

Horseshoe Bay, TX 78657.

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

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

VENUE

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

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)

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

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

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

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

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

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

14. The Product provides an asset tracking system for real-time GPS tracking of assets. A user can receive location information on a positional information device (e.g., mobile device or computer). 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://www.advantrack.com/gps-tracking-benefits/>
Source: <https://www.advantrack.com/vehicle-tracking-devices/>

Live Fleet Tracking with 10 Second Updates

Your company's vehicle assets are an important part of your business, and fleet inefficiencies can cost you both time and money. Our 10 second real time updates and easy-to-use software make our product the industry's best solution for managing an efficient fleet of vehicles. With our GPS fleet management solutions, you can pinpoint the exact location of each vehicle fleet at any given moment. Live fleet tracking of driver activity, idling, speeding, geofencing, vehicle usage and more gives fleet managers the opportunity to respond and resolve issues as they occur.

Source: <https://www.advantrack.com/feature-10-second-updates/>

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 asset 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.

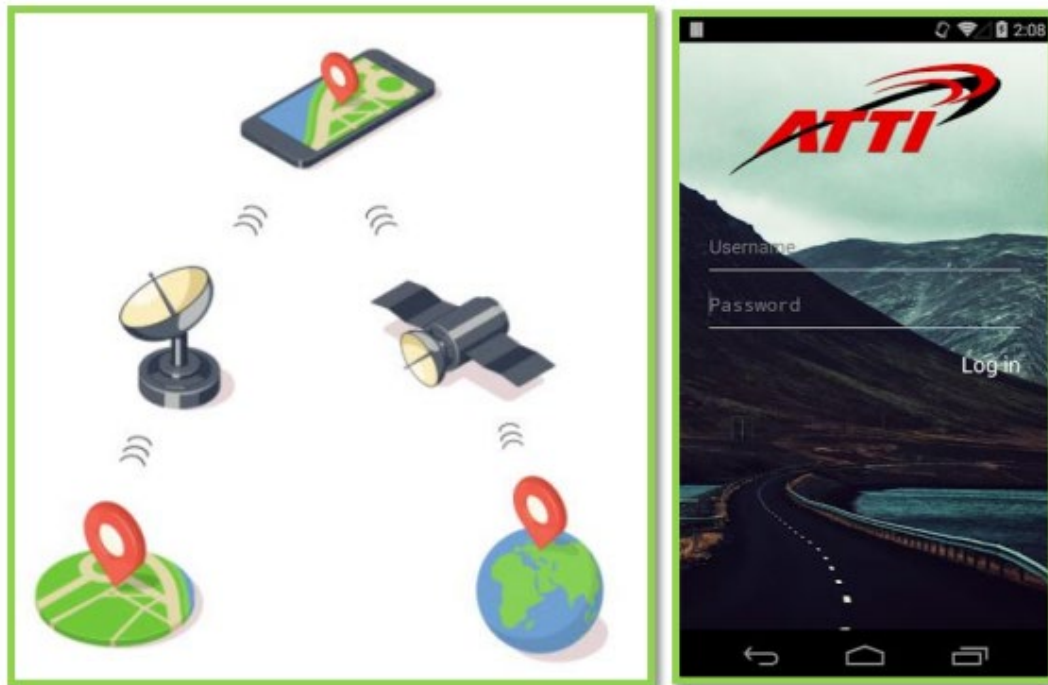
Our vehicle tracking devices use GPS satellites for location and cellular networks to communicate at an industry leading 10 second update rate. This update rate allows the vehicle trackers to show you route, speed, location, stop time, idle time and more for instant decision making, and high definition historical records. Our GPS tracking devices also have internal memory to store and forward any activity outside of coverage, so you don't miss a thing. **Find out More**

Source: <https://www.advantrack.com/gps-trackers/>

Getting Started is Easy

Businesses looking to grow using GPS technology will need a tracking device for each object followed. The tracking device receives positional information from GPS satellites for data review. ATTI offers vehicle mounted tracking devices, asset tracking devices and personal tracking devices that include both GPS and a mobile data module.

Source: <https://www.advantrack.com/blog/how-to-start-using-gps-fleet-tracking/>



Source: <https://www.advantrack.com/gps-trackers/>

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

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.

Our vehicle tracking devices use GPS satellites for location and cellular networks to communicate at an industry leading 10 second update rate. This update rate allows the vehicle trackers to show you route, speed, location, stop time, idle time and more for instant decision making, and high definition historical records. Our GPS tracking devices also have internal memory to store and forward any activity outside of coverage, so you don't miss a thing. **Find out More**

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Source: <https://www.advantrack.com/blog/how-to-start-using-gps-fleet-tracking/>

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 shown above, before activating the tracker (i.e., the sending positional information device), a unique tracking device's ID number or credentials (i.e., second identifier) needs to be added to the user's account identified by the user login ID and password (i.e., the first identifier). Hence, the tracker device's ID number or asset credentials (i.e., second identifier) is mapped to the user's login ID (i.e., the first identifier) for tracking the real-time location (i.e., at least one stored address stored) of 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://www.advantrack.com/vehicle-tracking-devices/>

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Source: <https://www.advantrack.com/gps-trackers/>
Source: <https://play.google.com/store/apps/details?id=com.wgps.shadowTrackerMobile>

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

19. 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.

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

DEMAND FOR JURY TRIAL

21. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

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

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

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

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

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

Dated: September 28, 2021.

Respectfully submitted,

/s/ Jay Johnson

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