

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

TECHNO LICENSING LLC,

Plaintiff,

vs.

AIRBUS DEFENSE & SPACE, INC.

Defendant.

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Case No:

PATENT CASE

COMPLAINT

Plaintiff Techno Licensing LLC (“Plaintiff” or “Techno”) files this Complaint against Airbus Defense and Space, Inc. (“Defendant” or “Airbus”) for infringement of United States Patent No. 7,797,011 (hereinafter “the ‘011 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with its office address at 3411 Preston Rd., Suite C, Frisco, Texas 75034.

4. On information and belief, Defendant is a foreign corporation with a principal U.S. address of 2550 Wasser Terrace, Suite 9000, Herndon, VA 20171. On information and belief, Defendant may be served through its registered agent at National Registered Agents, Inc., 4701 Cox Rd., Suite 285, Glen Allen, VA 23060.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. Venue is proper in this District of Colorado pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District. Alternatively, or in addition, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District. For instance, on information and belief, Defendant has a regular and established place of business at 1600 Prospect Parkway, Fort Collins, CO 80525.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 7,797,011)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '011 Patent with sole rights to enforce the '011 Patent and sue infringers.

11. A copy of the '011 Patent, titled "Communication Method and Communication Equipment in the PoC Service," is attached hereto as Exhibit A.

12. The '011 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. On information and belief, Defendant has infringed and continues to infringe one

or more claims, including at least Claim 1 of the '011 Patent by making, using, importing, selling, and/or offering devices and methods for controlling a communication relay, which are covered by at least Claim 1 of the '011 Patent. Defendant has infringed and continues to infringe the '011 patent directly in violation of 35 U.S.C. § 271.

14. Defendant sells, offers to sell, and/or uses (including by at least testing) Push-to-talk over cellular (PoC) equipment including, without limitation, devices having Airbus' Tactilon Agent mobile application), the Tactilon Agent mobile application itself, and any similar products ("Product"), which infringe at least Claim 1 of the '011 Patent. The system includes a plurality of communication devices that can operate in a half-duplex session. A user of a device that does not "have the floor" can perform key operation and transmit that key operation to a user of a device that does "have the floor."

15. The Product practices a method of controlling a communication relay (e.g., controlling a group push-to-talk (PTT) call by the Airbus' accused PTT solution) between a plurality of equipments (e.g., mobile phones with Airbus's Tactilon Agent mobile application) in a PoC service (e.g., a Push-to-talk over cellular system) which attains a half-duplex talk session using a packet communication (e.g., half duplex communications over an IP based network such as Wi-Fi) between the plurality of equipments (e.g., mobile phones with Airbus's Tactilon Agent mobile application), wherein each equipment comprises a talking key (e.g., a PTT key) and at least one operation information transmitting key (e.g., software based buttons tied to emergency call and texting functionality). As shown in the screen shots below (and/or in screen shots provided in connection with other claim elements), the Product controls a group PTT communication through the accused PTT server (e.g., Airbus's Tactilon Agent server) between a plurality of equipments (e.g., mobile phones with Airbus's Tactilon Agent mobile application) in a PoC service (e.g., Push-

to-talk over cellular) which attains a half-duplex talk session (e.g., when a user presses and holds down the PTT key to talk and releases the PTT key to listen) using a packet communication (e.g., communication over IP network).



<https://www.securelandcommunications.com/tactilon-tsa-app>

App for industry field

A kilometer or more below ground and long tunnels with no cell phone reception. These are typical working conditions for **miners**, who communicate with one another using e.g. TETRA or Tetrapol. Sometimes there's a rapid need for an expert's advice - if this person is not in the area, they can still be reached with the help of Aget. This person can talk to the miners by connecting to the same TETRA network using Aget and Wi-Fi.

Also large **construction and production sites** benefit from using Tactilon Aget. Many people need to communicate with each other, possibly sharing sensitive information. Also there might be a situation where expert's advice is needed. Sending pictures or videos with the Aget app helps troubleshooting during problematic situations.

Oil and gas field require communications that are available everywhere over often vast ranges - personnel can find themselves a long way from urban areas, yet have to be in touch with each other and with the control room. Tactilon Aget is a great solution for this kind of working environment. Tactilon Aget lets one use push-to-talk on their smartphones to communicate in other TETRA/Tetrapol talk groups. One can easily communicate with TETRA/Tetrapol radio users as well as with the control room.

<https://www.securelandcommunications.com/tactilon-tsa-app>

Great for the future

With the Tactilon Agnet app, it is easy for users to adopt professional communication practices. Completely new user groups can start cooperating with established groups.

The Tactilon Agnet solution allows richer and more efficient collaboration for people in the field by exchanging multimedia information. With Tactilon Agnet, the group members can exchange real-time video and instant messages with attachments. They can even use rich map features to locate other group members and rapidly understand the ongoing tactical situation.

Applying the new capabilities in real situations provides valuable insight that can help organisations develop new and more effective planning and work procedures.

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Tactilon® Agnet app
Brings TETRA push-to-talk to smart devices

Tactilon Agnet is an application for smart devices. It lets one use push-to-talk on a smartphone to communicate in TETRA talk groups. One can easily communicate with TETRA radio users as well as with dispatchers.

Tactilon Agnet connects the people vital to an operation even when they use different devices and technologies.

Public safety users get to enjoy the following:

- Communication with dispatchers and TETRA radio users is seamless
- Organizational information and existing processes can be re-used

TETRA is great for professional communications. The following work extremely well over TETRA, for example:

- Push-to-talk operation
- Direct calls
- Emergency calls
- Messaging
- Location services.

In addition, TETRA makes it much easier to communicate between different authority organizations – in a controlled way.

Today's smartphones with their touch screens are extremely easy to use for rich media. It is smart to take advantage of them for advanced apps that help authorities in their daily work.

The Tactilon Agnet application combines the best of two worlds: TETRA and smartphones. Group communication with the app takes full advantage of the capabilities of smartphones – in a secure and controlled way.

Because the organizational information and existing processes and systems can be reused, painful change programs are not needed when the Tactilon Agnet app is launched in an organization.

https://www.securelandcommunications.com/hubfs/pdf/Tactilon_Agnet_App-Airbus_Defence_and_Space_datasheet_May_2016.pdf?t=1521013978471&utm_campaign=Tactilon%20Suite%20promotion&utm_source=hs_automation&utm_medium=email&utm_content=23348041&hsenc=p2ANqtz-scoMKH9r2Zc04Ec1mAZVgoemm4J2CTyDOkcFq5pK6frem5LWJcKucmGEOPAIzFQ1PDLIoKLO2xKS7nxTjQwl398FnhA&hsmi=23348041

Delivers TETRA-like functionality

The Tactilon Agnet app user can:

- Make and receive group calls
- Make and receive direct calls
- Make and receive an emergency call
- Send and receive status messages
- Send and receive SDS messages
- Use other apps in parallel with TETRA-like voice and messaging

- The user's location can be tracked with the SDS/LIP

- Standard smart device terminals can be used with Tactilon Agnet, allowing TETRA voice and messaging features, together with other data applications, to be used in the same smart device.

- Smart devices can work on any standard 3G, 4G and WiFi broadband service

https://www.securelandcommunications.com/hubfs/pdf/Tactilon_Agnet_App-Airbus_Defence_and_Space_datasheet_May_2016.pdf?t=1521013978471&utm_campaign=Tactilon%20Suite%20Promotion&utm_source=hs_automation&utm_medium=email&utm_content=23348041&hsenc=p2ANqtz-scoMKH9r2Zc04Ec1mAZVgoemm4J2CTyDOkcFq5pK6frem5LWJcKucmGEOPAIzFQ1PDLIoKLO2xKS7nxTjQw1398FnhA&hsmi=23348041

Tactilon Aagnet opens up a whole new world of benefits for the smartphone user.

Talk to a group without looking

at your radio: With Tactilon Aagnet, the PTT key is easy to find, even when your eyes are on the action. It is also easy to keep pressed down for as long as you need to.

Talk to one person as well:

Tactilon Aagnet allows a PTT call to a single person (with an individual or one-to-one call) – this means you don't have to close the app and make a phone call.

Keep your place in the queue:

If you can't speak straight away because someone else is speaking, Tactilon Aagnet lets you queue for a turn to speak.

In case of an emergency:

Help is at hand by pressing the dedicated emergency button. Emergency calls get extreme priority, jumping the queue of other calls if necessary. When an emergency call comes in, it can be seen and heard clearly.

Keep track of where you are:

Tactilon Aagnet can also track the position of the device. This feature allows the location to be shown on the screen of a dispatching application, keeping users safer.

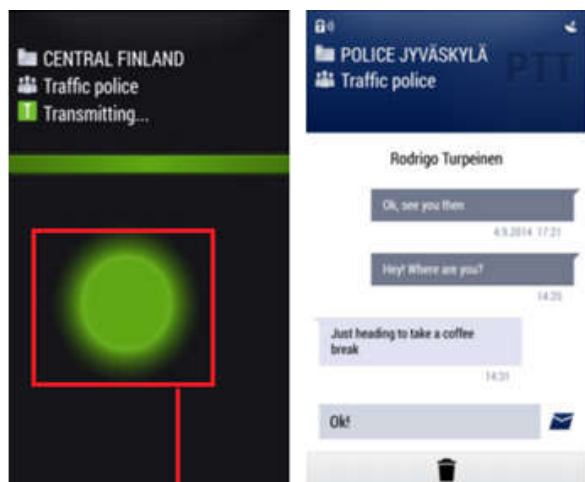
Do more than talk:

Push-to-talk is mostly associated with speaking, but Tactilon Aagnet offers more. It can easily send text or status messages within the app, to the same groups that you speak to, or to individuals.

Standard smart device terminals can be used with Tactilon Aagnet, allowing TETRA voice and messaging features, together with other data applications, to be used in the same smart device. Smart devices can work on any standard 3G, 4G and Wi-Fi broadband service.

<https://www.securelandcommunications.com/hubfs/pdf/Tactilon%20Aagnet%20brochure.pdf?t=1521013978471>

16. An equipment (e.g., a mobile phone with Airbus's Tactilon Agent mobile application) comprises a talking key (e.g., a PTT key) and at least one operation information transmitting key (e.g., software buttons tied to emergency calling and texting functionality). This is shown in the screen shots below and/or in screen shots provided in connection with other claim elements.



The full screen push-to-talk and the intuitive text messaging window make the app very easy to use

A talking key

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1

Talk to a group easily

Push-to-talk means that the speaker presses and holds the PTT key to talk to the group. But what if several people want to speak at once? In the TSA app, the user presses and holds the PTT key and waits for their turn. They simply stay in the queue as long as they keep the key pressed.

The TSA app also lets a user or a dispatcher make a broadcast call, a quick way to make an announcement to everyone in a group.



Full-screen push-to-talk button

<https://www.securelandcommunications.com/hubfs/Essential-push-to-talk-Top-tips-for-professionals.pdf?t=1510937744959>



3 Emergency calls

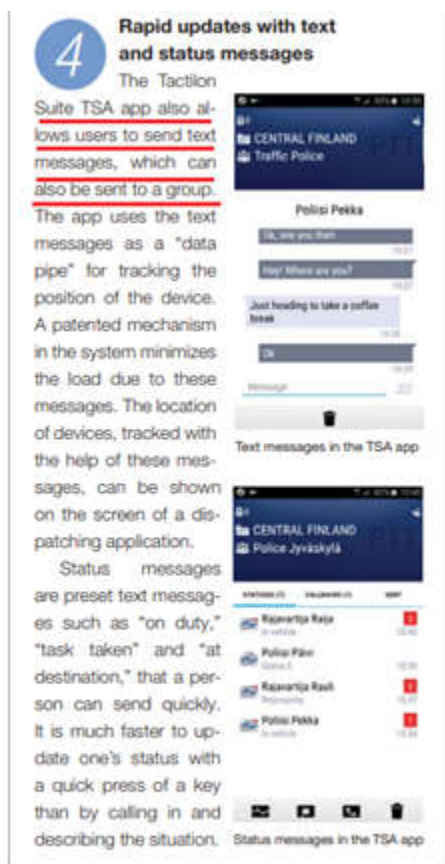
Pressing the red emergency button in the TSA app starts an emergency call, potentially helping save a life. Here are just three examples of the power of the emergency call in the Tactilon Suite TSA app:

- The user does not have to select the recipient of the emergency call – it is defined in the system. Users can all have the same or different recipients.
- The emergency call can be either an individual call between the person in distress and the dispatcher, or another radio user, or a group call.
- Thirdly, there are safeguards. To make sure all emergency calls are answered, the call can have up to three possible recipients. If the first choice does not answer, the system will automatically route the call to other choices.

Operation information transmitting key

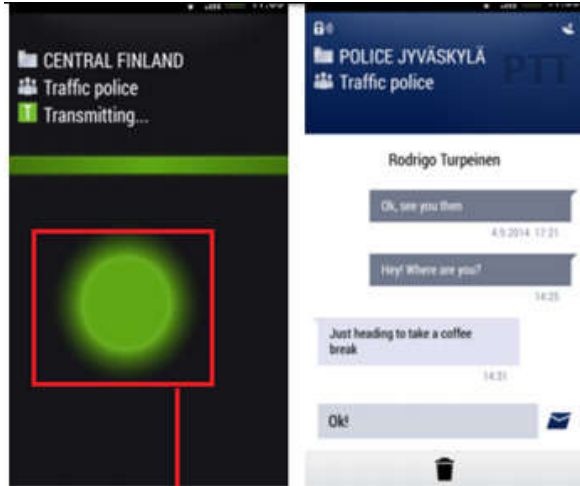


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17. The Product practices managing the equipments (e.g., mobile phones with Airbus's Tactilon Agent mobile application) connected to the server (e.g., Airbus's Tactilon Agent server), wherein one of the plurality of equipments (e.g., a mobile phone with Airbus's Tactilon Agent mobile application) has taken "the floor" (e.g., pressing and holding a PTT key) in the half duplex talk session. Certain aspects of this element are illustrated in the following screen shots and/or in screen shots provided in connection with other allegations herein.



The full screen push-to-talk and the intuitive text messaging window make the app very easy to use

A talking key

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Full-screen push-to-talk button

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How to get started?

These are the building blocks you need to start using Tactilon Agnet.

- Airbus TETRA System Release 7
- DXT3 / DXTA / Taira server
- Tactilon Management for provisioning Tactilon Agnet users into server
- Taqto® terminal manager to provision the app into smart devices
- Broadband service with Secure MVNO / 3G / 4G / WIFI
- Smartphones, Android devices

<https://www.securelandcommunications.com/hubfs/pdf/Tactilon%20Agnat%20brochure.pdf?t=1521013978471>

1

Talk to a group easily

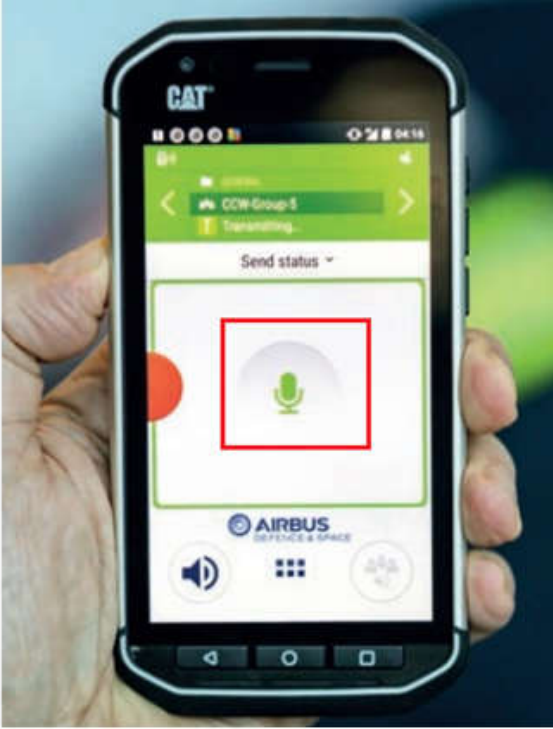
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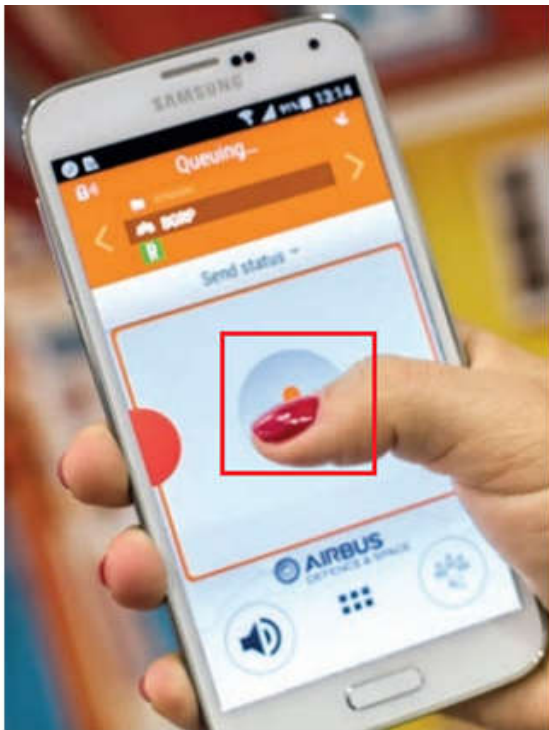


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18. The Product acquires, as operation information (e.g., an emergency call or text

message) a key operation of the operation information transmitting key (e.g., the press of the corresponding software button that initiates an emergency call or text message) of at least one of the plurality of equipments (e.g., a mobile phone with Airbus's Tactilon Agent mobile application) that has not taken "the floor" (e.g., a user device that is listening wherein the user is not pressing the PTT key) in the half duplex talk session while said one of the plurality of equipments has "the floor" (e.g., a user device wherein the user is currently pressing the PTT key) in the half duplex talk session. Certain aspects of this element are illustrated in the following screen shots and/or in screen shots provided in connection with other allegations herein. As shown below, the accused system practices acquiring, as operation information (e.g., an emergency call or text message), a key operation of the operation information transmitting key (e.g., the key press of a corresponding software button that initiates an emergency call or text message). Said emergency call or texting operation can be initiated by a device that does not currently have the floor.



Operation information transmitting key

3

Emergency calls

Pressing the red emergency button in the TSA app starts an emergency call, potentially helping save a life. Here are just three examples of the power of the emergency call in the Tactilon Suite TSA app:

- The user does not have to select the recipient of the emergency call – it is defined in the system. Users can all have the same or different recipients.
- The emergency call can be either an individual call between the person in distress and the dispatcher, or another radio user, or a group call.
- Thirdly, there are safeguards. To make sure all emergency calls are answered, the call can have up to three possible recipients. If the first choice does not answer, the system will automatically route the call to other choices.



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4 Rapid updates with text and status messages

The Taction Suite TSA app also allows users to send text messages, which can also be sent to a group.

The app uses the text messages as a "data pipe" for tracking the position of the device. A patented mechanism in the system minimizes the load due to these messages. The location of devices, tracked with the help of these messages, can be shown on the screen of a dispatching application.

Status messages are preset text messages such as "on duty," "task taken" and "at destination," that a person can send quickly. It is much faster to update one's status with a quick press of a key than by calling in and describing the situation.

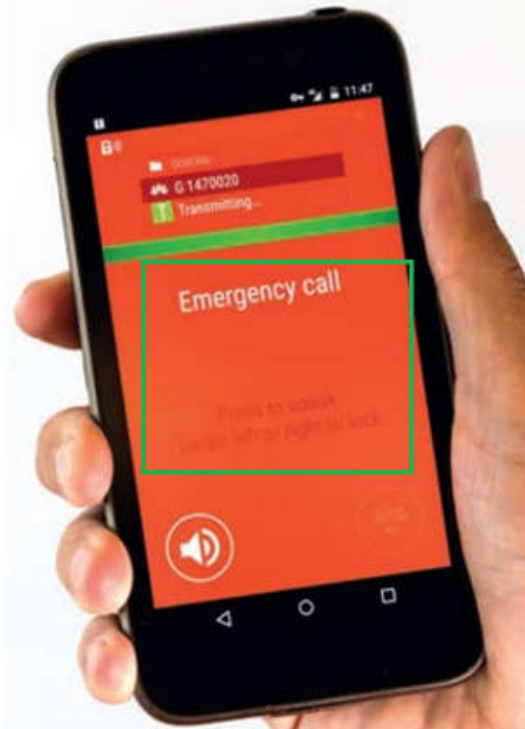


Text messages in the TSA app



Status messages in the TSA app

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19. The Product transmits the acquired operation information (e.g., an emergency call or text message) to the equipments (e.g., mobile phones with Airbus’s Tactilon Agent mobile application) which are managed by a managing unit (e.g., Airbus’s Tactilon Agent server). The accused system transmits a key operation information (e.g., an emergency call or text message) to the equipments (e.g., mobile phones with Airbus’s Tactilon Agent mobile application), in response to a user’s initiation of said emergency call or text message via the use of corresponding software buttons. Certain aspects of this element are illustrated in the following screen shots and/or in screen shots provided in connection with other allegations herein.

App for industry field

A kilometer or more below ground and long tunnels with no cell phone reception. These are typical working conditions for **miners**, who communicate with one another using e.g. TETRA or Tetrapol. Sometimes there's a rapid need for an expert's advice - if this person is not in the area, they can still be reached with the help of Agnet. This person can talk to the miners by connecting to the same TETRA network using Agnet and Wi-Fi.

Also large **construction and production sites** benefit from using Tactilon Agnet. Many people need to communicate with each other, possibly sharing sensitive information. Also there might be a situation where expert's advice is needed. Sending pictures or videos with the Agnet app helps troubleshooting during problematic situations.

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Operation information transmitting key

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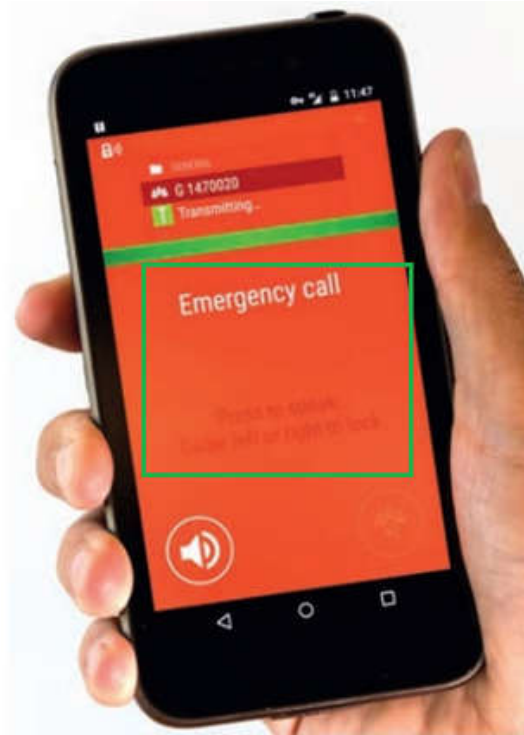
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20. The Product displays the operation information (e.g., an emergency call or text message) on a screen of said one of the plurality of equipments (e.g., a mobile phone with Airbus’s Tactilon Agent mobile application) that has “the floor” (e.g. a user device wherein the user is currently speaking or holding the PTT key) and/or on a screen of at least another one of the plurality of equipments (e.g., a mobile phone with Airbus’s Tactilon Agent mobile application) that has not taken “the floor” (e.g. a user device wherein the user is currently listening or not pressing the PTT key). Certain aspects of this element are illustrated in the following screen shots and/or in screen shots provided in connection with other allegations herein.



The emergency call in full-screen mode will not escape your attention

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21. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

22. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

23. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 7,797,011 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: April 30, 2018

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON

State Bar No. 24067322

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ATTORNEYS FOR PLAINTIFF

EXHIBIT A