

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

POSITIONTECH LLC,)	
)	
Plaintiff,)	
)	Civil Action No. 2:17-cv-082
v.)	
)	JURY TRIAL DEMANDED
ASSA ABLOY HOSPITALITY INC.,)	
)	
Defendant.)	
_____)	

COMPLAINT

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

THE PARTIES

1. Positiontech is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 400, Plano, Texas 75093.
2. Defendant ASSA ABLOY Hospitality Inc. is a Texas company with, upon information and belief, a place of business located at 631 International Parkway, Suite 100, Richardson, TX 75081.

JURISDICTION AND VENUE

3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
5. Upon information and belief, Defendants conduct substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses

of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

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

THE PATENTS-IN-SUIT

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

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

9. Positiontech is the assignee and owner of the right, title and interest in and to the '384 and '317 patents, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

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

10. Positiontech repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

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

12. More specifically and upon information and belief, Defendant's Visionline is a positional information management system that records transactions of users (e.g., time and location). See <http://www.assaabloyhospitality.com/en/aah/com/products/system-and->

software/visionline/ (last accessed Jan. 26, 2017); Hotel Security Access and Solutions ("Hotel Solutions") at p. 41 (available at http://www.assaabloyhospitality.com/Other/VingCardElsafe/File%20Archive/Common%20Archive/Product%20Documentation/Brochures/Hotel/Hotel%20Solutions%20Brochure_English_Dec16.pdf (last accessed Jan. 26, 2017)). It includes a Visionline server, which is a management server (the Visionline server collects information from RF-enabled electronic door locks (detectors) via a Zigbee gateway that is connected to the Visionline server). *See* Visionline System and Software ("System and Software") at p. 2 (available at http://www.assaabloyhospitality.com/Other/VingCardElsafe/File%20Archive/Common%20Archive/Product%20Documentation/Product%20Sheets/System%20and%20Software/English/Visionline_PS_English_June16_Web.pdf (last accessed Jan. 26, 2017)). The Visionline server includes memory (to store e.g. credential and lock event data) and a clock (all communication between the front desk (Visionline server) and the hotel electronic locks is timestamped; the Visionline server performs time-based lock management, e.g. updating a lock expiration date after a guest's stay is extended). *See* Hotel Solutions at p. 42. Visionline includes RF-enabled electronic door locks with which the Visionline server communicates and the RF-enabled door locks detect RF-enabled credential devices, such as the RF-enabled hotel key card carried by a hotel guest. *See* System and Software at p. 4; <https://www.youtube.com/watch?v=3BHZqPsaEMM> ("Video") (last accessed Jan. 26, 2017); Hotel Solutions at p. 47. Each RF-enabled hotel key card has a tag IC (e.g., RFID chip) for storing a tag ID. *See* System and Software at p. 4; Hotel Solutions at p. 47; Video. Visionline employs a plurality of detectors in the form of RFID-enabled electronic door locks located throughout a property (e.g., hotel); these detectors communicate with the positional management server (the Visionline server). *See* Video; System and Software at p. 2.

Each RFID-enabled electronic door lock (detector) has a detection range (the user must place the keycard close to the detector to unlock the door). Further, each detector is located at a specific location (e.g., each detector is located at the door lock of a specific hotel room). The detector detects a tag ID signal sent from the tag IC (e.g., upon guest check-in, the front desk associates the guest's keycard with the detector located at the guest's assigned room; the keycard's tag ID is then detected by the assigned detector, at which time the guest is permitted entry into the room). *See* System and Software at p. 1; Hotel Solutions at pp. 42-43; Video. Each detector transmits to the positional information management server the tag ID detected and the detector ID of the receiver detecting the tag ID, the memory records together the tag ID, the detector ID of the detector, and, from the clock, time at which the detector has detected the tag ID, for managing positional information regarding the user, based on the tag ID, the detector IDs, and the times recorded. *See* Video; Hotel Solutions at p. 41.

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

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

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

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

16. More specifically and upon information and belief, Defendant's Visionline is a positional information management system that records transactions of users (e.g., time and location). *See* <http://www.assaabloyhospitality.com/en/aah/com/products/system-and-software/visionline/> (last accessed Jan. 26, 2017); Hotel Solutions at p. 41. Visionline includes an RF-enabled keycard carried by a user in a hotel and having a tag IC for storing a tag ID. *See* System and Software at p. 4; Hotel Solutions at p. 47; Video. Visionline employs a plurality of detectors (e.g., RFID detectors spread throughout the hotel) that communicate with the positional management server. *See* System and Software") at p. 2; Video. Each RFID-enabled electronic door lock (detector) has a detection range (the user must place the keycard close to the detector to unlock the door). Further, each detector is located at a specific location (e.g., each detector is located at the door lock of a specific hotel room). The detector detects a tag ID signal sent from the tag IC (e.g., upon guest check-in, the front desk associates the guest's keycard with the detector located at the guest's assigned room; the keycard's tag ID is then detected by the assigned detector, at which time the guest is permitted entry into the room). *See* System and Software at p. 1; Hotel Solutions at pp. 42-43; Video. Visionline includes means for recording a pair of the tag ID and the detector ID, and a time at which the detector has detected. *See* Video; Hotel Solutions at p. 41. Visionline comprises a positional information management means; the system is operable to manage the positional information of the user (e.g., provide information regarding a person's location and at what time the person was at that location). *See* System and Software at p. 2; Video; Hotel Solutions at p. 41.

17. Positiontech is entitled to recover from Defendant the damages sustained by Positiontech as a result of Defendant's infringement of the '317 patent in an amount subject to

proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

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

PRAYER FOR RELIEF

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

- A. An adjudication that Defendant has infringed the '384 and '317 patents;
- B. An award of damages to be paid by Defendant adequate to compensate Positiontech for Defendant's past infringement of the '384 and '317 patents and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Positiontech's reasonable attorneys' fees; and
- D. An award to Positiontech of such further relief at law or in equity as the Court deems just and proper.

Dated: January 27, 2017

/s/ Stafford Davis w/ permission of lead attorney

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