

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

MEETRIX IP, LLC,

Plaintiff,

v.

CITRIX SYSTEMS, INC.,

Defendant.

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Case No. 1:16-cv-1033—LY

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Meetrix IP, LLC (“Meetrix” or “Plaintiff”), by and through its attorneys, for its First Amended Complaint against Citrix, Systems Inc. (“Citrix” or “Defendant”), hereby alleges as follows:

I. NATURE OF THE ACTION

1. This is a patent infringement action to end Defendant’s unauthorized and infringing manufacture, use, sale, offering for sale, and/or importation of methods and products incorporating Plaintiff’s patented inventions.

2. Meetrix is the owner of all right, title, and interest in and to United States Patent No. 9,253,332 (the “332 Patent”), issued February 2, 2016, for “Voice Conference Call Using PSTN and Internet Networks.”

3. Meetrix is the owner of all right, title, and interest in and to United States Patent No. 9,094,525 (the “525 Patent”), issued July 28, 2015, for “Audio-Video Multi-Participant Conference Systems Using PSTN and Internet Networks.”

4. Meetrix is the owner of all right, title, and interest in and to United States Patent No. 8,339,997 (the “997 Patent”), issued December 25, 2012, for “Media Based-Collaboration

Using Mixed-Mode PSTN and Internet Networks.”

5. Defendant manufactures, provides, sells, offers for sale, imports, and/or distributes infringing products and services; and/or induces others to make and use its products and services in an infringing manner, including its customers, who directly infringe the '332 Patent, the '525 Patent and the '997 Patent (“Patents-in-Suit”).

6. Plaintiff Meatrix seeks monetary damages and prejudgment interest for Defendant’s infringement of the Patents-in-Suit.

II. THE PARTIES

7. Plaintiff Meatrix IP, LLC is company organized and existing under the laws of the State of Texas.

8. Upon information and belief, Citrix Systems, Inc. is a Delaware company with its principal place of business at 851 W Cypress Creek Rd., Fort Lauderdale, FL 33309. Citrix may be served through its agent for service of process Corporation Service Company d/b/a CSC – Lawyers Incorporating Service Company at 211 E. 7th Street, Ste. 620, Austin, Texas, 78701-3218. Citrix does business within the State of Texas and this District.

III. JURISDICTION AND VENUE

9. This action for patent infringement arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§271, 281, 283, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§1331 and 1338(a).

10. This Court has personal jurisdiction over Defendant because it has committed acts giving rise to this action within Texas and within this judicial district. The Court’s exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial justice because Defendant has established minimum contacts with the forum. For example,

Defendant has committed acts of infringement in this District, by among others things, offering to sell and selling products and services that infringe the asserted patents, including the accused devices as alleged herein.

11. Venue in the Western District of Texas is proper pursuant to 28 U.S.C. §§ 1391 (b), (c) and 1400(b) because Defendant has committed acts within this judicial district giving rise to this action, and Defendant continues to conduct business in this judicial district, including one or more acts of selling, using, importing and/or offering for sale infringing products or providing service and support to Defendant's customers in this District.

IV. THE PATENTS-IN-SUIT

12. The Patents-in-Suit disclose systems and methods of audio-video conferencing collaboration. While each of the inventions is defined by each element and limitation in the asserted claims, and reference is made thereto, the '525 Patent generally discloses converging a public switched telephone network ("PSTN") communication with audio-video communications over a data network. A remote client audio-video data stream is combined with a moderator audio-video data stream, providing a technical solution to a technical problem.

13. The '332 Patent discloses converging a PSTN communication with audio-video communications, as well as collaboration data using a secure data network. With respect to the '332 Patent and '525 Patent, a VoIP ("Voice Over Internet Protocol") decoder is employed to decode IP packets, including an audio data stream from a PSTN client. A virtual private tunnel is deployed to enhance security across the novel architecture.

14. The '997 Patent discloses the provisioning of multiple secured network communications. The technical solutions claimed therein including the use of multicast appliances in a secure network topology. Multiple virtual private networks ("VPNs") are

employed across the multicast appliances. Upon authentication, a telephone participant's voice data is digitized for inclusion in the multi-participant video conference.

15. Meetrix has obtained all substantial right and interest to the Patents-in-Suit, including the right to recover for all past and future infringements thereof.

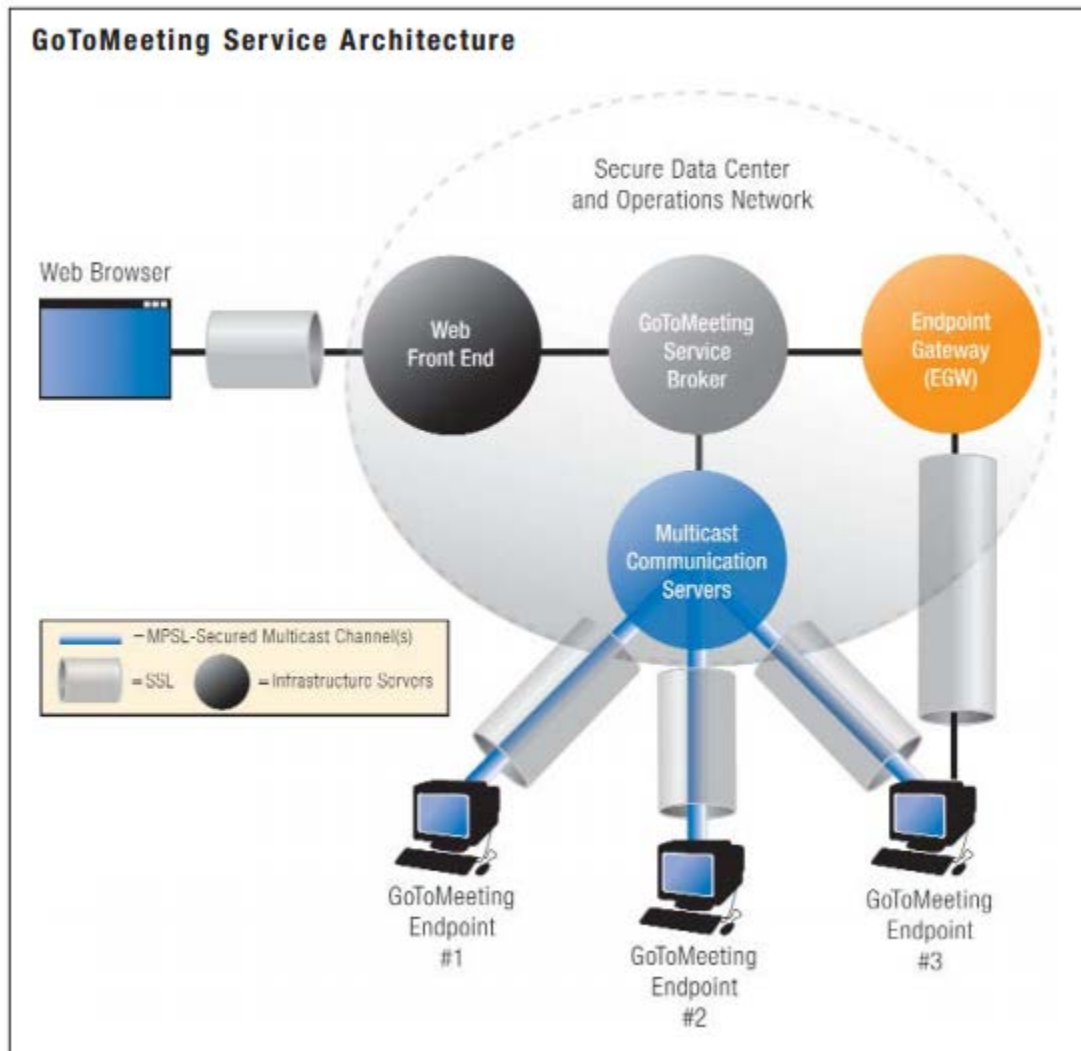
V. DEFENDANT'S ACTS

16. Defendant manufactures, provides, sells, offers for sale, and/or distributes infringing devices, including video conferencing software (a/k/a software-as-a-service ("SAAS")). Such devices include, but are not limited to Citrix's GoToMeeting and all other substantially similar products and services.

17. Based on information and belief, Defendant's infringing devices (*e.g.*, GoToMeeting) provide a means to conduct a multi-participant audio/video conference call over the Internet. In its simplest terms, GoToMeeting facilitates online meetings, allowing its users to connect via a phone or computer to share collaboration data over a secured private connection over the Internet.

18. Specifically, GoToMeeting provides a platform and topology whereby a participant (*e.g.*, phone participant) participates and connects to an online meeting over a PSTN connection (*e.g.*, "land line," cell phone, *etc.*). Such a participant can then talk with a second participant (*e.g.*, moderator or host) who may be connected using a different form of audio (and/or video) communication, such as VoIP or web conferencing communications. It provides a platform whereby a third participant (*e.g.*, remote user) connects to the conference over a private secure data network connection for audio/video communications and to share collaboration data (*e.g.*, electronic presentation, electronic documents, *etc.*) with the other

participants. Defendant represents this architecture as follows¹:



19. GoToMeeting mixes the different forms of communication such that the remote user can communicate with the phone participant (using a PSTN), as well as the moderator communicating over a secure data network connection. Likewise, the system enables the phone participant to hear both the moderator and the remote audio communications by mixing the different audio signals.

20. GoToMeeting employs IP packet decoding within the architecture established by

¹http://amda-idis.oew.ac.at/twiki/pub/EuroPlaNet/CommunicationTools/GoToMeeting_Security_White_Paper.pdf

Defendant. In addition, Defendant deploys virtual private tunnels in the manner claimed to enhance security. In this regard, GoToMeeting infringes at least claims 1, 3, 4, 6 and 7 of the '332 Patent and claims 1, 3, 4 and 5 of the '525 Patent.

21. Additionally, GoToMeeting enables several online participants to connect to a conference by sending a message (*e.g.*, an invitation) to a group of multicast appliances. Each participant is connected to the online conference using a private secure connection. The system is able to facilitate a telephonic participant who dials-in, provides a conference ID and is then authenticated. Once authenticated, the telephonic participant is able to communicate with the other online participants who are connected over a data network. In this regard, GoToMeeting infringes at least claim 11 of the '997 Patent.

22. Based on information and belief, Citrix has had knowledge of the Patents-in-Suit at least as early as approximately 2013, when Citrix offered to purchase the Patents-in-Suit from Meetrix Communications, Inc. Thus, upon information and belief, Defendant has had notice and actual or constructive knowledge of the Patents-in-Suit at least since then. Additionally, Defendant has had knowledge of the Patents-in-Suit at least as early as the service of Meetrix's Original Complaint.

23. With knowledge of the Patents-in-Suit, Defendant intentionally provides services and instructions for the installation and infringing operation of infringing products (including, by way of example, the resources and materials available at <http://support.Citrixonline.com>) to the customers of its products, who directly infringe through the operation of those products.

24. Through its actions, Defendant has infringed the Patents-in-Suit and actively promoted others to infringe the Patents-in-Suit throughout the United States, including by customers within the Western District of Texas. On information and belief, Defendant induces

its customers to infringe and contributes to the infringement of its customers by instructing or specifying that its customers operate GoToMeeting and other similar infringing products and services, in a manner as described above. Defendant specifies that the infringing products operate in an infringing manner by providing manuals and customer support related to their infringing products.

25. Defendant, with knowledge of the Patents-in-Suit, contributes to the infringement of the Patents-in-Suit, by having its direct and indirect customers sell, offer for sale, use, or import GoToMeeting, as well as all other substantially similar products, with knowledge that such products infringe the Patents-in-Suit. On information and belief, Defendant's accused devices are especially made or adapted for infringing the Patents-in-Suit, and have no substantially non-infringing uses. For example, Defendant's products contain the functionality to specifically allow a participant to connect to an online conference using a PSTN and communicate with other participants with data connections over a secured connection—functionality which is material to practicing the Patents-in-Suit. Based on information and belief, this functionality has no substantially non-infringing uses.

26. Meetrix has been and will continue to suffer damages as a result of Defendant's infringing acts.

COUNT ONE

PATENT INFRINGEMENT—U.S. PATENT NO. 9,253,332

27. Plaintiff Meetrix realleges and incorporates herein paragraphs 1–25.

28. Defendant has directly infringed at least claims 1, 3, 4, 6 and 7 of the '332 Patent.

29. Defendant has indirectly infringed at least claims 1, 3, 4, 6 and 7 of the '332 Patent by inducing the infringement of the '332 Patent and contributing to the infringement of the '332 Patent.

30. Upon information and belief, Defendant has jointly infringed at least claims 1, 3, 4, 6 and 7 of the '332 Patent, including by controlling and/or directing its customers of GoToMeeting to perform one or more of the claimed method steps.

31. Defendant's aforementioned acts have caused damage to Meetrix and will continue to do so.

COUNT TWO

PATENT INFRINGEMENT—U.S. PATENT NO. 9,094,525

32. Plaintiff Meetrix realleges and incorporates herein paragraphs 1–30.

33. Defendant has infringed at least claims 1, 3, 4 and 5 of the '525 Patent.

34. Defendant has indirectly infringed at least claims 1, 3, 4 and 5 of the '525 Patent by inducing the infringement of the '525 Patent and contributing to the infringement of the '525 Patent.

35. Upon information and belief, Defendant has jointly infringed at least claims 1, 3, 4 and 5 the '525 Patent, including by controlling and/or directing its customers to perform one or more of the claimed method steps.

36. Defendant's aforementioned acts have caused damage to Meetrix and will continue to do so.

COUNT THREE

PATENT INFRINGEMENT—U.S. PATENT NO. 8,339,997

37. Plaintiff Meetrix realleges and incorporates herein paragraphs 1–35.

38. Defendant has infringed at least claim 11 of the '997 Patent.

39. Defendant has indirectly infringed at least claim 11 of the '997 Patent by inducing the infringement of the '997 Patent and contributing to the infringement of the '997 Patent.

40. Upon information and belief, Defendant has jointly infringed at least claim 11 of

the '997 Patent, including by controlling and/or directing its customers to perform one or more of the claimed method steps.

41. Defendant's aforementioned acts have caused damage to Meatrix and will continue to do so.

VI. WILLFUL INFRINGEMENT

42. Plaintiff alleges upon information and belief that, at least as early as approximately 2013, Defendant has knowingly or with reckless disregard willfully infringed one or more of the Patents-in-Suit. Defendant has thus had actual notice of infringement of one or more of the Patents-in-Suit and acted despite an objectively high likelihood that its actions constituted infringement of Plaintiff's valid patent rights.

43. This objectively-defined risk was either known or so obvious that it should have been known to Defendant. Accordingly, Plaintiff seeks enhanced damages pursuant to 35 U.S.C. § 284.

VII. JURY DEMAND

44. Plaintiff Meatrix hereby demands a jury on all issues so triable.

VIII. REQUEST FOR RELIEF

WHEREFORE, Plaintiff Meetrix respectfully requests that the Court:

- A. Enter judgment that Defendant infringes one or more claims of the Patents-in-Suit literally and/or under the doctrine of equivalents;
- B. Award Plaintiff Meetrix past and future damages together with prejudgment and post-judgment interest to compensate for the infringement by Defendant of Patents-in-Suit in accordance with 35 U.S.C. §284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. §284;
- C. Declare this case exceptional pursuant to 35 U.S.C. §285; and
- D. Award Plaintiff Meetrix its costs, disbursements, attorneys' fees, and such further and additional relief as is deemed appropriate by this Court.

Dated: December 5, 2016

Respectfully submitted,

By: /s/ William M. Parrish
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**ATTORNEYS FOR PLAINTIFF
MEETRIX IP, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of December, 2016, all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of this document *via* the Court's CM/ECF system.

/s/ William M. Parrish