STEPHEN M. LOBBIN
sml@smlavvocati.com
SML AVVOCATI P.C.
888 Prospect Street, Suite 200
San Diego, California 92037
(949) 636-1391 (Phone)

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

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SOCIAL POSITIONING INPUT SYSTEMS, LLC, *Plaintiff*, v. ESRI GLOBAL, INC., *Defendant*.	CASE NO.: 5:20-cv-02209 **COMPLAINT FOR PATENT INFRINGEMENT** **JURY TRIAL DEMANDED**

Plaintiff Social Positioning Input Systems, LLC ("Plaintiff" or "SPIS") files this Complaint against ESRI Global, Inc. ("Defendant" or "ESRI") for infringement of United States Patent No. 9,261,365 (hereinafter "the '365 Patent").

PARTIES AND JURISDICTION

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

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

infringement arising under the United States patent statutes.

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

4. On information and belief, Defendant is a Delaware corporation with its principal office located at 380 New York Street, Redlands, California 92373-8100. On information and belief, Defendant may be served with process through its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

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

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

VENUE

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

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)

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

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

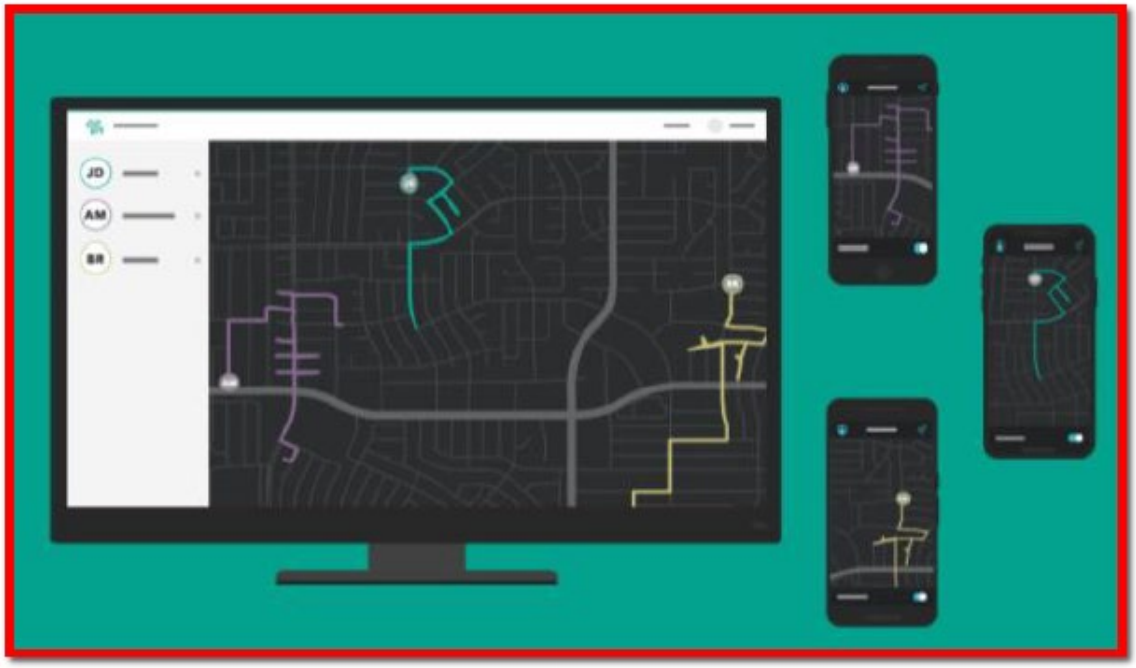
10. Plaintiff is the owner by assignment of the '365 Patent with sole rights to enforce the '365 Patent and sue infringers.

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

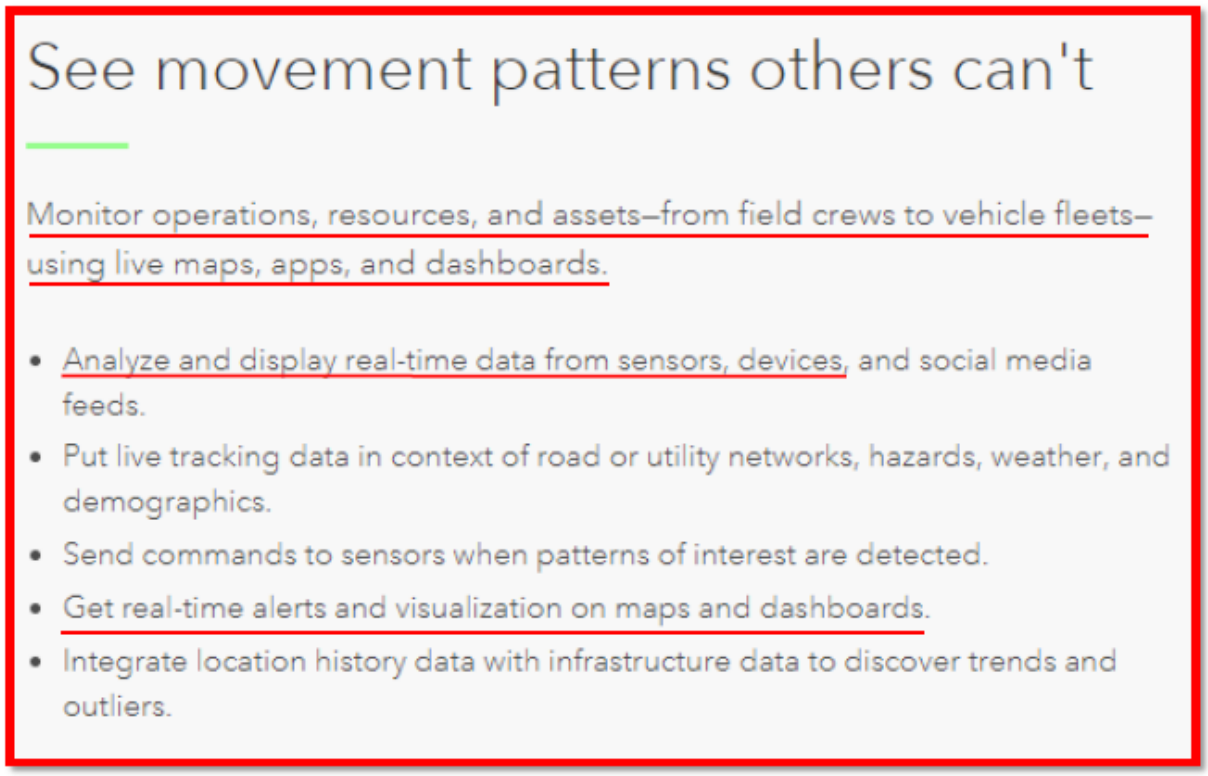
12. The '365 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '365 Patent by making, using (at least by having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and software for asset locating services ("Product") covered by at least Claim 1 of the '365 Patent. Defendant has infringed and continues to infringe the '365 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14. The Product provides a vehicle tracking system (e.g., ArcGIS) for real-time GPS tracking of assets. A user can receive location information on a positional information device (e.g., mobile device or computer). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: https://www.esri.com/en-us/arcgis/products/arcgis-tracker/overview

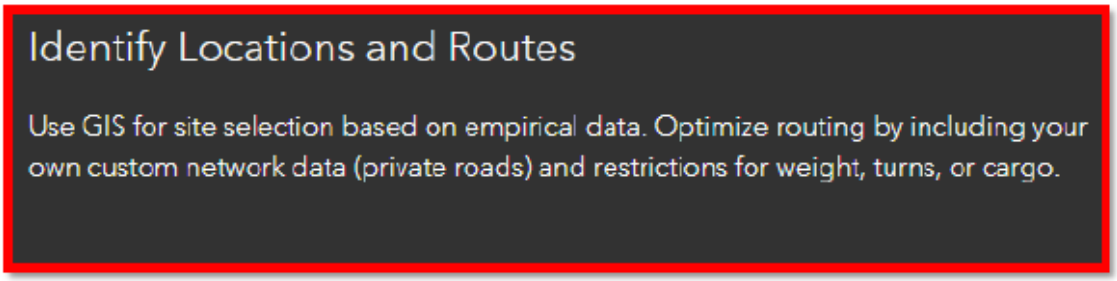


See movement patterns others can't

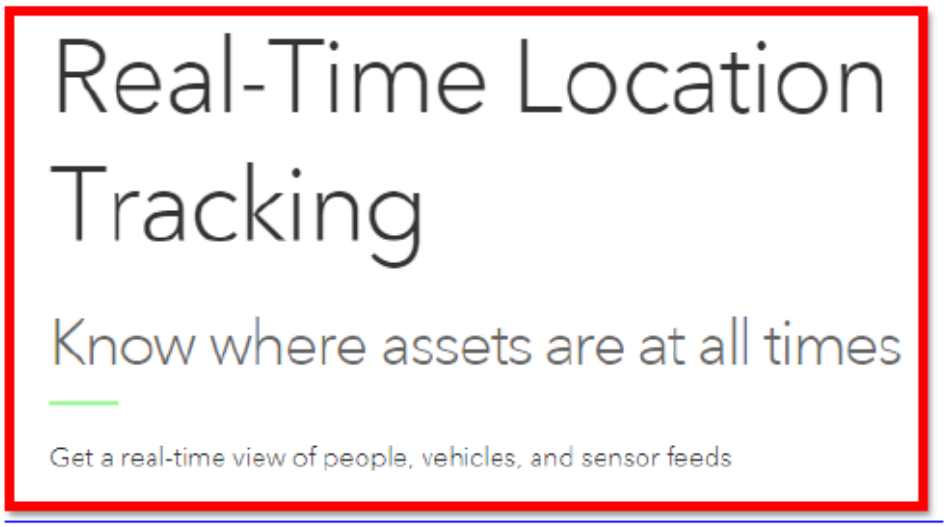
Monitor operations, resources, and assets–from field crews to vehicle fleets–using live maps, apps, and dashboards.

- Analyze and display real-time data from sensors, devices, and social media feeds.
- Put live tracking data in context of road or utility networks, hazards, weather, and demographics.
- Send commands to sensors when patterns of interest are detected.
- Get real-time alerts and visualization on maps and dashboards.
- Integrate location history data with infrastructure data to discover trends and outliers.

Source: https://www.esri.com/en-us/industries/needs/real-time-location-tracking



Source: https://www.esri.com/en-us/arcgis/products/arcgis-pro/features



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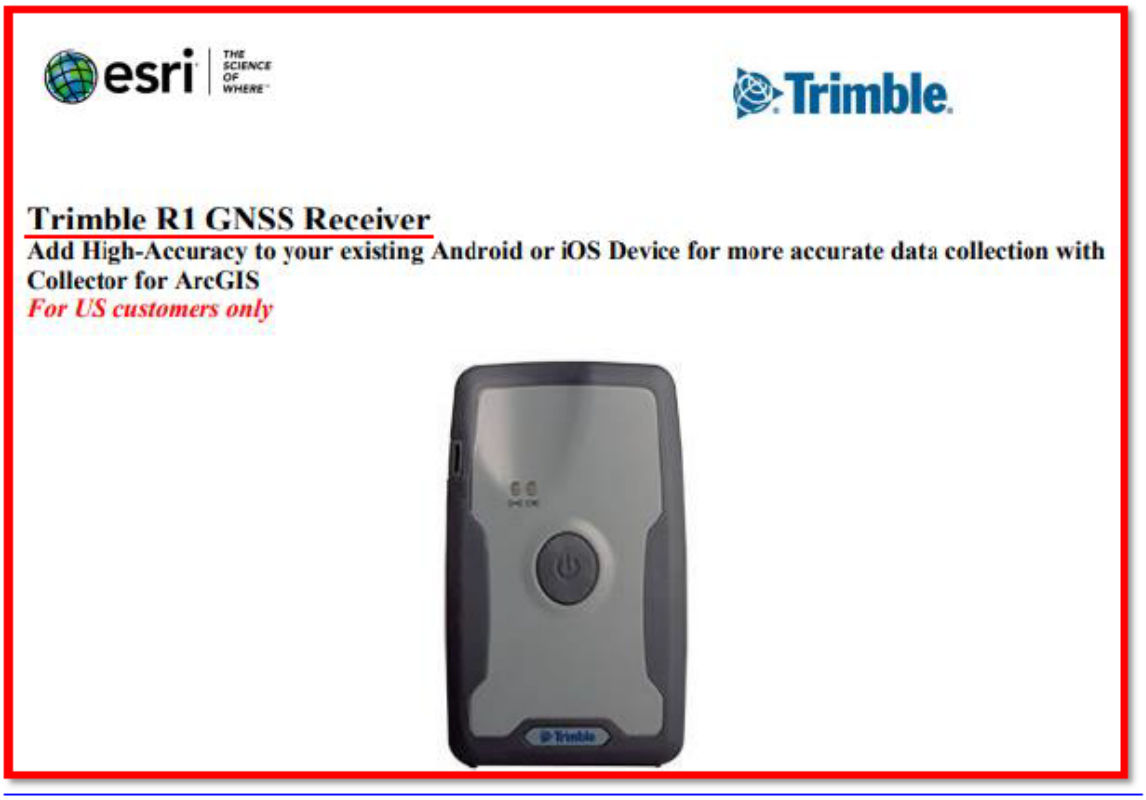
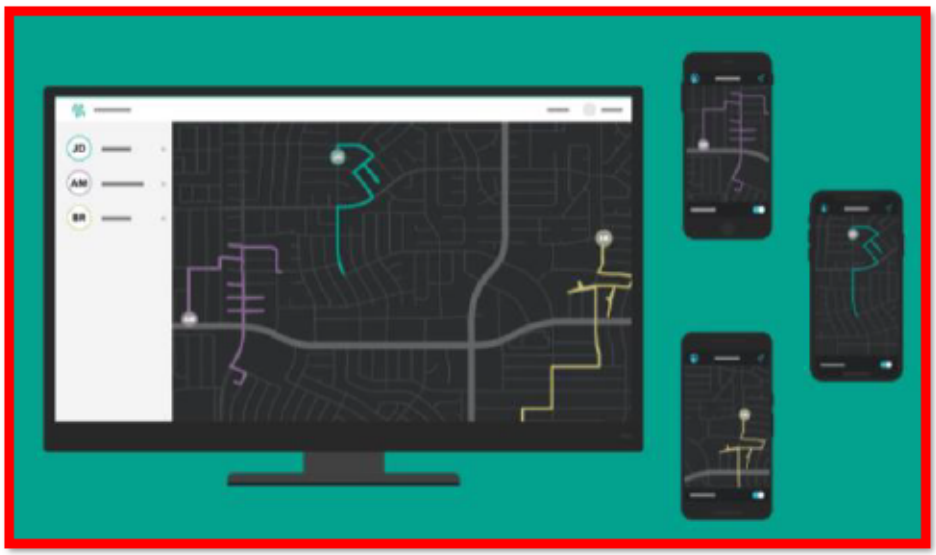
Source: https://developers.arcgis.com/features/directions/#query-traffic



Source: https://www.esri.com/content/dam/esrisites/en-us/media/pdf/hardware-partners/trimble/trimble-r1-receiver.pdf?la=en

15. The Product software sends a request from a first (requesting) positional information device (e.g., mobile device or desktop with software installed) to a server. The request is for the real-time location (e.g., stored address) of a vehicle or vehicles, and includes a first identifier of the requesting positional information device (e.g., user ID and password for the Product software used in the particular enterprise). The request is sent to the Product server for transmitting the vehicle location. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



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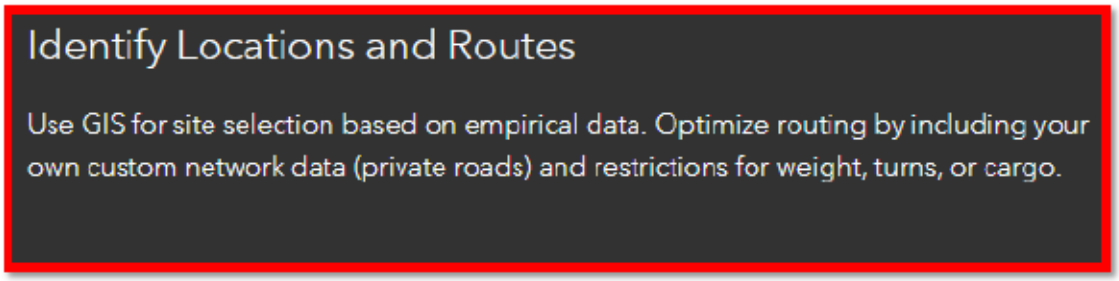

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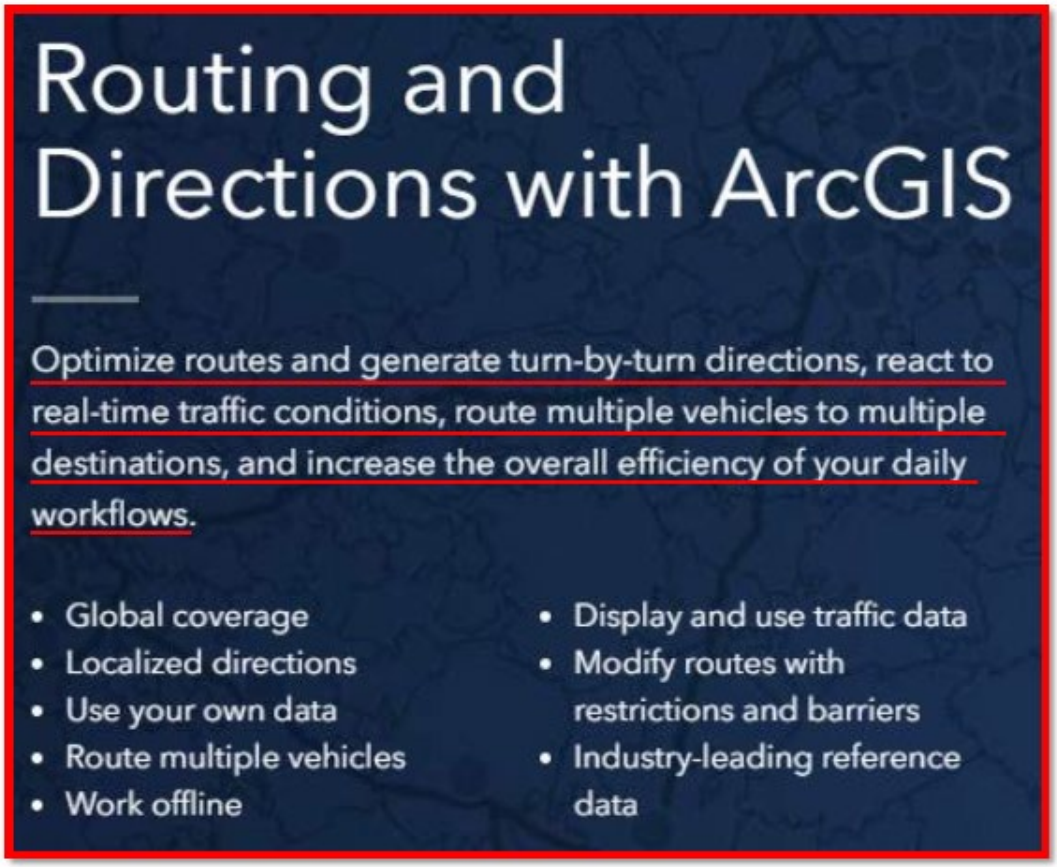

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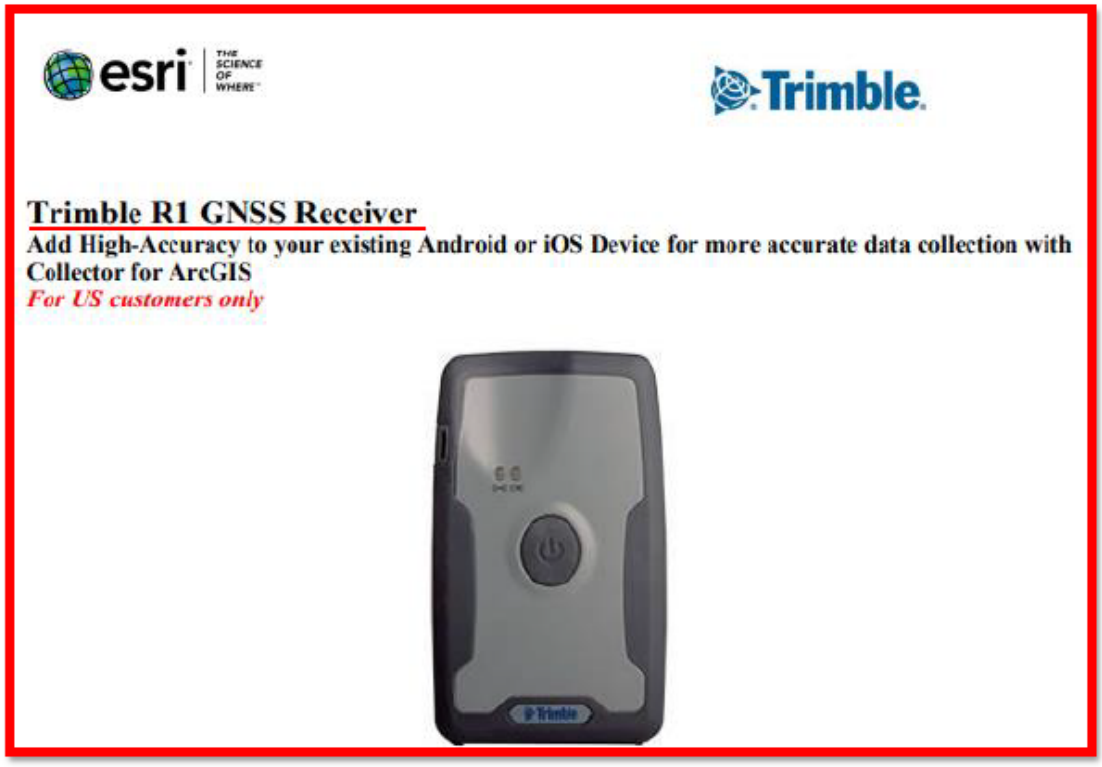
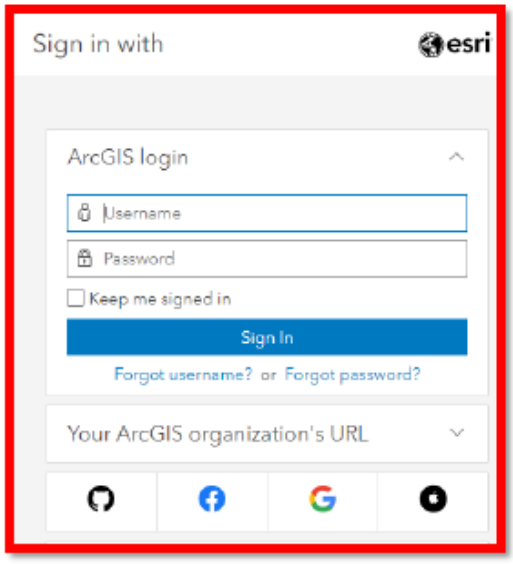


Source: https://www.esri.com/content/dam/esrisites/en-us/media/pdf/hardware-partners/trimble/trimble-r1-receiver.pdf?la=en



Source:https://www.arcgis.com/sharing/rest/oauth2/authorize?client_id=esriapps&response_type=token&showSignupOption=true&signuptype=publicaccount&locale=en&expiration=480&redirect_uri=https%3A%2F%2Faccounts.esri.com%2Fen%2Foauth2%3Fredirect_success%3Dhttps%3A%2F%2Fwww.esri.com%2Fen-us%2Findustries%2Fneeds%2Fperformance-monitoring

16. The at least one address is received from the server at the requesting positional information device. A second identifier for the second (sending) positional information device is determined based on the first identifier. For example, before activating the tracking device (i.e., sending positional information device), a unique asset tracking device ID number (i.e., second identifier) is added to the user's account under the user login ID and password (i.e., the first identifier). Hence, the tracker's activation device ID number (i.e., second identifier) is mapped to the user's login ID (i.e., the first identifier) for tracking the vehicle location (address in the sending positional information device is retrieved). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

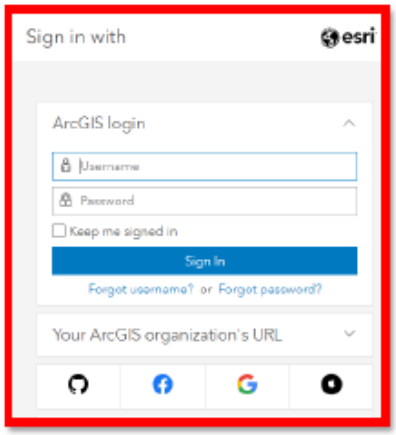
Source: https://www.esri.com/content/dam/esrisites/en-us/media/pdf/hardware-partners/trimble/trimble-r1-receiver.pdf?la=en

Connecting to a R1 GNSS receiver

To reconnect to a receiver at any time, make sure it is turned on, then:

- On a device powered by the Windows 7 or 8.x operating system, Windows Embedded Handheld 6.5, or Android versions 4.1.x or later, use the GNSS Status utility to connect with the receiver:
  a. Tap GNSS Status to launch the GNSS Status utility.
  b. Tap the R1 [ID] at the bottom of the screen to bring up the *Select Receiver* list. Tap the device [R1 ID] you want to reconnect to. Tap the connection icon to the right of the receiver ID to connect to it.

Source:https://www.frontierprecision.com/wp-content/uploads/UserGuide_ENG.pdf



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17. Defendant's actions complained of herein will continue unless

Defendant is enjoined by this court.

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

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

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

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

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

Dated: October 20, 2020

Respectfully submitted,

/s/ Stephen M. Lobbin

Stephen M. Lobbin
sml@smlavvocati.com
SML AVVOCATI P.C.
888 Prospect Street, Suite 200
San Diego, California 92037
(949) 636-1391 (Phone)

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