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 8 *Attorney(s) for Plaintiff Geographic Location Innovations, LLC.*

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 10 **IN THE UNITED STATES DISTRICT COURT**
FOR THE CENTRAL DISTRICT OF CALIFORNIA
 11 **SOUTHERN DIVISION**

12 Geographic Location Innovations, LLC,

13 *Plaintiff,*

14 v.

15 Colorproof Haircare, LLC,

16 *Defendant.*

CASE NO.:

**COMPLAINT FOR PATENT
 INFRINGEMENT**

JURY TRIAL DEMANDED

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1 **COMPLAINT**

2 Plaintiff Geographic Location Innovations LLC (“Plaintiff” or “GLI”) files this
3 Complaint against Colorproof Haircare, LLC (“Defendant” or “Colorproof”) for
4 infringement of United States Patent No. 7,917,285 (hereinafter “the ‘285 Patent”).

5 **PARTIES AND JURISDICTION**

6 1. This is an action for patent infringement under Title 35 of the United
7 States Code. Plaintiff is seeking injunctive relief as well as damages.

8 2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331
9 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent
10 infringement arising under the United States patent statutes.

11 3. Plaintiff is a Texas limited liability company with a virtual office located
12 at 1400 Preston Rd, Suite 400, Plano, TX 75093.

13 4. On information and belief, Defendant is a California limited liability
14 company with its principal office located at 19900 MacArthur Blvd., Suite 110,
15 Irvine, CA 92612. On information and belief, Defendant may be served through its
16 registered agent, Jim Markham, at 9 Offshore, Newport Coast, CA 92657.

17 5. On information and belief, this Court has personal jurisdiction over
18 Defendant because Defendant has committed, and continues to commit, acts of
19 infringement in this District, has conducted business in this District, and/or has
20 engaged in continuous and systematic activities in this District.

21 6. On information and belief, Defendant’s instrumentalities that are alleged
22 herein to infringe were and continue to be used, imported, offered for sale, and/or sold
23 in this District.

24 **VENUE**

25 7. On information and belief, venue is proper in this District under 28
26 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District.
27 Alternatively, acts of infringement are occurring in this District and Defendant has a
28 regular and established place of business in this District.

COUNT I

(INFRINGEMENT OF UNITED STATES PATENT NO. 7,917,285)

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4 8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

5 9. This cause of action arises under the patent laws of the United States
6 and, in particular, under 35 U.S.C. §§ 271, *et seq.*

7 10. Plaintiff is the owner by assignment of the ‘285 Patent with sole rights
8 to enforce the ‘044 Patent and sue infringers.

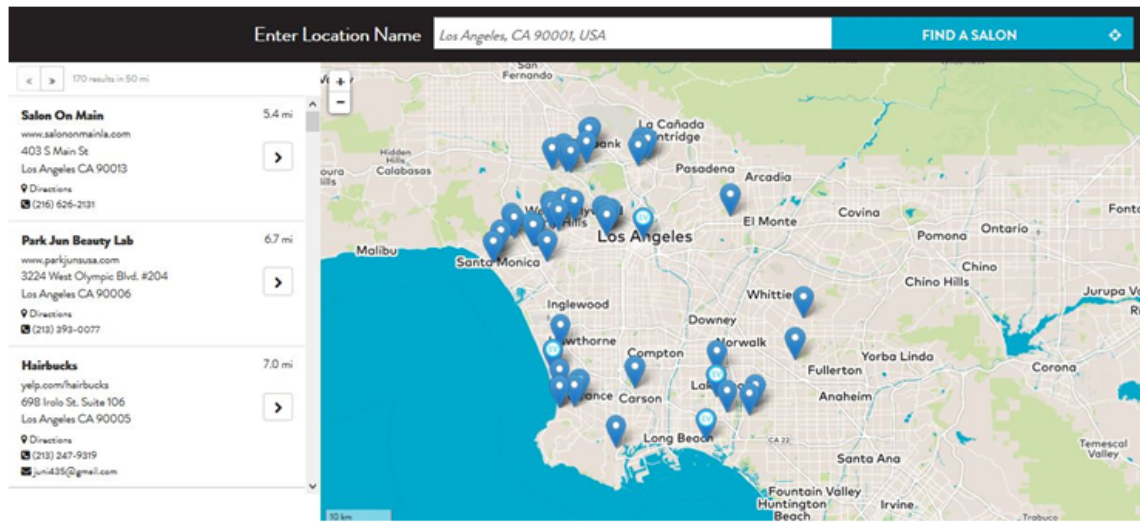
9 11. A copy of the ‘285 Patent, titled “Device, System and Method for
10 Remotely Entering, Storing and Sharing Addresses for a Positional Information
11 Device,” is attached hereto as Exhibit A.

12 12. The ‘285 Patent is valid, enforceable, and was duly issued in full
13 compliance with Title 35 of the United States Code.

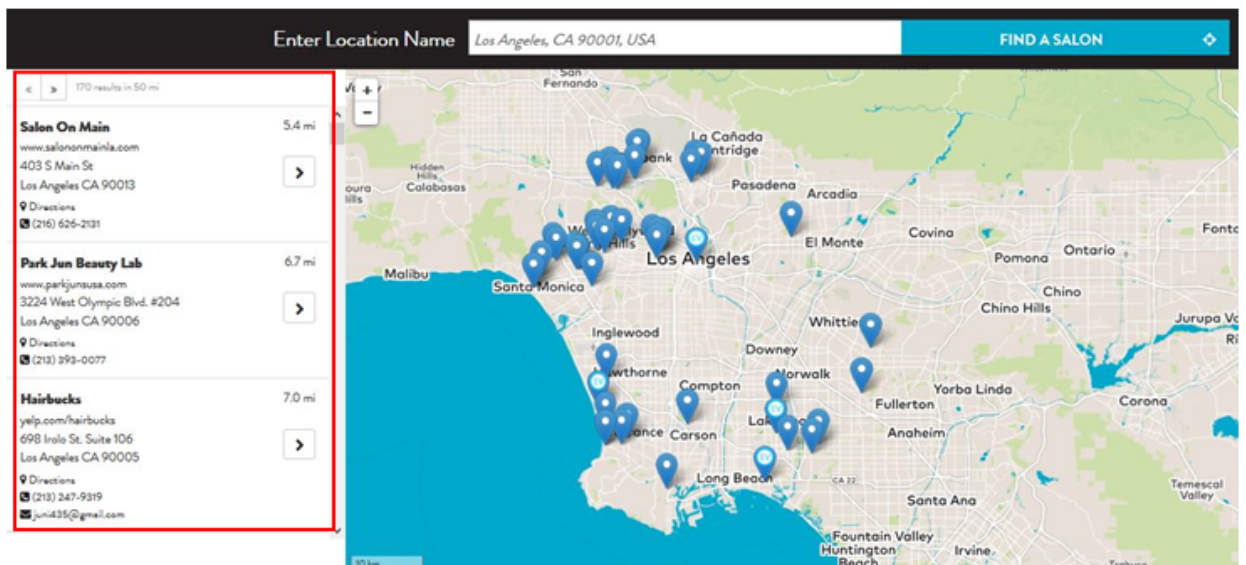
14 13. Upon information and belief, Defendant has infringed and continues to
15 infringe one or more claims, including at least Claim 13, of the ‘285 Patent by making,
16 using (at least by having its employees, or someone under Defendant's control, test
17 the System), importing, selling, and/or offering for sale a mobile website with
18 associated hardware and software embodied, for example, in its store locator service
19 (the “System”) covered by at least Claim 13 of the ‘285 Patent. The System is used,
20 for example, in connection with Defendant’s website at
21 <http://www.colorproof.com/salon-locator>. Defendant has infringed and continues to
22 infringe the ‘285 patent either directly or through acts of contributory infringement or
23 inducement in violation of 35 U.S.C. § 271.

24 14. The System includes the mobile website and associated hardware. These
25 tools provide for remote entry of location information, such as store locations into a
26 positional information device such as, for example, a tablet or smart phone. The
27 website automatically loads nearby store locations for purchasing Defendant’s
28 haircare products onto the positional information device based on the user’s location.

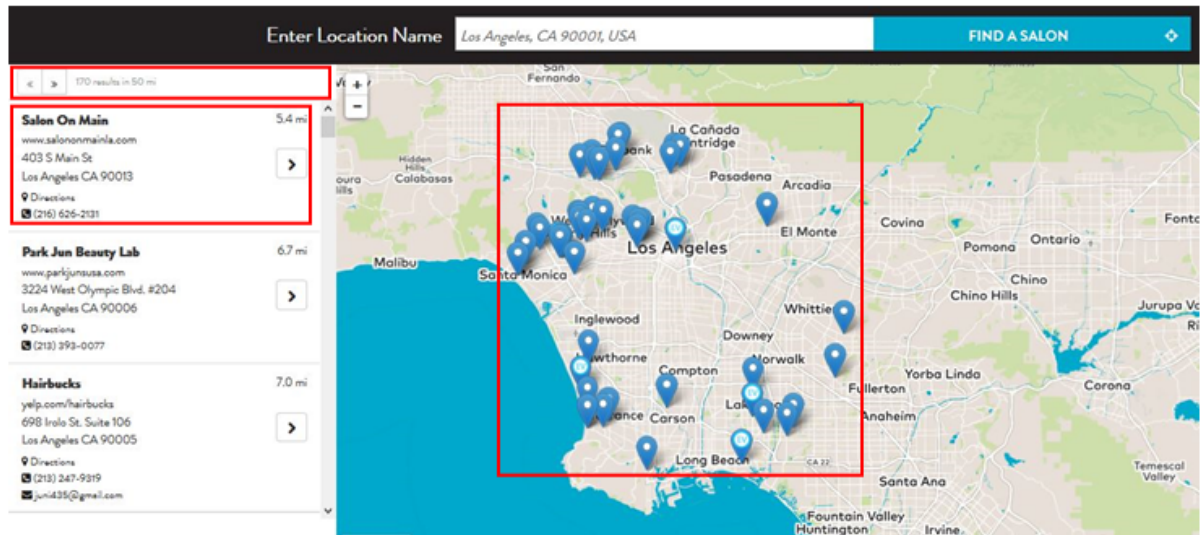
1 Certain aspects of these elements are illustrated in the screenshot(s) below and/or in
2 screenshots provided in connection with other allegations herein.



12 15. On information and belief, the System includes one or more servers that
13 receive a request for an address of at least one location such as, for example, the
14 location of a store nearby the user, which is not already stored in the positional
15 information device. Certain aspects of these elements are illustrated in the
16 screenshot(s) below and/or in screenshots provided in connection with other
17 allegations herein.



1 16. On information and belief the server(s) determine the address(es) of the
2 store(s) and transmits the determined address(es) to the positional information device
3 (e.g., tablet or smartphone). For example, the server(s) transmits to the positional
4 information device a visual indication of the store(s) on a map. Certain aspects of
5 these elements are illustrated in the screenshot(s) below and/or in screenshots
6 provided in connection with other allegations herein.



16 17. The positional information device includes a locational information
17 module (e.g., GPS hardware), which Defendant uses, and which determines the
18 location of the positional information device. The System automatically loads nearby
19 store locations based on the user's location. Certain aspects of this element are
20 illustrated in the screenshot(s) below and/or in those provided in connection with
21 other allegations herein.

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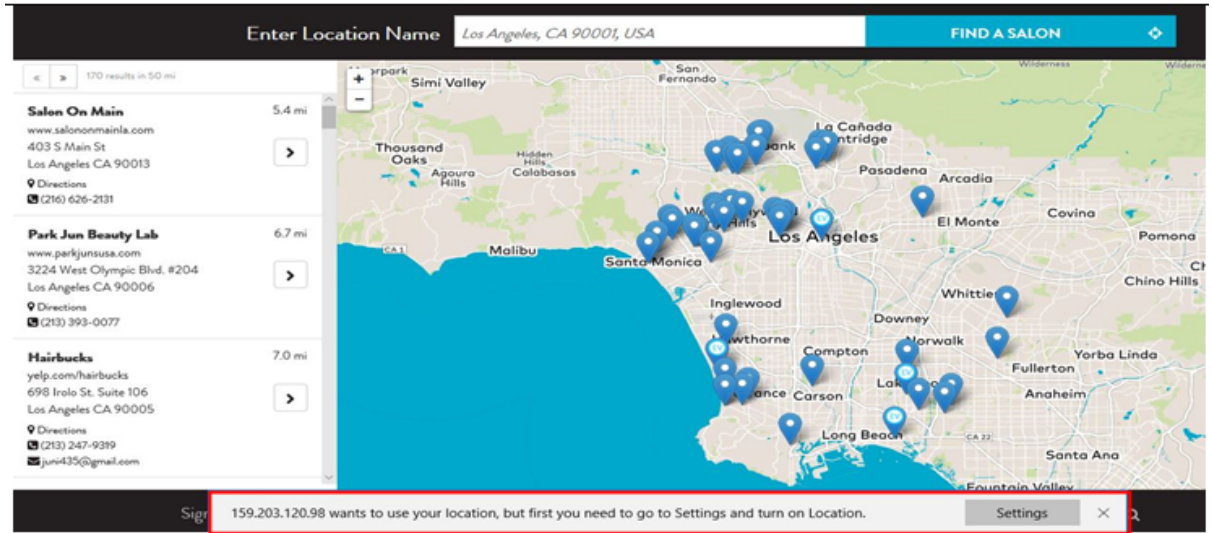
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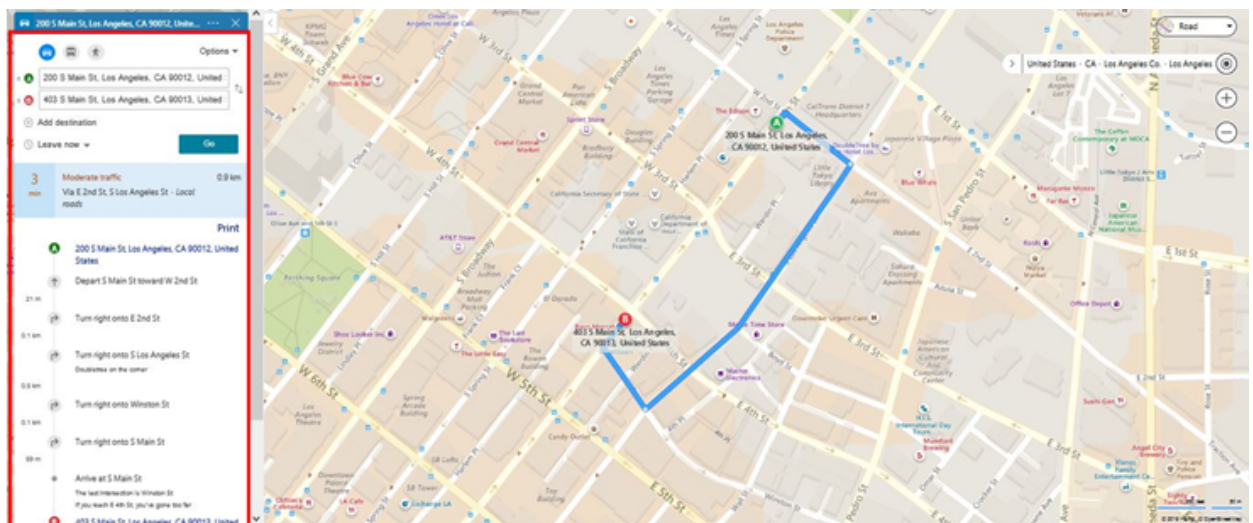
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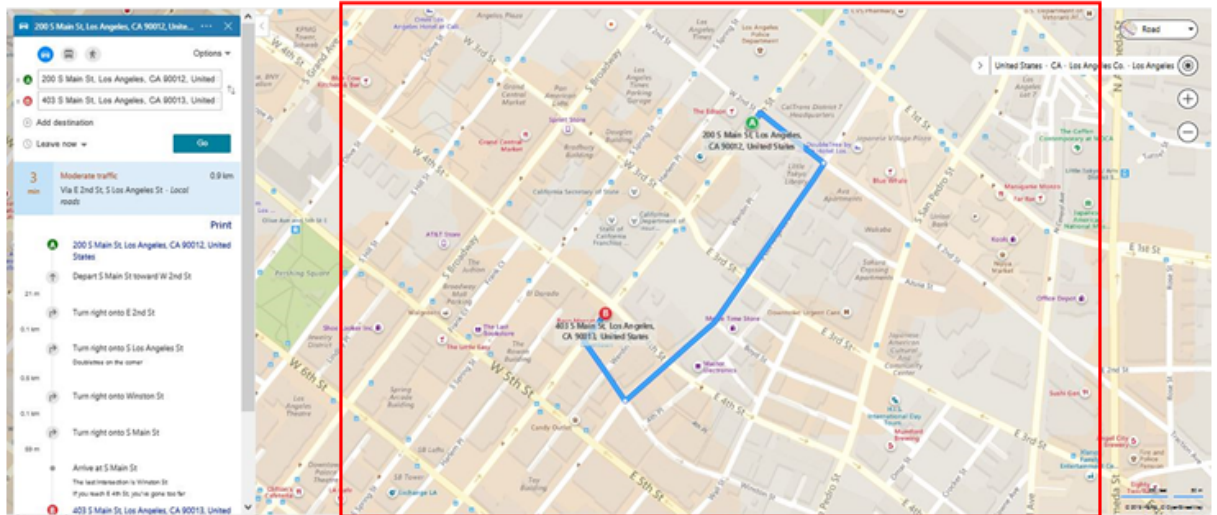


18. The System includes a communications module (e.g., cellular or WiFi components in the positional information device), which Defendant uses, and which receives the determined address(es) from the server(s).

19. The System includes a processing module (e.g., mapping software and the mobile website), which Defendant uses, and which receives the determined address(es) from the communication module. The processing module determines route guidance based on the location of the positional information device and the determined address(es). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



1 20. The System includes a display module (e.g., screen on the positional
2 information device) for displaying the route guidance. Certain aspects of this element
3 are illustrated in the screenshot(s) below and/or in those provided in connection with
4 other allegations herein.



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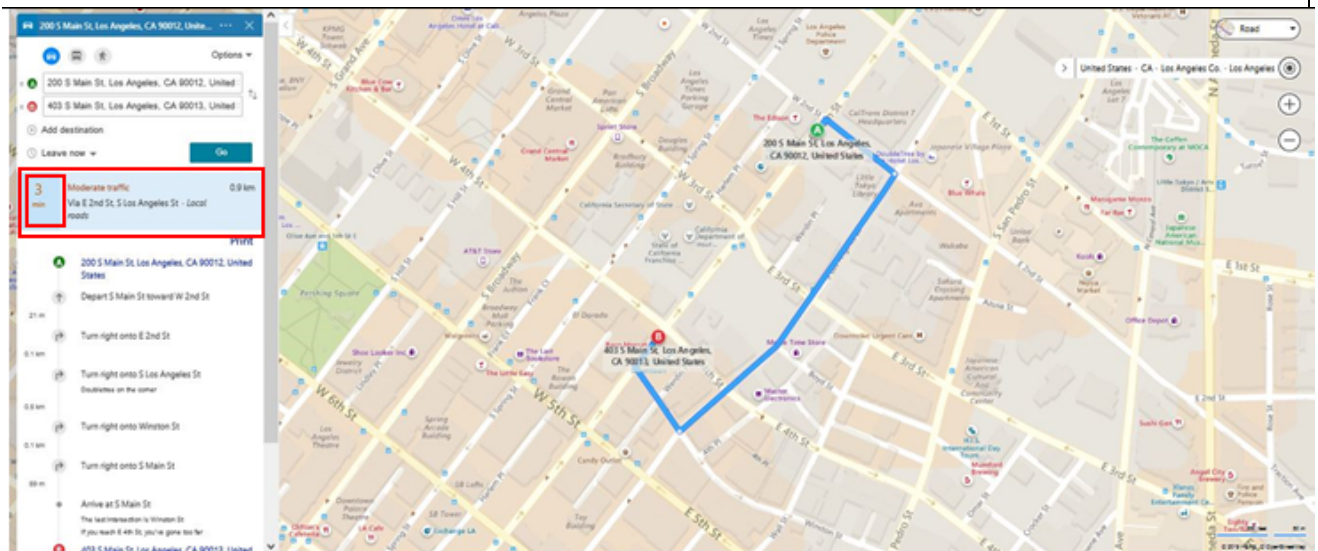
14 21. The System includes a communications network (e.g., cellular network)
15 for coupling the positional information device to the server(s). Certain aspects of this
16 element are illustrated in the screenshot(s) below and/or in those provided in
17 connection with other allegations herein.

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19 The A-GPS device will use a data
20 connection (e.g. 3G on a cellphone)
21 to contact an assistance server. The
22 server can supply almanac and
23 ephemeris data so the GPS doesn't
24 have to wait to receive them from
25 the satellites. The server can also
26 send an approximate location
27 derived from cellphone towers,
28 allowing an immediate fix. In some
cases the A-GPS device may send
incomplete GPS data to the server
for processing into a fix.

<https://www.maptoaster.com/maptoaster-topo-nz/articles/how-gps-works/how-gps-works.html>

1 22. On information and belief, the server(s) receives a time and date (e.g.,
2 the time and date of the request for a location) associated with the requested
3 location(s) and transmits the associated time and date with the determined address(es)
4 to the positional information device and the positional information device displays
5 the determined address at the associated time and date. For example, the time and
6 date of the request must be sent to the server(s) so that the server(s) can determine
7 traffic conditions associated with varying routes to the requested location and display
8 location and route conditions corresponding to the time and date of the request.
9 Certain aspects of this element are illustrated in the screenshot(s) below and/or in
10 those provided in connection with other allegations herein.



21 23. Defendant's actions complained of herein will continue unless
22 Defendant is enjoined by this court.

23 24. Defendant's actions complained of herein are causing irreparable harm
24 and monetary damage to Plaintiff and will continue to do so unless and until
25 Defendant is enjoined and restrained by this Court.

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

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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. 7,917,285 (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: April 23, 2019

Respectfully submitted,

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