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16 *ATTORNEYS FOR PLAINTIFF*
17 *OMNITEK PARTNERS LLC*

18 UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 OMNITEK PARTNERS LLC,

21 Plaintiff,

22 v.

23 APPLE INC.,

24 Defendants.

Case No.: 5:20-cv-06457

COMPLAINT FOR PATENT INFRINGEMENT

25 Plaintiff Omnitek Partners LLC (“Omnitek” or “Plaintiff”), for its Complaint for Patent
26 Infringement against Defendant Apple Inc. (“Apple”), alleges the following:

27 **NATURE OF THE ACTION**

28 1. This is an action for patent infringement arising under the Patent Laws of the United
States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

1
2 2. Plaintiff Omnitek is a Limited Liability Company organized under the laws of the State
3 of New Jersey with a place of business at 85 Air Park Drive, Unit 3, Ronkonkoma, New York, 11779.

4 3. Omnitek is the current assignee of United States Patent Nos. 8,645,057 (“the ’057
5 patent) (Exhibit A), and 8,224,569 (“the ’569 patent”) (Exhibit B) (collectively “the patents in suit.”).

6 4. On or around October 14, 2005, Omnitek acquired 100% ownership of all right, title
7 and interest in the patents in suit, including the right to bring patent enforcement actions for damages.
8 The assignment to Omnitek of ownership of both the ’057 patent and the ’569 patent was recorded
9 with the United States Patent & Trademark Office (“USPTO”) on or around October 21, 2005 by
10 virtue of the assignment of the original parent application referencing all subsequent related
11 applications and recorded at Reel 017101, Frame 0819 of the USPTO assignment records.

12 5. Defendant Apple Inc. (“Apple”) is a California corporation having its principal place of
13 business at One Apple Park Way, Cupertino, California 95014. Apple produces and sells electronic
14 devices that include navigation systems and related technologies worldwide, including in the United
15 States.

16 **JURISDICTION AND VENUE**

17 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

18 7. Venue with respect to Defendant Apple is proper in this District under 28 U.S.C.
19 § 1400(b) because Apple is a resident of California and also because Apple maintains a regular and
20 established place of business in this District, at One Apple Park Way, Cupertino, California and has
21 committed infringing acts in this District through its sales of the Accused Instrumentalities in this
22 District, and also under 28 U.S.C. § 1391(b)(2) because Apple both sells and offers to sell products and
23 services throughout the United States, including in this District, and introduces products and services
24 into the stream of commerce and effectuates these sales knowing that the products and services would
25 be sold in this District and elsewhere in the United States.

26 8. This Court has personal jurisdiction over Apple. Apple has conducted and regularly
27 conducts business within the United States and this District. Apple has purposefully availed itself of
28 the privileges of conducting business in the United States, and more specifically in California and this

1 District. Apple has sought protection and benefit from the laws of California placing infringing
2 products into the stream of commerce through an established distribution channel with the awareness
3 and/or intent that they will be purchased by consumers in this District.

4 9. Apple – directly or through intermediaries (including distributors, retailers, and others),
5 subsidiaries, alter egos, and/or agents – ships, distributes, offers for sale, and/or sells its products in the
6 United States and this District. Apple has purposefully and voluntarily placed one or more of its
7 infringing products into the stream of commerce with the awareness and/or intent that they will be
8 purchased by consumers in this District. Apple knowingly and purposefully ships infringing products
9 into and within this District through an established distribution channel. These infringing products
10 have been and continue to be purchased by consumers in this District. Upon information and belief,
11 through those activities, Apple has committed the tort of patent infringement in this District.

12 10. On information and belief, Defendant Apple is subject to this Court’s general and
13 specific personal jurisdiction because Apple has sufficient minimum contacts within California and
14 this District, because Defendant Apple purposefully availed itself of the privileges of conducting
15 business in California and in this District, because Defendant Apple regularly conducts and solicits
16 business within California and within this District, and because Plaintiff’s causes of action arise
17 directly from Defendant Apple’s business contacts and other activities in California and this District.
18 Having purposefully availed itself of the privilege of conducting business within this District,
19 Defendant Apple should reasonably and fairly anticipate being brought into court here.

20 **INTRADISTRICT ASSIGNMENT**

21 11. For purposes of intradistrict assignment under Civil Local Rules 3-2 (c) and 3-5(b), this
22 Intellectual Property Action will be assigned on a district-wide basis.

23 **BACKGROUND**

24 **The Inventions**

25 12. Plaintiff Omnitek is the owner by assignment of a portfolio of patents, including the two
26 patents described in detail in the counts below (collectively, the “Asserted Patents”). The two patents
27 relate to technology for providing driving directions, including permitting variations as to preferences
28 in the routing provided such as, but not limited to, generating intermediate addresses in the routing

1 provided. A true and correct copy of the '057 patent is attached as Exhibit A; the '569 patent is
2 attached as Exhibit B.

3 13. Omnitek is the rightful owner of the Asserted Patents and holds the entire right, title,
4 and interest in the Asserted Patents, including the right to assert all causes of action arising under said
5 patents and the right to any remedies for infringement of them.

6 **Technological Innovations**

7 14. The patented inventions disclosed in the '057 and '569 patents provide many
8 advantages over the prior art, such as in allowing users to select addresses or locations to be used for
9 guidance and to generate customized routes between these addresses or locations based on a user's
10 preferences. For example, the inventions allow users to generate driving instructions from a named
11 road to an ending address or location, while also detailing that the generated route not include a
12 specified type of road, such as an interstate. ('057 patent at 2:61-3:5, '569 patent at 3:32-43.)

13 15. Another advantage of the patented inventions is that a user of the patented inventions
14 may customize the generated directions to suit the user's needs for a planned trip. For example, the
15 patented inventions allow a user to input an instruction to start from a specific nearby road. ('057
16 patent at 3-6:26, '569 patent at 3:44-64.)

17 16. Yet another advantage of the patented inventions is that the user may select starting and
18 ending addresses or locations on a map without any associated text entry. For example, the patented
19 inventions allow a user to click on a starting address or location on a map to indicate the directions
20 should be generated starting from that first clicked location, and then clicking on an ending address or
21 location on the map to indicate the directions generated should conclude at that second clicked
22 location. (See '057 patent at 1-62:67, '569 patent at 2:32-37.)

23 17. Because of at least the above described significant advantages that can be achieved
24 using the patented inventions, Omnitek believes that the '057 and '569 patents present commercial
25 value for companies like Apple.

26 18. The patented inventions disclosed in the '057 and '569 patents resolve technical
27 problems related to computerized navigation technologies, particularly problems related to the lack of
28 customization options available to suit the needs or preferences of a user. As the '057 and '569 patents

1 explain, it was known in the art how one may typically obtain driving directions from software or at an
2 Internet website. ('057 patent at 1:23-26, and '569 patent at 1:19-22.) Typically, a user would enter a
3 starting address and an ending address into a navigation service which would then interpret these
4 addresses to generate driving directions to be displayed to the user. ('057 patent at 1:26-28, and '569
5 patent at 1:22-24.) In order to generate these directions, these prior services used a system to
6 determine the best routes for the user. ('057 patent at 1:28-30, and '569 patent at 1:24-26.) This
7 system may include a weighting system that assigned certain weights to different types of roads,
8 including small roads, secondary roads, highways, or interstates. ('057 patent at 1:30-34, and '569
9 patent at 1:26-30.) Depending on the distance between the provided addresses, the services may have
10 generated directions and routes including travel by way of highways. ('057 patent at 1:34-36, and '569
11 patent at 1:30-32.)

12 19. Although these prior services were useful in providing those types of directions, the
13 services did not allow a user to customize the directions generated to suit certain of the user's needs or
14 preferences. ('057 patent at 1:36-38, and '569 patent at 1:32-34.) As such, there existed a need for a
15 system or method to allow the user to enter very specific instructions for starting and ending addresses,
16 including the setting of user preferences.

17 20. The invention described in the '057 and '569 patents offers an improved method for
18 electronically generating driving directions. ('057 patent at 1:44-45, and '569 patent at 1:40-41.) The
19 patented invention improved upon earlier services and methods of the prior art by indicating one or
20 more preferences for the directions or routes to be generated. (See '057 patent at 2:61-3-58, '569 patent
21 at 3:32-4:29.) In particular, the patented invention allows a user to set preferences, including a
22 preference to use no roads of a particular type, ('057 patent at 3:3-5, and '569 patent at 3:41-43,) or a
23 preference to start the driving directions from a particular road ('057 patent at 3:27-33, and '569 patent
24 at 3:65-4:4.)

25 21. Another limitation in the prior art was the reliance on the requirement of text input in
26 describing the starting and ending addresses. The patented inventions overcome this limitation by
27 allowing the user to select or indicate starting and ending locations by selecting these locations on a
28 map using any of a plurality of gestures, including clicking and dragging. (See '057 patent at 1-62:67,

1 '569 patent at 2:32-37.)

2 22. The claims of the '057 and '569 patents do not merely recite the performance of some
3 business practice known from the pre-Internet world along with the requirement to perform it on the
4 Internet. Instead, the claims of the '057 and '569 patents recite one or more inventive concepts that are
5 rooted in computerized navigation technologies, and overcome problems specifically arising in the
6 realm of these technologies.

7 23. The claims of the '057 and '569 patents recite inventions that are not merely the routine
8 or conventional use of computerized navigation technology. Instead, the inventions make it possible to
9 interact the navigation in a way that allows a user to customize the generated route according to a
10 user's preferences. The claims of the '057 and '569 patents thus specify how navigation input, output,
11 and system devices are manipulated to yield a customized navigation experience based on the entries
12 of the user.

13 24. The technology claimed in the '057 and '569 patents does not preempt all ways of using
14 interactive navigation technology, nor preempt the use of any well-known navigation technology, nor
15 preempt any other well-known or prior art technology.

16 25. The claims of the '057 and '569 patents are not directed to any "method of organizing
17 human activity," "fundamental economic practice long prevalent in our system of commerce," nor are
18 any of the claims "a building block of the modern economy."

19 26. The claims of the '057 and '569 patents are directed toward a solution rooted in
20 computer technology and uses technology, unique to computers and networks, to overcome a problem
21 specifically arising in the realm of computerized navigation technologies.

22 27. The claims of the '057 and '569 patents are not directed at a mere mathematical
23 relationship or formula.

24 28. The claims of the '057 and '569 patents cannot be performed by a human, in the human
25 mind, or by pen and paper.

26 29. Accordingly, each claim of the '057 and '569 patents recites a combination of elements
27 sufficient to ensure that the claims, in practice, amount to significantly more than a patent-ineligible
28 concept.

COUNT I - INFRINGEMENT OF U.S. PATENT NO. 8,465,057

30. The allegations set forth in the foregoing paragraphs 1 through 29 are incorporated herein by reference into this Claim for Relief.

31. On February 4, 2014, the United States Patent and Trademark Office duly and legally issued the '057 patent. The '057 patent is titled "Software Based Driving Directions." The application leading to the '057 patent was filed on March 19, 2013. A true and correct copy of the '057 patent is attached hereto as Exhibit A.

32. Upon information and belief, Apple directly infringes and continues to directly infringe at least claim 10 of the '057 patent, in the United States, under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by, among other things, making, using, selling, offering to sell, importing and/or providing and/or causing to be used technologies for practicing a method for electronically generating driving directions through the Apple Maps App ("Apple Maps") technology incorporated into Apple devices, such as the i-Phone and i-Pad devices, (see <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020,) (the "Accused Instrumentalities") as in claim 10 of the '057 patent. Apple Maps is an integrated multimedia navigation and telematics system for personal users traveling, for example, in a vehicle. (See Omnitek's Claim Chart for Apple with respect to claim 10 of the '057 patent, Ex. A-1 at 1-10.)

33. On information and belief, Apple is a for-profit organization with annual revenues of approximately \$260 billion (USD) worldwide. Moreover, Defendant Apple, its employees and/or agents make, use, sell, offer to sell, import, and/or provide and/or cause to be used the Accused Instrumentalities for Defendant's partners and customers, leading to direct or indirect revenues and profit. On information and belief, without the availability of infringing tools such as the Accused Instrumentalities, Defendants would be at a disadvantage in the marketplace and would generate less revenue and profit overall.

34. In particular, claim 10 of the '057 patent generally recites a method for electronically generating driving directions from a starting location to an ending location, the method comprising: indicating the ending location; indicating one or more preferences for the directions; and generating driving directions based on the indicated starting address, ending address, and one or more preferences;

1 wherein at least one of the one or more preferences comprises an indication to generate driving
2 directions that include a named road or highway. (Ex. A-1 at 5-10.)

3 35. Use of the Accused Instrumentalities by Defendant's partners, customers, and/or end
4 users infringes claim 10 of the '057 patent through a combination of features which collectively
5 practice each limitation of claim 10. (Ex. A-1 at 5-10.)

6 36. Apple provides a method for electronically generating driving directions from a starting
7 location to an ending location. (Ex. A-1 at 5.) When in use, Apple Maps provides navigation functions
8 by electronically generating driving directions in their navigation products (Ex. A-1 at 5; see also
9 <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.)

10 37. The Apple method also includes indicating the ending location. Once Apple Maps is
11 activated, the user then selects an ending address by, in one example, performing a search for an
12 ending address and selecting from a list of options as the destination. (Ex. A-1 at 6; see also
13 <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.)

14 38. The Apple method also includes indicating one or more preferences for the directions.
15 (Ex. A-1 at 7.) For example, Apple Maps allows a user to revise a route by selecting other options for
16 a destination (see Ex. A-1 at 7; and see also <https://support.apple.com/en-us/HT202570>, last accessed
17 and downloaded September 15, 2020.)

18 39. The Apple method also provides generating driving directions based on the indicated
19 starting address, ending address, and one or more preferences. For example, once the ending
20 destination is set, the Apple Maps system utilizes the Route4Me to generate routes, thus generating
21 driving directions based on the indicated starting address, ending address, and one or more preferences.
22 (see Ex. A-1 at 8; and see also [https://support.route4me.com/apple-maps-navigating-route4me-routes-
23 with-apple-maps-using-the-route4me-iphone-app/](https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/), last accessed and downloaded September 15, 2020.)

24 40. The method provided by Apple also provides wherein at least one of the one or more
25 preferences comprises an indication to generate driving directions that include a named road or
26 highway. (Ex. A-1 at 9.) For example, the Apple Maps system allows the user to navigate to an
27 intermediate address as a waypoint, the preferences comprising an indication to generate driving
28 directions that include a named road. (see Ex. A-1 at 9; and see also

1 [https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-](https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/)
2 [route4me-iphone-app/](https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/), last accessed and downloaded September 15, 2020.)

3 41. Use of the Accused Instrumentalities by Defendant's partners, customers, and/or end
4 users infringes claim 10 of the '057 patent through a combination of features which collectively
5 practice each limitation of claim 10. (See Ex. A-1 at 1-10.)

6 42. On information and belief, these Accused Instrumentalities are used marketed, provided
7 to, and/or used by or for each of Defendant's partners, clients, customers, and end users across the
8 country and in this District.

9 43. Defendant was made aware of the '057 patent and its infringement thereof at least as
10 early as the filing of this Complaint.

11 44. Upon information and belief, since at least the time Defendant received notice,
12 Defendant has induced and continue to induce others to infringe at least one claim of the '057 patent
13 under 35 U.S.C. § 271(b) by, among other things, and with specific intent or conscious blindness,
14 actively aiding and abetting others to infringe, including but not limited to each of Defendant's
15 partners, clients, customers, and end users, whose use of the Accused Instrumentalities constitutes
16 direct infringement of at least one claim of the '057 patent.

17 45. In particular, Apple's actions that aid and abet others to infringe include advertising
18 and/or providing support services to partners contracted by Apple or providing instruction materials,
19 training, and services regarding the Accused Instrumentalities which actively induce a user of the
20 Apple Maps system to infringe the Asserted Claims. For example, Apple provides potential users with
21 detailed instruction materials on how to operate the Apple Maps system in a way that infringes at least
22 one claim of the '057 patent. (see Ex. A-1 at 1-10; and see the Apple Maps support page at
23 <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.) As
24 shown in Paragraphs 35-41 above and in the attached claim chart for claim 10 of the '057 patent,
25 Apple provides users of the Apple Maps system with a detailed instruction set as to each feature of
26 claim 10 of the '057 patent such that by following the instructions on the Apple support page, and or as
27 provided in the Apple Maps user interface, the user is thus induced to infringe the claim.

28 46. In addition, on information and belief, Apple encourages its employees, contract

1 workers, customers, and other third parties to use the Accused Instrumentalities. *Id.*

2 47. Additionally, on information and belief, Apple promotes the Accused Instrumentalities
3 through advertising (Source: <https://www.apple.com/ios/maps/>, last accessed and downloaded
4 September 15, 2020.)

5 48. Apple further provides technical support to help users of the Accused Instrumentalities
6 address technical concerns. (Source: <https://support.apple.com/en-us/HT202570>, last accessed and
7 downloaded September 15, 2020.)

8 49. Upon information and belief, Apple has engaged in such actions with specific intent to
9 cause infringement or with conscious blindness to the resulting infringement because Apple has had
10 actual knowledge of the '057 patent and that its acts were inducing the infringement of the '057 patent
11 since at least the date Apple received notice by this Complaint that such activities infringed the '057
12 patent.

13 50. Upon information and belief, Defendant is liable as a contributory infringer of the '057
14 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States
15 computerized navigation technologies, including firmware, software and/or code with instructions for
16 following the methods of the Asserted Claims in operating the Apple Maps system in electronic
17 devices using software that is especially made or adapted for use in an infringement of the '057 patent.
18 For example, Apple provides the Apple Maps App which is proprietary software for presenting a user
19 interface and for operating the Apple Maps system in a way that infringes at least one claim of the '057
20 patent. (see Ex. A-1 at 1-10; and see also <https://support.apple.com/en-us/HT202570>, last accessed and
21 downloaded September 15, 2020.) As the Apple Maps App illustrates, these Accused Instrumentalities
22 are a material component for use in practicing the '057 patent and are specifically made and are not a
23 staple article of commerce suitable for substantial non-infringing use.

24 51. Apple was made aware of the '057 patent and its infringement thereof at least as early
25 as the filing of this Complaint. Despite Plaintiff's notice to Apple by this Complaint regarding the
26 '057 patent, the Defendant continues to infringe the '057 patent.

27 52. Plaintiff Omnitek has been harmed by Apple's infringing activities with respect to the
28 '057 patent.

1 53. Omnitek reserves the right to modify its infringement theories as discovery progresses
2 in this case. It shall not be estopped for purposes of its infringement contentions or its claim
3 constructions by the claim charts it provides with this Complaint. Omnitek intends the claim chart for
4 the '057 patent (Exhibit A-1) to satisfy the notice requirements of Rule 8(a)(2) of the Federal Rule of
5 Civil Procedure. The claim chart is not Omnitek's preliminary or final infringement contentions or
6 preliminary or final claim construction positions.

7 **COUNT II - INFRINGEMENT OF U.S. PATENT NO. 8,224,569**

8 54. The allegations set forth in the foregoing paragraphs 1 through 29 are incorporated
9 herein by reference into this Claim for Relief.

10 55. On July 17, 2012, the United States Patent and Trademark Office duly and legally
11 issued the '569 patent. The '569 patent is titled "Software Based Driving Directions." The application
12 leading to the '569 patent was filed on December 22, 2009. A true and correct copy of the '569 patent
13 is attached hereto as Exhibit B.

14 56. Upon information and belief, Apple directly infringes and continues to directly infringe
15 at least claim 2 of the '569 patent, in the United States, under 35 U.S.C. § 271(a), literally or under the
16 doctrine of equivalents, by, among other things, making, using, selling, offering to sell, importing
17 and/or providing and/or causing to be used a method for electronically generating driving directions
18 without text entry through the Apple Maps App ("Apple Maps") technology incorporated into Apple
19 devices, such as the i-Phone and i-Pad devices, (see <https://support.apple.com/en-us/HT202570>, last
20 accessed and downloaded September 15, 2020,) (the "Accused Instrumentalities") as in claim 10 of
21 the '057 patent. Apple Maps is an integrated multimedia navigation and telematics system for personal
22 users traveling, for example, in a vehicle. (See Omnitek's Claim Chart for Apple with respect to claim
23 2 of the '569 patent, Ex. B-1 at 1-10.)

24 57. On information and belief, Apple is a for-profit organization with annual revenues of
25 approximately \$260 billion (USD) worldwide. Moreover, Defendant Apple, its employees and/or
26 agents make, use, sell, offer to sell, import, and/or provide and/or cause to be used the Accused
27 Instrumentalities for Defendant's partners and customers, leading to direct or indirect revenues and
28 profit. On information and belief, without the availability of infringing tools such as the Accused

1 Instrumentalities, Defendant would be at a disadvantage in the marketplace and would generate less
2 revenue and profit overall

3 58. In particular, claim 2 of the '569 patent generally recites a method for electronically
4 generating driving directions without text entry, the method comprising indicating a starting address or
5 starting location on a map without text entry; indicating an ending address or ending location on a map
6 without text entry; generating driving directions based on the indicated starting address or starting
7 location and ending address or ending location; and indicating an intermediate address or location on
8 the map where the generating generates driving directions from the starting address or location to the
9 intermediate address and location and from the intermediate address or location to the ending address
10 or location, wherein the intermediate address is indicated on a different map as one of the starting and
11 ending address. (Ex. B-1 at 5-10.)

12 59. Use of the Accused Instrumentalities by Defendant's partners, customers, and/or end
13 users infringes claim 2 of the '569 patent through a combination of features which collectively practice
14 each limitation of claim 2. (Ex. B-1 at 5-10.)

15 60. Apple provides a method for electronically generating driving directions without text
16 entry that comprises both indicating a starting address or starting location and an ending address or
17 ending location on a map without the use of text entry. (Ex. B-1 at 5-10.) Through the Apple Maps
18 system, a user may indicate its own address automatically as the starting address thus indicating a
19 starting address or location on a map without text entry. (Ex. B-1 at 6 see also
20 <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.) Once
21 a starting address has been selected, the user may then select an ending address by, for example,
22 selecting a destination from a list indicating an ending address without text entry. (Ex. B-1 at 8; see
23 also <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.)

24 61. The Apple method also includes generating driving directions based on the indicated
25 starting address or location and ending address or ending location. For example, after the destination is
26 entered in the Apple Maps system, the route is calculated, and the map appears showing the entire
27 route. (Ex. B-1 at 8; see also [https://support.route4me.com/apple-maps-navigating-route4me-routes-
28 with-apple-maps-using-the-route4me-iphone-app/](https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/), last accessed and downloaded September 15, 2020.)

1 62. The Apple method also provides indicating an intermediate address or location on the
2 map where the generating generates driving directions from the starting address or location to the
3 intermediate address and location and from the intermediate address or location to the ending address
4 or location. (Ex. B-1 at 8-10.) For example, the Apple Maps system recalculates the route every time a
5 new destination is added or changed, thus the intermediate address is indicated on a different map as
6 one of the starting and ending address. (See *Id.*; see also <https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/>, all last accessed and
7 downloaded September 15, 2020.)
8

9 63. The method provided by Apple also provides cases wherein the intermediate address is
10 indicated on a different map as one of the starting and ending address. (Ex. B-1 at 10.) Once received,
11 the Apple Maps system generates and determines driving directions from the starting address, to the
12 intermediate address, and then from that intermediate address to the ending address, with the maps
13 being displayed on different maps, sequentially. (See *Id.*; see also <https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/>, last accessed and
14 downloaded September 15, 2020.)
15

16 64. Use of the Accused Instrumentalities by Defendant’s partners, customers, and/or end
17 users infringes claim 2 of the ’569 patent through a combination of features which collectively practice
18 each limitation of claim 2. (See, Ex. B-1 at 1-10).

19 65. On information and belief, these Accused Instrumentalities are used marketed, provided
20 to, and/or used by or for each of Defendant’s partners, clients, customers, and end users across the
21 country and in this District.

22 66. Defendant was made aware of the ’569 patent and its infringement thereof at least as
23 early the filing of this Complaint.

24 67. Upon information and belief, since at least the time Defendant received notice,
25 Defendant has induced and continues to induce others to infringe at least one claim of the ’569 patent
26 under 35 U.S.C. § 271(b) by, among other things, and with specific intent or conscious blindness,
27 actively aiding and abetting others to infringe, including but not limited to each of Defendant’s
28 partners, clients, customers, and end users, whose use of the Accused Instrumentalities constitutes

1 direct infringement of at least one claim of the '569 patent.

2 68. In particular, Apple's actions that aid and abet others to infringe include advertising
3 and/or providing support services to partners contracted by Apple or providing instruction materials,
4 training, and services regarding the Accused Instrumentalities which actively induce a user of the
5 Apple Maps system to infringe the Asserted Claims. For example, Apple provides potential users with
6 detailed instruction materials on how to operate the Apple Maps system in a way that infringes at least
7 one claim of the '569 patent. (see Ex. B-1 at 1-10; and see the Apple Maps support page at
8 <https://support.apple.com/en-us/HT202570>, last accessed and downloaded September 15, 2020.) As
9 shown in Paragraphs 59-64 above and in the attached claim chart for claim 2 of the '569 patent, Apple
10 provides users of the Apple Maps system with a detailed instruction set as to each feature of claim 2 of
11 the '569 patent such that by following the instructions on the Apple support page, and or as provided in
12 the Apple Maps user interface, the user is thus induced to infringe the claim.

13 69. In addition, on information and belief, Apple encourages its employees, contract
14 workers, customers, and other third parties to use the Accused Instrumentalities. *Id.*

15 70. Additionally, on information and belief, Apple promotes the Accused Instrumentalities
16 through advertising (Source: <https://www.apple.com/ios/maps/>, last accessed and downloaded
17 September 15, 2020.)

18 71. Apple further provides technical support to help users of the Accused Instrumentalities
19 address technical concerns. (Sources: <https://support.apple.com/en-us/HT202570>, last accessed and
20 downloaded September 15, 2020.)

21 72. Upon information and belief, Apple has engaged in such actions with specific intent to
22 cause infringement or with conscious blindness to the resulting infringement because Apple has had
23 actual knowledge of the '569 patent and that its acts were inducing the infringement of the '569 patent
24 since at least the date Apple received notice by this Complaint that such activities infringed the '569
25 patent.

26 73. Upon information and belief, Defendant is liable as contributory infringers of the '569
27 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States
28 computerized navigation technologies, including firmware, software and/or code with instructions for

1 following the methods of the Asserted Claims in operating the Apple Maps system in electronic
2 devices using software that is especially made or adapted for use in an infringement of the '569 patent.
3 For example, Apple provides the Apple Maps App which is proprietary software for presenting a user
4 interface and for operating the Apple Maps system in a way that infringes at least one claim of the '569
5 patent. (see Ex. B-1 at 1-10; and see also <https://support.apple.com/en-us/HT202570>, last accessed and
6 downloaded September 15, 2020.) As the Apple Maps App illustrates, these Accused
7 Instrumentalities are a material component for use in practicing the '569 patent and are specifically
8 made and are not a staple article of commerce suitable for substantial non-infringing use.

9 74. Apple was made aware of the '569 patent and its infringement thereof at least as early
10 as the filing of this Complaint. Despite Plaintiff's notice to Apple by this Complaint regarding the
11 '569 patent, the Defendant continues to infringe the '569 patent.

12 75. Plaintiff Omnitek has been harmed by Apple's infringing activities with respect to the
13 '569 patent.

14 76. Omnitek reserves the right to modify its infringement theories as discovery progresses
15 in this case. It shall not be estopped for purposes of its infringement contentions or its claim
16 constructions by the claim charts it provides with this Complaint. Omnitek intends the claim chart for
17 the '569 patent (Exhibit B-1) to satisfy the notice requirements of Rule 8(a)(2) of the Federal Rule of
18 Civil Procedure. The claim chart is not Omnitek's preliminary or final infringement contentions or
19 preliminary or final claim construction positions.

20 **JURY DEMAND**

21 77. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, and Rule 3-6 of the Civil
22 Local Rules, Plaintiff demands a trial by jury on all issues triable as such.

23 **PRAYER FOR RELIEF**

24 78. WHEREFORE, Plaintiff Omnitek demands judgment for itself and against the
25 Defendant as follows:

- 26 A. An adjudication that the Defendant has infringed the patents-in-suit;
27 B. An award of damages to be paid by Defendant adequate to compensate Plaintiff for the
28 Defendant's past infringement of the patents-in-suit, and any continuing or future

1 infringement through the date such judgment is entered, including interest, costs,
2 expenses and an accounting of all infringing acts including, but not limited to, those acts
3 not presented at trial;

4 C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of
5 Plaintiff's reasonable attorneys' fees; and

6 D. An award to Plaintiff of such further relief at law or in equity as the Court deems just
7 and proper.

8
9
10 Dated: September 15, 2020

Respectfully submitted,

11 /s/ Seth W. Wiener

12 Seth W. Wiener

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27 *Omnitek Partners LLC*
28

EXHIBIT A



US008645057B2

(12) **United States Patent Spinelli**

(10) **Patent No.:** US 8,645,057 B2

(45) **Date of Patent:** *Feb. 4, 2014

(54) **SOFTWARE BASED DRIVING DIRECTIONS**

(71) Applicant: **Thomas Spinelli**, Northport, NY (US)

(72) Inventor: **Thomas Spinelli**, Northport, NY (US)

(73) Assignee: **Omnitek Partners, LLC**, Ronkonkoma, NY (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(21) Appl. No.: **13/847,142**

(22) Filed: **Mar. 19, 2013**

(65) **Prior Publication Data**

US 2013/0218468 A1 Aug. 22, 2013

Related U.S. Application Data

(63) Continuation of application No. 13/550,516, filed on Jul. 16, 2012, which is a continuation of application No. 12/645,461, filed on Dec. 22, 2009, now Pat. No. 8,224,569, which is a continuation of application No. 11/250,715, filed on Oct. 14, 2005, now Pat. No. 7,640,100.

(51) **Int. Cl.**
G01C 21/34 (2006.01)

(52) **U.S. Cl.**
USPC **701/410; 701/412; 340/995.23**

(58) **Field of Classification Search**

USPC 701/410, 412, 428, 431, 432;
340/988-990, 995.1-995.23

See application file for complete search history.

(56) **References Cited**

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2004/0167715 A1 *	8/2004	Miwa	701/213

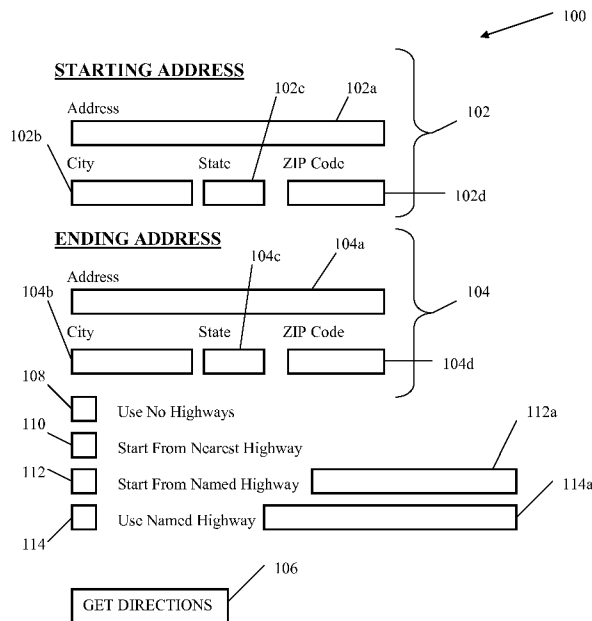
* cited by examiner

Primary Examiner — Richard Camby

(57) **ABSTRACT**

A method for electronically generating driving directions. The method including: indicating a starting address; indicating an ending address; indicating one or more preferences for the directions; and generating driving directions based on the indicated starting address, ending address, and one or more preferences; wherein at least one of the one or more preferences comprises one or more of an indication to use no roads of a certain type in the generated driving directions; an indication to generate driving directions that start from a nearest highway; an indication to generate driving directions that start from a named road or highway and/or an indication to generate driving directions that include a named road or highway.

10 Claims, 2 Drawing Sheets



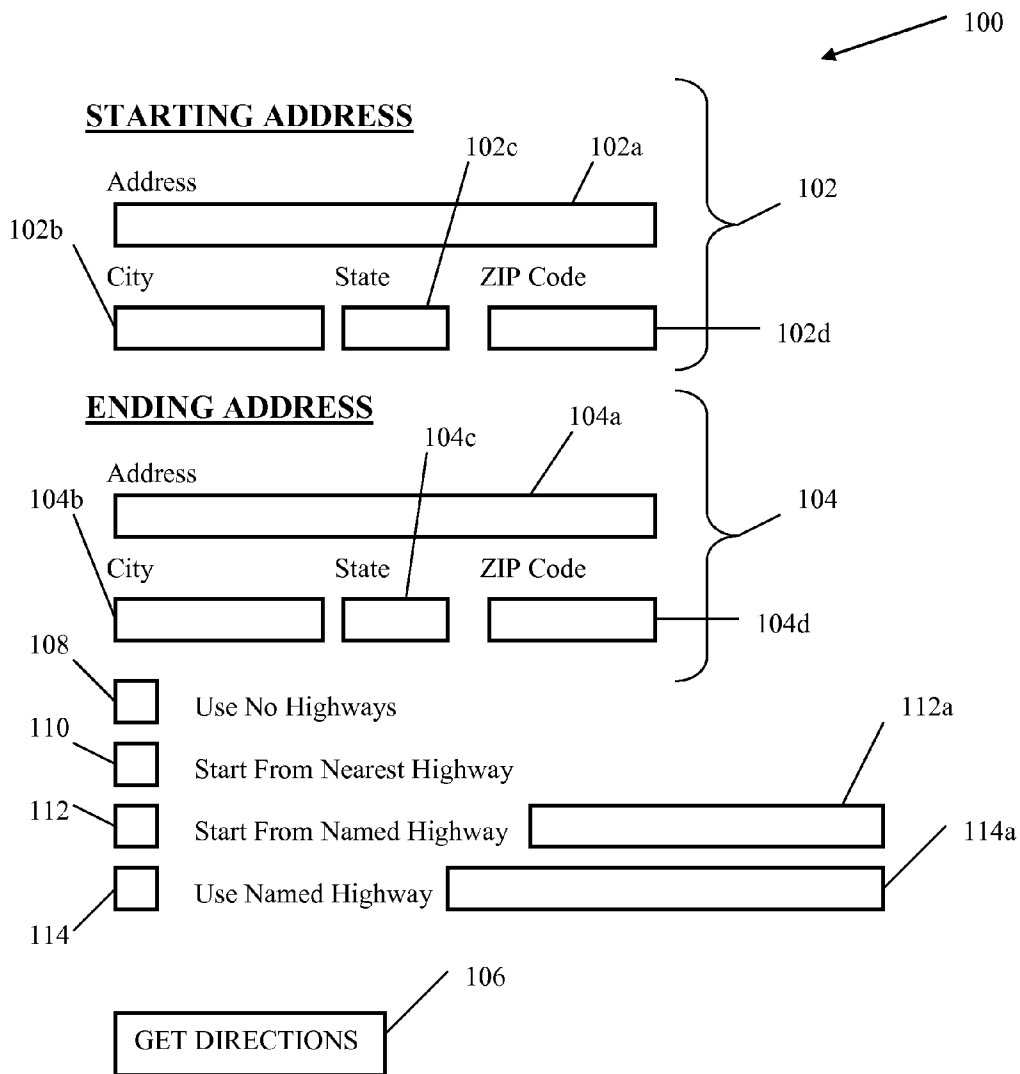


FIGURE 1

US 8,645,057 B2

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SOFTWARE BASED DRIVING DIRECTIONS

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation application of U.S. application Ser. No. 13/550,516 filed on Jul. 16, 2012, which is a continuation application of U.S. application Ser. No. 12/645,461 filed on Dec. 22, 2009 and issuing as U.S. Pat. No. 8,224,569 on Jul. 17, 2012, which is a continuation application of U.S. application Ser. No. 11/250,715 filed on Oct. 14, 2005 and issuing as U.S. Pat. No. 7,640,100 on Dec. 29, 2009, the entire contents of each of which are incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates generally to software for driving directions and, more particularly, to methods for providing driving directions over an Internet web site.

2. Prior Art

Obtaining driving directions from software or at an Internet web site are well known in the art. Examples of web sites which offer such services are Mapquest, Mapblaster, Yahoo and Rand McNally. Generally, a user enters a starting address and an ending address and software or other algorithm generates driving directions and displays the same to the user. When generating such directions, the software or algorithm uses a system to determine what routes are best, such as a weighting system which assigns certain weights to different types of roads, such as small roads, secondary roads, and parkways/highways/expressways (collectively referred to herein as highways). Depending on the distance between the starting and ending address, the software or algorithm may generate directions with or without highway travel.

Although such directions are very useful, a user cannot customize the directions to suit his/her particular needs and needs to enter very specific instructions for starting and ending addresses.

SUMMARY OF THE INVENTION

Accordingly, a method for electronically generating driving directions without text entry is provided. The method comprising: indicating a starting address or starting location on a map without text entry; indicating an ending address or ending location on a map without text entry; and generating driving directions based on the indicated starting address or starting location and ending address or ending location.

The starting address can be indicated on a first map and the ending address can be indicated on the first map.

The method can further comprise indicating an intermediate address or location on the map where the generating generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location. The intermediate address can be indicated on the same map as one of the starting and ending address. The intermediate address can be indicated on a different map as one of the starting and ending address.

The indicating can comprise clicking on the starting address or location on the map and clicking on the ending address or location on the map.

The indicating can comprise clicking on the starting address or location on the map and dragging to the ending address or location on the map.

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BRIEF DESCRIPTION OF THE DRAWINGS

These and other features, aspects, and advantages of the apparatus of the present invention will become better understood with regard to the following description, appended claims, and accompanying drawings where:

FIG. 1 illustrates a user-interface for driving directions according to a first embodiment.

FIG. 2 illustrates a user-interface for driving directions according to a second embodiment.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Although the present invention is applicable to numerous types of software and web-based services, it is particularly useful in the environment of the Internet. Therefore, without limiting the applicability of the present invention to the Internet, it will be described in such environment. Those skilled in the art will appreciate that the methods of the present invention can be carried out by any stand-alone software, for use on PC's, cell phones, PDA's and the like in which directions are obtained from a database map or on web-based systems such as an Internet or a local intranet.

Referring now to FIG. 1, a user interface is shown therein for use with software or algorithm (collectively referred to as software) for generating driving directions, the user interface being generally referred to by reference numeral 100. The user interface 100 can be displayed on any type of display, such as a television, PC or laptop monitor, cell-phone display, PDA display and the like. The user-interface 100 can also be displayed in a window or as a web page.

The user-interface has a portion 102 for entering a starting address and a portion 104 for entering an ending address. Such portions 102, 104 can have text boxes corresponding to an address 102a, 104a, city 102b, 104b, state 102c, 104c, and ZIP code 102d, 104d. The user interface can also have a button 106 or other means for instructing the software to input the entered starting and ending address and to generate driving instructions based thereon. Algorithms for generating driving directions based on a starting and ending address are well known in the art. The user-interface may have other options which are not shown in FIG. 1, such as entering the starting or ending addresses from a list of saved addresses or recently used addresses, entering a landmark, such as an airport as the starting or ending address, entering a latitude/longitude as the starting and/or ending address and requesting either the fastest route or the shortest route. The user-interface may also allow the user to select displaying a map along with the generated driving directions.

The driving directions generated generally include step-by-step directions for getting from the starting address to the ending address, including any highways if the distance or other variable associated with the trip merits the same. Other considerations may also be used for determining whether highways are part of the generated directions, such as proximity to either the starting or ending address. However, the user has no input into whether highways are part of the generated directions or which highways are part of the generated directions.

Therefore, the user interface can include an instruction, such as a check box 108 for instructing the software or algorithm to not use any highways in the generation of the directions. For example, the user may not like to drive on highways because they are a new driver, or they do not like to drive fast, or because the highways are crowded or closed due to an accident or construction. Therefore, the user can obtain driv-

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ing directions without any highways where the software or algorithm would otherwise indicate one or more highways. Similarly, the user can indicate that no other types of roads be used in generating the driving directions, such as no secondary roads, or rural roads, or interstates.

The user-interface can also include an instruction, such as a check box **110** for instructing the software or algorithm to provide directions that start from the highway nearest to the starting address. For example, users often need directions from their home or work starting address and know how to get to the nearest highway. Therefore, the directions from the starting address to the nearest highway is often not necessary.

The user-interface can also include an instruction, such as a check box **112** for instructing the software or algorithm to provide directions that start from a named highway (or other named road) that is entered in a corresponding text box **112a**. Similarly, the user-interface can also include an instruction, such as a check box **114** for instructing the software or algorithm to provide directions that use a named highway (or other named road) that is entered in a corresponding text box **114a**. For example, users may prefer one highway or road over another even though it may not provide the fastest or shortest route to the ending address, possibly because the user has to run an errand or make a stop at a location that is not along the fastest or shortest route between the starting and ending locations.

Those skilled in the art will appreciate that the check boxes **108-114** can be replaced with other means well known in the software/programming arts, such as a touch screen, voice commands or other clicking type commands, such as by clicking on a particular highway on a map provided on the user-interface to indicate that the directions should begin or end at such road, or highlighting an area on a map for generating directions, or after generation of full directions, clicking on a particular step to indicate that the directions should be re-generated and any prior or subsequent steps are to be eliminated or highlighting, checking, or otherwise indicating a selected number of steps and regenerating the directions to only include such steps.

Of course, one or more of such features may be provided with the user interface, and one or more of the features, where not inconsistent, can be used simultaneously.

The user may also want driving instructions that includes less than all of the steps that is otherwise generated by the software or algorithm, either at the beginning, middle and/or end of the generated directions. In such a situation, the user can instruct the software or algorithm to provide directions that does not include the full generated direction steps by any indication means known in the art, such as by clicking on a particular highway or road on a map provided on the user-interface to indicate that the directions should begin or end at such road. Also, after generation of full directions between the starting and ending addresses, clicking on a particular step in a display of the full directions to indicate that the directions should be re-generated and any prior or subsequent steps are to be eliminated. Furthermore, the user can highlight, check, or otherwise indicate a selected number of steps and regenerate the directions to only include such steps.

Referring now to FIG. 2, a user interface is shown therein for use with software for generating driving directions, the user interface being generally referred to by reference numeral **200**. The user interface **200** can be displayed on any type of display, such as a television, PC or laptop monitor, cell-phone display, PDA display and the like. The user-interface **200** can also be displayed in a window or as a web page.

FIG. 2 illustrates a user interface **200** having a map **202** displayed thereon. The map **202** generally displays indicia

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such as roads, railroads, parks, airports, stadiums and other landmarks. The indicia generally have names displayed, such as road names, town names, highway names and exit names, railroad names and stops, park and lake names and the like.

The user-interface **200** can also include means for traversing the map **202**, such as directional buttons **204a-d** and zoom bar **206** for zooming in or out. The map **202** can be generated by entering an address, by simply entering a town, city, or state name, by entering a zip code and the like.

Directions from a starting location to an ending location can then be generated by software by indicating the starting address/location and ending address/location on the map, which can include any of the landmarks discussed above. An intermediate address/location between the starting and ending addresses/locations can also be indicated. Such indication can be a first click at the starting address/location and a subsequent click on an ending address/location, which serves to input such starting and ending addresses/locations to the software or algorithm for generation of the directions. The second click can also be at the intermediate address/location and a third click can be at the ending address/location. Such indication can also be a click at the starting address/location and a drag to an ending address/location, which serves to input such starting and ending addresses/locations to the software or algorithm for generation of the directions. If an intermediate address/location is indicated, the generated directions will be from the starting address/location to the intermediate address/location and then to the ending address/location.

Thus, depending on the detail shown on the map (the degree to which it is zoomed in or out), the directions can be from a very specific starting and/or ending address/location or from a general starting and/or ending address/location. For example, if a user only needs general directions to a particular area, he/she can use the map to get directions to a particular street, town, zip code, park, lake, stadium etc. instead of to a very specific address (especially where a location, such as a lake does not generally have an address). Although FIG. 2 shows a single map, the starting, ending, and/or intermediate addresses/locations can be on different maps. Such different maps can be displayed simultaneously, such as in different windows on the same display or can be displayed sequentially.

While there has been shown and described what is considered to be preferred embodiments of the invention, it will, of course, be understood that various modifications and changes in form or detail could readily be made without departing from the spirit of the invention. It is therefore intended that the invention be not limited to the exact forms described and illustrated, but should be constructed to cover all modifications that may fall within the scope of the appended claims.

What is claimed is:

1. A method for electronically generating driving directions, the method comprising:

indicating a starting address;
indicating an ending address;
indicating one or more preferences for the directions; and
generating driving directions based on the indicated starting address, ending address, and one or more preferences;

wherein at least one of the one or more preferences comprises an indication to use no roads of a certain type in the generated driving directions.

2. The method of claim 1, wherein the roads of a certain type are highways.

3. A method for electronically generating driving directions, the method comprising:

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indicating a starting address;
 indicating an ending address;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 start from a nearest highway.

4. A method for electronically generating driving direc-
 tions, the method comprising:
 indicating a starting address;
 indicating an ending address;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 start from a named road or highway.

5. A method for electronically generating driving direc-
 tions, the method comprising:
 indicating a starting address;
 indicating an ending address;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 include a named road or highway.

6. A method for electronically generating driving direc-
 tions from a starting location to an ending location, the
 method comprising:
 indicating the ending location;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;

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wherein at least one of the one or more preferences com-
 prises an indication to use no roads of a certain type in
 the generated driving directions.

7. The method of claim 1, wherein the roads of a certain
 type are highways.

8. A method for electronically generating driving direc-
 tions from a starting location to an ending location, the
 method comprising:
 indicating the ending location;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 start from a nearest highway.

9. A method for electronically generating driving direc-
 tions from a starting location to an ending location, the
 method comprising:
 indicating the ending location;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 start from a named road or highway.

10. A method for electronically generating driving direc-
 tions from a starting location to an ending location, the
 method comprising:
 indicating the ending location;
 indicating one or more preferences for the directions; and
 generating driving directions based on the indicated start-
 ing address, ending address, and one or more prefer-
 ences;
 wherein at least one of the one or more preferences com-
 prises an indication to generate driving directions that
 include a named road or highway.

* * * * *

EXHIBIT A-1

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,645,057 - Defendant Apple Inc.
Claim 10

Omnitek Partners LLC (“Omnitek”) provides evidence of infringement of claim 10 of U.S. Patent 8,645,057 (hereinafter “the ‘057 patent”) by Apple Inc (“Apple”). In support, Omnitek provides the following claim charts:

“Accused Instrumentalities” as used herein refers to at least the following products and services: The Apple Maps application (*See* <https://www.apple.com/ios/maps/>) available for iOS phones, from Apple. Apple Maps was introduced by Apple in 2012 (*See* https://en.wikipedia.org/wiki/Apple_Maps#Initial_release). Therefore, the infringement has been occurring since at least that time. These claim charts demonstrate Apple’s infringement, and provide notice of such infringement, by comparing each element of the asserted claims to corresponding components, aspects, and/or features of the Accused Instrumentalities. These claim charts are not intended to constitute an expert report on infringement. These claim charts include information provided by way of example, and not by way of limitation.

The analysis set forth below is based only upon information from publicly available resources regarding the Infringing Instrumentalities, as Apple has not yet provided any non-public information. An analysis of Apple’s (or other third parties’) technical documentation, and/or software source code, may assist in fully identify all infringing features and functionality. Accordingly, Omnitek reserves the right to supplement this infringement analysis once such information is made available to Omnitek. Furthermore, Omnitek reserves the right to revise this infringement analysis, as appropriate, upon issuance of a court order construing any terms recited in the asserted claims.

Unless otherwise noted, Omnitek contends that Apple directly infringes the ‘057 patent in violation of 35 U.S.C. § 271(a) by selling, offering to sell, making, using, and/or importing the Infringing Instrumentalities. The following exemplary analysis demonstrates that infringement. Unless otherwise noted, Omnitek further contends that the evidence below supports a finding of indirect infringement under 35 U.S.C. §§ 271(b) and/or (c), in conjunction with other evidence of liability under one or more of those subsections. Apple makes, uses, sells, imports, or offers for sale in the United States, or has made, used, sold, imported, or offered for sale in the past, without authority, or induces others to make, use, sell, import, or offer for sale in the United States, or has induced others to make, use, sell, import, or offer for sale in the past, without authority products, equipment, or services that infringe claim 10 of the ‘057 patent, including without limitation, the Accused Instrumentalities.

Unless otherwise noted, Omnitek believes and contends that each element of each claim asserted herein is literally met through Apple’s provision of the Infringing Instrumentalities. However, to the extent that Apple attempts to allege that any asserted claim element is not literally met, Omnitek believes and contends that such elements are met under the doctrine of equivalents. More specifically, in its investigation and analysis of the Infringing Instrumentalities, Omnitek did not identify any substantial differences between the elements of the patent claims and the corresponding features of the Infringing Instrumentalities, as set forth herein. In each instance, the identified feature of the Infringing Instrumentalities performs at least substantially the same function in substantially the same way to achieve substantially the same result as the corresponding claim element.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,645,057 - Defendant Apple Inc.
Claim 10

To the extent the chart of an asserted claim relies on evidence about certain specifically identified Accused Instrumentalities, Omnitek asserts that, on information and belief, any similarly functioning instrumentalities also infringes the charted claim. Omnitek reserves the right to amend this infringement analysis based on other products made, used, sold, imported, or offered for sale by Apple. Omnitek also reserves the right to amend this infringement analysis by citing other claims of the '057 patent, not listed in the claim chart, that are infringed by the Accused Instrumentalities. Omnitek further reserves the right to amend this infringement analysis by adding, subtracting, or otherwise modifying content in the "Accused Instrumentalities" column of each chart.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,645,057 - Defendant Apple Inc.
Claim 10

Apple Inc. -

Founded in 1976 industry-leading manufacturer Apple is well known for its size and revenues. Its worldwide annual revenue totaled \$265 billion for the 2018 fiscal year.

Apple is the world's largest technology company by revenue and one of the world's most valuable companies. It is also the world's third-largest mobile phone manufacturer after Samsung and Huawei.

In August 2018, Apple became the first publicly traded U.S. company to be valued at over \$1 trillion and just two years later in August 2020 became the first \$2 trillion U.S. company.

As of January 2020, more than 1.5 billion Apple products are actively in use worldwide. The company also has a high level of brand loyalty and is ranked as the world's most valuable brand. However, Apple receives significant criticism regarding the labor practices of its contractors, its environmental practices and unethical business practices, including anti-competitive behavior, as well as the origins of source materials.

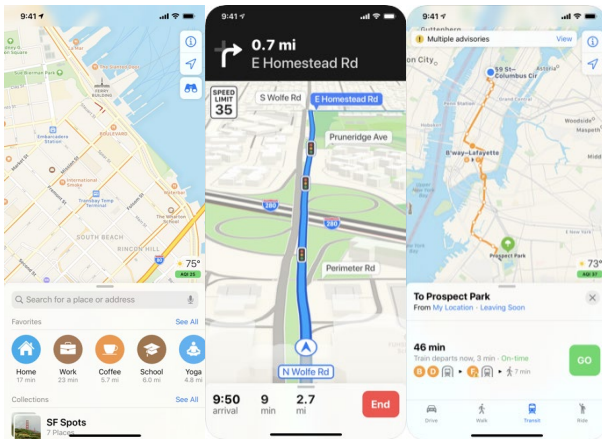
Source: https://en.wikipedia.org/wiki/Apple_Inc.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Apple Maps -

Apple's efforts include a roll-out of Apple Maps, rebuilt "from the ground up" using map data Apple has been gathering for the past four years. New maps for the San Francisco Bay Area was promised for early July in the next iOS 12 beta, expanding to Northern California in further betas. Updates did not, however, require iOS 12, and they will also appear on Apple Watch and Macs. Turn-by-turn navigation is available on iPhone 4s or later, iPad Pro, iPad (2nd generation or later), iPad Air or later, and iPad mini or later with cellular data capability.

Source: <https://www.apple.com/ios/maps/>



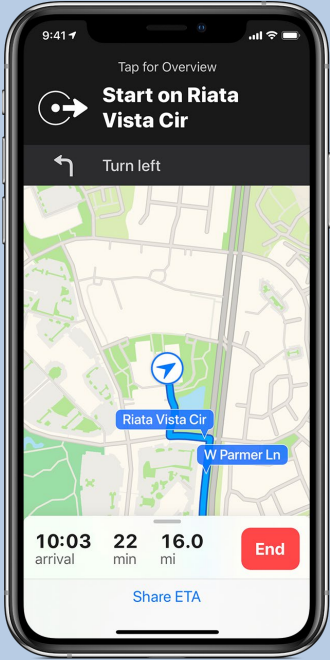
Source: <https://apps.apple.com/us/app/maps/id915056765>

Route4Me Route Planner -

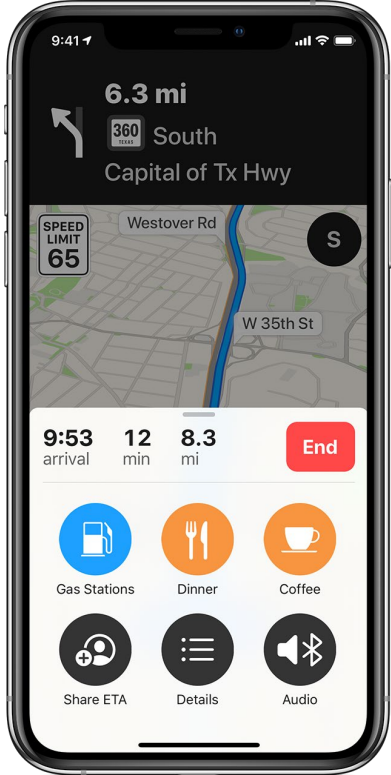
Apple also provides the Route4Me Route Planner for modifying output from Apple Maps to generate routing options. The Route4Me App is a third-party App, provided and sold by Apple through the Apple App Store.

Source: <https://apps.apple.com/us/app/route4me-route-planner/id349853799>

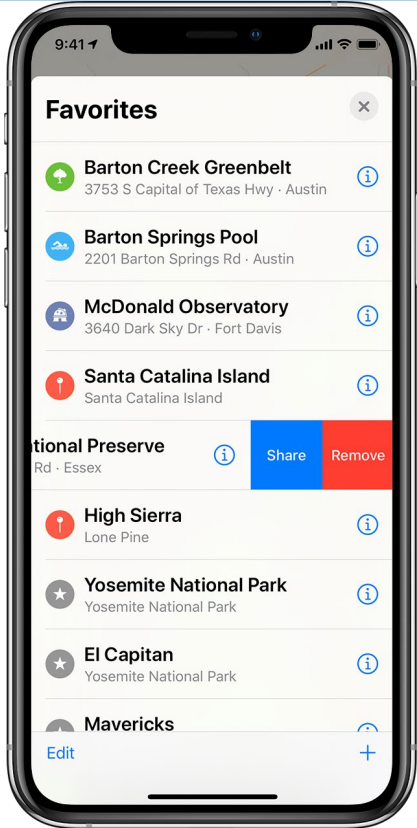
OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
Indep. Cl. 10 10-p	A method for electronically generating driving directions from a starting location to an ending location, the method comprising:	Apple provides navigation functions (electronically generating driving directions) in their navigation products  <p>Source: https://support.apple.com/en-us/HT202570</p>

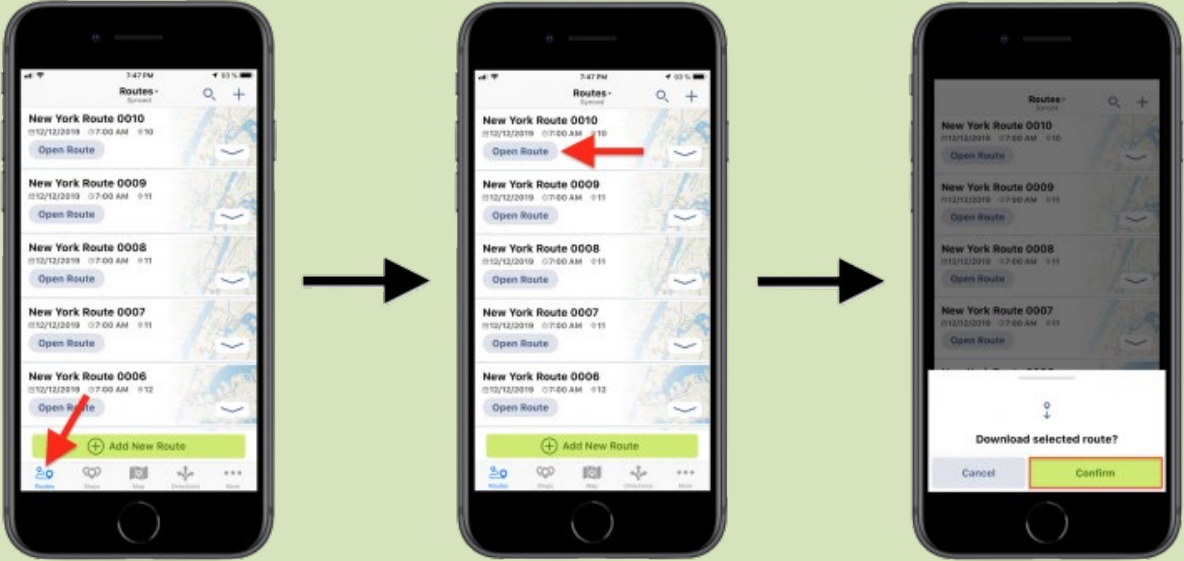
OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
10-a	indicating the ending location;	<p>Apple provides for the user to select an ending location such as selecting from Gas Stations as shown below (indicating an ending address or location on a map without text entry).</p>  <p>Source: https://support.apple.com/en-us/HT202570</p>


OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
10-b	indicating one or more preferences for the directions; and	<p>Apple provides for the user to “select a destination from the list” (indicating an ending address without text entry).</p>  <p>Source: https://support.apple.com/en-us/HT202570</p>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
10-c	generating driving directions based on the indicated starting address, ending address, and one or more preferences;	<p>After the destination is entered in the Apple Maps the route is calculated and the map appears showing the entire route (i.e., generating driving directions based on the indicated starting address or starting location and ending address or ending location)</p>  <p>The image shows three sequential screenshots of an iPhone app interface. The first screenshot shows a list of routes with a red arrow pointing to the 'Add New Route' button at the bottom. The second screenshot shows the same list with a red arrow pointing to the 'Open Route' button for 'New York Route 0010'. The third screenshot shows a confirmation dialog box with the text 'Download selected route?' and 'Confirm' and 'Cancel' buttons.</p> <p>Source: https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/</p>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
10-d	wherein at least one of the one or more preferences comprises an indication to generate driving directions that include a named road or highway.	<p>Apple provides a “Route4Me” where the user “can continue adding a destination to your route” (indicating a named highway as an intermediate address or location on the map).</p>  <p>Source: https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/</p> <p>“If a planned route already exists, it is now recalculated starting from the selected location.” (generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location)</p>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,645,057 - Defendant Apple Inc.
 Claim 10

Claim	US Patent 8,654,057	Description of the Infringement
2-e	wherein the intermediate address is indicated on a different map as one of the starting and ending address.	<p>Apple recalculates the route every time a new destination is added or changed in the itinerary (the intermediate address is indicated on a different map as one of the starting and ending address) generating new maps.</p> <p>Source: https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/</p> <p>The patent specification provides for the maps being displayed sequentially on the screen.</p> <p>lake does not generally have an address). Although FIG. 2 shows a single map, the starting, ending, and/or intermediate addresses/locations can be on different maps. Such different maps can be displayed simultaneously, such as in different windows on the same display or can be displayed sequentially.</p> <p>Source: US Patent 8,645,057 (See column 4, lines 38-44)</p>

Caveat: The notes and/or cited excerpts utilized herein are set forth for illustrative purposes only and are not meant to be limiting in any manner. For example, the notes and/or cited excerpts, may or may not be supplemented or substituted with different excerpt(s) of the relevant reference(s), as appropriate. Further, to the extent any error(s) and/or omission(s) exist herein, all rights are reserved to correct the same.

EXHIBIT B

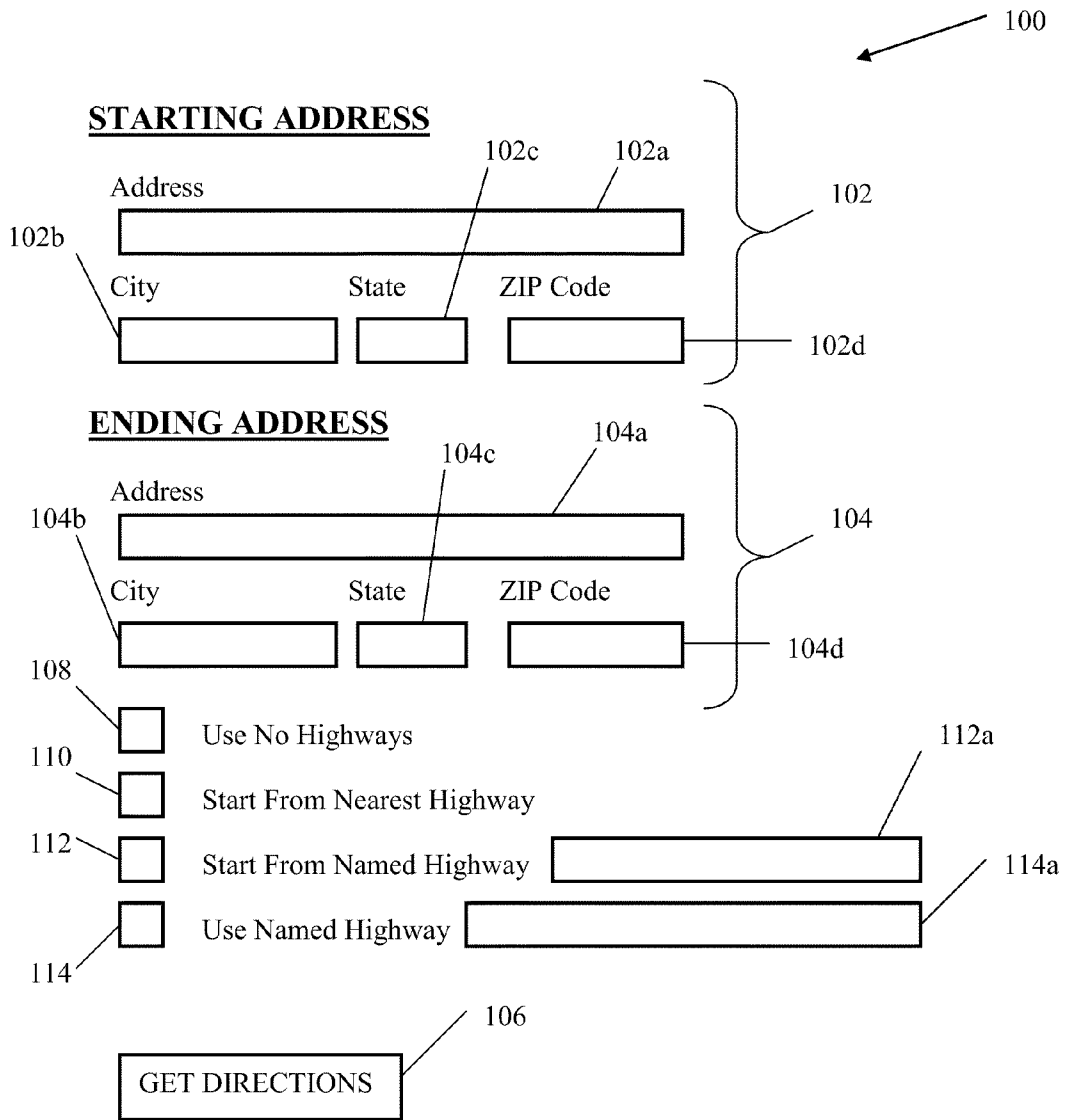


FIGURE 1

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SOFTWARE BASED DRIVING DIRECTIONS**CROSS-REFERENCE TO RELATED APPLICATIONS**

This application is a continuation application of U.S. application Ser. No. 11/250,715 filed on Oct. 14, 2005 and issuing as U.S. Pat. No. 7,640,100 on Dec. 29, 2009, the entire contents of which is incorporated herein by reference.

BACKGROUND OF THE INVENTION**1. Field of the Invention**

The present invention relates generally to software for driving directions and, more particularly, to methods for providing driving directions over an Internet web site.

2. Prior Art

Obtaining driving directions from software or at an Internet web site are well known in the art. Examples of web sites which offer such services are Mapquest, Mapblaster, Yahoo and Rand McNally. Generally, a user enters a starting address and an ending address and software or other algorithm generates driving directions and displays the same to the user. When generating such directions, the software or algorithm uses a system to determine what routes are best, such as a weighting system which assigns certain weights to different types of roads, such as small roads, secondary roads, and parkways/highways/expressways (collectively referred to herein as highways). Depending on the distance between the starting and ending address, the software or algorithm may generate directions with or without highway travel.

Although such directions are very useful, a user cannot customize the directions to suit his/her particular needs and needs to enter very specific instructions for starting and ending addresses.

SUMMARY OF THE INVENTION

Accordingly, a method is provided for electronically generating driving directions. The method comprising: indicating a starting address; indicating an ending address; indicating one or more preferences for the directions to include less than all steps that would otherwise be generated if not for the one or more preferences; and generating driving directions based on the indicated starting address, ending address, and one or more preferences.

The one or more preferences can comprise an indication to use no roads of a certain type in the generated driving directions. The roads of a certain type can be highways.

The one or more preferences can comprise an indication to generate driving directions that start from a nearest highway.

The one or more preferences can comprise an indication to generate driving directions that start from a named road or highway.

The one or more preferences can comprise an indication to generate driving directions that include a named road or highway.

Also provided is a method for electronically generating driving directions. The method comprising: indicating a starting address; indicating an ending address; instructing the use of less than all steps that would otherwise be generated if not for the instruction; and generating driving directions based on the indicated starting address, ending address, and instruction.

The instructing can comprise indicating a beginning or ending road by clicking on a map.

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The method can further comprise generating full driving directions from the indicated starting and ending addresses and the instructing comprises indicating a step in the generated full directions to eliminate prior or subsequent steps from the driving directions based on the indicated starting address, ending address, and instruction.

The method can further comprise generating full driving directions from the indicated starting and ending addresses and the instructing comprises indicating one or more selected steps in the generated full directions to include in the driving directions based on the indicated starting address, ending address, and instruction.

Still yet provided is a method for electronically generating driving directions. The method comprising: indicating a starting address or location on a map; indicating an ending address or location on a map; and generating driving directions based on the indicated starting address or location and ending address or location.

The starting address can be indicated on a first map and the ending address is indicated on the first map.

The starting address can be indicated on a first map and the ending address is indicated on a second map.

The method can further comprise indicating an intermediate address or location on the map where the generating generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location. The intermediate address can be indicated on the same map as one of the starting and ending address. The intermediate address can be indicated on a different map as one of the starting and ending address.

The indicating can comprise clicking on the starting address or location on the map and clicking on the ending address or location on the map.

The indicating can comprise clicking on the starting address or location on the map and dragging to the ending address or location on the map.

BRIEF DESCRIPTION OF THE DRAWINGS

These and other features, aspects, and advantages of the apparatus of the present invention will become better understood with regard to the following description, appended claims, and accompanying drawings where:

FIG. 1 illustrates a user-interface for driving directions according to a first embodiment.

FIG. 2 illustrates a user-interface for driving directions according to a second embodiment.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Although the present invention is applicable to numerous types of software and web-based services, it is particularly useful in the environment of the Internet. Therefore, without limiting the applicability of the present invention to the Internet, it will be described in such environment. Those skilled in the art will appreciate that the methods of the present invention can be carried out by any stand-alone software, for use on PC's, cell phones, PDA's and the like in which directions are obtained from a database map or on web-based systems such as an Internet or a local intranet.

Referring now to FIG. 1, a user interface is shown therein for use with software or algorithm (collectively referred to as software) for generating driving directions, the user interface being generally referred to by reference numeral 100. The user interface 100 can be displayed on any type of display,

such as a television, PC or laptop monitor, cell-phone display, PDA display and the like. The user-interface **100** can also be displayed in a window or as a web page.

The user-interface has a portion **102** for entering a starting address and a portion **104** for entering an ending address. Such portions **102**, **104** can have text boxes corresponding to an address **102a**, **104a**, city **102b**, **104b**, state **102c**, **104c**, and ZIP code **102d**, **104d**. The user interface can also have a button **106** or other means for instructing the software to input the entered starting and ending address and to generate driving instructions based thereon. Algorithms for generating driving directions based on a starting and ending address are well known in the art. The user-interface may have other options which are not shown in FIG. 1, such as entering the starting or ending addresses from a list of saved addresses or recently used addresses, entering a landmark, such as an airport as the starting or ending address, entering a latitude/longitude as the starting and/or ending address and requesting either the fastest route or the shortest route. The user-interface may also allow the user to select displaying a map along with the generated driving directions.

The driving directions generated generally include step-by-step directions for getting from the starting address to the ending address, including any highways if the distance or other variable associated with the trip merits the same. Other considerations may also be used for determining whether highways are part of the generated directions, such as proximity to either the starting or ending address. However, the user has no input into whether highways are part of the generated directions or which highways are part of the generated directions.

Therefore, the user interface can include an instruction, such as a check box **108** for instructing the software or algorithm to not use any highways in the generation of the directions. For example, the user may not like to drive on highways because they are a new driver, or they do not like to drive fast, or because the highways are crowded or closed due to an accident or construction. Therefore, the user can obtain driving directions without any highways where the software or algorithm would otherwise indicate one or more highways. Similarly, the user can indicate that no other types of roads be used in generating the driving directions, such as no secondary roads, or rural roads, or interstates.

The user-interface can also include an instruction, such as a check box **110** for instructing the software or algorithm to provide directions that start from the highway nearest to the starting address. For example, users often need directions from their home or work starting address and know how to get to the nearest highway. Therefore, the directions from the starting address to the nearest highway is often not necessary.

The user-interface can also include an instruction, such as a check box **112** for instructing the software or algorithm to provide directions that start from a named highway (or other named road) that is entered in a corresponding text box **112a**. Similarly, the user-interface can also include an instruction, such as a check box **114** for instructing the software or algorithm to provide directions that use a named highway (or other named road) that is entered in a corresponding text box **114a**. For example, users may prefer one highway or road over another even though it may not provide the fastest or shortest route to the ending address, possibly because the user has to run an errand or make a stop at a location that is not along the fastest or shortest route between the starting and ending locations.

Those skilled in the art will appreciate that the check boxes **108-114** can be replaced with other means well known in the software/programming arts, such as a touch screen, voice

commands or other clicking type commands, such as by clicking on a particular highway on a map provided on the user-interface to indicate that the directions should begin or end at such road, or highlighting an area on a map for generating directions, or after generation of full directions, clicking on a particular step to indicate that the directions should be re-generated and any prior or subsequent steps are to be eliminated or highlighting, checking, or otherwise indicating a selected number of steps and regenerating the directions to only include such steps.

Of course, one or more of such features may be provided with the user interface, and one or more of the features, where not inconsistent, can be used simultaneously.

The user may also want driving instructions that includes less than all of the steps that is otherwise generated by the software or algorithm, either at the beginning, middle and/or end of the generated directions. In such a situation, the user can instruct the software or algorithm to provide directions that does not include the full generated direction steps by any indication means known in the art, such as by clicking on a particular highway or road on a map provided on the user-interface to indicate that the directions should begin or end at such road. Also, after generation of full directions between the starting and ending addresses, clicking on a particular step in a display of the full directions to indicate that the directions should be re-generated and any prior or subsequent steps are to be eliminated. Furthermore, the user can highlight, check, or otherwise indicate a selected number of steps and regenerate the directions to only include such steps.

Referring now to FIG. 2, a user interface is shown therein for use with software for generating driving directions, the user interface being generally referred to by reference numeral **200**. The user interface **200** can be displayed on any type of display, such as a television, PC or laptop monitor, cell-phone display, PDA display and the like. The user-interface **200** can also be displayed in a window or as a web page.

FIG. 2 illustrates a user interface **200** having a map **202** displayed thereon. The map **202** generally displays indicia such as roads, railroads, parks, airports, stadiums and other landmarks. The indicia generally have names displayed, such as road names, town names, highway names and exit names, railroad names and stops, park and lake names and the like. The user-interface **200** can also include means for traversing the map **202**, such as directional buttons **204a-d** and zoom bar **206** for zooming in or out. The map **202** can be generated by entering an address, by simply entering a town, city, or state name, by entering a zip code and the like.

Directions from a starting location to an ending location can then be generated by software by indicating the starting address/location and ending address/location on the map, which can include any of the landmarks discussed above. An intermediate address/location between the starting and ending addresses/locations can also be indicated. Such indication can be a first click at the starting address/location and a subsequent click on an ending address/location, which serves to input such starting and ending addresses/locations to the software or algorithm for generation of the directions. The second click can also be at the intermediate address/location and a third click can be at the ending address/location. Such indication can also be a click at the starting address/location and a drag to an ending address/location, which serves to input such starting and ending addresses/locations to the software or algorithm for generation of the directions. If an intermediate address/location is indicated, the generated directions will be from the starting address/location to the intermediate address/location and then to the ending address/location.

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Thus, depending on the detail shown on the map (the degree to which it is zoomed in or out), the directions can be from a very specific starting and/or ending address/location or from a general starting and/or ending address/location. For example, if a user only needs general directions to a particular area, he/she can use the map to get directions to a particular street, town, zip code, park, lake, stadium etc. instead of to a very specific address (especially where a location, such as a lake does not generally have an address). Although FIG. 2 shows a single map, the starting, ending, and/or intermediate addresses/locations can be on different maps. Such different maps can be displayed simultaneously, such as in different windows on the same display or can be displayed sequentially.

While there has been shown and described what is considered to be preferred embodiments of the invention, it will, of course, be understood that various modifications and changes in form or detail could readily be made without departing from the spirit of the invention. It is therefore intended that the invention be not limited to the exact forms described and illustrated, but should be constructed to cover all modifications that may fall within the scope of the appended claims.

What is claimed is:

1. A method for electronically generating driving directions without text entry, the method comprising:
 indicating a starting address or starting location on a map without text entry;
 indicating an ending address or ending location on a map without text entry; and
 generating driving directions based on the indicated starting address or starting location and ending address or ending location;
 wherein the starting address is indicated on a first map and the ending address is indicated on a second map.

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2. A method for electronically generating driving directions without text entry, the method comprising:
 indicating a starting address or starting location on a map without text entry;
 indicating an ending address or ending location on a map without text entry;
 generating driving directions based on the indicated starting address or starting location and ending address or ending location; and
 indicating an intermediate address or location on the map where the generating generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location;
 wherein the intermediate address is indicated on a different map as one of the starting and ending address.

3. The method of claim 1, wherein the indicating comprises clicking on the starting address or location on the map and clicking on the ending address or location on the map.

4. A method for electronically generating driving directions without text entry, the method comprising:
 indicating a starting address or starting location on a map without text entry;
 indicating an ending address or ending location on a map without text entry; and
 generating driving directions based on the indicated starting address or starting location and ending address or ending location;
 wherein the indicating comprises clicking on the starting address or location on the map and dragging to the ending address or location on the map.

* * * * *

EXHIBIT B-1

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2

Omnitek Partners LLC (“Omnitek”) provides evidence of infringement of claim 2 of U.S. Patent 8,224,569 (hereinafter “the ’569 patent”) by Apple Inc (“Apple”). In support, Omnitek provides the following claim charts:

“Accused Instrumentalities” as used herein refers to at least the following products and services: The Apple Maps application (*See* <https://www.apple.com/ios/maps/>) available for iOS phones, from Apple. Apple Maps was introduced by Apple in 2012 (*See* https://en.wikipedia.org/wiki/Apple_Maps#Initial_release). Therefore, the infringement has been occurring since at least that time. These claim charts demonstrate Apple’s infringement, and provide notice of such infringement, by comparing each element of the asserted claims to corresponding components, aspects, and/or features of the Accused Instrumentalities. These claim charts are not intended to constitute an expert report on infringement. These claim charts include information provided by way of example, and not by way of limitation.

The analysis set forth below is based only upon information from publicly available resources regarding the Infringing Instrumentalities, as Apple has not yet provided any non-public information. An analysis of Apple’s (or other third parties’) technical documentation, and/or software source code, may assist in fully identify all infringing features and functionality. Accordingly, Omnitek reserves the right to supplement this infringement analysis once such information is made available to Omnitek. Furthermore, Omnitek reserves the right to revise this infringement analysis, as appropriate, upon issuance of a court order construing any terms recited in the asserted claims.

Unless otherwise noted, Omnitek contends that Apple directly infringes the ’569 patent in violation of 35 U.S.C. § 271(a) by selling, offering to sell, making, using, and/or importing the Infringing Instrumentalities. The following exemplary analysis demonstrates that infringement. Unless otherwise noted, Omnitek further contends that the evidence below supports a finding of indirect infringement under 35 U.S.C. §§ 271(b) and/or (c), in conjunction with other evidence of liability under one or more of those subsections. Apple makes, uses, sells, imports, or offers for sale in the United States, or has made, used, sold, imported, or offered for sale in the past, without authority, or induces others to make, use, sell, import, or offer for sale in the United States, or has induced others to make, use, sell, import, or offer for sale in the past, without authority products, equipment, or services that infringe claim 2 of the ’569 patent, including without limitation, the Accused Instrumentalities.

Unless otherwise noted, Omnitek believes and contends that each element of each claim asserted herein is literally met through Apple’s provision of the Infringing Instrumentalities. However, to the extent that Apple attempts to allege that any asserted claim element is not literally met, Omnitek believes and contends that such elements are met under the doctrine of equivalents. More specifically, in its investigation and analysis of the Infringing Instrumentalities, Omnitek did not identify any substantial differences between the elements of the patent claims and the corresponding features of the Infringing Instrumentalities, as set forth herein. In each instance, the identified feature of the Infringing Instrumentalities performs at least substantially the same function in substantially the same way to achieve substantially the same result as the corresponding claim element.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2

To the extent the chart of an asserted claim relies on evidence about certain specifically identified Accused Instrumentalities, Omnitek asserts that, on information and belief, any similarly functioning instrumentalities also infringes the charted claim. Omnitek reserves the right to amend this infringement analysis based on other products made, used, sold, imported, or offered for sale by Apple. Omnitek also reserves the right to amend this infringement analysis by citing other claims of the '569 patent, not listed in the claim chart, that are infringed by the Accused Instrumentalities. Omnitek further reserves the right to amend this infringement analysis by adding, subtracting, or otherwise modifying content in the “Accused Instrumentalities” column of each chart.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2

Apple Inc. –

Founded in 1976 industry-leading manufacturer Apple is well known for its size and revenues. Its worldwide annual revenue totaled \$265 billion for the 2018 fiscal year.

Apple is the world's largest technology company by revenue and one of the world's most valuable companies. It is also the world's third-largest mobile phone manufacturer after Samsung and Huawei.

In August 2018, Apple became the first publicly traded U.S. company to be valued at over \$1 trillion and just two years later in August 2020 became the first \$2 trillion U.S. company.

As of January 2020, more than 1.5 billion Apple products are actively in use worldwide. The company also has a high level of brand loyalty and is ranked as the world's most valuable brand. However, Apple receives significant criticism regarding the labor practices of its contractors, its environmental practices and unethical business practices, including anti-competitive behavior, as well as the origins of source materials.

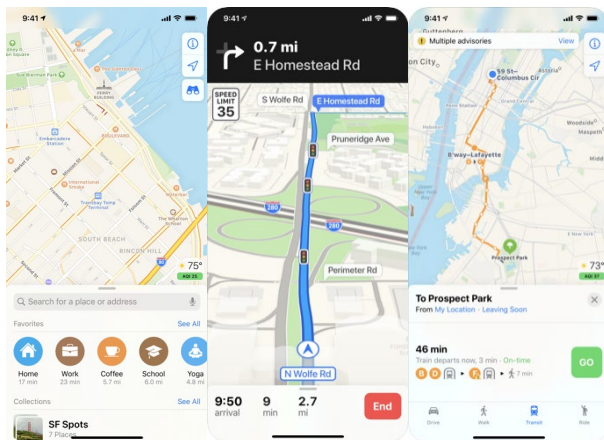
Source: https://en.wikipedia.org/wiki/Apple_Inc.

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2

Apple Maps -

Apple's efforts include a roll-out of Apple Maps, rebuilt "from the ground up" using map data Apple has been gathering for the past four years. New maps for the San Francisco Bay Area was promised for early July in the next iOS 12 beta, expanding to Northern California in further betas. Updates did not, however, require iOS 12, and they will also appear on Apple Watch and Macs. Turn-by-turn navigation is available on iPhone 4s or later, iPad Pro, iPad (2nd generation or later), iPad Air or later, and iPad mini or later with cellular data capability.

Source: <https://www.apple.com/ios/maps/>



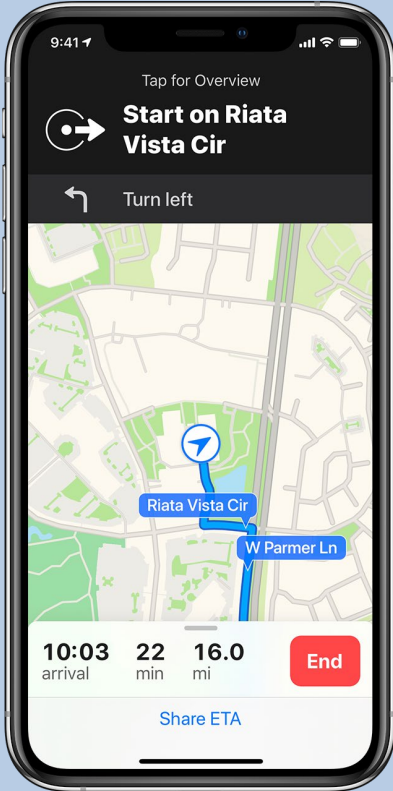
Source: <https://apps.apple.com/us/app/maps/id915056765>

Route4Me Route Planner -

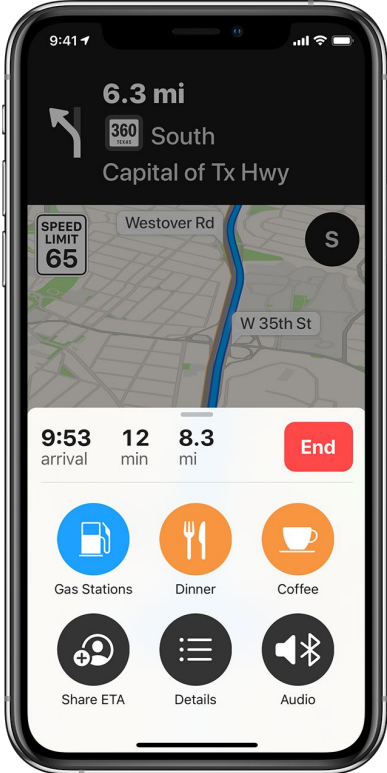
Apple also provides the Route4Me Route Planner for modifying output from Apple Maps to generate routing options. The Route4Me App is a third-party App, provided and sold by Apple through the Apple App Store.

Source: <https://apps.apple.com/us/app/route4me-route-planner/id349853799>

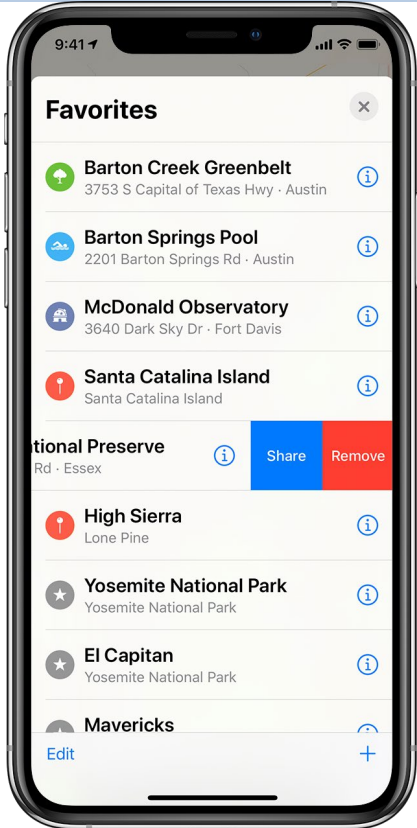
OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,224,569 – Defendant Apple Inc.
 Claim 2

Claim	US Patent 8,224,569	Description of the Infringement
Indep. Cl. 2 2-p	A method for electronically generating driving directions without text entry, the method comprising:	Apple provides navigation functions (electronically generating driving directions) in their navigation products  <p>Source: https://support.apple.com/en-us/HT202570</p>

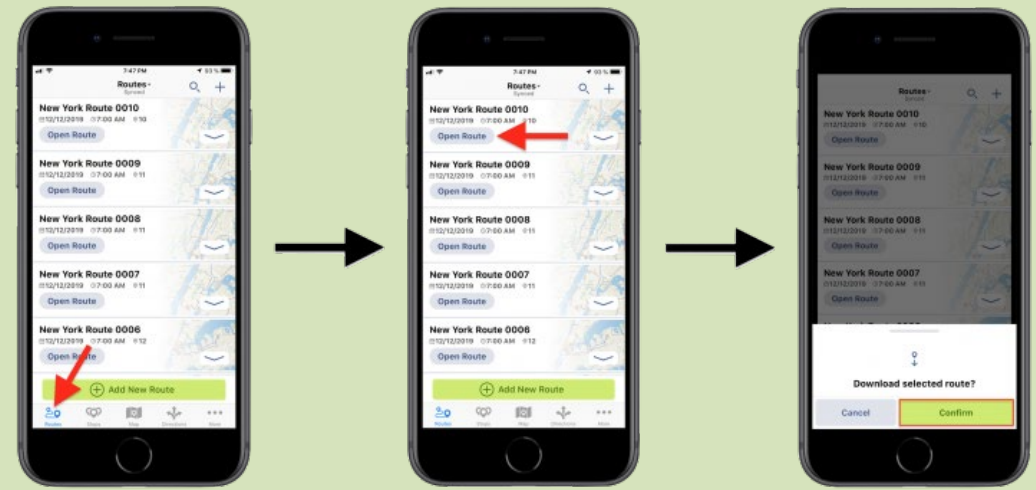
OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2

<p>2-a</p>	<p>indicating a starting address or starting location on a map without text entry;</p>	<p>Apple provides for the user to utilize a current GPS position automatically (indicating a starting address or location on a map without text entry).</p>  <p>Source: https://support.apple.com/en-us/HT202570</p>
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OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,224,569 – Defendant Apple Inc.
 Claim 2


Claim	US Patent 8,224,569	Description of the Infringement
2-b	indicating an ending address or ending location on a map without text entry;	<p>Apple provides for the user to “select a destination from the list” (indicating an ending address without text entry).</p>  <p>Source: https://support.apple.com/en-us/HT202570</p>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
U.S. Patent No. 8,224,569 – Defendant Apple Inc.
Claim 2


<p>2-c</p>	<p>generating driving directions based on the indicated starting address or starting location and ending address or ending location; and</p>	<p>After the destination is entered, “the route is calculated and the map appears showing the entire route” (generating driving directions based on the indicated starting address or starting location and ending address or ending location:</p>  <p>The image shows three sequential screenshots of an iPhone app interface. The first screenshot shows a list of routes (New York Route 0006 to 0010) with an 'Add New Route' button at the bottom highlighted by a red arrow. The second screenshot shows the same list, but the 'Open Route' button for 'New York Route 0010' is highlighted by a red arrow. The third screenshot shows a dialog box asking 'Download selected route?' with 'Cancel' and 'Confirm' buttons.</p>
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Source: <https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,224,569 – Defendant Apple Inc.
 Claim 2

Claim	US Patent 8,224,569	Description of the Infringement
2-d	indicating an intermediate address or location on the map where the generating generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location;	Apple provides a “Route4Me” where the user “can continue adding a destination to your route” (indicating an intermediate address or location on the map).  <p>source: https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/</p> <p>“If a planned route already exists, it is now recalculated starting from the selected location.” (generates driving directions from the starting address or location to the intermediate address and location and from the intermediate address or location to the ending address or location.</p>

OMNITEK PARTNERS LLC FIRST INFRINGEMENT ANALYSIS
 U.S. Patent No. 8,224,569 – Defendant Apple Inc.
 Claim 2

Claim	US Patent 8,224,569	Description of the Infringement
2-e	wherein the intermediate address is indicated on a different map as one of the starting and ending address.	<p>Apple recalculates the route every time a new destination is added or changed in the itinerary (the intermediate address is indicated on a different map as one of the starting and ending address).</p>  <p>Source: https://support.route4me.com/apple-maps-navigating-route4me-routes-with-apple-maps-using-the-route4me-iphone-app/</p> <p>The patent specification provides for the maps being displayed sequentially on the screen.</p> <p>lake does not generally have an address). Although FIG. 2 shows a single map, the starting, ending, and/or intermediate addresses/locations can be on different maps. Such different maps can be displayed simultaneously, such as in different windows on the same display or can be displayed sequentially.</p> <p>Source: US Patent 8,224,569 (See column 5, lines 9-14)</p>

Caveat: The notes and/or cited excerpts utilized herein are set forth for illustrative purposes only and are not meant to be limiting in any manner. For example, the notes and/or cited excerpts, may or may not be supplemented or substituted with different excerpt(s) of the relevant reference(s), as appropriate. Further, to the extent any error(s) and/or omission(s) exist herein, all rights are reserved to correct the same.