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Attorney(s) for Geographic Location Innovations, LLC

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

**GEOGRAPHIC LOCATION
INNOVATIONS LLC,**

Plaintiff,

vs.

GIOVANNI COSMETICS, INC.,

Defendant.

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Case No. 2:21-cv-07494

DEMAND FOR JURY TRIAL

COMPLAINT

Plaintiff Geographic Location Innovations LLC (“Plaintiff” or “GLI”) files this Complaint against Giovanni Cosmetics, Inc. (“Defendant” or “Giovanni”) for infringement of United States Patent No. 7,917,285 (hereinafter “the ‘285 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 an address of 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

1 4. On information and belief, Defendant is a California corporation with a
2 place of business located at 2064 E University Dr, Rancho Dominguez, CA 90220.
3 On information and belief, Defendant may be served by way of its registered agent,
4 Giovanni J Guidotti, at the same address.

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

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

12 **VENUE**

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

17 **COUNT I**

18 **(INFRINGEMENT OF UNITED STATES PATENT NO. 7,917,285)**

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

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

22 10. Plaintiff is the owner by assignment of the '285 Patent with sole rights
23 to enforce the '044 Patent and sue infringers.

24 11. A copy of the '285 Patent, titled "Device, System and Method for
25 Remotely Entering, Storing and Sharing Addresses for a Positional Information
26 Device," is attached hereto as Exhibit A.

27 12. The '285 Patent is valid, enforceable, and was duly issued in full
28 compliance with Title 35 of the United States Code.

1 13. On March 29, 2011, the United States Patent & Trademark Office
2 (USPTO) duly and legally issued the ‘285 Patent.

3 14. The ‘285 Patent teaches a method and apparatus for storing and sharing
4 addresses for a positional information device. Among other things, the claimed
5 system allows a user to request an address, such as the address for a store, from a
6 server. The server determines the requested address and transmits it to the positional
7 information device. The device receives the address and the system determines route
8 guidance to the store address based at least in part on the location of the positional
9 information device. The server also receives a time and date associated with the
10 address request.

11 15. The ‘285 Patent invention solves problems that existed with then-
12 existing navigation systems associate with having address information loaded onto a
13 positional information device (such as a GPS-equipped mobile phone). Problems
14 arose due to a number of different factors including: (1) disparate navigational
15 devices; (2) navigational devices that required preprogramming of address
16 information; (3) the use of different vehicles by one or more users all going to the
17 same address; and (4) users needing address information downloaded while driving.
18 See, ‘285 Patent Specification, 1:35-2:13.

19 16. At the time of the invention claimed in the ‘285 Patent, telematics
20 enabled a central processing center to provide certain services such as help with
21 directions and tracking stolen vehicles. Telematics, however, did not provide address
22 downloads and associated route guidance to stores to a user’s mobile phone. The
23 claimed invention provides these features and overcomes problems associated with
24 prior systems.

25 17. The ‘285 Patent is directed to computerized technologies to provide
26 users with easy access to address downloads and associated route guidance. Among
27 other things, the ‘285 Patent claims (in Claim 13 for example), a system for entering
28 location information into a positional information device. The system includes a

1 server, which is configured to receive an address request, to determine the address of
2 at least one location, and to transmit that address to the positional information device.
3 The positional information device includes: (1) a location information module for
4 determining the location of the device; (2) a communication module for receiving the
5 information from the server; (3) a processing module for receiving the at least one
6 determined address and for determining route guidance based at least in part on the
7 location of the device; (4) a display module for displaying the route guidance; and (5)
8 a communication network to couple the device to the server. Collectively, these
9 components operate in a way that was neither generic, nor well-known, at least at the
10 time of the invention. Moreover, certain individual components (e.g., the processing
11 module and the server) operate in a way that is neither generic nor well-known.

12 18. The '285 Patent solves problems with the art that are rooted in computer
13 technology and that are associated with electronic transmission, loading, and storage
14 of location information, as well as automatic provisioning of route guidance. The '285
15 Patent claims do not merely recite the performance of some business practice known
16 from the pre-Internet world along with the requirement to perform it on the Internet.

17 19. The '285 Patent invention includes include software and hardware that
18 do not operate in a conventional manner.

19 20. The improvements of the '285 Patent and the features recited in the
20 claims of the '285 Patent provide improvements to conventional hardware and
21 software systems and methods. The improvements render the claimed invention of
22 the '285 Patent non-generic in view of conventional components.

23 21. The improvements of the '285 Patent and the features recited in the
24 claims of the '285 Patent would not be well-understood, routine or conventional to
25 one of ordinary skill in the art at the time of the invention.

26 22. Upon information and belief, Defendant has infringed and continues to
27 infringe one or more claims, including at least Claim 13, of the '285 Patent by making,
28 using (at least by having its employees, or someone under Defendant's control, test

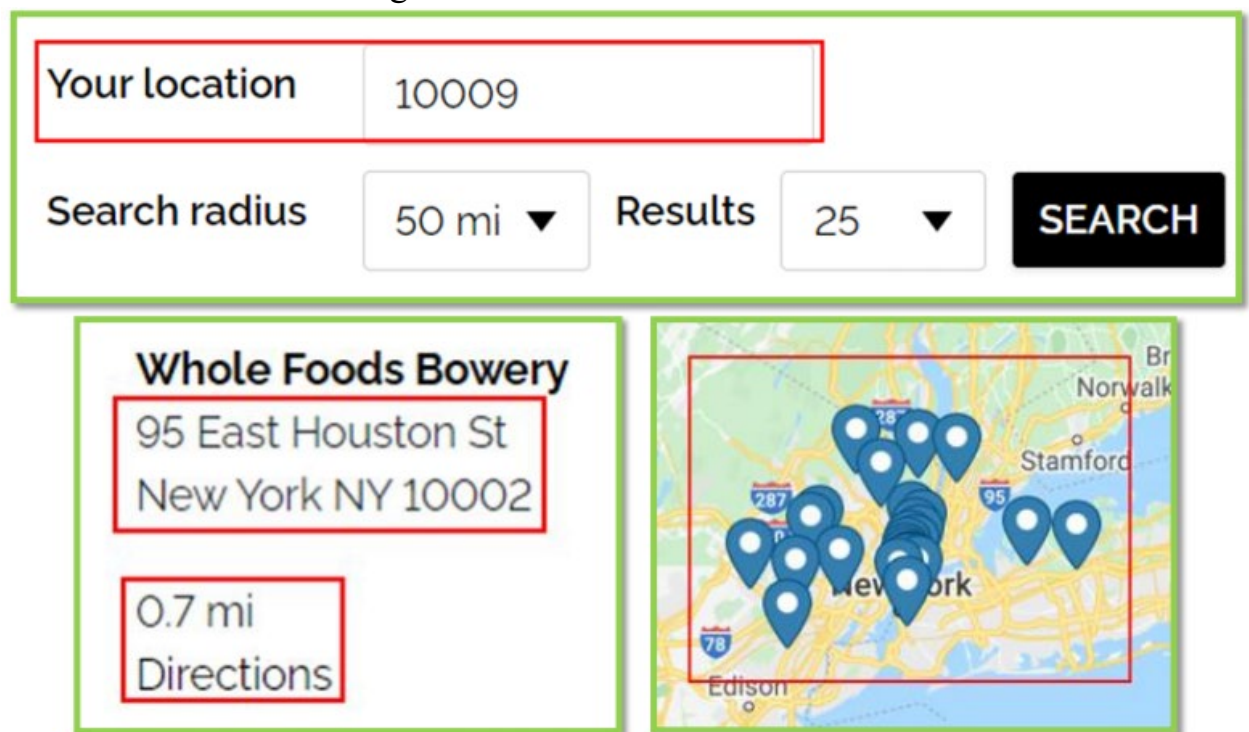
the System), importing, selling, and/or offering for sale a website with associated hardware and software embodied, for example, in its store locator system (the “System”) covered by at least Claim 13 of the ‘285 Patent. The System is used, for example, in connection with Defendant’s website at <https://giovannicosmetics.com/find-us/>. Defendant has infringed and continues to infringe the ‘285 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

23. The System includes the mobile website and associated hardware. These tools provide a route planner mobile application. This application provides for remote entry of location information, such as destination into a positional information device such as, for example, a computer or smart phone in which users can find stores. The website automatically loads available routes onto the positional information device based on the user’s location. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.


A screenshot of a web interface for a store locator. It is enclosed in a green rectangular border. At the top, there is a text input field labeled "Your location" with a red border. Below this, there is a row of four elements: a text input field labeled "Search radius" with a red border, a dropdown menu showing "50 mi" with a downward arrow, a text input field labeled "Results" with a red border, and a dropdown menu showing "25" with a downward arrow. To the right of these is a black button with the word "SEARCH" in white capital letters, also with a red border.

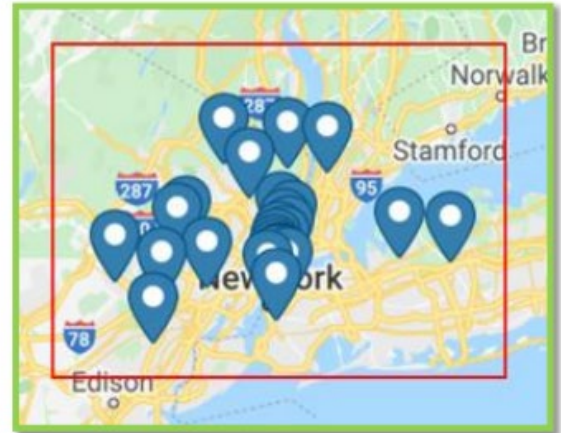
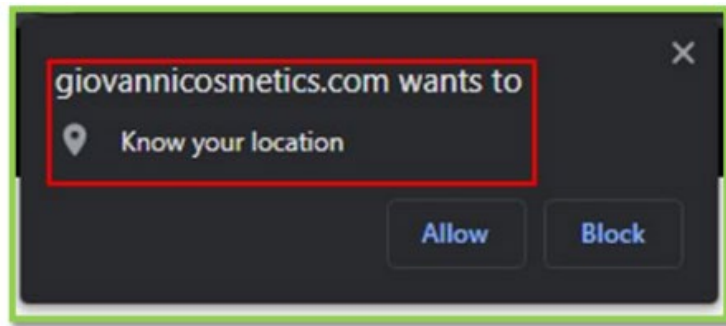
Source: <https://giovannicosmetics.com/store-locator/>

24. The System includes one or more servers that receive a request for an address such as destination (i.e., an address of a location not stored within the positional device, such as a smartphone). The server determines the address of the destination (i.e., address of the at least one location) and transmits the determined address to the positional information device. The user can see (on the positional information device) a visual indication of the destination in a map. 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://giovannicosmetics.com/store-locator/>

25. The server(s) determine the address(es) and transmits the determined address to the positional information device (e.g., smartphone). For example, the server(s) transmits to the positional information device a visual indication of the location on a map. 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://giovannicosmetics.com/store-locator/>

26. The Product includes a locational information module for determining the location information of the positional information device. For example, the system installed on the smartphone (i.e., positional information device) is able to utilize the GPS location (i.e., location information module) to determine the location of the smartphone (i.e., 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.

1 Your location 10009

2

3 Search radius 50 mi ▼ Results 25 ▼ SEARCH

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6 **Whole Foods Bowery**

7 95 East Houston St

8 New York NY 10002

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10 0.7 mi

11 Directions

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Source: <https://giovannicosmetics.com/store-locator/>

27. The user's device (i.e., position information device) on which the application is installed, uses the cellular network communication transceiver (i.e., communication module) through which the smartphone (i.e., the positional information device) receives the address of the destination (i.e., location address). 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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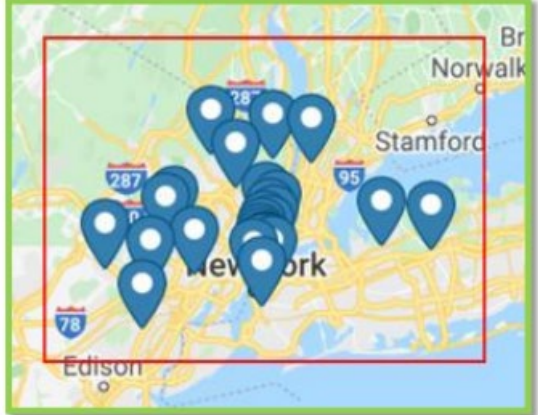
Your location 10009

Search radius 50 mi ▼ Results 25 ▼ **SEARCH**

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Whole Foods Bowery
95 East Houston St
New York NY 10002

0.7 mi
Directions



Source: <https://giovannicosmetics.com/store-locator/>

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11 mi - 8 mins

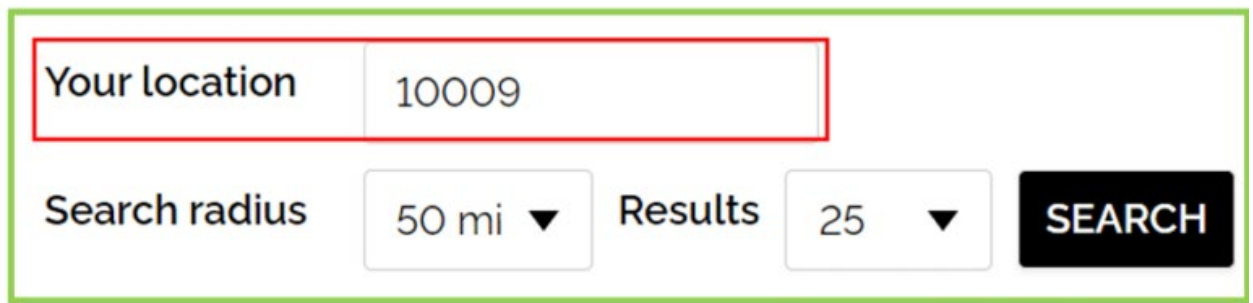
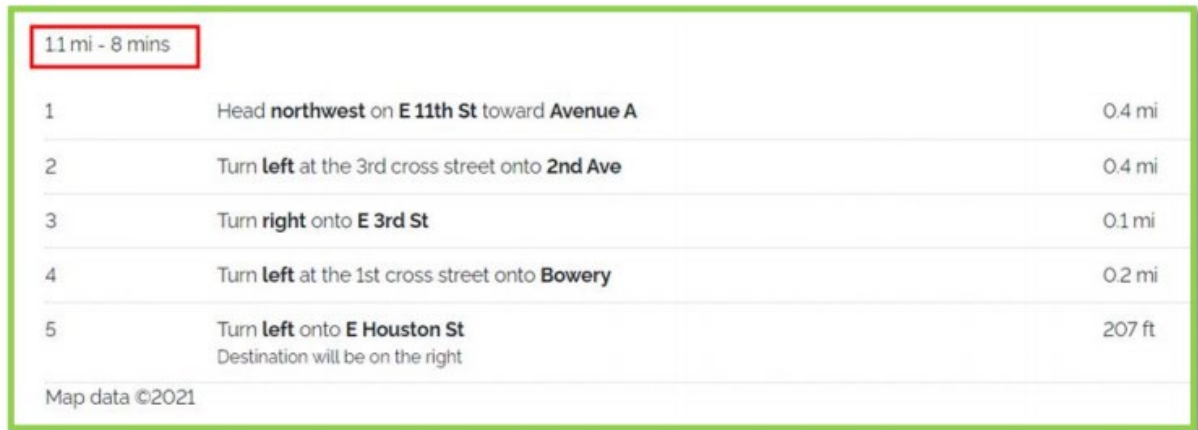
1	Head northwest on E 11th St toward Avenue A	0.4 mi
2	Turn left at the 3rd cross street onto 2nd Ave	0.4 mi
3	Turn right onto E 3rd St	0.1 mi
4	Turn left at the 1st cross street onto Bowery	0.2 mi
5	Turn left onto E Houston St Destination will be on the right	207 ft

Map data ©2021

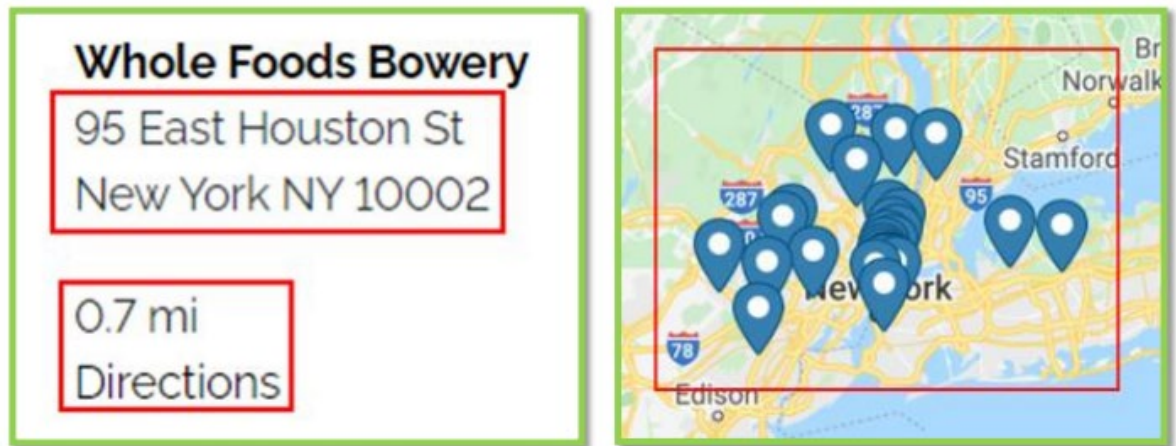
Source: <https://giovannicosmetics.com/store-locator/>

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28. The System includes a processing module (e.g., mapping software and the mobile website), which receives the determined address(es) from the communication module. The processing module determines route guidance based on the location of the positional information device and the determined address(es). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

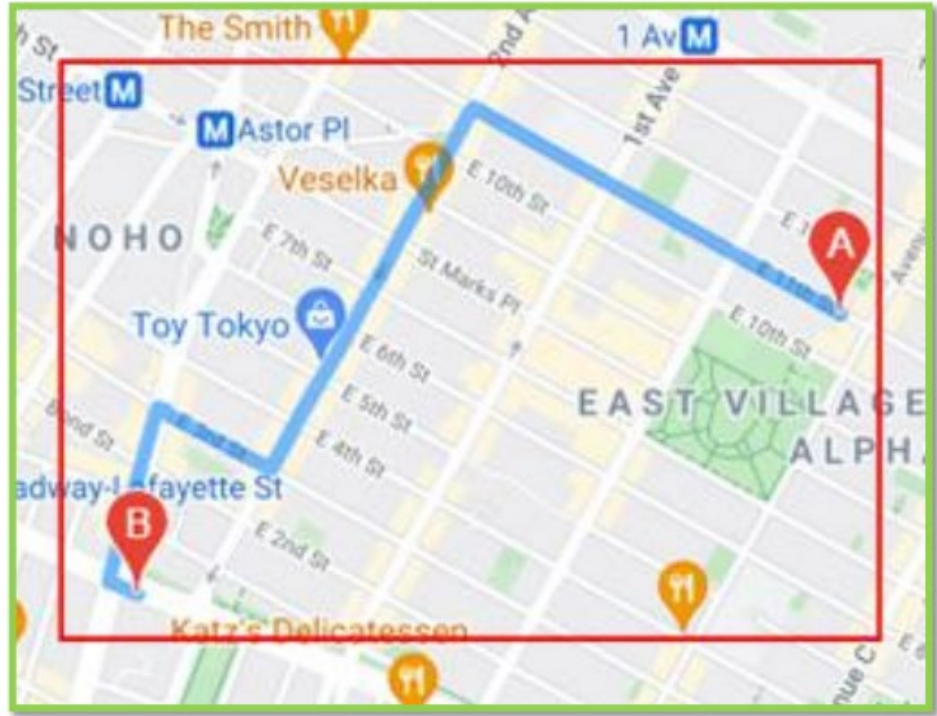


Source: <https://giovannicosmetics.com/store-locator/>



Source: <https://giovannicosmetics.com/store-locator/>

29. The System includes a display module (e.g., screen on the positional information device) for displaying the route guidance. Certain aspects of this element are illustrated in the screenshot(s) provided in connection with other allegations herein.



Source: <https://giovannicosmetics.com/store-locator/>

30. The System includes a communications network (e.g., cellular network and/or Internet) for coupling the positional information device to the server(s). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

1 Your location 10009

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3 Search radius 50 mi ▼ Results 25 ▼ SEARCH

4

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6 **Whole Foods Bowery**

7 95 East Houston St

8 New York NY 10002

9 0.7 mi

10 Directions

11

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13 Source: <https://giovannicosmetics.com/store-locator/>

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15 31. The server(s) receives a time and date (e.g., the time and date of the

16 request for a location) associated with the requested location and transmits the

17 associated time and date with the determined address (i.e., destination) by the help of

18 maps (i.e., communication module) to the positional information device (i.e.,

19 smartphone) and the positional information device displays the determined address at

20 the associated time and date. Certain aspects of this element are illustrated in the

21 screenshot(s) below and/or in those provided in connection with other allegations

22 herein.

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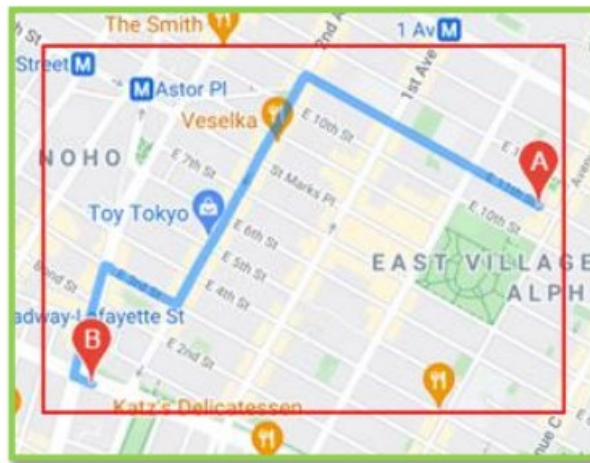
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11 mi - 8 mins		
1	Head northwest on E 11th St toward Avenue A	0.4 mi
2	Turn left at the 3rd cross street onto 2nd Ave	0.4 mi
3	Turn right onto E 3rd St	0.1 mi
4	Turn left at the 1st cross street onto Bowery	0.2 mi
5	Turn left onto E Houston St Destination will be on the right	207 ft
Map data ©2021		



Source: <https://giovannicosmetics.com/store-locator/>

```
var imgId = new Date().getTime();
var img = document.createElement('img');
img.id = 'fb_' + imgId, img.src = 'https
document.body.appendChild(img);
```

Source: <https://giovannicosmetics.com/store-locator/> (inspect page)

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

33. 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.

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

2 **DEMAND FOR JURY TRIAL**

3 35. Under Rule 38 and L.R. 38-1, Plaintiff requests a trial by jury of any issues
4 so triable by right.

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 7,917,285 (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.

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20 Dated: September 20, 2021

Respectfully submitted,

21 /s/ Stephen M. Lobbin
22 **Attorney(s) for Geographic Location**
23 **Innovations, LLC**
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