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

| | | |
|---|---|---|
| GEOGRAPHIC LOCATION INNOVATIONS LLC, | § | |
| | § | |
| Plaintiff, | § | Case No: |
| | § | |
| vs. | § | PATENT CASE |
| | § | |
| KYDIA, INCORPORATED d/b/a BEYONDMENU.COM | § | |
| | § | |
| Defendant. | § | |
| | § | |

## COMPLAINT

Plaintiff Geographic Location Innovations LLC ("Plaintiff" or "GLI") files this Complaint against Kydia, Incorporated d/b/a BeyondMenu.com. ("Defendant" or "Kydia") for infringement of United States Patent No. 7,917,285 (hereinafter "the '285 Patent").

## PARTIES AND JURISDICTION

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

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

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

4. On information and belief, Defendant is an Illinois corporation with its principal office located at 10400 W Higgins Rd., Suite# 205, Rosemont, IL 60018. On information and belief, Defendant may be served with process through its registered agent, Leon Chen, at the

same address.

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

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

## VENUE

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

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

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

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

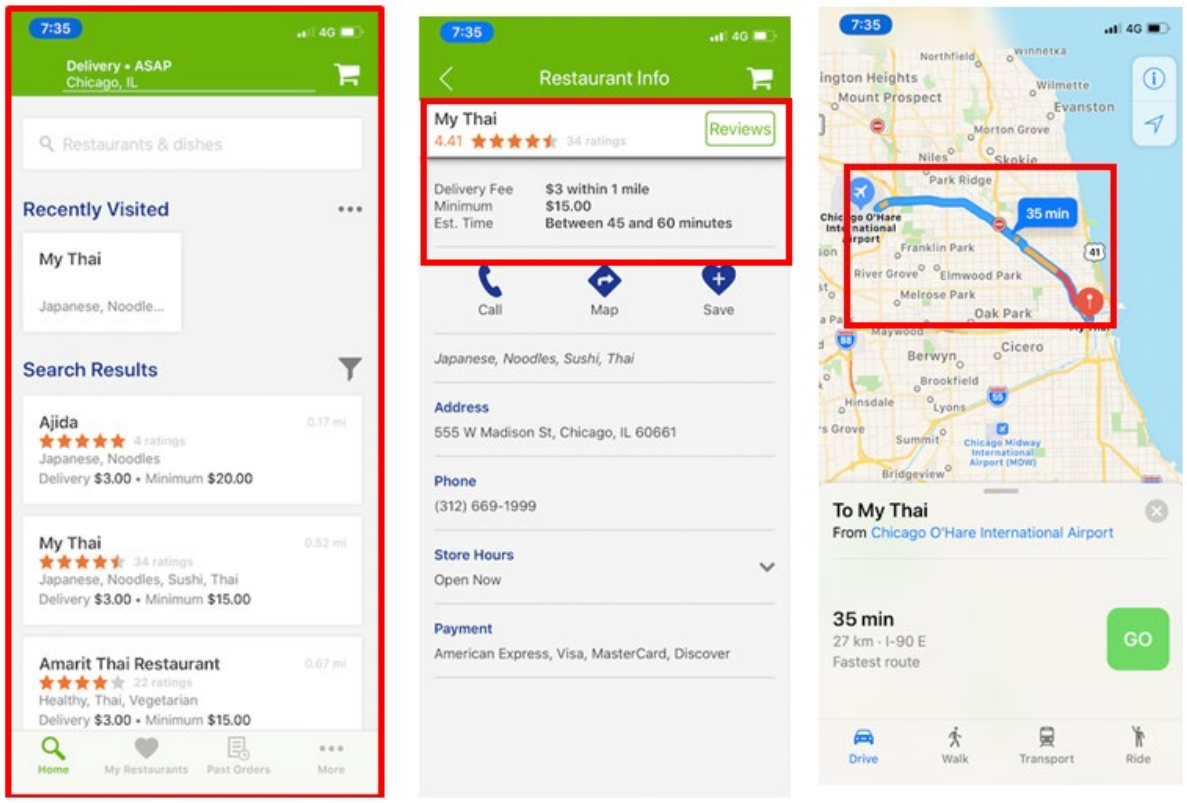
10. Plaintiff is the owner by assignment of the '285 Patent with sole rights to enforce the '044 Patent and sue infringers.

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

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

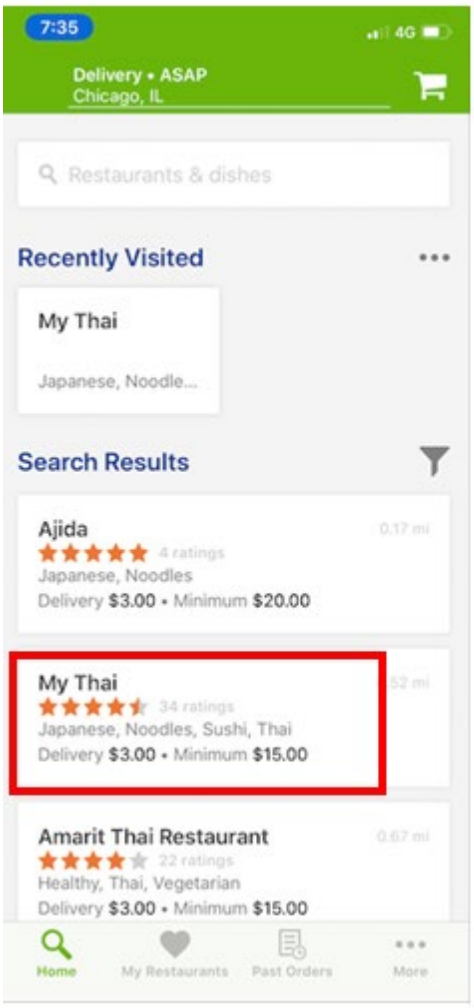
13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 13, of the '285 Patent by making, using (at least by having its employees, or someone under Defendant's control, test the System), importing, selling, and/or offering for sale a mobile website with associated hardware and software embodied, for example, in its restaurant locator service for its BeyondMenu.com service (the "System") covered by at least Claim 13 of the '285 Patent. The System is used, for example, in connection with Defendant's website and its mobile app. Defendant has infringed and continues to infringe the '285 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

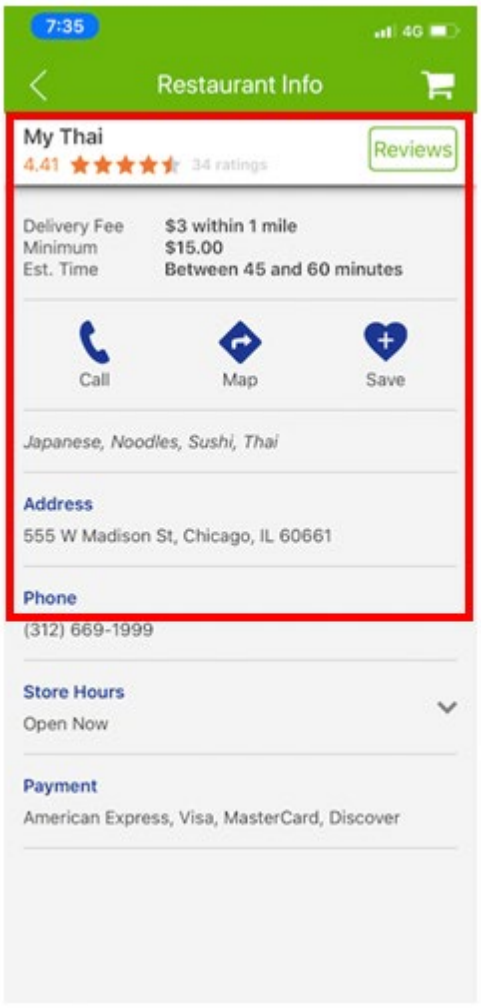
14. The System includes the mobile website and associated hardware. These tools provide for remote entry of location information, such as store locations into a positional information device such as, for example, a table or smart phone. The website automatically loads nearby restaurant locations onto the positional information device based on the user's location. The System comprises a food ordering website in which user can order food, book tables and pick up food from various participating restaurants. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

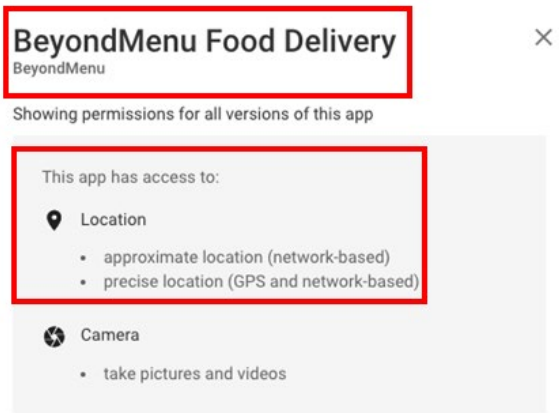


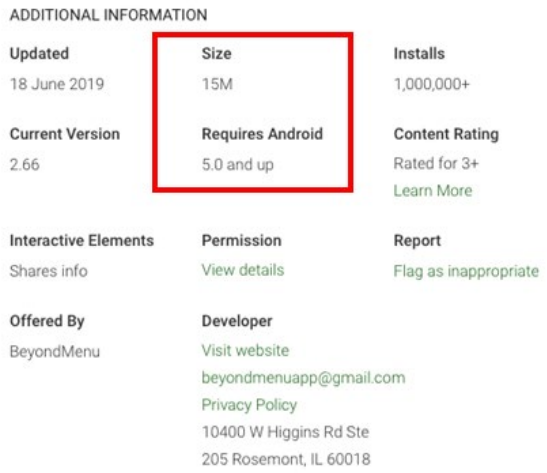

Source: Screenshots from mobile app

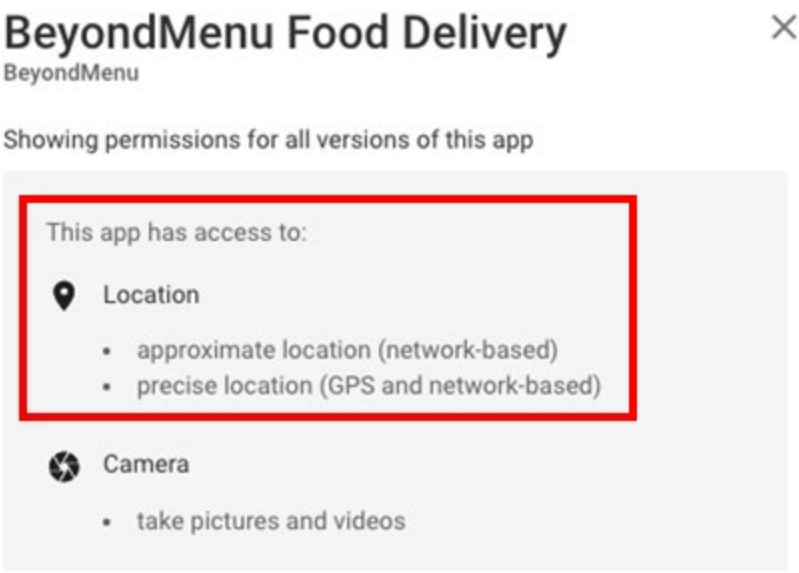
15. The System includes one or more servers that receive a request for an address of at least one location such as, for example, the location of a restaurant nearby the user, which is not already stored in the positional information device. The user is able to enter his location on the webpage. The server then fetches a list of serving restaurants nearby to the user's location. When the user chooses a restaurant, the server sends address details to the user's computer in real time. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.


7:35
4G
Delivery • ASAP
Chicago, IL
Restaurants & dishes
Recently Visited
My Thai
Japanese, Noodle...
Search Results
Ajida
4 ratings
Japanese, Noodles
Delivery $3.00 • Minimum $20.00
My Thai
34 ratings
Japanese, Noodles, Sushi, Thai
Delivery $3.00 • Minimum $15.00
Amarit Thai Restaurant
22 ratings
Healthy, Thai, Vegetarian
Delivery $3.00 • Minimum $15.00
Home
My Restaurants
Past Orders
More


7:35
4G
Restaurant Info
My Thai
4.41
34 ratings
Reviews
Delivery Fee $3 within 1 mile
Minimum $15.00
Est. Time Between 45 and 60 minutes
Call
Map
Save
Japanese, Noodles, Sushi, Thai
Address
555 W Madison St, Chicago, IL 60661
Phone
(312) 669-1999
Store Hours
Open Now
Payment
American Express, Visa, MasterCard, Discover


BeyondMenu Food Delivery
BeyondMenu
Showing permissions for all versions of this app
This app has access to:
Location
approximate location (network-based)
precise location (GPS and network-based)
Camera
take pictures and videos


ADDITIONAL INFORMATION
Updated
18 June 2019
Size
15M
Installs
1,000,000+
Current Version
2.66
Requires Android
5.0 and up
Content Rating
Rated for 3+
Learn More
Interactive Elements
Shares info
Permission
View details
Report
Flag as inappropriate
Offered By
BeyondMenu
Developer
Visit website
beyondmenuapp@gmail.com
Privacy Policy
10400 W Higgins Rd Ste
205 Rosemont, IL 60018

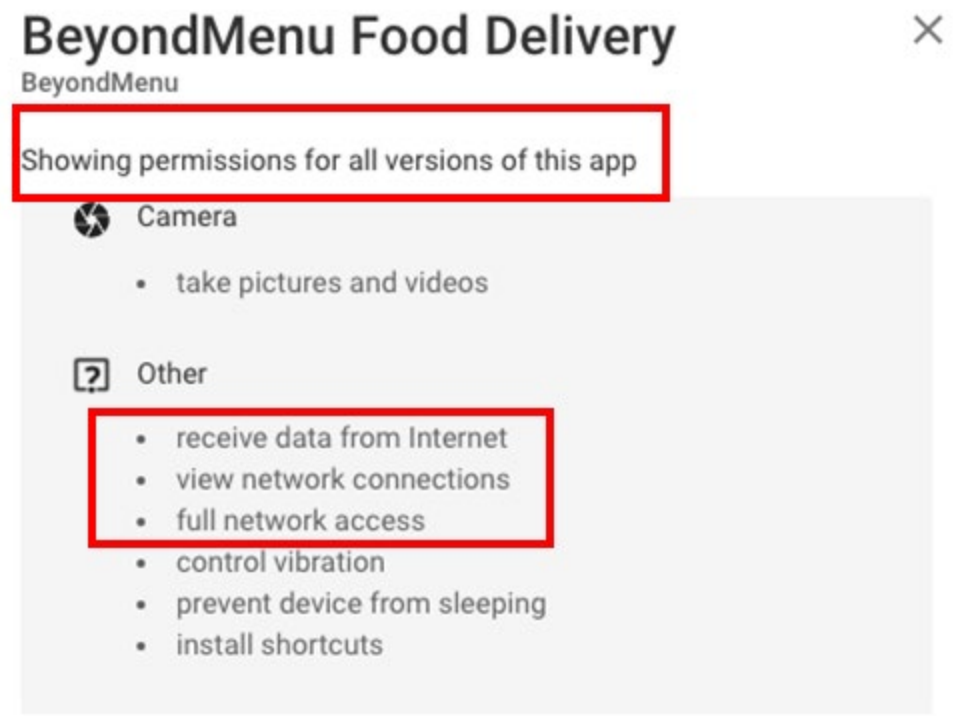



Source: https://play.google.com/store/apps/details?id=com.beyondmenu&hl=en_IN

16. The server(s) determine the address(es) of the restaurant(s) and transmits the determined address(es) to the positional information device (e.g., tablet or smartphone). For example, the server(s) transmits to the positional information device a visual indication of the store(s) on a map.

17. The positional information device includes a locational information module (e.g., GPS hardware), which Defendant uses, and which determines the location of the positional information device. The System automatically loads nearby locations based on the user's location.

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). The user's browser receives the address of the particular restaurant chosen by the user. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

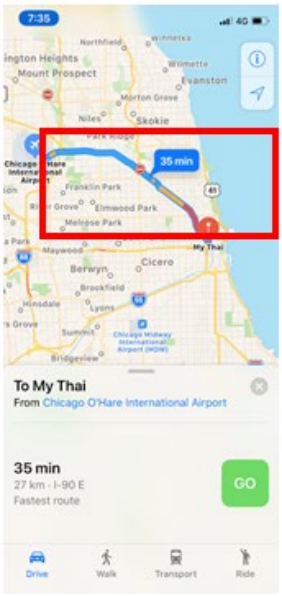



Source: https://play.google.com/store/apps/details?id=com.beyondmenu&hl=en_IN

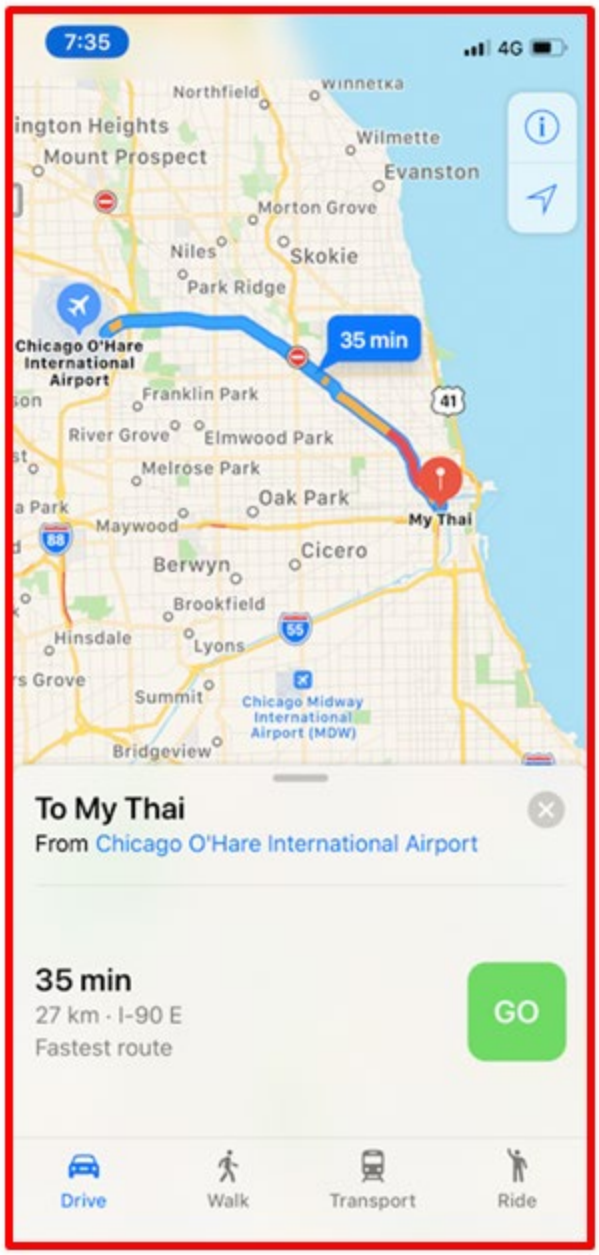
19. The System includes a processing module (e.g., mapping software and the mobile website), which Defendant uses, and which receives the determined address(es) from the communication module. The processing module determines route guidance based on the location of the positional information device and 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.

ADDITIONAL INFORMATION

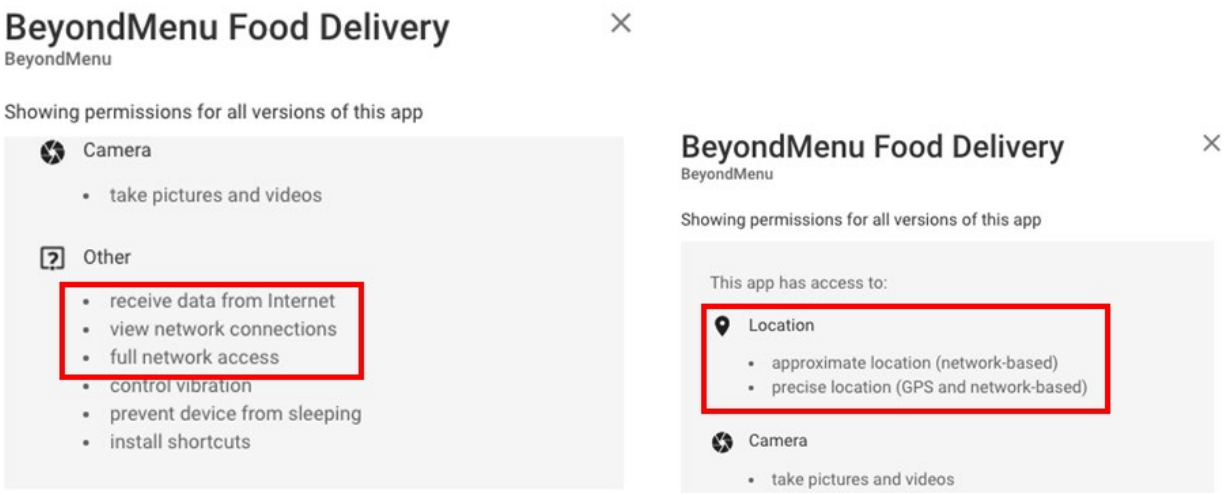
| Updated | Size | Installs |
|---|---|---|
| 18 June 2019 | 15M | 1,000,000+ |
| **Current Version** | **Requires Android** | **Content Rating** |
| 2.66 | 5.0 and up | Rated for 3+ Learn More |
| **Interactive Elements** | **Permission** | **Report** |
| Shares info | View details | Flag as inappropriate |
| **Offered By** | **Developer** | |
| BeyondMenu | Visit website<br>beyondmenuapp@gmail.com<br>Privacy Policy<br>10400 W Higgins Rd Ste<br>205 Rosemont, IL 60018 | |



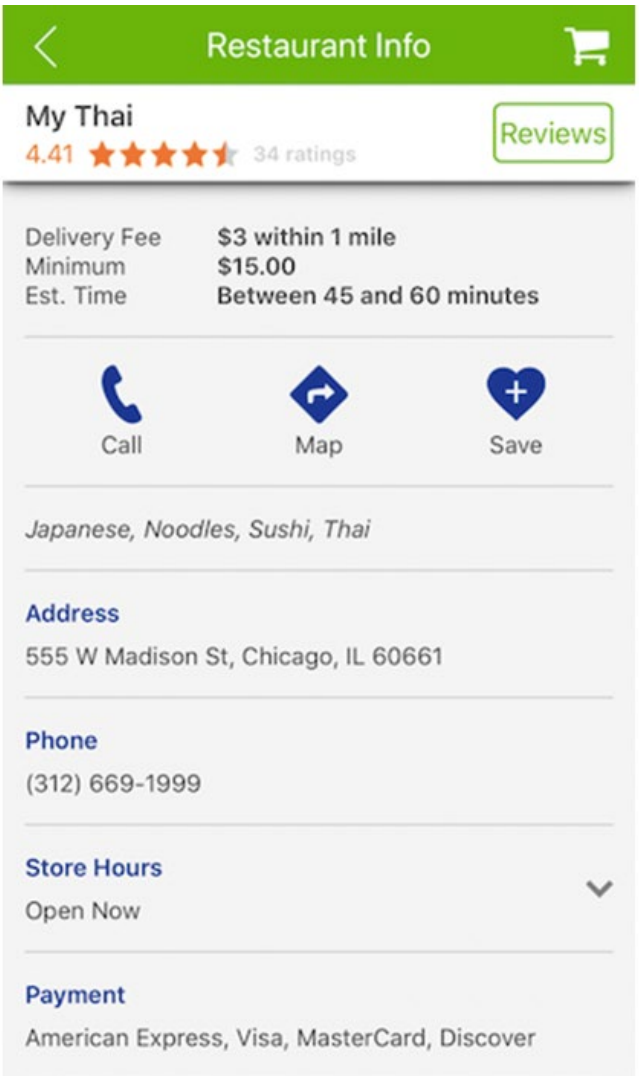

20. The System includes a display module (e.g., screen on the positional information device) for displaying the route guidance. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.


7:35
4G
Northfield
Winnetka
Wilmette
Evanston
Mount Prospect
Morton Grove
Niles
Skokie
Park Ridge
Chicago O'Hare International Airport
35 min
Franklin Park
River Grove
Elmwood Park
Melrose Park
Oak Park
Maywood
My Thai
Berwyn
Cicero
Brookfield
Hinsdale
Lyons
Summit
Chicago Midway International Airport (MDW)
Bridgeview
41
88
55
To My Thai
From Chicago O'Hare International Airport
35 min
27 km · I-90 E
Fastest route
GO
Drive
Walk
Transport
Ride

21. The System includes a communications network (e.g., cellular network) for coupling the positional information device to the server(s).




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



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

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

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

**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: August 8, 2019

Respectfully submitted,

/s/ Isaac Rabicoff

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*Counsel for Plaintiff*

**ATTORNEYS FOR PLAINTIFF**

# EXHIBIT A