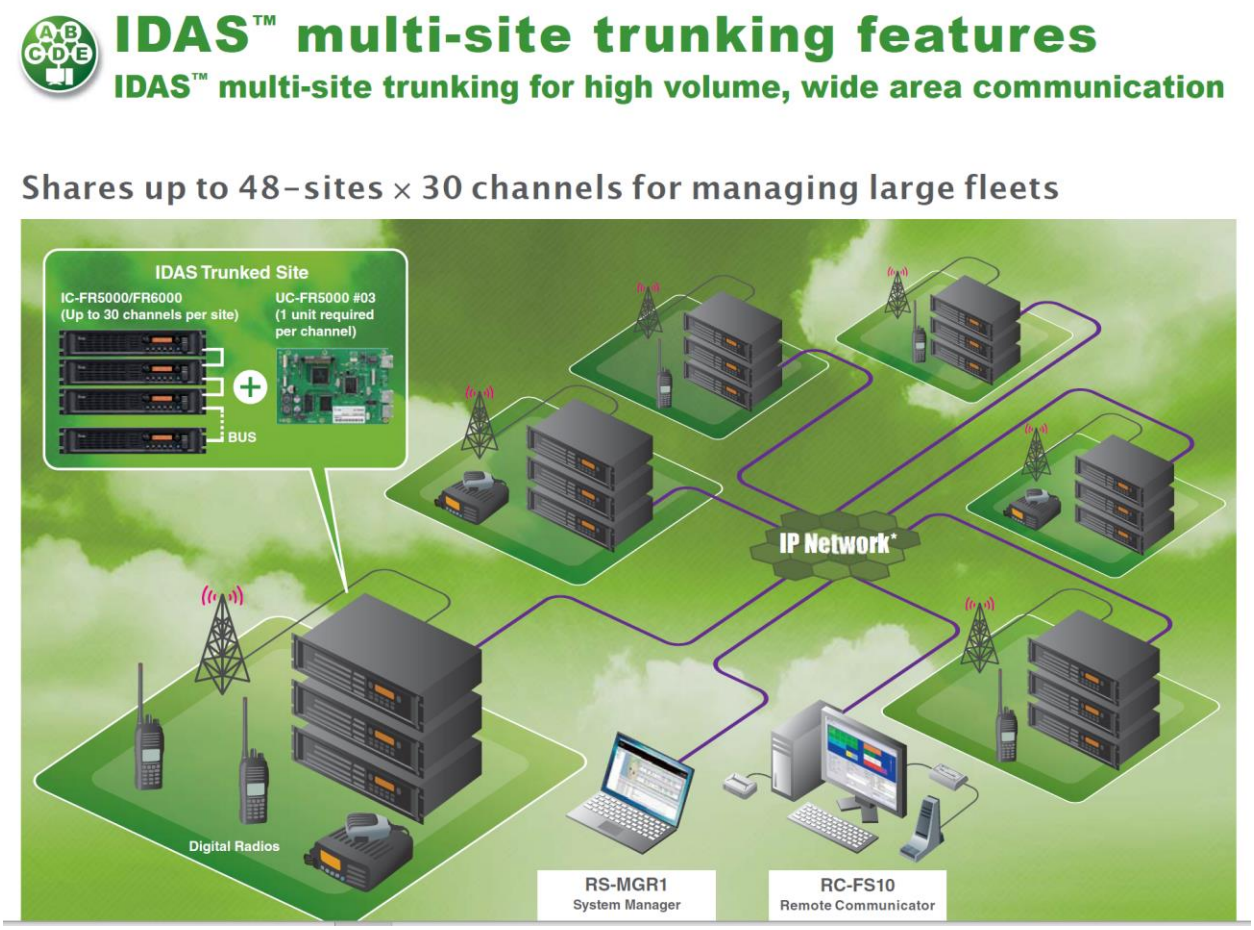
(g) transmitting two-way radio communication signals from said at least one target base station over said computer network link directly to said shared, public base/repeater station; and



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

Defendant tests, sells, provides etc. base/repeater stations that send and receive two-way radio communication signals to and from two-way radio handheld transceivers.

(h) transmitting two-way radio communication signals from said shared, public base/repeater station to said first two-way radio.



See: http://www.icomamerica.com/en/downloads/DownloadDocument.aspx?Document=483

Defendant tests, sells, provides etc. base/repeater stations that send and receive two-way radio communication signals to and from two-way radio handheld transceivers.

See: http://www.icomamerica.com (Product Brochure for the IC-FR5000)

Defendant's systems use VPN technology which creates direct point to point encrypted tunneling between base stations over TCP/IP networks, making the communication between these base stations secure.

11. Defendant directly or through intermediaries, made, had made, tests, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems and methods for providing data communication in a device network that infringed one or more claims of the '806 patent in this district and elsewhere in the United States, Particularly, Defendant makes, uses, provides, tests, offers for sale, and sells their products titled the IC-FR5000, IC-FR6000, UC-FR5000, CF-FR5000 and two-way radio handheld transceivers, and other TCP/IP base station/repeater products ("Accused Instrumentalities") which when Defendant tested these products when operating together directly and/or indirectly infringes the '806 patent.

12. Defendant also infringes under 35 U.S.C. § 271(b) by inducing infringement of the '806 patent in the State of Texas, literally or under the doctrine of equivalents, in this judicial district, and elsewhere in the United States, by, among other things, advising, encouraging, or otherwise inducing others to perform the steps and operate the systems claimed by the '806 patent to the injury of RFJ. Defendant actively instructs their customers to use the Accused Instrumentality in a way that infringes the '806 patent. Since at least the filing date of the Original Complaint, Defendant has had knowledge of the '806 patent, and by continuing the actions described herein, has had specific intent to induce infringement of the '806 patent pursuant to 35 U.S.C. § 271(b).

13. Specifically, Defendant advertises the Accused Instrumentality to its Customers, and instructs its Customers, such that when Defendant's Customers follow Defendant's instructions, each of said Customers necessarily perform all steps in methods and/or systems claimed in the '806 patent. The photos and description in paragraph 10 are incorporated herein by reference. It is these referenced product material that induces Defendant's customers into

performing the method, and putting in to use the system, that is claimed in the ‘806 Patent.

14. Since at least the filing date of the Original Complaint, Defendant has had knowledge of the ‘806 patent pursuant to 35 U.S.C. § 271(c), and by continuing the actions described above, by continuing to sell the Accused Instrumentality and instruct their customers to use the Accused Instrumentality in an infringing manner, Defendant has had specific intent to induce infringement of the ‘806 patent pursuant to 35 U.S.C. § 271(b).

15. Defendant’s customers use the Accused Instrumentality as instructed by Defendant and in doing so, complete all elements in at least Claim 1 and 11 of the ‘806 patent making Defendant’s customers direct infringers of the ‘806 patent. Defendant specifically intended for its customers to infringe the ‘806 patent because Defendant continues to advertise and provide to its customer’s manuals and product information on their website that when followed necessarily infringe the ‘806 patent. For reference to evidence of this, please refer to paragraph 10 in this complaint.

16. Defendant instructs its Customers, such that when Defendant’s customers follow Defendant’s instructions, each of said Customers necessarily perform all steps in methods claimed in the ‘806 patent making Defendants customers direct infringers of the ‘806 patent. For reference to evidence of this, please refer to paragraph 10 in this complaint.

17. Defendant also infringes under 35 U.S.C. § 271(c) by contributing to infringement of the ‘806 patent in the State of Texas, literally or under the doctrine of equivalents, in this judicial district, and elsewhere in the United States, by, among other things, offering for sale, selling, or importing the Accused Instrumentality, and advising, encouraging, and contributing so that others can perform all of the steps and use the systems claimed by the ‘806 patent to the injury of RFJ.

18. Specifically, Pursuant to 35 U.S.C. § 271(c), Defendant tests, advertises, sells, and provides the Accused Instrumentality to its Customers, and instructs its Customers, such that when Defendant's customers follow Defendant's instructions, each of said Customers necessarily perform all steps in methods and/or systems claimed in the '806 patent making Defendants customers direct infringers of the '806 patent.

19. The Accused Instrumentalities which are provided by Defendant to its customers, are designed specifically to practice the methods and use the systems claimed in the '806 patent. If the functionality that is embodied in the '806 patent was not present in the Accused Instrumentalities sold by Defendant then these said devices would not work properly for their stated purposes by Defendant in its literature about its products. For reference to evidence of this, please refer to paragraph 10 in this complaint.

20. There is no substantial non-infringing use for the Accused Instrumentalities because if the devices were used in a non-infringing manner then they would not work for the stated purpose outlined in Defendant's product brochures. For reference to evidence of this, please refer to paragraph 10 in this complaint.

21. Defendant continues advising, encouraging, contributing, or otherwise inducing others to perform the methods and systems claimed by the '806 patent to the injury of RFJ. Since at least the filing date of this Complaint, Defendant has had knowledge of the '806 patent, and by continuing the actions described above, has had specific intent to induce infringement of the '806 patent pursuant to 35 U.S.C. § 271(b), and has further contributed to said infringement of the '806 patent by their customers by providing them with the Accused Instrumentalities so that their customers could infringe the '806 patent.

22. Defendant's aforesaid activities have been without authority and/or license from

Plaintiff.

23. To the extent that facts learned in discovery show that Defendant's infringement of the '806 Patent is or has been willful, RFJ reserves the right to request such a finding at the time of trial.

24. As a result of Defendant's infringement of the '806 Patent, RFJ has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant and its customers, together with interest and costs as fixed by the Court.

25. RFJ will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court. Defendant's infringement of Plaintiff's exclusive rights under the '806 patent will continue to damage Plaintiff, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

26. RFJ has also suffered and will continue to suffer severe and irreparable harm unless this Court issues a permanent injunction prohibiting Defendant, its agents, servants, employees, representatives, and all others acting in active concert therewith from infringing the '806 Patent.

JURY DEMAND

Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court find in its favor and against the Defendant, and that the Court grant Plaintiff the following relief:

A. A judgment in favor of Plaintiff that Defendant has infringed one or more of the claims, directly, jointly and/or indirectly, by way of inducing and/or contributing to the infringement of the '806 patent;

B. A permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendant and their officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '806 patent, or such other equitable relief the Court determines is warranted;

C. A judgment and order requiring Defendant pay to Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '806 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and

D. Any and all other relief, at law or equity, to which Plaintiff may show itself to be entitled.

Dated: August 15, 2016

Respectfully submitted,

By: */s/ Austin Hansley*

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Email: Austin@TheTexasLawOffice.com
www.TheTexasLawOffice.com
ATTORNEY FOR PLAINTIFF
RFJ LICENSING, LLC

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2016, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Dallas Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ *Austin Hansley*
Austin Hansley