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7 *Attorney(s) for Plaintiff Social Positioning Input Systems, LLC*

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10 SOCIAL POSITIONING INPUT
11 SYSTEMS, LLC,

12 *Plaintiff,*

13 v.

14 CORETEX, LLC,

15 *Defendant.*

CASE NO.: '20CV1083 GPC JLB

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

17 Plaintiff Social Positioning Input Systems, LLC (“Plaintiff” or “SPIS”) files this
18 Complaint against Coretex, LLC (“Defendant” or “Coretex”) for infringement of
19 United States Patent No. 9,261,365 (hereinafter “the ‘365 Patent”):

20 **PARTIES AND JURISDICTION**

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22
23 1. This is an action for patent infringement under Title 35 of the United
24 States Code. Plaintiff is seeking injunctive relief as well as damages.

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

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3. Plaintiff is a Texas limited liability company with a virtual office located at 1801 NE 123 Street, Suite 314, Miami, FL 33181.

4. On information and belief, Defendant is a Delaware limited liability company with its principal office located at 15110 Avenue of Science, Suite 100, San Diego, CA 92128. On information and belief, Defendant may be served with process through its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

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. 9,261,365)

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

4 9. This cause of action arises under the patent laws of the United States
5 and, in particular, under 35 U.S.C. §§ 271, *et seq.*
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7 10. Plaintiff is the owner by assignment of the '365 Patent with sole rights
8 to enforce the '044 Patent and sue infringers.

9 11. A copy of the '365 Patent, titled "Device, System and Method for
10 Remotely Entering, Storing and Sharing Addresses for a Positional Information
11 Device," is attached hereto as Exhibit A.
12

13 12. The '365 Patent is valid, enforceable, and was duly issued in full
14 compliance with Title 35 of the United States Code.
15

16 13. Upon information and belief, Defendant has infringed and continues to
17 infringe one or more claims, including at least Claim 1, of the '365 Patent by making,
18 using (at least by having its employees, or someone under Defendant's control, test
19 the accused Product), importing, selling, and/or offering for sale a mobile website
20 with associated hardware and software for determining vehicle locating services
21 ("Product") covered by at least Claim 1 of the '365 Patent. Defendant has infringed
22 and continues to infringe the '365 patent either directly or through acts of contributory
23 infringement or inducement in violation of 35 U.S.C. § 271.
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1 14. The Product provides a Fleet tracking software for monitoring real-time
2 GPS location to receive real-time locations of fleet vehicles (i.e. location information)
3 through positional information device (i.e. mobile device with installed Coretex 360
4 app or laptop). Certain aspects of this element are illustrated in the screenshot(s)
5 below and/or in those provided in connection with other allegations herein.
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8 Coretex Fleet Management is a comprehensive
9 cloud application for any fleet management
challenge.

10 **Real-time Location & Geofencing**
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12 Track vehicle activity in the geographic areas that matter with on-device and in
13 cloud geofencing. Highly accurate time and location geofence activity recording
14 to the nearest second with support for thousands of polygon geofences. On
Device geofencing is the only way to deliver real time and accurate feedback in
cab.

15 The Coretex CoreHub delivers High Definition
16 Data from your assets to the Coretex 360 cloud.
17 Coretex intelligence gives your team the
18 information they need to drive the business
forward. Coretex makes compliance with ELD,
FSMA and IFTA simple.



19 **Coretex Mobile App**

20 See your vehicles whenever,
21 wherever with the Coretex 360
22 mobile app. See their latest
movements and send them
messages, connecting with Coretex
Drive. Available on Android and
iOS.

23 Source : <https://www.coretex.com/products/solutions/gps-tracking/>

24 Source: <https://www.coretex.com/products/solutions/overview/>

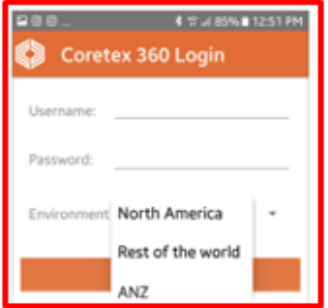
25 Source:

26 <https://www.coretex.com/assets/Uploads/Docs/e165cbece8/Coretex MixedFleet Brochure.pdf>

27 15. The Product software sends a request from positional information device
28 (i.e. mobile device with app installed or laptop) to a Coretex cloud server by selecting
the GPS tracker (i.e. sending positional information device) installed on the vehicle

1 whose location (at least one address stored) needs to be checked. Certain aspects of
2 this element are illustrated in the screenshot(s) below and/or in those provided in
3 connection with other allegations herein.
4

5 1. To manage your fleet while you are out and about, we have a great 360 app for
6 Apple and Android devices – simply search 'Coretex 360 Mobile' in your app
store, or click the links above.



7 2. To log in you simply need to enter in your username and password. Your
8 environment is dependent on the URL you use to log in to 360:

9 Coretex Fleet Management is a comprehensive
10 cloud application for any fleet management
11 challenge.

12 **Real-time Location & Geofencing**
13
14 Track vehicle activity in the geographic areas that matter with on-device and in
15 cloud geofencing. Highly accurate time and location geofence activity recording
to the nearest second with support for thousands of polygon geofences. On
Device geofencing is the only way to deliver real time and accurate feedback in
cab.

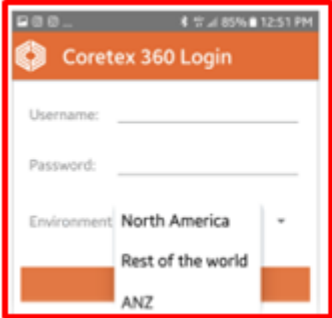


16 The TMU1500 from Coretex is a highly detailed and configurable
17 device, with high sensitivity GPS for reliable location & tracking,
18 as well as patented triple-axis accelerometer motion sensing
19 technology for detecting aggressive driving maneuvers such
20 as harsh acceleration, braking and cornering, and high-impact
events.

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22 Source: <https://help.coretex.com/en/articles/2566582-360-mobile-app>
23 Source: <https://www.coretex.com/products/solutions/gps-tracking/>
Source: <https://www.coretex.com/assets/Uploads/resources/108f0aa86a/CTX-TMU1500-NA.pdf>

24 16. The request to show the current location (i.e., at least one address stored)
25 of the vehicle includes a first identifier (e.g, user ID and password) of the requesting
26 positional information device (e.g., mobile device with app installed). Thus, the user
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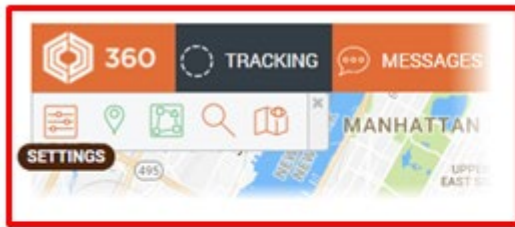
1 needs to login using his login ID and password (i.e. a first identifier) on the app
2 installed on the mobile or laptop (i.e. requesting positional information device) to
3 check the address associated with the vehicle Certain aspects of this element are
4 illustrated in the screenshot(s) below and/or in those provided in connection with
5 other allegations herein.
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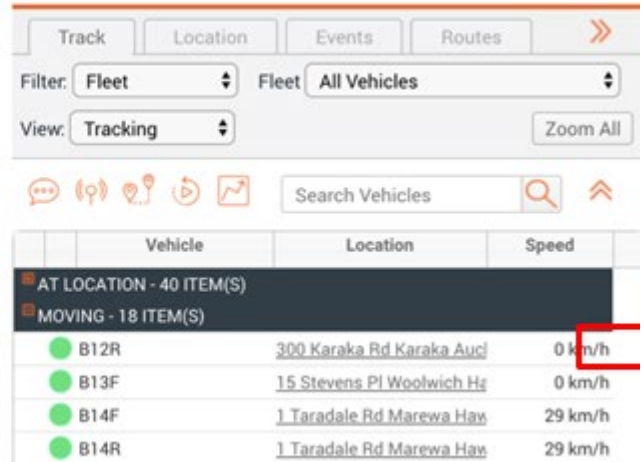
2. To log in you simply need to enter in your username and password. Your environment is dependent on the URL you use to log in to 360:

Source: <https://help.coretex.com/en/articles/2566582-360-mobile-app>

15 17. The software provides the requesting positional information device the
16 current location (i.e., the at least one address) of the vehicle on which the GPS tracker
17 is installed. The application, installed on the mobile (i.e. the requesting positional
18 information device) receives, from the server, the location (i.e. at least one server)
19 associated to the GPS tracker (i.e. installed on the vehicle). Certain aspects of this
20 element are illustrated in the screenshot(s) below and/or in those provided in
21 connection with other allegations herein.
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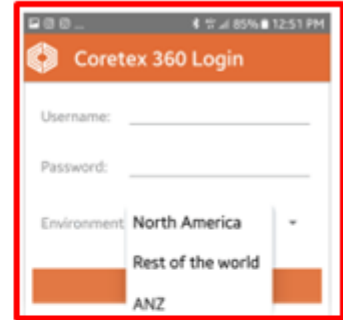
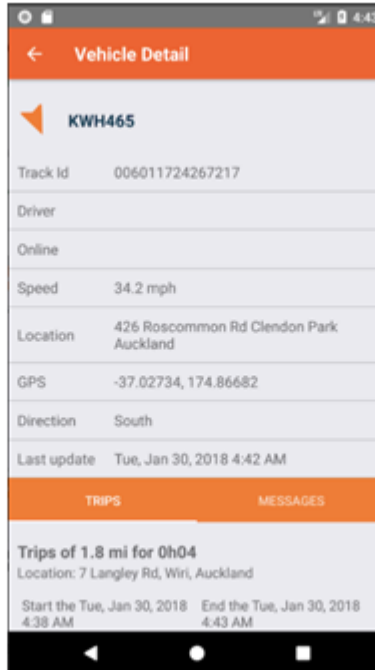


Tracking Sidebar: Offers a summary of vehicle tracking information, and much more.



Source : <https://help.coretex.com/en/articles/2560063-tracking-screen>

18. The Product application installed on the mobile (i.e. requesting positional information device), requests the server for the tracker's GPS location (i.e. at least one address stored). The tracking ID (i.e. second identifier) of the GPS tracker (i.e. the sending positional information device), is associated with the vehicle (whose location needs to be tracked) that is added to the user's account, that is the user login ID and password (i.e. the first identifier). Hence, the tracker's Track ID (i.e. second identifier) is mapped to the user's login ID (i.e. the first identifier) for tracking. 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.coretex.core360mobile&hl=en_us
 Source: <https://help.coretex.com/en/articles/2566582-360-mobile-app>

19. Defendant’s actions complained of herein will continue unless Defendant is enjoined by this court.

20. 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.

21. 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,

1 employees, attorneys, and all persons in active concert or participation with Defendant
2 who receive notice of the order from further infringement of United States Patent No.
3 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of
4 judgment going forward);

5
6 (c) Award Plaintiff damages resulting from Defendant's infringement in
7 accordance with 35 U.S.C. § 284;

8
9 (d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

10 (e) Award Plaintiff such further relief to which the Court finds Plaintiff
11 entitled under law or equity.
12

13
14 Dated: June 15, 2020

Respectfully submitted,

15 /s/ Stephen M. Lobbin

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21 ***Attorney(s) for Plaintiff Social Positioning
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