IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TECHNO LICENSING LLC,	§ §	
Plaintiff,	§ §	Case No:
vs.	§ §	PATENT CASE
SONIM TECHNOLOGIES, INC.,	§ §	JURY TRIAL DEMANDED
Defendant.	§ §	
	§	

COMPLAINT

Plaintiff Techno Licensing LLC ("Plaintiff" or "Techno") files this Complaint against Sonim Technologies, Inc. ("Defendant" or "Sonim") 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, TX 75034.

4.   On information and belief, Defendant is a Delaware corporation with a principal address of 1875 S. Grant St, Suite 750, San Mateo CA 94402. On information and belief, Defendant may be served with process through its agent, Ann Wiboonchat at 1875 S. Grant St., Suite 750, San Mateo CA 94402.

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, Defendant is a Delaware corporation 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. § 1400(b) because Defendant is deemed to reside in this District and defendant is a Delaware corporation. 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 1875 S. Grant St, Suite 750, San Mateo CA 94402.

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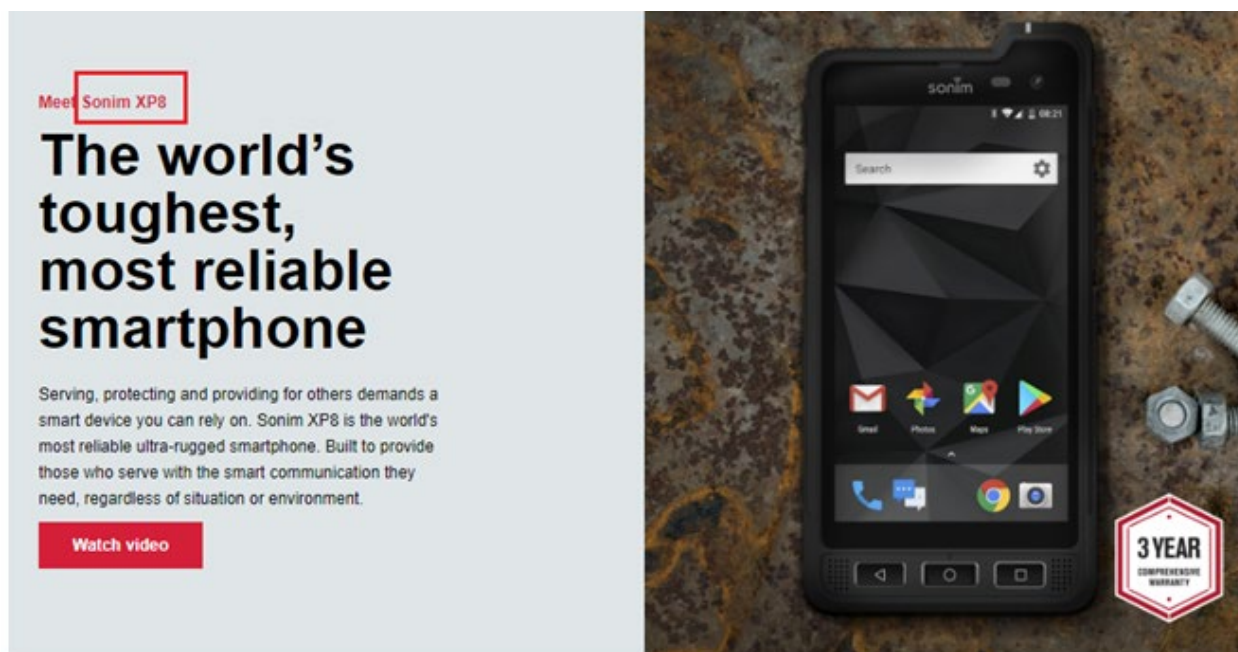
12.   The '011 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13.   On information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 1, 3, 4, and 5 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, PTT devices such as the Sonim XP8 PTT device, the TASSTA PTT app, the Bell PTT app for Sonim, the Sonim PTT system, 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 dispatch console utilized by the accused product such as Bell PTT dispatch console, controls communication relay between devices) between a plurality of equipments (e.g., Sonim XP8 smartphone) in a PoC service (e.g., Bell PTT Application for Sonim XP8 smartphones communicated over cellular network such as 4G mobile data) which attains a half-duplex talk session (e.g., touch and hold hardware PTT button provided by Sonim XP8 smartphone 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., Sonim XP8 smartphones) wherein each equipment comprises a talking key (e.g., a PTT button) and at least one operation information transmitting key (e.g., message, geolocation, alert and an image transmitting keys are in the form of hardware PTT button or a software keys).

Certain aspects of this element are illustrated in the screen shots below and/or those provided in connection with other allegations herein.
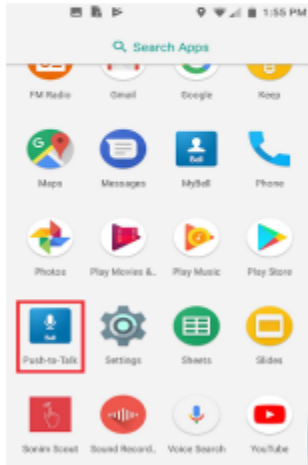

https://sonimtech.com/xp8/

https://sonimtech.com/pdf/XP8_BELL_EN_UG_260518.pdf

1. Sonim XPand Connector
2. USB-C
3. Volume Up/Down
4. Power ON Button
5. PTT Button
6. Display
7. App Tray
8. Speakers
9. Back Button
10. Home Button
11. Microphone
12. Recent Button
13. Google Search Bar
14. Battery Level Indicator
15. Front Camera

16. LED Notification
17. Receiver
18. Notification Bar
19. Alarm Key
20. Yellow Key
21. Sonim SecureAudio Connector
22. Memory Card Slot Under Battery
23. SIM Cards Slot under Battery
24. Back Cover Screw
25. Battery Cover
26. Rear Facing Camera
27. Torch/Flash Light
28. Microphones

BELL PUSH-TO-TALK SERVICES

Sonim supports Virtual Pre-Load (VPL) mechanism which is also known as Stub to install the PTT application.

LAUNCHING PTT APPLICATION

To launch the Push-to-Talk application, click on **Push-to-Talk** icon (🎙️) from **Application** screen.
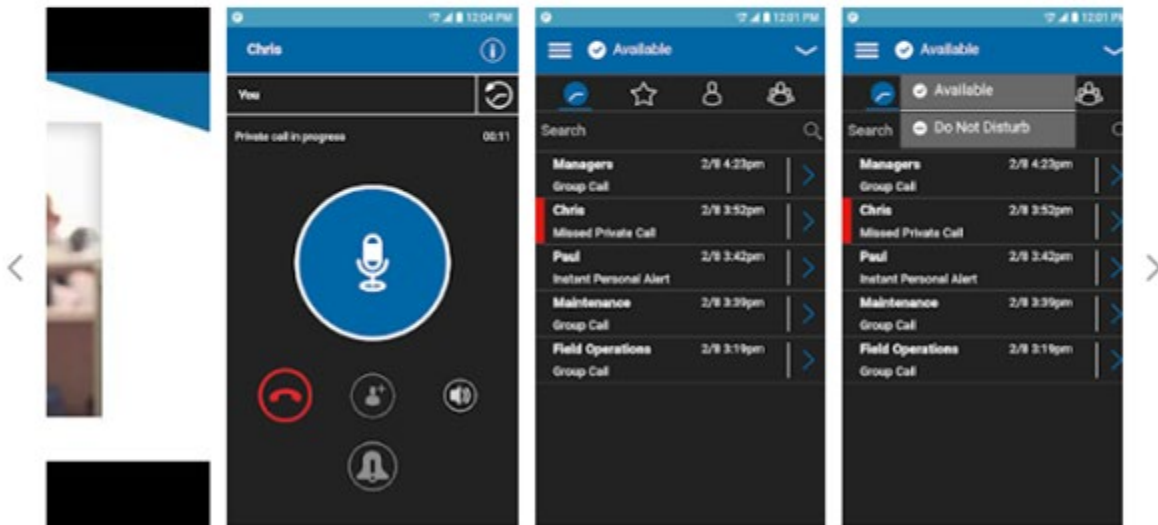

https://sonimtech.com/pdf/XP8_BELL_EN_UG_260518.pdf

https://play.google.com/store/apps/details?id=com.bell.ptt&hl=en

Bell PTT is the most advanced carrier-grade Push-to-talk communications technology available today. Instantly and securely connect to one or many in less than 1 second while simultaneously accessing email, apps, the web and more from your smartphone. Operating on Canada's largest 4G network, Bell PTT offers coast-to-coast coverage in Canada and extensive roaming coverage in the U.S. Plus you get enhanced coverage with secure PTT over Wi-Fi.

Get unlimited Canada-wide Push-to-talk for just $15/month.
Key Push-to-talk features include:

• Largest North American coverage (Canada & U.S.)*
• Ability to maximize productivity with fast call set-up time and simultaneous data and PTT voice
• Advanced features including real-time presence indicating contact availability and talk-group select that enables users to receive PTT calls from a select group
• Fast and secure collaboration with your office or field teams with the ability to connect to large groups that can accommodate up to 250 users
• An online contact management tool for organizations to easily manage contacts and group lists

Requirements:
• Must be a Bell Mobility customer with a compatible Android device connected to the 4G (HSPA+) network. A monthly PTT wireless plan is required.
• Compatible Android devices include:
— Sonim XP8

https://play.google.com/store/apps/details?id=com.bell.ptt&hl=en
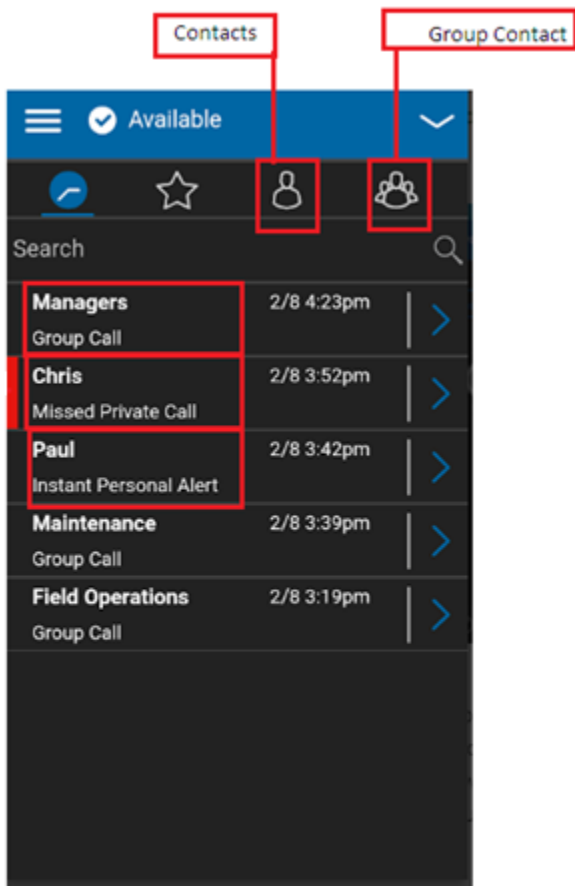
What can you do with the PTT Dispatch Console?

- Make PTT calls to one contact, selected contacts or all contacts with the push of a button
- Send instant personal alerts to team members and receive updates back from the field
- Scan and monitor up to 16 PTT groups at one time and set listening priority for up to 3 of these groups with Talkgroup Scanning
- Record PTT calls and replay them for tracking and training purposes
- Map the location of mobile PTT users[3]
- Make a one-way broadcast call to up to 499 PTT users for high priority communications
- Takeover the call any time during an ongoing group call, even when someone else is speaking with Supervisory Override
- View the presence status for all contacts
- Log recent activity including alerts and PTT calls
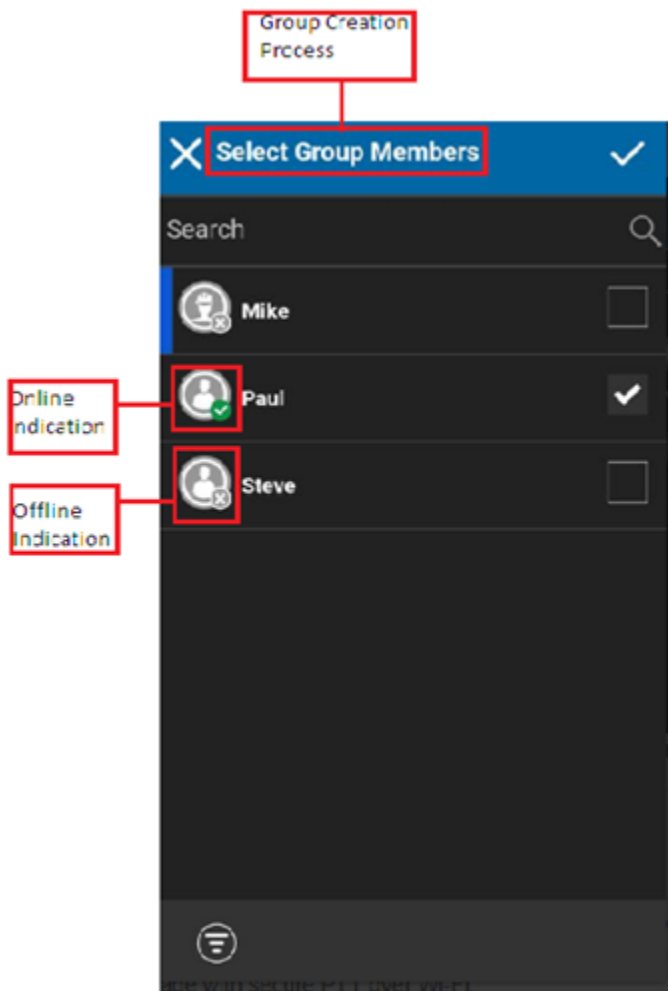- Move sections of the console for multi-screen viewing

How can the PTT Dispatch Console benefit your business?

- Gain greater visibility and control of daily operations with powerful managerial tools like Talkgroup Scanning
- Enhance the efficiency of your PTT communication system with powerful administrator tools
- Reroute your fleet with real-time traffic status and ensure deliveries are completed on time
- Provide customers with more accurate arrival and departure times
- Connect with your team instantly when you need to respond quickly to emergencies or urgent customer requests
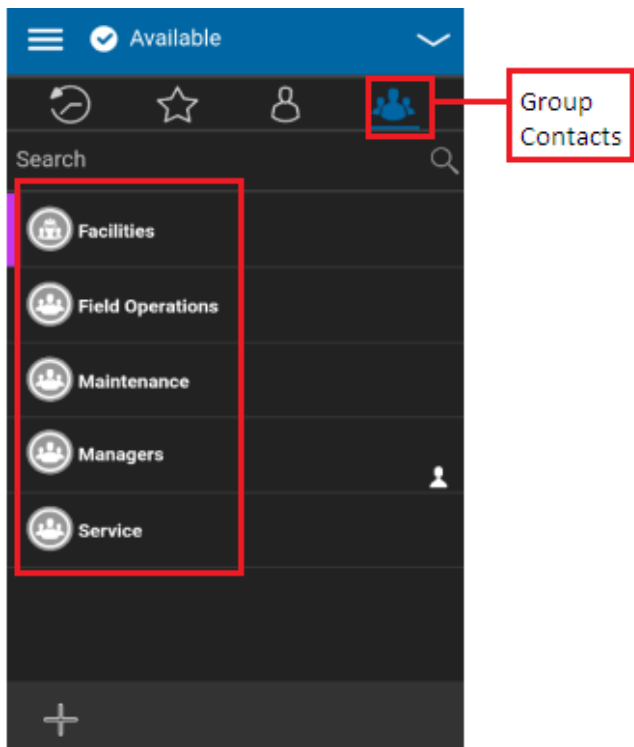
https://www.bell.ca/Styles/RSX/bbm/pdf/resource-centre/en/BS-16Q3A_PTT_Dispatch_Console_E.pdf

https://play.google.com/store/apps/details?id=com.bell.ptt&hl=en

https://apkpure.com/bell-push-to-talk/com.bell.ptt

https://support.bell.ca/_web/guides/Mobility/Other/8.3_Android_PTT_Application_User_Guide.pdf
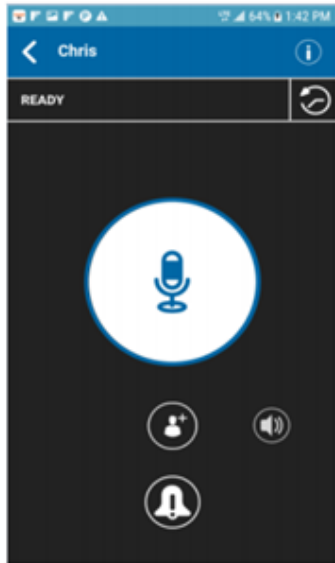
Integrated Secure Messaging – allows a PTT user to send and receive secure text messages, multimedia content, and location information to and from other PTT users.

Location Tracking – a supervisor with Location Capability turned on by your administrator at the group level can track talkgroup member's location.

PTT Calling to Individuals and Talkgroups – instant communication to one or more people at the push of a button.

https://support.bell.ca/_web/guides/Mobility/Other/8.3_Android_PTT_Application_User_Guide.pdf

The Call screen is the main screen for communication. You make a call, make a quick group call, turn on/turn off the speaker, send a text message, send your location, send an alert, send a photo, and record and send a voice message. For more information on how to make and receive calls, see "Making and Receiving PTT Calls" section. For information on the call screen icons, see "Icons" section.

Call Screen

https://support.bell.ca/_web/guides/Mobility/Other/8.3_Android_PTT_Application_User_Guide.pdf

Actions Icons

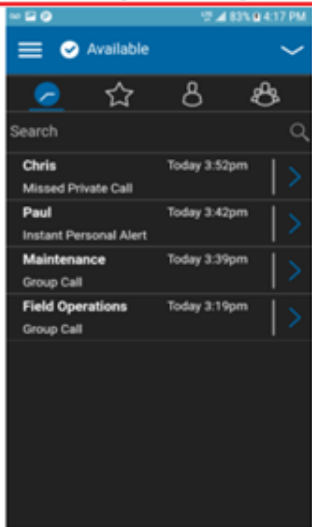The action icon buttons are located at the top and the bottom of the screen. The following table lists the common actions icons you will see:

Operation information transmitting key   **Actions Icons**

Icon	Description
+	Add button. Displayed on the Contacts, Favorites, Groups, and Quick Text. Tap to add contacts, favorites, groups, or quick text.
🔔	Alert button. Tap to send Instant Personal Alert to a contact.
📄	Attach File button. Tap to attach a PDF file to send as an attachment. Requires Integrated Secure Messaging.
✕	Cancel button. Tap to cancel current action and go back to previous screen.

https://support.bell.ca/_web/guides/Mobility/Other/8.3_Android_PTT_Application_User_Guide.pdf

The *History* tab displays all your conversation history of calls, contacts, groups, alerts, messages (text, image, video, and voice). You can view and search your history, return a call, view messages, add contacts, delete history and messages, and forward any message to a contact or group. The History tab contains two-level screens: main screen and details screen. The main screen contains the high-level view. The second-level screen contains the conversation details.

Each top-level history entry displays the conversation type (Broadcast Call, Group Call, Quick Group Call, Private Call), contact name, group name or participant names for quick groups, <message text preview> (if a text message), Voice Message, File, Image, Location, Video, and a time stamp.

https://support.bell.ca/_web/guides/Mobility/Other/8.3_Android_PTT_Application_User_Guide.pdf

16.   In at least testing and usage, the Product manages (e.g., management of the system via a PTT dispatch console such as Bell PTT dispatch console) the equipments (e.g., Sonim XP8 smartphones) connected to the server (e.g., a PTT Server utilized by the accused product such as Bell PTT server) wherein one of the plurality of equipments 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). Any PTT dispatch console such as a Bell PTT dispatch console manages communication between Sonim XP8 Smartphones over a cellular network. This element is illustrated in the screen shots provided in connection with other allegations herein.

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 a PTT Server such as Bell PTT server when a user utilizes a hardware based key for PTT calling

and various software based key to send text, photo, geolocation or a personal alert to another user)

of at least one of the plurality of equipments (e.g., Sonim XP8 smartphones) 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 a hardware based key for PTT calling and a software based key to send text,

photo, geolocation or a personal alert) 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). The push to talk accused

device that is Sonim XP8 smartphone contains a hardware based for PTT calling and various

software based key to send text, photo, geolocation or a personal alert to another user, during a

half-duplex transmission (e.g., a PPT call). This element is 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 themselves)) to the equipments (e.g., Sonim XP8 smartphones) which are managed

by a managing unit (e.g., management of the system is done via an integrated dispatch console

such as Bell PTT dispatch console). An integrated dispatch console like the Bell PTT dispatch

console monitors communication between Sonim XP8 smartphones over cellular network in a real-

time group communications. Certain aspects of this element are illustrated in the screen shots

below and/or those 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 Sonim

XP8 smartphones) 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). This element is 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 a communication equipment (e.g., Sonim XP8 smartphones) 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., Sonim XP8 smartphones) via a server (e.g., any PTT server such as a Bell PTT Server) into which the communication method (e.g., Bell PTT Application for Unitech PA726 Handheld Computers) according to claim 1 is loaded. The Product controls a communication relay (e.g., a PTT server utilized by the accused product such as the Bell PTT dispatch console utilized by the accused product that controls communication relay between devices) between a plurality of equipments (e.g., Sonim XP8 smartphones) 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). 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.   Further regarding Claim 3, 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 a PTT server utilized by the accused product such as the Bell PTT Server when a user utilizes a hardware based key for PTT calling and various software based key to send text, photo, geolocation or a personal alert to another user). The accused product comprises a hardware based key for PTT calling and various software based key to send text, photo, geolocation or a personal alert to another user during a half-duplex transmission (e.g., a PPT call). 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.

22.   Further regarding Claim 3, in at least testing and usage, the Product utilizes a receiving unit that receives the operation information (e.g., the recipient Sonim XP8 smartphone will display an image, location, etc., that corresponds to a sender's selection of a particular service) transmitted from the server (e.g., a PTT server utilized by the accused product such as a Bell PTT server) the operation information indicating the key operation of respective equipment (e.g., corresponding data is received on recipient device from the PTT server as per a sender's utilization of hardware based key for PTT calling and various software based key to send text, photo, geolocation or a personal alert). A recipient device will display an image, location, etc., sent by a sending device. The sender and the receiving devices is the accused product i.e. Sonim XP8 smartphone. 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.

23.   Regarding Claim 4, in at least testing and usage, the Product practices a communication method wherein the 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., Sonim XP8 smartphone communicating in a group) which are managed by a managing unit (e.g., a management unit utilized by the server such as the Bell PTT dispatch console utilized by the accused product). 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.

24.   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 Sonim XP8 smartphones 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). 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.

25.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this Court.

26.   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.

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

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of any and all causes of action.

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 accounting of all damages not presented at trial;

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

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

Dated: November 26, 2018   Respectfully submitted,

DEVLIN LAW FIRM LLC

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