

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

**WILLIAM GRECIA,**

**Plaintiff,**

**vs.**

**CULLEN/FROST BANKERS, INC.,**

**Defendants.**

**Civil Action No.: 6:21-cv-00016-ADA**

**JURY TRIAL DEMANDED**

**AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

William Grecia brings this patent-infringement action against Cullen/Frost Bankers, Inc. (“Frost Bank”).

**Parties**

1. Plaintiff William Grecia is an individual residing in Downingtown, Pennsylvania.
2. Frost Bank is a Texas corporation, having its principal place of business in San Antonio, Texas.

**Jurisdiction and Venue**

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Frost Bank. Frost Bank conducts continuous and systematic business in this District; and this patent-infringement case arises directly from Frost Bank’s continuous and systematic activity in this District. In short, this Court’s

exercise of jurisdiction over Frost Bank would be consistent with the Texas long-arm statute and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

#### **Direct Infringement of U.S. Patent No. 8,402,555**

7. At the time of initiating this action, William Grecia was the exclusive owner of United States Patent No. 8,402,555 (the “’555 patent”). Mr. Grecia has the right to sue for damages accruing as of June 16, 2021.

8. The ’555 patent is valid and enforceable.

9. Frost Bank infringes claim 17 of the ’555 patent. Frost Bank makes, uses, and sells a computer program product.

10. Attached hereto as “Exhibit A” and incorporated into this complaint as if alleged herein is a claim chart setting forth the language of claim 17 and the accused Frost Bank computer program product.

11. The Frost Bank computer program product receives, requests, and makes a second receipt from and with a “communications console” that is separate from the computer program product. The “communications console” is the GUI and API of the Frost Bank application, separate from the Frost Bank computer program product.

#### **Indirect Infringement of the ’555 Patent**

12. Attached hereto as “Exhibit B” and incorporated into this complaint as if alleged herein is a claim chart setting forth the language of claim 16 and the accused computer program product that Frost Bank sells or offers for sale and with which Frost Bank indirectly infringes the ’555 patent.

13. Frost Bank sells a material or apparatus for use with the '555 patent's invention. The material or apparatus has no substantial non-infringing use.

14. Through this action and communications with Mr. Grecia over the last nine months, Frost Bank knows that the material or apparatus—as described in Exhibit B—is especially adapted for use to infringe the '555 patent.

### **Prayer for Relief**

WHEREFORE, William Grecia prays for the following relief against Frost Bank:

- (a) Judgment that Frost Bank has infringed claims 16 and 17 of the '555 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) For injunctive relief, including a preliminary injunction; and
- (e) For such other and further relief as the Court may deem just and proper.

### **Demand for Jury Trial**

William Grecia demands a trial by jury on all matters and issues triable by jury.

Respectfully Submitted

Date: September 23, 2021

/s/Artoush Ohanian  
H. Artoush Ohanian  
Texas State Bar No. 24013260  
[artoush@ohanianip.com](mailto:artoush@ohanianip.com)  
OHANIANIP  
604 West 13th Street  
Austin, Texas 78701  
(512) 298.2005 (telephone & facsimile)

Matthew M. Wawrzyn (*pro hac vice*)

[matt@wawrzynlaw.com](mailto:matt@wawrzynlaw.com)

WAWRZYN LLC

200 East Randolph Street, Suite 5100

Chicago, IL 60601

(312) 235-3120 (telephone)

(312) 233-0063 (facsimile)

*Counsel for William Grecia*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) on September 23, 2021, and it was served via CM/ECF on all counsel who are deemed to have consented to electronic service.

/s/Artoush Ohanian  
H. Artoush Ohanian