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

TECHNO LICENSING LLC,	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	PATENT CASE
	§	
SIMOCO EMEA LTD	§	
	§	
Defendant.	§	
_____	§	

COMPLAINT

Plaintiff Techno Licensing LLC ("Plaintiff" or "Techno") files this Complaint against Simoco Emea Ltd ("Defendant" or "Simoco") 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 United Kingdome company with a principal address of Field House Uttoxeter Old Road, Derby England DE1 1NH. On information and belief, Defendant may be served with process through its agent, GKL Corporate/Search, Inc.,

care of Kevin Lutz, at One Capitol Mall, Ste 660, Sacramento, California 95814.

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 pursuant to 28 U.S.C. §§ 1391(b)(3), 1391(c)(3) and/or 1400(b) because Defendant is a foreign company and the Court has personal jurisdiction over Defendant.

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, 3, 4, and 5 of the '011 Patent by making, using,

importing, selling, and/or offering devices, platforms, systems, and/or 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) platforms including, without limitation, Simoco Push (a push to talk app for mobile devices), and any similar products ("Product"), which infringe at least Claims 1, 3, 4 and 5 of the '011 Patent. The Product 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 internal testing and usage, the Product implements a communication method of controlling a communication relay (e.g., Simoco Dispatch server controls communication relay between devices) between a plurality of equipments (e.g., Simoco Push PTT enabled handsets) in a PoC service (e.g., Simoco Push-to-Talk application for iOS/ Android devices communicated over cellular network such as 3G, LTE) which attains a half-duplex talk session (e.g., touch and hold the on-Screen PTT button to take the floor and speak during a call) using a packet communication (e.g., PTT can be used over a cellular data network or Wi-Fi connection) between the plurality of equipments (e.g., Simoco Push PTT enabled handsets) wherein each equipment comprises a talking key (e.g., a PTT button) and at least one operation information transmitting key (e.g., a message, alert and location icons). As shown, the Product controls a communication relay (e.g., Simoco dispatch server controls communication relay between devices) between a plurality of equipments in a PoC service which attains a half-duplex

talk session using packet communication (e.g., PTT can be used over a cellular data network or Wi-Fi connection). These elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein. As shown, a Simoco Push PTT enabled device includes a 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, and photo to another user (e.g., the operation information transmitting key).

Simoco Push

Push Trial Offers

30 days trials are available with up to 6 users per customer. Please contact using Note 'b' below for trial approval and provisioning as well as for new accounts.

Simoco's Push is an LMR over the internet and group talk app. It adds to your Android and iPhone/iPad device the functionality of a cost-effective, secure and real-time Push to Talk over Cellular device, group text and Multimedia (images) messaging device and location tracker. Our Radio over Phone and Push to Talk Android, iPhone and iPad apps work at all places wherever there is wireless broadband network connection provision including PTT over WiFi, 3G and LTE and when its Push app server has been implemented in the Internet Cloud or physical premises

https://www.simocowirelesssolutions.com/products/applications/simoco-push/

The Push app is a Smartphone Walkie Talkie app and provides senior management, emergency services, operational, security, logistics and administrative staff with access to advanced instant group communication and information. This is made possible by integrating the Push app's PTT over UMTS, HSPA and 4G cellular and Wi-Fi with DMR networks to deliver seamless instant PTT communication, group messaging and historical breadcrumbs location tracking.

Push two-way radio app can also be used even if a DMR network is not integrated using AIS Gateway with the Push server. In this case, the devices in use in the network will only be Smartphones. Push server will still be required to serve the app.

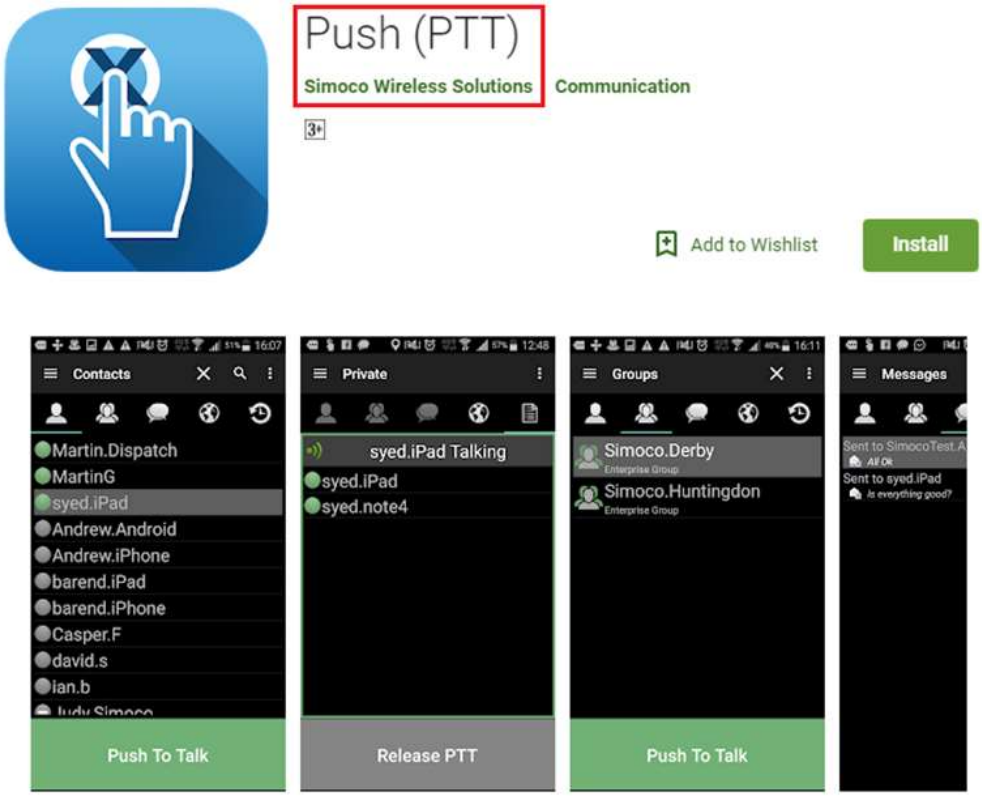
RoIP interface can be used to connect the radio network with other radio networks and the SIPREC interface can be utilised to integrate voice logging recorders.

https://www.simocowirelesssolutions.com/products/applications/simoco-push/

Groups

- Interoperable 4G/LTE to DMR calling supports multiple call modes including Private (1:1), Group and Emergency Group Calls
- Eight Group Types and user created custom group types
- Multi-way talk groups support 250 users per call
- Broadcast groups support 60,000 users per call
- Carrier Enhanced QoS PTT options
- Easy to use Contact and Group Selection
- Floor Control Indication
- Group Text Messaging
- Late Join on Group Calls
- Presence for Groups and Individual Contacts
- PTT call recording and logging via SIPREC interface (requires optional SIP call recorder)
- Supports system-wide radio/device IDs
- Web or handset based user account management

https://www.simocowirelesssolutions.com/products/applications/simoco-push/



https://play.google.com/store/apps/details?id=com.simocowirelesssolutions.eptt.android&hl=en_US

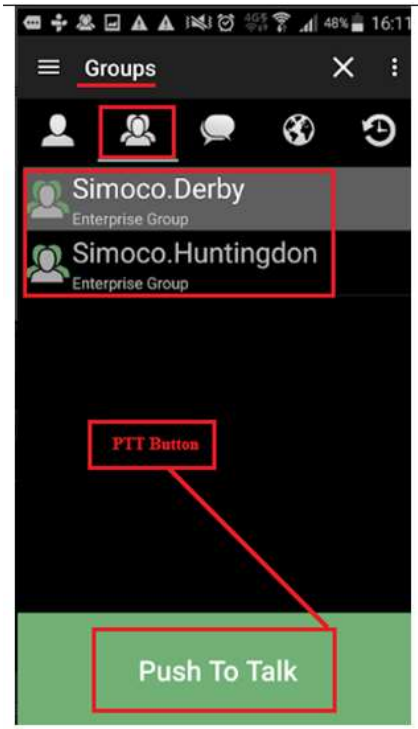
Push-to-Talk (PTT)	• Private calls, group calls and emergency group calls • Priority and call pre-emption: In-call pre-emption, user over group, group over group and advanced multi-level priority based pre-emption • PTT call recording via 3rd party SIPREC recorders • Supports system-wide radio/device IDs • Encrypted PTT voice (AES-256)
Groups	• Eight group types plus user created custom group types • Multi-way talk groups support up to 250 users per call • Broadcast groups support up to 60,000 users per call
Messaging	• Encrypted Text & Image (Multimedia*) Messaging
Location Services	• Live GPS Location Tracking & Mapping • Historical Location Tracking & Mapping
Client App Platforms	• Android and Apple iOS
Architecture	• Flexible secure server hosting options including Cloud (Amazon Web Services) or premises hosted (Simoco or customer business location) • AIS (DMR) and RoIP (other radio networks) • Forwardly compatible with 3GPP Mission Critical PTT (MCPTT)** • Carrier Enhanced QoS PTT options ** • GCSE Based eMBMS (QCI Based) **
Simoco DMR System Features (when integrated)	• Scalable from one site to hundreds having no single point of failure • Full ETSI DMR compliant with no proprietary extensions • Supports Tier III Mobile, Portable and Data/RTU Modems • AIS interfaced console for AVL applications • Network management software

https://www.simocowirelesssolutions.com/wp-content/resources/brochures/dmr/us/Simoco-Wireless-Solutions_Simoco-Push_US.pdf

Simoco Xd DMR Tier II Dispatcher

Comprising a range of selected dispatching solutions tested with our ETSI compliant products Simoco Xd Dispatch Solutions are tailored to meet the needs of Simoco's users worldwide. From a single Tier II conventional site through to multi-site Tier III trunked networks. Simoco Xd Dispatch Solutions enable operators to stay in command of radio communications. Combining resilience with ease of deployment Simoco Xd Dispatch Solutions are DMR Dispatcher consoles that integrate with the Simoco Xd DMR radio system. Drawing on Simoco's expertise in Voice over Internet Protocol communication solutions and featuring intuitive user interfaces, Simoco Xd Dispatch Solutions bring a high degree of functionality to Business and Mission Critical operations. In all cases, IP connectivity offers high resilience and easy deployment on modern telecommunications networks. Whilst allowing changes in control room configuration or system expansion to be easily handled. Highly configurable user interfaces link the operator seamlessly with both the core radio system and terminal devices.

https://www.simocowirelesssolutions.com/products/applications/simoco-xd-dmr-tier-ii-dispatcher/



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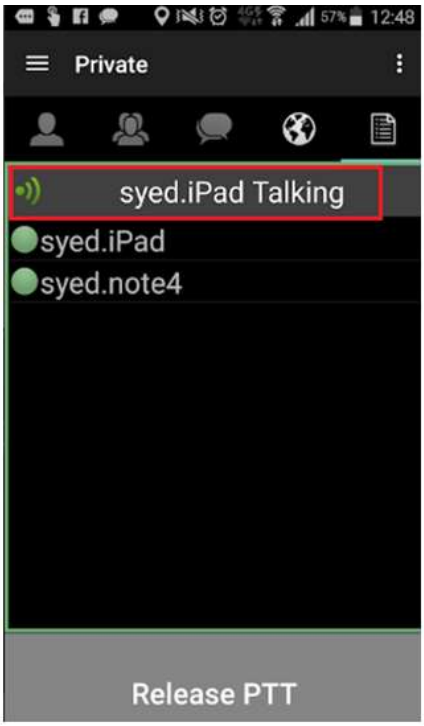

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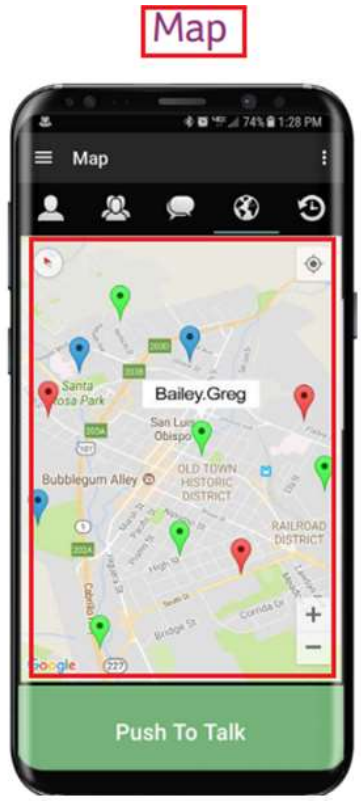

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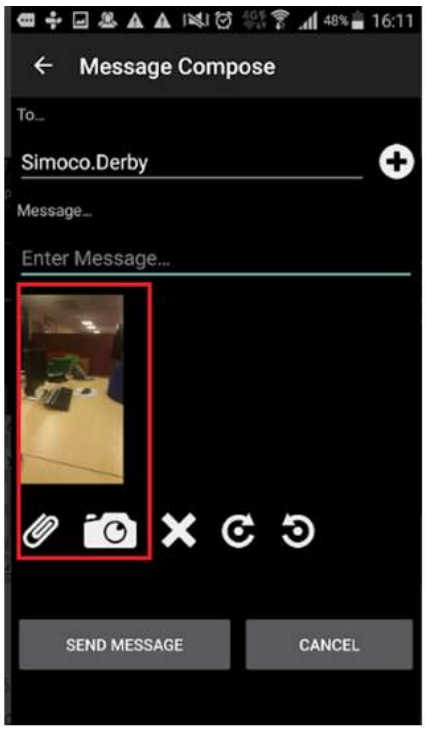

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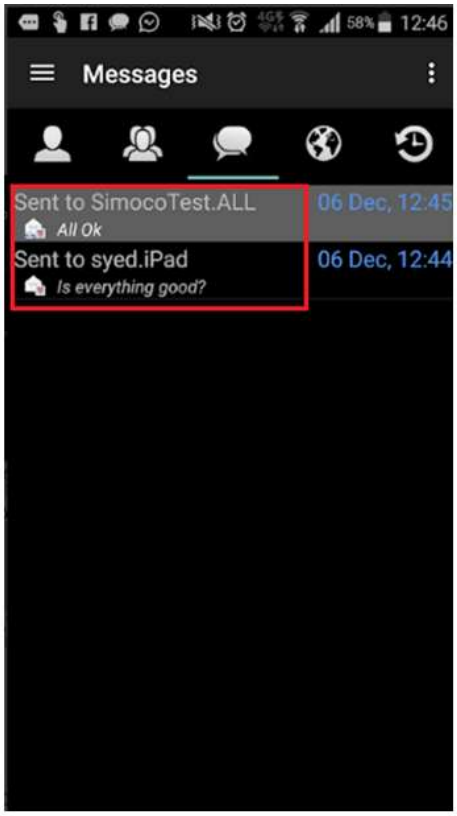

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16. In at least testing and usage, the Product manages (e.g., management of the system is done via an integrated dispatch console) the equipments (e.g., Simoco Push PTT enabled handsets) connected to the server (e.g., Simoco Push PTT dispatch server) wherein one of the plurality of equipments (e.g., Simoco Push PTT enabled 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, the integrated dispatch console monitors communication between Simoco Push PTT handsets over cellular network. These elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.

Push-to-Talk (PTT)	• Private calls, group calls and emergency group calls • Priority and call pre-emption: In-call pre-emption, user over group, group over group and advanced multi-level priority based pre-emption • PTT call recording via 3rd party SIPREC recorders • Supports system-wide radio/device IDs • Encrypted PTT voice (AES-256)
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Cookie Policy

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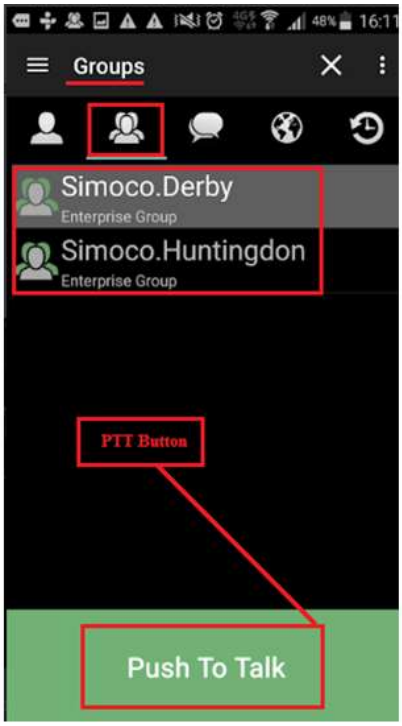

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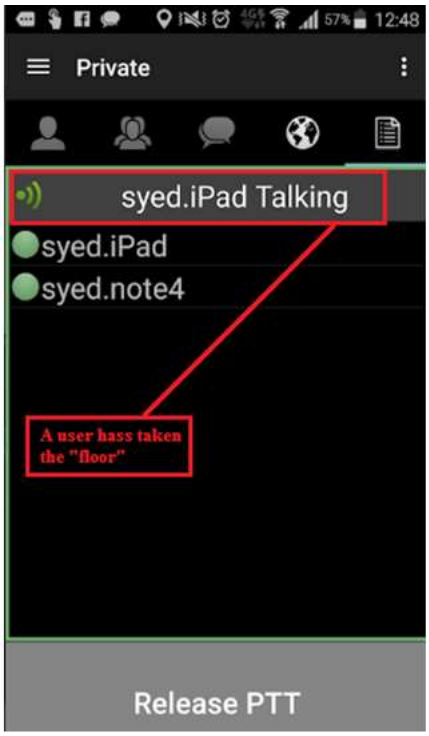

https://play.google.com/store/apps/details?id=com.simocowirelesssolutions.eptt.android&hl=en_US

17. 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 Simoco Push 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., Simoco Push PTT enabled 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, 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). A user that has not taken the

floor can send a message to a user that has the floor and said user who has the floor will receive said message. As illustrated, a user cannot simultaneously hold the PTT button to take the floor while typing and sending a message at the same time. These elements are illustrated in the screen shots provided in connection with other allegations herein.

18. 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)) to the equipments (e.g., SIMOCO's Push PTT handsets) which are managed by a managing unit (e.g., Simoco integrated dispatch console). As shown, the integrated dispatch console provides customers with a powerful PTT call management solution integrated with the Push PTT real-time group communications solution. These elements are illustrated in the screen shots provided in connection with other allegations herein.

19. 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., Simoco Push PTT enabled handsets) that has "the floor" (e.g., 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). These elements are illustrated in the screen shots provided in connection with other allegations herein.

20. Regarding Claim 3, in at least testing and usage, the Product utilizes equipment

(e.g., Simoco Push PTT enabled 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., Simoco Push PTT enabled handsets) via a server (e.g., Simoco Push PTT server) into which the communication method (e.g., Simoco Push-to-Talk mobile application) according to claim 1 is loaded. As shown, the accused system controls a communication relay (e.g., Simoco dispatch server controls communication relay between devices) between a plurality of equipments (e.g., Simoco Push PTT enabled 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). In at least testing and usage, the Product utilizes a transmitting unit (e.g., hardware and software that relays user selections in the application interface) that transmits key operations of said communication equipment to the server as operation information (e.g., corresponding data is sent to Simoco Push PTT server when a user utilizes a software based key to send a text, photo, geolocation, personal alert, or voice recording to another user). As shown, the push to talk app interface contains various software-based 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). In at least testing and usage, the Product utilizes a receiving unit that receives the operation information (e.g., the recipient device will display an image, location, etc., that corresponds to a sender's selection of a particular service) transmitted from the server (e.g., via the Simoco Push PTT dispatch server) the operation information indicating the key operation of respective equipment (e.g., corresponding data is received on recipient device from the Simoco Push PTT server per a sender's utilization of software based keys to send a text, photo, geolocation, personal alert, or voice recording). As

shown, a recipient device will display an image, location, etc., sent by a sending device. These elements are illustrated in the screen shots provided in connection with other allegations herein. These elements are further illustrated by the allegations above in connection with Claim 1.

21. Regarding Claim 4, 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 all of the equipments (e.g., Push PTT enabled handsets communicating in a group) which are managed by a managing unit (e.g., Simoco integrated dispatch console). As shown, a user can send an image, location, or text message, to all members of a particular communication group. These elements are illustrated in the screen shots provided in connection with other allegations herein and are further illustrated by the allegations above in connection with Claims 1 and 3.

22. Regarding Claim 5, in at least testing and usage, the Product displays the operation information 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 equipment (e.g., all Simoco Push PTT enabled 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). As shown, a user can send an image, location, or text message, to all members of a particular communication group. These elements are illustrated in the screen shots provided in connection with other allegations herein and are further discussed in connection with claims 1, 3, and 4.

23. Defendant's actions complained of herein will continue unless Defendant is

enjoined by this court.

24. 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.

25. 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: September 24, 2018

Respectfully submitted,

/s/ Jay Johnson

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ATTORNEYS FOR PLAINTIFF

EXHIBIT A