IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

FLEET CONNECT SOLUTIONS, a Texas limited liability company, Plaintiff, v. DAYTON FREIGHT LINES, INC., a foreign corporation, Defendant.	CIVIL ACTION FILE NO. 4:20-cv-280-SCJ **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement under 35 U.S.C. § 271, *et seq.*, in which Plaintiff Fleet Connect Solutions LLC ("Fleet Connect"), makes the following allegations against Defendant Dayton Freight Lines, Inc. ("DFL"):

Parties

1. Fleet Connect is a limited liability company formed under the laws of Texas with its registered office address located in Austin, Texas.

2. Upon information and belief, DFL is a foreign corporation with an office located in this district at 527 Old Belwood Road, Calhoun, Georgia 30701. DFL may be served with process upon its registered agent, CT Corporation System,

at the following address: 4400 Easton Commons Way, Suite 125, Columbus, Ohio 43219.

Nature of the Action

3. This is a civil action for the infringement of the following U.S. Patents: U.S. Patent No. 7,742,388 (attached as **Exhibit A**, the "388 Patent"), U.S. Patent No. 9,299,044 (attached as **Exhibit B**, the "044 Patent"), U.S. Patent No. 9,747,565 (attached as **Exhibit C**, the "565 Patent"), U.S. Patent No. 10,671,949 (attached as **Exhibit D**, the "949 Patent"). These patents are referred to collectively as the "Patents-In-Suit".

4. Fleet Connect is the owner by assignment of the Patents-In-Suit, including the right to recover damages for past and ongoing infringement of the Patents-in-Suit.

Jurisdiction and Venue

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271, *et seq*.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b). DFL maintains a regular and established place of business in this

District, has transacted business in this District, and committed acts of patent infringement in this District.

7. DFL is subject to this Court's specific and general personal jurisdiction pursuant to due process, due at least to its substantial business in this forum, including (i) certain of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Georgia and in this District.

The Patents-in-Suit

8. The 388 Patent (Exhibit A) lawfully issued on June 22, 2010. The 388 Patent claims priority to Provisional Application No. 60/589,158, filed on July 20, 2004. The 388 Patent is titled "Packet Generation Systems and Methods".

9. The 388 Patent is valid and enforceable.

10. The 044 Patent (Exhibit B) lawfully issued on March 29, 2016. The 044 Patent claims priority to Provisional Application No. 60/233,120, filed on September 18, 2000. The 044 Patent is titled "System and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices".

11. The 044 Patent is valid and enforceable.

12. The 565 Patent (Exhibit C) lawfully issued on August 29, 2017. The 565 Patent claims priority to Provisional Application No. 60/233,120, filed on September 18, 2000. The 565 Patent is titled "System and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices".

13. The 565 Patent is valid and enforceable.

14. The 949 Patent (Exhibit D) lawfully issued on June 2, 2020. The 949 Patent claims priority to Provisional Application No. 60/233,120, filed on September 18, 2000. The 949 Patent is titled "System and Methods for Management of Mobile Field Assets Via Wireless Handheld Devices".

15. The 949 Patent is valid and enforceable.

16. The Accused Instrumentalities in this case include the Intelligent Vehicle Gateway ("IVG") and Active Mobile Gateway ("Gateways") by Omnitracs, the Omnitracs MCP 200 unit, and the Omnitracs driver workflow solution. On information and belief, DFL uses each of the Accused Instrumentalities as part of its fleet management devices and systems.

17. Claim charts are provided herein to compare the Accused Instrumentalities to the elements of the claims on an element-by-element basis to show that certain Accused Instrumentalities practice at least one claim of each of the Patents-in-Suit.

Count 1:
Infringement of U.S. Patent No. 7,742,388 (388 Patent)

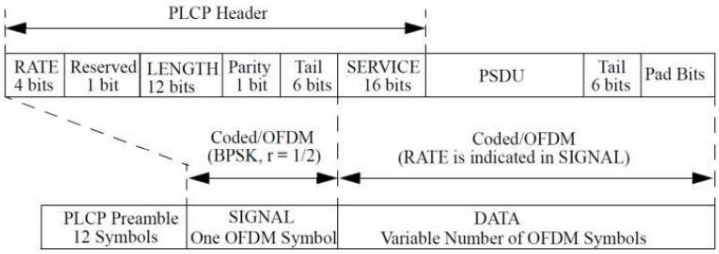
18. Fleet Connect herein incorporates the contents of the preceding paragraphs 1-17 as if restated fully herein.

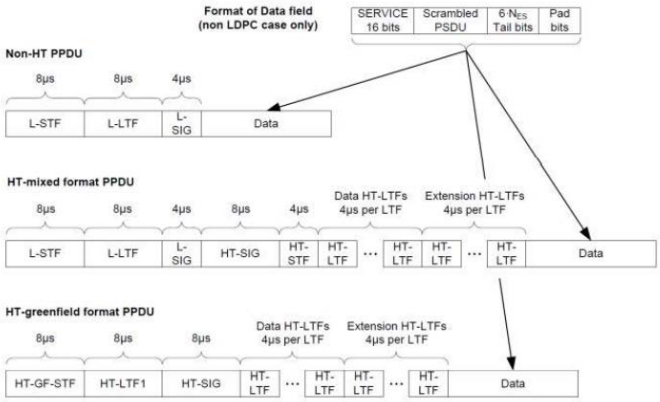
19. DFL has infringed one or more claims of the 388 Patent under 35 U.S.C. § 271(a). DFL has infringed the 388 Patent by using the Accused Instrumentalities in the United States. For example:

<table>
<tr><td>Claim 1</td><td>Accused Instrumentalities</td></tr>
<tr><td>1. A method comprising:</td><td>DFL uses the Intelligent Vehicle Gateway and Active Mobile Gateway (“Gateways”) by Omnitracs, which are communications units that perform a method.

The Gateways are adapted for wireless communications using 802.11n.

Communications
• 3G EVDO with fallback to CDMA
• 4G HSPA with fallback to W-CDMA, GPRS
• Antenna integrated (no separate installation required)
• 802.11b/g/n access point and client mode support
• Bluetooth 3.0, power class 1
• Mobile hotspot ready (software update required)
(Technical Specifications Sheet: IVG, p. 2)
Comms:
• WLAN: 2.4 GHz / 5GHz dual band IEEE802.11 a/b/g/n/ac Wave2 WLAN
(Build in APP will be used for Wi-Fi feature set up and link up)
<table><tr><th>Items</th><th colspan="4">Specifications</th><th>Units</th></tr><tr><td>Chipset</td><td colspan="4">QCA9377-3 (Qualcomm Atheros)</td><td>-</td></tr><tr><td>Country/Region code</td><td colspan="4">0x0000</td><td>-</td></tr><tr><td rowspan="4">Operating frequencies</td><td>Band</td><td>Modes</td><td>Min</td><td>Max</td><td></td></tr><tr><td>2.4GHz</td><td>11bg</td><td>2412</td><td>2462</td><td>MHz</td></tr><tr><td></td><td>11n 20MHz</td><td>2412</td><td>2462</td><td>MHz</td></tr><tr><td></td><td>11n 40MHz</td><td>2422</td><td>2452</td><td>MHz</td></tr></table>(Omnitracs Active Mobile Gateway (AMG-C), User Reference Manual, pp. 4-5)</td></tr>
</table>

generating a packet with a size corresponding to a protocol used for a network transmission, wherein the packet comprises a preamble having a first training symbol and a second training symbol;	The Gateways perform a step of generating a packet with a size corresponding to a protocol used for a network transmission, wherein the packet comprises a preamble having a first training symbol and a second training symbol. The Gateways generate a packet (or "frame") with a size ("LENGTH") corresponding to a protocol (e.g., 802.11n) used for network transmission. **18.2.2.2 TXVECTOR LENGTH** The allowed values for the LENGTH parameter are in the range of 1 to 4095. This parameter is used to indicate the number of octets in the MPDU which the MAC is currently requesting the PHY to transmit. This value is used by the PHY to determine the number of octet transfers that will occur between the MAC and the PHY after receiving a request to start the transmission. (IEEE 802.11-2012, p. 1584)  **Figure 18-1—PPDU frame format** (IEEE 802.11-2012, p. 1588) The packet (or "frame") comprises a preamble ("PLCP Preamble") having a first training symbol ("Short Training Sequence" or "STS") in HT-STF field and a second training symbol ("Long Training Sequence" or "LTS") in HT-LTF fields. **18.3.2.2 Overview of the PPDU encoding process** The encoding process is composed of many detailed steps, which are described fully in later subclauses, as noted below. The following overview intends to facilitate understanding the details of the convergence procedure: a) Produce the PLCP Preamble field, composed of 10 repetitions of a "short training sequence" (used for AGC convergence, diversity selection, timing acquisition, and coarse frequency acquisition in the receiver) and two repetitions of a "long training sequence" (used for channel estimation and fine frequency acquisition in the receiver), preceded by a guard interval (GI). Refer to 18.3.3 for details. (IEEE 802.11-2012, pp. 1588-89)

	 **Figure 20-1—PPDU format** (IEEE 802.11-2012, p. 1682) **20.3.9.4.5 HT-STF definition** The purpose of the HT-STF is to improve automatic gain control estimation in a MIMO system. The duration of the HT-STF is 4 μs. In a 20 MHz transmission, the frequency sequence used to construct the HT-STF is identical to L-STF. In a 40 MHz transmission, the HT-STF is constructed from the 20 MHz version by duplicating and frequency shifting and by rotating the upper subcarriers by 90°. The frequency sequences are shown in Equation (20-19) and Equation (20-20). (IEEE 802.11-2012, p. 1702) **20.3.9.4.6 HT-LTF definition** The HT-LTF provides a means for the receiver to estimate the MIMO channel between the set of QAM mapper outputs (or, if STBC is applied, the STBC encoder outputs) and the receive chains. If the transmitter is providing training for exactly the space-time streams (spatial mapper inputs) used for the transmission of the PSDU, the number of training symbols, N_{LTF}, is equal to the number of space-time streams, N_{STS}, except that for three space-time streams, four training symbols are required. If the transmitter is providing training for more space-time streams (spatial mapper inputs) than the number used for the transmission of the PSDU, the number of training symbols is greater than the number of space-time streams. This latter case happens in a sounding PPDU. (IEEE 802.11-2012, p. 1703)
increasing the size of the packet by adding subcarriers to the second training symbol of the packet to produce an extended packet, wherein a quantity of subcarriers of the second training symbol is greater than a quantity of subcarriers of the first training symbol; and	The Gateways perform a step of increasing the size of the packet by adding subcarriers to the second training symbol of the packet to produce an extended packet, wherein a quantity of subcarriers of the second training symbol is greater than a quantity of subcarriers of the first training symbol. The Gateways increase the size of the packet by adding subcarriers to the second training symbol (“LTS”) produce an extended packet.

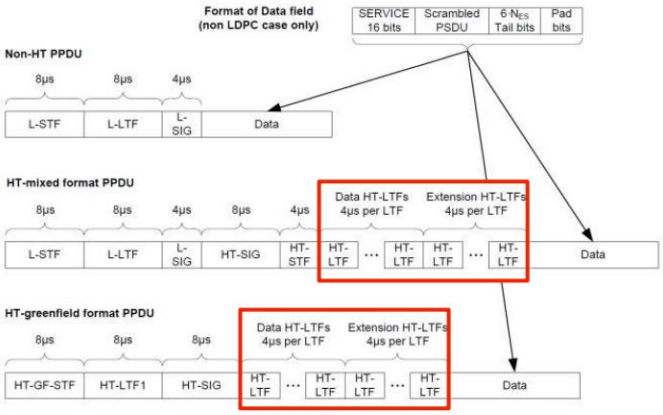


Figure 20-1—PPDU format

(IEEE 802.11-2012, p. 1682)

The HT-LTF portion has one or two parts. The first part consists of one, two, or four HT-LTFs that are necessary for demodulation of the HT-Data portion of the PPDU. These HT-LTFs are referred to as HT-DLTFs. The optional second part consists of zero, one, two, or four HT-LTFs that may be used to sound extra spatial dimensions of the MIMO channel that are not utilized by the HT-Data portion of the PPDU. These HT-LTFs are referred to as HT-ELTFs. If a receiver has not advertised its ability to receive HT-ELTFs, it shall either issue a PHY-RXEND.indicate(UnsupportedRate) primitive upon reception of a frame that includes HT-ELTFs or decode that frame. (When an HT packet includes one or more HT-ELTFs, it is optional for a receiver that has not advertised its capability to receive HT-ELTFs to decode the data portion of the PPDU.)

(IEEE 802.11-2012, p. 1703)

The quantity of subcarriers of the second training symbol ("LTS") is greater than a quantity of subcarriers of the first training symbol ("STS").

Quantity of subcarriers for the STS:

For 20 MHz:

$$HTS_{-28,28} = \sqrt{1/2}\{0,0,0,0,1+j,0,0,0,-1-j,0,0,0,1+j,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,0,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,1+j,0,0,0,1+j,0,0,0,0\} \quad (20\text{-}19)$$

For 40 MHz:

$$HTS_{-58,58} = \sqrt{1/2}\{0,0,1+j,0,0,0,-1-j,0,0,0,1+j,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,0,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,1+j,0,0,0,1+j,0,0,0,0,0,0,0,0,0,0,0,0,0,0,0,1+j,0,0,0,-1-j,0,0,0,1+j,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,0,0,0,0,0,0,0,0,-1-j,0,0,0,-1-j,0,0,0,1+j,0,0,0,1+j,0,0,0,1+j,0,0,0,1+j,0,0\} \quad (20\text{-}20)$$

(IEEE 802.11-2012, pp. 1702-3)

Quantity of subcarriers for the LTS:

The HT-LTF sequence shown in Equation (20-23) is transmitted in the case of 20 MHz operation.

$$HTLTF_{-28,28} = \{1,1,1,1,-1,-1,1,1,-1,1,-1,1,1,1,1,1,-1,-1,1,1,-1,1,-1,1,1,1,1,0,1,-1,-1,1,1,-1,1,-1,1,-1,-1,-1,-1,-1,1,1,-1,-1,1,1,-1,1,-1,1,-1,1,1,1,1,1,-1,-1\} \quad (20\text{-}23)$$

In 40 MHz transmissions, including MCS 32 format frames, the sequence to be transmitted is shown in Equation (20-24).

$$HTLTF_{-58,58} = \{1,1,-1,-1,1,1,-1,1,-1,1,1,1,1,1,1,-1,-1,1,1,-1,1,-1,1,1,1,1,1,1,1,-1,-1,1,1,-1,1,-1,1,-1,-1,-1,-1,-1,1,1,-1,-1,1,1,-1,1,-1,1,-1,1,1,1,1,1,-1,-1,-1,1,0,0,0,-1,1,1,-1,1,1,1,-1,-1,1,1,-1,1,1,-1,-1,1,1,1,1,1,1,1,-1,-1,1,1,-1,1,-1,1,1,1,1,1,1,1,1,-1,1,-1,1,1,-1,1,-1,1,-1,-1,-1,-1,-1,1,1,-1,1,-1,1,-1,1,1,1,1,1\} \quad (20\text{-}24)$$

(IEEE 802.11-2012, pp. 1704-5)

transmitting the extended packet from an antenna.	The Gateways include antennas for transmitting the extended packet. The Gateways perform a step of transmitting the extended packet from an antenna. t) Up-convert the resulting complex baseband waveform associated with each transmit chain to an RF signal according to the center frequency of the desired channel and transmit. Refer to 20.3.7 for details. The transmit chains are connected to antenna elements according to ANTENNA_SET of the TXVECTOR if ASEL is applied. (IEEE 802.11-2012, p. 1688)

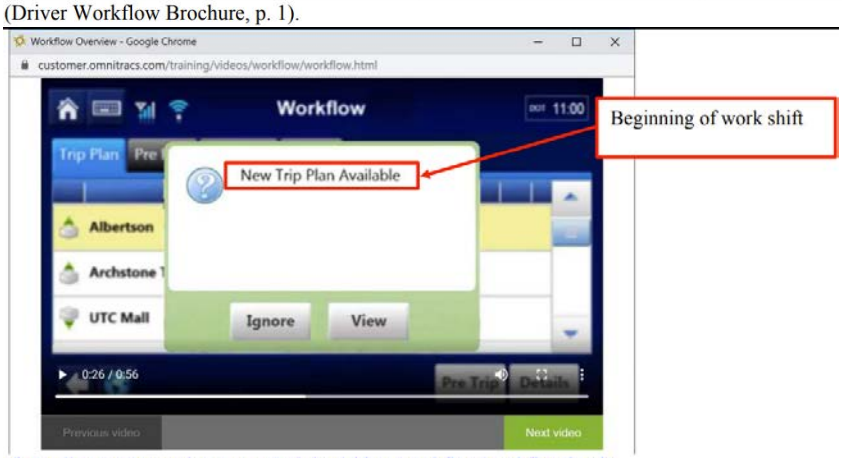
20. As a result of the continuing infringement of the 388 Patent, Fleet Connect has suffered damages, and is entitled, at a minimum, to recover a reasonable royalty to compensate for the infringement.

Count 2:
Infringement of U.S. Patent No. 9,299,044 (044 Patent)

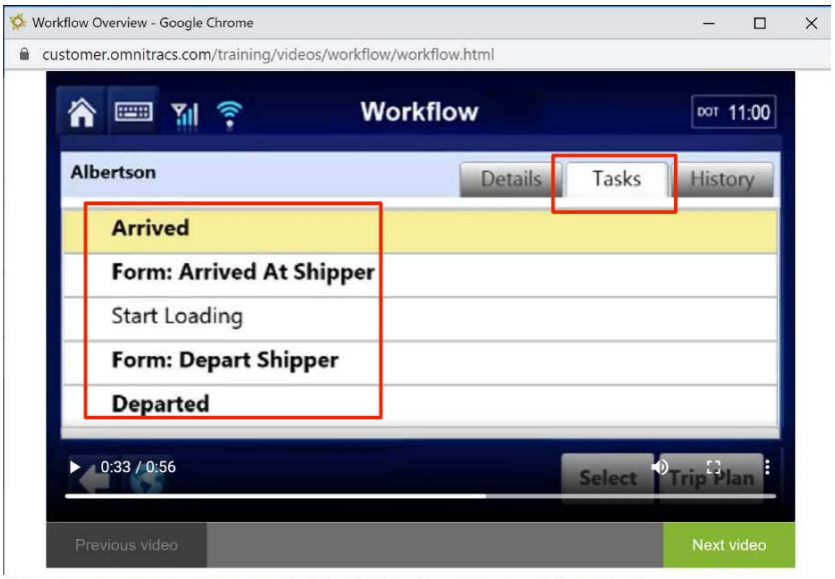
21. Fleet Connect herein incorporates the contents of the preceding paragraphs 1-17 as if restated fully herein.

22. DFL has infringed one or more claims of the 044 Patent under 35 U.S.C. § 271(a). DFL has infringed the 044 Patent by using the Accused Instrumentalities in the United States. For example:

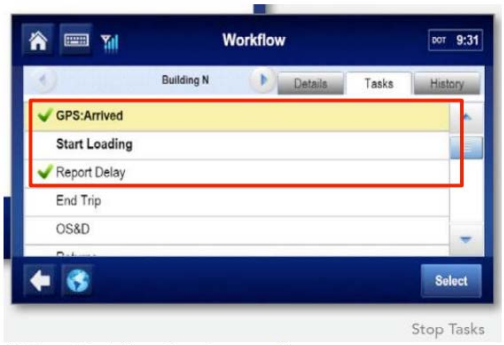
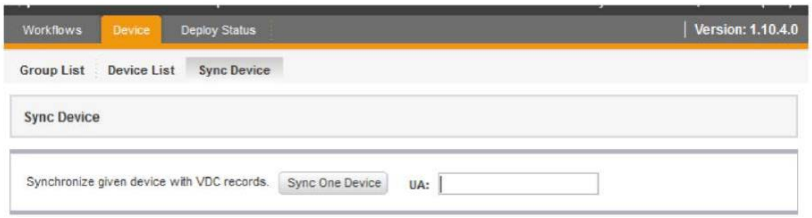
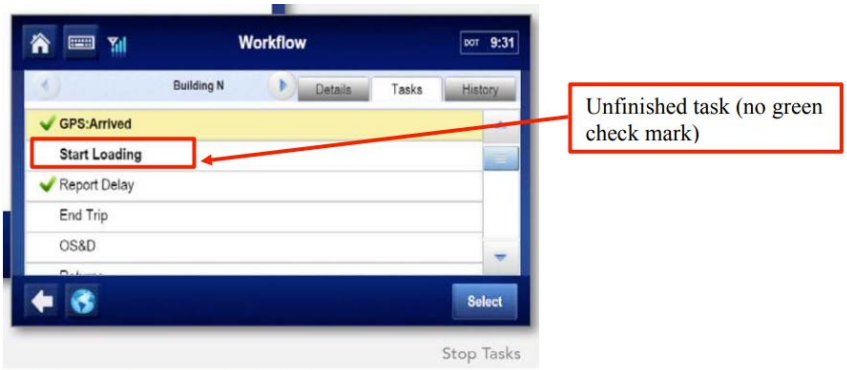
Claim	Accused Instrumentalities
1. A method, comprising:	DFL uses the Omnitracs Driver Workflow ("Driver Workflow") which performs a method. **What is Driver Workflow?** Driver Workflow automates or verifies many of the critical tasks that a driver completes at a typical stop, providing the fleet with timely and comprehensive information. At the same time, it lessens the driver's workload through a simplified interface. At its most basic, Driver Workflow replaces many existing macro messages with a set of stops, tasks, and forms that are clear and easy to follow. Drivers no longer need to search for critical information buried in a text-heavy format, nor look through multiple notifications to find everything related to a single stop. (Driver Workflow Customer Overview, p. 1)

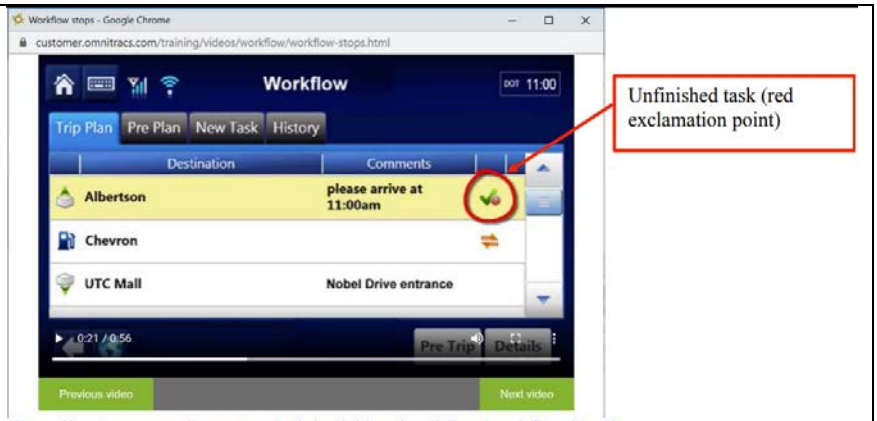
accessing, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device, the at least one template listing tasks that are assigned to be completed before an end of the work shift;	Driver Workflow performs a step of accessing, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device, the at least one template listing tasks that are assigned to be completed before an end of the work shift. Drivers use a handheld device to access a graphical interface at the beginning of a work shift. Intuitive User Interface Driver Workflow operates on an easy-to-read graphical interface. It uses a text-to-speech function when necessary so that drivers can keep their hands on the wheel and eyes on the road. (Driver Workflow Brochure, p. 1).  (https://customer.omnitracs.com/training/videos/workflow/workflow.html) The graphical interface provides access to at least one template stored on a server (e.g., Workflow Management Center software) located remotely from the handheld device. Supports Your Fleet's Line of Business Omnitracs has customizable sets of driver forms—called templates—specific to the processes and rules of different industry segments. These templates support and automate processes throughout your fleet, including those specific to locations, business units, work assignments, drivers, and dispatchers. (Driver Workflow Brochure, p. 1).

<table>
<tr>
<td></td>
<td>
Introduction
These release notes provide descriptions of new features and defects addressed in version 2.0 release of Workflow Management Center (WMC) software.

System Requirements and Upgrade Information
Supported browsers
WMC 2.0 is compatible with the following Internet browsers:
• Internet Explorer (IE) 8, 9, and 10
• Google Chrome
• Firefox
(Workflow Management Center (WMC) 2.0 Release Notes, p. 1)
The template lists tasks that are assigned to be completed before an end of the work shift.


(https://customer.omnitracs.com/training/videos/workflow/workflow.html)
</td>
</tr>
<tr>
<td>reporting a status of each of the tasks at least once during the work shift by synchronizing the handheld device to the server; and</td>
<td>Driver Workflow performs a step of reporting a status of each of the tasks at least once during the work shift by synchronizing the handheld device to the server.</td>
</tr>
</table>

	Tasks in Driver Workflow usually center on the information that the driver manually sends to dispatch, but not always. For example, arrival and departure notifications can take place in the background, without any driver intervention. (Driver Workflow Customer Overview, p. 2)  (Driver Workflow Brochure, p. 3) The Sync Device sub-tab allows you to synchronize a given device with VDC records. This is done by entering the device UA.  (Workflow Management Center (WMC) 2.0 Release Notes, p. 3)
updating the at least one template stored on the server in response to the status with unfinished or new tasks.	Driver Workflow performs a step of updating the at least one template stored on the server in response to the status with unfinished or new tasks.  (Driver Workflow Brochure, p. 3)

	 (https://customer.omnitracs.com/training/videos/workflow/workflow.html)

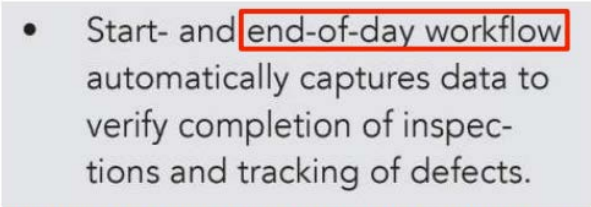
23. As a result of the continuing infringement of the 044 Patent, Fleet Connect has suffered damages, and is entitled, at a minimum, to recover a reasonable royalty to compensate for the infringement.

Count 3:
Infringement of U.S. Patent No. 9,747,565 (565 Patent)

24. Fleet Connect herein incorporates the contents of the preceding paragraphs 1-17 and 22 as if restated fully herein.

25. DFL has infringed one or more claims of the 565 Patent under 35 U.S.C. § 271(a). DFL has infringed the 565 Patent by using the Accused Instrumentalities in the United States. For example:

Claim	Accused Instrumentalities
1. A method, comprising:	Paragraph 22 of this Complaint shows that the Omnitracs Driver Workflow ("Driver Workflow") performs a method.
accessing a template stored on a server located remotely from a	Paragraph 22 of this Complaint shows that the use of Driver Workflow includes

handheld device, the template listing tasks to be completed before an end of a work shift;	accessing, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device, the at least one template listing tasks that are assigned to be completed before an end of the work shift.
reporting a status of each of the tasks at least once by synchronizing the handheld device to the server; and	Paragraph 22 of this Complaint shows that the use of Driver Workflow includes reporting a status of each of the tasks at least once during the work shift by synchronizing the handheld device to the server.
updating the template responsive to the status with unfinished or new tasks at the end of the work shift.	Paragraph 22 of this Complaint shows that the use of Driver Workflow includes updating the at least one template stored on the server in response to the status with unfinished or new tasks at the end of the work shift:  • Start- and end-of-day workflow automatically captures data to verify completion of inspections and tracking of defects. (Driver Workflow Case Study Dayton Freight, p. 7)

26. As a result of the continuing infringement of the 565 Patent, Fleet Connect has suffered damages, and is entitled, at a minimum, to recover a reasonable royalty to compensate for the infringement.

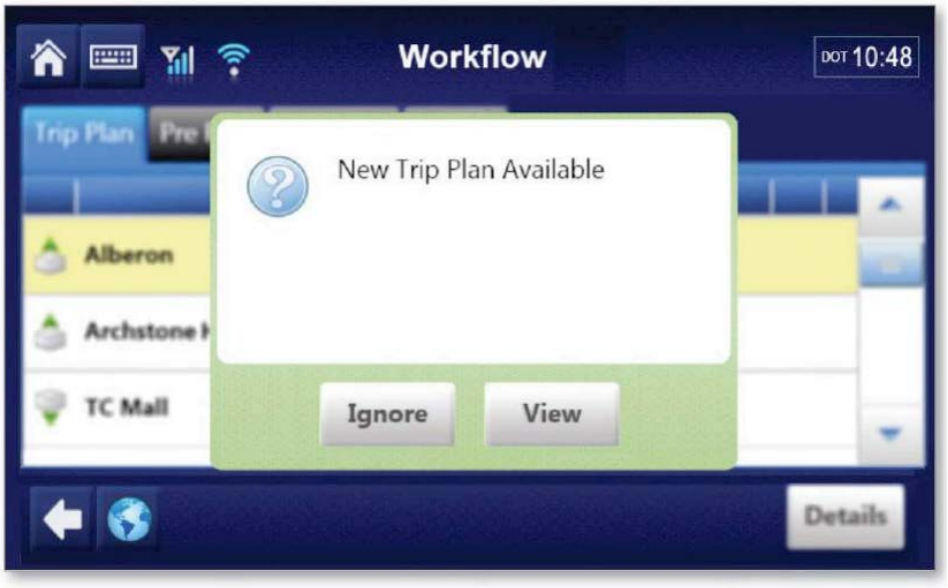
Count 4:
Infringement of U.S. Patent No. 10,671,949 (949 Patent)

27. Fleet Connect herein incorporates the contents of the preceding paragraphs 1-17, 22, and 25 as if restated fully herein.

28. DFL has infringed one or more claims of the 949 Patent under 35 U.S.C. § 271(a). DFL has infringed the 949 Patent by using the Accused Instrumentalities in the United States. For example:

Claim	Accused Instrumentalities
1. A method, comprising:	Paragraph 22 of this Complaint shows that the Omnitracs Driver Workflow ("Driver Workflow") performs a method.
accessing a template stored on a server located remotely from a handheld device, the template listing a first set of tasks to be completed in a first predetermined time period;	Paragraph 22 of this Complaint shows that the use of Driver Workflow includes accessing, at a beginning of a work shift using a handheld device, at least one template stored on a server located remotely from the handheld device, the at least one template listing a set of tasks that are assigned to be completed in a first predetermined time period (e.g., before an end of the work shift).
reporting, after a time of the accessing, a status of each of the	Paragraph 22 of this Complaint shows that the use of Driver Workflow includes reporting, after the accessing, a status of each of the tasks (of a set of tasks) by synchronizing the handheld device to the server.

tasks of the first set of tasks by synchronizing the handheld device to the server; and	
updating the template responsive to the status, the updated template including a second set of tasks to be completed in a second predetermined time period.	Paragraphs 22 and 25 of this Complaint show that the use of Driver Workflow includes updating the template in response to the status with a new set tasks at the beginning and end of the work shift. Driver Workflow performs a step of updating the template responsive to the status, the updated template including a second set of tasks to be completed in a second predetermined time period. For example, drivers are alerted to changes/updates to Trip Plans when a New Trip Plan is sent to the device. The New Trip Plan includes a second set of tasks to be completed in a second time period. The MCP200 platform allows drivers to receive critical and timely training and information in their cabs when they need it. If a route or a shipment changes, or a customer provides additional information, dispatch can alert drivers immediately. In (Driver Workflow – Dayton Freight Lines – Case Study, p. 3).



New Trip Notification on Driver Workflow

(Driver Workflow – Dayton Freight Lines – Case Study, p. 4)

29. As a result of the continuing infringement of the 949 Patent, Fleet Connect has suffered damages, and is entitled, at a minimum, to recover a reasonable royalty to compensate for the infringement.

Prayer for Relief

Wherefore, Fleet Connect respectfully requests that this Court enter judgment against DFL as follows:

a) The Accused Instrumentalities as utilized by DFL infringe each of the Patents-in-Suit, literally or, alternatively, under the Doctrine of Equivalents;

b) Fleet Connect is entitled to its damages resulting from these infringements in the amount that is no lower than a reasonable royalty, together with prejudgment and post-judgment interest thereon;

c) Fleet Connect be awarded an accounting for any post-verdict infringement; and

d) The Court grant Fleet Connect such other and additional relief as the Court determines to be just and proper.

Demand for Jury Trial

Fleet Connect hereby demands a trial by jury on all claims and issues so triable.

Dated: December 1, 2020

Respectfully submitted,

/s/ Steven G. Hill

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Jennifer L. Calvert
Georgia Bar No. 587191
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