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

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

9 **SOCIAL POSITIONING INPUT**
10 **SYSTEMS, LLC,**

11 **Plaintiff,**

12 **v.**

13 **ISHARINGSOFT, INC.,**

14 **Defendant.**

CASE NO. 8:21-cv-01155

PATENT CASE

15 **COMPLAINT**

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

19 **PARTIES AND JURISDICTION**

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

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

25 3. Plaintiff is a Texas limited liability company with a virtual office located
26 at 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.
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1 4. On information and belief, Defendant is a Delaware corporation with its
2 principal office located at 200 Spectrum Center Drive, Suite 300, Irvine, CA 92618.
3 On information and belief, Defendant may be served through its agent, The
4 Corporation Trust Company, Corporation Trust Center, 1209 Orange St.,
5 Wilmington, DE 19801.

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

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

13 **VENUE**

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

18 **COUNT I**

19 **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)**

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

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

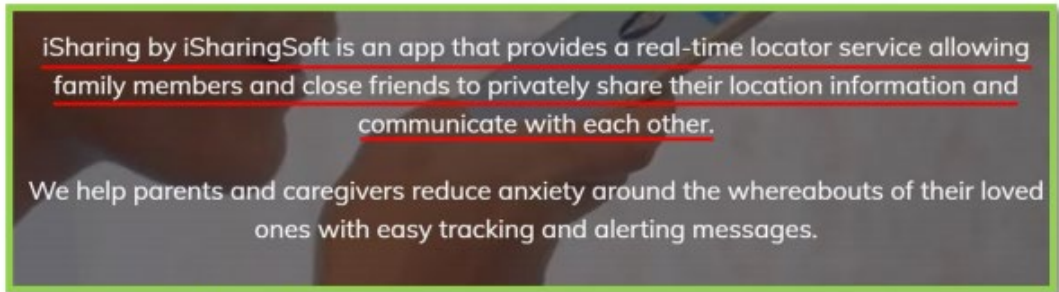
23 10. Plaintiff is the owner by assignment of the ‘365 Patent with sole rights
24 to enforce the ‘365 Patent and sue infringers.

25 11. A copy of the ‘365 Patent, titled “Device, System and Method for
26 Remotely Entering, Storing and Sharing Addresses for a Positional Information
27 Device,” is attached hereto as Exhibit A.
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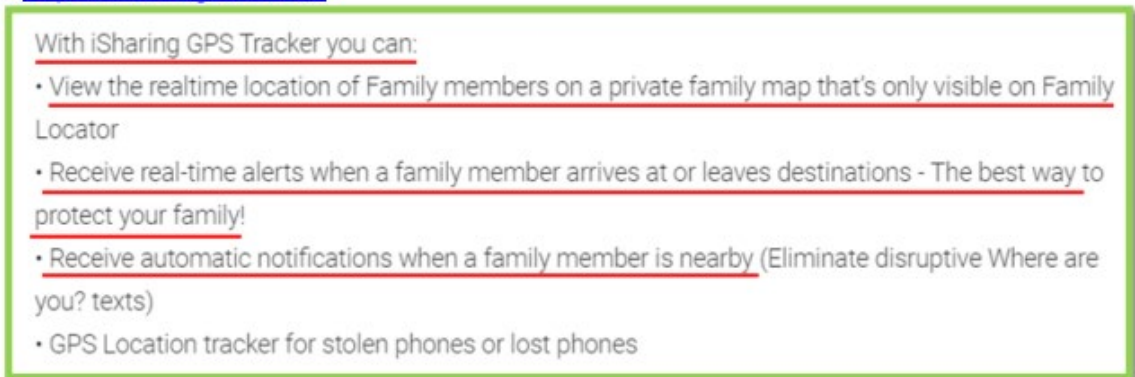
1 12. The '365 Patent is valid, enforceable, and was duly issued in full
2 compliance with Title 35 of the United States Code.

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

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



22 Source: <https://isharingsoft.com/>



Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US

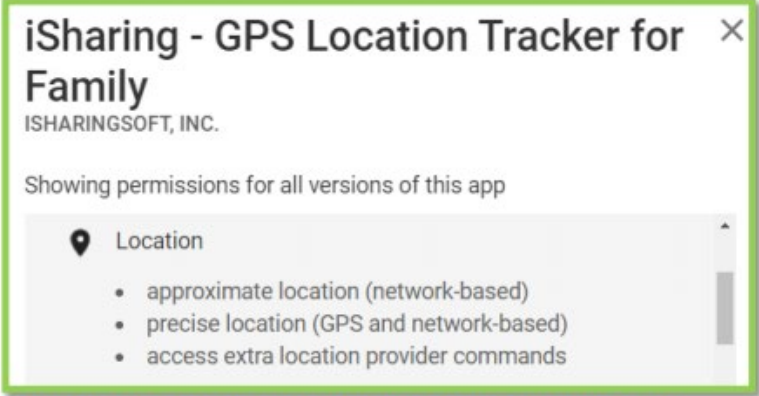
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Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US
Source: <https://isharingsoft.com/>

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 an asset, 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. The server receives the at least one address from a second (sending) positional information device at the asset. 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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Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US

iSharing by iSharingSoft is an app that provides a real-time locator service allowing family members and close friends to privately share their location information and communicate with each other.

Check out what you can do with iSharing:

- View the real-time location of friends or family members on the map
- Receive real-time alerts when friends or family arrive or leave home, work, and school
- See past location history for your friends or family members
- Send a panic alert in an emergency situation
- Send text messages on the map

Source: <https://apps.apple.com/us/app/isharing-gps-location-tracker/id416436167>

GPS Phone Tracker: For time-sensitive communication, the GPS locator can quickly pinpoint the location of every family member. iSharing is a location sharing platform for peace of mind.

Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US

Modifying Your Account Information and Settings: You may modify your account information, update or amend your personal information, or change your password at any time by logging in to your account. You can also stop receiving promotional email communications from us by clicking on the "unsubscribe link" provided in such communications. We make every effort to promptly process all unsubscribe requests. As noted above, you may not opt out of Service-related communications (e.g., account verification, parental consent notification, order confirmations, change or updates to features of the Service, technical and security notices). If you have any questions about reviewing or modifying your account information, you can contact us directly at contact@isharingsoft.com.

Source: https://isharingsoft.com/privacy_policy

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Don't worry about your family's safety ever again!

iSharing lets you register frequently visited locations for each of your family members and you will receive automatic notifications when they arrive or leave the locations.

1. Click on the person's icon and press the Place icon.
2. Click a "Set Location"
3. Select a tag, for example 'School', pin the location on the map, and press 'Save'.

Source: <https://help.isharingsoft.com/hc/en-us/articles/219025458-How-to-Set-up-Place-alerts-Location-Based-Notifications->

16. The at least one address is received from the server at the requesting positional information device. For example the Product's server transmits the position of an asset (at least one address) to the requesting positional information device. 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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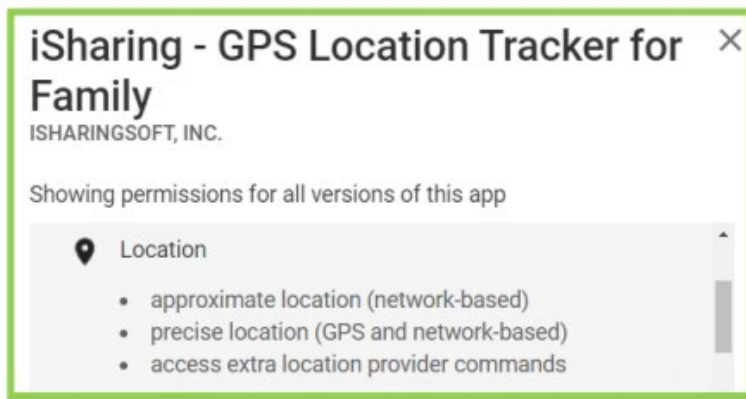
We help parents and caregivers reduce anxiety around the whereabouts of their loved ones with easy tracking and alerting messages.

Source: <https://isharingsoft.com/>

With iSharing GPS Tracker you can:

- View the realtime location of Family members on a private family map that's only visible on Family Locator
- Receive real-time alerts when a family member arrives at or leaves destinations - The best way to protect your family!
- Receive automatic notifications when a family member is nearby (Eliminate disruptive Where are you? texts)
- GPS Location tracker for stolen phones or lost phones

Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US



Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US

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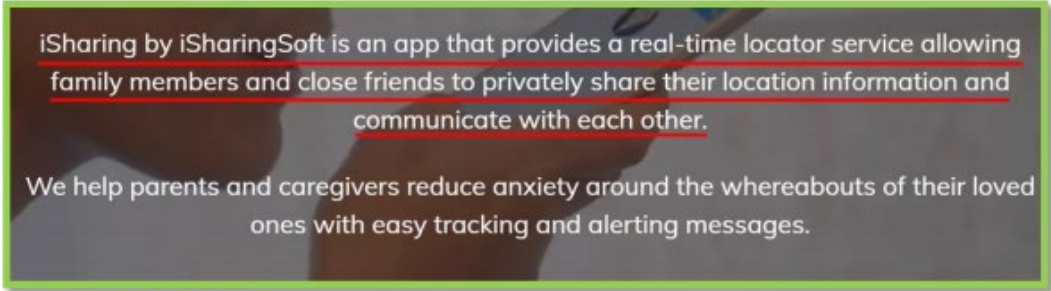
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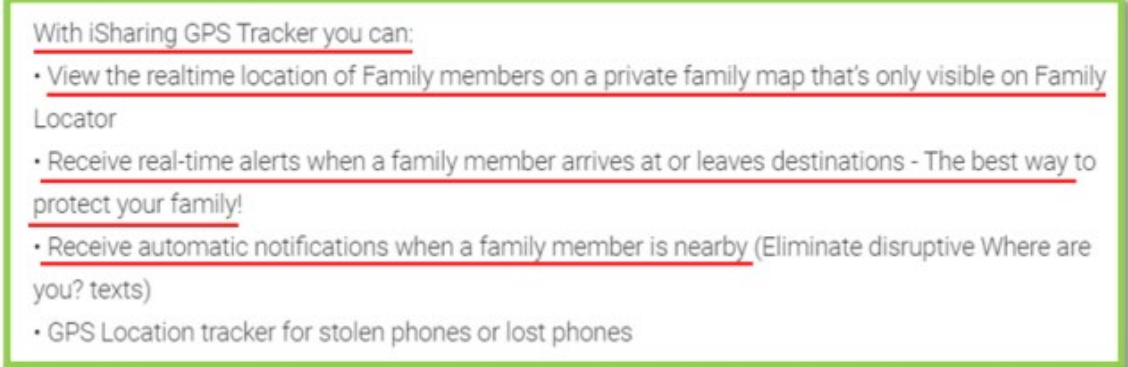
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17. A second identifier for the second (sending) positional information device is determined based on the first identifier and the server retrieves the at least one address stored in the at least one sending positional information device. The Product application installed on the requesting positional information device requests (from the server) the asset's GPS location (i.e., at least one stored address stored). As

1 shown above, before activating the tracker (i.e., the sending positional information
2 device), a unique tracking device's ID number or credentials (i.e., second identifier)
3 needs to be added to the user's account identified by the user login ID and password
4 (i.e., the first identifier). Hence, the tracker device's ID number or field employee
5 credentials (i.e., second identifier) is mapped to the user's login ID (i.e., the first
6 identifier) for tracking the real-time location (i.e., at least one stored address stored)
7 of the vehicle. Certain aspects of this element are illustrated in the screenshot(s) below
8 and/or in those provided in connection with other allegations herein.



13 Source: <https://isharingsoft.com/>



20 Source: https://play.google.com/store/apps/details?id=com.isharing.isharing&hl=en_IN&gl=US

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18. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

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

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

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff asks the Court to:

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

9 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
10 employees, attorneys, and all persons in active concert or participation with Defendant
11 who receive notice of the order from further infringement of United States Patent No.
12 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of
13 judgment going forward);

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

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

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

19
20 Dated: July 5, 2021

Respectfully submitted,

21 /s/ Stephen M. Lobbin
22 ***Attorney(s) for Plaintiff***
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