

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC d/b/a  
BRAZOS LICENSING AND  
DEVELOPMENT,**

**Plaintiff,**

**v.**

**SALESFORCE.COM, INC.,**

**Defendant.**

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**CIVIL ACTION NO. 6:20-cv-1167**

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“Brazos” or “Plaintiff”), by and through its attorneys, files this Complaint for Patent Infringement against Defendant Salesforce.com, Inc. (“Salesforce”) and alleges:

**NATURE OF THE ACTION**

1. This is a civil action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §§ 1, et seq., including §§ 271, 281, 284, and 285.

**THE PARTIES**

1. Brazos is a limited liability corporation organized and existing under the laws of Delaware, with its principal place of business at 606 Austin Avenue, Suite 6, Waco, Texas 76701.

2. Defendant Salesforce is a corporation organized and existing under the laws of Delaware that maintains an established place of business at 415 Mission Street, 3rd Floor, San Francisco, California 94105.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§271, 281, 284, and 285.

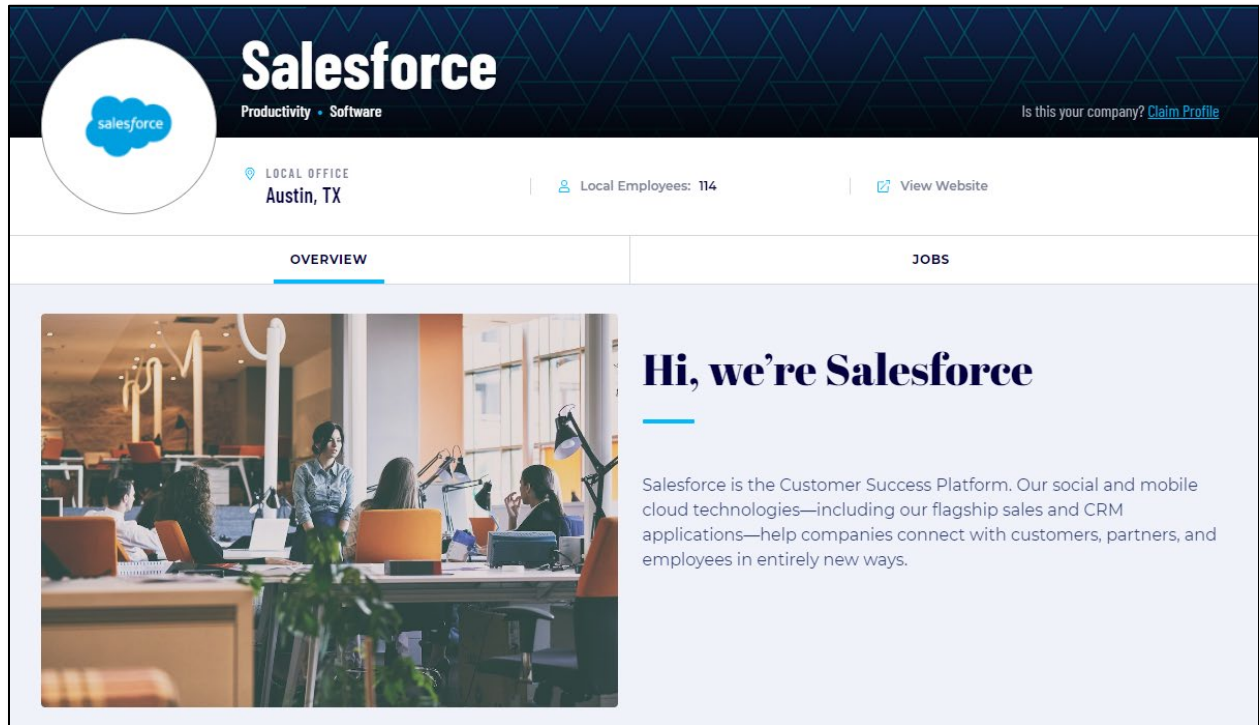
4. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has specific and general personal jurisdiction over Defendant pursuant to due process and/or the Texas Long Arm Statute because Defendant has committed acts giving rise to this action within Texas and within this judicial district. The Court's exercise of jurisdiction over Defendant would not offend traditional notions of fair play and substantial justice because Salesforce has established minimum contacts with the forum. For example, on information and belief, Defendant has committed acts of infringement in this judicial district, by among other things, selling and offering for sale products that infringe the asserted patent, directly or through intermediaries, as alleged herein.

6. Venue in the Western District of Texas is proper pursuant to 28 U.S.C. §§1391 and 1400(b) because Defendant has committed acts of infringement in this judicial district and has regular and established places of business in this judicial district and in Texas. As non-limiting examples, on information and belief, Defendant uses office space in Austin for client meetings. Salesforce has more than 300 employees that work in this judicial district, including employees working in the cities of Waco, Austin, and San Antonio. The titles of said employees include "Vice President," "Principal Architect," and "Senior Director."

7. Upon information and belief, the majority of Salesforce's nationwide workforce is working from home and will continue to be allowed to do so until at least August of 2021. Upon information and belief, some of the Salesforce employees working in the Western District utilize

their home as a principal place of business for Salesforce. Additionally, such employees are allowed to advertise that they are, for example, an Austin Salesforce employee. Because of such representations, local magazines advertise Salesforce as having a place of business in Austin.



Source: <https://www.builtinaustin.com/company/salesforce>

### **COUNT ONE - INFRINGEMENT OF U.S. PATENT NO. 8,369,827**

1. Brazos re-alleges and incorporates by reference the preceding paragraphs of this Complaint.

2. On February 5, 2013, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 8,369,827 (“the ‘827 Patent”), entitled “Method of determining a unique subscriber from an arbitrary set of subscriber attributes.” A true and correct copy of the ‘827 Patent is attached as Exhibit A to this Complaint.

3. Brazos is the owner of all rights, title, and interest in and to the ‘827 Patent, including the right to assert all causes of action arising under the ‘827 Patent and the right to any

remedies for the infringement of the '827 Patent.

4. Salesforce makes, uses, sells, offers for sale, imports, and/or distributes in the United States, including within this judicial district, products such as, but not limited to, Salesforce Customer 360 Data Manager (collectively, the “Accused Products”).

5. Salesforce Customer 360 Data Manager is a cross-cloud technology that makes different cloud services like B2C Marketing, Commerce, and Service products work together.

#### **Salesforce Customer 360 Data Manager**

Salesforce Customer 360 Data Manager is a new cross-cloud technology initiative that makes our B2C Marketing, Commerce, and Service products work better together.

With Customer 360 Data Manager, administrators register their various instances of Marketing Cloud, Commerce Cloud, and Service Cloud and then map customer records from Service Cloud Person Accounts\*, Marketing Cloud subscribers (Data Extension), and Commerce Cloud Customer Profiles into one, unified view of the customer.

Source: <https://www.salesforce.com/blog/2018/09/what-is-salesforce-customer-360.html>, Page 2.

6. Salesforce Customer 360 Data Manager operates a Subscriber Profile Repository (SPR) for determining a unique subscriber record from a set of subscription identifiers.

7. A customer (i.e. subscriber) can have a presence at multiple cloud services. Customer 360 Data Manager integrates data of customers from multiple services and creates and stores a customer profile centrally by assigning a global profile (e.g., unique subscriber record) to each unique customer.

Rather than replicating all of the related data (like cases and order history) into a central place, which it does not do, Customer 360 Data Manager creates and stores a customer profile and acts as a hub that exchanges data and events across the systems at the time of need.

Source: <https://www.salesforce.com/blog/2018/09/what-is-salesforce-customer-360.html>, Page 3.

## CUSTOMER 360 DATA MANAGER BASICS

Integrate data among multiple Service Cloud orgs and Commerce Cloud. To help you connect case history, order history, and customer data across your enterprise, Customer 360 Data Manager assigns a global profile to each unique customer. Having a global profile lets service agents, for example, view a customer's order history in Service Console without having to swivel to Commerce Cloud.

Learn how Customer 360 Data Manager gets your clouds to exchange data using a hub-and-spoke design, which lets you:

- Map data from your clouds or system schemas to the Cloud Information Model.
- Translate data from one cloud to another through the mappings that you set up.
- Create a consolidated view of each customer that presents the best data from your clouds using rules that you configure.

Get a better sense of Customer 360 Data Manager concepts in:

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 5.

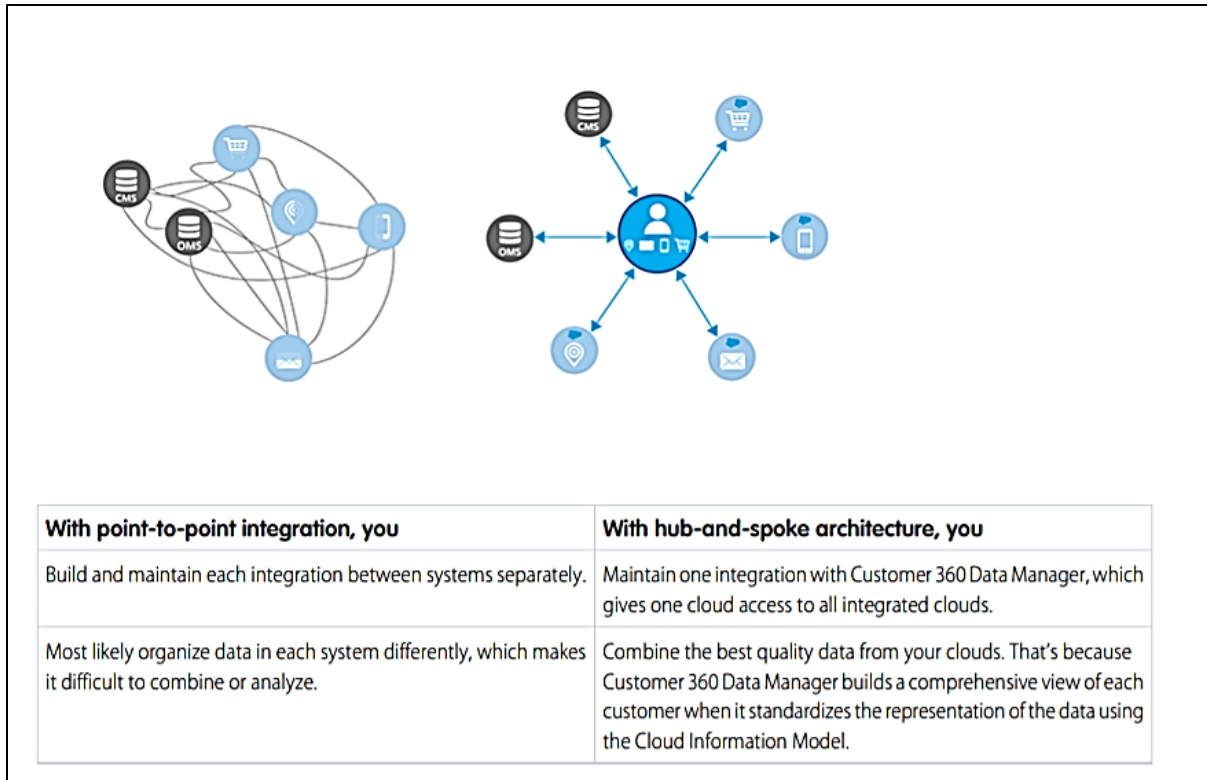
8. Customer 360 Data Manager follows a hub-and-spoke data design. The hub (e.g., the Subscriber Profile Repository) stores the customer data in the form of customer profiles using a Cloud Information Model. Each spoke represents a cloud service or system which can access this data.

### Hub-and-Spoke Design

Facilitate data sharing among your data sources through the Customer 360 Data Manager hub-and-spoke data design. The hub standardizes customer data using the Cloud Information Model. Each spoke represents a cloud or system with its own schema that you map to the hub.

Learn the differences between point-to-point integration and a hub-and-spoke architecture.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 5.



Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 5.

9. Customer 360 Data Manager combines data from multiple sources (e.g., various cloud platforms or spokes) to create global profiles. Each global profile includes a global party ID to uniquely identify a customer (e.g., subscriber), along with attributes such as the customer's name, country, phone number, contact points, and the like (e.g., subscription identifiers).

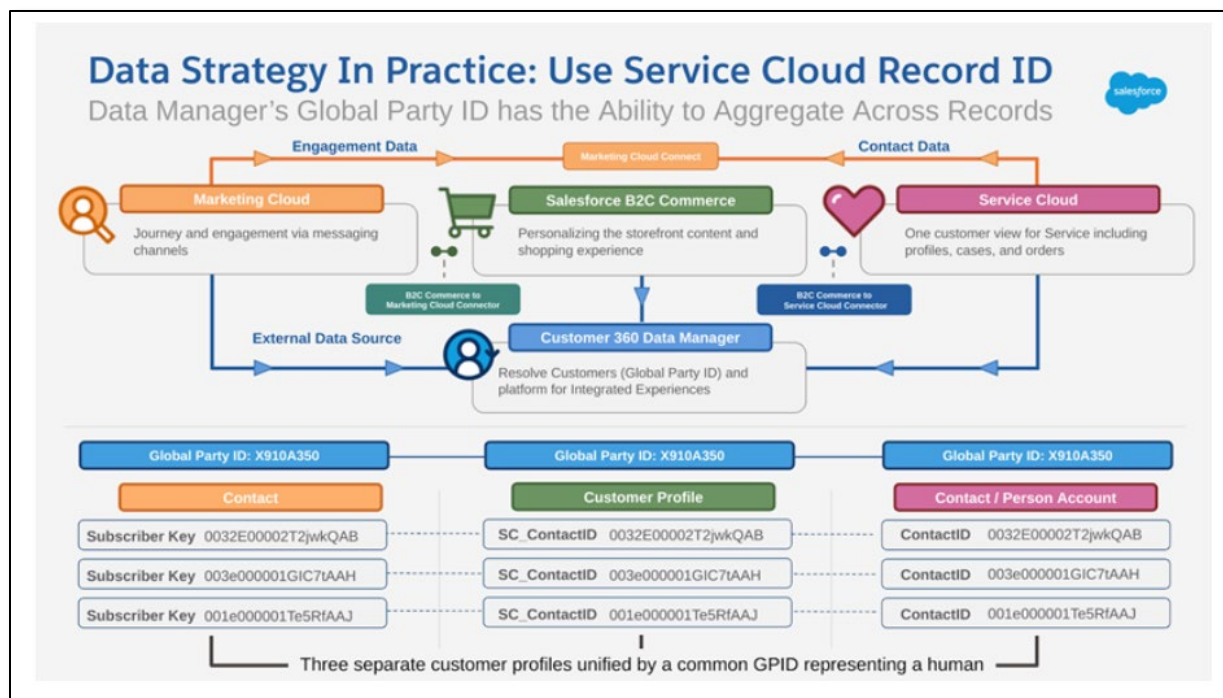
10. As an example, every cloud service (i.e., spoke) uses a subscriber key for a customer that makes a customer unique for that cloud service. Customer 360 Data Manager combines data of the customer (e.g., name and e-mail address) from all the sources (e.g., cloud services or spokes) and associates it with a single global party ID that acts as a unique identifier (i.e. a subscription identifier) for the customer globally. This solution leverages all the cloud services to work together by exchanging data since the customer numbers and customer data belonging to a single customer from various cloud services are associated with a single global

profile with a global party ID.

### To Implement Customer 360 Data Manager:

1. Create users and assign permissions to access Customer 360 Data Manager. Configure security features.
2. Connect data sources that you want to map and load their data.
3. Customer 360 Data Manager combines data from multiple sources to create global profiles, which give you the freshest and most complete view of your customers. To identify unique customers across your data sources, each global profile includes a global party ID, along with a reconciled view of your customer's name, country, and contact points. Define the match rules that are used to create the global profiles.
4. Create data jobs to upload and process data from your sources. Export and send data to connected sources or to the dashboard.
5. Configure mapping sets to map data from you connected data sources and create integrated experiences.
6. Explore dashboards to validate and visualize your data. Review global profiles, update match rules, and reload data jobs as needed.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>.



Source: [https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/icx\\_c360exp\\_retail.pdf](https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/icx_c360exp_retail.pdf),

Page 106

## Global Profile Fields for Mapping

This table lists all the fields you can map to in global profiles. This list is only for the `crePartyContactPointFieldName`. The capitalization and spelling must match exactly for the record to be processed. See the sample data files and configuration files in the repo for examples.

**Table 1: Global Profile Mapping Fields**

Field	Description
address1	First line of the address. For example: 2 Main Street, 37 High Street
address2	Second line of the address. Bldg No.2 or Suite 1232
address3	Third line of the address
address4	Fourth line of the address
birthDate	Date of Birth for the individual
city	Name of the city, town, or village of the address
countryName	The country of the address

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Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>,

Page 69.

Field	Description
emailAddress	A complete email address. For example: tchalla@wakanda.gov
firstCreatedDate	First time this contact point and type was created in data source records
firstName	Personal name. For example: John, Haruto, Hana, or Jennifer
identificationNumber	Value for identification. For example: driver license B1234456
issuedDate	Date the identification was issued
lastName	Family name. For example: Nguyen, Lee, Kim, or Patel
lastUpdatedDate	Last time the contact point (and type) was updated in a data source record
middleName	Middle name
nameSuffix	A title suffix. For example: Jr, Sr, III, or Esq
personName	Full name as a single field. For example: HanaKim
postalCode	Postal Code or Zip Code
residenceCountryName	Primary country of residence, which is used for GDPR and other regulatory requirements to determine country
salutation	A title prefix. For example: Mr, Ms, or Dr
secondLastName	Second last name. In some countries, this value is the mother's last name, for example: Roe
stateProvinceCode	State or Province of the address
telephoneNumber	Phone number as entered

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 69.

**Data Stewardship**  
Samantha Smith

Global Party ID: CRE-00DD10000000M...  
Created: 6/10/2020 11:00 AM  
Updated: 6/28/2020 7:08 AM  
Lineage (6): Service Desk USA (2), CC Retail Site NA (4)

**Details** | Source Records | Change History

**Individual**

Name	Samanatha Smith
Birth Date	01 July 1985
Residence Country	
Restriction of Processing	
Forget This Individual	

**Contact Points**

Phone	Mobile +44 20 3147 7600
Phone	Home +44 800 7253 3333
Email	ssmith@gmail.com
Email	s.smith@outlook.com
Email	sam@mystyle.com
Address	221B Baker St, Marlyebone, London NW1 6XE United Kingdom

**Samantha Smith**

Salutation	Mrs.
First Name	Samantha
Middle Name	
Last Name	Smith
Second Last Name	
Name Suffix	

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>,  
Page 54.

11. A customer (e.g., subscriber) can have a presence at multiple cloud services, with data associated with the customer ID in the cloud services database. Customer 360 Data Manager integrates data of customers from multiple services and creates and stores a customer profile centrally by assigning a global profile (i.e. unique subscriber record) to each unique customer. The data of a customer from the databases of multiple cloud services is sent to (or imported by) the Customer 360 Data Manager in the form of a CSV file (e.g., message). The CSV files sent to the Accused Products contain attributes (subscription identifiers) such as customer ID, name, address, and phone number, etc.

12. Customer 360 Data Manager processes the CSV files received from the cloud services and combines the data belonging to a customer to create global profiles. Each global profile includes a global party ID to uniquely identify a customer (e.g., subscriber), along with

attributes such as customer's name, country, phone number, contact points, and the like (e.g., subscription identifiers).

## SOURCE DATA PREPARATION

Customer 360 Data Manager applies basic cleansing for matching customer data and identifying unique customers.

When you import your customers' data, Customer 360 Data Manager processes the data and identifies unique customers. It then produces global profiles for each customer and assigns global party IDs to them. Exporting those global party IDs to your data sources can then help you identify your customers directly in your data sources.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 40.

Map data source records from these objects:	<p>For global profile matching using data imported from CSV files:</p> <ul style="list-style-type: none"> <li>• Sales, Service, or Community Cloud objects: Account and Person Account, Contact, and Lead</li> <li>• B2C Commerce Cloud: Customers, Orders</li> </ul> <p>For integrated experiences:</p> <ul style="list-style-type: none"> <li>• Sales, Service, or Community Cloud objects: Account and Person Account, Contact, Lead, and Case</li> <li>• B2C Commerce Cloud: Customers, Orders</li> </ul>
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Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>

## Data Preparation Rules

Customer 360 Data Manager optimizes how it matches customer data from the data you import among your multiple sources. Data preparation rules apply basic cleansing to certain customer data attributes, such as contact points and social handles.

Customer 360 Data Manager provides several standard methods of data preparation.

For	Customer 360 Data Manager
Name objects or fields that map to the Cloud Information Model	Removes leading or trailing white space. Common name fields include: <ul style="list-style-type: none"> <li>• First Name</li> <li>• Family Name</li> <li>• Middle Name, along with other fields</li> </ul>
Email fields or objects that map to an email contact point	<ul style="list-style-type: none"> <li>• Removes leading or trailing white space.</li> <li>• Tokenizes the mailbox name (before the @ sign) and domain name (after the @ sign).</li> </ul>
Phone fields that map to a telephone contact point	<ul style="list-style-type: none"> <li>• Inputs phone number and country code with a default value if it finds no value.</li> <li>• Tokenizes country code, phone number, and extension.</li> <li>• Normalizes for international, national, and E.164 phone number formats.</li> <li>• Captures errors on phone number validity.</li> </ul>
Address fields that map to an address contact point	<ul style="list-style-type: none"> <li>• Inputs Address Line 1, 2, 3, 4, City, State or Province, Postal Code, and Country as entered.</li> <li>• Normalizes Address Line 1, 2, 3, 4, City, State or Province, Postal Code, and Country.</li> </ul>

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>

13. Customer 360 Data Manager determines whether the subscription identifier matches a subscriber record. Customer 360 Data Manager identifies when multiple records from different cloud services refer to the same customer. Customer 360 Data Manager compares the attributes (i.e. subscription identifiers) of a customer, such as a customer name, email address, and phone number for finding a match with Customer 360 Data Manager's existing global profiles (i.e. subscriber records).

## Match Rules

Identify when multiple records refer to the same customer. Compare the values of customer name, email address, and phone number for matching in Customer 360 Data Manager.

To get you started, we give you a default set of match rules. But based on your specific needs, you can create your own.

Set of Criteria	What It Matches
Name and Email	Fuzzy first name, exact last name, and exact email address
Name and Phone Number	Fuzzy first name, exact last name, and exact E.164 phone number ( <i>Example: +14155551212</i> )
Name and Address	Fuzzy first name, exact last name, and exact address details
Name and Global Party ID	Fuzzy first name, exact identification name, and exact identification number


Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>

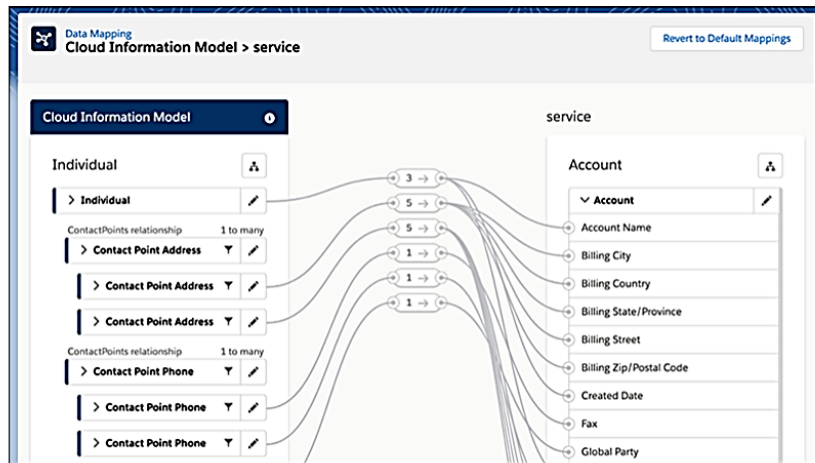
14. Customer 360 Data Manager creates mapping rules to map a data source attribute (subscription identifier) with an attribute in the Cloud Information Model. As an example, the rules include which attributes (e.g., subscription identifier) from the CSV file are to be mapped to check the global profiles stored in the hub.

## Create a Mapping

Map a data source schema attribute with an attribute in the Cloud Information Model in Customer 360 Data Manager.

1. Under Setup, click **Data Mapping**.
2. Select a mapping set to edit.
3. To locate the field you want to map, select an object in the Cloud Information Model and expand it.
4. Click the field to map.
5. To locate the attribute you want to map to that field, select an entity group in the data source and expand it.
6. Click the attribute to map.  
A line connects the field and the attribute, indicating that they are mapped.

 Example:



Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>

15. Customer 360 Data Manager determines that the subscriber record is a unique subscriber record when each subscription identifier that matches the subscriber record matches an identical subscriber record.

16. The attributes (e.g., subscription identifiers) of a customer from CSV data file received from cloud services are mapped (e.g., compared) to the global profiles stored in the hub. The method of matching (like “fuzzy” or “exact” match) can be selected for a particular attribute.

17. As an example of this feature, when a rule is created and the “Match Method” is set to “Exact” for the attributes (e.g., subscription identifiers) such as name, address, phone number, or the like, the Accused Products compare each attribute from the CSV file received to the ones stored in global profiles. The Accused Products check whether each of these attributes matches the

pre-existing attributes of a global profile (e.g., single/same subscriber record) with a global ID, to find a perfect match based on the rule. In such a case (i.e., all of the attributes match exactly to the attributes of the same global profile), the Accused Products identify the attributes (e.g., subscription identifiers) belonging to the same person (e.g., unique subscriber record of a person).

The screenshot shows a 'New Rule' dialog box with the following structure:

*Field	*Match Method	Match Blanks	
First Name	Fuzzy	<input type="checkbox"/>	
Last Name	Exact	<input type="checkbox"/>	
Country Name	Exact	<input checked="" type="checkbox"/>	
Formatted E164 Phone Number	Exact	<input type="checkbox"/>	
Email Address	Exact	<input type="checkbox"/>	
Address Line1	Exact	<input type="checkbox"/>	
City Name	Exact	<input type="checkbox"/>	

Below the table is a '+ Add Condition' button. At the bottom right are 'Cancel' and 'Save' buttons.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 41

## To Implement Customer 360 Data Manager:

1. Create users and assign permissions to access Customer 360 Data Manager. Configure security features.
2. Connect data sources that you want to map and load their data.
3. Customer 360 Data Manager combines data from multiple sources to create global profiles, which give you the freshest and most complete view of your customers. To identify unique customers across your data sources, each global profile includes a global party ID, along with a reconciled view of your customer's name, country, and contact points. Define the match rules that are used to create the global profiles.
4. Create data jobs to upload and process data from your sources. Export and send data to connected sources or to the dashboard.
5. Configure mapping sets to map data from you connected data sources and create integrated experiences.
6. Explore dashboards to validate and visualize your data. Review global profiles, update match rules, and reload data jobs as needed.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 11.

## What Is a Global Profile?

A global profile combines data from different data sources, such as Salesforce Clouds or external systems.

A global profile combines data from different data sources, such as Salesforce Clouds or external systems. The global profile schema is optimized for the data most commonly exchanged between systems.

Customer 360 Data Manager processes records from each data source and identifies matching customer records. You can use profile rules to change how records are prepared and matched. Reconciliation rules determine what data from each record is used for the global profile.

## What Is a Global Party ID and What Can It Do for Me?

The global party ID uniquely identifies an individual, so that data about them can be accessed and shared across different systems.

Assume that you have a customer named Samantha, who has:

- a record in Service Cloud for an open case
- two records in B2C Commerce, an older record with an unmarried name and a new one with a married name

Customer 360 Data Manager identifies all of these records as belonging to the same person. It reconciles the data for the records in the global profile. The global profile is a single source of truth for the most accurate and recent data about your customer. Customer 360 Data Manager assigns a global party ID to the global profile that uniquely identifies the customer across all data sources.

You export the global ID from Customer 360 Data Manager and add it to customer records in B2C Commerce or a Salesforce org.

Lightning components use the global party ID to retrieve additional information that is stored in a data source, but isn't stored in the global profile.

For example, the C360 Order List component can retrieve order information from Commerce Cloud based on global party ID.

Source: <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>, Page 7.

18. In view of preceding paragraphs, each and every element of at least claim 1 of the

‘827 Patent is found in the Accused Products.

19. Salesforce continues to directly infringe at least one claim of the ‘827 Patent, literally or under the doctrine of equivalents, by making, using, selling, offering for sale, importing, and/or distributing the Accused Products in the United States, including within this judicial district, without the authority of Brazos.

20. Salesforce has received notice and actual or constructive knowledge of the ‘827 Patent since at least the date of service of this Complaint.

21. Since at least the date of service of this Complaint, through its actions, Salesforce has actively induced product makers, distributors, retailers, and/or end users of the Accused Products to infringe the ‘827 Patent throughout the United States, including within this judicial district, by, among other things, advertising and promoting the use of the Accused Products in various websites, including providing and disseminating product descriptions, operating manuals, and other instructions on how to implement and configure the Accused Products. Examples of such advertising, promoting, and/or instructing include the documents at:

- <https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/customer360.pdf>
- <https://www.salesforce.com/blog/2018/09/what-is-salesforce-customer-360.html>
- [https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/icx\\_c360exp\\_retail.pdf](https://resources.docs.salesforce.com/224/latest/en-us/sfdc/pdf/icx_c360exp_retail.pdf)

22. Since at least the date of service of this Complaint, through its actions, Salesforce has contributed to the infringement of the ‘827 Patent by having others sell, offer for sale, or use the Accused Products throughout the United States, including within this judicial district, with knowledge that the Accused Products infringe the ‘827 Patent. The Accused Products are especially made or adapted for infringing the ‘827 Patent and have no substantial non-infringing use. For example, in view of the preceding paragraphs, the Accused Products contain functionality

which is material to at least one claim of the ‘827 Patent.

**JURY DEMAND**

Brazos hereby demands a jury on all issues so triable.

**REQUEST FOR RELIEF**

WHEREFORE, Brazos respectfully requests that the Court:

- (A) Enter judgment that Salesforce infringes one or more claims of the ‘827 Patent literally and/or under the doctrine of equivalents;
- (B) Enter judgment that Salesforce has induced infringement and continues to induce infringement of one or more claims of the ‘827 Patent;
- (C) Enter judgment that Salesforce has contributed to and continues to contribute to the infringement of one or more claims of the ‘827 Patent;
- (D) Award Brazos damages, to be paid by Salesforce in an amount adequate to compensate Brazos for such damages, together with pre-judgment and post-judgment interest for the infringement by Salesforce of the ‘827 Patent through the date such judgment is entered in accordance with 35 U.S.C. § 284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. § 284;
- (E) Declare this case exceptional pursuant to 35 U.S.C. § 285; and
- (F) Award Brazos its costs, disbursements, attorneys’ fees, and such further and additional relief as is deemed appropriate by this Court.

Dated: December 18, 2020

Respectfully submitted,

/s/ James L. Etheridge

James L. Etheridge

Texas State Bar No. 24059147

Ryan S. Loveless

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