

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

TECHNO LICENSING LLC,

Plaintiff,

vs.

VERIZON COMMUNICATIONS, INC.,

Defendant.

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Case No:

PATENT CASE

**COMPLAINT**

Plaintiff Techno Licensing LLC (“Plaintiff” or “Techno”) files this Complaint against Verizon Communications, Inc. (“Defendant” or “Verizon”) 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 Delaware corporation with a place of business in New York, New York. On information and belief, Defendant may be served with process through its agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

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 the District of Delaware 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 1045 N Dupont Hwy, Dover, DE 19901. On information and belief, Defendant has other regular and established places of business in this District.

### **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 Claims 1, 3, 4 and 5 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 (PTT) over cellular (PoC) equipment including, without limitation, Verizon handsets that interface with and/or operate in a communication environment provided by Link Communications, and any similar products ("Product"), which infringe at least Claims 1, 3, 4 and 5 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. In at least testing and usage, the Product implements a communication method of controlling a communication relay (e.g., a TCB-iP2v LMR Gateway) between a plurality of equipments (e.g. LMR radios, or VZW PTT Handsets) in a PoC service (e.g., Verizon's Push to Talk Plus Service provided over a cellular network) which attains a half-duplex talk session (e.g. PTT calls are half-duplexed wherein there is one caller and one receiver at all times) using a packet communication (e.g. IP-based PoC transmits voice as data packets) between the plurality of equipments (e.g., LMR radios or VZW PTT Handsets) wherein each equipment comprises a talking key (e.g., a PTT button) and at least one operation information transmitting key (e.g., an instant Alert icon). As shown in the following screen shots and/or in screen shots provided in connection with other allegations herein, the Product controls a communication relay (e.g. a TCB-iP2v LMR Gateway) between a plurality of equipments (e.g. LMR radios or VZW PTT

Handsets) in a PoC service (e.g., Push-to-talk over cellular) which attains a half-duplex talk session (e.g., PTT communications) using packet communication (e.g., communication over an IP network).

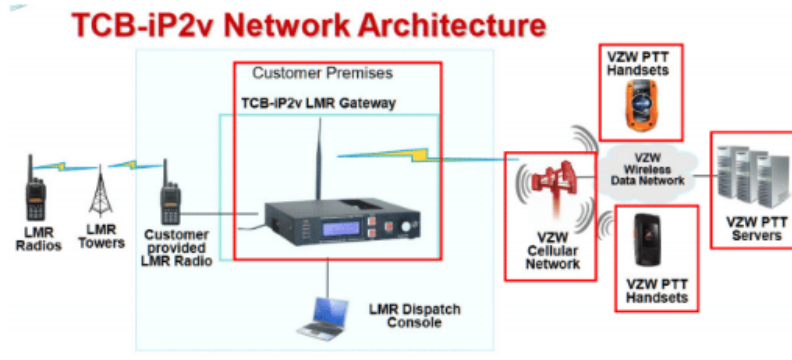
Verizon Push to Talk (PPT+) System (“The Accused System”)

Push to Talk and Push to Talk Plus

# Near-instant communication at the push of a button.



Business moves at lightning speed and your employees need communications solutions that help them work more efficiently and make collaboration easier. The latest push-to-talk technology can help them do just that.



- ✓ Internally a Verizon provided “PTT donor radio” is integrated inside the TCB-iP2v
- ✓ PTT Donor Radio acts as a communication bridge
- ✓ LMR Gateway has physical connectors and software to control the donor radio
- ✓ TCB-iP2v can optionally connect to your network for extended operation and control

Source: [Hyperlink](#)

<http://74.208.33.203/ftp/Catalog/TCB-TDS.pdf>

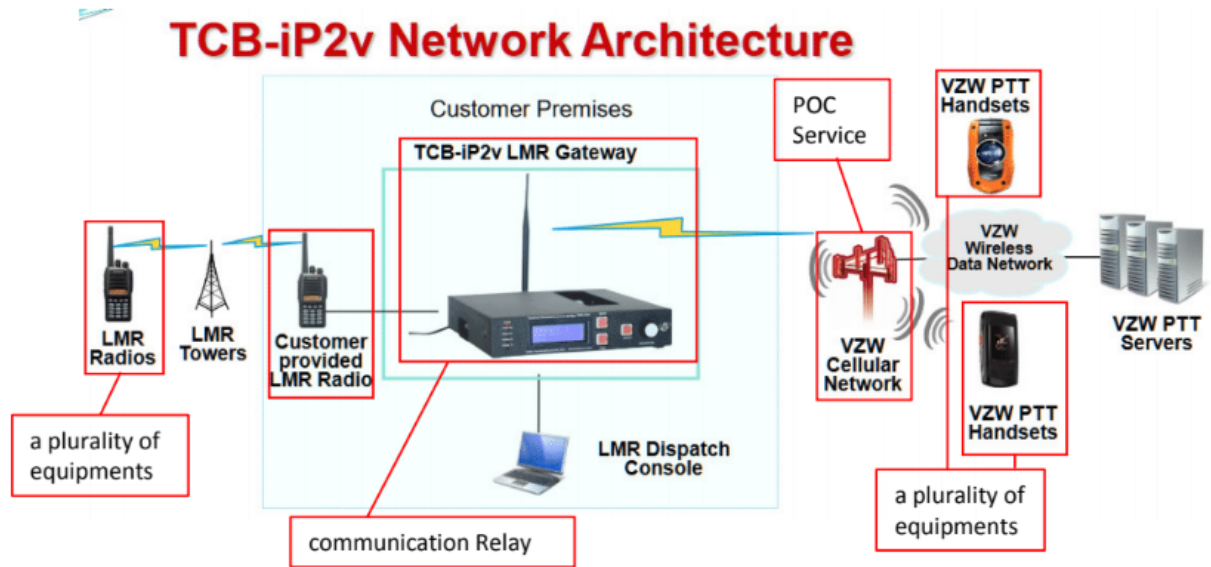
Push to Talk Plus (PTT+) provides instant communication, walkie-talkie style, on our 4G LTE network or over WiFi. With a push of a button, you can talk to an individual or an entire group.

Once the PTT+ feature is added to your account, you'll receive a text message stating that you can download the PTT+ app.

Source: <https://www.verizonwireless.com/support/pushtotalk-plus-faqs/>

You'll be prompted to activate PTT+ when you first open the app after downloading it. This activation process ensures that you're successfully subscribed to PTT+ and that you're using a compatible phone

Source: <https://www.verizonwireless.com/support/pushtotalk-plus-faqs/>



Source: <http://74.208.33.203/ftp/Catalog/TCB-TDS.pdf>

Push-to-talk cellular call is termed as half-duplex communication as in this one person calls > the other(s) receives,

And to note that a cell phone call is termed as a full-duplex, i.e. the both of the parties on a call can hear each other at the same real time, and as a PTT is half-duplex, so it simply means that the call or the communication will go only single direction at any single moment of time, so it resembles like a walkie-talkie calling, its become useful when you need to collect some info / have to broadcast an emergency to your group of employees to mobilize them etc. etc.

Source: <https://www.zyxaw.com/2010/03/push-to-talk-over-cell-ptt-poc-voip-at.html>

### How Verizon Push To Talk works?

PTT works by sending IP packets over the

GSM network rather than setting up a traditional phone call. This means that the cost of a call is based on time spent actually speaking (the number of data packets transmitted) rather than the elapsed duration of the conversation.

-9%

View Now



Source: <http://buzzmobile.us/verizon-push-to-talk/>

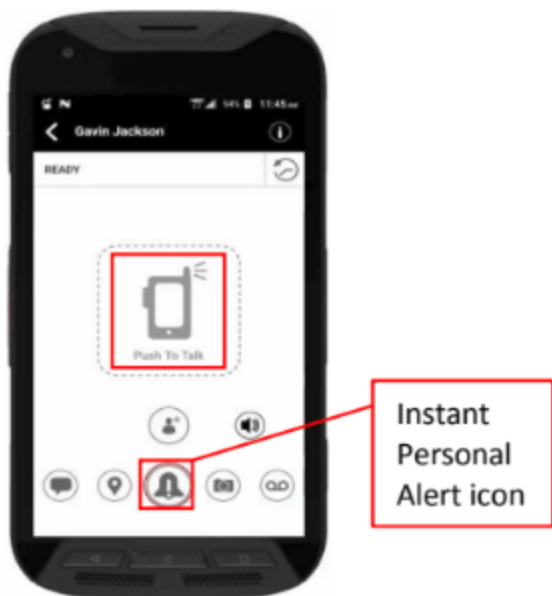
Push to Talk – Push to Talk phone required Push to Talk connects only to other Verizon Wireless Push to Talk subscribers. For optimal Push to Talk performance, all callers on a Push to Talk session must have an EV-DO Rev. A-capable device and be receiving EV-DO service. A Push to Talk call will automatically time out after ten (10) seconds of inactivity and voice calls will go directly to voicemail while you are on a Push to Talk Call. When on a voice call, you cannot receive a Push to Talk call. You cannot prevent others who have your

Source: <https://www.verizonwireless.com/support/push-to-talk-legal/>

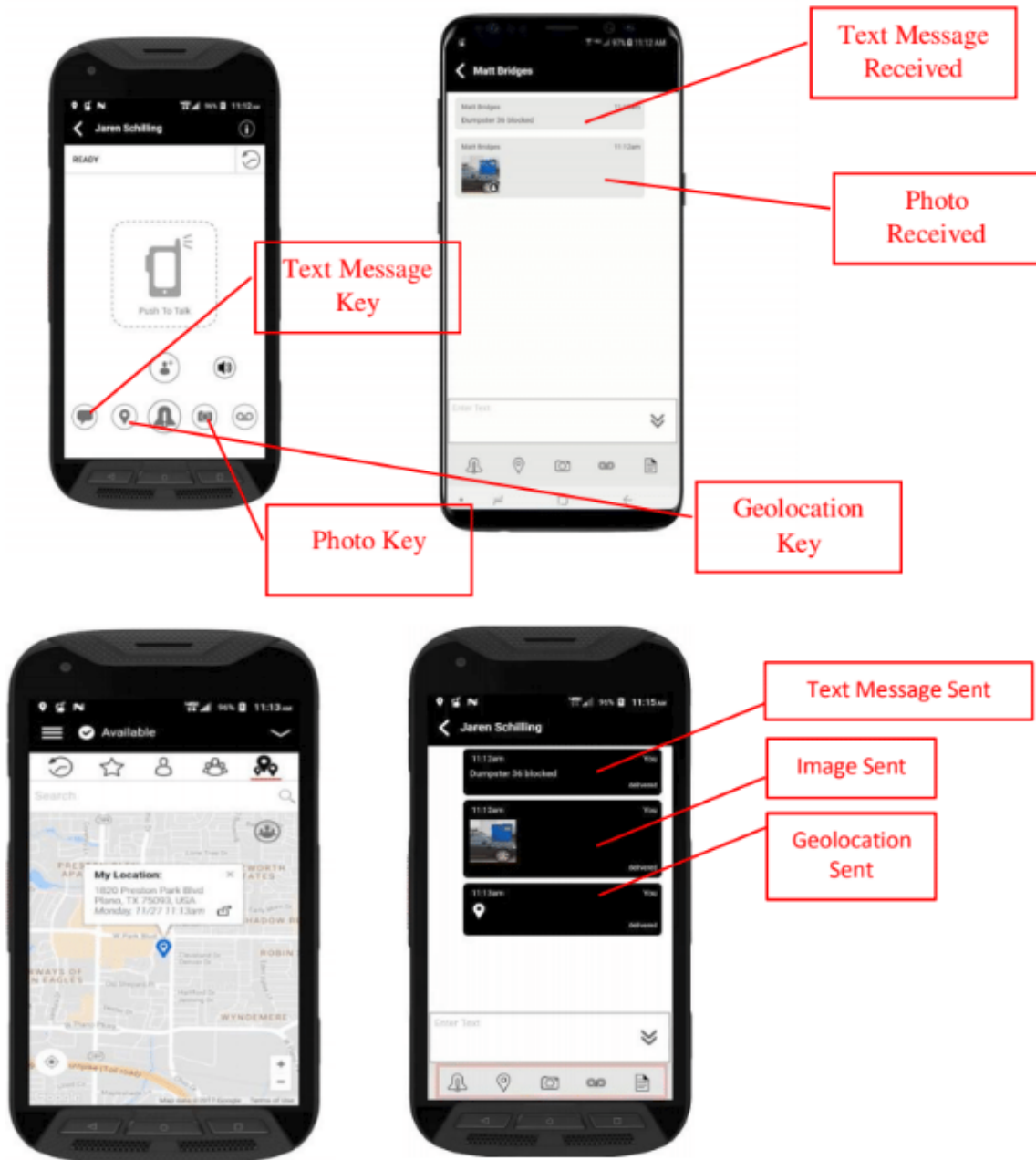
**Programmable Key** gives you quick access to frequently used functions. See [Set Programmable Key](#). By installing PTT application, this key can also act as a PTT key. See [Verizon Push To Talk Plus \(PTT+\)](#).

Source: <https://www.kyoceramobile.com/duraxv-plus/DuraXV-Plus-PTT-User-Guide-Verizon-en.pdf>

16. As shown below, a Verizon PTT enabled device will include a physical push to talk key or software-based push to talk key that allows a user to initiate a PTT call. Additionally, the device will include software-based keys that allow a user to send a personal alert, text message, geolocation, photo or voice recording, to another user (e.g., the operation information transmitting key).



Source: [https://www.youtube.com/watch?v=1h\\_qrZVZ9ks](https://www.youtube.com/watch?v=1h_qrZVZ9ks)

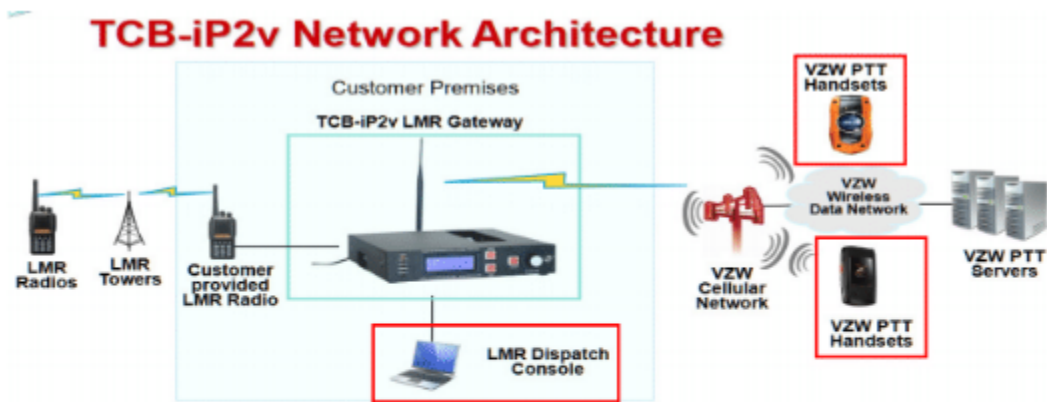


Source: <https://www.verizonwireless.com/biz/productivity/push-to-talk-plus/>

17. In at least testing and usage, the Product manages (e.g. management of the system is done via the LMR Gateway and a connected Dispatch Console) the equipments (e.g. LMR radios, VZW PTT Handsets) connected to the server (e.g., a VZW PTT Server) wherein one of the plurality of equipments (e.g. one of the VZW PTT Handsets) has taken “the floor”



(e.g., during a PTT call session, only one device can take the floor at one time) in the half duplex talk session (e.g., a half-duplex PTT call). As shown below, the LMR Dispatch console monitors communication between VZW PTT handsets and LMR radios over a VZW PTT server on the VZW cellular network. Also as shown below, the Dispatch Console is used to manage the PTT system. Moreover, the floor is provided to a user as long as he presses the push to talk button, and upon releasing the button, the floor is available to other users. Certain aspects of this element are illustrated in the following screen shots and/or in screen shots provided in connection with other allegations herein.



- ✓ Internally a Verizon provided "PTT donor radio" is integrated inside the TCB-iP2v
- ✓ PTT Donor Radio acts as a communication bridge
- ✓ LMR Gateway has physical connectors and software to control the donor radio
- ✓ TCB-iP2v can optionally connect to your network for extended operation and control



Source: [https://16966c0d02ae8ddc176e-a393fe9355878ef10df79e27f1add196.ssl.cf5.rackcdn.com/files/documents/10452550\\_VZW\\_Push To Talk Plus Comparison V1a\\_scj.pdf](https://16966c0d02ae8ddc176e-a393fe9355878ef10df79e27f1add196.ssl.cf5.rackcdn.com/files/documents/10452550_VZW_Push_To_Talk_Plus_Comparison_V1a_scj.pdf)

**Dispatch Console for PTT+**  
**Efficiently locate, manage, and communicate with your mobile workforce.**

The Push-to-Talk+ Dispatch Console is an affordable, easy-to-use solution for managing, locating, and communicating with your mobile PTT workforce. The Dispatch Console allows dispatchers to increase efficiency with near instant communications to one or a group of team members at the push of a button, monitor talkgroup discussions, record discussions, and geo-locate PTT+ users on an integrated live map.

Source: [https://www.verizonwireless.com/pdfs/ptt/ptt\\_instructions.pdf](https://www.verizonwireless.com/pdfs/ptt/ptt_instructions.pdf)

**Floor Control**  
The ability to gain access to speak while active in a Push to Talk session.

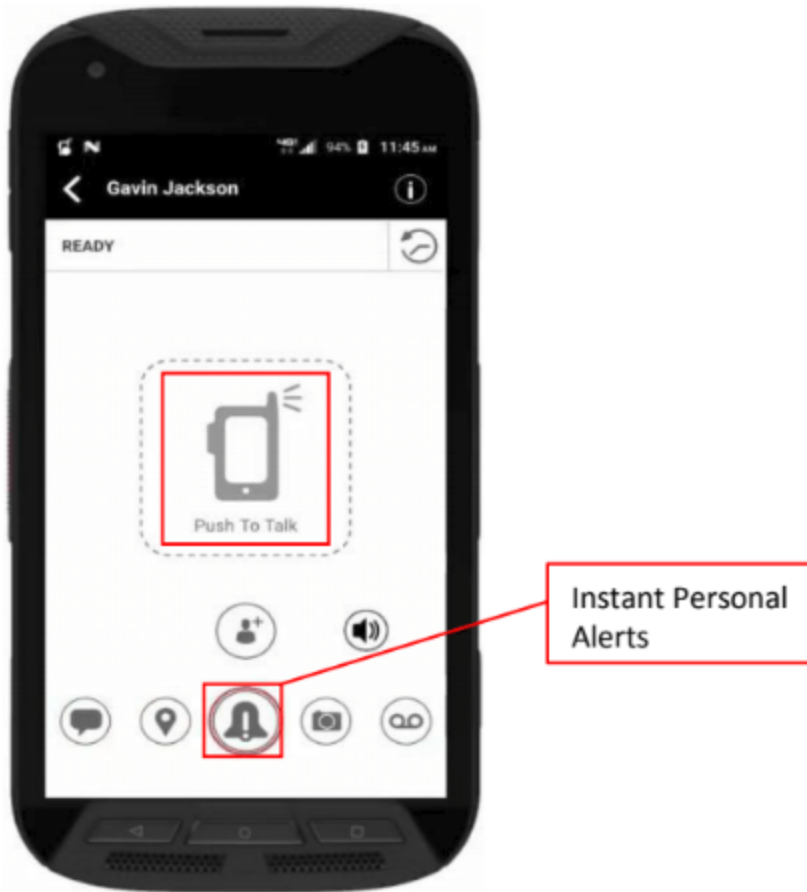
Source: [https://www.verizonwireless.com/pdfs/ptt/ptt\\_instructions.pdf](https://www.verizonwireless.com/pdfs/ptt/ptt_instructions.pdf)

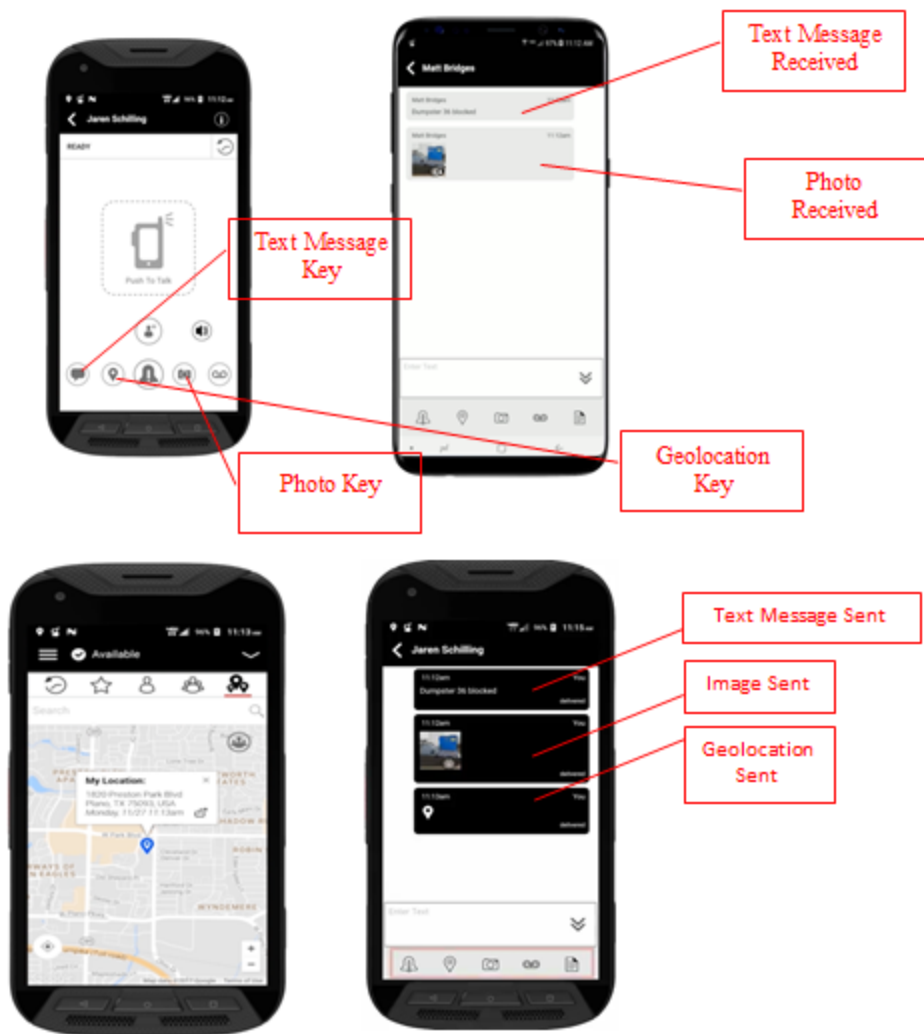
Sprint and Verizon use the same phone number for PTT as it does for regular voice calls. Nextel, however, assigns a separate number (consisting of Area ID, Network ID, and Member ID) for PTT calls, which can be inconvenient if you have to enter two numbers in your address book.

When the PTT call goes through, the phone indicates that the floor is open. To start talking and to transmit your message, you hold down the button much like you would on a walkie-talkie. Releasing the button gives the other person the floor to speak.

<https://www.pcworld.com/article/114640/article.html>

18. In at least testing and usage, the Product acquires, as an operation information, a key operation of the operation information transmitting key (e.g. corresponding data is sent to the VZW PTT server when a user utilizes a software based key to send a text, photo, geolocation, personal alert, or voice recording to another user) of at least one of the plurality of equipments (e.g., LMR radios or VZW PTT Handsets) that has not taken the floor in the half duplex talk session (e.g., a user device that does not yet hold the floor can nonetheless utilize the software keys to send text, photos, geolocations, personal alerts, or voice recordings) while said one of the plurality of equipments has “the floor” in the half duplex talk session (e.g. a recipient of the text, photo, geolocation, etc., will receive said information even if they currently have the floor in a PTT session). As shown below and/or in the screen shots provided in connection with other allegations herein, the push to talk app interface contains various software keys that allow a user to send text message, photos, geolocations, personal alerts, and voice recordings, during a half-duplex transmission (e.g. a PPT call).



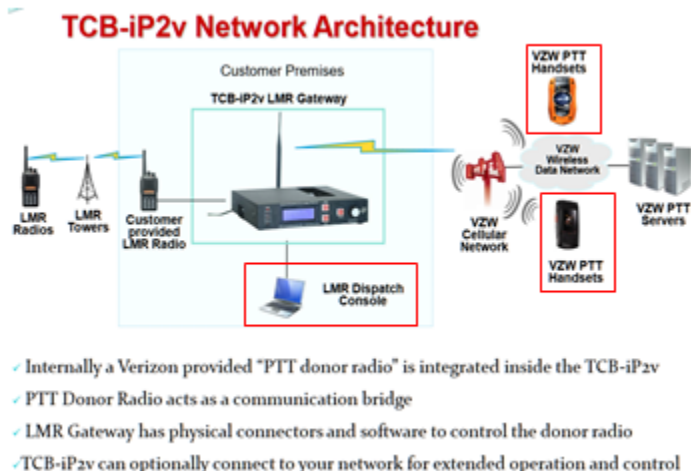


Source: <https://www.verizonwireless.com/biz/productivity/push-to-talk-plus/>

19. In at least testing and usage, the Product transmits the acquired operation information (e.g. the user's selection of a specific operation (e.g. to send a text, photo, geolocation, etc.) and any data corresponding to said operation (e.g. the text, photo and geolocation themselves)) to the equipments (e.g., a VZW PTT Handset) which are managed by a managing unit (e.g., a Dispatch Console and Gateway). 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 solution requires the deployment of an LMR Gateway and software, provided by Catalyst or Link Communications, which serve as an interface between LMR handsets, two-way radios, and mobile or base stations to the Push to Talk handsets on the Verizon Wireless network. The system effectively allows customers to expand their LMR system to reach to the entire Verizon Wireless nationwide network.

Source: <http://www.verizon.com/about/news/vzw/2009/08/pr2009-08-14h>



Source: <http://74.208.33.203/ftp/Catalog/TCB-TDS.pdf>

20. In at least testing and usage, the Product displays the operation information on a screen (e.g., sent text messages, photo, geolocations and voice recordings will be shown in the application interface of receiving devices) of said one of the plurality of equipment (e.g., LMR radios or VZW PTT Handsets) that has "the floor" (e.g. a user who currently has the floor of a PTT conversation will nonetheless receive any text messages, photos, geolocations, or voice recordings sent via the application interface) and/or on a screen of at least another one of the plurality of equipment that has not taken "the floor" (e.g., other users in a group that will receive the sent messages, photo, geolocations, etc., who do not currently hold the floor in a PTT call).

21. Regarding Claim 3, in at least testing and usage, the Product comprises a communication equipment (e.g., VZW PTT Handsets) for conducting a half-duplex talk session (e.g., PTT calls are half-duplexed wherein there is one caller and one receiver at all times) using

a packet communication (e.g., IP-based PoC transmits voice as data packets) with other equipments (e.g., LMR radios, or VZW PTT Handsets) via a server (e.g., VZW PTT server). The Product controls a communication relay (e.g. a TCB-iP2v LMR Gateway) between a plurality of equipments (e.g. LMR radios or VZW PTT Handsets) in a PoC service (e.g., Push-to-talk over cellular) which attains a half-duplex talk session (e.g., PTT communications) using packet communication (e.g., communication over an IP network). The equipment comprises a transmitting unit (e.g., hardware and software that relays user selections in the application interface) that transmits key operations (e.g., pressing an emergency key) of said communication equipment to the server as operation information (e.g., corresponding data is sent to the VZW PTT server when a user utilizes a software based key to send a text, photo, geolocation, personal alert, or voice recording to another user). The equipment comprises a receiving unit (e.g., a receiver) that receives the operation information (e.g., emergency information, text, photo, etc.) transmitted from the server, the operation information indicating the key operation of respective equipments (e.g., corresponding data is received on recipient device from the VZW PTT server per a sender's utilization of software based keys to send a text, photo, geolocation, personal alert, or voice recording). These elements are further illustrated in the allegations above in connection with Claim 1.

22. Regarding Claim 4, in at least testing and usage, the Product practices a method wherein the acquired operation information (e.g., the user's selection of a specific operation (e.g. to send a text, photo, geolocation, etc.) and any data corresponding to said operation (e.g. the text, photo and geolocation themselves)) is transmitted to all of the equipments (e.g., all VZW PTT Handset devices communicating in a group) which are managed by the managing unit (e.g., a Dispatch Console and Gateway). These elements are further illustrated by the allegations

above in connection with Claim 1.

23. Regarding Claim 5, in at least testing and usage, the Product practices a communication method wherein the transmitted operation information is displayed on each screen (e.g., sent text messages, photo, geolocations and voice recordings will be shown in the application interface of receiving devices) of said all of the equipments (e.g., all VZW PTT Handset devices communicating in a group) to share the operation information among said all of the equipments (e.g., information regarding sent text messages, photo, geolocations and voice recordings will be shown in the application interface of all receiving devices communicating in a group). These elements are further illustrated by the allegations above in connection with Claims 1 and 4.

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

25. 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.

26. 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/Stamatios Stamoulis*

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