

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

<p>Inventergy LBS, LLC, Plaintiff, v. EasyTracGPS, Inc. Defendant.</p>	<p>Case No. _____ Patent Case Jury Trial Demanded</p>
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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Inventergy LBS, LLC (“Inventergy”), through its attorney, Isaac Rabicoff, complains of EasyTracGPS, Inc., (“EasyTracGPS”), 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 EasyTracGPS, Inc. is a corporation organized and existing under the laws of Illinois that maintains its principal place of business at 233 S. Wacker Drive, 84th floor, Chicago, IL 60606.

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).

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

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.

COUNT I: INFRINGEMENT OF THE '286 PATENT

12. Inventergy incorporates the above paragraphs herein by reference.

13. **Direct Infringement.** EasyTracGPS 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, EasyTracGPS' Geo-Trax, the Geo-TraxMICRO Pro, the Geo-TraxIR+, the Geo-TraxSAT+, and the Geo-TraxSAT Solar (“Geo-Trax Products”) are tracking devices that satisfy the preamble of Claim 1: “[a] tracking device.” *See* <https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 1.

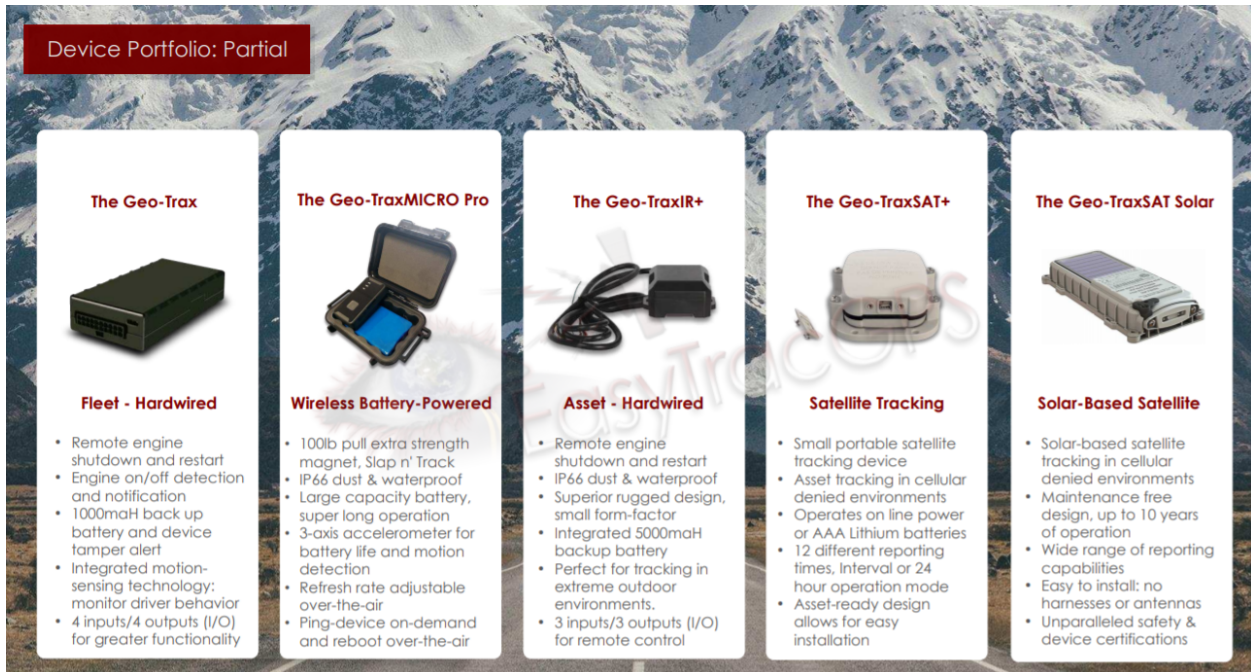
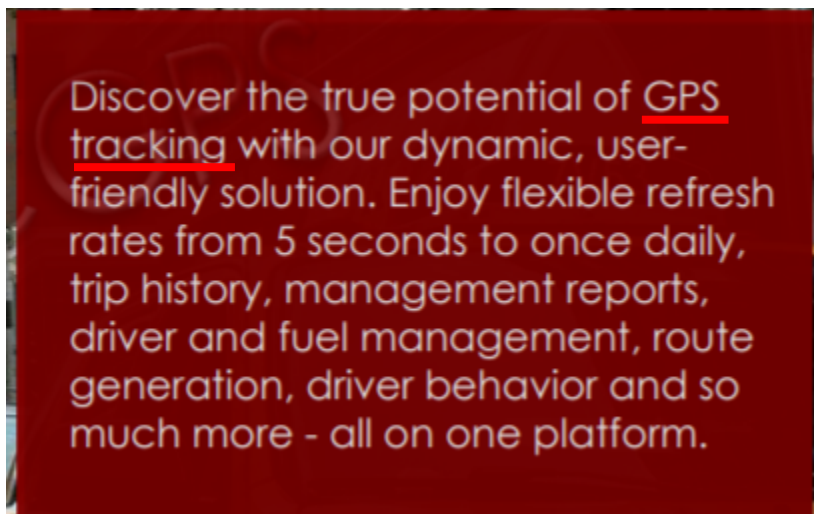


Figure 1. The Geo-Trax Products are tracking devices.

14. EasyTracGPS' Infringing Products satisfy claim element 1(a): "a location detector operative to determine locations of said tracking device." For example, the Geo-Trax Products track location using a built-in receiver supporting GPS and work digitally. See <https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 2.





HARDWARE

We offer a full-range of state-of-the-art GSM, GPRS, and satellite tracking devices designed to serve an unlimited number of applications. Each device in our portfolio is compact and can be discreetly concealed during deployment, thereby minimizing the risk of tampering and discovery.

Figure 2. The Geo-Trax Products track location using a built-in receiver supporting GPS and work digitally.

15. The Geo-Trax Products satisfy 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, the Geo-Trax Products have a communication device, such as a built-in transceiver that is capable of cellular or satellite communication. *See* <https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 3.



"ONE SIM" GLOBAL CONNECTIVITY

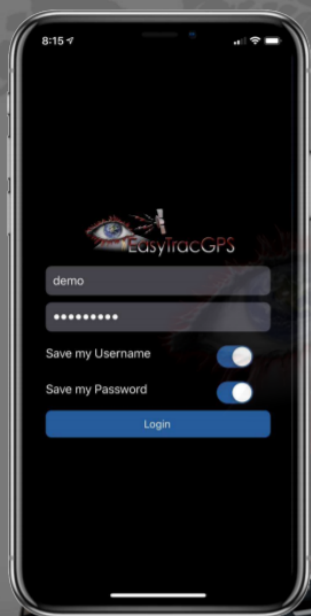
Our unique and proprietary One SIM global coverage offers service in over 200 countries for one low monthly price. One SIM is already disrupting the industry.



WEB PORTAL AND MOBILE APPS

The IntelliMatics System can be accessed via a fast and easy cloud-based web portal. The solution also boasts a highly feature rich native mobile application on iOS and Android providing real-time access to many KPI's, live tracking, trips history and much more.

State-of-the-Art IntelliMatics Mobile App



- Native mobile app - iOS & Android
- Cloud based data architecture
- Flexible tracking (5 secs to once daily refresh)
- 180 day history retention
- Feature-rich and user-friendly

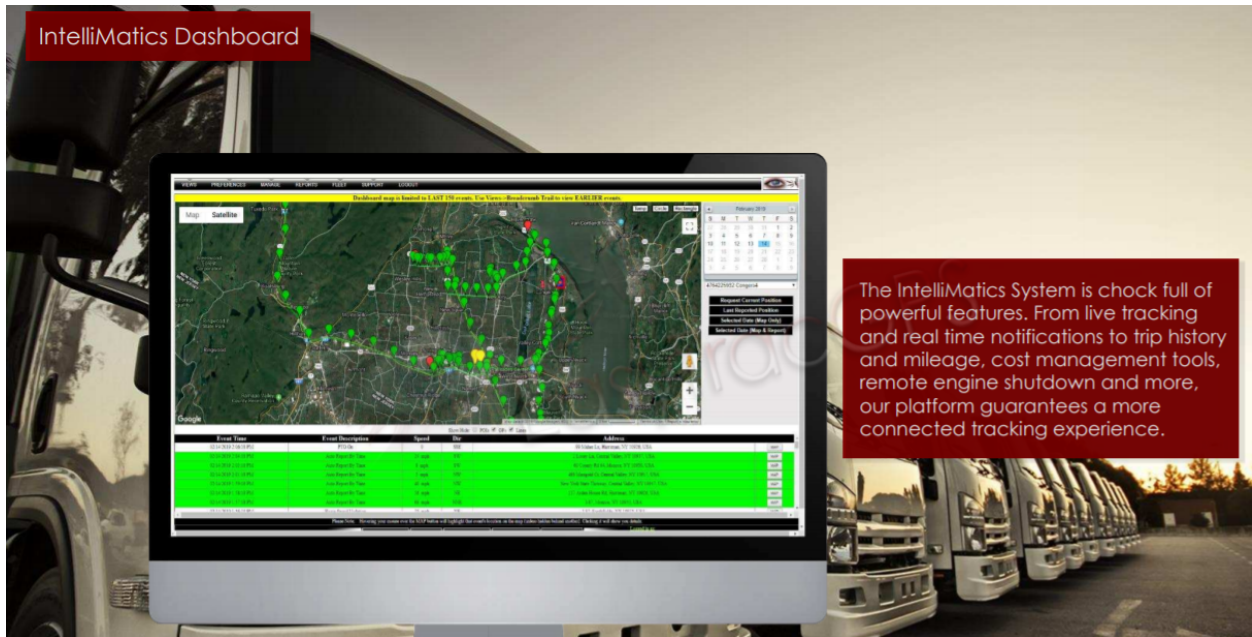


Figure 3. The Geo-Trax Products have a communication device, such as a built-in transceiver that is capable of cellular or satellite communication.

16. EasyTracGPS' Geo-Trax Products satisfy 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, the Geo-Trax Products have on-board memory capable of storing location data. See <https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 4.



Figure 4. The Geo-Trax Products have on-board memory capable of storing location data.

17. EasyTracGPS' Infringing Products satisfy 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, the Geo-Trax Products inherently include a processor that executes code to impart functionality and are configurable to vary the tracking/reporting intervals based on specific times or time ranges. See Figs. 1-4.

18. EasyTracGPS' Geo-Trax Products satisfy claim element 1(e): "a configuration routine operative to modify said configuration data responsive to a communication from said remote system." For example, the Geo-Trax Products are configured to differentiate the tracking/reporting intervals based on specific times or time ranges. See Fig. 5.



REAL-TIME TRACKING

Although our flagship package is 60 second tracking, we offer refresh rates as frequent as every 5 seconds and as passively as once daily. Switch between map, satellite, hybrid and street view, or view trips from start location to current point.

Figure 5. Infringing Products are configured to differentiate the tracking/reporting intervals based on specific times or time ranges.

19. EasyTracGPS' Geo-Trax Products satisfy 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, if the Geo-Trax Products cannot communicate with the server because there is no cellular coverage at the present location, the Geo-Trax Products will store the locations in the memory until communication with the server is possible again. The buffering also occurs based on the pre-defined times. *See*

<https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 6.



Figure 6. If the Geo-Trax Products cannot communicate with the server because there is no cellular coverage at the present location, the Geo-Trax Products will store the locations in the memory until communication with the server is possible again. The buffering occurs based on the pre-defined times.

20. EasyTracGPS' Infringing Products satisfy 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, if the Geo-Trax Products cannot communicate with the server because there is no cellular coverage at the present location, the Geo-Trax Products will store the locations in the memory until communication with the server is possible again. The buffering occurs based on the pre-defined times. *See* <https://www.easytracgps.com/pdf/marketing/Cutting-Edge%20GPS%20Tracking.pdf>; Figure 6.

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 EasyTracGPS, granting the following relief:

- A. A declaration that EasyTracGPS has infringed the Patent-in-Suit;
- B. An award of damages to compensate Inventergy for EasyTracGPS's direct infringement of the Patent-in-Suit;
- C. An order that EasyTracGPS 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 EasyTracGPS'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: May 1, 2019

Respectfully submitted,

/s/ Isaac P. Rabicoff
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