

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

BECK BRANCH, LLC,

Plaintiff,

v.

**CENTURYLINK COMMUNICATIONS,
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 CenturyLink Communications, 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, CenturyLink Communications, LLC (“Defendant” or “CenturyLink”) is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business at 100 CenturyLink Dr., Monroe, LA 71203.

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). CenturyLink is a Delaware corporation, and, thus, resides in Delaware for purposes of venue.

6. Defendant is subject to this Court’s specific and general personal jurisdiction by virtue of the fact that Defendant is a Delaware limited liability company.

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

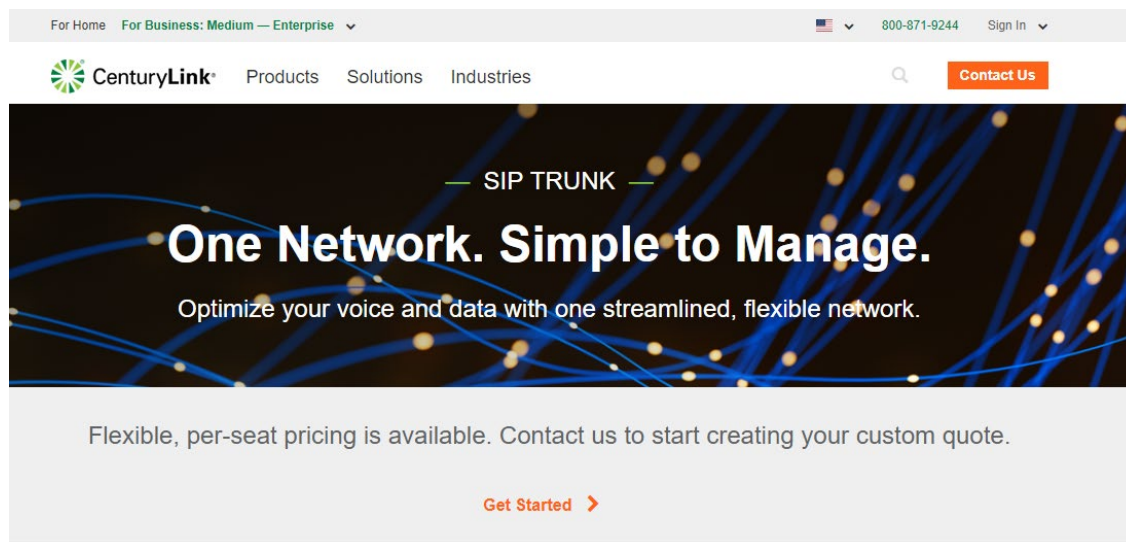
7. Plaintiff is the owner of United States Patent No. 6,873,620 (“the ‘620 patent”) entitled “Communication Server Including Virtual Gateway to Perform Protocol Conversion and Communication System Incorporating the Same.” The ‘620 Patent issued on March 29, 2005. A true and correct copy of the ‘620 Patent 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, CenturyLink 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, CenturyLink provides CenturyLink IQ SIP Trunk for unified communications platform

based on cloud Public Branch Exchange (PBX) for IP based communication. When a SIP Trunking based call is placed to a Public Switched Telephone Network (PSTN) using CenturyLink IQ SIP Trunk (which when installed on a computer, smartphone or other computing device comprise one or more “virtual devices”), the call is routed via the CenturyLink VoIP Network and PSTN Gateway included in the CenturyLink Network (“communication server”). The messages between CenturyLink IQ SIP Trunk and the PSTN are transmitted via the CenturyLink VoIP Network.



The image is a screenshot of the CenturyLink website's SIP Trunking page. At the top, there is a navigation bar with links for 'For Home', 'For Business: Medium — Enterprise', a location dropdown, the phone number '800-871-9244', and a 'Sign In' link. Below this is the main navigation menu with 'CenturyLink' logo, 'Products', 'Solutions', and 'Industries', along with a search icon and a 'Contact Us' button. The main content area features a dark background with a network diagram of blue lines and orange nodes. The text reads: 'SIP TRUNK', 'One Network. Simple to Manage.', and 'Optimize your voice and data with one streamlined, flexible network.' Below this, a light gray box contains the text: 'Flexible, per-seat pricing is available. Contact us to start creating your custom quote.' and a 'Get Started >' button.

Source: <https://www.centurylink.com/business/voice/sip-trunk.html>

Flexibility you want, continuity you need

CenturyLink IQ[®] SIP Trunk



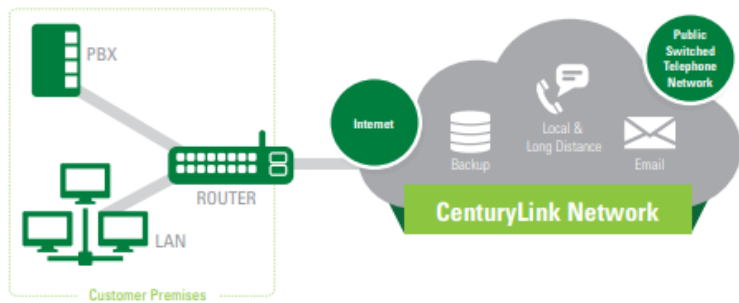
38% Of North American businesses are using SIP trunks in some part of their organization

**PLAN TO DO SO
BY 2015** **58%**

Cost savings and flexibility are two of the top drivers for SIP trunking adoption amongst small, medium, and large enterprises.

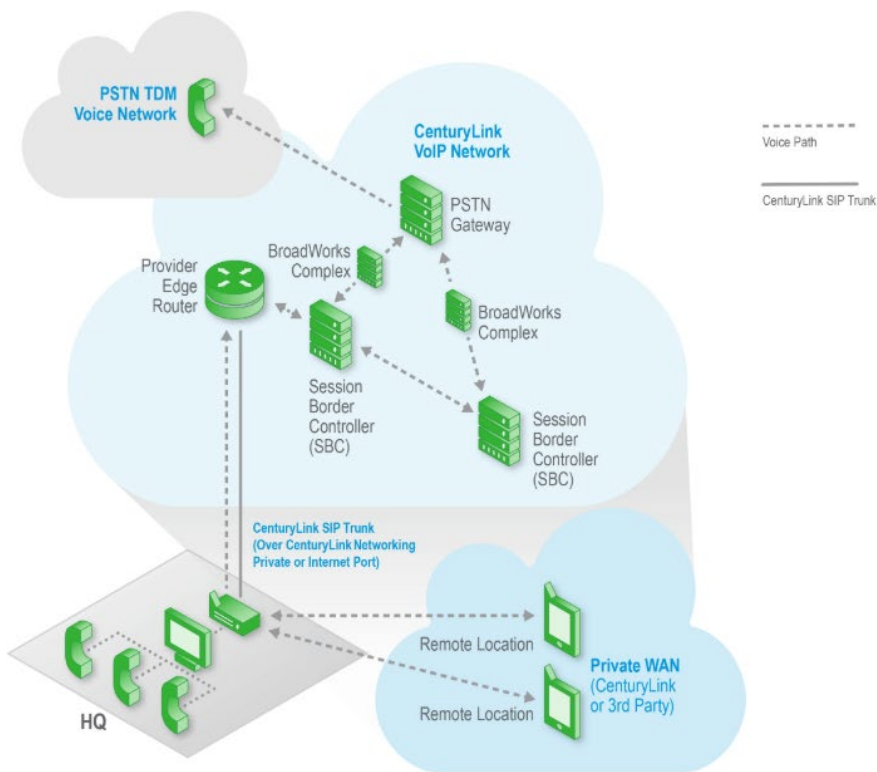
IQ SIP TRUNK OFFERS COMPANIES OF ALL SIZES FLEXIBILITY TO MEET EVER-CHANGING NEEDS

- Provides single IP-based network, avoiding expensive fees
- Purchase only what you need
- Simplifies making changes with end user and Admin portals
- Combines seat types to suit variety of environments
- Offers multiple business continuity options
- Provides iCommunicator, a Unified Communications client which includes a host of features and options
- Centralized and Decentralized SIP Trunk deployment options



*SIP trunking gaining favor as businesses seek more reliable, less costly communication services. (2013, March 28). Infonetics Research. Retrieved from <http://www.infonetics.com/pr/2013/SIP-Trunking-and-SBC-Enterprise-Survey-Highlights.asp>

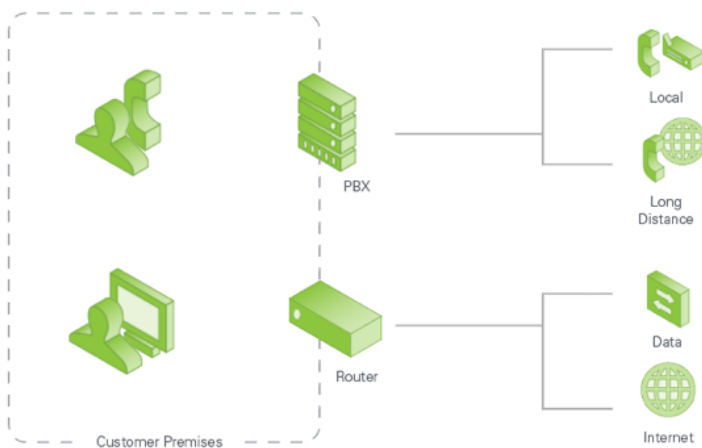
Source: <http://www.centurylink.com/asset/business/enterprise/sell-sheet/sip-trunk-ss141371.pdf>



Source: <https://www.centurylink.com/business/resources/reference-architecture/sip-trunk-centralized-deployment.html>

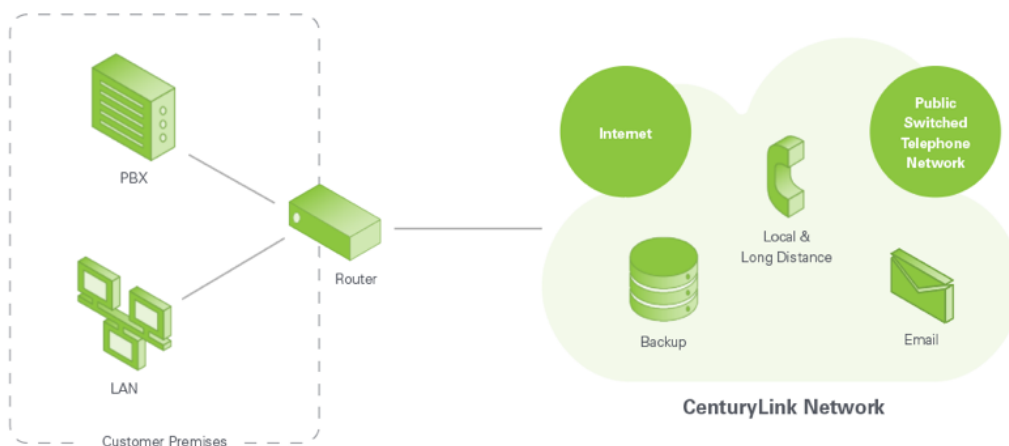
How Does It Work?

Before SIP Trunk



Source: <https://www.centurylink.com/business/voice/sip-trunk.html>

After SIP Trunk



Source: <https://www.centurylink.com/business/voice/sip-trunk.html>

What is SIP Trunking?

Session Initiation Protocol (SIP) is a network that makes it possible to connect Voice over Internet Protocol (VoIP) phone calls to the Public Switched Telephone Network (PSTN). It can be run over your data network, allowing you to replace multiple traditional phone lines.

Before SIP Trunk

- Separate networks result in inefficient use of bandwidth and higher costs
- Limited flexibility to scale to seasonal demand
- Separate networks for voice and data
- Wasted time managing multiple vendors
- No flexibility to update service seasonally

After SIP Trunk

- Pay only for what you need when you need it
- Flexibility to increase service during peak seasons
- All traffic on same network reduces complexity
- One reliable network provider for voice and data
- Dynamically allocate bandwidth to meet business demand

Source: <https://www.centurylink.com/business/voice/sip-trunk.html>

BUSINESS BENEFITS


Simple, Flexible VoIP

- Optimize your voice and data traffic over one network
- Give your voice traffic priority to ensure calls aren't interrupted
- Place unlimited toll-free calls from all your connected locations
- Protect branch locations from cyberthreats over our secure network
- Enhance the calling features and capacity of your existing PBX phone system
- Take your office phone features with you on virtually any mobile device

[Request a Quote](#) 

Source: <https://www.centurylink.com/business/voice/sip-trunk.html>

For Home For Business: Medium — Enterprise ▼ 🇺🇸 ▼ 800-871-9244 Sign In ▼

 **CenturyLink** Products Solutions Industries 🔍

Extend the capabilities of your existing, legacy PBX hardware while converging your separate voice and data networks into a single, robust IP data and voice network. IQ SIP Trunk works in conjunction with CenturyLink® MPLS Networking, providing a private, fully interoperable and scalable suite of wide area network (WAN) services. IQ SIP Trunk delivers increased functionality, improved call quality, better security, and simplified network management and is available nationwide. CenturyLink backs its IQ SIP Trunk service with a 100% voice availability SLA. Leverage simple end-user and administrative management portal and robust quality of service (QoS) to help ensure that time-sensitive network traffic is prioritized and routed correctly.

Technical Specifications


- Consolidates voice and data traffic over a single, robust OC-192 IP data backbone
- Incorporates the CenturyLink IQ Networking managed suite of wide area network (WAN) services
- Advanced IP-centric, multi-protocol label switching (MPLS)
- Can be provided over third-party, IP-enabled networks to sites without IQ MPLS connectivity
- Includes PSTN/PRI Failover & Administrator/End-user Portals

Centralized Deployment

- Provide a centralized trunking service at HQ by consolidating PRIs and POTS
- Branch offices reach service through the main site via their private, QoS-enabled WAN
- E911 or V911 services are still provided with local service
- Consolidated of voice and data at a centralized location
- Ease of management
- Reduction of PSTN access

Source: <https://www.centurylink.com/business/resources/reference-architecture/sip-trunk-centralized-deployment.html>

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 **CenturyLink** Products Solutions Industries 🔍 Contact Us

Voice over Internet Protocol (VoIP)

Provide the advanced features and high-quality calling experiences that employees and customers have come to expect, while controlling operating costs and maintaining compliance.

<p>SIP Trunk for Enterprise</p> <p>Direct and share your voice and data traffic efficiently across a single network connection</p> <p>Learn More ></p>	<p>SIP Trunk for Multi-National Enterprise</p> <p>Combine SIP and ISDN-PRI services, inbound and outbound calling and an array of business communication features to improve customer experiences and increase workforce productivity.</p> <p>Learn More ></p>	<p>Hosted VoIP</p> <p>Access cost savings, security and the efficiencies of the cloud with Hosted VoIP services, and eliminate the hassle of supporting and managing your on-premise phone system.</p> <p>Learn More ></p>
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Source: <https://www.centurylink.com/business/voice.html>

11. Based on present information and belief, CenturyLink 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. Upon information and belief, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk for CenturyLink VoIP Network using SIP trunking functionality which comprises a knowledge base registry to identify the registered physical devices. Further, the server uses CenturyLink VoIP Network to transmit messages from CenturyLink IQ SIP Trunk to the PSTN through PSTN Gateway. Further, CenturyLink VoIP Network also maintains a knowledge base comprising a registry identifying the phones and devices within the customers' network.

12. Based on information and belief, CenturyLink 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, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk for CenturyLink VoIP Network using SIP trunking functionality which comprises a logical table to identify the type of connection and selects PSTN Gateway to convert messages from Session Initiation Protocol (SIP) to PSTN.

13. Based on present information and belief, CenturyLink makes, uses, sells and/or offers for sale a dynamic database identifying the current status of each actual connection between physical devices. Upon information and belief, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk for CenturyLink VoIP Network using SIP trunking functionality which comprises a CenturyLink VoIP Network further comprising a dynamic database to identify the current status of connection between the physical devices (including IP phones, installation computers and the physical PSTN terminals).

14. Based on present information and belief, CenturyLink 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, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk using SIP trunking functionality comprising a CenturyLink VoIP Network ("virtual gateway") which uses the PSTN Gateway for protocol conversion upon receiving the message to be transmitted from CenturyLink to the PSTN.

15. Based on present information and belief, CenturyLink 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, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk using SIP trunking functionality comprising a PSTN Gateway which converts the protocol of the messages sent from CenturyLink to the protocol used within the PSTN.

16. Based on present information and belief, CenturyLink 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. For example, CenturyLink and/or its customers utilize CenturyLink IQ SIP Trunk using SIP trunking functionality comprising CenturyLink VoIP Network accesses and updates information stored in the registry based on the communicating virtual devices.

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 and an accounting of all damages not presented at trial;

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.

Dated: December 3, 2018

Respectfully Submitted,

DEVLIN LAW FIRM LLC

/s/ Timothy Devlin

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