

1 Steven W. Ritcheson, Esq. (SBN 174062)  
2 **INSIGHT, PLC**  
3 578 Washington Blvd. #503  
4 Marina del Rey, California 90292  
5 Telephone: (424) 289-9191  
6 Facsimile: (818) 337-0383  
7 *switcheson@insightplc.com*

8 Attorney for Plaintiff

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10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 **TEKVOKE, LLC,**  
13 Plaintiff,

14 v.

15 **RINGCENTRAL, INC.,**  
16 Defendant.

Civil Action No.:

**TRIAL BY JURY DEMANDED**

17 **COMPLAINT FOR INFRINGEMENT OF PATENT**

18 Now comes, Plaintiff Tekvoke, LLC (“Plaintiff” or “Tekvoke”), by and through undersigned  
19 counsel, and respectfully alleges, states, and prays as follows:

20 **NATURE OF THE ACTION**

21 1. This is an action for patent infringement under the Patent Laws of the United States,  
22 Title 35 United States Code (“U.S.C.”) to prevent and enjoin Defendant RingCentral, Inc. (hereinafter  
23 “Defendant”), from infringing and profiting, in an illegal and unauthorized manner, and without  
24 authorization and/or consent from Plaintiff from U.S. Patent No. 6,687,343 (“the ‘343 Patent” or the  
25 “Patent-in-Suit”) and pursuant to 35 U.S.C. §271, and to recover damages, attorney’s fees, and costs.

26 **THE PARTIES**

27 2. Plaintiff is a Texas limited liability company with its principal place of business at  
28 15922 Eldorado Pkwy, Ste 500-1703 Frisco, TX 75035.



1 *Group Brands LLC*, 137 S. Ct. 1514 (2017) through its incorporation, and regular and established  
2 place of business in this District.

3 **FACTUAL ALLEGATIONS**

4 10. On February 3, 2004, the United States Patent and Trademark Office (“USPTO”) duly  
5 and legally issued the ‘343 Patent, entitled “Internet Communication Control Apparatus and  
6 Communication Terminal Calling Method” after a full and fair examination. The ‘343 Patent is  
7 attached hereto as **Exhibit A**.

8 11. The application that later became the ‘343 Patent was filed on April 11, 2202.

9 12. The ‘343 Patent was originally assigned to Panasonic Communications Co., Ltd.

10 13. Plaintiff is presently the owner of the ‘343 Patent, having received all right, title and  
11 interest in and to the ‘343 Patent from the previous assignee of record. Plaintiff possesses all rights of  
12 recovery under the ‘343 Patent, including the exclusive right to recover for past infringement.

13 14. The main object of the invention claimed in the ‘343 Patent is to “provide an Internet  
14 communication control apparatus and communication terminal calling method that can easily perform  
15 individual calling process, without complicating or upsizing the apparatus, when connected telephones  
16 and facsimile apparatuses having incoming calls from multiple parties about the same time with an  
17 overlapping of time.” **Ex. A** at 2:13-18.

18 15. Claim 1 of the ‘343 Patent states:

19  
20 1. An Internet communication control apparatus selectively connected  
21 to a plurality of communication terminals and to a computer network, said  
Internet communication control apparatus comprising:

22 a controller configured to transmit calling signals to said plurality of  
23 communication terminals, wherein a single calling signal having a  
24 first predetermined time period is transmitted to one communication  
25 terminal of said plurality of communication terminals when a single  
26 calling request is detected from the computer network, and wherein  
27 plural calling signals having a second predetermined time period are  
sequentially transmitted to plural communication terminals of said  
28 plurality of communication terminals when plural calling requests  
are detected from the computer network, said plural calling signals  
being transmitted one after another to the plural communication  
terminals.

1 *See Exhibit A.*

2 16. Defendant commercializes, inter alia, an apparatus having all the elements and  
3 components recited in at least one claim of the '343 Patent. More particularly, Defendant makes, uses,  
4 sells, offers for sale, or imports a system and/or device that encompasses that which is covered by  
5 Claim 1 of the '343 Patent.

6 **DEFENDANT'S PRODUCTS**

7 17. Defendant offers a cloud-based solution, such as the "Ring Central Office" (the  
8 "Accused Instrumentality") that integrates phone, video, meetings and messaging into a single easy-  
9 to-use system. A non-limiting and exemplary claim chart comparing the Accused Instrumentality to  
10 Claim 1 of the '343 Patent is attached hereto as **Exhibit B** and is incorporated herein as if fully  
11 rewritten.

12 18. As recited in Claim 1, the Accused Instrumentality (e.g., Ring Central Office) is an  
13 Internet communication control apparatus (e.g., Cloud PBX) selectively connected to a plurality of  
14 communication terminals (e.g., desk phones and mobile app installed smart devices) and to a computer  
15 network. *See Exhibit B.*

16 19. As recited in Claim 1, the Accused Instrumentality (e.g., Ring Central Office) utilizes  
17 a controller (e.g., Cloud PBX) configured to transmit calling signals to said plurality of communication  
18 terminals (e.g., desk phones and mobile app installed smart devices), wherein a single calling signal  
19 having a first predetermined time period (e.g., user defined time for ringing) is transmitted to one  
20 communication terminal (e.g., user defined single agent) of said plurality of communication terminals  
21 (e.g., desk phones and mobile app installed smart devices) when a single calling request (e.g., User  
22 Call initiation) is detected from the computer network (e.g., Ring Central's cloud VoIP). *See Exhibit*  
23 **B.**

24 20. As recited in Claim 1, the Accused Instrumentality includes plural calling signals  
25 having a second predetermined time period (e.g., user defined time for ringing) are sequentially  
26 transmitted (e.g., sequential call forwarding) to plural communication terminals (e.g., multiple agents)  
27 of said plurality of communication terminals (e.g., desk phones and mobile app installed smart  
28 devices) when plural calling requests are detected from the computer network, said plural calling

1 signals being transmitted one after another (e.g., sequential call forwarding) to the plural  
2 communication terminals (e.g., multiple agents). *See Exhibit B.*

3 21. As recited in Claim 1, the Accused Instrumentality (e.g., Ring Central Office) utilizes  
4 a controller (e.g., Cloud PBX) which is provided with a sequential call forwarding feature wherein  
5 Ring Central Cloud allows users to customize the number of calling agents (i.e. singular or plural  
6 calling terminals) as well as predetermined time period for calling signals (i.e. user controlled ringing  
7 time which indicates how long should an agent's phone ring before choosing a new agent to receive  
8 the call). In case of multiple agents receiving call agents in the queue (i.e. plural calling signals to  
9 plurality of communication terminals) there exist a provision for sequential transmission of call to  
10 plurality of communication terminal (i.e. sequential call forwarding in user specified order). *See*  
11 **Exhibit B.**

12 **INFRINGEMENT OF THE '343 PATENT**

13 22. Plaintiff realleges and incorporates by reference all of the allegations set forth in the  
14 preceding Paragraphs.

15 23. In violation of 35 U.S.C. §271, Defendant has directly infringed the '343 Patent.

16 24. Defendant has directly infringed at least one claim of the '343 Patent by making, using  
17 (at least through internal testing or otherwise), selling, offering for sale and/or importing the Accused  
18 Instrumentality without authority in the United States. As a direct and proximate result of Defendant's  
19 direct infringement of the '343 Patent, Plaintiff has been damaged.

20 25. In addition, Defendant has had knowledge of the '343 Patent and the alleged  
21 infringement of the '343 Patent at least as of the service of the present Complaint. Plaintiff reserves  
22 this right to amend this complaint to seek damages for indirect and/or willful infringement to the full  
23 extent permitted by law.

24 26. By engaging in the conduct described herein, Defendant has injured Plaintiff and is  
25 thus liable for infringement of the '343 Patent, pursuant to 35 U.S.C. §271.

26 27. Defendant has committed these acts of infringement without license or authorization.  
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1  
2 Dated: November 24, 2019

Respectfully submitted,

3 By: \_\_\_\_\_  
4 Steven W. Ritcheson

5 Counsel for *Plaintiff*  
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**LIST OF EXHIBITS**

- A. United States Patent No. 6,687,343
- B. Exemplary Claim Chart