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

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

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

12 **Plaintiff,**

13 **v.**

14 **WOLF MOBILE, INC. d/b/a**
15 **ECONZ WIRELESS,**

16 **Defendant.**

CASE NO. 8:21-cv-01156

DEMAND FOR JURY TRIAL

17 **COMPLAINT**

18 Plaintiff Social Positioning Input Systems, LLC (“Plaintiff” or “SPIS”) files
19 this Complaint against Wolf Mobile Inc., d/b/a Econz Wireless, Inc. (“Defendant” or
20 “Econz”) for infringement of United States Patent No. 9,261,365 (hereinafter “the
21 ‘365 Patent”).

22 **PARTIES AND JURISDICTION**

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

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

1 3. Plaintiff is a Texas limited liability company with a virtual office located
2 at 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

3 4. On information and belief, Defendant is a California corporation with its
4 principal office located at 202 Fashion Lane, Suite #221, Tustin, CA 92780. On
5 information and belief, Defendant may be served through its agent, James Thompson,
6 at the same address.

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

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

14 **VENUE**

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

19 **COUNT I**

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

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

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

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

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

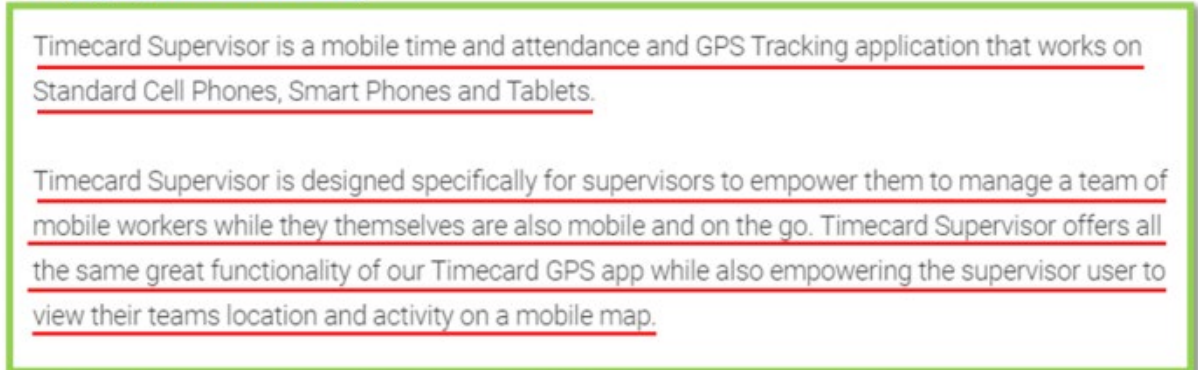
1 12. The '365 Patent is valid, enforceable, and was duly issued in full
2 compliance with Title 35 of the United States Code.

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., Econz asset tracking platform, and any
8 associated hardware, apps, or other software) ("Product") covered by at least Claim 1
9 of the '365 Patent. Defendant has infringed and continues to infringe the '365 patent
10 either directly or through acts of contributory infringement or inducement in violation
11 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.



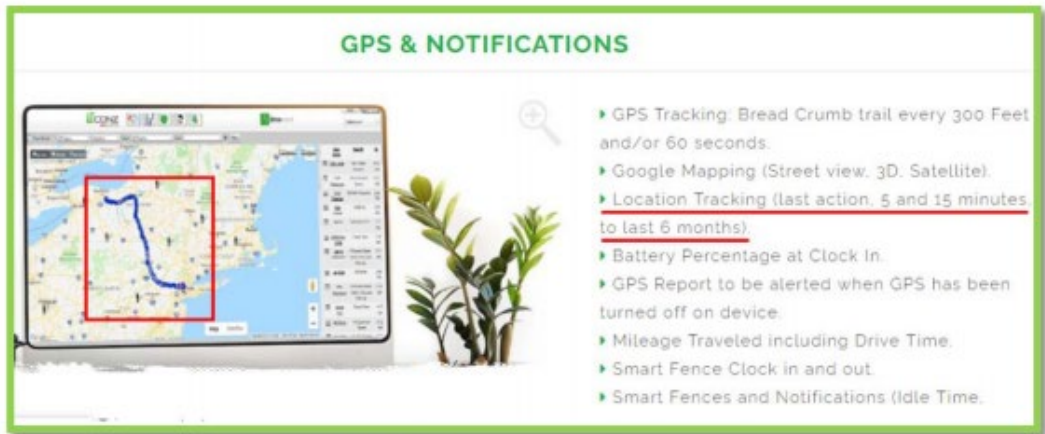
21 Source: <https://www.econz.com/>



27 Source: <https://play.google.com/store/apps/details?id=com.econz.appadmin>

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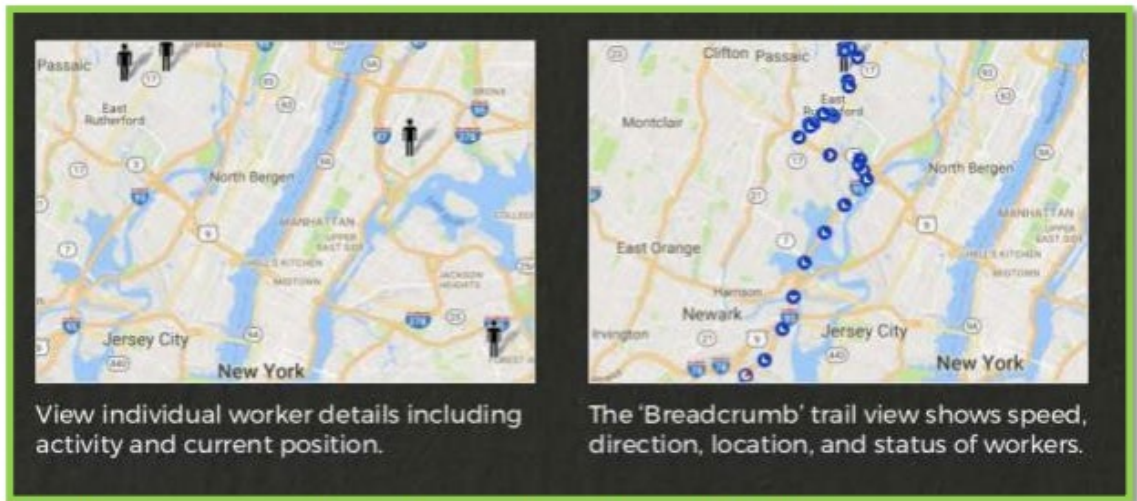


Source: <https://www.econz.com/timecard.html>

BECAUSE TIME IS MONEY

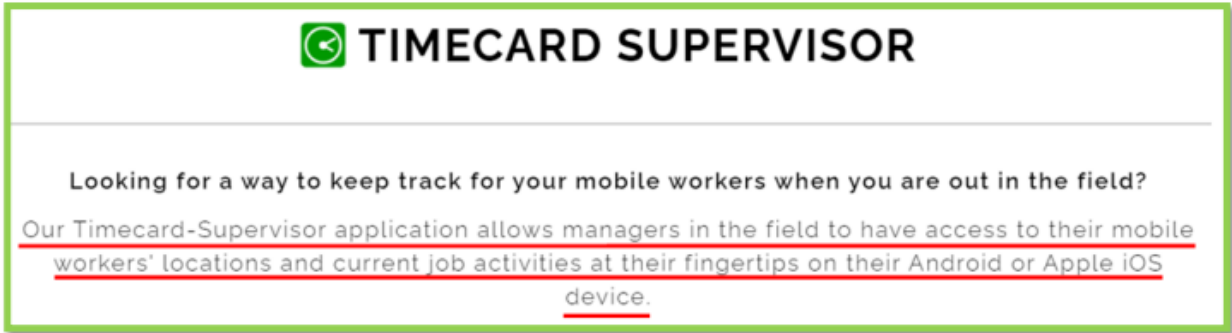
Econz Timecard is a mobile time and attendance and GPS application that works on Cell Phones and Tablets. Timecard enables employees to log time, attendance, tasks, sub-tasks, cost codes and breaks on their mobile device.

Source: <https://www.econz.com/timecard.html>

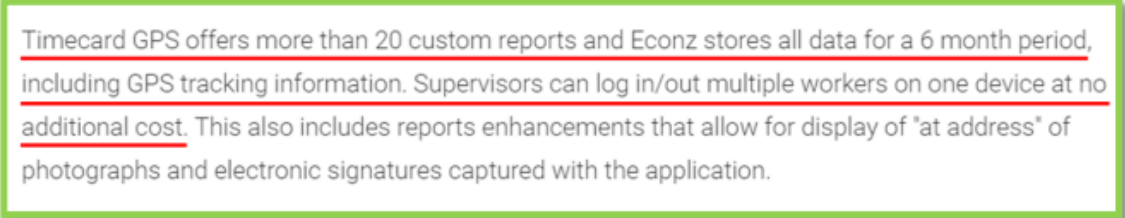


Source: <https://www.econz.com/images/econz-timecard-gps-2019.pdf>

1 15. The Product software sends a request from a first (requesting) positional
2 information device (e.g., mobile device or desktop with software installed) to a server.
3 The request is for the real-time location (e.g., stored address) of an asset, and includes
4 a first identifier of the requesting positional information device (e.g., user ID and
5 password for the Product software used in the particular enterprise). The request is
6 sent to the Product server for transmitting the vehicle location. The server receives
7 the at least one address from a second (sending) positional information device at the
8 asset. Certain aspects of this element are illustrated in the screenshot(s) below and/or
9 in those provided in connection with other allegations herein.



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15 Source: <https://www.econz.com/>

A screenshot of a text block enclosed in a green border. The text reads: "Timecard GPS offers more than 20 custom reports and Econz stores all data for a 6 month period, including GPS tracking information. Supervisors can log in/out multiple workers on one device at no additional cost. This also includes reports enhancements that allow for display of 'at address' of photographs and electronic signatures captured with the application."

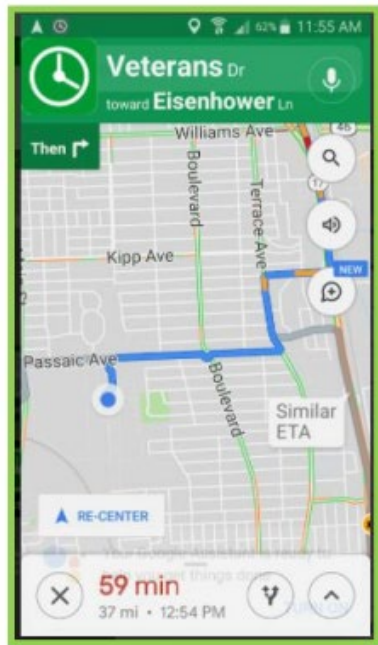
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20 Source: <https://play.google.com/store/apps/details?id=com.econz.app>

1 Management is able to view the location of employees on Google maps from Econz
2 web-based software and real-time job information such as:

- 3 * GPS tracking information
- 4 * Bread crumb trails

5 Source: <https://apps.apple.com/us/app/timecard-gps/id431906750/?platform=ipad>



Timecard GPS

Econz Wireless

Showing permissions for all versions of this app

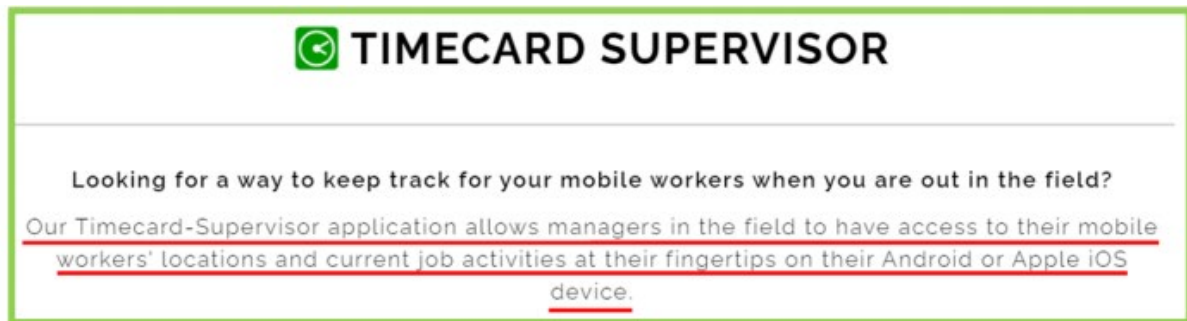
- Location
 - approximate location (network-based)
 - precise location (GPS and network-based)

15 Source: <https://play.google.com/store/apps/details?id=com.econz.app>

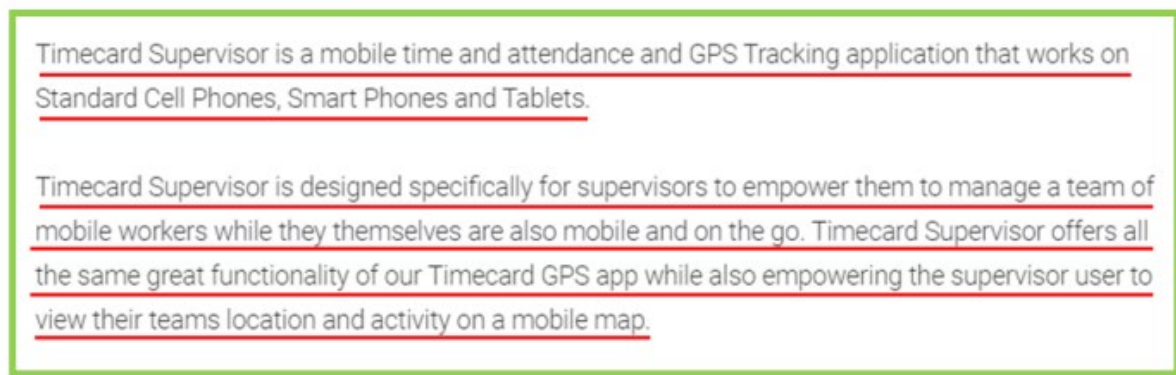
A screenshot of the Econz mobile business solutions login page. The page features the Econz logo and the text 'mobile business solutions'. Below the logo is the text 'Login to start your session'. There are two input fields: 'Login ID' and 'Password'. A green 'Login' button is positioned to the right of the password field. At the bottom, there is a link that says 'I forgot my password'.

26 Source: <https://www.econz.com/login.html>

1 16. The at least one address is received from the server at the requesting
2 positional information device. For example the Product’s server transmits the
3 position of an asset (at least one address) to the requesting positional information
4 device. Certain aspects of this element are illustrated in the screenshot(s) below
5 and/or in those provided in connection with other allegations herein.



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12 Source: <https://www.econz.com/>



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18 Source: <https://play.google.com/store/apps/details?id=com.econz.appadmin>


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Management is able to view the location of employees on Google maps from Econz web-based software and real-time job information such as:

- * GPS tracking information
- * Bread crumb trails

Source: <https://apps.apple.com/us/app/timecard-gps/id431906750/?platform=ipad>

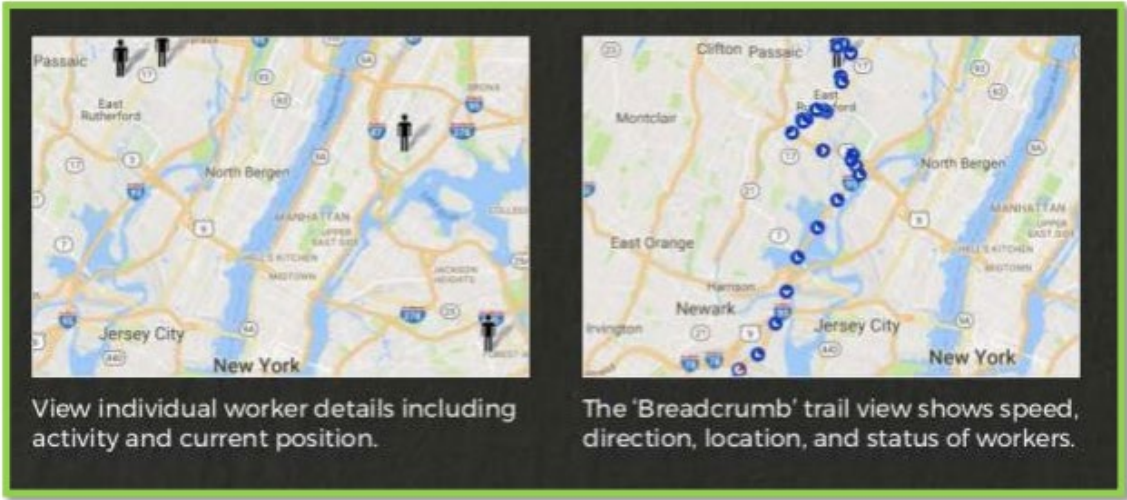
 **TIMECARD GPS BENEFITS**

- Helps companies with Labor Law regulations.
- Fast return on investment by eliminating time-theft.
- Better visibility to manage mobile workers activities and GPS movement.
- Reduce processing payroll time and more accurate time calculations.

Source: <https://www.econz.com/images/econz-timecard-gps-2019.pdf>

Timecard GPS offers more than 20 custom reports and Econz stores all data for a 6 month period, including GPS tracking information. Supervisors can log in/out multiple workers on one device at no additional cost. This also includes reports enhancements that allow for display of "at address" of photographs and electronic signatures captured with the application.

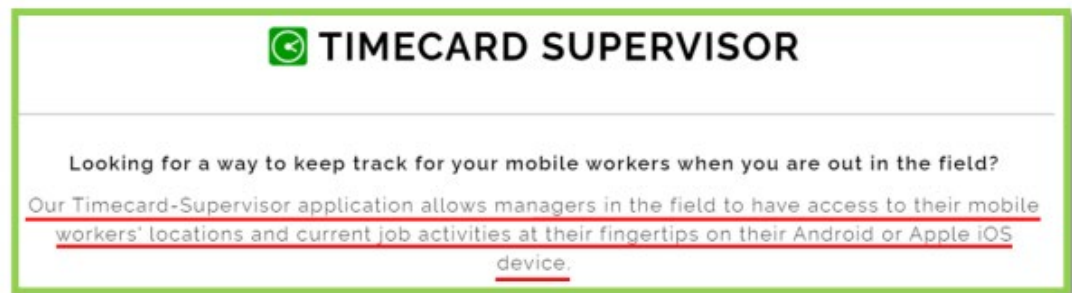
Source: <https://play.google.com/store/apps/details?id=com.econz.app>



Source: <https://www.econz.com/images/econz-timecard-gps-2019.pdf>

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

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



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16 Source: <https://www.econz.com/>




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Timecard Supervisor is a mobile time and attendance and GPS Tracking application that works on Standard Cell Phones, Smart Phones and Tablets.

Timecard Supervisor is designed specifically for supervisors to empower them to manage a team of mobile workers while they themselves are also mobile and on the go. Timecard Supervisor offers all the same great functionality of our Timecard GPS app while also empowering the supervisor user to view their teams location and activity on a mobile map.

Source: <https://play.google.com/store/apps/details?id=com.econz.appadmin>

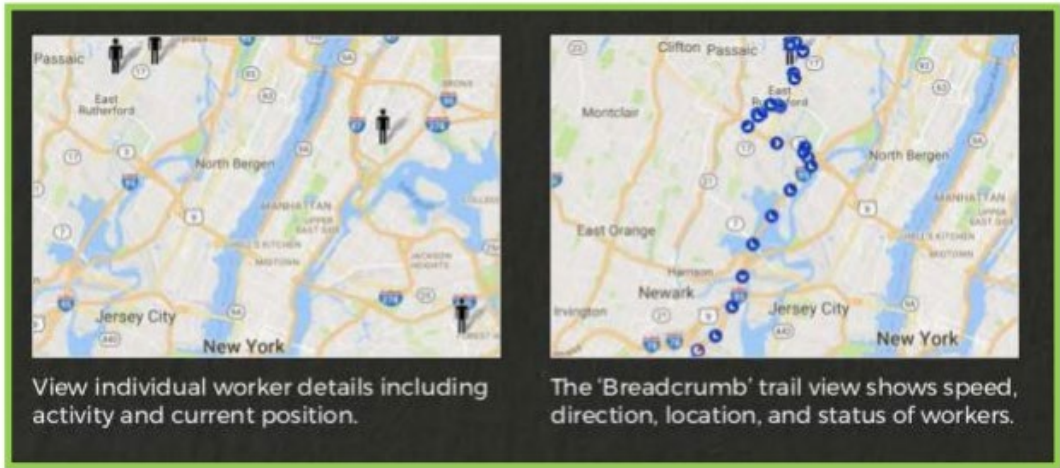
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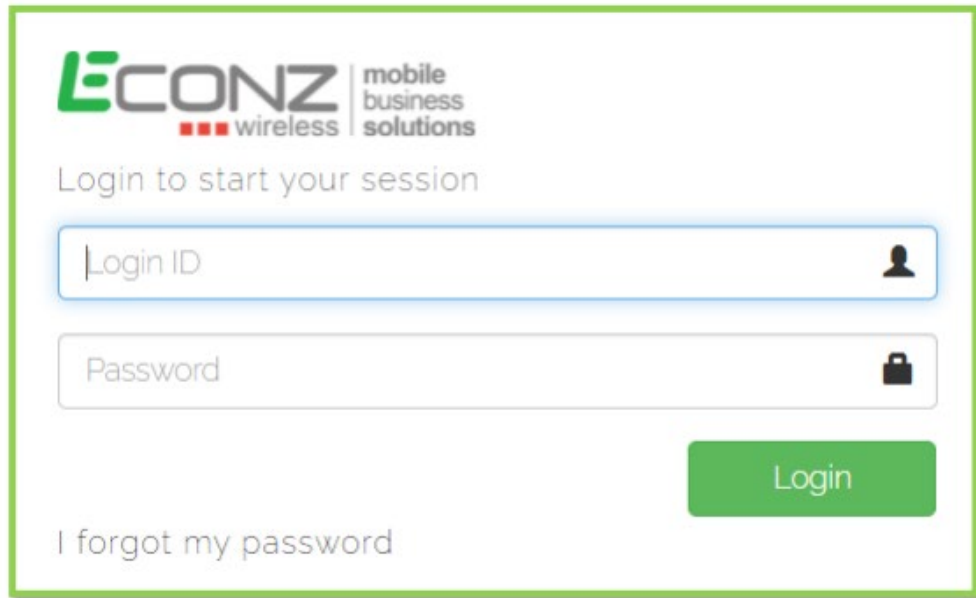
Source: <https://www.econz.com/images/econz-timecard-gps-2019.pdf>

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Source: <https://www.econz.com/images/econz-timecard-gps-2019.pdf>



11 Source: <https://www.econz.com/login.html>

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

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

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

18 **PRAYER FOR RELIEF**

19 WHEREFORE, Plaintiff asks the Court to:

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

22 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
23 employees, attorneys, and all persons in active concert or participation with Defendant
24 who receive notice of the order from further infringement of United States Patent No.
25 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of
26 judgment going forward);
27
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1 (c) Award Plaintiff damages resulting from Defendant's infringement in
2 accordance with 35 U.S.C. § 284;

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

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

6 **JURY TRIAL DEMAND**

7 Pursuant to Fed. R. Civ. P. 38(b)(1) and (c), and L.R. 38-1, Plaintiff hereby
8 demands a jury trial on all the issues in this action so triable of right by a jury.

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10 Dated: July 5, 2021

Respectfully submitted,

11 /s/ Stephen M. Lobbin

12 ***Attorney(s) for Plaintiff***

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