IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BECK BRANCH LLC, Plaintiff, **v.** **MOTOROLA MOBILITY, LLC,** Defendant.	**CIVIL ACTION NO** **JURY TRIAL DEMANDED**

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

1. This is an action for patent infringement in which Beck Branch LLC makes the following allegations against Motorola Mobility, LLC

PARTIES

2. Plaintiff Beck Branch LLC ("Plaintiff") is a Texas limited liability company with its principal place of business at 101 E. Park Blvd, Suite 600, Plano, TX 75074.

3. On information and belief, Motorola Mobility, LLC ("Defendant" or "Motorola Mobility") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in Chicago, IL.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). Motorola is a Delaware limited liability company, and, thus, resides in Delaware for purposes of venue.

6. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Delaware Long Arm Statute, due at least to its substantial business in this forum, 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 Delaware and in this Judicial District.

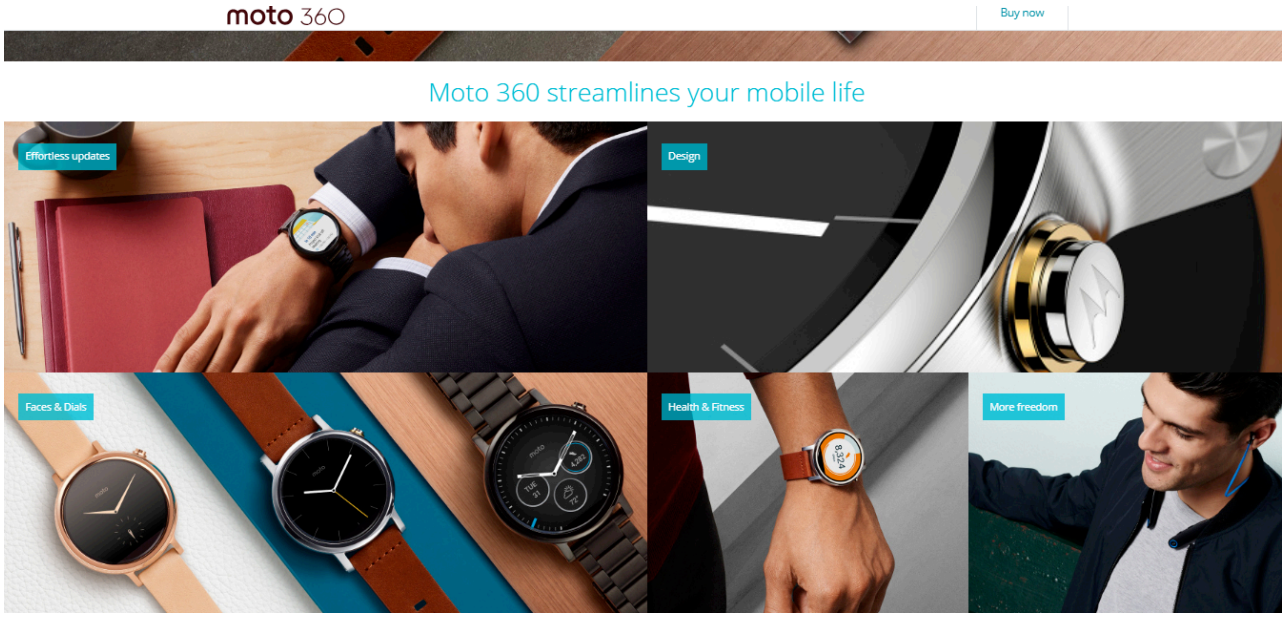
COUNT I
INFRINGEMENT OF U.S. PATENT NO. 6,873,620

7. Plaintiff is the owner of United States Patent No. 6,873,620 ("the '620 patent") entitled "Communication Server Including Virtual Gateway to Perform Protocol Conversion and Communication System Incorporating the Same." The '620 Patent issued on March 29, 2005. A true and correct copy of the '620 Patent is attached as Exhibit A.

8. Defendant owns, uses, operates, advertises, controls, sells, and otherwise provides products and/or services that infringe the '620 patent. The '620 patent provides, among other things, " A communication server acting as a gateway for the transmission of messages between two virtual devices communicating with networks implementing different protocols, said communication server comprising: a knowledge base comprising a registry identifying each physical device registered to deliver messages for transmission between said virtual devices and through said gateway, a logical table identifying each registered connection available between physical devices and protocol conversion information required for each registered connection to convert messages of one protocol to a different protocol and a dynamic database identifying the current status of each actual connection between physical devices; and a virtual gateway accessing said knowledge base for protocol conversion information upon receipt of a message to be transmitted between said virtual devices and converting the protocol of said message to a protocol compatible with the network to which said message is being sent wherein said virtual gateway updates the protocol conversion information and the current status information in said knowledge base based on message traffic therethrough."

9. Defendant directly and/or through intermediaries, made, has made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or services that infringed one or more claims of the '620 patent, including at least Claim 23, in this district and elsewhere in the United States. By making, using, importing, offering for sale, and/or selling such products and services, and all like products and services, Defendant has injured Plaintiff and is thus liable for infringement of the '620 patent pursuant to 35 U.S.C. § 271.

10. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a communication server acting as a gateway for the transmission of messages between two virtual devices communicating with networks implementing different protocols. For example, Motorola Mobility provides wearables such as Motorola Smartwatches (Moto360) and Fitness bands which use Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application as a as a gateway for transmission of messages between the Samsung Smartwatches and Smart Fitness Bands and other devices (such as servers, computers, smartphones and/or other devices). When a data is sent from Motorola Mobility wearable devices such as smartwatches and/or fitness bands using Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application smartphone application (which when installed on a smartphone comprise one or more "virtual devices"), the wearable sends the data via the Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application ("communication server"). The smartphone application converts the protocol used for communicating between the Bluetooth connected wearables and a server (including but not limited to a Motorola server) connected via the internet. Further, when a message and/or call is placed using Motorola's smartwatch to another smartphone and/or smart watches, the Motorola's smartwatch send the message and/or call via the Motorola Connect and/or Wear OS by Google (formerly known as Android Wear) smartphone application working on different protocols.



Source: https://www.motorola.com.au/products/moto-360

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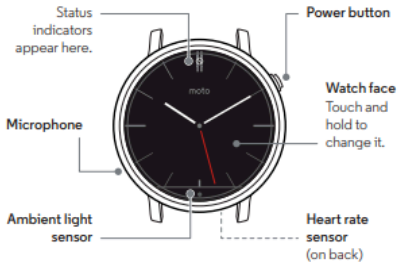
At a glance

At a glance
First look
Quick start

First look

Your new Moto 360 (2nd Gen.) watch keeps you up to date without taking you out of the moment. Glance at your wrist to see updates. Say "OK Google" to ask a question or start a voice command. At night, place your watch on the charging dock that doubles as a desk clock.



Note: your watch may look different than the images shown in this guide.

SAR This product meets the applicable national or international RF exposure guidance (SAR guideline) when used normally as worn on the body. The SAR guideline includes a considerable safety margin designed to ensure the safety of all persons, regardless of age and health.

Quick start

When you're up and running, make sure you explore what your watch can do.

- **One watch, many faces:** change the entire look of your watch with a few screen touches. See "**Change watch faces**".
- **Notifications:** see information you need to know, when you need it. See "**Notifications**".
- **Directions on your wrist:** let your watch guide you safely and discreetly to your destination. See "**Navigation**".
- **Voice commands:** just tell your watch what you need. You may be surprised by how many things Google™ can do to help you manage your busy day. See "**Voice commands**".
- **Stay fit:** check your activity and heart rate. See "**Moto Body**".

Water resistance note: this device is IP67 dust and water resistant—*not* waterproof. Not for use while swimming, diving or engaging in other underwater activities. Avoid prolonged exposure to water, and/or exposure of leather band to water.

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Source: https://motorola-global-en-aus.custhelp.com/ci/fattach/get/1784259/1472752178/redirect/1/filename/Moto360_UG_en-GB_68017961003A.pdf, page 2

Start

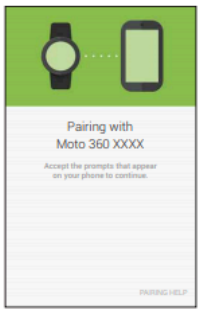
Start
Charge up
Download & pair
Power on & off
Tips and tricks

Download & pair*

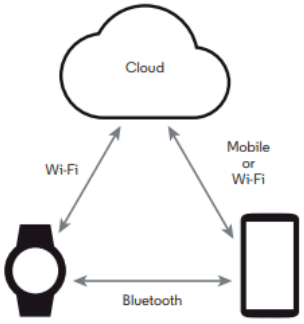
Pairing your watch with your phone is quick and easy.

1 If you have an Android phone, download the Android Wear app from Google Play™ (tap Apps → **Play Store**). If you have an Apple iPhone device, download the Android Wear app from the Apple App Store.

2 Open the Android Wear app on your phone and follow the prompts to pair your phone and watch over a Bluetooth® connection.



3 You can also stay connected over Wi-Fi** when you leave your phone in another room or at work. To turn Wi-Fi on or off, swipe left on the watch face, then scroll down to **Settings** → **Wi-Fi settings**.



* Requires a phone running Android 4.3+ or IOS 8.2+.

** Does not support Wi-Fi networks that require access through a captive portal. Not available for Apple iPhone.

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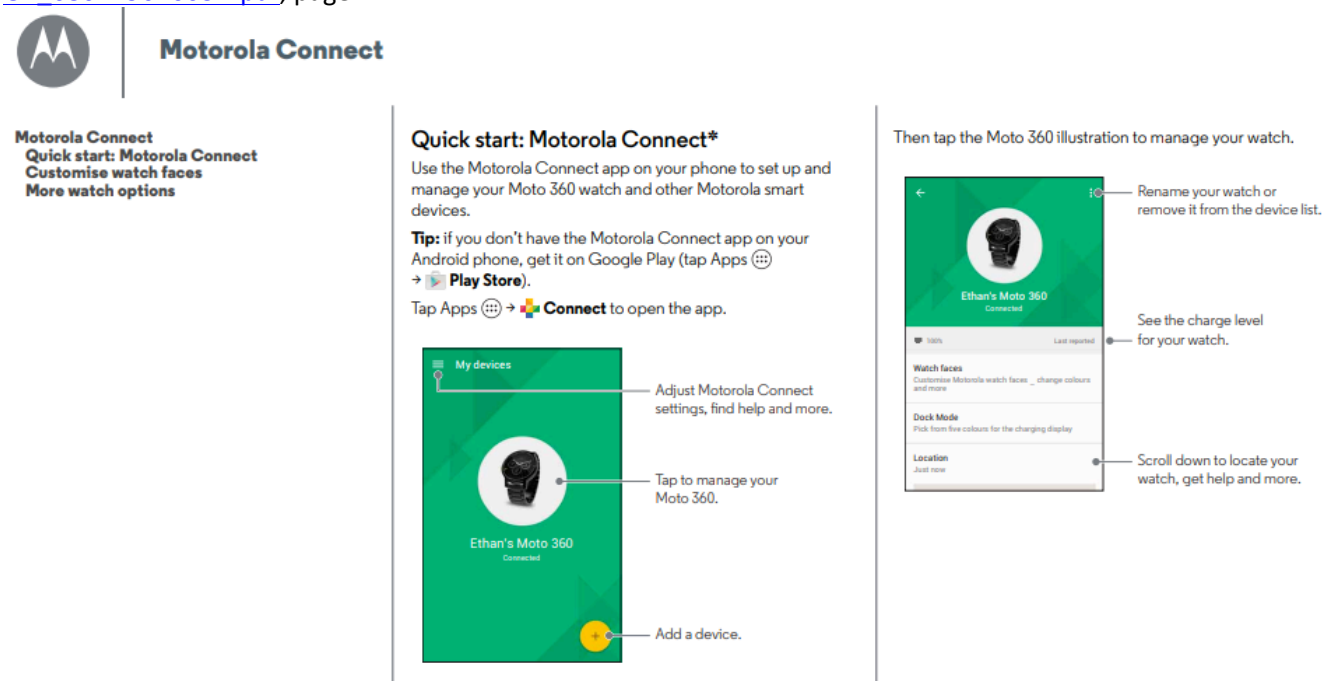

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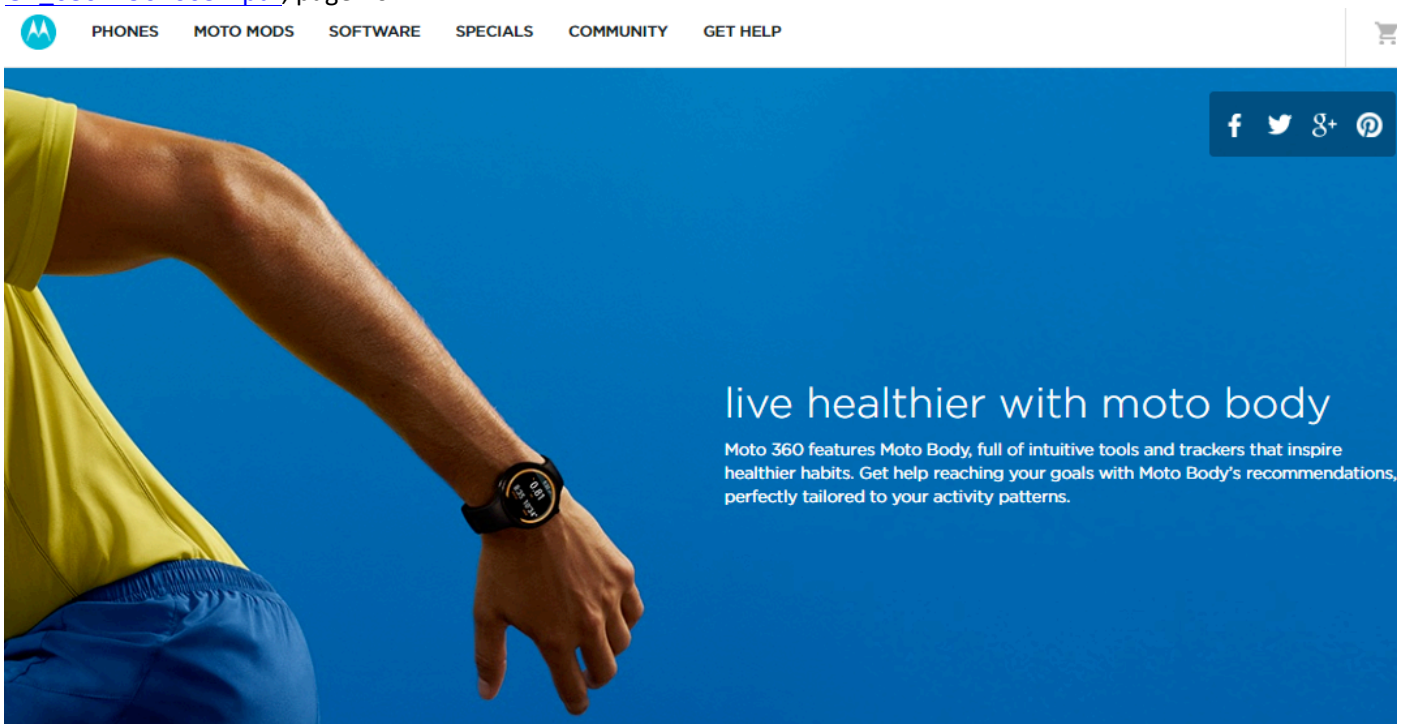

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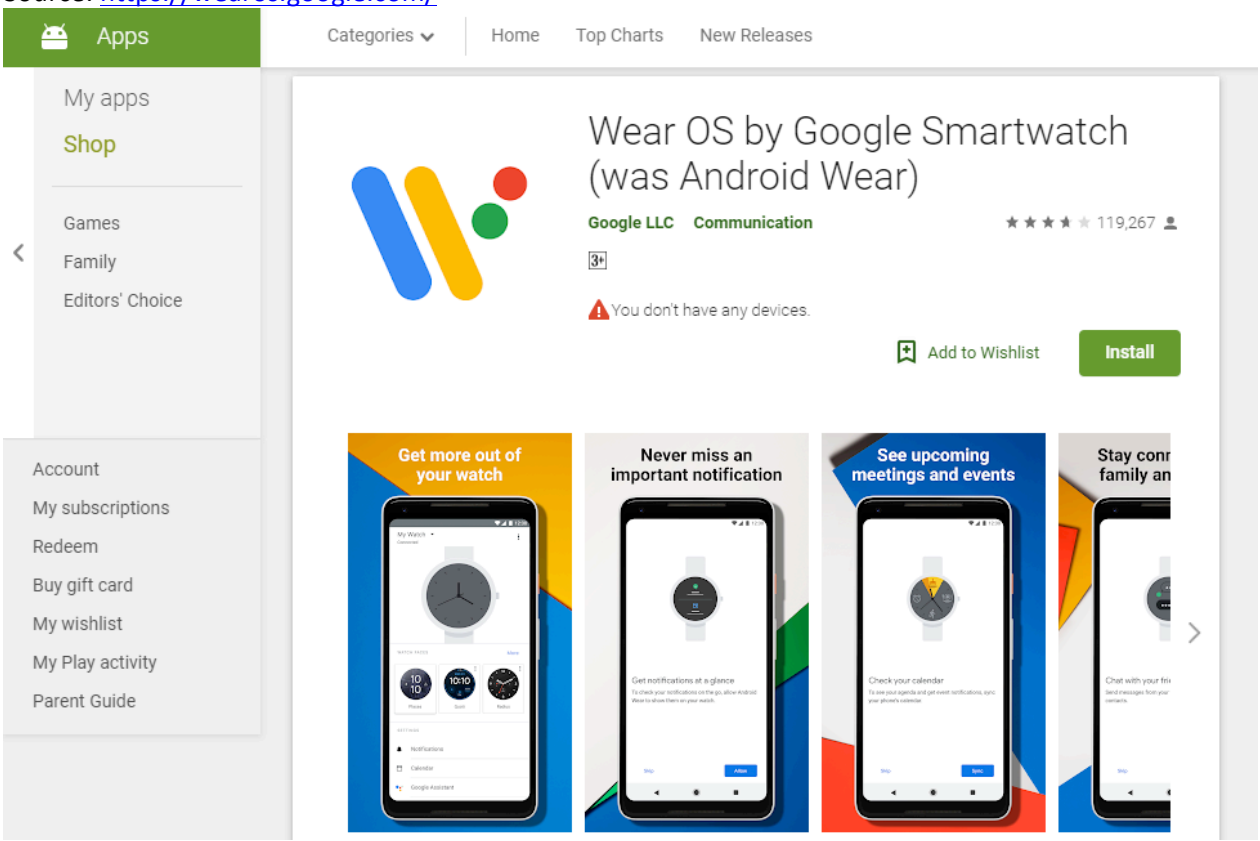
Source: https://wearos.google.com/



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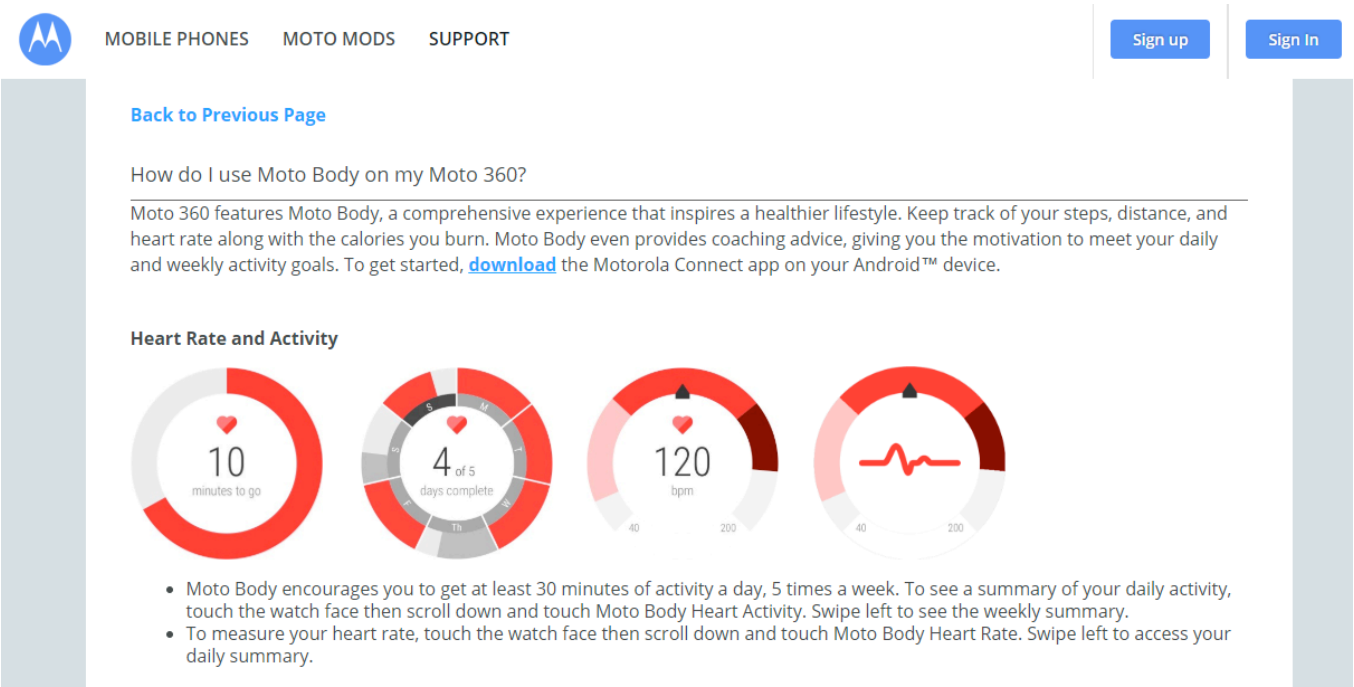


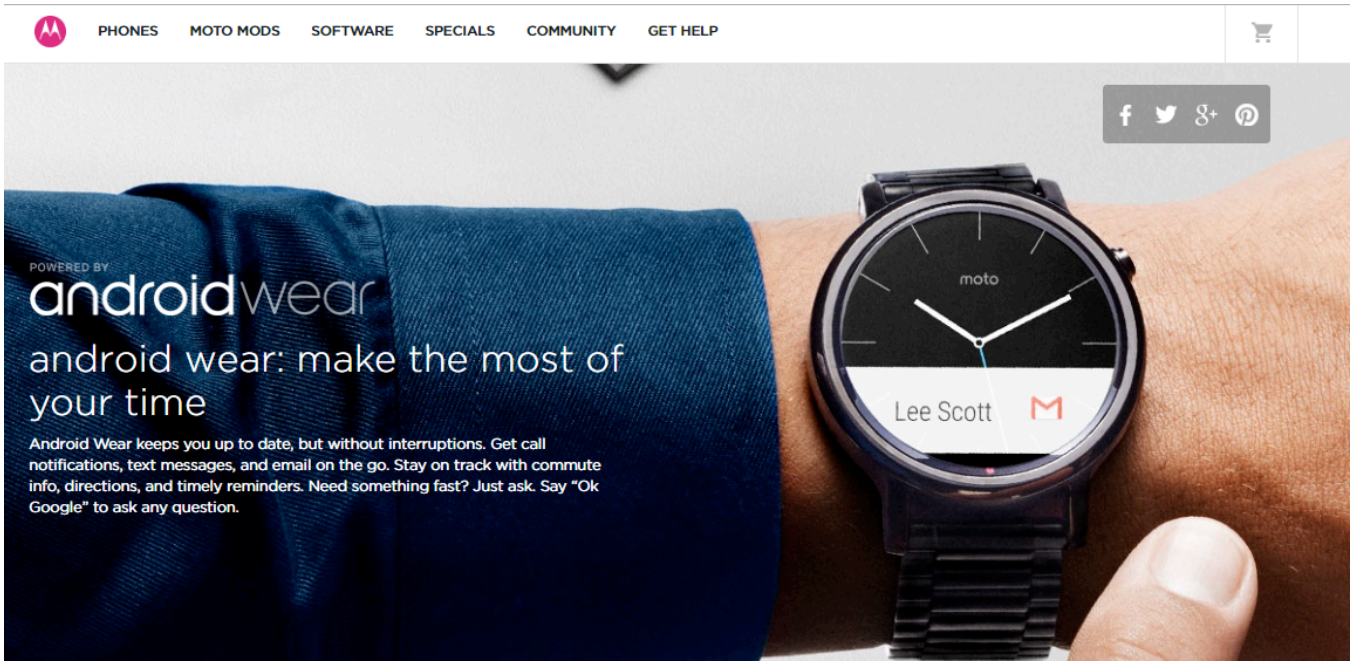
Source: http://motorola-global-en-roe.custhelp.com/app/answers/detail/a_id/102705

Bluetooth	Bluetooth is a wireless communication link, operating in the unlicensed ISM band at 2.4 GHz using a frequency hopping transceiver. It allows real-time AV and data communications between Bluetooth Hosts. The link protocol is based on time slots.
Bluetooth Baseband	The part of the Bluetooth system that specifies or implements the medium access and physical layer procedures to support the exchange of real-time voice, data information streams, and ad hoc networking between Bluetooth Devices.
Bluetooth Clock	A 28 bit clock internal to a BR/EDR Controller sub-system that ticks every 312.5µs. The value of this clock defines the slot numbering and timing in the various physical channels.
Bluetooth Controller	A generic term referring to a Primary Controller with or without a Secondary Controller.
Bluetooth Device	A device that is capable of short-range wireless communications using the Bluetooth system.

Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 24

11. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a knowledge base comprising a registry identifying each physical device registered to deliver messages for transmission between said virtual devices and through said gateway. For example, Motorola Mobility and/or its customers utilize Wear OS by Google

(formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application to send and/or receive data between Motorola Mobility smartwatch which is connected via Bluetooth with the smartphone and the Google and/or Motorola Mobility sever which is connected to the smartphone via the internet. The Wear OS by Google (formerly known as Android Wear), Google Fit, and Motorola Connect and/or Moto Body smartphone application installed on the smartphone comprises a knowledge base registry to identify the registered physical devices. Further, the wearable transmits data between smartwatch operating on the Bluetooth protocol and the Google and/or Motorola server connected to the smartphone via the internet operating on Internet Protocol (IP) via the Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application. For example, Motorola's smartwatch send a message and/or call using Wear OS by Google (formerly known as Android Wear) and/or Motorola Connect application operating on the Bluetooth protocol to the another smartphone and/or smart watches over the internet and/or network services.



Source: https://www.motorola.com/us/software-and-apps/android-wear

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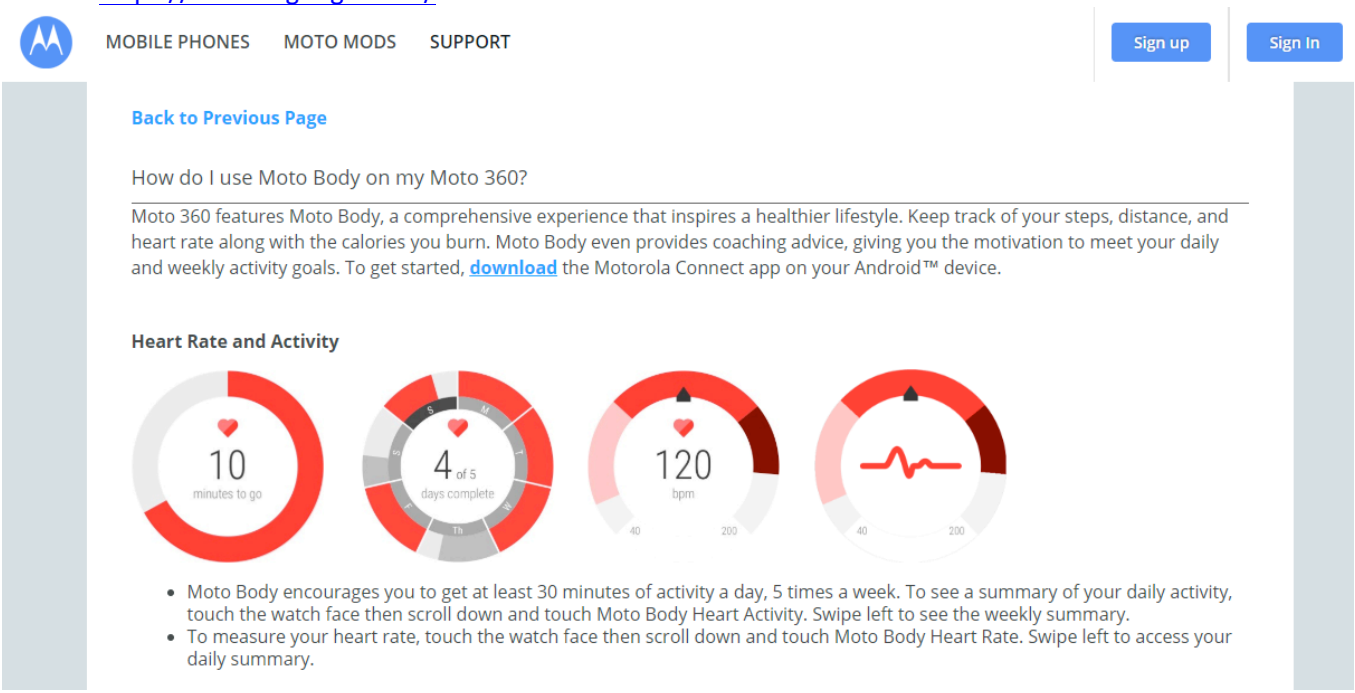

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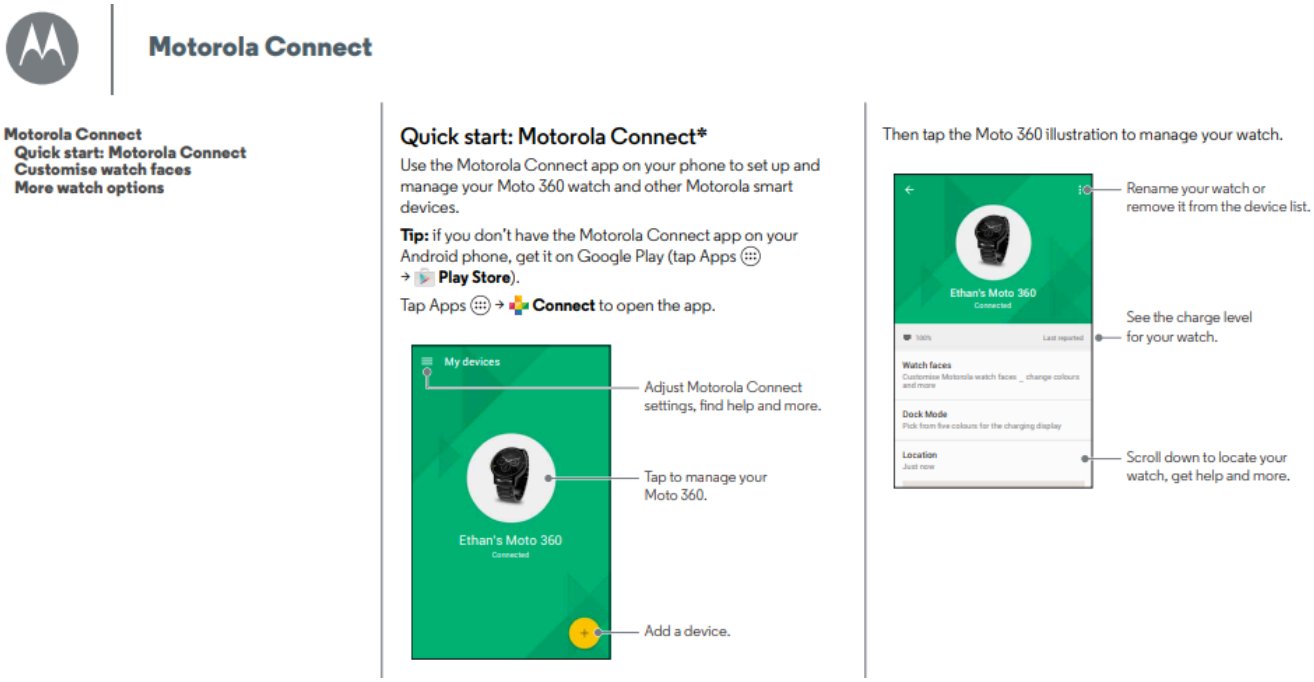

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Architecture

Bluetooth®

Bluetooth Device Address	A 48 bit address used to identify each Bluetooth device.
BR/EDR	Bluetooth basic rate (BR) and enhanced data rate (EDR).
BR/EDR Controller	A term referring to the Bluetooth Radio, Baseband, Link Manager, and HCI layers.
BR/EDR Piconet Physical Channel	A Channel that is divided into time slots in which each slot is related to an RF hop frequency. Consecutive hops normally correspond to different RF hop frequencies and occur at a standard hop rate of 1600 hops/s. These consecutive hops follow a pseudo-random hopping sequence, hopping through a 79 RF channel set, or optionally fewer channels when Adaptive Frequency Hopping (AFH) is in use.
BR/EDR/LE	Bluetooth basic rate (BR), enhanced data rate (EDR) and low energy (LE)

Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 25

3.1 CORE TRAFFIC BEARERS

The Bluetooth core system provides a number of standard traffic bearers for the transport of service protocol and application data. These are shown in Figure 3.2 on page 40 below (for ease of representation this is shown with higher layers to the left and lower layers to the right).

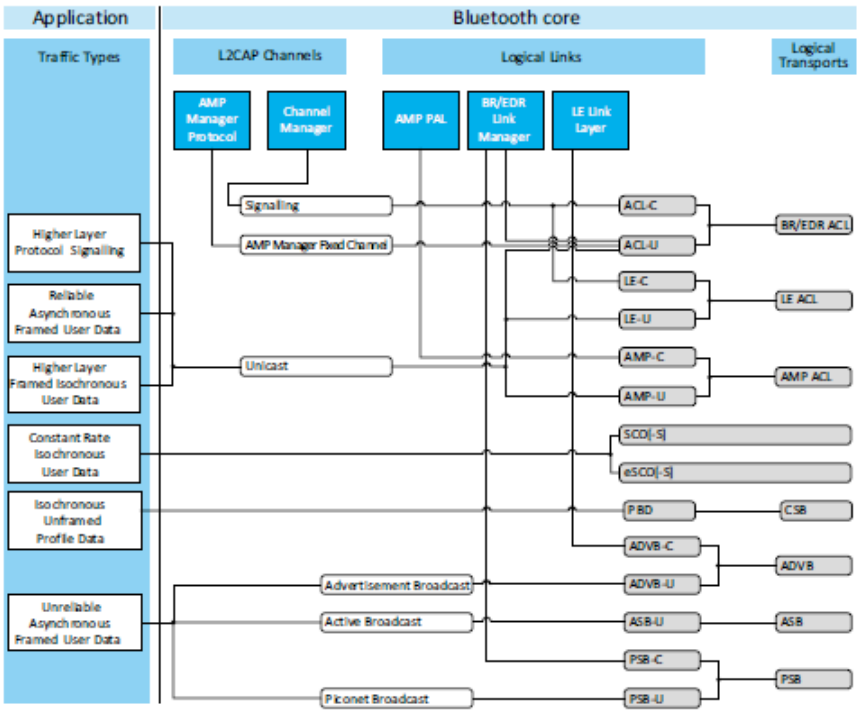
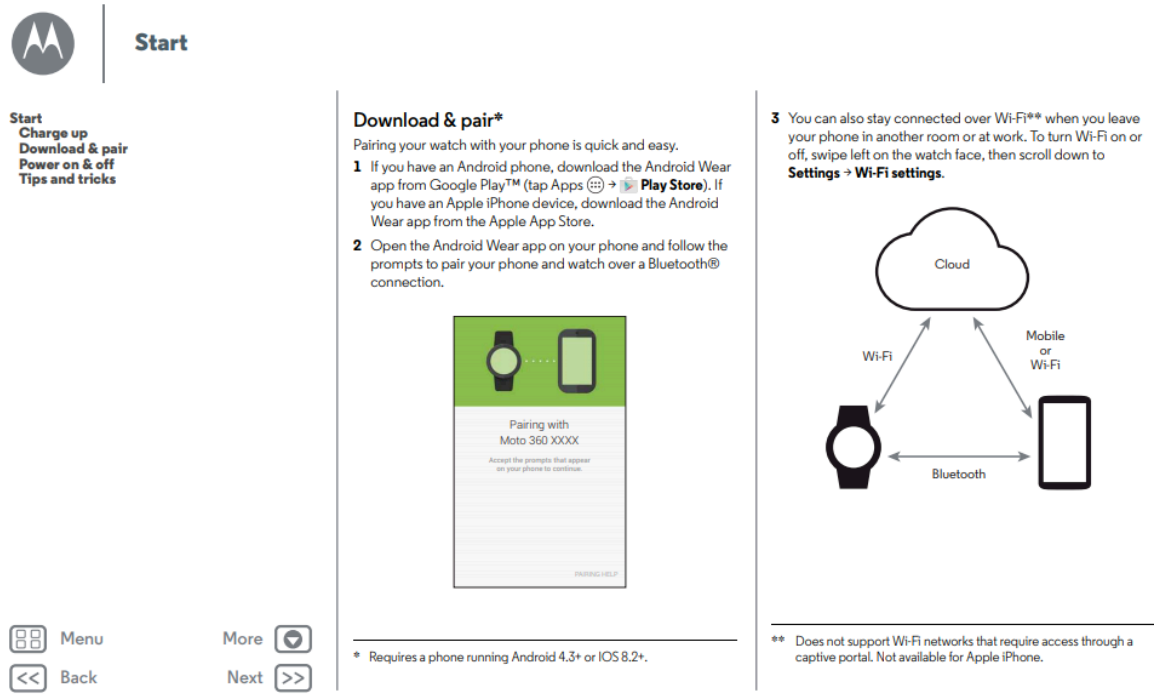


Figure 3.2: Bluetooth traffic bearers

Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 40

Further, Wear OS by Google (formerly known as Android Wear), Google Fit, and Motorola Connect and/or Moto Body smartphone application also maintains a knowledge base comprising a registry identifying the phones and devices within the customers' network.

12. Based on information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a logical table identifying each registered connection available between physical devices and protocol conversion information required for each registered connection to convert messages of one protocol to a different protocol. Upon information and belief, Motorola Mobility and/or its customers utilize Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application which comprises a logical table to identify the type of connection and selects Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application to convert data from Bluetooth protocol to IP and vice versa.



Start

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Download & pair*

Pairing your watch with your phone is quick and easy.

1 If you have an Android phone, download the Android Wear app from Google Play™ (tap Apps → **Play Store**). If you have an Apple iPhone device, download the Android Wear app from the Apple App Store.

2 Open the Android Wear app on your phone and follow the prompts to pair your phone and watch over a Bluetooth® connection.

* Requires a phone running Android 4.3+ or IOS 8.2+.

3 You can also stay connected over Wi-Fi** when you leave your phone in another room or at work. To turn Wi-Fi on or off, swipe left on the watch face, then scroll down to **Settings → Wi-Fi settings**.

** Does not support Wi-Fi networks that require access through a captive portal. Not available for Apple iPhone.

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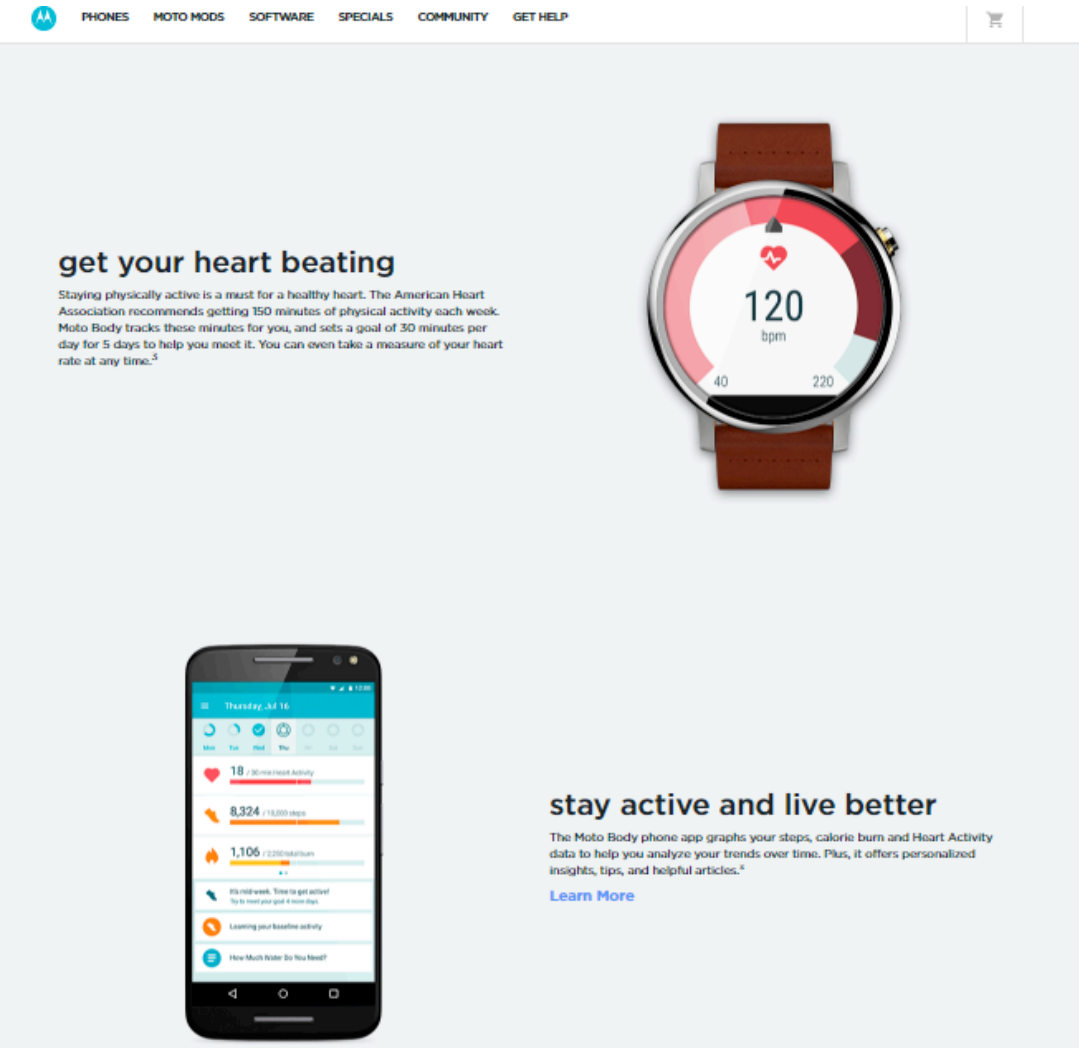

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Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 24

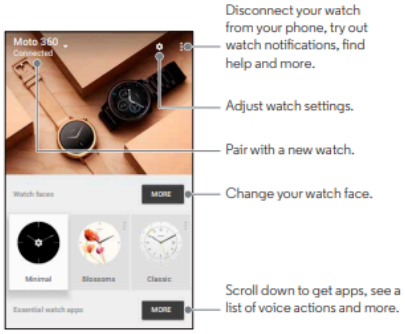
Android Wear

Android Wear
Quick start: Android Wear
Adjust general settings
Adjust device settings
Assign apps to voice actions

Quick start: Android Wear

After you've paired your phone and watch (see "**Download & pair**"), use the Android Wear app on your phone to adjust general watch settings.

Tap Apps → **Android Wear** to open the app.

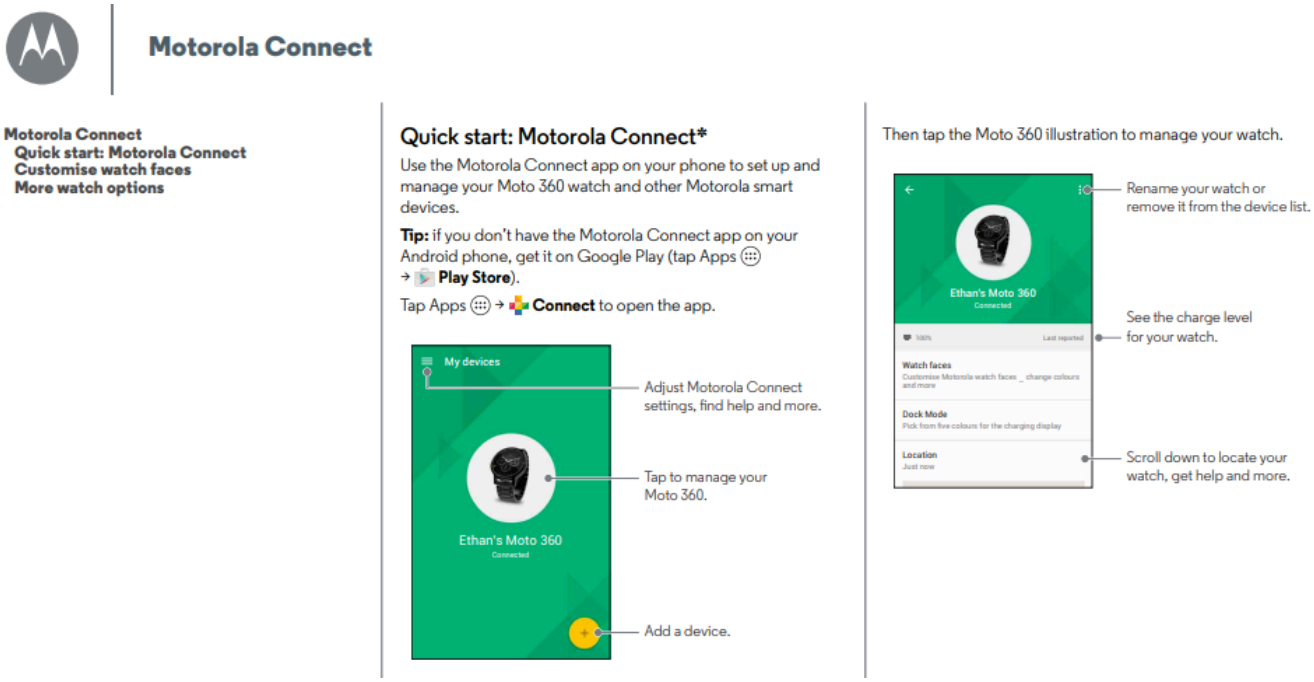


Adjust general settings

Tap ⚙ on the Android Wear screen to adjust general settings.

- **Calendar settings:** show or hide notifications from your phone's Calendar app and/or the Calendar associated with your Google™ account.
- **Block app notifications:** stop specific apps from sending notifications to your watch.
- **Mute phone alerts & calls:** mute calls and notification alerts on your phone when it's connected to your watch. (Your watch may vibrate for notifications, based on the app settings on your phone.)
- **Cloud sync:** when you turn on cloud sync, your watch will use a Wi-Fi connection to stay in sync when you are out of Bluetooth® range of your phone.
- **Together:** pair your watch face with a friend's watch face to share photos and emojis and to share your activities (like if you're working out, on the phone or stuck in traffic).

Source: https://motorola-global-en-aus.custhelp.com/ci/fattach/get/1784259/1472752178/redirect/1/filename/Moto360_UG_en-GB_68017961003A.pdf, page 8



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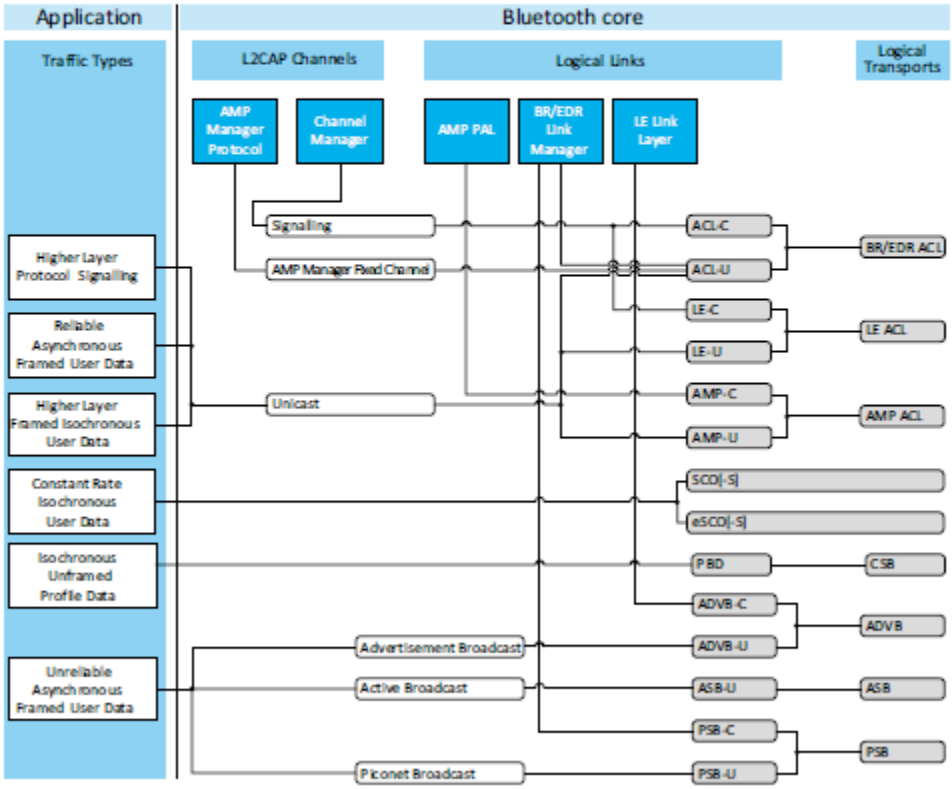
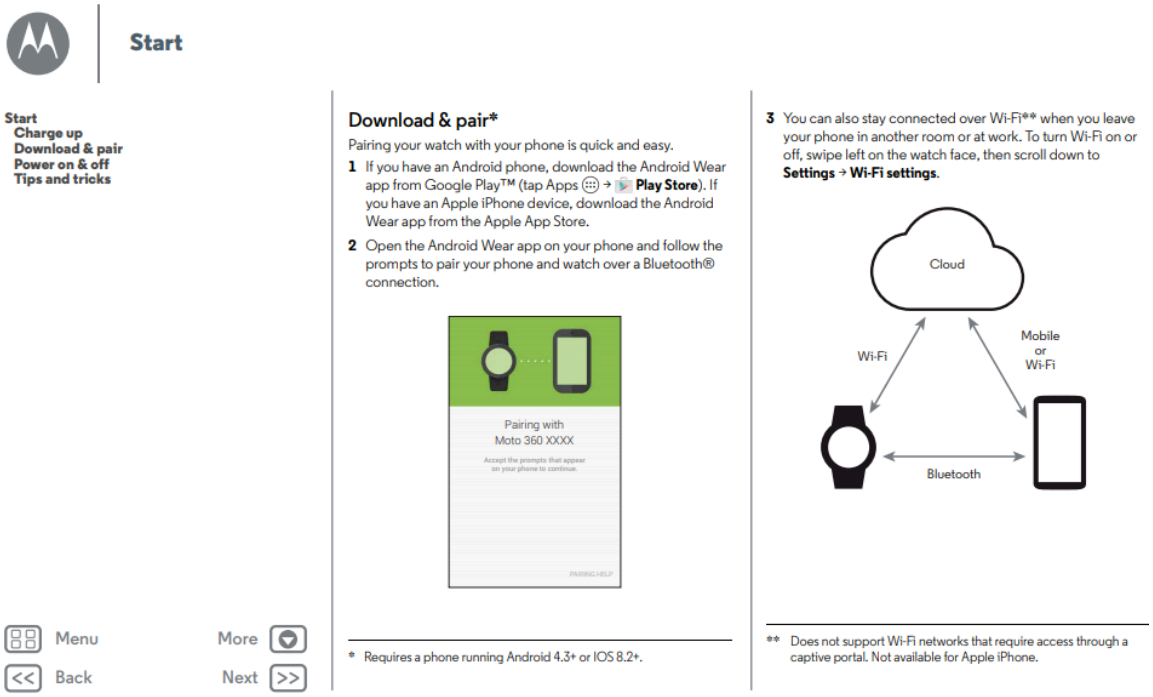


Figure 3.2: Bluetooth traffic bearers

Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 40

Source: https://wearos.google.com/

13. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a dynamic database identifying the current status of each actual connection between physical devices. For example, Motorola Mobility and/or its customers utilize Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application which comprises a dynamic database to identify the current status of connection between the physical devices (including Smartwatches and the Fitness Bands).



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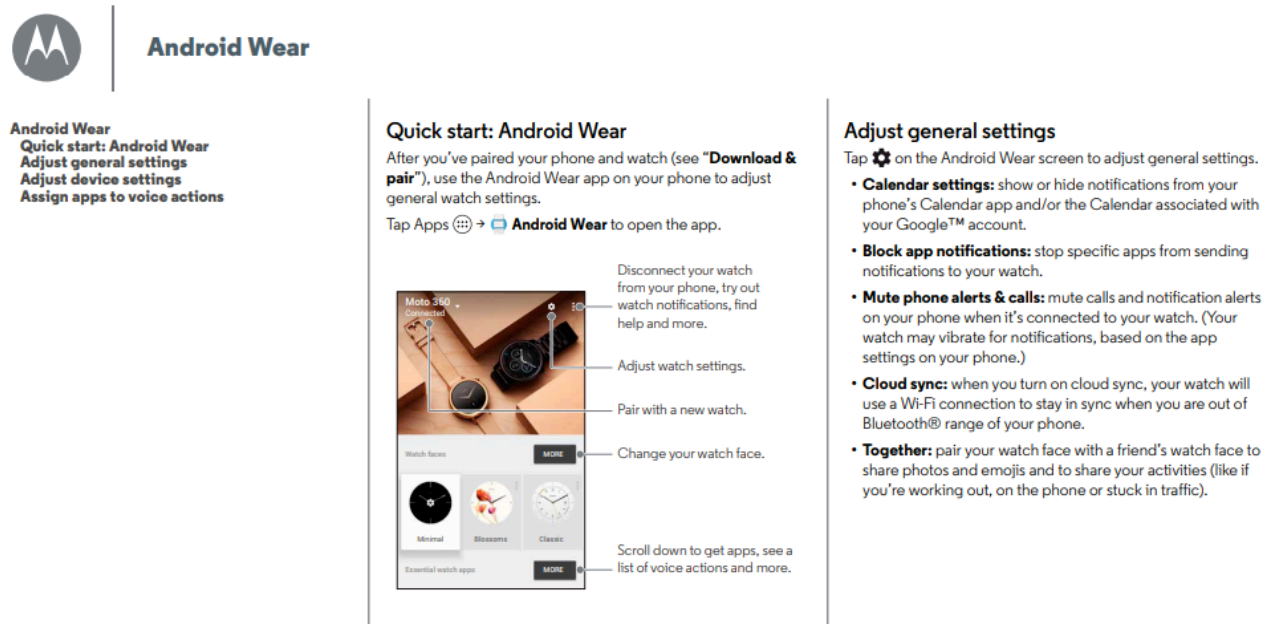

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Tap Apps → **Android Wear** to open the app.

Disconnect your watch from your phone, try out watch notifications, find help and more.

Adjust watch settings.

Pair with a new watch.

Change your watch face.

Scroll down to get apps, see a list of voice actions and more.

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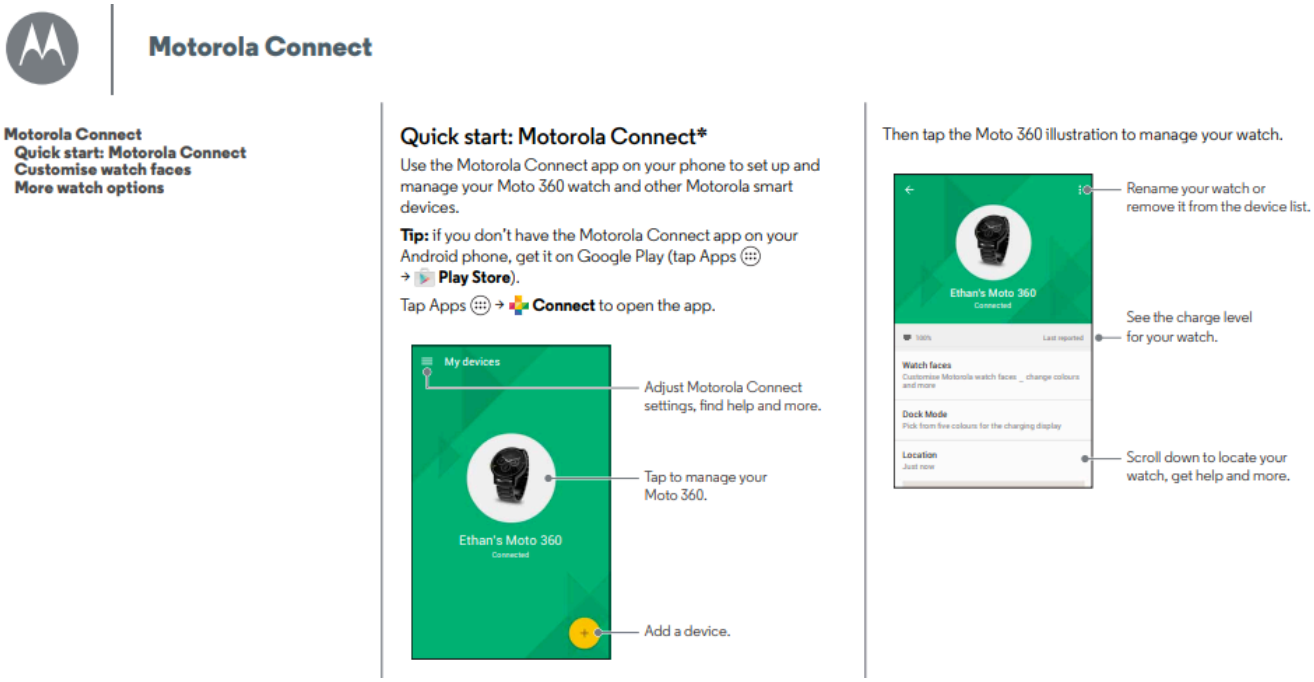

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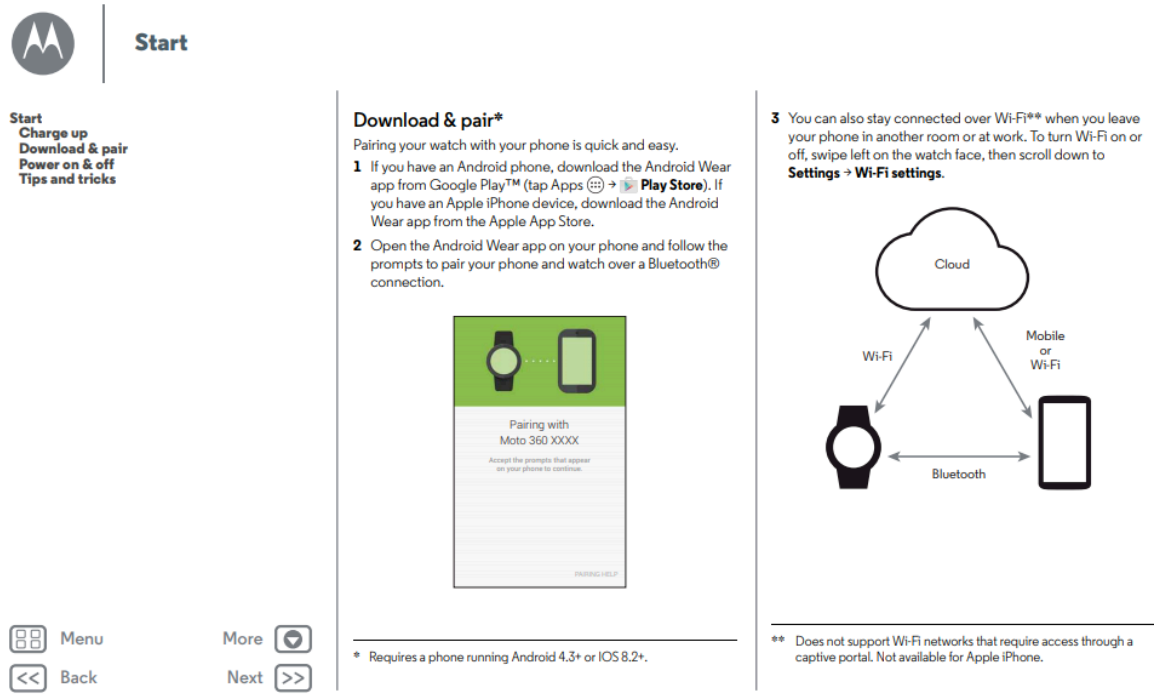
Source: https://wearos.google.com/

14. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a virtual gateway accessing said knowledge base for protocol conversion information upon receipt of a message to be transmitted between said virtual devices. For example, Motorola Mobility and/or its customers utilize Wear OS by Google (formerly known as

Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application comprising a virtual gateway which uses the Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application as a gateway for protocol conversion upon receiving the data to be transmitted between Motorola Mobility smartwatch which is connected via Bluetooth with the smartphone and the Google and/or Motorola Mobility sever which is connected to the smartphone via the internet.



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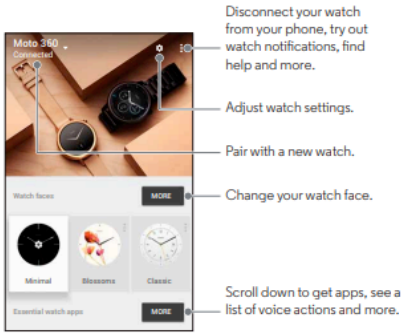
Android Wear

Android Wear
Quick start: Android Wear
Adjust general settings
Adjust device settings
Assign apps to voice actions

Quick start: Android Wear

After you've paired your phone and watch (see "**Download & pair**"), use the Android Wear app on your phone to adjust general watch settings.

Tap Apps → **Android Wear** to open the app.



Adjust general settings

Tap on the Android Wear screen to adjust general settings.

- **Calendar settings:** show or hide notifications from your phone's Calendar app and/or the Calendar associated with your Google™ account.
- **Block app notifications:** stop specific apps from sending notifications to your watch.
- **Mute phone alerts & calls:** mute calls and notification alerts on your phone when it's connected to your watch. (Your watch may vibrate for notifications, based on the app settings on your phone.)
- **Cloud sync:** when you turn on cloud sync, your watch will use a Wi-Fi connection to stay in sync when you are out of Bluetooth® range of your phone.
- **Together:** pair your watch face with a friend's watch face to share photos and emojis and to share your activities (like if you're working out, on the phone or stuck in traffic).

Source: https://motorola-global-en-aus.custhelp.com/ci/fattach/get/1784259/1472752178/redirect/1/filename/Moto360_UG_en-GB_68017961003A.pdf, page 8

Motorola Connect

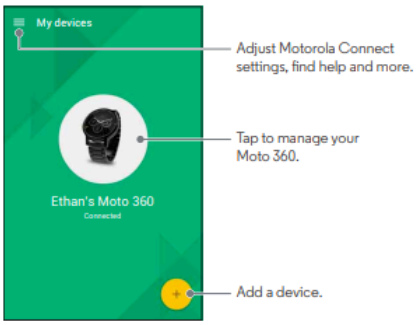
Motorola Connect
Quick start: Motorola Connect
Customise watch faces
More watch options

Quick start: Motorola Connect*

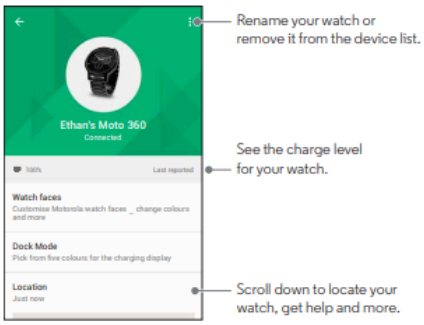
Use the Motorola Connect app on your phone to set up and manage your Moto 360 watch and other Motorola smart devices.

Tip: if you don't have the Motorola Connect app on your Android phone, get it on Google Play (tap Apps → **Play Store**).

Tap Apps → **Connect** to open the app.



Then tap the Moto 360 illustration to manage your watch.



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3.1 CORE TRAFFIC BEARERS

The Bluetooth core system provides a number of standard traffic bearers for the transport of service protocol and application data. These are shown in Figure 3.2 on page 40 below (for ease of representation this is shown with higher layers to the left and lower layers to the right).

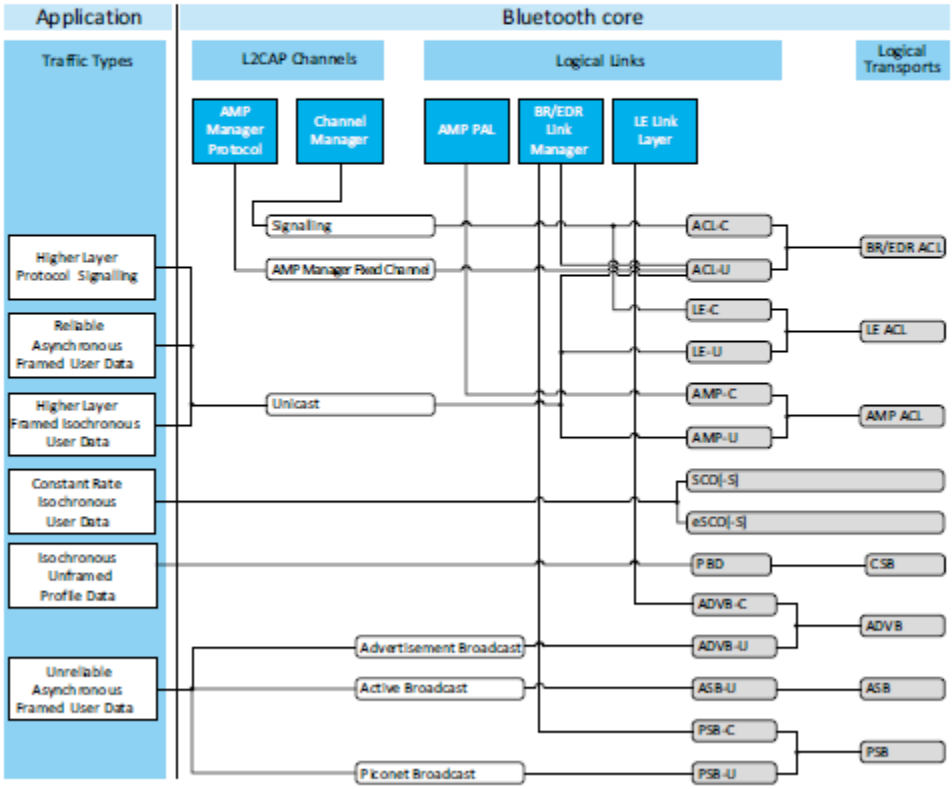
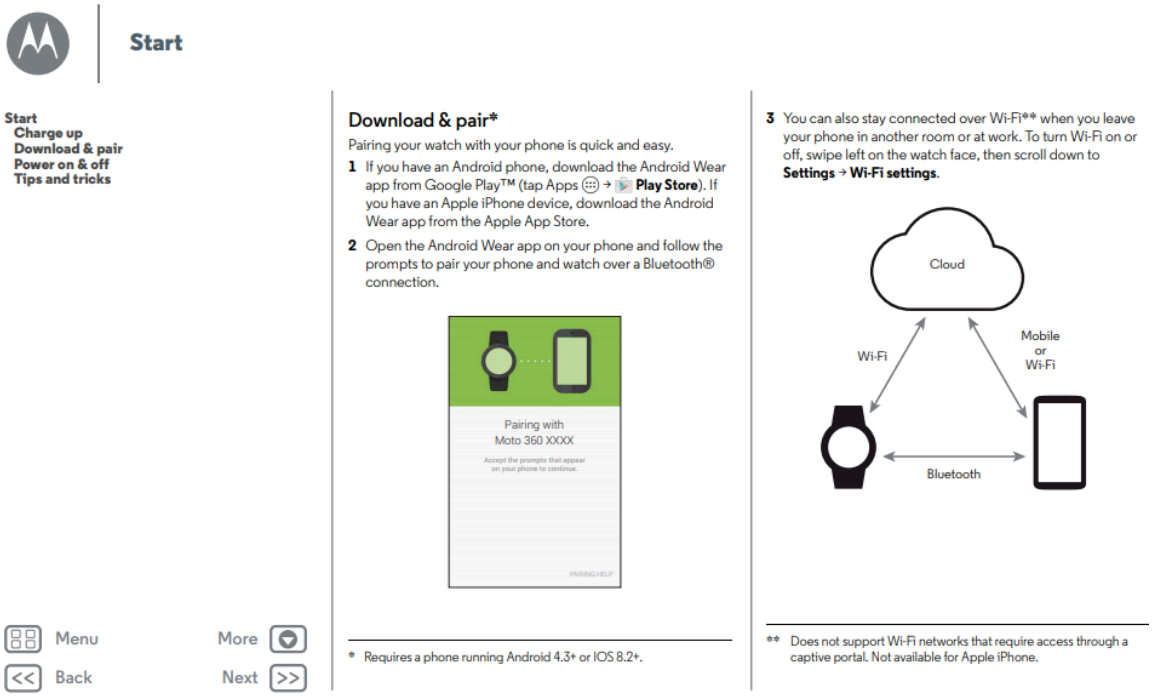


Figure 3.2: Bluetooth traffic bearers

Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 40

Source: https://wearos.google.com/

15. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a virtual gateway converting the protocol of said message to a protocol compatible with the network to which said message is being sent. For example, Motorola Mobility and/or its customers utilize Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application comprising a gateway which converts the protocol of the data sent from Motorola Mobility smartwatch which is connected via the Bluetooth with the smartphone to the Google and/or Motorola Mobility sever which is connected to the smartphone via the internet working on internet protocol.



Start

Start
Charge up
Download & pair
Power on & off
Tips and tricks

Menu More
Back Next

Download & pair*

Pairing your watch with your phone is quick and easy.

1 If you have an Android phone, download the Android Wear app from Google Play™ (tap Apps → **Play Store**). If you have an Apple iPhone device, download the Android Wear app from the Apple App Store.

2 Open the Android Wear app on your phone and follow the prompts to pair your phone and watch over a Bluetooth® connection.

* Requires a phone running Android 4.3+ or IOS 8.2+.

3 You can also stay connected over Wi-Fi** when you leave your phone in another room or at work. To turn Wi-Fi on or off, swipe left on the watch face, then scroll down to **Settings** → **Wi-Fi settings**.

** Does not support Wi-Fi networks that require access through a captive portal. Not available for Apple iPhone.

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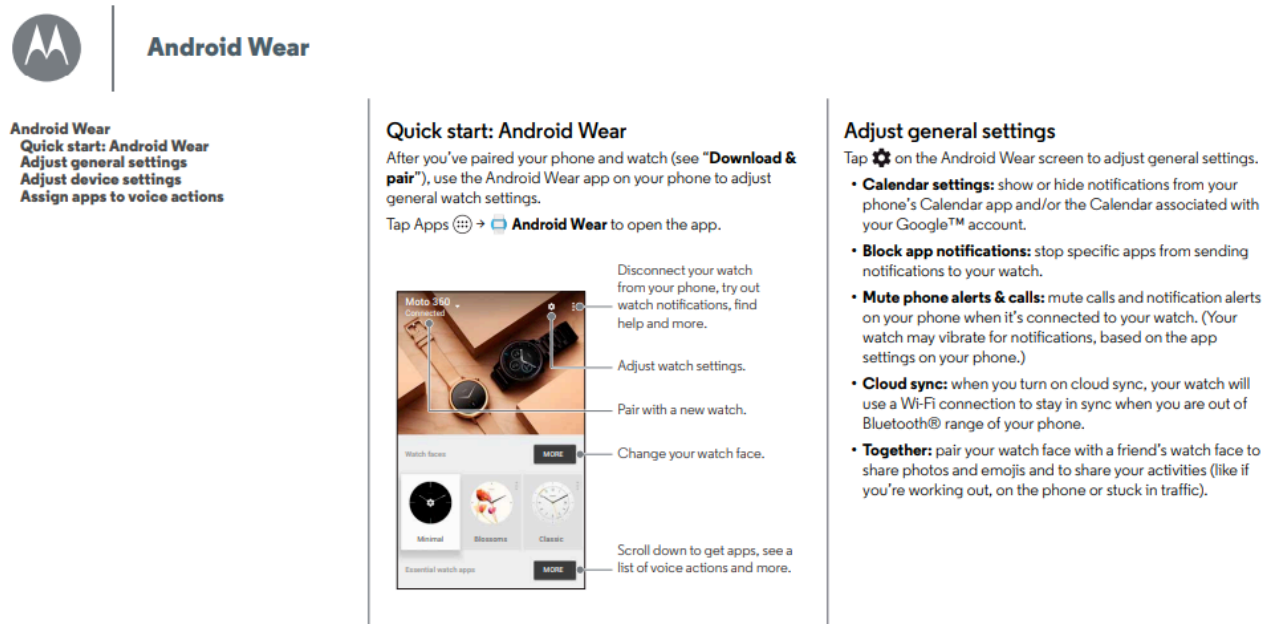

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Adjust device settings
Assign apps to voice actions

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Tap Apps → **Android Wear** to open the app.

Disconnect your watch from your phone, try out watch notifications, find help and more.

Adjust watch settings.

Pair with a new watch.

Change your watch face.

Scroll down to get apps, see a list of voice actions and more.

Adjust general settings

Tap ⚙ on the Android Wear screen to adjust general settings.

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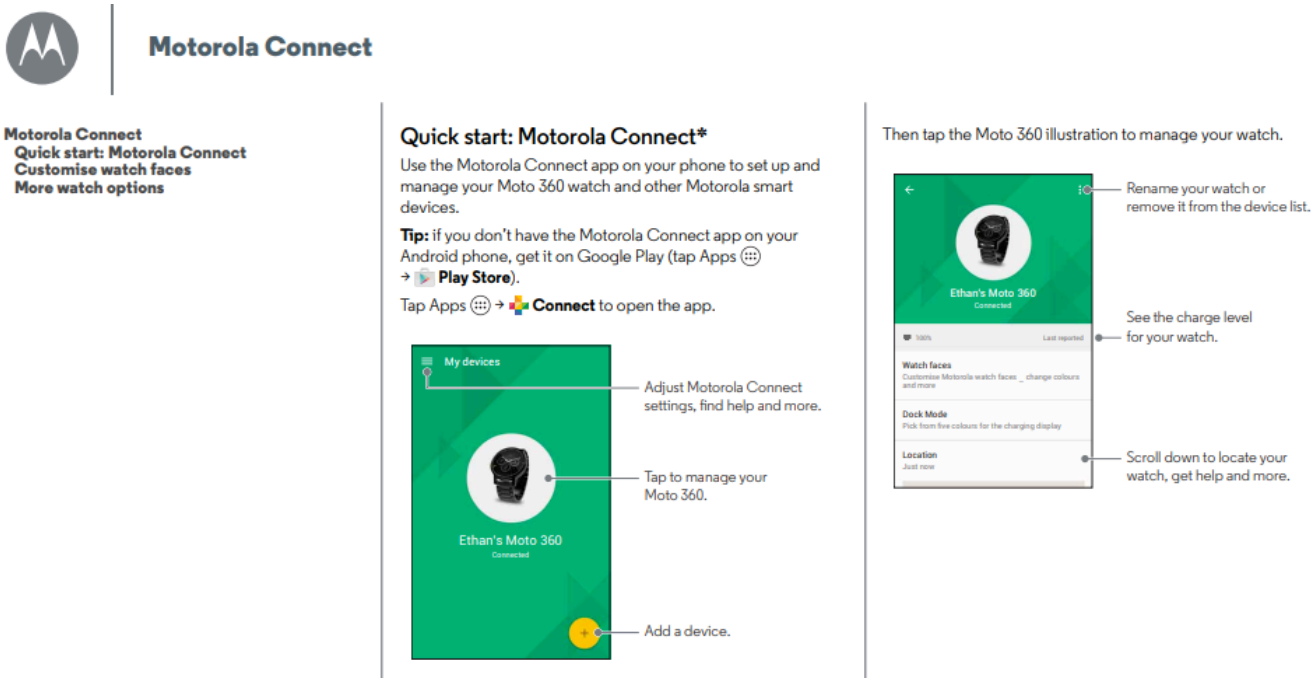

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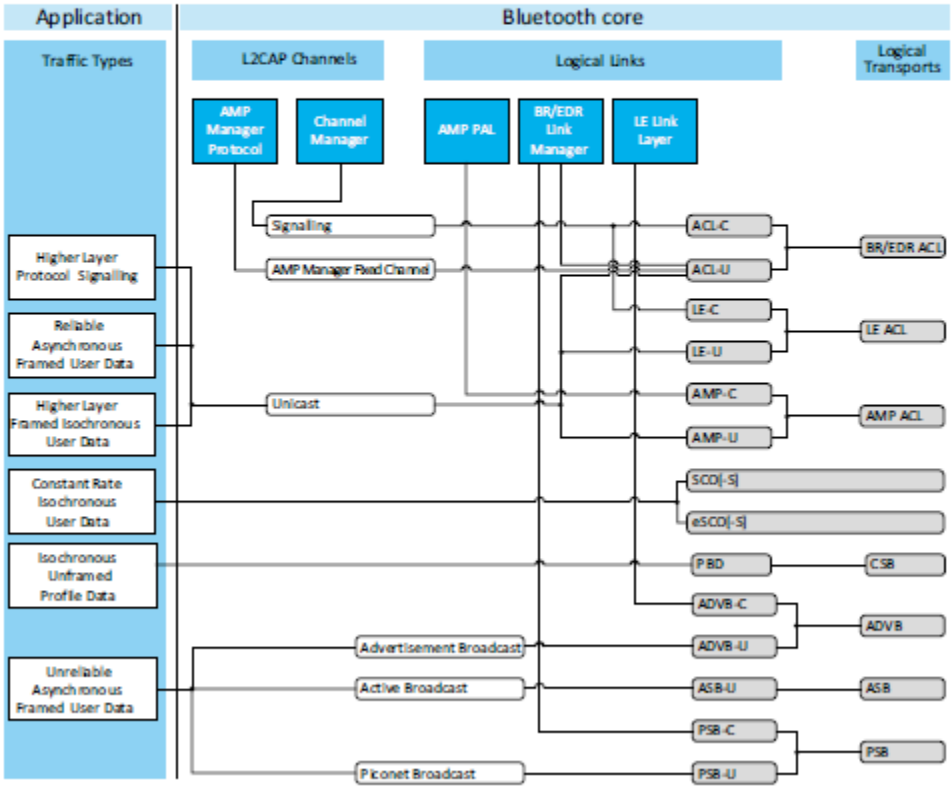

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Source: https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=282159, page 40

Source: https://wearos.google.com/

16. Based on present information and belief, Motorola Mobility makes, uses, sells and/or offers for sale a virtual gateway wherein said virtual gateway updates the protocol conversion information and the current status information in said knowledge base based on message traffic there through. Upon information and belief, Motorola Mobility and/or its customers utilize Wear OS by Google (formerly known as Android Wear), Google Fit, Motorola Connect and/or Moto Body smartphone application which accesses and updates the information stored in the registry based on the communicating virtual devices via the virtual gateway.

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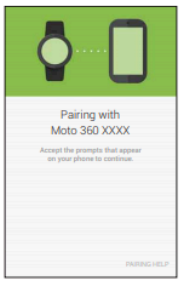

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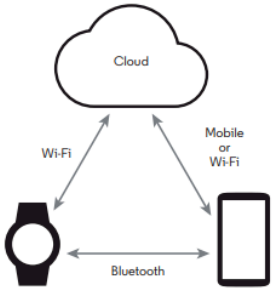

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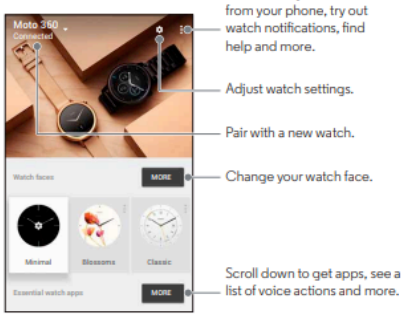

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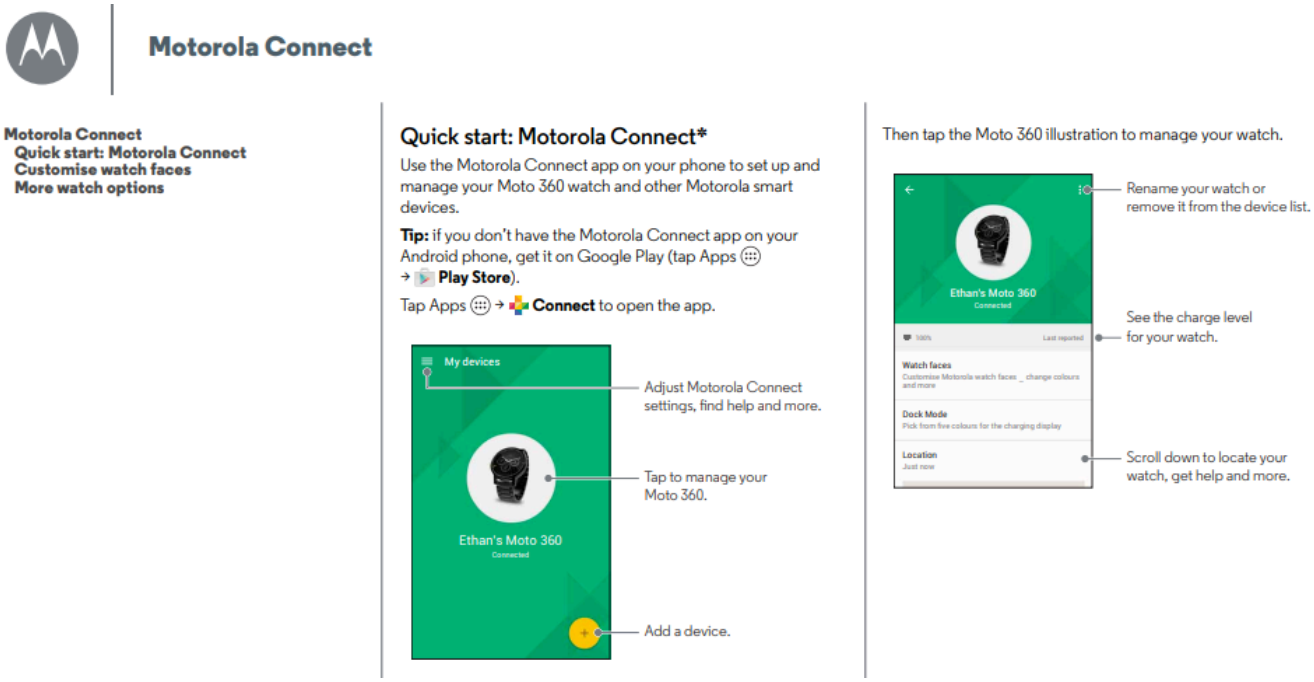

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Source: https://wearos.google.com/

17. In the alternative, because the manner of use by Defendant differs in no substantial way from language of the claims, if Defendant is not found to literally infringe, Defendant infringes under the doctrine of equivalents.

18. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

19. In addition to what is required for pleadings in patent cases, and to the extent any marking was required by 35 U.S.C. § 287, Plaintiff and all predecessors in interest to the '620 Patent complied with all marking requirements under 35 U.S.C. § 287.

20. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of the Defendant's wrongful acts 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.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendant has infringed the '620 Patent;

2. A judgment and order requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '620 Patent as provided under 35 U.S.C. § 284;

3. An award to Plaintiff for enhanced damages resulting from the knowing, deliberate, and willful nature of Defendant's prohibited conduct with notice being made at least as early as the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;

4. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and

5. Any and all other relief to which Plaintiff may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Respectfully Submitted,

BECK BRANCH LLC

Dated: July 1, 2018

By: */s/Stamatios Stamoulis* _____

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