UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

TECHNO LICENSING LLC, Plaintiff, v. BLUEBIRD USA, INC. Defendant.	Cause No. 18-cv-370 COMPLAINT FOR PATENT INFRINGEMENT DEMAND FOR JURY TRIAL

Plaintiff Techno Licensing LLC ("Plaintiff" or "Techno") files this Complaint against Bluebird USA, Inc. ("Defendant" or "Blue Bird") 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.

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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 Georgia corporation with a principal address of 5901 Peachtree Dunwoody Road, Ste C-460, Atlanta, GA, 30328. On information and belief, Defendant may be served with process through its agent, Dong Jae Joo, at 4132 Steve Reynolds Blvd., Norcross, GA, 30093.

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. § 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 in Peshatin, Washington.

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*.

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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 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 RP350 PTT device, the LookieTalkie PTT app, the Blue Bird 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., LookieTalkie-PTT server controls communication relay between devices) between a plurality of equipments (e.g., BLUEBIRD PTT enabled handsets) in a PoC service (e.g., LookieTalkie-PTT's Push-to-Talk Application for

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iOS/Android-enabled devices communicating over cellular network such as 3G, 4G, 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., BLUEBIRD's 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 key for messaging). A Bluebird 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 to another user (e.g., the operation information transmitting key). Certain aspects of this element are illustrated in the screen shots provided below and/or in connection with other allegations herein.

http://www.bluebirdcorp.com/products/Mobile-Computers/PTT/RP350#features1

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RP350

Stay Connected Without Any Barriers

RP350 is built specifically for the smart PTT communications over any network including 4G/LTE, 3G and Wi-Fi for fast and secure collaborations. With an intuitive user interface and a suite of enterprise-focused features on a sleek and ultra-rugged form factor, workers can quickly connect anytime, in any place.

Design Features Specifications Resources

http://www.bluebirdcorp.com/products/Mobile-Computers/PTT/RP350#features1

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http://www.bluebirdcorp.com/products/Mobile-Computers/PTT/RP350#features1

6.11 LookieTalkie PTT(Push to Talk)

Use this app to instantly communicate, walkie-talkie style, over a network. You can talk to an individual or an entire group by pressing the PTT button.

To set up the initial settings

1 On the Home scree, tap > .

2 When a user mode setting screen appears, tap **Normal User** or **Dedicated Server User** according to your server.

3 Tap the checkboxes for Service Agreement and tap **OK**.

4 Select the server that you want to connect to.

5 Connect your device to other devices that support the PTT feature.

http://www.bluebirdcorp.com/common/download.php?file=TyDahXcvB1oQ84lq_20180903.pdf&ori=%5BUserManual%5D+RP350_EN.pdf&filepath=%2Fuploads%2Fproduct%2F

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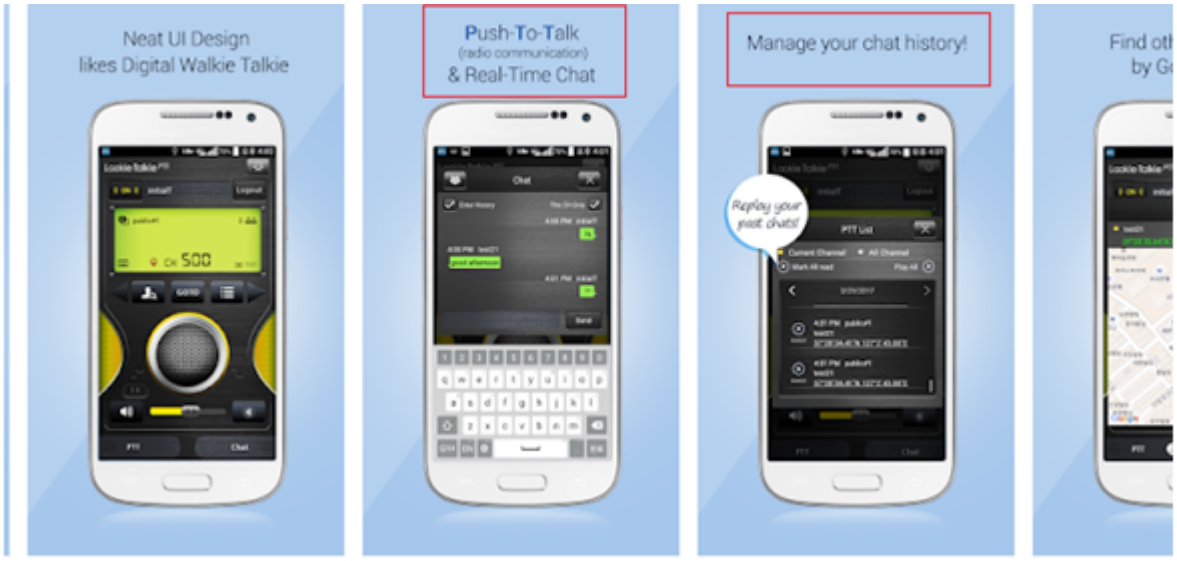

LookieTalkie-PTT is Smartphone walkie-talkie solution for enterprise use. LookieTalkie-PTT can provide free PTT service between analog walkie-talkie and digital device or between digital devices.
If you need to communicate with your groups immediately? Enjoy LookieTalkie-PTT!

▸Push-To-Talk(radio communication) and real-time chatting!
LookieTalkie-PTT supports radio communication between users and real-time chat.
Share your information with LookieTalkie-PTT.

https://play.google.com/store/apps/details?id=com.initialt.airptt&

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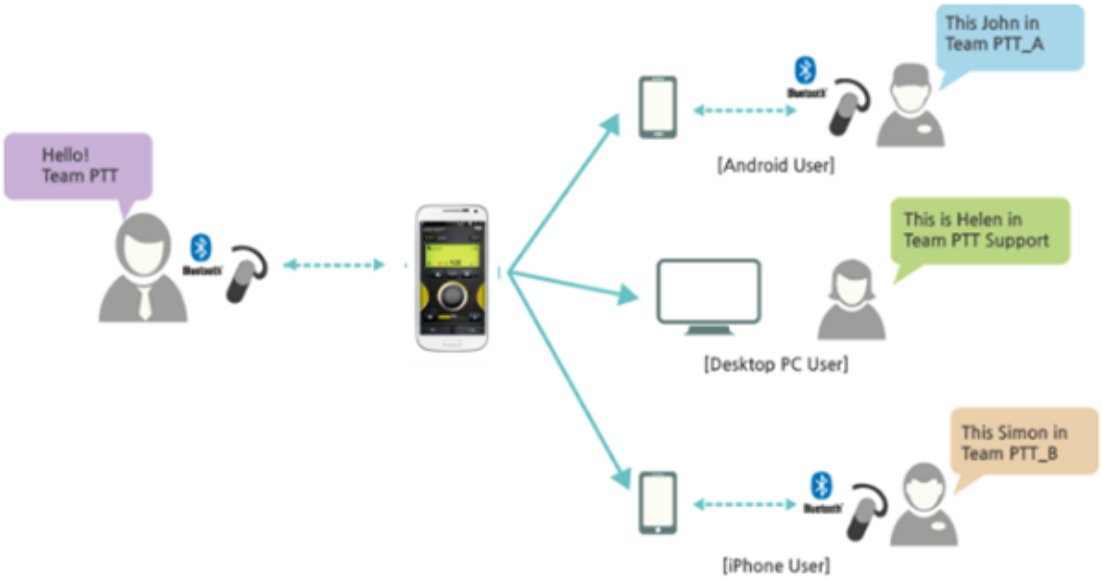
⊙1:N PTT (Push-To-Talk)

- At the same time, send voice to thousands users.
- PTT service for all users
- 'LookieTalkie-PTT' provides 1: N instant conversation service as software-based push-to-talk (PTT).



http://initialt.com/newhome/lookietalkieptt.html

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https://play.google.com/store/apps/details?id=com.initialt.airptt&

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▸Push-To-Talk(radio communication) and real-time chatting!
LookieTalkie-PTT supports radio communication between users and real-time chat.
Share your information with LookieTalkie-PTT.

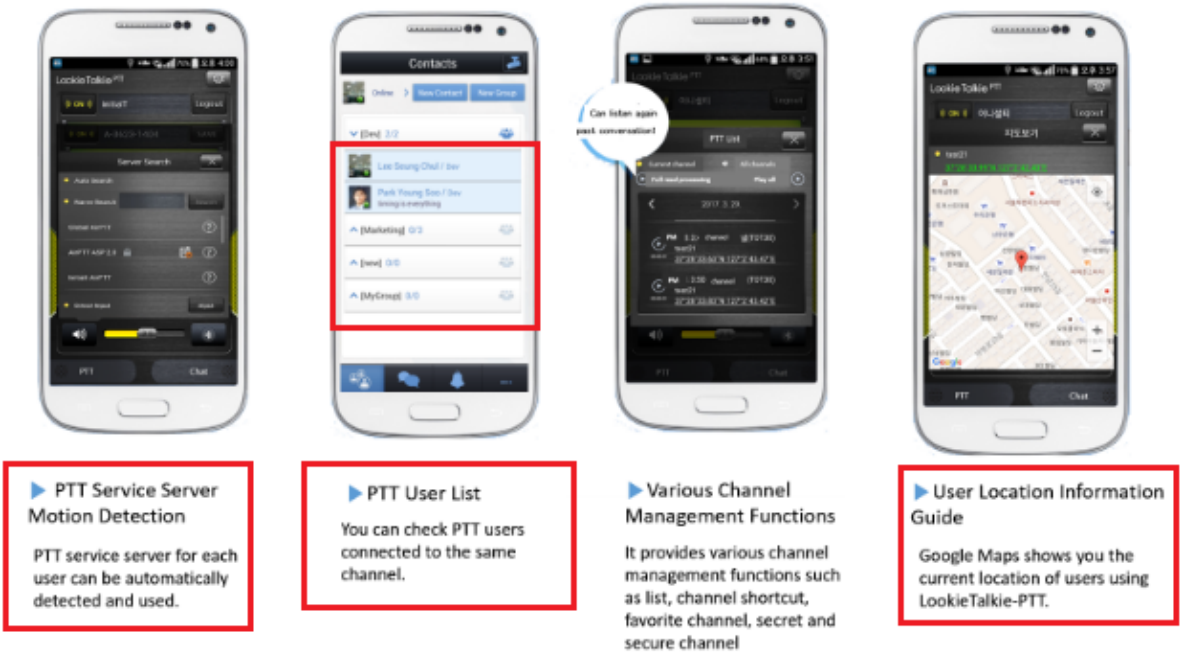
▸Analog walkie talkie meet digital devices!
LookieTalkie-PTT possible to provide PTT service by overcoming the limit of call distance with existing walkie-talkie and of poor reception areas!

▸Chatting history!
You can manage chat history lists which automatically saved in the app.
Anywhere anytime you can find and check important chattings.

▸Providing Location Information and Profile management
Providing the other's location information by interfacing with Google Map.

▸Hands Free radio communication with Bluetooth device
LookieTalkie-PTT possible to interface with various types of Bluetooth according to user's preference and use environments.

https://play.google.com/store/apps/details?id=com.initialt.airptt&



http://initialt.com/newhome/lookietalkieptt.html

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16. In at least testing and usage, the Product manages (e.g., management of the system is done via LookieTalkie-PTT software) the equipments (e.g., BLUEBIRD's PTT enabled handsets) connected to the server (e.g., LookieTalkie-PTT Server) wherein one of the plurality of equipments (e.g., BLUEBIRD's 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). The integrated LookieTalkie-PTT software monitors communication between BLUEBIRD PTT handsets over cellular network. This element is illustrated in the screen shots below and/or in those provided in connection with other allegations herein.

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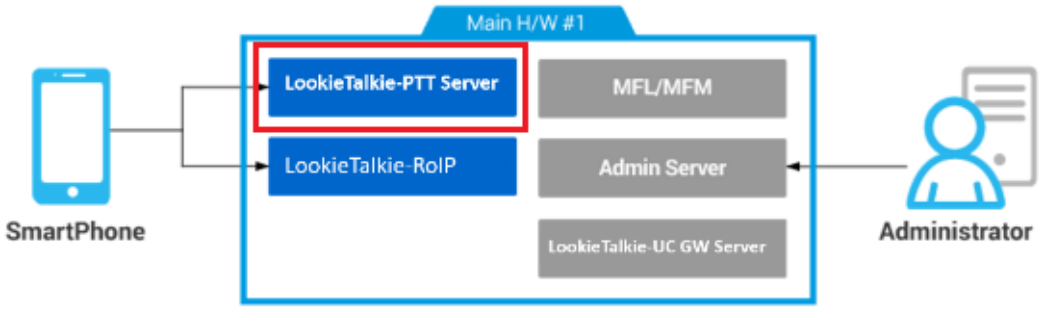
⊙ Server Configuration



http://initialt.com/newhome/lookietalkie_roip_standard.html

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https://play.google.com/store/apps/details?id=com.initialt.airptt

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 LookieTalkie-PTT server when a user utilizes a software based key to send a text messaging to another user) of at least one of the plurality of equipments 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) while said one of the plurality of equipments has "the floor" in the half duplex talk session (e.g., a recipient of the text will receive said information even if they currently have the floor in a PTT session). The push to talk app interface contains various software keys that allow a user to send text message during

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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 message) and any data corresponding to said operation (e.g., the text messaging)) to the equipments (e.g., BLUEBIRD's PTT Handsets) which are managed by a managing unit (e.g., LookieTalkie-PTT server). The Integrated LookieTalkie-PTT software provides customers with a powerful PTT call management solution integrated with the PTT real-time group communications solution. Certain aspects of this element 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 will be shown in the application interface of receiving devices) of said one of the plurality of equipment (e.g., BLUEBIRD's PTT enabled handsets) that has "the floor" (e.g., who currently has the floor of a PTT conversation will nonetheless receive any text messages 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 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., BLUEBIRD's 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

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data packets) with other equipments (e.g., BLUEBIRD's PTT enabled handsets) via a server (e.g., LookieTalkie-PTT server) into which the communication method (e.g., BLUEBIRD's PTT mobile application) according to claim 1 is loaded. The accused system controls a communication relay (e.g., integrated LookieTalkie-PTT server controls communication relay between devices) between a plurality of equipments (e.g., BLUEBIRD's 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). 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 interaface) that transmits key operations of said communication equipment to the server as operation information (e.g., corresponding data is sent to LookieTalkie-PTT server when a user utilizes a software based key to send a text message to another user). The push to talk app interface contains various software-based keys that allow a user to send text message 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 device will display a text message that corresponds to a sender's selection of a particular service) transmitted from the server (e.g., via the LookieTalkie-PTT server) the operation information indicating the key

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operation of respective equipment (e.g., corresponding data is received on recipient device from the LookieTalkie-PTT server per a sender's utilization of software based keys to send a text message). A recipient device will display a text message 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.

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 message) and any data corresponding to said operation (e.g., the text message)) to all of the equipments (e.g., PTT enabled handsets communicating in a group) which are managed by a managing unit (e.g., LookieTalkie-PTT software console). 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 will be shown in the application interface of receiving devices) of said all of the equipment (e.g., all BLUEBIRD's 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 will be shown in the application interface of all receiving devices communicating in a group). A user can send a 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.

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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 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.

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Dated this 29h day of November, 2018.

Respectfully submitted,

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