IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HAILO TECHNOLOGIES, LLC, **a California Limited Liability Company**	)))	
Plaintiff,	))	Case No. _____
v.	))	
FLYWHEEL SOFTWARE, INC., **a Delaware Corporation**	)))	**DEMAND FOR JURY TRIAL**
Defendant.	)))	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Hailo Technologies, LLC ("Plaintiff"), by and through its undersigned counsel,

for its Complaint against Flywheel Software, Inc. ("Flywheel" or "Defendant") makes the

following allegations. These allegations are made upon information and belief.

NATURE OF THE ACTION

1.   This is an action against Defendant for infringement of one or more claims of

United States Patent No. 6,756,913 ("the '913 Patent").

PARTIES

2.   Plaintiff Hailo Technologies, LLC is a limited liability company organized under

the laws of the State of California and has an office and principal place of business at 35 Hugus

Alley, Suite 210, Pasadena, CA 91103.

3.   Defendant Flywheel Software, Inc. is a corporation incorporated under the laws of

the State of Delaware and has an office and principal place of business in

Redwood City, CA 94064.

JURISDICTION AND VENUE

4.   This patent infringement action arises under the patent laws of the United States, including 35 U.S.C. §§ 271 et seq., 281, and 284.

5.   This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because it arises under United States Patent law.

6.   This Court has personal jurisdiction over the Defendant because, *inter alia*, it resides in the State of Delaware; regularly conducts business in the State of Delaware; and continues to commit acts of patent infringement in the State of Delaware including by making, using, offering to sell, and/or selling Accused Products within the State of Delaware and this district.

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

FACTS

8.   Plaintiff is the sole owner, by assignment, of U.S. Patent No. 6,756,913, entitled "SYSTEM FOR AUTOMATICALLY DISPATCHING TAXIS TO CLIENT LOCATIONS," which was duly and legally issued on June 29, 2004 by the United States Patent and Trademark Office ("USPTO").

9.   A copy of the '913 Patent is attached to this Complaint as Exhibit A.

10.   The claims of the '913 Patent are valid and enforceable.

COUNT I: CLAIM FOR PATENT INFRINGEMENT
UNDER 35 U.S.C. § 271(b) ('913 PATENT)

11.   Plaintiff hereby incorporates by reference the allegations of paragraphs 1 through 10 of this Complaint as if fully set forth herein.

12.   Claim 1 of the '913 Patent covers a method for sending notifications to a server, comprising: periodically sensing if a meter on a taxi is active to determine if the taxi is available for customer service; on sensing that the vehicle is available, periodically: determining the vehicle's current position coordinates information using a position coordinates determination device; sending said current position coordinates information to said server.

13.   Defendant developed, develops, used, uses, sells, implements, and distributes software solutions including without limitation the "Via App" ("Accused Product").

14.   A claim chart comparing Claim 1 of the '913 Patent to the Accused Product is attached as Exhibit B.

15.   Defendant has imported, offered to sell and provide, has sold and provided, and continues to offer to sell and provide, the Accused Product in the United States and in this District that literally infringes at least one claim of the '913 patent thus actively inducing infringement.

16.   Defendant has imported, offered to sell and provide, has sold and provided, and continues to offer to sell and provide, the Accused Product in the United States and in this District that infringes at least one claim of the '913 Patent under the doctrine of equivalents thus actively inducing infringement.

17.   Defendant Flywheel, including its agents and assigns, distributes the Accused Product, which is preprogrammed to practice the method of Claim 1 of the '913 Patent.

18.   Thus, Flywheel infringes at least Claim 1 of the '913 Patent.

19.   Plaintiff has been, and will continue to be, irreparably harmed by Flywheel's ongoing infringement of the '913 Patent.

20.   As a direct and proximate result of Flywheel's infringement of the '913 Patent, Plaintiff has been and will continue to be damaged in an amount yet to be determined, including but not limited to Plaintiff's lost profits and/or a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against Defendant as follows:

A.   In favor of Plaintiff that Defendant has infringed one or more claims of the '913 Patent, either literally or under the doctrine of equivalents;

B.   Requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '913 Patent as provided under 35 U.S.C. § 284, but not less than a reasonable royalty; and

C.   For such other and further relief, as may be just and equitable.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial on all issues and causes of action triable to a jury.

Dated: May 22, 2019   Respectfully submitted,

                                              /s/   George Pazuniak

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