

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MINOTAUR SYSTEMS LLC,)	Case No.
)	
Plaintiff,)	<u>JURY TRIAL DEMANDED</u>
)	
v.)	
)	
VERIZON COMMUNICATIONS INC.,)	
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Minotaur Systems LLC (“Minotaur” or “Plaintiff”) for its Complaint against Defendant Verizon Communications Inc. (“Verizon” or “Defendant”) alleges as follows:

THE PARTIES

1. Minotaur is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business located at 209 East Austin Street, Marshall, Texas 75670.

2. Upon information and belief, Verizon is a corporation organized and existing under the laws of Delaware, with regular and established places of business in this Judicial District, including: 1006 East End Boulevard N., Suite A, Marshall, Texas 75670; 1111 East Grand Avenue, Marshall, Texas 75670; 741 N Central Expressway, Plano, Texas 75075; 2330 Preston Road, Suite 500, Frisco, Texas 75034; 3220 East Hebron Parkway, Suite 114, Carrollton, Texas 75010; 5020 State Highway 121, The Colony, Texas 75056; 204 Central Expressway S, Suite 40, Allen, Texas 75013; and 500 East Loop 281, Longview, Texas 75605.¹ Upon information and belief, Verizon

¹ See: <https://www.verizon.com/stores/state/texas/>.

does business in Texas and in the Eastern District of Texas, directly or through intermediaries. Upon information and belief, Verizon may be served with process through its registered agent at CT Corporation System, 350 North Street, Dallas, Texas 75201.

JURISDICTION

3. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.* This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Defendant. Defendant regularly conducts business and has committed acts of patent infringement and/or has induced acts of patent infringement by others in this Judicial District and/or has contributed to patent infringement by others in this Judicial District, the State of Texas, and elsewhere in the United States.

5. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 and 1400(b). Defendant has a regular and established place of business in this Judicial District, including in Harrison County, and is deemed to reside in this Judicial District. Upon information and belief, Verizon has committed acts of infringement in this Judicial District, and/or has purposely transacted business in this Judicial District.

6. Defendant is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial business in this State and Judicial District, including (a) at least part of its past infringing activities, (b) regularly doing or soliciting business in Texas, and/or (c) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

PATENTS-IN-SUIT

7. On June 10, 2008, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,386,376 (the “’376 Patent”) entitled “Vehicle Visual and Non-Visual Data Recording System”. A true and correct copy of the ’376 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=7386376>.

8. On January 12, 2016, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,237,242 (the “’242 Patent”) entitled “Roadside and Emergency Assistance System”. A true and correct copy of the ’242 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=9237242>.

9. On May 16, 2017, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,652,023 (the “’023 Patent”) entitled “Power Management System”. A true and correct copy of the ’023 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=9652023>.

10. Minotaur is the sole and exclusive owner of all right, title, and interest in the ’376 Patent, the ’242, and the ’023 (the “Patents-in-Suit”) and holds the exclusive right to take all actions necessary to enforce its rights to the Patents-in-Suit, including the filing of this patent infringement lawsuit. Minotaur also has the right to recover all damages for past, present, and future infringement of the Patents-in-Suit and to seek injunctive relief as appropriate under the law.

FACTUAL ALLEGATIONS

11. The ’376 Patent generally discloses a system for recording video of a driver, including biometric data related to the driver. The technology described by the ’376 Patent was developed by inventors Otman A. Basir, Fakhreddine Karray, Kristopher Desrochers, Jean-Pierre

Bhavnani, David Bullock, and Inam Rahim. For example, the technology described in the '376 Patent is implemented by driver drowsiness detection systems.

12. The '242 Patent generally discloses a system for vehicle roadside assistance. The technology described by the '242 Patent was developed by inventors Otman A. Basir. For example, the technology described in the '242 Patent is implemented by roadside assistance systems which allow for remote communication with a vehicle.

13. The '023 Patent generally discloses a system for wireless communication between a vehicle and a mobile device. The technology described by the '023 Patent was developed by inventors Otman A. Basir, William Ben Miners, and Vladimir Filippov. For example, the technology described in the '023 Patent is implemented through vehicle communication systems with a control unit having a wireless communication module and a power management module.

14. Verizon has infringed and is continuing to infringe the Patents-in-Suit by making, using, selling, offering to sell, and/or importing, and by actively inducing others to make, use, sell, offer to sell, and/or importing fleet-management and monitoring solutions, such as Verizon Connect Reveal, among other products.

COUNT I
(Infringement of the '376 Patent)

15. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

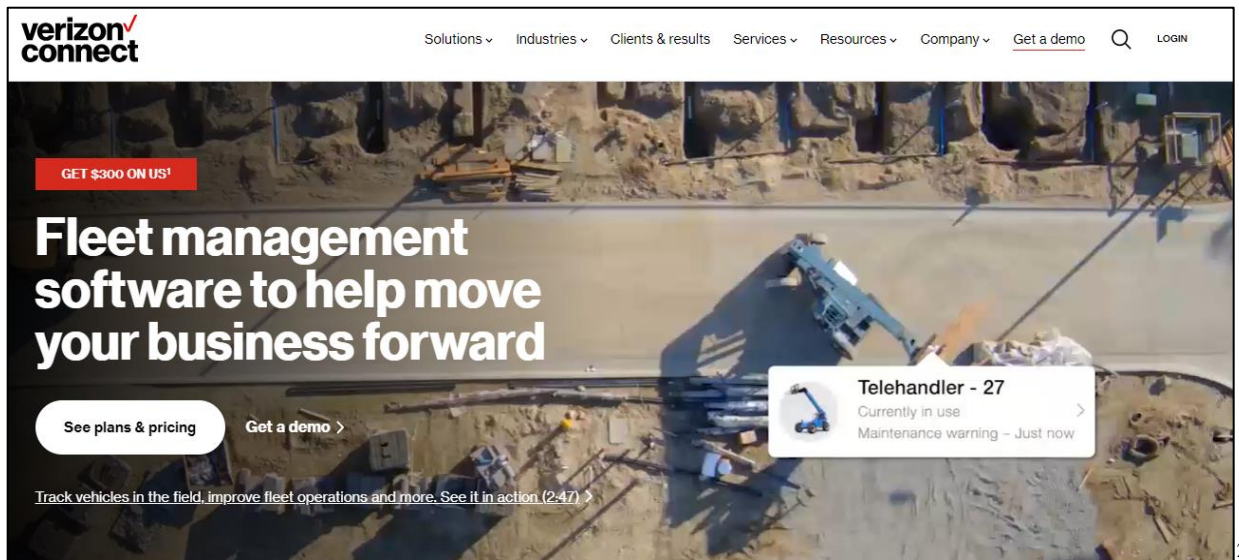
16. Minotaur has not licensed or otherwise authorized Defendant to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '376 Patent.

17. Defendant has and continues to directly infringe the '376 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each

and every limitation of one or more claims of the '376 Patent. Such products include, but are not limited to, fleet-management and monitoring solutions which utilize driver drowsiness detection, such as such as Verizon Connect Reveal, among other products.

18. Defendant has and continues to directly infringe at least claim 1 of the '376 Patent by making, using, offering to sell, selling, and/or importing into the United States products such as such as Verizon Connect Reveal.

19. For example, Verizon Connect Reveal comprises an in-vehicle recording system. Verizon Connect Reveal comprises a data capture module capturing vehicle data and occupant data, wherein the data capture module captures biometric data. The Verizon Connect Reveal comprises a video capture module recording video data inside and outside the vehicle. Verizon Connect Reveal comprises a data recorder in the vehicle, the data recorder recording the vehicle data, the occupant data and the video data and continuously synchronizing the occupant data with the vehicle data.



² See: <https://www.verizonconnect.com/>.

Reveal only

Spotlight mobile app

Our GPS fleet tracking mobile app allows you to take your business wherever you go.³ View vehicles and assets on a live map, locate a driver, see vehicle activity and route history, and receive alerts on driver behaviors.

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Driver Drowsiness Detection: This technology can learn driver patterns, monitor facial state via sensors and detect steering movements – all to ascertain if **drowsy driving** is occurring. If detected, it can alert a driver that it's time to pull over and rest.

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20. Defendant has and continues to indirectly infringe one or more claims of the '376 Patent by knowingly and intentionally inducing others, including Verizon customers and end-users, to directly infringe, either literally or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing into the United States products that include or use infringing technology.

21. Defendant, with knowledge that these products, or the use thereof, infringe the '376 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continues to knowingly and intentionally induce, direct infringement of the '376 Patent by providing these products to end-users for use in an infringing manner.

22. Defendant has and continues to induce infringement by others, including end-users, with the intent to cause infringing acts by others or, in the alternative, with the belief that there was a high probability that others, including end-users, infringe the '376 Patent, but while remaining willfully blind to the infringement.

23. Minotaur has suffered damages as a result of Defendant's direct and indirect

³ See: <https://www.verizonconnect.com/solutions/gps-fleet-tracking-software/>.

⁴ *Id.*

infringement of the '376 Patent in an amount to be proved at trial.

24. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendant's infringement of the '376 Patent, for which there is no adequate remedy at law, unless Defendant's infringement is enjoined by this Court.

COUNT II
(Infringement of the '242 Patent)

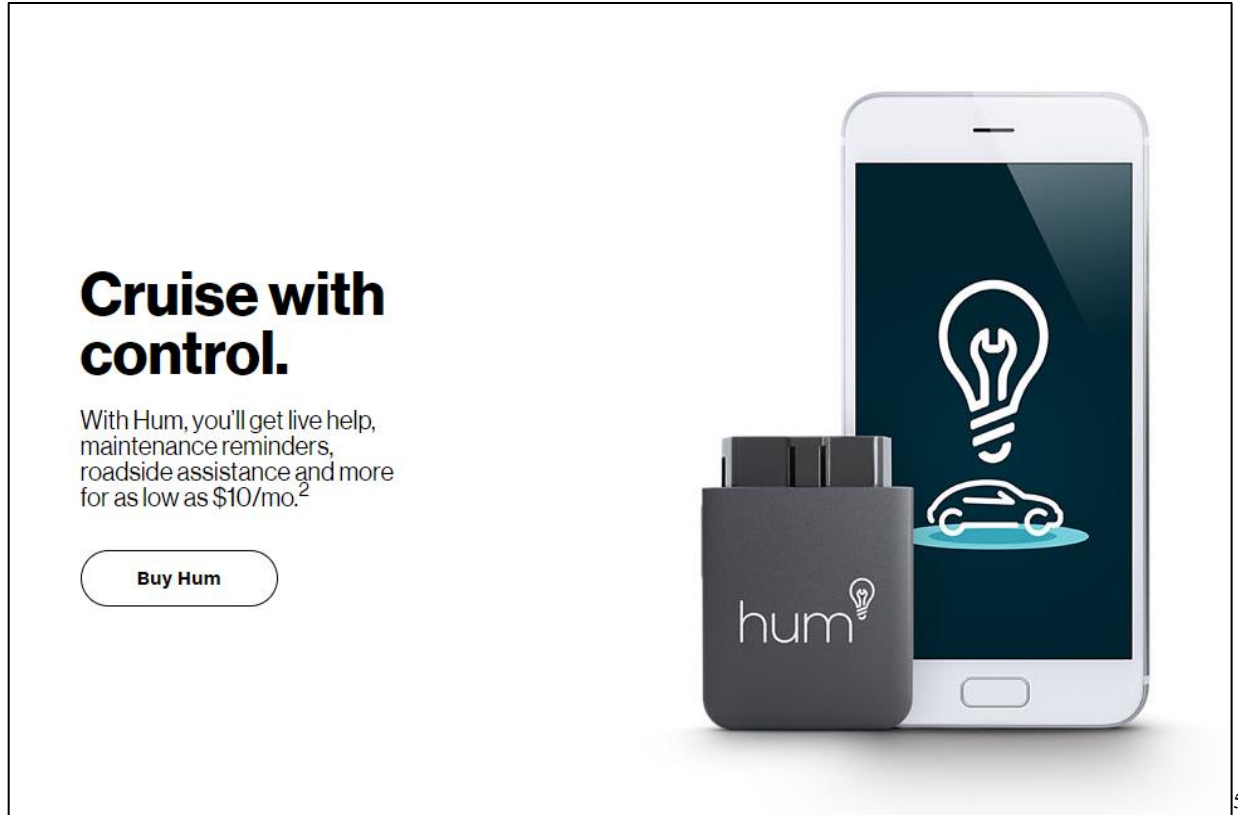
25. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

26. Minotaur has not licensed or otherwise authorized Defendant to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '242 Patent.

27. Defendant has and continues to directly infringe the '242 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '242 Patent. Such products include, but are not limited to, the Verizon Hum, among other products.

28. Defendant has and continues to directly infringe at least claim 1 of the '242 Patent by making, using, offering to sell, selling, and/or importing into the United States products such as the Verizon Hum system.

29. For example, the Verizon Hum comprises a roadside assistance system. The Verizon Hum system comprises a server receiving an assistance request from a vehicle, the server identifying the vehicle based upon the request and transmitting contact information of the vehicle to an assistance provider, sufficient for the assistance provider to remotely communicate with the vehicle directly:



30. Defendant has and continues to indirectly infringe one or more claims of the '242 Patent by knowingly and intentionally inducing others, including Verizon customers and end-users, to directly infringe, either literally or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing into the United States products that include or use infringing technology.

31. Defendant, with knowledge that these products, or the use thereof, infringe the '242 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continues to knowingly and intentionally induce, direct infringement of the '242 Patent by providing these products to end-users for use in an infringing manner.

32. Defendant has and continues to induce infringement by others, including end-users,

⁵ See: <https://www.verizon.com/solutions-and-services/hum/>.

with the intent to cause infringing acts by others or, in the alternative, with the belief that there was a high probability that others, including end-users, infringe the '242 Patent, but while remaining willfully blind to the infringement.

33. Minotaur has suffered damages as a result of Defendant's direct and indirect infringement of the '242 Patent in an amount to be proved at trial.

34. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendant's infringement of the '242 Patent, for which there is no adequate remedy at law, unless Defendant's infringement is enjoined by this Court.

COUNT III
(Infringement of the '023 Patent)

35. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

36. Minotaur has not licensed or otherwise authorized Defendant to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '023 Patent.

37. Defendant has and continues to directly infringe the '023 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '023 Patent. Such products include, but are not limited to, vehicle communication systems with a control unit having a wireless communication module and a power management module such as Verizon Connected Car Wi-Fi.

38. Defendant has and continues to directly infringe at least claim 1 of the '023 Patent by making, using, offering to sell, selling, and/or importing into the United States products such as a Verizon Wi-Fi hotspot.

39. For example, a Verizon Connected Car Wi-Fi is a vehicle communication system.

A Verizon Wi-Fi hotspot comprises a mobile communication device. A Verizon Connected Car Wi-Fi comprises a control unit in a vehicle, the control unit having an OFF state, an ON state, and a LOW POWER state. The control unit comprises a wireless communication module communicating wirelessly with the mobile communication device. The control unit comprises a power management module commanding the control unit to enter the ON state in response to each of a vehicle ignition event, a vehicle running condition, an incoming wireless command signal, and environmental stimuli.

About Connected Car Wi-Fi

[Expand All](#)

1. What is Connected Car Wi-Fi?

Connected Car Wi-Fi by Verizon provides fast, secure in-vehicle internet access, powered by America's best network.

You can connect up to 8* internet devices (e.g., smartphones, tablets, laptops, gaming devices, etc.) to Wi-Fi in your vehicle. Browse the internet, stream videos and music, play games, keep the kids quiet - just like at home.

*The number of devices that can be connected varies by vehicle.

⁶<https://www.verizon.com/support/connected-car-faqs/>.



What are connected vehicles, and why do we need them?

Author: Poornima Apte

A growing number of consumers want their connected vehicles to function as a Wi-Fi hotspot. They want to be seamlessly connected to the internet while they are in their vehicles, making the car an extension of their homes or offices.

This might explain accelerating demand. By 2022, the world is projected to see more than 125 million connected cars, a 270% increase since 2018. But what exactly are connected cars, and what are their benefits? And how can you access Wi-Fi in a car, also known as a car hotspot? Here's what to know.

Like what you're

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How to create a car hotspot

By 2025, it's estimated that about 70% of U.S. drivers will be driving a connected vehicle. Having so many connected cars on the road will require a network that can speedily and reliably accommodate high internet traffic volumes. 5G will help, as it can deliver low latency, massive capacity and ultra-fast speeds at scale. As its coverage expands, it will empower more vehicles to enjoy high-performance hotspots than ever before.

Consumers looking to set up a car hotspot will need to contact their wireless service provider to see what plans they can use or add on. The ability to set up a connected vehicle will also depend on the car make and model, so it is best to check with the dealer and see what additional hardware, if any, might be needed.

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40. Defendant has and continues to indirectly infringe one or more claims of the '023 Patent by knowingly and intentionally inducing others, including Verizon customers and end-users, to directly infringe, either literally or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing into the United States products that include or use infringing technology.

41. Defendant, with knowledge that these products, or the use thereof, infringe the '023 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continues to knowingly and intentionally induce, direct infringement of the '023 Patent by providing these

⁷ <https://www.verizon.com/business/resources/articles/s/what-are-connected-vehicles-and-why-do-we-need-them/>.

⁸ *Id.*

products to end-users for use in an infringing manner.

42. Defendant has and continues to induce infringement by others, including end-users, with the intent to cause infringing acts by others or, in the alternative, with the belief that there was a high probability that others, including end-users, infringe the '023 Patent, but while remaining willfully blind to the infringement.

43. Minotaur has suffered damages as a result of Defendant's direct and indirect infringement of the '023 Patent in an amount to be proved at trial.

44. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendant's infringement of the '023 Patent, for which there is no adequate remedy at law, unless Defendant's infringement is enjoined by this Court.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury for all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Minotaur prays for relief against Defendant as follows:

- a. Entry of judgment declaring that Defendant has directly and/or indirectly infringed one or more claims of the Patents-in-Suit;
- b. An order pursuant to 35 U.S.C. § 283 permanently enjoining Defendant, its officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them, from further acts of infringement of the Patents-in-Suit;
- c. An order awarding damages sufficient to compensate Minotaur for Defendant's infringement of the Patents-in-Suit, but in no event less than a reasonable royalty, together with interest and costs;
- d. Entry of judgment declaring that this case is exceptional and awarding Minotaur

its costs and reasonable attorney fees under 35 U.S.C. § 285; and

e. Such other and further relief as the Court deems just and proper.

Dated: April 5, 2023

Respectfully submitted,

/s/ John Andrew Rubino

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