

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RIDEAPP, INC.	:	
	:	
Plaintiff,	:	
-v-	:	Case No. 18-cv-11579
	:	
JUNO USA, LP,	:	
	:	JURY TRIAL DEMANDED
Defendant.	:	
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AMENDED COMPLAINT

In 1999, Georgia Tech engineering professor Stephen Dickerson conceived of a passenger-centric transportation system to provide greater convenience and service to customers, especially underserved communities such as the outer boroughs of New York City; and to reduce the social and personal costs of commuting. His system integrated cell phones, the Global Positioning System, and automatic billing technology to allow a passenger needing a ride to be connected to various methods of transportation to complete a desired trip, including an available driver and direct access to different types of shared vehicles. The system he envisioned would identify the passenger to the driver or vehicle and vice versa, estimate connection and arrival times, and automatically bill the passenger in a safe and secure manner that required no cash to change hands.

In April 2000, he filed an application for a patent on the transportation system he invented. He was awarded U.S. Patent No. 6,697,730 (the “730 Patent”) to protect his ideas, and he later incorporated RideApp, Inc. (“RideApp” or “Plaintiff”) to develop that transportation system.

In 2016, over fifteen years after Professor Dickerson filed his patent application, defendant Juno USA, LP (“Juno” or “Defendant”) launched its ridesharing service. As explained herein, the core of Juno’s business and technical platforms and similar technologies practice the transportation system of Professor Dickerson’s invention; without that system, Juno literally cannot operate.

Throughout its existence, Juno has egregiously infringed the '730 Patent without paying any compensation to Professor Dickerson. Professor Dickerson seeks that compensation through this lawsuit.

A. NATURE OF ACTION

1. This is an action for patent infringement under the patent laws of the United States, Title 35 of the United States Code, arising from Defendant's infringement of one or more claims of U.S. Patent No. 6,697,730 (the "'730 Patent") (a true and correct copy is attached hereto as Exhibit A).

B. PARTIES

2. Plaintiff RideApp, Inc. is a company organized and existing under the laws of the State of Delaware with a place of business at 227 Sandy Springs Place, Suite D-273, Sandy Springs, Georgia 30328. RideApp is involved in commercial implementation of the '730 Patent to reduce the social costs of traffic congestion and inefficient travel, as more fully described below.

3. On information and belief, Defendant Juno is a Delaware limited partnership with its principal place of business at One World Trade Center, 84th Floor, New York, NY 10007. On information and belief, Juno is a privately-held, for-profit corporation that provides on-demand transportation services to individuals in New York City.

4. On information and belief, Juno can be served with process via its registered agent: National Registered Agents, Inc., 28 Liberty St., New York, NY 10005.

C. JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over Defendant because, *inter alia*, Juno maintains a regular and established place of business in this judicial district, and Juno transacts business in this district and has sufficient minimum contacts within the forum as a result of its business conducted within this judicial district. Defendant also has engaged in infringing conduct within or directed at this district.

7. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b).

D. FACTS AND BACKGROUND

1. Professor Dickerson Invented A Coordinated Transportation System To Minimize The Social Costs Of Traffic Congestion, Which He Patented.

8. Professor Stephen Dickerson received his Sc.D. degree from MIT in 1965. He was then hired as an Assistant Professor at Georgia Institute of Technology (“Georgia Tech”) in the George W. Woodruff School of Mechanical Engineering. Prof. Dickerson developed the first commercially available vanpools in the Atlanta area in 1975. Prof. Dickerson retired from Georgia Tech as a Professor Emeritus in 1996.

9. In approximately August 2006, Prof. Dickerson donated \$1.5 million in proceeds from another invention to Georgia Tech to endow a chair in urban transportation for a professor to study and develop further transportation solutions.

10. Around the time of his invention, Prof. Dickerson had serious concerns about the social costs of urban transportation, such as traffic congestion, environmental impacts, costs of and impact on infrastructure, travel time and uncertainty, and high costs of individual transportation borne by families. Indeed, during this period, the city of Atlanta was undergoing explosive growth, with the increasingly negative effects of traffic usually attendant to such rapid expansion. Over a decade before companies like Juno began operations, Professor Dickerson was

a pioneer in developing the radical idea of what we have come to know as ride- and vehicle-sharing services.

11. Prof. Dickerson invented an automated transit system that uses wireless, hand-held devices to hail vehicles; includes integrated global positioning system (GPS or other wireless locating technology, collectively “GPS” (*see, e.g.*, ’730 Patent at col.5 ll.13-15; col.11 ll.42-48)); provides matching and billing for rides; provides for an automated, cash-free transaction; and advises both the driver and the passenger of each other’s GPS location and the time at which a driver is anticipated to arrive.

12. Professor Dickerson is listed as the sole inventor of the ’730 Patent.

13. On February 24, 2004, the United States Patent and Trademark Office (“USPTO”) issued the ’730 Patent, entitled “Communications and Computing Based Urban Transit System.” The application that issued as the ’730 Patent was filed on April 4, 2001, with priority claimed to a provisional patent application U.S. Ser. No. 60/273,286, also entitled “Communications and Computing Based Urban Transit System” (filed on March 1, 2001) and originally to U.S. Ser. No. 60/194,416, entitled “Communications and Computing Based Urban Transit System” (filed on April 4, 2000).

14. As a faculty member of Georgia Tech, Professor Dickerson was obligated to assign his ’730 Patent to the Georgia Tech Research Corporation, and this assignment was recorded by the USPTO on April 4, 2001. The Georgia Tech Research Corporation did not enforce the ’730 Patent against any infringing parties during the time that it held the patent by assignment.

15. In early 2018, then retired but still interested in pursuing further development of the claimed technology, Professor Dickerson asked Georgia Tech Research Corporation to return the ’730 Patent to him. This was accomplished in an assignment recorded on February 20, 2018,

with a corrected assignment subsequently recorded on April 26, 2018. Professor Dickerson subsequently assigned the '730 Patent to his transportation company, RideApp, with a recording date of May 7, 2018 in the USPTO.

16. RideApp is the current owner by assignment of all right, title, and interest in and to the '730 Patent and has standing to sue for the past, present, and future infringement of the '730 Patent. The claims of the '730 Patent are valid and enforceable.

2. Professor Dickerson Invented A System That Integrated Location Technology And Provided For Secure, Automated Allocation And Billing.

17. The claims of the '730 Patent are directed to an improved transit system that uses wireless communication devices, novel and specific allocation and billing processes, passenger and driver location, and dynamic updating and tracking to (1) reduce wait times, (2) reduce transit time uncertainty, (3) minimize vehicle backtracking, (4) provide real-time communication among the passenger, driver, and system, (5) provide a convenient automated payment system for both driver and passenger, and (6) provide enhanced passenger and driver security. The system of his invention successfully addressed many of the social costs associated with the then-existing transportation system. Prof. Dickerson's invention improved the area it targeted—transit systems—and revolutionized the industry.

18. As set forth in the '730 Patent, the transportation systems existing as of April 2000 imposed economic and social costs. The transportation systems of the time were singular sources of air, water and noise pollution. Personal transportation was also expensive in a unique way: the costs of purchasing, maintaining, owning, operating, and insuring motor vehicles were a serious burden on most of society, and it was so inefficient that, by some estimates, most passenger vehicles sat idle and unused more than 90% of the time. All of the above rested on the costs

associated with building and maintaining infrastructure: highways, parking spaces, and a fuel infrastructure. ('730 Patent at col.1 l.31-col.2 l.6.)

19. Mass transit systems impose many of the same costs. Further, mass transit imposes high costs of installation, particularly rail systems, which are extremely expensive to install in highly populated areas, if the necessary land and easements can even be obtained, and extremely difficult to use in less populated areas. Further, such systems inevitably have widely-spaced travel schedules, inefficiencies, and uncertainties that make use by many consumers inefficient and time-prohibitive. ('730 Patent, col.2 ll.7-51.)

20. At the time of Professor Dickerson's invention, time uncertainty and long wait times were serious problems with transit systems. Transit systems at that time, including taxi and limo dispatch, consisted of calling a dispatch company operator and waiting for a vehicle to arrive at a specified location. Alternately, when using mass transit such as buses or trains, the passenger would wait at a fixed location, such as a bus stop. In none of these systems did the passenger have a means of determining when the transit vehicle would actually arrive or of determining where it was located. It was a common problem at the time of the invention for a passenger to have to wait in the dark while not knowing whether the summoned taxi, limo, or a bus on a designated route was near—or even if it was coming at all. (*See, e.g.*, '730 Patent at col.7 ll.15-19 (“[U]nder current situations most operate on fixed time schedules because passengers are without cell phones according to the present system, and must depend on portable time pieces (watches) and predetermined, but perhaps unreliable, schedules.”).)

3. Professor Dickerson Anticipated Regulatory And Technological Advances.

21. As of April 2000, the regulatory and technical landscape was challenging but evolving. Technologists at the time looked to cellphones and GPS to facilitate transportation

improvements, and there are references to those attempts in the prior art. Cellphones were not “smart phones” in the modern sense. And cellphone usage was largely limited to the geography that the particular carrier supported, that is, where the carrier had erected its own towers.

22. Some prior artisans looked to the GPS system to track, for example, delivery trucks, but that was not a practical technology for the passenger to use. They also looked to the GPS system to determine mass transit vehicle arrival times, and therefore scheduling. GPS receivers were only receivers — they could not transmit radio signals. The receivers were bulky, as were their antennae, and used enormous amounts of power. To acquire GPS signal, the antennae needed a clear view of the sky and several minutes to acquire the satellite signals.

23. In 2000 GPS was also imprecise. It could reliably determine location to within at best a 300+ meter radius. In fact, the United States Air Force, which controls the GPS system, intentionally degraded GPS accuracy for civilian use worldwide (so called “Selective Availability”). *See* Exhibit B (available at <https://www.gps.gov/systems/gps/performance/accuracy/>).

24. The cellphone system itself allowed “crude” location abilities, as noted in the ’730 Patent, but it was no more precise than GPS at the time. (’730 Patent at col.11 ll.43-55.)

25. In 2000 it was known that the cellphone system was soon going to allow for location and tracking of cellphones with precision. The Wireless Communications and Public Safety Act of 1999 required cellphone carriers to provide for precise locations of cell phones such that emergency response systems could locate and respond. And the month after Professor Dickerson filed his patent application, the president signed an order essentially ending Selective Availability. *See* Exhibit B (available at <https://www.gps.gov/systems/gps/performance/accuracy/>).

4. Professor Dickerson's Solution Was To Invent The Unified Billing and Transportation System Described In The '730 Patent.

26. Professor Dickerson's invention includes an innovative combination of hardware and software designed to implement all aspects of his novel and improved transit system, including a wireless means of "allocation", a specific software solution, "location" technology, cellphones, and a unique "central assignment system" (which he calls a "central data system" when it is further enhanced with a database containing passenger parameters.) (*See, e.g.*, '730 Patent at Figure 2; col.7 l.65-col.8 l.7; Table 1, col.21-22.)

27. Unlike any transit system before it, this system monitors both the passenger and vehicle information and provided communications with each to allow for more precise times of pickup; dynamically updates schedules, routes, and loading; alerts the passenger and driver of the other's location and/or ETA; detects the proximity of the passenger and alerts the passenger of the proximity of the car; and provides automatic cash-free, credit-card-free billing/invoicing. (*See* '730 Patent at col.7 ll.47-64; col.14 ll.29-40; Table 1, col.21-22 ("Notify Passenger"; "Updates"; "Report Position"); col.23 ll.30-33.) These novel features are reflected in the '730 Patent's claims. (*See, e.g.*, '730 Patent, Claim 2(b) ("a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation usage"); Claim 6(c) ("a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle"); Claim 3(d) ("a wireless means of informing the passenger of the assignment and updated expected arrival time"); Claim 2(a) ("a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage"); *see also* Claim 3(b); Claim 6(b).) The use of wireless communication devices for communication among drivers, passengers, and a central data system was not routine or conventional in circa-2000 transit systems, nor was this feature well-known in

the industry. Never before had on-demand transit been available with the push of a button on a handheld, wireless device. Never before had a transit system offered dynamic scheduling and tracking of proximity and ETA.

28. The specification of the '730 Patent explains in detail how long and uncertain passenger wait times were problems with prior art transit systems, providing several examples of how the claimed invention solved these problems. (*See, e.g.*, '730 Patent at col.2 ll. 23-25 (“One reason for this inefficiency is that fixed bus routes are so tied to traffic that it is virtually impossible to maintain a satisfactory schedule.”); col.3 ll.25-31 (“Conventional ride-sharing and bus-rail transit have poor performance relative to the expectations of the public, primarily because of the perceived extensive total travel time and uncertainty in the trip time (mainly a function of uncertainty in vehicle arrival times”); col.6 ll.17-20 (“The present transit system provides other advantages over the prior art, including among others, the ability to make trip time uncertainty (including waiting times), in the order of a few minutes”); col.7 ll.15-19 (“[U]nder current situations most operate on fixed time schedules because passengers are without cell phones according to the present system, and must depend on portable time pieces (watches) and predetermined, but perhaps unreliable, schedules.”); col.7 ll. 62-64 (“Waiting time for trips is known to have a particularly high social penalty for passengers. Similarly, uncertainty of times has a particularly high social penalty.”); col.8 ll. 19-22 (“It is another object of the present invention to provide a more efficient and effective route assignment process that minimizes vehicle backtracking and makes the most efficient use of the vehicles which service transit requests.”); col.8 ll.22-27 (“It is another object of this invention to minimize uncertainty and wait times associated with shared-ride, mass transit, and car rental”); col.11 ll.63-65 (“The system monitors the locations of all vehicles in order to provide accurate, real-time information on when

a passenger will be picked up.”); col.14, ll.33-40 (“The central assigning system can communicate updated passenger and vehicle information directly to vehicles and drivers. . . . As people approach the vehicle, the central assigning system can verify that expected persons are present based on received location data of passengers and vehicles.”); col.15 ll.41-43 (“The system in step **512** then updates the pickup times for that reservation as it dynamically updates with new vehicle and passenger information”); col.16 ll.1-2 (“the system will notify the passenger with updates”); col.16 ll.22-23 (“The central assigning system updates the vehicle with real-time traffic situations and updated passenger pick up needs.”); Abstract (“real-time command and control of passengers and vehicles”); Table 1, “Report Position”; Claim 2(c) (“a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system”); Claim 3(d) (“a wireless means of informing the passenger of the assignment and updated expected arrival time”); Claim 6(c) (“a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle.”).)

29. The ’730 patent’s novel “allocation” process also provides a solution to the long passenger wait times and time uncertainty problems described in the specification. The claimed “allocation” is a function of the wireless communication devices, interfaced with the central assigning system and a database, in which, at least, a passenger is assigned to a vehicle, and vice versa, based on current passenger information (including passenger parameters, whether saved on the central assigning system or dynamically entered by the passenger), current transit parameters, and current vehicle data. (*See, e.g.*, ’730 Patent col.14 ll.4-13 & FIGS. 5 & 6 (“[T]he central assigning system processes the trip request received from the passenger. The central assigning system integrates information automatically transmitted from the passenger[’]s communication device or information. The automatically transmitted information is information that need not be

specifically entered and transmitted by the passenger. Exemplary transmitted data includes but is not limited to location data, passenger specific data such as travel preferences and billing preferences.”)

30. The allocation process is reflected in the ’730 Patent’s claims. (*See, e.g.*, ’730 Patent, Claim 2(c) (“a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system.”); *see also* Claim 3(c). Because of the invention’s unique allocation process, passengers know when their vehicle is close, and uncertainty regarding wait times is reduced.

31. The ’730 patent’s novel allocation system was inventive and not routine, conventional, or well-known in the industry. No prior art system used location technology for both the passenger and driver to allow for such an allocation process. Even New York taxicabs were not fitted for GPS until 2004. (*See Exhibit C, The Appeals Court Ruled that The City Can Monitor Taxis with GPS*, YellowCabNYC.com, Sept. 1, 2016, (available at <https://www.yellowcabnyc.com/blog/appeals-court-rules-city-can-monitor-taxis-movements-with-gps>) (“New York Taxicabs were fitted for GPS back in 2004...”); *see also* Exhibit D, Annie Karni, *Cabbies May Strike to Protest Mandatory GPS Systems*, The Sun, Aug. 24, 2007, (available at <https://www.nysun.com/new-york/cabbies-may-strike-to-protest-mandatory-gps/61245/>.) In fact, no prior art system used a novel allocation process like the one in Professor Dickerson’s invention, where locating technology used both passenger and driver location in the allocation process. As of 2000, GPS had only been incorporated into a single cell phone—the Benefon ESC! (sold only in eastern Europe)—and the idea of incorporating it into a transit system was forward-thinking, to say the least. In inventing a transit system integrating GPS and cell phones, Professor Dickerson saw something that, at the time, no one else saw. No transit system at the time of the

invention incorporated “digital cellular communication, GPS locating technology, and digital computers to provide real-time command and control of passengers.” (’730 Patent at col.1 ll.18-21.)

32. The specification of the ’730 Patent explains in detail how the invention of the ’730 Patent provides a solution to security problems inherent in prior art transit systems, providing several examples of how the invention improves the state of transit systems with respect to security. (*See, e.g.*, ’730 Patent at col.5 ll.16-19 (“For communication devices of item 5, passenger communication devices can be provided with low transmit power on request to identify the person (if enabled) so as to be able to tell who is in a vehicle or using a rental car.”); col.12 ll.53-55 (“Security subsystems of the present transit system can identify non-users and criminal activity of passengers thus reducing such irregular activity.”); col.14 ll.37-40 (“As people approach the vehicle, the central assigning system can verify that expected persons are present based on received location data of passengers and vehicles.”); col.23 ll.30-33 (“Further, [no prior art systems] allow a passenger to electronically identify himself to the system for primary purpose of automatic billing, and also to help with security and dynamic scheduling.”); Claim 3(d) (“a wireless means of informing the passenger of the assignment and updated expected arrival time”); Claim 6(c) (“a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle.”).) In addition, the automated billing provided by the patent augments security because neither the driver nor the passenger need to carry cash or credit cards—a great improvement over the transit systems circa 2000. (*See, e.g.*, ’730 Patent at col.16 ll.17-38; col.20 ll.29-37; col.23 ll.16-34.) The ability for the passenger to receive dynamic updates regarding a vehicle’s time of arrival and its proximity also provided for amplified security because it provided greater time certainty, shorter wait times, and allowed the customer to obtain dynamic updates

regarding the ETA of the vehicle, its current location, and the identity of the vehicle and its driver. (*See, e.g.*, '730 Patent at col.14 ll.29-40.) The automated billing provided by the patent enhances security because neither the driver nor the passenger need to carry cash or credit cards. (*See, e.g.*, '730 Patent at col.16 ll.17-38; col.20 ll.29-37; col.23 ll.16-34.) Dynamic updates of location and vehicle proximity also enhanced security because passengers reliably knew the ETA of the vehicle, its current location, and the identity of the vehicle and its driver. (*See, e.g.*, '730 Patent at col.14 ll.29-40; Claims 2(b), 2(c), 3(b), 3(c), 6(b), 6(c).)

33. These novel, security-enhancing features are reflected in the '730 Patent's claims. (*See, e.g.*, '730 Patent at Claim 2(b) ("a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage"); Claim 2(c) ("a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system"); Claim 3(d) ("a wireless means of informing the passenger of the assignment and updated expected arrival time"); Claim 6(c) ("a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle"); *see also* Claims 3(b); 3(c); 6(b).)

34. The security-enhancing features of the '730 Patent were inventive, and provided greater security for both drivers and passengers. For example, no prior art transit system provided "a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle," provided electronic identification, or provided automated billing. Nor were these features well understood or routine in the industry. Indeed, in July 2000, 50 yellow cabs in New York City had just begun taking credit cards. (*See* Exhibit E, Edward Wong, *Yellow Cabs Start to Take Credit Cards*, N.Y. Times, July 14, 2000 (available at <https://www.nytimes.com/2000/07/14/nyregion/yellow-cabs-start-to-take-credit-cards.html>).)

The idea of an automated credit-card-free, cash-free transaction was far beyond the industry's horizon.

35. The specification explains in detail the need for a convenient billing system for transit systems. (*See, e.g.*, '730 Patent at col.8 ll.32-34 ("It is another objective of this invention to provide a convenient access and billing system for all modes of travel...").) The specification explains that electronic identification of the passenger will be used for automatic billing. (*See* '730 Patent at col.23 ll.30-32.) The patent explains at length the various ways that automatic billing can occur—via utility-style billing, automatically charged to credit cards, or payment at the time the trip occurs. (*See, e.g.*, '730 Patent at col.18 ll.43-45; col.18 ll.4-17.) The specification notes, "[i]t is a great convenience not to need to make payment by cash, tokens, or credit cards each time a trip or segment of trip is made." ('730 Patent at col.5 ll.42-44.) The patent's focus on automatic payment—which no prior art transit system provided—is also seen in the patent claims. The invention's cash-free, credit-card free payment is also seen in the patent's claims. (*See, e.g.*, claims 2(a) ("distributing periodic invoices"); 3(a) (same); 6(a) (same).)

36. The specification explains in detail the infrastructure problems and financial burdens with the prior art systems—where so many people individually owned cars. For example, "retail and establishments and business centers necessitate substantial spacing to accommodate parking for cars." ('730 Patent at col.1 l.65-col.2 l.6.) "The largest monthly expense for many families is the cost of acquiring and operating motor vehicles. Repair costs and insurance add to the financial burdens associated with individual transportation vehicles." ('730 Patent at col.1 ll.48-53.) The transit system invented by Professor Dickerson minimizes social costs such as trip times, economic costs, and convenience and "has total economic and social costs that are much

less than those associated with conventional mass transit systems[.]” (*See* ’730 Patent at col.6 ll.11-14.)

37. The invention disclosed in the ’730 Patent radically changes the logistics, economic impacts, and efficiencies of the transportation system. The invention generally is an automated and integrated communications and computing system that uses a central assigning system and handheld devices to provide information between the passengers of the transit system, the vehicles and/or drivers, and the central assigning system itself, which is used to move the passengers between particular originating and destination sites. “The transit system preferably integrates mass transit needs by providing wireless communications between the passengers of the transit system, the vehicles, and the central assigning system used to move the passengers between particular origination and destination sites.” (’730 Patent at col.3 ll.48-52.) The invention of the ’730 Patent is a pioneering invention, which has been extensively adopted in ride-hailing and vehicle-sharing services. As a result, the nature of transportation systems as a whole changed.

38. The invention allows a passenger to use a hand-carried device to request a vehicle and a central assigning system that tracks the geographic position of all vehicles and passengers in real time, to dispatch a vehicle in response to the passenger’s request. “The central assigning system is capable of maximizing efficiencies in urban transportation with the information received from and sent to the passengers and vehicles.” (’730 Patent at col.4 ll.6-9.) “The system provides passengers with the greatest flexibility and convenience consistent with relatively low economic and environmental costs through the use of wireless communications to and from passengers, vehicles and the central assigning system.” (’730 Patent at col.4 ll.9-14.)

39. All of the communication devices and processors of the invention communicate with each other. (*See, e.g.*, ’730 Patent at col.7 ll.47-64; col.14 ll.29-40; col.16 ll.17-38; col.20

II.29-37; Table 1, col.21-22 (“Notify Passenger”, “Updates”; “Report Position”); Claim 2(c).)

With this dynamic updating and interconnected communications capability, a passenger can move toward a vehicle’s location—such as when the vehicle is stuck in traffic in a series of one-way streets—and the system would update the vehicle’s and passenger’s proximity to one another.

5. The ’730 Patent Claims A Unified Ride- And Vehicle-Sharing System.

40. The ’730 Patent includes five independent and one dependent claims.

41. Independent claim 2 of the ’730 Patent is representative. It claims:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage; and*
- (c) a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system.*

(’730 Patent at Claim 2, col.23 l.62 - col.24 l.23.)

42. Independent Claim 3 of the ’730 Patent is also representative. Claim 3 reads as follows:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage;*
- (c) a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system; and*
- (d) a wireless means of informing the passenger of the assignment and updated expected arrival time.*

(’730 Patent at Claim 3, col.24 ll.23-37.)

43. Independent Claim 6 of the ’730 Patent is also representative:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage; and*
- (c) a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle.*

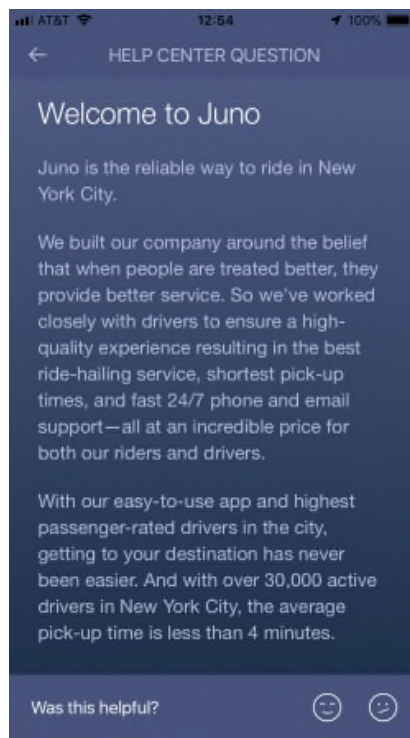
(’730 Patent at Claim 6, col. 24 ll. 53-65.)

6. Juno’s Rideshare Products And Services Rely On Professor Dickerson’s Invention.

44. Juno was founded in 2015 and officially launched in 2016. Juno claims that: “We built Juno around the belief that when people are treated better, they provide better service. Happy drivers, happy riders.” (Exhibit F (available at <https://gojuno.com/>).)

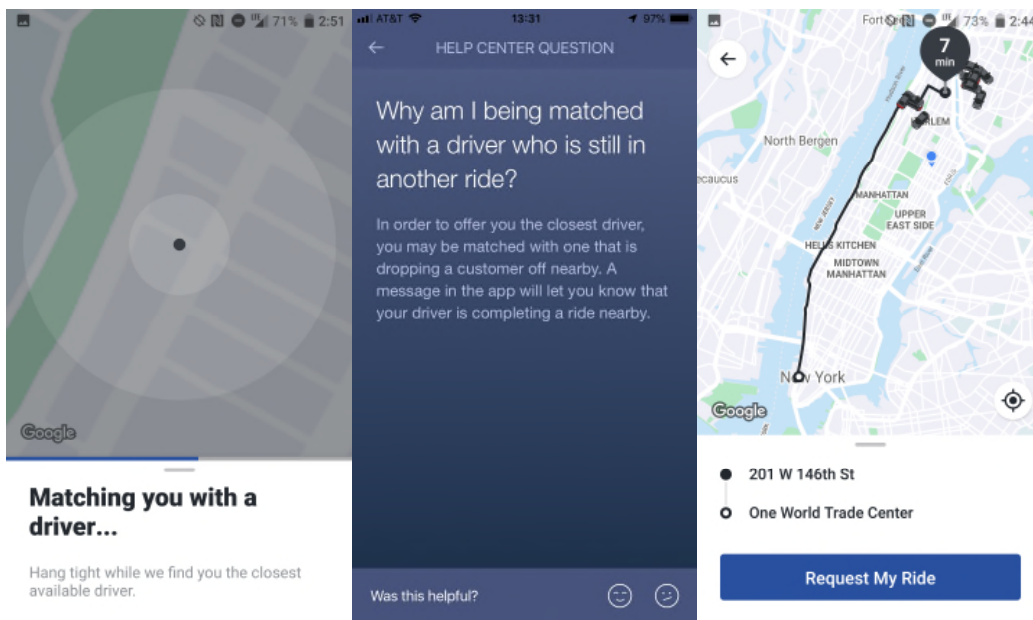
45. Juno makes, uses, sells, offers for sale, and/or imports into the United States and this District products and services that practice the claims of the ’730 Patent, including but not limited to the Juno technology platform, the Juno App, and the Juno Rider App (collectively, the “Accused Rideshare Products and Services” or the “Juno Architecture”).

46. The foregoing Accused Rideshare Products and Services are integrated into a system comprising a technology platform and smartphone applications to connect drivers and passengers:



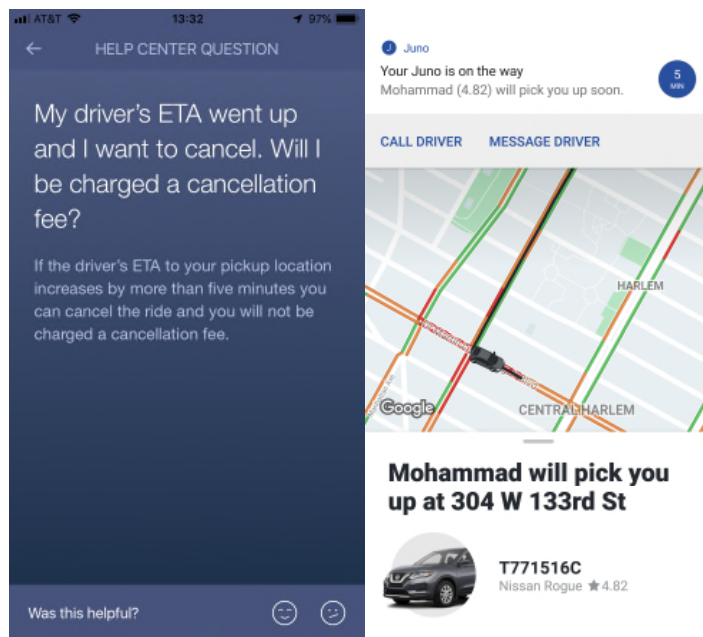
(Screen capture from Juno App.)

47. A passenger uses the Juno App to request a ride and, through the Juno Driver App, a driver accepts the request. When a passenger requests a ride, the Juno App uses GPS to match the passenger with the closest driver:



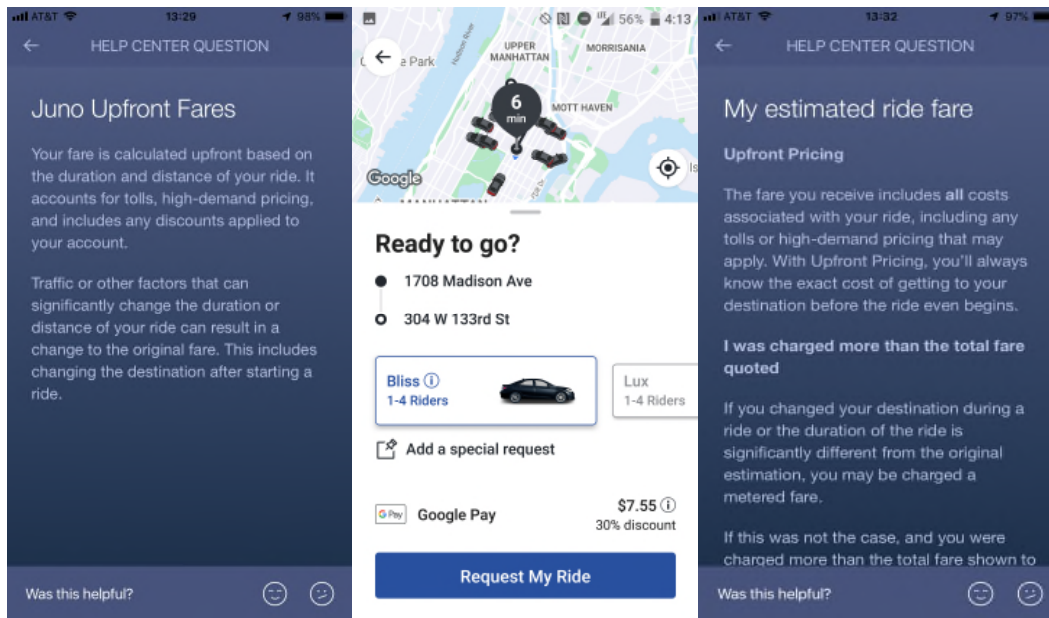
(Screen captures from Juno App; *see also* Exhibit G, Juno's Privacy and Cookie Policy at ¶ 3.4.1 (available at <https://gojuno.com/terms/privacy/>)).

48. The Juno App and/or technology platform wirelessly detects the proximity of the passenger and alerts the passenger of the proximity of the vehicle. The Juno App displays the driver's estimated time of arrival and notifies the passenger when the driver is about to arrive.



(Screen captures from Juno App.)

49. At the time a passenger requests a ride, the Juno App and/or technology platform automatically calculates the passenger's fare and displays the fare to the passenger. When the passenger takes the ride, the fare is automatically charged to the payment method linked to the passenger's account and invoiced through that account.



(Screen captures from Juno App; *see also* Exhibit H, Juno's Rider Terms & Conditions at ¶¶ 5.1-5.2, 7.1-7.2 and 7.6 (available at <https://gojuno.com/terms/>).)

50. A passenger's invoice is automatically emailed to the passenger's email address upon completion of the trip. (Exhibit H, Juno's Rider Terms & Conditions at ¶ 7.2 (available at <https://gojuno.com/terms/>).) Using the Juno App, a passenger can access their previous ride history to view past usage and invoices.

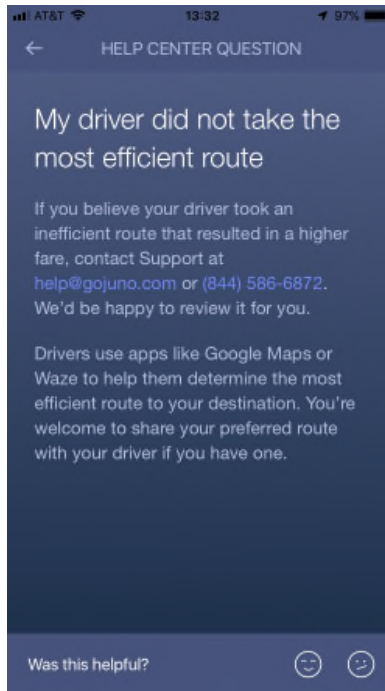
51. Juno uses a plurality of communication devices—smartphones used by the passengers and drivers, its technology platform, and applications—to provide wireless communication between passengers, vehicles, and a central data system in order to operate its passenger transit system. (*See, e.g.*, Exhibit H, Juno's Rider Terms & Conditions at ¶ 1.1 (available

at <https://gojuno.com/terms/>); Exhibit G, Juno's Privacy and Cookie Policy at ¶ 3.4 (available at <https://gojuno.com/terms/privacy/>).)

52. Juno uses a wireless means—the Juno App and/or other applications running on smartphones—to provide on-demand allocation of a passenger to a specific vehicle through its central data system. (*See, e.g.*, Exhibit H, Juno's Rider Terms & Conditions at ¶ 1.1 (available at <https://gojuno.com/terms/>); Exhibit G, Juno's Privacy and Cookie Policy at ¶ 3.4 (available at <https://gojuno.com/terms/privacy/>); *see also* ¶ 48, *supra*.) Upon a rider's request, the Juno Architecture determines the proximity of nearby drivers and dispatches a car with the shortest predicted pick-up time; this intelligent matching system lowers wait times for passengers.

53. Once a driver has been assigned to a ride, the Juno App wirelessly informs the passenger of the assignment and provides information on driver proximity and arrival time. (*See, e.g.*, Exhibit G, Juno's Privacy and Cookie Policy at ¶¶ 3.4 (available at <https://gojuno.com/terms/privacy/>); Exhibit H, Juno's Rider Terms & Conditions at 6.7 (available at <https://gojuno.com/terms/>); *see also* ¶ 48, *supra*.)

54. Juno trips are GPS-tracked. (*See, e.g.*, Exhibit H, Juno's Rider Terms & Conditions at ¶¶ 3.4, 6.1.17 (available at <https://gojuno.com/terms/>).) Juno drivers use third-party navigation services to determine a recommended route, but Juno passengers can determine their preferred route at their discretion. It can thus be seen that the technology disclosed in Professor Dickerson's '730 Patent is absolutely core to the way in which Juno operates its business.



(Screen capture from Juno App; *see also* Exhibit H, Juno's Rider Terms & Conditions at ¶ 5.3 (available at <https://gojuno.com/terms/>).)

COUNT I

(Direct Infringement of the '730 Patent Pursuant to 35 U.S.C. § 271(a))

(Claim 2)

55. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 54 of this Complaint as if fully set forth herein.

56. Juno has directly infringed, literally or under the doctrine of equivalents, and continues to infringe, Claim 2 of the '730 Patent in this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(a) by making, using, importing, selling, and/or offering for sale in the United States, without license, the Accused Rideshare Products and Services.

57. Claim 2 reads as follows:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage; and*
- (c) a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system.*

(’730 Patent at Claim 2, col.23 l.62-col.24 l.23.) The specific features that meet these limitations are referenced below.

58. The Accused Rideshare Products and Services are an “*automated system for providing unified billing for passenger transport.*” (See Paragraphs 46-54.)¹

59. The Accused Rideshare Products and Services comprise “*a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage.*” (See Paragraphs 46-47, 49-50.)

60. The Accused Rideshare Products and Services comprise “*a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage.*” (See Paragraphs 46-48, 51-54.)

61. The Accused Rideshare Products and Services include “*a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system.*” (See Paragraphs 46-48, 51-53.)

62. Juno’s infringement of the ’730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Juno’s infringing activities continue.

¹ These refer to the averments contained in the referenced paragraphs of this Complaint, *see supra*, which describe and establish infringement by the Accused Products and Services.

63. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

COUNT II

(Indirect Infringement of the '730 Patent Pursuant to U.S.C. 35 U.S.C. § 271(b))

(Claim 2)

64. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 63 of this Complaint as if fully set forth herein.

65. As set forth above, Juno directly infringes the '730 Patent in this judicial district, in the State of New York, and throughout the United States.

66. Juno's Accused Rideshare Products and Services are bundled up into a platform in the form of the Juno App and the Juno Driver App, which allow passengers to contact drivers and others. (*See* Paragraphs 45-48, 51-54.) Juno induces passengers, drivers, and others to download this platform in the form of a smartphone application to allow drivers and passengers to use the Accused Rideshare Products and Services.

67. Juno has indirectly infringed, literally or under the doctrine of equivalents, and continues to infringe claim 2 of the '730 Patent within this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(b) by inducing, instructing, directing, controlling, advertising, and/or requiring others to directly infringe claim 2 of the '730 Patent, including customers, purchasers, users, developers, passengers, drivers, and users of the Accused Rideshare Products and Services.

68. Defendant's infringement of the '730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Defendant's infringing activities continue.

69. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

COUNT III

(Direct Infringement of the '730 Patent Pursuant to U.S.C. 35 U.S.C. § 271(a))

(Claim 3)

70. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 69 of this Complaint as if fully set forth herein.

71. Juno has directly infringed, literally or under the doctrine of equivalents, and continues to infringe, claim 3 of the '730 Patent in this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(a) by making, using, importing, selling, and/or offering for sale in the United States, without license, infringing products and services.

72. Claim 3 of the '730 Patent claims:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage;*
- (c) a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system; and*
- (d) a wireless means of informing the passenger of the assignment and updated expected arrival time.*

('730 Patent at Claim 3, col.24 ll.23-35.) The specific features that meet these limitations are set forth below.

73. The Accused Rideshare Products and Services comprise an “*automated system for providing unified billing for passenger transport.*” (See Paragraphs 46-54.)

74. The Accused Rideshare Products and Services provide “*a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage.*” (See Paragraphs 46-47, 49-50.)

75. The Accused Rideshare Products and Services comprise “*a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage.*” (See Paragraphs 46-48, 51-54.)

76. The Accused Rideshare Products and Services comprise “*a wireless means of on-demand allocation of a passenger to a specific vehicle through the central data system.*” (See Paragraphs 46-48, 51-53.)

77. The Accused Rideshare Products and Services comprise “*a wireless means of informing the passenger of the assignment and updated expected arrival time.*” (See Paragraphs 46-48, 51-54.)

78. Juno’s infringement of the ’730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Juno’s infringing activities continue.

79. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

COUNT IV

(Indirect Infringement of the ’730 Patent Pursuant to U.S.C. 35 U.S.C. § 271(b))

(Claim 3)

80. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 79 of this Complaint as if fully set forth herein.

81. As set forth above, Juno directly infringes and continues to infringe claim 3 of the '730 Patent.

82. Juno's Accused Rideshare Products and Services are bundled up into a platform in the form of the Juno App and the Juno Driver App, which allow passengers to contact drivers and others. (*See* Paragraphs 45-48, 51-54.) Juno induces passengers, drivers, and others to download this platform in the form of a smartphone application to allow drivers and passengers to use the Accused Rideshare Products and Services.

83. Juno has indirectly infringed, literally or under the doctrine of equivalents, and continues to infringe claim 3 of the '730 Patent within this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(b) by inducing, instructing, directing, controlling, advertising, and/or requiring others to directly infringe, without license, claim 3 of the '730 Patent, including customers, purchasers, users, developers, passengers, drivers, and users of the Accused Rideshare Products and Services.

84. Defendant's infringement of the '730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Defendant's infringing activities continue.

85. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

COUNT V

(Direct Infringement of the '730 Patent Pursuant to U.S.C. 35 U.S.C. § 271(a))

(Claim 6)

86. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 85 of this Complaint as if fully set forth herein.

87. Juno has directly infringed, literally or under the doctrine of equivalents, and continues to infringe, claim 6 of the '730 Patent in this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(a) by making, using, importing, selling, and/or offering for sale in the United States, without license, infringing products and services.

88. Claim 6 of the '730 Patent reads as follows:

An automated system for providing unified billing for passenger transport comprising:

- (a) a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage; and*
- (b) a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage; and*
- (c) a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle.*

('730 Patent at Claim 6, col.24 ll.53-65.) The specific features that meet these limitations are set forth below.

89. The Accused Rideshare Products and Services comprise an “*automated system for providing unified billing for passenger transport.*” (See Paragraphs 46-54.)

90. The Accused Rideshare Products and Services comprise an “*a central data system for tracking passenger transportation vehicle usage and distributing periodic invoices for the usage.*” (See Paragraphs 46-47, 49-50.)

91. The Accused Rideshare Products and Services comprise “*a plurality of communication devices for providing wireless communication between passengers, vehicles, and the central data system in connection with the passenger transportation vehicle usage.*” (See Paragraphs 46-48, 51-54.)

92. The Accused Rideshare Products and Services comprise an “*a wireless means of detecting the proximity of the passenger and alerting the passenger of the proximity of the vehicle.*” (See Paragraphs 46-48, 51-54.)

93. Juno’s infringement of the ’730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Juno’s infringing activities continue.

94. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

COUNT VI

(Indirect Infringement of the ’730 Patent Pursuant to U.S.C. 35 U.S.C. § 271(b))

(Claim 6)

95. Plaintiff hereby incorporates by reference the allegations of Paragraphs 1 through 94 of this Complaint as if fully set forth herein.

96. As set forth above, Juno directly infringes and continues to infringe Claim 6 of the ’730 Patent within this judicial district, in the State of New York, and throughout the United States.

97. Juno’s Accused Rideshare Products and Services are bundled up into a platform in the form of the Juno App and the Juno Driver App, which allow passengers to contact drivers and others. (See Paragraphs 45-48, 51-54.) Juno induces passengers, drivers, and others to download this platform in the form of a smartphone application to allow drivers and passengers to use the Accused Rideshare Products and Services.

98. Juno has indirectly infringed, literally or under the doctrine of equivalents, and continues to infringe claim 6 of the ’730 Patent within this judicial district, in the State of New York, and throughout the United States under 35 U.S.C. § 271(b) by inducing, instructing,

directing, controlling, advertising, and/or requiring others to directly infringe, without license, claim 6 of the '730 Patent, including customers, purchasers, users, developers, drivers, and users of the Accused Rideshare Products and Services.

99. Defendant's infringement of the '730 Patent has injured Plaintiff and will continue to cause severe and irreparable damage as long as Defendant's infringing activities continue.

100. Plaintiff is entitled to recover damages adequate to compensate it for the injuries complained of herein but, in no event, no less than a reasonable royalty.

DEMAND FOR JURY TRIAL

101. Plaintiff demands that all issues be determined by a jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgment in its favor and against Defendant and respectfully request the following relief:

- A. A judgment declaring that Defendant has infringed, either literally or under the doctrine of equivalents, one or more claims of U.S. Patent No. 6,697,730;
- B. A finding that Defendant's infringement of the '730 Patent has been willful and a judgment for enhanced damages;
- C. infringement, inducing the infringement, and contributing to the infringement of the '730 Patent;
- D. A judgment awarding Plaintiff damages adequate to compensate for Defendant's infringement;
- E. Pre-judgment and post-judgment interest to the full extent allowed under the law, as well as its costs;
- F. Attorneys' fees in this action as an exceptional case pursuant to 35 U.S.C. § 285;

G. Costs and expenses in this action; and

H. Such other and further relief as the Court deems just and proper.

Respectfully submitted,

Date: May 3, 2019

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