

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

ISIX IP LLC,

Plaintiff,

v.

**BOOMI, LP, BOOMI, INC., DELL
TECHNOLOGIES INC., AND
DELL INC.,**

Defendants.

CASE NO. 6:22-cv-275

JURY TRIAL REQUESTED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Isix IP LLC (“Isix”) files this Complaint for Patent Infringement against Boomi LP, Boomi, Inc., Dell Technologies, Inc., and Dell Inc. (collectively, “Defendants”), and states as follows:

1. Plaintiff Isix is a limited liability company organized under the laws of Texas.
2. Boomi, Inc. is a Foreign For-Profit Corporation and a subsidiary of Dell Technologies Inc. Boomi, Inc. maintains an office at 1 Dell Way, Round Rock, Texas 78682. Boomi, Inc. may be served through its registered agent, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

3. Dell Technologies Inc. is a Delaware corporation with a principal place of business at One Dell Way, Round Rock, Texas 78682. Dell Technologies, Inc. may be served through its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

4. Boomi, LP is a Delaware limited partnership with its US Midwest Office at 1 Dell Way, Round Rock, Texas 78682.

5. Dell Inc. is a Delaware corporation with a principal place of business at One Dell Way, Round Rock, Texas 78682. Dell, Inc. has additional offices at 1404 Park Center Dr., Austin, Texas; 701 E. Parmer Lane, Bldg. PS2, Austin, Texas; 9715 Burnet Road, Austin, Texas; and 4309 Emma Browning Avenue, Austin, Texas. Dell, Inc. may be served through its registered agent, Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808. Dell, Inc. is wholly-owned by its corporate parent, Dell Technologies, Inc.

6. Upon information and belief, Dell sold Boomi, Inc. in 2021. Boomi, Inc. and Dell are predecessors-in-interest to Boomi LP.

JURISDICTION AND VENUE

7. This Court has exclusive subject matter jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including, without limitation, 35 U.S.C. §§ 271, 281, 284, and 285.

8. Each defendant maintains an office within this district at One Dell Way, Round Rock, Texas 78682.

9. Defendants are registered with the Texas Secretary of state to do business in Texas.

10. Defendants individually and/or jointly have placed infringing products, Dell Boomi and the Boomi AtomSphere, which includes the Boomi Atom, the Connector, and the Boomi Integration Platform, into the stream of commerce knowing or understanding that such products would be used in the United States, including in the Western District of Texas.

11. On information and belief, Defendants each have used Boomi in the Western District of Texas, at least through its own use or testing or through demonstrations during sales or installation.

12. This Court has personal jurisdiction over Defendants at least because they are is registered to do business in Texas, have one or more places of business within the District, have made, used, offered to sell and sold the accused products within the District thus committing acts of infringement within the District, and placed infringing products into the stream of commerce knowing or understanding that such products would be used in the United States, including in the Western District of Texas.

13. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b) on the grounds that Defendants have committed acts of infringement in the district and each have a regular and established place of business in the district.

THE '178 PATENT

14. Isix is the owner by assignment of all right, title, and interest in and to United States Patent Number 6,308,178 (the "'178 Patent"), titled "System for Integrating Data Among Heterogenous Systems" including the right to sue for all past infringement.

15. Exhibit A is a true and correct copy of the '178 Patent.

16. The '178 Patent issued from United States Patent and Trademark Office application no. 09/442,089, which was filed on October 21, 1999.

17. The Patent Office issued the '178 Patent on October 23, 2001, after a full and fair examination.

18. The '178 Patent is valid and enforceable.

19. The '178 claims a system for integrating data among heterogeneous systems. The claimed subject matter generally describes a system having a middleware "integration system" that includes a repository of reusable data elements from which the data elements are activated based upon the source and destination applications and the desired operations on the data to be exchanged between them.

The system is represented architecturally in Fig. 1:

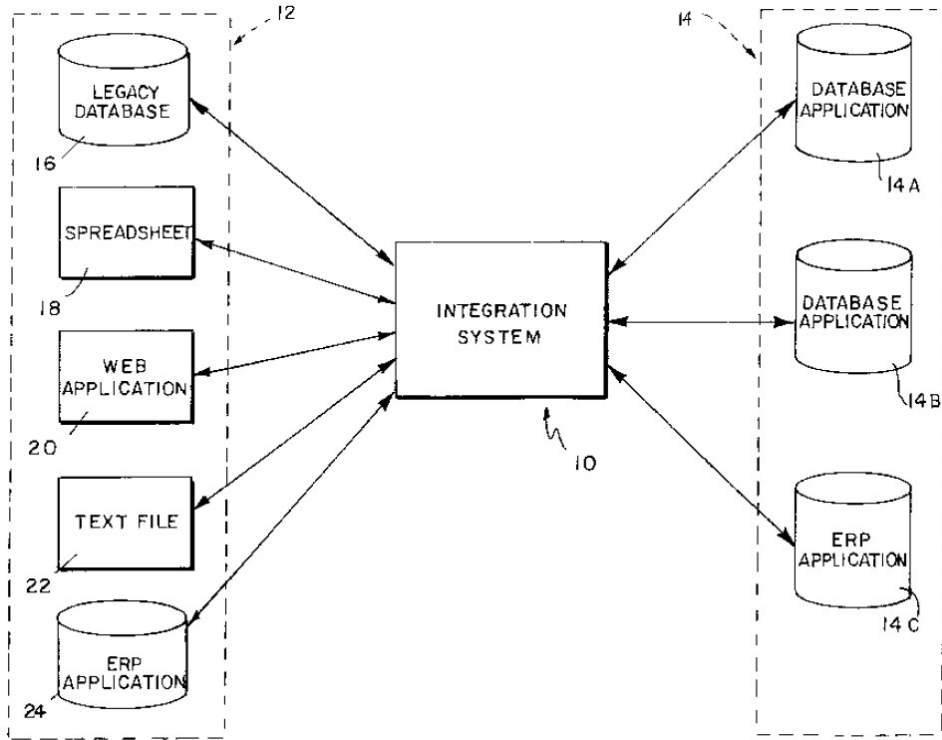


Figure 1: Architectural structure

20. The '178 Patent was successfully commercialized by Darc Corp. ("Darc"), a predecessor in interest of the '178 Patent, in the early 2000s. Darc licensed the Isix software to companies in various industries. Darc's deepest market penetration was in the cruise line industry, where most of the major lines were Isix customers. Other clients included ACCO Brands, General Electric, Motorola, and Siemens. See <https://www.isix.com/isix-clients/>. The infringing product from IBM destroyed Darc's market share.

21. Recognizing the market need, the inventors of the subject matter claimed in the '178 Patent conceived and reduced to practice a system that "provides a flexible, end-to-end integration solution that manages all mapping, validation, and

synchronization of data among heterogeneous source and destination applications within an organization and among the applications of multiple organizations.” ’178 at 2:35-40.

22. The inventors recognized that the advantages of using pre-built and reusable components to integrate various applications:

By providing a standard interface methodology that incorporates a collection of rules describing a particular destination application, the integration system of the present invention eliminates the need for custom software and the disadvantages of the development life cycle associated therewith, reduces user learning curves by virtue of the knowledge contained within the repository, eliminates manual data entry, and provides an upgrade path to future releases of the destination application, thereby reducing the cost of ownership. Updates may be accomplished by revising the repository and adding new modules, and distributing them as replacements to all organizations employing the revised destination application.

’179 Patent at 3:11-23.

23. Claim 1 of the ’178 Patent recites:

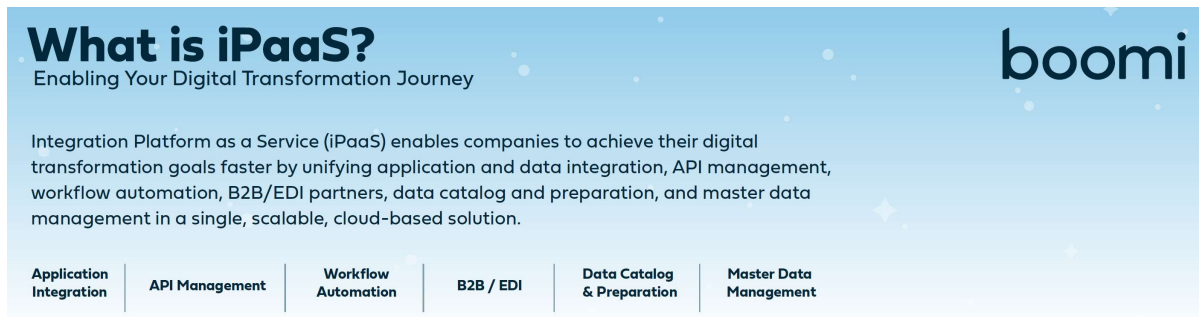
1. A system for integrating data among heterogeneous source applications and destination applications, comprising:
 - a repository of information relating to the source applications and the destination applications, the repository including a plurality of data elements each being capable of performing a discrete operation on a piece of data, and
 - a first module including a plurality of instruction sets, each instruction of each instruction set activating a data element, and

an active component connected to the repository having an input for loading data from the source applications, and an output for populating the destination applications with processed data, the active component processing the data from the source applications by activating data elements according to the plurality of instruction sets in the module.

24. These technological improvements provide greater cost savings and efficiencies by providing reusable components for integrating applications without the need for specialized computer knowledge.

THE BOOMI ACCUSED PRODUCTS

25. Upon information and belief, Dell acquired Boomi in 2010 and sold it in 2021. Boomi is an integration platform as a service, which is described by the coined term iPaaS.



26. Defendants have described and currently describe Boomi as having the ability to “seamlessly connect applications, data, and people, across your business and partner ecosystem.” <https://boomi.com/>.

27. The description of Boomi is similar to that of the ‘178 Patent:

Boomi B2B/EDI Integration

Dell Boomi provides complete, cloud-managed B2B/EDI integration capabilities in a fully self-service model.

Businesses can exchange data with partners and manage trading partner relationships without the burden of installing and maintaining software or appliances, or paying expensive consultant and value-added network (VAN) fees. Boomi enables you to manage a trading partner network of any size using a scalable and secure iPaaS. Regardless of where your organization sits in the supply chain, from manufacturing, distribution and warehousing to transportation services and retail, you can build, deploy and manage traditional EDI and newer web services completely in the cloud.

See e.g., <https://boomi.com/integration/enterprise-features/>.



Benefits

Accelerate time to value

Drag-and-drop UI, data mapping tools, and comprehensive library of connectors, coupled with support for various integration patterns enable you to build any integrations with exceptional speed.

Improve productivity

Operational intelligence, reusable business logic, and data flow recommendations simplify your integration process and error resolution.

See e.g., <https://boomi.com/platform/integration/>.

28. Boomi allows a person to integrate applications without software, appliances, or coding:

Boomi AtomSphere Integration Platform as a Service (iPaaS) enables customers to integrate any combination of cloud and on-premise applications without software, appliances or coding. As an iPaaS solution, the Boomi AtomSphere platform supports real-time integration and elastically scales to meet high-volume needs in mobile, batch (ETL) and EDI environments.

https://help.boomi.com/bundle/integration/page/c-atm-Integration_and_iPaaS.html.

29. Boomi provides reusable components that are used in the application integration process and may seamlessly be moved to different machines:

Component

Components are the reusable configuration objects used in processes. Components are reusable and include APIs, certificates, connections, connector operations, cross reference tables, document caches, maps, map functions, processes, process properties, process routes, profiles, queues, and trading partners. They are displayed in the Component Explorer and can be created once and referenced by process shapes across multiple processes. For example, the same Database Connection component representing a customer database can be referenced in every process that needs to communicate with that database. When you modify a component, those changes are reflected wherever the component is referenced. So if that database should ever move to a different machine, you can simply update the single Database Connection component once and the new settings would be in effect everywhere it is used.

https://help.boomi.com/bundle/integration/page/c-atm-Core_Terms_and_Concepts.html.

30. Boomi provides multiple runtime engines to access the applications and perform the application integration. These runtime engines include at least Atoms, Atom Clouds, and Molecules.

Atom

Atoms are the lightweight run-time engines that contain process configuration information and actually do the work. Atoms can be downloaded and installed to a machine behind your firewall to access local resources such as on-premise applications or databases, or deployed to the Boomi data center if only web accessible applications or data sources need to be integrated. You will typically deploy multiple integration processes to a single Atom.

https://help.boomi.com/bundle/integration/page/c-atm-Core_Terms_and_Concepts.html

Atom Cloud

Atom Clouds are the third and most robust type of runtime engine, in addition to Atoms and Molecules. They work similarly to Molecules, but are multi-tenant, meaning that one instance of the AtomSphere platform serves multiple customers at once. Atom Clouds are comprised of multiple Cloud Molecules nodes that are installed on multiple machines, and are used to run complex processes. You can either deploy your cloud-based integration processes to a Boomi Atom Cloud, or set up your own local Atom Cloud.

https://help.boomi.com/bundle/integration/page/c-atm-Core_Terms_and_Concepts.html

Molecule

A Molecule is a robust runtime engine that supercedes the capabilities of the Atom, and allows for multiple Atom processes to run concurrently. Molecules are made up of two or more nodes - a grouping referred to as a "cluster" - which provide greater power to run more complex processes. Please see the Nodes definition to familiarize yourself further with the concept of Molecules. Molecules are single-tenant, meaning that they serve one customer per instance of the AtomSphere platform.

https://help.boomi.com/bundle/integration/page/c-atm-Core_Terms_and_Concepts.html

31. Dell Boomi uses connectors to get data into and out of the processes during application integration. The connectors facilitate obtaining data from source applications and populating data in destination applications.

Connector

Connectors get data into and send data out of processes. Connectors abstract the technical details of communicating with various applications, data sources and communication protocols. They are actually comprised of two components: a connection and an operation. The connection represents the "endpoint" and contains the physical connection details, such as an FTP or database host, a web services URL and/or sign in credentials. The operation represents a specific action to perform against that connection, such as a database SELECT query, an FTP PUT or a specific web service call. You can think of the connection as the "where" and the operation as the "how". For example, when extracting customer records from Salesforce, the connection represents your Salesforce organization account user name and password and the operation represents the "query customer" action.

https://help.boomi.com/bundle/integration/page/c-atm-Core_Terms_and_Concepts.html

32. Boomi provides an on-demand integration service for users to integrate their applications and data without installing software packages or hardware appliances.

33. Boomi allows its users to manage its application and data integrations via a web browser and reusable components.



34. Boomi provides a repository of common integration components that are available to AtomSphere platform users as pre-built connectors to efficiently build integrations for heterogenous applications.

https://help.boomi.com/bundle/integration/page/c-atm-Integration_and_iPaaS.html.

COUNT I – DIRECT PATENT INFRINGEMENT OF THE '178 PATENT BY DELL

35. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

36. Defendants have directly infringed the '178 Patent in violation of 35 U.S.C. § 271(a) by (1) making, selling, offering for sale, and using the Boomi

platform and service embodying the subject matter claimed in the '178 Patent (e.g., claim 1), and using and putting into service, including through its own use, testing, and demonstration, the Boomi platform and service embodying the subject matter claimed in the '178 Patent, and by operating the Boomi platform and service when all elements of such system are combined as described above, thus meeting each limitation of at least claim 1 of the '178 Patent.

37. The Boomi infringing products include, without limitation, Boomi and Boomi Atmosphere including the Boomi Atom, the Connector, and the Boomi Integration Platform, and other middleware application and data integration systems with the same or similar features and functionality that satisfy each element of one or more asserted claims.

38. The Accused Products, when combined and used as described above, satisfy each and every element of each asserted claim of the '178 Patent either literally or under the doctrine of equivalents.

39. Defendants' infringing activities are and have been without authority or license under the '178 Patent.

40. Plaintiff is entitled to recover from Defendants the damages sustained by Plaintiff as a result of their infringing acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court pursuant to 35 U.S.C. § 284.

NOTICE

Darc, Isix's predecessor-in-interest in and to the asserted patent, has complied with 35 U.S.C. § 287 by marking patented articles.

JURY DEMAND

Plaintiffs hereby demand a trial by jury of all issues so triable pursuant to Fed. R. Civ. P. 38.

PRAYER FOR RELIEF

Plaintiffs respectfully request that the Court find in their favor and against Defendant, and that the Court grant Plaintiffs the following relief:

- A. An adjudication that one or more claims of the '178 Patent has been infringed, either literally and/or under the doctrine of equivalents, by Defendants;
- B. An accounting and an award to Plaintiffs of damages adequate to compensate Plaintiffs for the Defendants' acts of infringement, together with pre-judgment and post-judgment interest and costs pursuant to 35 U.S.C. § 284;
- C. That this Court declare this to be an exceptional case and award Plaintiff its reasonable attorneys' fees and expenses in accordance with 35 U.S.C. § 285; and

D. Any further relief that this Court deems just and proper.

Respectfully submitted this 14th day of March, 2022.

By: /s/ Cabrach J. Connor

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