

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TELECONFERENCE SYSTEMS LLC,

Plaintiff,

v.

ORACLE AMERICA, INC.,

Defendant.

Case No. 2:19-cv-308

PATENT CASE

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Teleconference Systems LLC (“Teleconference Systems” or “Plaintiff”) files this Complaint against Oracle America, Inc. (“Oracle” or “Defendant”) for infringement of U.S. Patent No. 8,665,759 (“the ’759 patent”), U.S. Patent No. 9,154,734 (“the ’734 patent”), U.S. Patent No. 9,253,444 (“the ’444 patent”), U.S. Patent No. 9,419,939 (“the ’939 patent”), and U.S. Patent No. 10,135,889 (“the ’889 patent”) (collectively “the patents-in-suit” or “asserted patents”).

THE PARTIES

1. Teleconference Systems is a Texas limited liability company with its principal place of business in Frisco, Texas.

2. Oracle is a Delaware corporation with its principal place of business at 500 Oracle Parkway Redwood City, CA 94065. Oracle also maintains a regional office in the Eastern District of Texas – located at 7460 Warren Pkwy, Frisco, TX 75034.

3. Defendant’s Registered Agent for service of process in Texas is Corporation Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701.

JURISDICTION AND VENUE

4. Teleconference Systems brings this action for patent infringement under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

5. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this State and judicial district, including: (A) at least part of their infringing activities alleged herein; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from goods sold and services provided to Texas residents.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b). On information and belief, Defendant has regular and established places of business in this district and has committed acts of infringement in this judicial district.

7. Defendant has established offices in Frisco, Texas – within the Eastern District of Texas - at 7460 Warren Pkwy, Frisco, TX 75034.

8. Defendant has infringed, and does infringe, by transacting and conducting business within the Eastern District of Texas. On information and belief, operations at Defendant's Frisco location include sales, marketing and/or business development for Defendant's infringing instrumentalities.

9. Defendant's office in Frisco, Texas is a regular and established place of business in this Judicial District, and Defendant has committed acts of infringement (as described in detail, hereinafter) at the Defendant's regional office within this District. Venue is therefore proper in this District under 28 U.S.C. § 1400(b).

COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 8,665,759)

10. Teleconference Systems incorporates paragraph 1 through 9 herein by reference.

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

12. Teleconference Systems is the exclusive licensee of the '759 patent, entitled "Multiple Subscriber Videoconference System," with all substantial rights to the '759 patent, including the exclusive right to enforce, sue, and recover damages for past and future infringement. A copy of the '759 patent is attached as Exhibit 1.

13. The '759 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

14. Defendant has, and continues to, directly infringe one or more claims of the '759 patent in this judicial district and elsewhere in the United States.

15. In particular, Defendant has, and continues to, infringe at least claims 1, 8-13, 15, and 17-20 of the '759 patent by making, using, selling, offering to sell, and/or selling within, and/or importing into, the United States session border controllers, including but not limited to Acme Packet 3820 Service Provider Platform, the Acme Packet 4500 Service Provider Platform, the Acme Packet 4600 Service Provider Platform, the Acme Packet 6100 Service Provider Platform, the Acme Packet 6300 Service Provider Platform, the Acme Packet 6350 Service Provider Platform, the Oracle Unified Session Manager, and the Oracle Mobile Security Gateway ("the Oracle SBCs").

16. Defendant describes the Oracle SBCs as providing a “complete implementation of signaling, media, transport, and security protocols” that “satisfies all session border control requirements for fixed line, mobile (VoLTE), and OTT service providers, enabling trusted interactive and secure VoIP communications across network borders.” *See* <https://www.oracle.com/industries/communications/products/session-border-controller/>.

Defendant states that the Oracle SBCs enable “trusted, first-class communications across IP network access borders and IP interconnect borders.” *Id.* The Oracle SBCs also include a “security framework” that “protects your network infrastructure, ensuring availability and continuity of service.” *Id.*

17. Each of the Oracle SBCs are apparatuses that comprise a call control module configured to provide control of videoconferencing calls in a service provider Internet Protocol (IP) network, and a videoconferencing security module coupled to the call control module; wherein the call control module and the videoconferencing security module are adapted for deployment at an access point of a service provider IP network as claimed in claim 1 of the '759 patent. *See e.g.*, Oracle White Paper, “Session Border Controllers: A Primer,” July 2017, *available at* <http://www.oracle.com/us/industries/communications/border-controllers-primer-wp-1985074.pdf>, at pp. 6-7 (attached as “Exhibit 6”); Oracle Data Sheet, “Oracle Communications Session Border Controller,” *available at* <http://www.oracle.com/us/industries/communications/oracle-communications-session-border-controller-ds-1985040.pdf>, at pp. 2, 4, 7 (attached as “Exhibit 7”); “Oracle Communications Session Border Controller Configuration Guide,” *available at* https://docs.oracle.com/cd/E89499_01/doc/sbc_scz800_acliconfiguration.pdf, at pp. 4-1 to 4-12,

5-2 to 5-5, 5-178, 6-36, 11-1 to 11-9, 14-1 to 14-12, 14-113 to 14-120 (cited portions attached as “Exhibit 8”).

18. Furthermore, on information and belief, each of the Oracle SBCs include each of the specific elements found in claims 1, 8-13, 15, and 16-20 of the '759 patent, including: where the call control module comprises an H.323 gatekeeper module configured to control calls placed with the H.323 protocol and a Session Initiation Protocol (SIP) proxy module configured to control calls placed with the SIP protocol; where the videoconferencing security entity comprises a firewall module configured to support both the H.323 and SIP protocols as needed on a per-call basis and a network address translation module configured to provide network address translation services for a videoconferencing data stream, the network address translation module configured to support both the H.323 and SIP protocols as needed on a per-call basis; a policy engine configured to enforce policies based on subscriber-specific settings on the videoconferencing data stream; where the subscriber-specific settings are selected from the group consisting of: outbound/inbound calling privileges, encryption policies, bandwidth policies, priority among users policies, participation privileges, inbound/outbound calling restrictions, time-of-day restrictions, and audio or video restrictions; wherein the subscriber-specific settings are selected from the group consisting of: calling privileges, encryption, bandwidth, priority, participation, and restriction policies; a quality of service module configured to provide bandwidth management for each videoconferencing data stream based upon subscriber-specific bandwidth settings; a quality of service module capable of being configured to guarantee quality of service for videoconferencing calls placed via the device according to subscriber-specific settings; a call Differentiated Services (Diff Serv) capabilities module; a security module capable of being configured to prevent unauthorized access to the enterprise subscriber network and to videoconferencing call data

according to subscriber-specific settings; a tunneling services module configured to receive encrypted traffic from enterprise subscriber networks and unencapsulate said traffic; where the encrypted traffic is received from enterprise subscriber networks through a virtual private network (VPN) that exists between the videoconferencing services device and each enterprise subscriber network; where the call control module, the videoconferencing security module, and the quality of service module are adapted for deployment at an access point of a service provider IP network; and where the call control module, the videoconferencing security module and the tunneling module are adapted for deployment at an access point of a service provider IP network. *Id.*

19. Defendant is liable for these direct infringements pursuant to 35 U.S.C. § 271.

(Indirect Infringement)

20. Based on the information presently available to Teleconference Systems, absent discovery, and in the alternative to its direct infringement claims against Defendant, Teleconference Systems contends that Defendant has and continues to indirectly infringe the '759 patent by inducing end users of the Oracle SBCs to infringe at least claims 1, 8-13, 15, and 17-20 via their use of the Oracle SBCs.

21. Defendant has been on notice of the '759 patent since at least service of the original complaint in this matter.

22. Since Defendant was on notice of the '759 patent, Defendant knowingly induced infringement of the '759 patent, including at least claims 1, 8-13, 15, and 17-20 of the '759 patent, and possessed specific intent to encourage others' infringement.

23. Since Defendant was on notice of the '759 patent, Defendant knew or should have known that its actions alleged herein would induce actual infringement of the '759 patent, including at least claims 1, 8-13, 15, and 17-20 of the '759 patent.

24. Defendant instructs and encourages users to use the Oracle SBCs in a manner that infringes the '759 patent. *See e.g.*, Exhibit 6 through 14 attached hereto.

25. Teleconference Systems has been damaged as a result of Defendant's infringing conduct described in this Count. Defendant is, thus, liable to Teleconference Systems in an amount that adequately compensates Teleconference Systems for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II

(INFRINGEMENT OF U.S. PATENT NO. 9,154,734)

26. Teleconference Systems incorporates paragraph 1 through 25 herein by reference.

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

28. Teleconference Systems is the exclusive licensee of the '734 patent, entitled "Multiple Subscriber Videoconference System," with all substantial rights to the '734 patent, including the exclusive right to enforce, sue, and recover damages for past and future infringement. A copy of the '734 patent is attached as Exhibit 2.

29. The '734 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

30. Defendant has, and continues to, directly infringe one or more claims of the '734 patent in this judicial district and elsewhere in the United States.

31. In particular, Defendant has, and continues to, infringe at least claims 11-17 of the '734 patent by, making, using, selling, offering to sell, and/or selling within, and/or importing into the United States session border controllers, including but not limited to the Oracle SBCs.

32. Specifically, each of the Oracle SBCs are videoconferencing services switches adapted for deployment in a service provider Internet Protocol (IP) network and capable of processing a videoconferencing call between an origination terminal and a destination terminal, the origination and destination terminals being located on one or more subscriber IP networks, comprising a call control module capable of performing call set-up and tear-down operations and managing call data streams for the videoconferencing call; a quality of service module capable of being configured to guarantee quality of service for the videoconferencing call placed via the switches according to the subscriber-specific settings; a security module configured to provide firewall services for the videoconferencing call, the security module further comprising a Session Initiation Protocol (SIP) firewall module configured to use firewall settings on a per-subscriber basis to allow a subscriber-specific firewall that is custom-implemented for traffic from each subscriber; a tunneling services module configured to provide a virtual private network (VPN) between the videoconferencing services switches and a subscriber IP network; and a policy engine capable of being configured to enforce policies on the videoconferencing call based on subscriber-specific or user-specific settings as claimed in claim 11 of the '734 patent. *See e.g.*, Exhibit 6, Oracle White Paper, at pp. 6-7; Exhibit 7, Oracle SBC Data Sheet, at pp. 2, 4, 7; Exhibit 8, Oracle Session Border Controller Configuration Guide, at pp. 4-1 to 4-12, 5-2 to 5-5, 5-178, 6-36, 11-1 to 11-9, 14-1 to 14-12, 14-113 to 14-120.

33. Furthermore, on information and belief, each of the Oracle SBCs include each of the specific elements found in claims 12-17 of the '734 patent, including: where the subscriber-

specific settings are selected from the group consisting of: calling privileges, encryption, bandwidth, priority, participation, and restriction policies; where the quality of service module comprises a call bandwidth management module; where the quality of service module comprises: a call Differentiated Services (Diff Serv) capabilities module; where the security module further comprises a Session Initiation Protocol (SIP) Network Address Translation (NAT) module configured to provide network address translation services for videoconferencing calls placed with the SIP protocol; wherein the security module is further configured to provide network address translation services for videoconferencing calls; and wherein each videoconferencing services switch is adapted for deployment at an access point of the service provider IP network. *Id.*

34. Defendant is liable for these direct infringements pursuant to 35 U.S.C. § 271.

(Indirect Infringement)

35. Based on the information presently available to Teleconference Systems, absent discovery, and in the alternative to its direct infringement claims against Defendant, Teleconference Systems contends that Defendant has and continues to indirectly infringe the '734 patent by inducing end users of the Oracle SBCs to infringe at least claims 11-17 via their use of the Oracle SBCs.

36. Defendant has been on notice of the '734 patent since at least service of the original complaint in this matter.

37. Since Defendant was on notice of the '734 patent, Defendant knowingly induced infringement of the '734 patent, including at least claims 11-17 of the '734 patent, and possessed specific intent to encourage others' infringement.

38. Since Defendant was on notice of the '734 patent, Defendant knew or should have known that its actions alleged herein would induce actual infringement of the '734 patent, including at least claims 11-17 of the '734 patent.

39. Defendant instructs and encourage users to use the Oracle SBCs, in a manner that infringes the '734 patent. *See e.g.*, Exhibits 6 through 14 attached hereto.

40. Teleconference Systems has been damaged as a result of Defendant's infringing conduct described in this Count. Defendant is, thus, liable to Teleconference Systems in an amount that adequately compensates Teleconference Systems for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT III

(INFRINGEMENT OF U.S. PATENT NO. 9,253,444)

41. Teleconference Systems incorporates paragraph 1 through 40 herein by reference.

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

43. Teleconference Systems is the exclusive licensee of the '444 patent, entitled "Multiple Subscriber Videoconference System," with all substantial rights to the '444 patent, including the exclusive right to enforce, sue, and recover damages for past and future infringement. A copy of the '444 patent is attached as Exhibit 3.

44. The '444 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

45. Defendant has, and continues to, directly infringe one or more claims of the '444 patent in this judicial district and elsewhere in the United States.

46. In particular, Defendant has, and continues to, infringe at least claims 1-3, 5-7, 16-18, 20-25, and 27-29 of the '444 patent by, making, using, selling, offering to sell, and/or selling within, and/or importing into the United States session border controllers, including but not limited to the Oracle SBCs.

47. Specifically, each of the Oracle SBCs are videoconferencing services switches adapted for deployment in a global Internet Protocol (IP) network and to communicate with at least one other videoconferencing services switch across the global IP network comprising a call control module capable of receiving call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks; a tunneling services module configured to receive encrypted real-time audio and video data streams from the subscriber IP networks having the call origination and destination IP videoconferencing endpoints; and a policy engine capable of being configured to enforce policies on videoconferencing calls based on subscriber-specific settings as claimed in claim 1 of the '444 patent. *See e.g.*, Exhibit 6, Oracle White Paper, at pp. 6-7; Exhibit 7, Oracle SBC Data Sheet, at pp. 2, 4, 7; Exhibit 8, Oracle Session Border Controller Configuration Guide, at pp. 4-1 to 4-12, 5-2 to 5-5, 5-56 to 5-57, 5-178, 5-284 to 5-285, 6-36, 11-1 to 11-9, 11-33, 14-1 to 14-12, 14-113 to 14-120.

48. Furthermore, on information and belief, each of the Oracle SBCs include each of the specific elements found in claims 2-3, 5-7, 16-18, 20-25, and 27-29 of the '444 patent, including: where the subscriber-specific settings comprise subscriber-wide settings that apply to all calls from a subscriber and user-specific settings that apply to a particular endpoint of the

subscriber; where at least one of the subscriber IP networks is connected to the global IP network through a network address translation (NAT) device located in the subscriber IP network; where the subscriber-specific settings include network address translation (NAT) settings; wherein the subscriber-specific settings are stored at a location accessible to the videoconferencing services switch; a repository of the subscriber-specific settings; at least one processor; a memory device, the memory device having instructions stored thereon that, when executed by the at least one processor, cause the switch to: receive endpoint registration and Session Initiation Protocol (SIP) call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks, manage transfer of encrypted real-time audio and video data streams between the subscriber IP networks having the call origination and destination IP videoconferencing endpoints, and enforce policies on videoconferencing calls based on subscriber-specific settings; and a memory device, the memory device having instructions stored thereon that, when executed by the at least one processor, cause the switch to: receive call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks, receive encrypted real-time audio and video data streams from the subscriber IP networks having call origination and destination IP videoconferencing endpoints, and enforce policies on videoconferencing calls based on subscriber-specific settings. *Id.* See also Acme Packet 3820 Data Sheet, available at <http://www.oracle.com/us/industries/communications/acme-packet-3820-ds-1990147.pdf>, at pp. 2, 5 (attached as “Exhibit 9”); Acme Packet 4500 Data Sheet, available at <http://www.oracle.com/us/industries/communications/acme-packet-4500-ds-1990148.pdf>, at pp. 2, 5 (attached as “Exhibit 10”); Acme Packet 4600 Data Sheet, available at <http://www.oracle.com/us/industries/communications/acme-packet-4600-ds-2347949.pdf>, at pp. 2, 4 (attached as “Exhibit 11”); Acme Packet 6000 Series Data Sheet, available at

<http://www.oracle.com/us/industries/communications/acme-packet-6300-ds-1990150.pdf>, at pp. 3, 5 (attached as “Exhibit 12”); Oracle Communications Mobile Security Gateway Data Sheet, *available at* <http://www.oracle.com/us/industries/communications/comm-mobile-security-gateway-ds-1988772.pdf>, at pp. 5-6 (attached as “Exhibit 12”); Oracle Communication Unified Session Manager Data Sheet, *available at* <http://www.oracle.com/us/industries/communications/unifed-session-manager-ds-1985042.pdf>, at p. 3 (attached as “Exhibit 14”).

49. Defendant is liable for these direct infringements pursuant to 35 U.S.C. § 271.

(Indirect Infringement)

50. Based on the information presently available to Teleconference Systems, absent discovery, and in the alternative to its direct infringement claims against Defendant, Teleconference Systems contends that Defendant has and continues to indirectly infringe the ’444 patent by inducing end users of the Oracle SBCs to infringe at least claims 1-3, 5-7, 16-18, 20-25, and 27-29 via their use of the Oracle SBCs.

51. Defendant has been on notice of the ’444 patent since at least service of the original complaint in this matter.

52. Since Defendant was on notice of the ’444 patent, Defendant knowingly induced infringement of the ’444 patent, including at least claims 1-3, 5-7, 16-18, 20-25, and 27-29 of the ’444 patent, and possessed specific intent to encourage others’ infringement.

53. Since Defendant was on notice of the ’444 patent, Defendant knew or should have known that its actions alleged herein would induce actual infringement of the ’444 patent, including at least claims 1-3, 5-7, 16-18, 20-25, and 27-29 of the ’444 patent.

54. Defendant instructs and encourage users to Oracle SBCs in a manner that infringes the '444 patent. *See e.g.*, Exhibits 6 through 14 attached hereto.

55. Teleconference Systems has been damaged as a result of Defendant's infringing conduct described in this Count. Defendant is, thus, liable to Teleconference Systems in an amount that adequately compensates Teleconference Systems for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT IV

(INFRINGEMENT OF U.S. PATENT NO. 9,419,939)

56. Teleconference Systems incorporates paragraph 1 through 55 herein by reference.

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

58. Teleconference Systems is the exclusive licensee of the '939 patent, entitled "Multiple Subscriber Videoconferencing System," with all substantial rights to the '939 patent, including the exclusive right to enforce, sue, and recover damages for past and future infringement. A copy of the '939 patent is attached as Exhibit 4.

59. The '939 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

60. Defendant has, and continues to, directly infringe one or more claims of the '939 patent in this judicial district and elsewhere in the United States.

61. In particular, Defendant has, and continues to, infringe at least claims 1-7, 16-26, and 28-30 of the '939 patent by, making, using, selling, offering to sell, and/or selling within, and/or importing into, the United States, the Oracle SBCs.

62. Specifically, the Oracle SBCs are videoconferencing services switches adapted for deployment in a global Internet Protocol (IP) network and to communicate with at least one other videoconferencing services switch across the global IP network, the videoconferencing services switch comprising a call control module capable of receiving call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks; a tunneling services module configured to receive real-time audio and video data streams from the call origination and destination IP videoconferencing endpoints; and a policy engine capable of being configured to enforce policies on videoconferencing calls based on subscriber-specific settings as claimed in claim 1 of the '939 patent. *See e.g.*, Exhibit 6, Oracle White Paper, at pp. 6-7; Exhibit 7, Oracle SBC Data Sheet, at pp. 2, 4, 7; Exhibit 8, Oracle Session Border Controller Configuration Guide, at pp. 4-1 to 4-12, 5-2 to 5-5, 5-56 to 5-57, 5-178, 5-284 to 5-285, 6-36, 11-1 to 11-9, 11-33, 14-1 to 14-12, 14-113 to 14-120.

63. Furthermore, on information and belief, each of the Oracle SBCs include each of the specific elements found in claims 2-7, 16-26, and 28-30 of the '939 patent, including: where the subscriber-specific settings comprise subscriber-wide settings that apply to all calls from a subscriber and user-specific settings that apply to a particular endpoint of the subscriber; where the tunneling services module is configured to receive encrypted real-time audio and video data streams from the call origination and destination IP videoconferencing endpoints; where at least one of the subscriber IP networks is connected to the global IP network through a network address translation (NAT) device located in the subscriber IP network; where the subscriber-specific

settings include network address translation (NAT) settings; where the subscriber-specific settings are stored at a location accessible to the videoconferencing services switch; a repository of the subscriber-specific settings; at least one processor; a memory device, the memory device having instructions stored thereon that, when executed by the at least one processor, cause the switch to: receive endpoint registration and Session Initiation Protocol (SIP) call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks, set-up videoconferencing call connections for audio and video media exchange between the call origination and destination IP videoconferencing endpoints, and enforce policies on videoconferencing calls based on subscriber-specific settings; where the instructions further cause the switch to: set-up the videoconferencing call connections for encrypted audio and video media exchange between the call origination and destination IP videoconferencing endpoints; and a memory device, the memory device having instructions stored thereon that, when executed by the at least one processor, cause the switch to: receive call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks, set-up videoconferencing call connections for audio and video media exchange between the call origination and destination IP videoconferencing endpoints, and enforce policies on videoconferencing calls based on subscriber-specific settings. *Id.* See also Exhibit 9, Acme Packet 3820 Data Sheet, at pp. 2, 5; Exhibit 10, Acme Packet 4500 Data Sheet, at pp. 2, 5; Exhibit 11, Acme Packet 4600 Data Sheet, at pp. 2, 4; Exhibit 12, Acme Packet 6000 Series Data Sheet, at pp. 3, 5; Exhibit 13, Oracle Communications Mobile Security Gateway Data Sheet, at pp. 5-6; Exhibit 14, Oracle Communication Unified Session Manager Data Sheet, at p. 3.

64. Defendant is liable for these direct infringements pursuant to 35 U.S.C. § 271.

(Indirect Infringement)

65. Based on the information presently available to Teleconference Systems, absent discovery, and in the alternative to its direct infringement claims against Defendant, Teleconference Systems contends that Defendant has and continues to indirectly infringe the '939 patent by inducing end users of the Oracle SBCs to infringe at least claims 1-7, 16-26, and 28-30 via their use of the Oracle SBCs.

66. Defendant has been on notice of the '939 patent since at least service of the original complaint in this matter.

67. Since Defendant was on notice of the '939 patent, Defendant knowingly induced infringement of the '939 patent, including at least claims 1-7, 16-26, and 28-30 of the '939 patent, and possessed specific intent to encourage others' infringement.

68. Since Defendant was on notice of the '939 patent, Defendant knew or should have known that its actions alleged herein would induce actual infringement of the '939 patent, including at least claims 1-7, 16-26, and 28-30 of the '939 patent.

69. Defendant instructs and encourage users to use the Oracle SBCs in a manner that infringes the '939 patent. *See e.g.*, Exhibits 6 through 14 attached hereto.

70. Teleconference Systems has been damaged as a result of Defendant's infringing conduct described in this Count. Defendant is, thus, liable to Teleconference Systems in an amount that adequately compensates Teleconference Systems for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT V

(INFRINGEMENT OF U.S. PATENT NO. 10,135,889)

71. Teleconference Systems incorporates paragraph 1 through 70 herein by reference.

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

73. Teleconference Systems is the exclusive licensee of the '889 patent, entitled "Multiple Subscriber Videoconferencing System," with all substantial rights to the '889 patent, including the exclusive right to enforce, sue, and recover damages for past and future infringement. A copy of the '889 patent is attached as Exhibit 5.

74. The '889 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

(Direct Infringement)

75. Defendant has, and continues to, directly infringe one or more claims of the '889 patent in this judicial district and elsewhere in the United States.

76. In particular, Defendant has, and continues to, infringe at least claims 1-7 and 15-21 of the '889 patent by, making, using, selling, offering to sell, and/or selling within, and/or importing into, the United States, the Oracle SBCs.

77. Specifically, the Oracle SBCs are videoconferencing services switches adapted for deployment in a global Internet Protocol (IP) network and to communicate with at least one other videoconferencing services switch across the global IP network, the videoconferencing services switch comprising a call control module capable of receiving call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks; a tunneling services module configured to receive real-time audio and video data streams from the call origination and destination IP videoconferencing endpoints; and wherein the videoconferencing services switch is configured to process videoconferencing calls based on subscriber-specific settings as claimed in claim 1 of the '889 patent. *See e.g.*, Exhibit 6, Oracle White Paper, at pp. 6-7; Exhibit 7, Oracle

SBC Data Sheet, at pp. 2, 4, 7; Exhibit 8, Oracle Session Border Controller Configuration Guide, at pp. 4-1 to 4-12, 5-2 to 5-5, 5-56 to 5-57, 5-178, 5-284 to 5-285, 6-36, 11-1 to 11-9, 11-33, 14-1 to 14-12, 14-113 to 14-120.

78. Furthermore, on information and belief, each of the Oracle SBCs include each of the specific elements found in claims 2-7 and 15-21 of the '889 patent, including: where the subscriber-specific settings comprise subscriber-wide settings that apply to all calls; where the tunneling services module is configured to receive encrypted real-time audio and video data streams from the call origination and destination IP videoconferencing endpoints; where at least one of the subscriber IP networks is connected to the global IP network through a network address translation (NAT) device located in the subscriber IP network; where the subscriber-specific settings include network address translation (NAT) settings; where the subscriber-specific settings are stored at a location accessible to the videoconferencing services switch; a repository of the subscriber-specific settings; at least one processor; a memory device having instructions stored thereon wherein the switch is responsive to the instructions and configured to: receive call control data from call origination and destination IP videoconferencing endpoints in subscriber IP networks; where the switch is further configured to: establish the videoconferencing call connections for audio and video media exchange between the call origination and destination IP videoconferencing endpoints. *Id.* See also Exhibit 9, Acme Packet 3820 Data Sheet, at pp. 2, 5; Exhibit 10, Acme Packet 4500 Data Sheet, at pp. 2, 5; Exhibit 11, Acme Packet 4600 Data Sheet, at pp. 2, 4; Exhibit 12, Acme Packet 6000 Series Data Sheet, at pp. 3, 5; Exhibit 13, Oracle Communications Mobile Security Gateway Data Sheet, at pp. 5-6; Exhibit 14, Oracle Communication Unified Session Manager Data Sheet, at p. 3.

79. Defendant is liable for these direct infringements pursuant to 35 U.S.C. § 271.

(Indirect Infringement)

80. Based on the information presently available to Teleconference Systems, absent discovery, and in the alternative to its direct infringement claims against Defendant, Teleconference Systems contends that Defendant has and continues to indirectly infringe the '889 patent by inducing end users of the Oracle SBCs to infringe at least claims 1-7 and 15-21, via their use of the Oracle SBCs.

81. Defendant has been on notice of the '889 patent since at least service of the original complaint in this matter.

82. Since Defendant was on notice of the '889 patent, Defendant knowingly induced infringement of the '889 patent, including at least claims 1-7 and 15-21 of the '889 patent, and possessed specific intent to encourage others' infringement.

83. Since Defendant was on notice of the '889 patent, Defendant knew or should have known that its actions alleged herein would induce actual infringement of the '889 patent, including at least claims 1-7 and 15-21 of the '889 patent.

84. Defendant instructs and encourage users to use the Oracle SBCs in a manner that infringes the '889 patent. *See e.g.*, Exhibits 6 through 14 attached hereto.

85. Teleconference Systems has been damaged as a result of Defendant's infringing conduct described in this Count. Defendant is, thus, liable to Teleconference Systems in an amount that adequately compensates Teleconference Systems for Defendant's infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Teleconference Systems requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

Plaintiff asks that the Court find in its favor and against Defendant and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of the patents-in-suit have been infringed directly or indirectly, either literally and/or under the doctrine of equivalents, by Defendant;
- b. Judgment that Defendant account for and pay to Plaintiff all damages to, and costs incurred by, Plaintiff because of Defendant's infringing activities and other conduct complained of herein, including an accounting for any sales or damages not presented at trial;
- c. Judgment that Defendant account for and pay to Plaintiff a reasonable, ongoing, post judgment royalty because of Defendant's infringing activities and other conduct complained of herein;
- d. That Plaintiff be granted pre-judgment and post judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein; and
- e. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

DATED: September 13, 2019

TELECONFERENCE SYSTEMS LLC

By: /s/ Timothy Grochocinski
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