IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GROUPCHATTER, LLC, Plaintiff, v. LINE CORPORATION and LINE EURO-AMERICAS CORPORATION, Defendants.	CIVIL ACTION FILE

COMPLAINT AND JURY DEMAND

Plaintiff GroupChatter, LLC files this Complaint against Defendants LINE Corporation and LINE Euro-Americas Corporation (collectively, "LINE" or "Defendants") for infringement of U.S. Patent Nos. 8,588,207, 9,014,659, and 9,294,888.

THE PARTIES

1. Plaintiff GroupChatter, LLC ("GroupChatter") is a Texas limited liability company with its headquarters and principal place of business at 1400 Preston Road, Suite 475, Plano, Texas 75093.

2. Defendant LINE Corporation is Japanese corporation with a principal place of business at 27F Shibuya Hikarie, 2-21-1 Shibuya, Shibuya-ku, Tokyo 150-

8510in Tokyo, Japan. LINE Corp. may be served pursuant to Fed. R. Civ. P. 4(f) and the Hague Convention.

3. Defendant LINE Euro-Americas Corporation is a Delaware corporation with a principal place of business at 5750 Wilshire Blvd, Suite 640, Los Angeles, California 90036. LINE Euro-Americas may be served through its registered agent, Yeong-Sai Kim at 3003 N. 1st Street, San Jose, California 95134.

4. LINE Corporation was renamed from NHN Japan Corporation on April 1, 2013, and launched the LINE mobile messaging service in June 2011.

5. LINE Euro-Americas is a subsidiary of LINE Corporation.

6. LINE has grown into a social messaging platform with hundreds of millions of users around the world, and over 25 million users in the United States.

7. LINE offers its products and services including those accused of infringing GroupChatter's patents to customers in Georgia and in this judicial district.

JURISDICTION AND VENUE

8. GroupChatter brings this action for patent infringement under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

9. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Defendants do business in this judicial district, have committed acts of infringement in this judicial district, and have purposely transacted business in this judicial district involving the accused systems.

10. Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Georgia Long-Arm Statute, due at least to their substantial business in this State and judicial district, including: (A) at least part of its infringing activities alleged herein; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from goods sold and services provided to Georgia residents.

GROUPCHATTER PATENTS

11. GroupChatter asserts that Defendants infringe, directly and indirectly U.S. Patent Nos. 8,588,207 (the "'207 Patent"), 9,014,659 (the "'659 Patent"), and 9,294,888 (the "'888 Patent").

12. The '888, '659, and '207 Patents relate to the methods, apparatuses, and systems for providing acknowledged, deterministic mass messaging over a two-way wireless network.

13. The GroupChatter Asserted '888, '659, and '207 Patents describe a two-way communication system and method providing acknowledged responses to

group messages to enable deterministic group messaging within the claimed network architecture and addressing scheme.

14. "Deterministic" group messaging refers to one of the advantages delivered by the inventions. Using the claimed system offers the potential benefit of providing timely updates for and from endpoints within a group. In operation, these endpoints (e.g., PDUs, smartphones, pagers, and, in M2M (machine-to-machine) systems, utility meters, transponders, etc.) send responses to group messages and thereby provide data from which to determine the status of each endpoint.

15. Broadly speaking, GroupChatter accuses Defendants of infringement for making, providing, operating, testing, and using its LINE platform (infrastructure and software) that allows its users to conduct and participate in deterministic, acknowledged group messaging within the LINE social network as recited in the Asserted Claims.

16. The inventors of the GroupChatter Asserted Patents noted in the patent specification that certain communication networks, even those with endpoint devices capable of acknowledging group messages, failed to provide the valuable advantage of deterministic communication because they provided no way to maintain status of group members' reception, review, and/or responses to group

messages. This left administrators lacking important data about the status of each group member.

17. To solve this problem and other shortcomings of prior two-way wireless messaging networks, the inventors conceived a novel combination for maintaining group management information and organization for use on a wireless network. They describe in the Asserted Patents how to build and deploy the network architecture to use it and achieve these benefits.

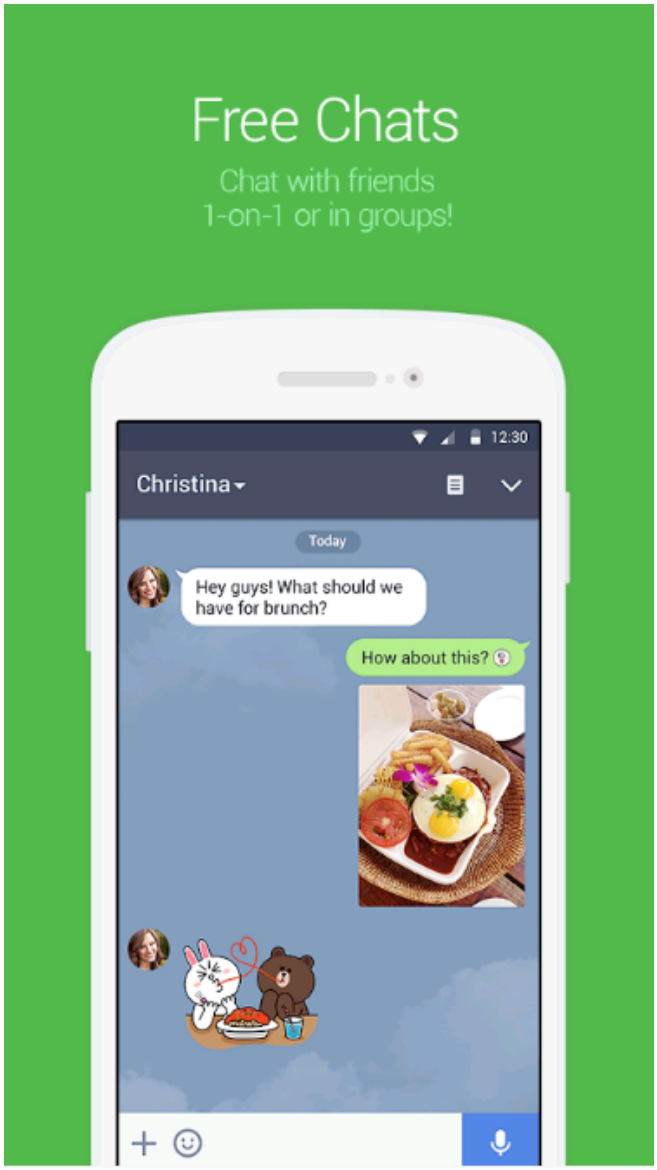
18. In the Asserted Claims of the '888, '659, and '207 patents, grouped endpoints are identified by information about the user or specific endpoint device and by groups to which a particular recipient belongs. In addition to the two-way wireless architecture of the radio network, a client/server-based architecture is provided for communication between a network client and the two-way wireless messaging network.

19. Through client/server interactions, a user is provided up-to-date group information that may include address information, status information pertaining to a message or response, overall group detail and status, and even information about specific endpoints within a group.

20. In operation, LINE stores recipient identifiers, one or more group identifiers (e.g., Group IDs or Room IDs) for each recipient endpoint, and group

membership data that identifies which recipients belong to specific groups. An endpoint may belong to multiple groups and thus may be associated with multiple group identifiers.

21. This screenshot shows how LINE group messaging operates:



22. A LINE group message initiated via a network client is wirelessly

transmitted to endpoint devices located anywhere within the range of the wireless network infrastructure.

23. LINE endpoints are configured to receive a group messages and respond with status information, alphanumeric text entries, user-defined content, or other information based upon the message and endpoint device status.

24. Efficient group management and maintenance is an advantage of the claimed system and is demonstrated in operation of the claimed invention by reference to and communication with selected endpoints and groups of endpoints that each have a subset of the group information data stored locally.

25. FIG. 1 of the ’207 Patent (reproduced below) depicts in general terms a network that embodies one or more claims:

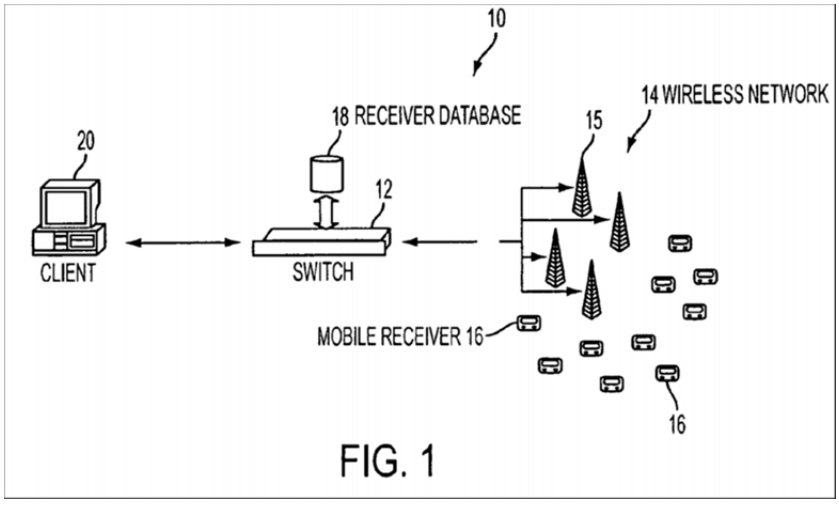


FIG. 1

26. As shown, exemplary structural elements for an embodied system include: (1) a network client 20; (2) a network switch or server 12 coupled to a

receiver database 18; (3) a wireless network 14; and (4) a plurality of mobile receivers 16 (e.g., smartphones, meters, etc.).

27. As background, the inventors conceived the subject matter of the patents-in-suit in part to address issues in communication networks of the day. For example, some radios and associated wireless networks used by emergency responders were unable to handle the heavy network traffic that circumstances unfortunately required. '207 Patent, col. 1; lines 40-49. The "Background of the Invention" states:

> *"during the events of Sep. 11, 2001, radio channels became oversaturated, and interoperability problems among jurisdictions and agencies persisted throughout the entire response process. Otherwise compatible portable radios were preprogrammed in a manner that precluded interoperability. Cellular telephone systems and even the public switched telephone network (PSTN) became congested and unusable."*

28. Like LINE, which was created in the aftermath of the devastating earthquake and tsunami that hit Japan in 2011, the inventors of the GroupChatter patents were motivated by tragedy that revealed shortcomings in then-existing group messaging systems. During the September 11 tragedy, older pager systems proved more reliable than cell phone networks. But while pager-based systems had the potential to be relatively robust in emergency circumstances, such systems of the time were unable to efficiently process group messages (i.e., messages to

groups of recipients) and track the individual responses to know which members of the group had responded. The Background of the Invention section of the specification states:

> *"none of these systems provide a network interface sufficient to support acknowledged group messaging. Requiring that the message originator individually alert each recipient adds considerable setup delay when alerting large groups."*

29. Accordingly, the inventors conceived the invention(s) to address these problems. The result was a novel system that efficiently used limited bandwidth and network resources to effectively communicate with selected endpoints groups whose membership may be dynamically created and adjusted. Even in these conditions, the inventors sought to provide effective group management and improved network efficiency, operability, and reliability (based on the challenges of the time).

30. The Asserted Patents require, among other things, a specific network architecture that may include at least: wireless network (e.g., a cellular network) infrastructure (e.g., base stations, backhaul, transmitters, receivers, antennae, and central switch), and multiple network clients (e.g., smartphones equipped with two-way wireless communication modules for communicating on the wireless network).

31. The subject matter of the system and method claims asserted against Defendants are tied to the structural deployment described in the Asserted Patents and address shortcomings in group management and communication that the inventors experienced before their invention.

32. In operation, the Asserted Claims detail how a message originator, who may lack knowledge of specific details regarding a particular endpoint group, is provided group information to the network client. Such information may include membership information for each group, the number of recipient endpoints sharing a group identifier, or an identifier shared by certain recipient endpoints within a group.

33. The asserted claims recite a specific method for providing this information. They describe and recite the source of group and recipient endpoint information, how and when it is transmitted to a network client, and how it may be displayed and updated at the network client.

34. In an example scenario where an incident commander is seeking assistance over a pager network, a notification feature can provide the commander (i.e., the message originator) details about the number, identities, and statuses of group members. Using the invention for this feature, the commander is able to determine based upon the group messaging system information, a status of group

members. Without this feature, an incident commander may have insufficient context to know whether enough personnel were being summoned, or whether key individuals had been mobilized.[1]

35. By using the claimed addressing scheme described in the Asserted Patents, Defendants and other infringers are able to communicate to ad hoc or dynamically organized groups of users.

36. Additional meaningful claim elements in the Asserted Claims include: (1) providing recipient identifier and group identifier information for each group to which a recipient is a member; and (2) storing acknowledgement data for each group member that lists them and indicates their response (e.g., "…*storing acknowledgement data in the memory device for each of the group members, the acknowledgement data comprising a listing of each of the group members and an indication of response for each of the group members*"). In previous systems, referring again to the incident commander's scenario for example, after a volunteer group was alerted by pager, the incident commander would not know who was going to respond until personnel began to arrive on scene. In contrast, with the claimed "deterministic" group messaging systems, incident commanders (or group administrators) are updated in response to the group messages dispatched.

[1] *See* '207 Patent: col. 2, lines 22-26.

Responses are linked to endpoint recipients within the group context, an advantage and novel advancement achieved by the inventive group management scheme. In this way, the inventive systems and methods provide a valuable concrete result: deterministic status information provided to a network client device for groups of endpoint recipients across a two-way wireless communication network.

37. Accordingly, the Asserted Claims of the ’888, ’659, and ’207 Patents are directed to a specific two-way wireless architecture appended with a group management and maintenance system based upon group and recipient identifiers for identifying with and selectively communicating with endpoint recipients across the network.

38. Acknowledged group messaging may be performed in ways and across architectures that differ from the claimed subject matter. While the advantages of the inventions likely will not be achieved, two-way messaging with selective groups of endpoints and management of such groups may be performed using other methods such as frequency division across the geographical region or focused transmission, encryption, or having multiple radios in the network infrastructure for communicating with predetermined groups based upon location.

39. The Asserted Claims provide structure and limit the invention to particular and novel ways of deterministically messaging selective groups of

recipients on a two-way wireless communication network. These structural limitations describing architecture, integrated computer-based operations necessary to practice the patent claims (e.g., database tables, communication at network client with server/switch), wireless network protocol capable of communicating with groups, and endpoints that can receive and interpret those signals provide meaningful structural limitations that one of skill in the art would recognize as distinctions between network types.

40. The operations, function, and results of the subject matter of the Accused Systems cannot be carried out and achieved by a human or generic computer or by using a generic two-way wireless radio network.

41. Generic computer networks or wireless two-way radio networks do not perform "group communication and response tracking" or "group management and maintenance" as those general concepts are claimed in the Asserted Patents.

42. Some of the major advantages of the claimed systems and advances over the prior art are discussed in the specification (centralized management and administration of groups and recipients' relationships with groups, effectively communicating with multiple endpoints in groups, and tracking status across a network by group). One skilled in the art at the time of the inventions would further recognize additional advantages including management of groups across a

dispersed area or networks, tracking status information of recipient groups including whether individual group members have received or read a group message, and monitoring this information at a dispatch center.

43. By the novel combination of its two-way wireless network architecture, group management and maintenance scheme, and deterministic messaging functionality, the Asserted Patents present a specific, inventive solution to the problem the inventors recognized with messaging networks at the time of their invention.

LINE

44. Defendants independently and/or collectively provide the LINE messaging application and platform, which enables users to communicate seamlessly across mobile phones, tablets, and computers regardless of each device's operating system.

45. LINE proclaims that it is the fastest growing mobile messenger app in

the world, bringing users closer to their friends and loved ones.

46. LINE was formed after the 2011 earthquake and tsunami in Japan as a way to overcome downed communications.

47. LINE is now the seventh most-used messenger app in the world with more than 35 apps available for download.

48. LINE users download and install the LINE software and may install a copy of the software on each of their devices.

49. Once installed, LINE software accesses a user's contacts and provides a notification to the user identifying the user's contacts that also use LINE.

50. LINE permits the users to communicate with other users in various ways.

51. LINE users can exchange messages, share photos, share "stickers," share videos, chat, place voice calls, place video calls, share GPS coordinates, group share, share themes and receive notifications.

52. LINE also offers group chat functions, through which users can create or join groups to exchange text and voice messages and share images and videos with multiple friends in the group.

53. LINE users can join groups, follow users, follow companies, get coupons and communicate with other LINE users organized in groups.

54. LINE is available on multiple platforms.

55. LINE is available via apps for download and installation on laptops and tablets.

56. To communicate using the LINE platform, LINE users use the LINE software (i.e. apps) provided by Defendants.

57. LINE software is available at https://LINEcorp.com/en/ (via web browsers) and from app stores operated by Apple, Google, Microsoft, Nokia, Firefox, and RIM.

58. The LINE software is available for various hardware including Apple devices (e.g. iPods, iPhones, and iPads running each iOS version), Android-based devices (e.g., cell phones, tablets, and computers running each Android version), BlackBerry OS devices, Microsoft Windows based devices (e.g., cell phones, tablets and computers running each Windows version), Nokia devices and devices using Firefox.

59. Using LINE's software, devices operate over cellular connections (e.g., 3G, 4G, LTE) or Wi-Fi connection to provide communication among LINE users.

60. A LINE user is able to post content (e.g. chat messages, stickers, pictures, etc.) to an ongoing thread between another LINE user or group of LINE

users. Users in that thread may then view the posted content, respond to that content, and post their own content.

61. According to Defendants LINE for laptops and tablets is currently available for the following systems:

62. According to LINE, Android devices are supported devices.

63. According to LINE, iOS devices are supported devices.

64. According to LINE, Windows phones are supported devices.

65. According to LINE, Nokia Asha devices are supported devices.

66. According to LINE, BlackBerry devices are supported devices.

67. According to LINE, devices that operate Firefox OS are supported devices.

68. According to LINE, devices that operate Mac OS are supported devices.

69. According to LINE, iPads are supported devices.

70. According to LINE, laptops and tablets that operate Windows and Window 8/10 are supported devices.

71. According to LINE, laptops and tablets that operate Chrome are supported devices.

72. According to LINE, Mac devices are supported devices.

73. According to LINE, devices that operate Tizen are supported devices.

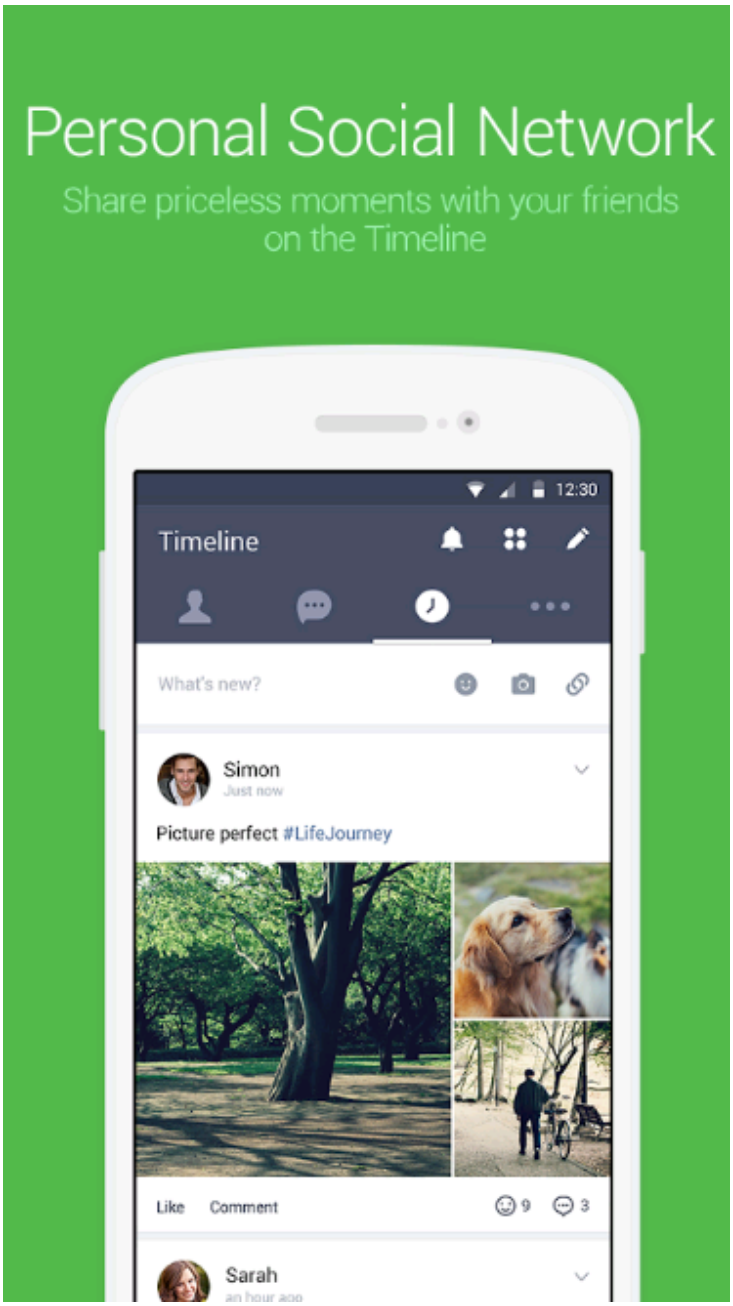
74. According to LINE, devices that operate Android Lite are supported devices.

75. LINE users can communicate with friends, fellow users, and group members in a variety of formats including through chats, message feedback, pictures, videos, stickers, calls, video calls, photos and sharing GPS locations.

76. LINE provides users the ability to connect with specific sets of users

(e.g., family, teammates, or co-workers) to share updates, photos, messages, and documents.

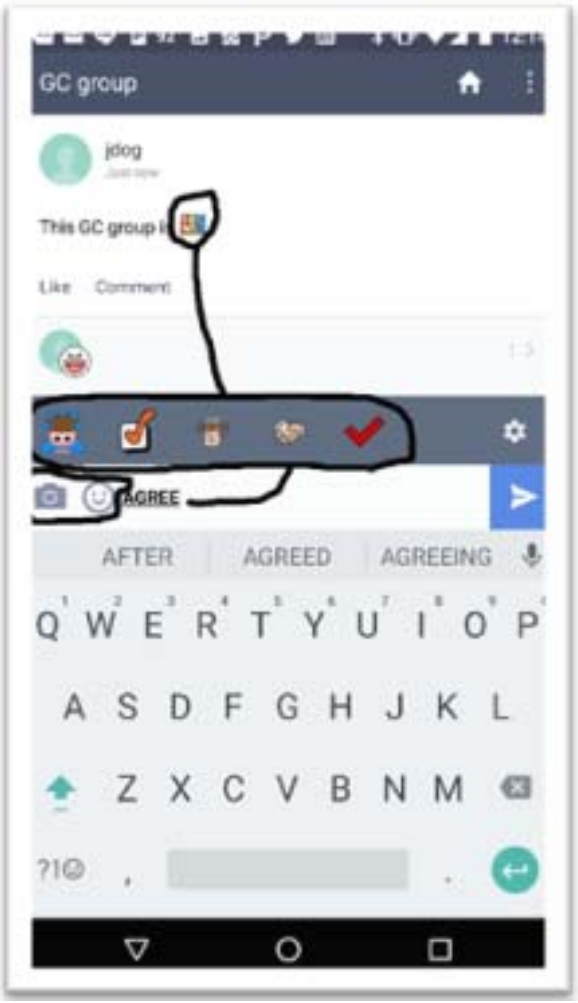
77. LINE refers to its platform as a "Personal Social Network":



78. LINE "Groups" permits users to communicate via group messages to specific sets of people (e.g., for family, teammates or coworkers).

79. Groups are dedicated spaces that allow users to share stickers, photos, videos or photos and message other group members.

80. LINE enables users to view, like, agree and comment on new personal content provided by other users.

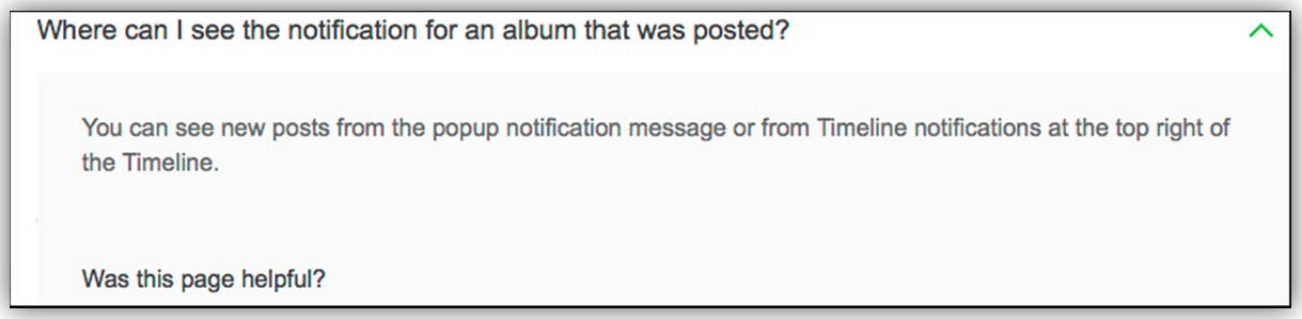


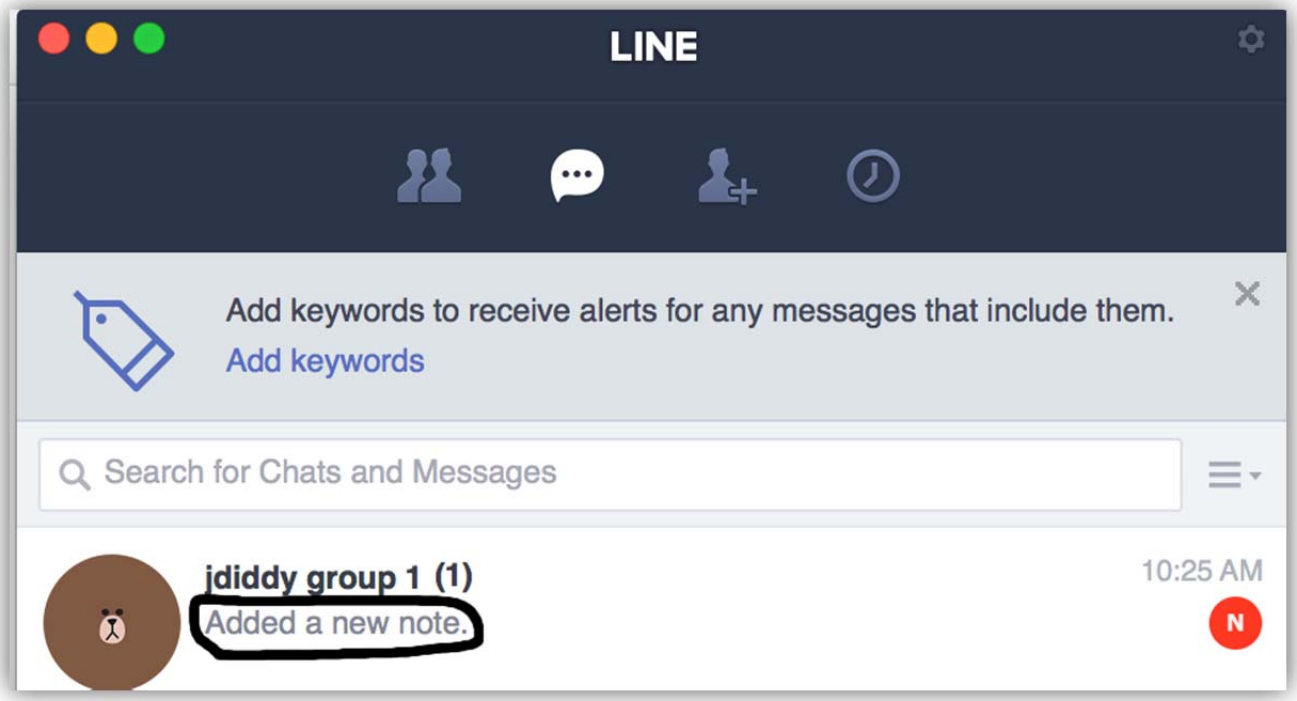
81. LINE provides various notifications to users regarding posts,

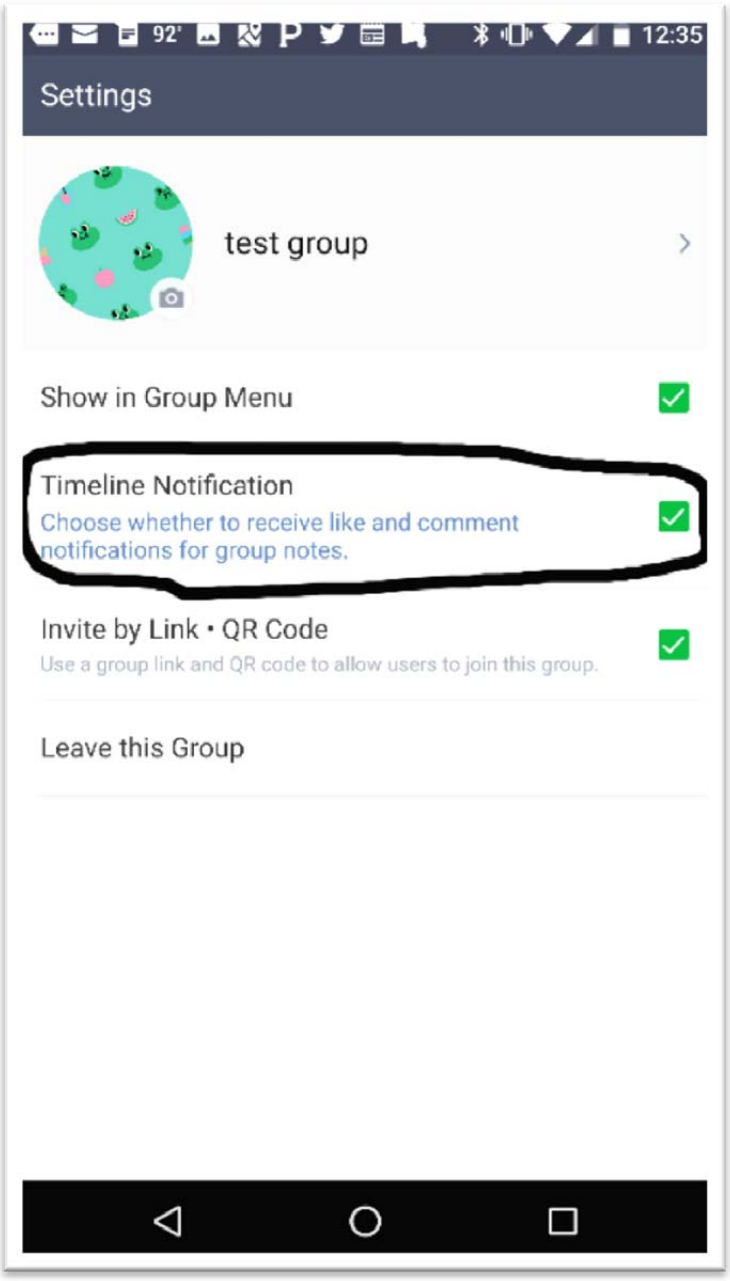
responses, and acknowledgments.

82. Friends who see a user's Timeline post can post their replies or press the "like" button to acknowledge the post.

83. LINE users receive text and graphical notifications from their browser or the LINE app (i.e., network client) to alert them of any relevant posts, messages, calls, and other content. LINE also provides real-time read status for group and individual messages.




LINE
Add keywords to receive alerts for any messages that include them.
Add keywords
Search for Chats and Messages
jdiddy group 1 (1)
Added a new note.
10:25 AM
N

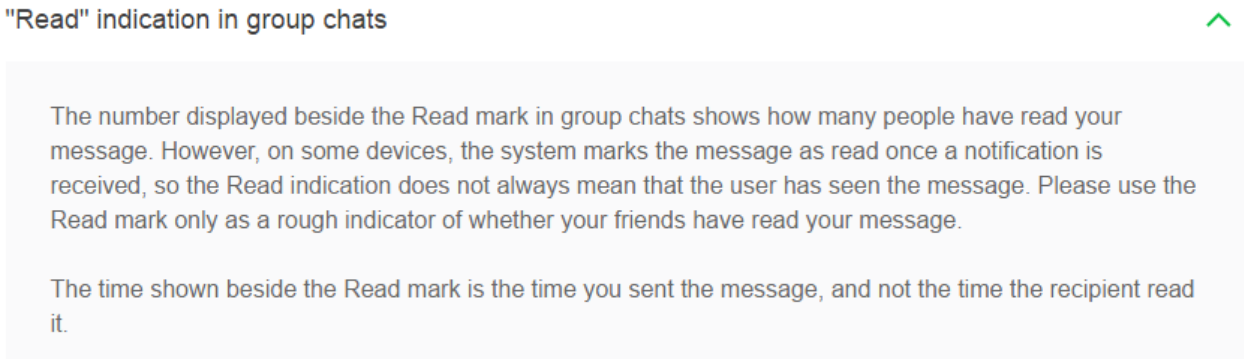


84. LINE realizes substantial value from the group messaging feature of the LINE application and platform.

85. About 20% of LINE's revenue is derived from the sale of "stickers"

that users purchase so they can send them to other users in LINE messages.

86. This excerpt describes how LINE operates:



87. LINE infringes the GroupChatter Asserted Patents by making, using, monetizing, providing, deploying, and testing the LINE application and platform including LINE infrastructure (e.g., server-based systems), LINEcorp.com, and the various LINE application software that users install on phones, tablets, computers and other devices. These infringing LINE components and LINE systems are the "Accused Systems."

COUNT 1
(INFRINGEMENT OF U.S. PATENT NO. 8,588,207)

88. GroupChatter incorporates paragraphs 1 through 87 herein by reference.

89. GroupChatter is the owner, by assignment, of U.S. Patent No. 8,588,207 (the "'207 Patent"), titled "METHOD AND APPARATUS FOR EFFICIENT AND DETERMINISTIC GROUP ALERTING."

90. A true and correct copy of the ’207 Patent is attached as Exhibit A.

91. As the owner of the ’207 Patent, GroupChatter holds all substantial rights in and under the ’207 Patent, including the right to grant sublicenses, exclude others, and to enforce, sue, and recover damages for past and future infringement.

92. The United States Patent Office granted the ’207 Patent on November 19, 2013.

93. The ’207 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

94. Defendants practice one or more claims of the ’207 Patent, including at least claims 1, 2, 3, 5, 6, 8, 9, 11, and 12, by making, using, offering for sale, selling, and/or importing the LINE platform and system for operation as a deterministic group messaging system used by LINE users to exchange group messages over wireless networks (e.g., cellular, Wi-Fi, WiMAX, wireless broadband).

95. Defendants have directly infringed and continue to infringe the ’207 Patent by making, deploying, testing, using, providing, monetizing and operating the LINE platform and system to provide acknowledged group messaging to users and perform acknowledged group messaging as detailed in this Count and

throughout this Complaint.

96. The LINE platform and system provides users the ability to start group conversations and exchange messages among members of a group using mobile devices operating on wireless networks.

97. LINE IDs are part of a user's profile. LINE uses this information to help LINE users find other LINE users and to organize a user's information within the LINE infrastructure (e.g. on LINE servers).

98. From within the LINE app, a user selects the "Create a Group" button to create a group. Once the group members are selected, a group name may change or create the group identifier or "Group Name" and include additional members having recipient identifiers.

99. LINE uses Group IDs and unique User IDs to store group information.

100. Group information is stored on LINE servers.

101. LINE provides group information including User IDs and Group IDs corresponding to LINE users to mobile devices running a LINE application.

102. LINE transmits recipient identifying information via the LINE infrastructure to LINE endpoints (e.g., mobile devices running a LINE application).

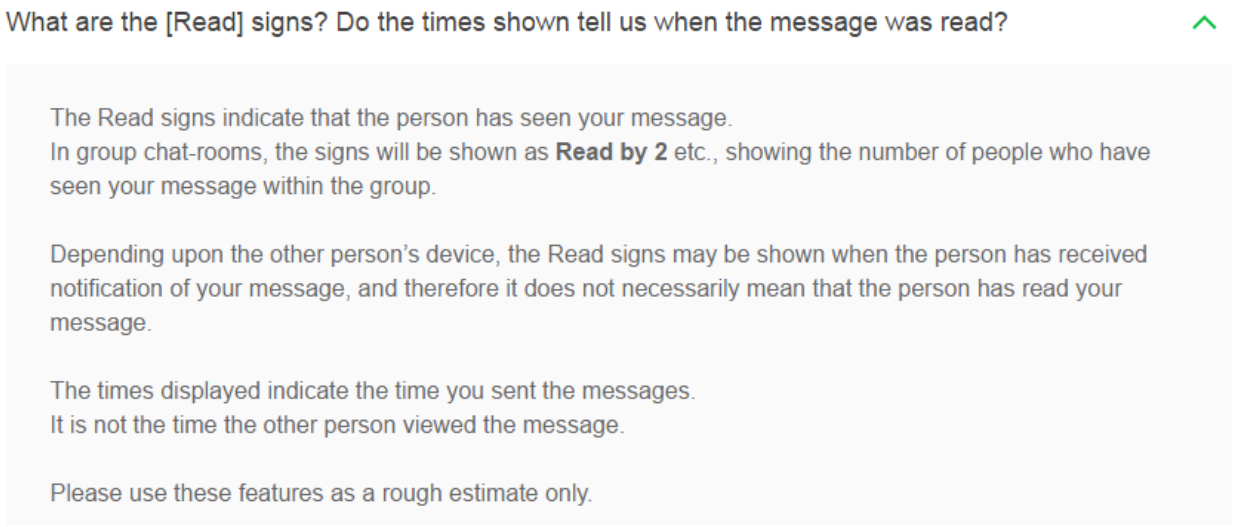
103. LINE application software may act as a network client to transmit to

the LINE infrastructure (e.g. a LINE server) a request for wireless transmission of a group message.

104. LINE transmits group messages to members via wireless networks such a cellular or Wi-Fi networks on which devices running a LINE application are operating.

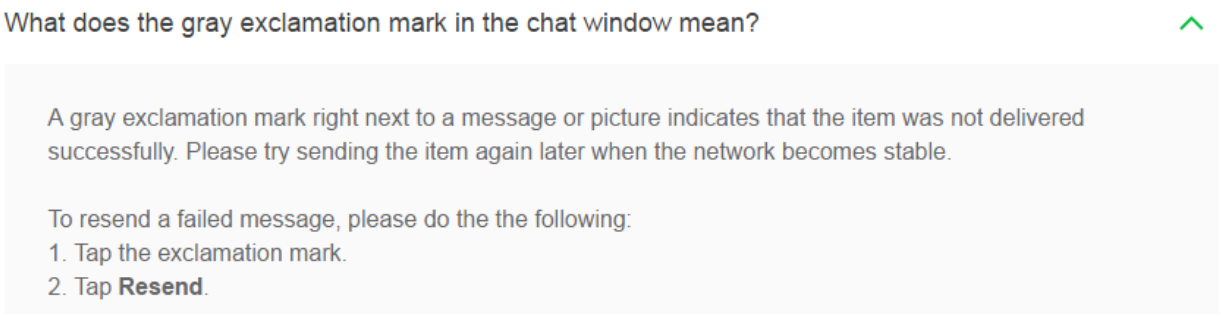
105. The LINE system sends and receives acknowledgments from group members via the user's wireless network (e.g., Wi-Fi network or cellular network).

106. This excerpt from LINE's help content accurately describes how LINE operates:



107. LINE also notifies a sender if a message was not delivered.

108. This excerpt from LINE's help content accurately describes how LINE operates:



109. LINE tracks and updates a message's status to "Read" when appropriate. Users may respond to group messages with emoticons, messages, or read indicators sent from their mobile device.

110. LINE monitors for responses from group members to a group chat message.

111. When membership changes in a LINE group, membership data on the LINE server system is updated along with affected users' mobile devices.

112. LINE instructs and encourages end users of the LINE Accused Systems to use the LINE Group Chat features. LINE is on notice of the '207 Patent and the conduct by LINE and its end users and customers that infringes it.

113. Defendants' infringing conduct described in this Count has damaged GroupChatter. LINE is liable to GroupChatter in an amount that adequately compensates it for infringement, which, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT 2
(INFRINGEMENT OF U.S. PATENT NO. 9,014,659)

114. GroupChatter incorporates paragraphs 1 through 113 herein by reference.

115. GroupChatter is the owner, by assignment, of U.S. Patent No. 9,014,659 (the "'659 Patent"), titled "METHOD AND APPARATUS FOR EFFICIENT AND DETERMINISTIC GROUP ALERTING."

116. A true and correct copy of the '659 Patent is attached as Exhibit B.

117. As the owner of the '659 Patent, GroupChatter holds all substantial rights in and under the '659 Patent, including the right to grant sublicenses, exclude others, and to enforce, sue, and recover damages for past and future infringement.

118. The United States Patent Office granted the '659 Patent on April 21, 2015.

119. The '659 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

120. Defendants are practicing one or more claims of the '659 Patent, including at least claims 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 14, 16, and 17 by making, using, offering for sale, selling, testing, operating, deploying, monetizing, providing, and/or importing the LINE platform and system that provides a

deterministic group messaging system through which LINE users exchange group messages over wireless networks (e.g., cellular, Wi-Fi, WiMAX, or wireless broadband).

121. Defendants have directly infringed and continue to infringe the '659 Patent by providing acknowledged group messaging to users and performing acknowledged group messaging as detailed in this Count and throughout this Complaint.

122. LINE operates on smartphones, laptops, tablets, and other mobile devices and may communicate using cellular and/or Wi-Fi networks. Such hardware having the LINE apps installed are included in scope of the accused products.

123. LINE provides users the ability to start group conversations and exchange messages among members of a group via mobile devices operating on wireless networks.

124. LINE stores on its servers data relating to recipients, groups created by users, and group membership information.

125. LINE IDs are part of a user's profile. Defendants use this information to help LINE users find other LINE users and to organize a user's information internally on the LINE servers.

126. LINE provides to mobile devices running a LINE application group information such as group membership and recipient identifying data stored on the LINE server infrastructure.

127. LINE uses Group IDs and unique User IDs to store group information.

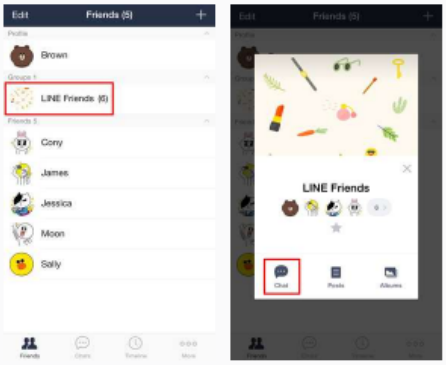
128. Group information is stored on LINE servers.

129. LINE users select the "Create a Group" button to create a group having a group identifier or "Group Name" and include members having recipient identifiers.

130. The excerpt below from LINE's help content accurately describes LINE operation:

Starting a group chat

Chats with the Members of a Group
1. Select the group you want to chat with on your friends list.
2. Tap Group Chat.



131. LINE transmits group messages wirelessly to mobile devices

corresponding to each recipient in the selected group.

132. Mobile devices running a LINE application or accessing the LINE system via a web browser receive a group message and respond with acknowledgement of receipt, an alphanumeric text reply, and/or indication the group message has been received but not read by the user.

133. LINE stores acknowledgement data for each group member in memory.

134. The LINE "read" status displays when other users have received or "read" the user's messages and will display the "read" status to other users when their messages have been received or "read."

135. The LINE system sends messages to group member devices running the LINE application based upon stored acknowledgement data.

136. LINE transmits group messages to users via the users' wireless networks (e.g., cellular or Wi-Fi networks).

137. The LINE System receives acknowledgement responses from group members via the wireless network used by a user's device.

138. Users may respond to group message in LINE with stickers, emoticons, messages, or read indicators sent from their mobile device.

139. When membership changes in a LINE Group, LINE updates

membership data on the LINE infrastructure (e.g., LINE servers) and any user's device (e.g., phone or computer) that may be affected by the change.

140. The LINE system provides acknowledged group messaging.

141. LINE servers store recipient identifiers for each group member, a group identifier corresponding to recipient groups, and information about membership of recipients in the recipient groups.

142. Unique User IDs and Group IDs are stored on LINE servers.

143. LINE provides group information to user devices having the LINE application installed.

144. When a LINE group message is initiated, the LINE application and system effect wireless transmission of the group message to mobile devices corresponding to LINE group recipients. In turn, mobile devices receiving the LINE group message transmit a response.

145. In operation, the LINE client application monitors group message information relayed by LINE infrastructure (e.g., servers) for group message responses. The LINE client application stores acknowledgment data and message status information for group members.

146. LINE instructs and encourages end users of the LINE Accused Systems to use the LINE Group Chat features. LINE is on notice of the '659

Patent and the conduct by LINE and its end users and customers that infringes it.

147. As a result of LINE's infringing conduct described in this Count, GroupChatter has been damaged. Defendants are liable to GroupChatter in an amount that adequately compensates it for Defendants' infringement, which, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT 3
(INFRINGEMENT OF U.S. PATENT NO. 9,294,888)

148. GroupChatter incorporates paragraphs 1 through 147 herein by reference.

149. GroupChatter is the owner, by assignment, of U.S. Patent No. 9,294,888 (the "'888 Patent"), titled "METHOD AND APPARATUS FOR EFFICIENT AND DETERMINISTIC GROUP ALERTING."

150. A true and correct copy of the '888 Patent is attached as Exhibit C.

151. As the owner of the '888 Patent, GroupChatter holds all substantial rights in and under the '888 Patent, including the right to grant sublicenses, exclude others, and to enforce, sue, and recover damages for past and future infringement.

152. The United States Patent Office granted the '888 Patent on March 22, 2016.

153. The ’888 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

154. Defendants are practicing one or more claims of the ’888 Patent, including at least claims 1, 2, 3, 4, 5, 10, 11, 12, 13, and 14 by making, importing, selling, offering to sell, and/or using the Line messaging platform and system for operation as a deterministic group messaging system used by LINE users to exchange group messages over wireless networks (e.g., cellular, Wi-Fi, WiMAX and wireless broadband).

155. Defendants have directly infringed and continue to infringe the ’888 Patent by making, deploying, testing, using, providing, importing, monetizing, and operating the LINE platform and system to provide acknowledged group messaging to users and perform acknowledged group messaging as detailed in this Count and throughout this Complaint.

156. LINE system components (e.g., Line applications) operate on laptop computers, smartphones, tablets, and other mobile devices that communicate using cellular and/or Wi-Fi networks.

157. LINE provides users the ability to start group conversations and exchange messages among members of a group using mobile devices operating on wireless networks.

158. LINE IDs are part of a user's profile. LINE uses this information to help LINE users find other LINE users and to organize a user's information within the LINE infrastructure (e.g., on LINE servers).

159. LINE provides group information (e.g., group membership and recipient identifying data stored on the Line servers) to mobile devices running a LINE client software application.

160. From within the LINE application, a user selects the "Create a Group" button to create a Group that a LINE user may name and invite others to join.

161. Once a group is created, its name or group identifier may change.

162. LINE uses Group IDs and unique User IDs to store group information.

163. Group information is stored on LINE servers.

164. LINE provides group information including User IDs and Group IDs corresponding to LINE users to mobile devices running a LINE application.

165. LINE transmits recipient identifying information via the LINE infrastructure to LINE endpoints.

166. LINE application software may act as a network client to transmit to the LINE infrastructure (e.g., a LINE server) a request for wireless transmission of a group message.

167. When a LINE group message is initiated, the LINE application and

system effect transmission of the group message to LINE users operating on mobile devices running a LINE application.

168. In turn, mobile devices receiving the LINE group message transmit a response.

169. In operation, the LINE client application monitors group message information relayed by LINE infrastructure (e.g., LINE servers) for group message responses. The LINE client application stores acknowledgement data and message status information for group members.

170. The following excerpt from the LINE's Messaging API reference materials accurately describes how LINE operates:

Reply message

Respond to events from users, groups, and rooms.

Webhooks are used to notify you when an event occurs. For events that you can respond to, a `replyToken` is issued for replying to messages.

Because the `replyToken` becomes invalid after a certain period of time, responses should be sent as soon as a message is received. Reply tokens can only be used once.

HTTP request

```
POST https://api.line.me/v2/bot/message/reply
```

171. In operation, the LINE client application monitors group message information relayed by LINE infrastructure for group message responses.

172. In operation, the LINE client application stores acknowledgement

data and message status information for group members.

173. LINE stores acknowledgement data including an indication of response for each recipient indicating that the group message was received by that recipient, that the group message was read by that recipient, and a reply was sent by that recipient.

174. LINE displays to LINE senders via a LINE client application an indication that a group message was "read" and displays any reply or replies to the sender's group message along with that sender's identifying information and timestamp.

175. LINE recipients send reply messages conveying group information to the LINE infrastructure indicating whether a group message was received and read.

176. The LINE system messages endpoints based upon stored acknowledgement data.

177. LINE transmits group messages and receives acknowledgement data via Wi-Fi, cellular, or WiMAX.

178. Users may respond to group messages with emoticons, messages, stickers, or other read indicators sent from their mobile device.

179. When membership changes in a LINE group, the LINE system updates membership data on the LINE server and affected mobile devices.

180. The LINE system generates acknowledgements to LINE group messages.

181. LINE encourages users, third party developers, and customers to use LINE Group Chat.

182. LINE instructs and encourages end users of the LINE platform and system to use the LINE Group Chat features. LINE is on notice of the '888 Patent and the conduct by LINE and its end users and customers that infringes it.

183. GroupChatter has been damaged as a result of LINE's infringing conduct. LINE is liable to GroupChatter in an amount that adequately compensates it for Defendants' infringement, which, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

NOTICE

184. GroupChatter does not currently distribute, sell, offer for sale, or make products embodying the asserted GroupChatter Patents.

185. GroupChatter instructs licensees to mark all licensed products sold, distributed, offered for sale, or made under license to the GroupChatter Patents and has undertaken reasonable efforts as required to comply with the notice requirements of 35 U.S.C. § 287.

NOTICE OF REQUIREMENT OF LITIGATION HOLD

186. Defendants are hereby notified it is legally obligated to locate, preserve, and maintain all records, notes, drawings, documents, data, communications, materials, electronic recordings, audio/video/photographic recordings, and digital files, including edited and unedited or "raw" source material, and other information and tangible things that Defendants know, or reasonably should know, may be relevant to actual or potential claims, counterclaims, defenses, and/or damages by any party or potential party in this lawsuit, whether created or residing in hard copy form or in the form of electronically stored information (hereafter collectively referred to as "Potential Evidence").

187. As used above, the phrase "electronically stored information" includes without limitation: computer files (and file fragments), e-mail (both sent and received, whether internally or externally), information concerning e-mail (including but not limited to logs of e-mail history and usage, header information, and deleted but recoverable e-mails), text files (including drafts, revisions, and active or deleted word processing documents), instant messages, audio recordings and files, video footage and files, audio files, photographic footage and files, spreadsheets, databases, calendars, telephone logs, contact manager information,

internet usage files, and all other information created, received, or maintained on any and all electronic and/or digital forms, sources and media, including, without limitation, any and all hard disks, removable media, peripheral computer or electronic storage devices, laptop computers, mobile phones, personal data assistant devices, Blackberry devices, iPhones, video cameras and still cameras, and any and all other locations where electronic data is stored. These sources may also include any personal electronic, digital, and storage devices of any and all of Defendants' agents, resellers, or employees if Defendants' electronically stored information resides there.

188. Defendants are hereby further notified and forewarned that any alteration, destruction, negligent loss, or unavailability, by act or omission, of any Potential Evidence may result in damages or a legal presumption by the Court and/or jury that the Potential Evidence is not favorable to Defendants' claims and/or defenses. To avoid such a result, Defendants' preservation duties include, but are not limited to, the requirement that Defendants immediately notify its agents and employees to halt and/or supervise the auto-delete functions of Defendants' electronic systems and refrain from deleting Potential Evidence, either manually or through a policy of periodic deletion.

JURY DEMAND

GroupChatter hereby demands a trial by jury on all claims, issues and damages so triable.

PRAYER FOR RELIEF

GroupChatter prays for the following relief:

a. That Defendants be summoned to appear and answer;

b. That the Court enter an order declaring that Defendants have infringed the ’207 Patent, the ’659 Patent, and the ’888 Patent.

c. That the Court grant GroupChatter judgment against Defendants for all actual, consequential, special, punitive, increased, and/or statutory damages, including, if necessary, an accounting of all damages; pre and post-judgment interest as allowed by law; and reasonable attorney’s fees, costs, and expenses incurred in this action;

d. That Defendants infringement has been willful; and

e. That GroupChatter be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: October 3, 2016

Respectfully submitted,

By: /s/*Daniel A. Kent*

Daniel A. Kent
Georgia Bar Number 415110
dankent@kentrisley.com
KENT & RISLEY LLC
555 N Point Ctr E Ste 400
Alpharetta, GA 30022
Tel: (404) 585-4214
Fax: (404) 829-2412

Cabrach J. Connor (pro hac vice)
cconnor@taylordunham.com
David E. Dunham (pro hac vice)
ddunham@taylordunham.com
Jennifer Tatum Lee (pro hac vice)
jtatum@taylordunham.com
TAYLOR DUNHAM AND RODRIGUEZ LLP
301 Congress Ave., Suite 1050
Austin, Texas 78701
512.473.2257 Telephone
512.478.4409 Facsimile

ATTORNEYS FOR PLAINTIFF