**IN THE UNITED STATES DISTRICT COURT**
**FOR THE NORTHERN DISTRICT OF ILLINOIS**
**EASTERN DIVISION**

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| **Inventergy LBS, LLC,** <br><br> Plaintiff, <br><br> v. <br><br> **Jio Inc.,** <br><br> Defendant. | Case No. _____ <br><br> Patent Case <br><br> Jury Trial Demanded |

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Inventergy LBS, LLC ("Inventergy"), through its attorney, Kenneth

Matuszewski, complains of Jio Inc., ("Jio"), and alleges the following:

**PARTIES**

1.       Plaintiff Inventergy LBS, LLC is a corporation organized and existing under the

laws of Delaware and maintains its principal place of business at 900 East Hamilton Avenue,

Campbell, CA 95008.

2.       Defendant Jio Inc. is a corporation organized and existing under the laws of

Delaware that maintains its principal place of business at 321 North Clark Street, Suite 2550,

Chicago, IL 606054.

**JURISDICTION**

3.       This is an action for patent infringement arising under the patent laws of the

United States, Title 35 of the United States Code.

4.       This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and

1338(a).

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5.      This Court has personal jurisdiction over Jio because it has engaged in systematic and continuous business activities in the Northern District of Illinois. Specifically, Jio provides a full range of products to residents in this District. Jio is also headquartered in this District. As described below, Jio has committed acts of patent infringement giving rise to this action within this District.

## VENUE

6.      Venue is proper in this District under 28 U.S.C. § 1400(b) because Jio has committed acts of patent infringement in this District and is headquartered in this District. In addition, Inventergy has suffered harm in this district.

## THE PATENT-IN-SUIT

7.      Inventergy is the assignee of all right, title and interest in United States Patent No. 8,760,286 (the "'286 Patent") including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the Patent-in-Suit. Accordingly, Inventergy possesses the exclusive right and standing to prosecute the present action for infringement of the Patent-in-Suit by Jio.

### The '286 Patent

8.      On June 24, 2014, the United States Patent and Trademark Office issued the '286 Patent. The '286 Patent is titled "System and Method for Communication with a Tracking Device." The application leading to the '286 Patent was filed on April 10, 2012; which was a continuation of U.S. Application No. 12/322,941, that was filed on February 9, 2009; which claims priority from provisional application number 61/065,116, that was filed on February 8, 2008. A true and correct copy of the '286 Patent is attached hereto as Exhibit A and incorporated herein by reference.

9.      The '286 Patent is valid and enforceable.

10.      The inventors recognized that there was a need for a system and method for providing enhanced communication with tracking devices, while minimizing power consumption and network air time. Ex. A, 1:42–48.

11.      The invention in the '286 Patent provides a tracking device with a location detector, communication device, memory processor and configuration routine. *Id.* at 1:65–67.

<div align="center">COUNT I: INFRINGEMENT OF THE '286 PATENT</div>

12.      Inventergy incorporates the above paragraphs herein by reference.

13.      **Direct Infringement.** Jio has been and continues to directly infringe at least Claim 1 of the '286 Patent in this District and elsewhere in the United States by providing a system, for example, Jio's Jiobit Location Monitor ("Jiobit"), that satisfies the preamble of Claim 1: "[a] tracking device." For example, Jio's Jiobit is a tracking device. *See* https://www.jiobit.com/product; Figure 1.

*Figure 1. Jio's Jiobit is a tracking device.*

14. Jio's Jiobit satisfies claim element 1(a): "a location detector operative to determine locations of said tracking device." For example, Jio's Jiobit tracks location using a built-in receiver supporting GPS and works digitally. *See* https://www.jiobit.com/product; Figure 2.

**Sensors:** Accelerometer/pedometer, temperature sensor, GPS/GLONASS receiver with omni-directional antennas. Connectivity: BLE 4.1, WIFI 2.4Ghz, GPRS/EDGE/HSxPA 850/900/1850/1900/2100 transceivers.

*Figure 2. Jio's Jiobit tracks location using a built-in receiver supporting GPS and works digitally.*

15. Jio's Jiobit satisfies claim element 1(b): "a communication device operative to communicate with a plurality of remote systems including a tracking service system associated with a tracking service provider and a device of a user associated with said tracking device." For example, Jio's Jiobit has a communication device, such as a built-in transceiver that is capable of cellular or satellite communication. *See* https://support.jiobit.com/docs/location-tracking-and-data-communications; Figure 3.

## Cellular Connectivity

Jiobit uses a combination of onboard sensors and radios along with proprietary algorithms to determine the most accurate location of your child whether they are indoors or outdoors, in more than 150 countries.

When your child is away from you or a Care Team Member, the Jiobit will use various cellular networks to transmit the location of your child and alert you of their last known location. In the United States, Jiobit uses both T-Mobile and AT&T 4G Networks. Outside the United States, Jiobit uses both UMTS/HSxPA and GSM/GPRS networks as well, across five different cellular bands that cover nearly everywhere you could go. By utilizing various cellular networks, we offer unmatched expanded coverage to provide you the best possible peace of mind.

*Figure 3. Jio's Jiobit has a communication device, such as a built-in transceiver that is capable of cellular or satellite communication.*

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*See* https://support.jiobit.com/docs/care-team; Figure 4.



## What is a Care Team?

Inviting people to your Care Team allows you to share the location of your Jiobit with other specified users. The people you invite to your Care Team will be able to view the location of your Jiobit. Additionally, when the Jiobit is in the vicinity of a Care Team Member, you'll be notified and you'll know the Jiobit and the Care Team Member are together. This is especially helpful when you rely on caregivers, sitters, or grandparents.

Currently, Care Team Members sharing permissions are simplistic, they either always can view location or never. In the future, Jiobit will be upgrading your app to allow for greater control in scheduling of times (days of week and times) when Care Team Members can view the Jiobit location.
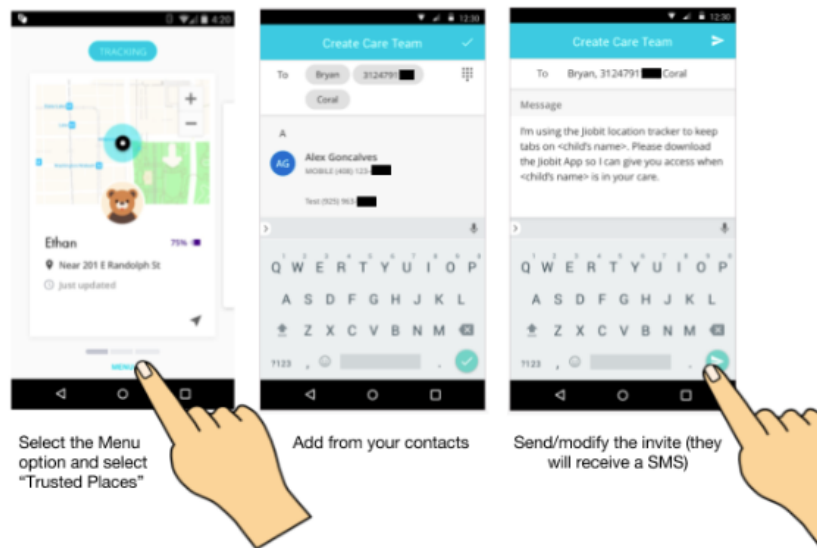
Select the Menu option and select "Trusted Places"

Add from your contacts

Send/modify the invite (they will receive a SMS)

*Figure 4. Jio's Jiobit communicates with a plurality of remote systems associated with Care Team Members.*

16. Jio's Jiobit satisfies claim element 1(c): "memory for storing data and code, said data including location data determined by said location detector and configuration data." For example, Jio's Jiobit has on-board memory capable of storing location data. *See* https://support.jiobit.com/docs/live-mode; Figure 5.

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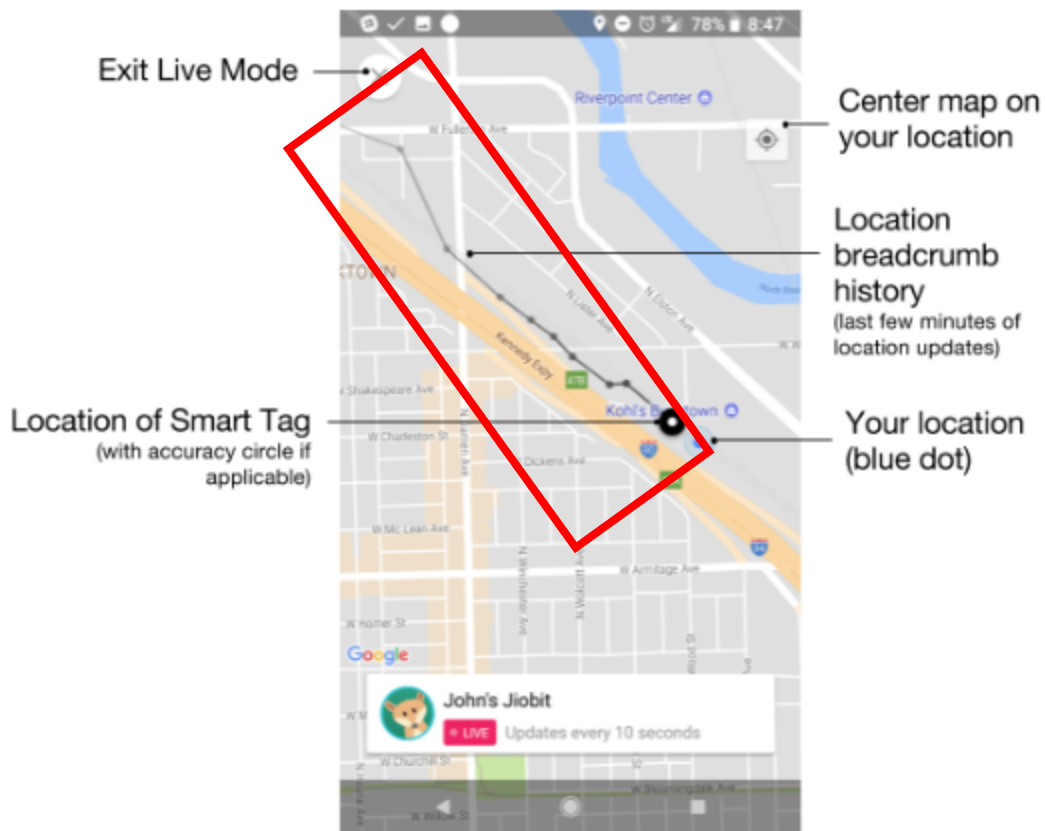
17. Jio's Jiobit satisfies claim element 1(d): "a processor operative to execute said code to impart functionality to said tracking device, said functionality of said tracking device depending at least in part on said configuration data." For example, Jio's Jiobit includes a processor that executes code to determine the location of the Jiobit and sends reports of its location over a set period of time. *See* Figs. 1-5.

18. Jio's Jiobit satisfies claim element 1(e): "a configuration routine operative to modify said configuration data responsive to a communication from said remote system." For example, Jio's Jiobit can be configured to various reporting plans which determine how frequently location is reported. *See* https://support.jiobit.com/docs/live-mode; Figure 6.

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## What is Live Mode?

Live Mode provides the ability to **stream real-time location updates while the Jiobit is in motion**: walking, in a car or on a bus. This is available when the Jiobit is not connected to you or a Care Team Member's phone and when they are not at a Trusted Place. This provides a similar experience to watching your Uber or Lyft ride show up on a map. It's quite fun and reassuring.

*Figure 6. Jio's Jiobit can be configured to vary the tracking/reporting intervals from a lesser frequency to real-time location updates when the device is configured to live mode.*

19. Jio's Jiobit satisfies claim element 1(f): "wherein said configuration data modifiable responsive to said communication from any of said remote systems at least partially determines an interval for buffering said location data when said communication device is unable to communicate said location data to at least one of said remote systems." For example, the Jiobit's capacity to configure various reporting plans partially determines when the location data is stored in the device's memory if it cannot communicate with Jio's server.

   *See* https://support.jiobit.com/docs/location-tracking-and-data-communications; Figure 7.

Jiobit works across various cellular networks (AT&T and T-Mobile in the US) to provide you the best possible coverage. For instance, when you walk inside of a building, the Jiobit will automatically switch radio frequencies to work best for wall/building penetration. However, there may be certain structures, locations, or environments where a cellular connection is not possible. You have probably experienced these "dead zones" with your own phone at times. While we try our best to minimize this occurrence with our hybrid networks, we cannot guarantee a connection 100% of the time.

If this infrequent situation occurs, the Jiobit App will show a visual indication that the Jiobit is in poor coverage. This screen will show you the last location reported to our servers. As soon as connection is established again, this screen will disappear. You can also retry the location request manually by pressing RETRY.

*Figure 7. Jio's Jiobit can configure various reporting plans partially determines when the location data is stored in the device's memory if it cannot communicate with Jio's server.*

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20. Jio's Jiobit satisfies claim element 1(g): "wherein said interval for buffering at least partially controls how frequently newly acquired location data will be stored in said memory." For example, the Jiobit buffersft compliaint location breadcrumbs history until communication with the server is established at which point the breadcrumbs history will be sent to the remote devices.. *See* Fig. 5.

21. Inventergy is entitled to recover damages adequate to compensate it for such infringement in an amount no less than a reasonable royalty under 35 U.S.C. § 284.

22. Inventergy will continue to be injured, and thereby caused irreparable harm, unless and until this Court enters an injunction prohibiting further infringement.

## JURY DEMAND

Under Rule 38(b) of the Federal Rules of Civil Procedure, Inventergy respectfully requests a trial by jury on all issues so triable.

## PRAYER FOR RELIEF

WHEREFORE, Inventergy asks this Court to enter judgment against Jio, granting the following relief:

A. A declaration that Jio has infringed the Patent-in-Suit;

B. An award of damages to compensate Inventergy for Jio's direct infringement of the Patent-in-Suit;

C. An order that Jio and its officers, directors, agents, servants, employees, successors, assigns, and all persons in active concert or participation with them, be preliminarily and permanently enjoined from infringing the Patent-in-Suit under 35 U.S.C. § 283;

D.     An award of damages, including trebling of all damages, sufficient to remedy Jio's

willful infringement of the Patent-in-Suit under 35 U.S.C. § 284;

E.     A declaration that this case is exceptional, and an award to Inventergy of

reasonable attorneys' fees, expenses and costs under 35 U.S.C. § 285;

F.     An accounting of all damages not presented at trial;

G.     An award of prejudgment and post-judgment interest; and

H.     Such other relief as this Court or jury may deem proper and just.

Dated: April 10, 2019               Respectfully submitted,

/s/ Isaac P. Rabicoff
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