

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

ESTECH SYSTEMS IP, LLC,

Plaintiff,

v.

SANGOMA TECHNOLOGIES CORP.,  
SANGOMA TECHNOLOGIES INC., &  
NETFORTRIS CORPORATION

Defendants.

CIVIL ACTION NO. 2:24-cv-285

ORIGINAL COMPLAINT FOR  
PATENT INFRINGEMENT

**JURY TRIAL DEMANDED**

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Estech Systems IP, LLC (“Estech”) files this original complaint against Sangoma Technologies Corporation, Sangoma Technologies Inc. (collectively, “Sangoma”), and Netfortris Corporation (“NetFortris”) (all three collectively, “Defendants”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

**PARTIES**

1. Estech Systems IP, LLC is a Texas corporation, with its principal place of business at 3701 East Plano Parkway, Suite 300, Plano, Texas 75074.

2. Defendants Sangoma Technologies Corp. and Sangoma Technologies Inc. are corporations organized and existing under the laws of Canada, with their principal place of business at 100 Renfrew Drive, Suite 100 Markham, ON L3R 9R6 Canada. Upon information and belief, Sangoma Technologies Corp. maintains an operating subsidiary in the Eastern District of Texas, with its principal place of business located at 5340 Legacy Drive, Suite 155, Plano, TX

75024. That subsidiary is NetFortris Corporation, which was acquired by Sangoma Technologies Corp. on March 28, 2022.

### **JURISDICTION AND VENUE**

3. This is an action for infringement of United States patents arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

4. Venue is proper in this district pursuant to 28 U.S.C. §§ 1400(b) and 1391(b-c). Venue is proper for Sangoma Technologies Corporation since it is a foreign company that may be sued in any Judicial District, including the Eastern District of Texas. Venue is proper for Sangoma Technologies Incorporated because it is a foreign company that may be sued in any Judicial District, including the Eastern District of Texas. Venue is proper for NetFortris Corporation because it is a company incorporated in Delaware with its principal place of business at 5340 Legacy Drive, Suite 155, Plano, TX 75024.

5. Defendants are subject to this Court’s specific and general personal jurisdiction due at least to their substantial business in this forum, including (i) at least a portion of the infringements alleged herein; (ii) maintaining a regular and established place of business in the district; and/or (iii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this district.

6. Specifically, Defendants intend to and do business in Texas, directly or through intermediaries and offer their products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas, including in the Eastern District of Texas.

7. Upon information and belief, Defendants maintain at least one regular and established place of business in this district, including at 5340 Legacy Drive, Suite 155, Plano, TX 75024.

### **THE TECHNOLOGY**

8. Estech is an affiliate of Estech Systems, Inc. (“ESI”) which for more than 30 years has been a leading U.S.-based provider of end-to-end business phone solutions. ESI’s Network Operations Center is located in Plano, Texas.

9. Since 1987, ESI has sold more than 400,000 solutions to its customers, working with more than 1,500 certified partners nationwide. Its customers include small and large businesses across the country.

10. Recognizing that business does not get done without communication, ESI provides powerful products that are easy and simple to use. ESI’s products are engineered to make intelligent technology that is intuitive and user-friendly, empowers employee productivity, and fuels customer satisfaction.

11. ESI’s technology is American engineered. From its Plano, Texas headquarters, ESI provides a full solutions portfolio of modern business phone systems, including Cloud, Hybrid, Pure IP, and SIP dial tone products. Given ESI’s end-to-end product offerings, its customers are empowered to choose the product features they need and want.

12. ESI’s products include the most integrated cloud PBX in the market—the award-winning ESI Cloud PBX; Voice over IP (VoIP) products and systems; and on-premises products. A cloud-based PBX is a sophisticated telephone exchange system that uses a cloud infrastructure to provide communication services, such as telephony services.

13. VoIP transmits and receives voice communications over data networks, such as the Internet or private networks, using the Internet Protocol (IP).

14. VoIP systems offer several advantages over traditional phone systems including, but not limited to, lower cost and more efficient network management.

15. VoIP systems also enable integration of additional communication services.

16. ESI cloud-based VoIP products have handled billions of call minutes.

17. ESI also provides U.S.-based, best-in-class technical support for its customers.

18. The patents-in-suit, U.S. Patent Nos. 8,391,298 (the “’298 Patent”), 7,068,684 (the “’684 Patent”), and 7,123,699 (the “’699 Patent”) (collectively, the “Estech Asserted Patents”), are generally directed to systems and methods for providing robust, feature-rich communications systems including, but not limited to, VoIP telephony and additional communication services that can be integrated with a VoIP telephony system.

19. The Estech Asserted Patents have been widely licensed in relevant industries, including 21 different license agreements consummated to date, including with Cisco Systems, Microsoft, Mitel, and Avaya.

20. Products and services of or provided by Cisco, Microsoft, Avaya, Mitel, RingCentral, 3CX, or their Affiliates, including any portions thereof, alone or in combination with one or more other products, services, processes, or other items, are not alleged to satisfy, in whole or in part, any element or a step of any claim in the Estech Asserted Patents.

#### **THE ACCUSED INSTRUMENTALITIES**

21. On information and belief, Sangoma has and continues to design, make, manufacture, sell, and offer to sell communication equipment and services and system-design services, including but not limited to, for example, Sangoma IP Phones (e.g., Sangoma P310, Sangoma A20, Sangoma A22, Sangoma A25, Sangoma A30, Sangoma P310, Sangoma P315, Sangoma P320, Sangoma P325, Sangoma P330, Sangoma P370, Sangoma PM200 (expansion module), Sangoma D40, Sangoma D50, Sangoma D60, Sangoma D62, Sangoma D65, Sangoma

D70, Sangoma D80, Sangoma S206, Sangoma S305, Sangoma S406, Sangoma S505, Sangoma S705, and Sangoma DC201 DECT phone), software technology products (e.g., Sangoma Talk, Sangoma Business Voice, Sangoma Business Voice +, Sangoma Connect, Sangoma Phone, Sangoma FreePBX Softphones, Sangoma Send, Sangoma Curbside, Sangoma Connector, Sangoma Urgent Notify, Sangoma Call Flow, Sangoma Appointments, Sangoma Phone Monitor, Sangoma Meet, and Sangoma Teamhub), Sangoma VoIP telephony servers (e.g., Sipstation (Sangoma SIP Trunking), FAXstation (Fax-over-IP solution), Switchvox VoIP phone system, Switchvox Cloud, CommUnity, PBXact Cloud, Business Voice, Sangoma Wholesale Carrier Services, and Sangoma CX (Contact center solution)), Sangoma telephony network hardware (e.g., PBXact, Sangoma A101 Telephony Card A101-KIT, Sangoma A101 Telephony Card A101-DKIT, Sangoma A101 Telephony Card A101-DEKIT, Sangoma A101 Telephony Card A101-EKIT, Sangoma A102 Telephony Card A102-KIT, Sangoma A102 Telephony Card A102-KIT, Sangoma A102 Telephony Card A102-DKIT, Sangoma A102 Telephony Card A102-DEKIT, Sangoma A102 Telephony Card A102-EKIT, Sangoma A104 Telephony Card A104-KIT, Sangoma A104 Telephony Card A104-DKIT, Sangoma A104 Telephony Card A104-DEKIT, Sangoma A104 Telephony Card A104-EKIT, Sangoma A108 Telephony Card A108-KIT, Sangoma A108 Telephony Card A108-DKIT, Sangoma A108 Telephony Card A108-DEKIT, Sangoma A108 Telephony Card A108-EKIT, Sangoma A116 Telephony Card A116-DEPNLKIT, Sangoma A116 Telephony Card A116-EPNLKIT, Sangoma B23X series Model 1B233LF, Sangoma B23X series Model 1B234LF, Sangoma B43X series Model 1B433LF, Sangoma B43X series Model 1B434LF, Sangoma B43X series Model 1B410PF, Sangoma A200 analog telephony card, Sangoma A400 analog telephony card, Sangoma A8 series analog telephony card, PBXact 25, PBXact 40, PBXact 60, PBXact 100, PBXact 400, PBXact 1200, PBXact 2001, A4A PCI

Telephony Cards, A4B PCI Express Telephony Cards, A8A PCI Telephony Cards, A8B PCI Express Telephony Cards, AEX410 PCI Express Telephony Cards, AEX800 PCI Express Telephony Cards, AEX2400 PCI Express Telephony Cards, TDM410 PCI Telephony Cards, TDM800P PCI Telephony Cards, TDM2400P PCI Telephony Cards, Sangoma B233 PCI Express Telephony Cards, Sangoma B234 PCI Telephony Cards, Sangoma B410P PCI Telephony Cards, Sangoma B433 PCI Express Telephony Cards, Sangoma B434 PCI Telephony Cards, Sangoma TE121 PCI Telephony Cards, Sangoma TE122 PCI Telephony Cards, Sangoma TE131 PCI Express Telephony Cards, Sangoma TE132 PCI Telephony Cards, Sangoma TE133 PCI Express Telephony Cards, Sangoma TE134 PCI Telephony Cards, Sangoma TE205 PCI Telephony Cards, Sangoma TE207 PCI Telephony Cards, Sangoma TE210 PCI Telephony Cards, Sangoma TE212 PCI Telephony Cards, Sangoma TE220 PCI Express Telephony Cards, Sangoma TE235 PCI Express Telephony Cards, Sangoma TE236 PCI Telephony Cards, Sangoma TE405 PCI Telephony Cards, Sangoma TE407 PCI Telephony Cards, Sangoma TE410 PCI Telephony Cards, Sangoma TE412 PCI Telephony Cards, Sangoma TE420 PCI Express Telephony Cards, Sangoma TE435 PCI Express Telephony Cards, Sangoma TE436 PCI Telephony Cards, Sangoma TE820 PCI Express Telephony Cards, Sangoma HA8 Hybrid PCI Telephony Cards, HB8 Hybrid PCI Express Telephony Cards, D100 Transcoder Telephony Cards, D150 Transcoder Telephony Cards, D500 Transcoder Telephony Cards, TC400 PCI Cards, and TCE400 PCI Express Cards.), and products and services that incorporate the same or similar technology, that employ VoIP to perform various functions including, but not limited to, voice calling, voicemail, directory services, quality of service, and others using multiple components including, but not limited to, for example, hubs, switches, routers, session border controllers, servers and the like, and the software for operating such components (“Sangoma Products and Services”).

22. Upon information and belief, Sangoma designs telecommunication and information handling systems for its customers by incorporating Sangoma Products and Services into their customers' existing network infrastructure.

23. Upon information and belief, the telecommunication and information handling systems made for, sold and offered for sale to customers by Sangoma and the telecommunication and information handling systems used by Sangoma employees provide at least one or more of the following functionalities: (i) the ability to make VoIP-based voice calls using its VoIP telephony devices; (ii) the ability to store voice mail messages; (iii) the ability to allow access to the voice mail messages using VoIP telephony devices; and (iv) the ability to provide directory services, which include, but are not limited to, for example, providing directory information to a user or VoIP telephony device, including, but not limited to, for example, providing a list of telecommunications extensions through VoIP telephony devices.

24. On information and belief, NetFortris has and continues to design, make, manufacture, sell, and offer to sell communication equipment and services and system-design services, including but not limited to, for example, NetFortris IP Phones (e.g., Polycom VVX 150, Polycom VVX 201, Polycom VVX 250, Polycom VVX 350, Polycom VVX 311, Polycom VVX 331, Polycom VVX 400, Polycom VVX 411, Polycom VVX 450, Polycom VVX 500, Polycom VVX 501, Polycom VVX 600, Polycom VVX 601, Polycom SoundStation IP 5000, Polycom SoundStation IP 6000, Polycom SoundStation IP 7000, Poly Trio 8500, Yealink T21P E2, Yealink T23G, Yealink T28P, Yealink T33G, Yealink T42G, Yealink T42G/S, Yealink T46G/S, Yealink T48G/S, Yealink T42S, Yealink T46S, Yealink T48S, Yealink T48G, Yealink W60P (Cordless), Yealink W52P, Yealink W52P/H, Yealink W56P/H, Yealink W60B, Yealink CP930W (Wireless)), software technology products (e.g., NetFortris Cloud PBX Solution), NetFortris VoIP

telephony servers (e.g., NetFortris CommUnity, NetFortris CloudPBX, NetFortris Hosted Enterprise, NetFortris Hosted Premier, SD-WAN by NetFortris, NetFortris Wireless Broadband, NetFortris 4G Backup, and SIP Trunking by NetFortris), NetFortris telephony network hardware (e.g., Audiocodes MP202D (Fax ATA) and Audiocodes MP202B (Fax ATA), alongside Faxback FW1522 (AUDC MP202B) (Fax ATA), Granstream GXW4216, GSW4224, and GXW4248, and Polycom OBI300 (Phone ATA) and OBI302 (Phone ATA)), and products and services that incorporate the same or similar technology, that employ VoIP to perform various functions including, but not limited to, voice calling, voicemail, directory services, quality of service, and others using multiple components including, but not limited to, for example, hubs, switches, routers, session border controllers, servers and the like, and the software for operating such components (“NetFortris Products and Services”).

25. Upon information and belief, NetFortris designs telecommunication and information handling systems for its customers by incorporating NetFortris Products and Services into their customers’ existing network infrastructure.

26. Upon information and belief, the telecommunication and information handling systems made for, sold and offered for sale to customers by NetFortris and the telecommunication and information handling systems used by NetFortris employees provide at least one or more of the following functionalities: (i) the ability to make VoIP-based voice calls using its VoIP telephony devices; (ii) the ability to store voice mail messages; (iii) the ability to allow access to the voice mail messages using VoIP telephony devices; and (iv) the ability to provide directory services, which include, but are not limited to, for example, providing directory information to a user or VoIP telephony device, including, but not limited to, for example, providing a list of telecommunications extensions through VoIP telephony devices.



27. When this Complaint references “Accused Instrumentalities,” it is referring to the telecommunications and information handling systems that Defendants offer to sell, sell, and make for their customers as well as the systems their employees use that are referenced in paragraphs 21-26 above and are incorporated herein by reference.

**COUNT I**  
**Infringement of U.S. Patent No. 8,391,298**

28. Estech repeats and re-alleges the allegations in paragraphs 1-27 as though fully set forth in their entirety.

29. Estech owns all substantial rights, interest, and title in and to the '298 Patent, including the sole and exclusive right to prosecute this action and enforce the '298 Patent against infringers, and to collect damages for all relevant times. The United States Patent and Trademark Office duly issued the '298 Patent on March 5, 2013. A copy of the '298 Patent is attached as Exhibit A.

30. The '298 Patent is titled “Phone Directory in a Voice Over IP Telephone System.” The '298 Patent describes information processing systems that store a list of phone numbers, integrated with a VoIP telephony system, to provide those phone numbers to the user of a VoIP telephone. The user can use that list to dial the telephone number of another user associated with the VoIP telephony system.

31. The claims of the '298 Patent are not directed to an abstract idea. For example, claim 13 of the '298 Patent recites a specific arrangement of devices and networking components. Together those devices and networking components enable a user of a first telecommunications device to observe a list of a plurality of telecommunications extensions. The list of extensions is stored in a server within a specific networking configuration, and the user can select to view a subset of the extensions. Taken as a whole, the claimed inventions of the '298 Patent are not

limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the functioning and operation of information processing systems.

32. The written description of the '298 Patent describes in technical detail each of the limitations of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

33. Defendants have infringed the '298 Patent by making, having made, using, importing, providing, supplying, distributing, selling, or offering the Accused Instrumentalities for sale.

34. The Accused Instrumentalities provide VoIP-based voice calling and data-networking services to VoIP telephony devices.

35. The Accused Instrumentalities use first, second, and third LANs that are coupled with a WAN.

36. The Accused Instrumentalities include VoIP telephony devices connected to LANs, the VoIP telephony devices having telecommunications extensions associated therewith, the telecommunications extensions being coupled to the second and third LANs.

37. The VoIP telephony devices include circuitry (i) enabling users of VoIP telephony devices to observe a list of telecommunications extensions; (ii) to automatically call one of the telecommunications extensions in response to a user selecting one of the telecommunications extensions from the list; and (iii) enabling the user to select between observing the list of telecommunications extensions coupled to the second LAN or the third LAN.

38. The Accused Instrumentalities include servers in the second LAN that store telecommunications extensions accessed across the WAN.

39. As described above, Defendants have directly infringed (literally or under the doctrine of equivalents) at least Claim 13 of the '298 Patent. Defendants' infringement in this regard is ongoing.

40. Estech has been damaged as a result of the infringing conduct by Defendants alleged above. Thus, Defendants are liable to Estech in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

41. Estech or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '298 Patent.

42. Defendants have also indirectly infringed the '298 Patent by inducing others to directly infringe the '298 Patent. Defendants have induced end-users, including Defendants' customers, partners, personnel, clients, and contractors, to directly infringe (literally or under the doctrine of equivalents) the '298 Patent by making and using the Accused Instrumentalities. Defendants took active steps, directly or through contractual relationships with others, with the specific intent to cause them to use the Accused Instrumentalities in a manner that infringes one or more claims of the '298 Patent, including, for example, Claim 13 of the '298 Patent. Such steps by Defendants included, among other things, advising or directing customers, partners, personnel, contractors or end-users to make or use the Accused Instrumentalities in an infringing manner; advertising and promoting the use of the Accused Instrumentalities in an infringing manner; or distributing instructions that guide users to use the Accused Instrumentalities in an infringing

manner. Defendants are performing these steps, which constitute induced infringement with the knowledge of the '298 Patent and with the knowledge that the induced acts constitute infringement. Defendants are aware that the normal and customary use of the Accused Instrumentalities by others would infringe the '298 Patent. Defendants' inducement is ongoing.

43. Defendants have also indirectly infringed by contributing to the infringement of the '298 Patent. Defendants have contributed to the direct infringement of the '298 Patent by its customers, partners, personnel, contractors, clients, and suppliers. The Accused Instrumentalities have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe one or more claims of the '298 Patent, including, for example, Claim 13 of the '298 Patent. The special features include, for example, the devices and networking components recited in Claim 13, including the interrelation between those devices and networking components, which allow the claimed server to provide a list of extensions and for the user to select to view a subset of the extensions. The special features constitute a material part of the invention of one or more of the claims of the '298 Patent and are not staple articles of commerce suitable for substantial non-infringing use. Defendants' contributory infringement is ongoing.

44. Furthermore, on information and belief, Defendants have a policy or practice of not reviewing the patents of others (including instructing its employees to not review the patents of others), and thus has been willfully blind of Estech's patent rights.

45. Defendants' actions are at least objectively reckless as to the risk of infringing a valid patent and this objective risk was either known or should have been known by Defendants.

46. Defendants' direct and indirect infringement of the '298 Patent is, has been, and continues to be willful, intentional, deliberate, or in conscious disregard of Estech's rights under the patent.

47. Estech has been damaged as a result of the infringing conduct by Defendants alleged above. Thus, Defendants are liable to Estech in an amount that compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

48. Estech has suffered irreparable harm, through its loss of market share and goodwill, for which there is no adequate remedy at law. Estech has and will continue to suffer this harm by virtue of Defendants' infringement of the '298 Patent. Defendants' actions have interfered with and will interfere with Estech's ability to license technology. The balance of hardships favors Estech's ability to commercialize its own ideas and technology. The public interest in allowing Estech to enforce its right to exclude outweighs other public interests, which supports injunctive relief in this case.

**COUNT II**  
**Infringement of U.S. Patent No. 7,068,684**

49. Estech repeats and re-alleges the allegations in paragraphs 1-48 as though fully set forth in their entirety.

50. Estech owns all substantial rights, interest, and title in and to the '684 Patent, including the sole and exclusive right to prosecute this action and enforce the '684 Patent against infringers, and to collect damages for all relevant times. The United States Patent and Trademark Office duly issued the '684 Patent on June 27, 2006. A copy of the '684 Patent is attached as Exhibit B.

51. The '684 Patent is titled "Quality of Service in a Voice Over IP Telephone System." The '684 Patent describes information handling systems used to transmit voice using VoIP technology. The information handling systems throttle the amount of data being transferred from a workstation connected to the VoIP telephone.

52. The method claims of the '684 Patent are not directed to an abstract idea. For example, claim 42 of the '684 Patent recites specific steps performed by a specific arrangement of devices and networking components and operations performed by those components. Together, those devices and networking components provide quality of service to audio information by throttling the amount of data being transferred through a VoIP telephony device. Taken as a whole, the claimed inventions of the '684 Patent are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of information processing systems.

53. The written description of the '684 Patent describes in technical detail each of the limitations of the method claims, allowing a skilled artisan to understand the scope of the method claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

54. Defendants have infringed the method claims of the '684 Patent by making, having made, using, importing, providing, supplying, distributing, selling, or offering the Accused Instrumentalities for sale.

55. The Accused Instrumentalities provide VoIP-based voice calling and data-networking services to VoIP telephony devices.

56. The Accused Instrumentalities include VoIP servers such that audio information for VoIP-based voice calls is communicated between at least VoIP telephony devices and VoIP servers.

57. The Accused Instrumentalities include workstations (including, but not limited to, for example, desktop computers, workstations, laptops, embedded devices, point-of-sale devices,

and mobile devices) that send and receive data from data servers (including, but not limited to, for example, websites) that transfer data through VoIP telephony devices.

58. The Accused Instrumentalities sufficiently throttle data sent from workstations to VoIP telephony devices to increase a rate of transfer of audio information during the communication of audio information, the data throttling comprises reducing a future amount of data from being transferred from the workstation if the amount of data exceeds a predetermined threshold.

59. As described above, Defendants have directly infringed (literally or under the doctrine of equivalents) one or more method claims, including at least Claim 42 of the '684 Patent. Estech does not allege infringement of any non-method claims of the '684 patent.

60. Estech has been damaged as a result of the infringing conduct by Defendants alleged above. Thus, Defendants are liable to Estech in an amount that adequately compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

61. Estech or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '684 Patent.

**COUNT III**  
**Infringement of U.S. Patent No. 7,123,699**

62. Estech repeats and re-alleges the allegations in paragraphs 1-61 as though fully set forth in their entirety.

63. Estech owns all substantial rights, interest, and title in and to the '699 Patent, including the sole and exclusive right to prosecute this action and enforce the '699 Patent against infringers, and to collect damages for all relevant times. The United States Patent and Trademark

Office duly issued the '699 Patent on October 17, 2006. A copy of the '699 Patent is attached as Exhibit C.

64. The '699 Patent is titled "Voice Mail in a Voice Over IP Telephone System." The '699 Patent describes an information handling system for storing a voice mail message in a voice mail box in a voice mail system within a first local area network (LAN). A user can access and listen to the voice mail using a VoIP telecommunications device within a second LAN by connecting to the first LAN via a wide-area network (WAN), such as the Internet.

65. The method claims of the '699 Patent are not directed to an abstract idea. For example, claim 1 of the '699 Patent recites specific steps performed by a specific arrangement of devices in a networking environment. Together those devices enable a user within a second LAN to access and listen to voice mail messages stored within a first LAN. Taken as a whole, the claimed inventions of the '699 Patent are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the functioning and operation of information processing systems.

66. The written description of the '699 Patent describes in technical detail each of the limitations of the method claims, allowing a skilled artisan to understand the scope of the method claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

67. Defendants have infringed the method claims of the '699 Patent by making, having made, using, importing, providing, supplying, distributing, selling, or offering the Accused Instrumentalities for sale.



68. The Accused Instrumentalities operate under a routable protocol including, but not limited to, for example, TCP/IP or UDP/IP.

69. The Accused Instrumentalities include VoIP servers that store a voice mail message in a voice mail box in a voice mail system within a first LAN.

70. The Accused Instrumentalities include VoIP telephony devices coupled to the second LAN that provide a sensory indication when the voice message is stored in the voice mail box within the first LAN. The VoIP telephony devices allow a user to access the voice mail system within the first LAN to listen to the voice message stored in the voice mail box. The VoIP telephony devices allow a user to access the voice mail message stored in the voice mail box provided by the VoIP Servers by using communication protocols, including, but not limited to, for example, TCP/IP, UDP/IP, Session Initiation Protocol (SIP), Session Description Protocol (SDP), Real-time Transport Protocol (RTP), and Real-time Transport Control Protocol (RTCP) protocols to: (i) establish a channel between the first and second LANs over the WAN; (ii) couple an audio path over the channel between the telecommunications device and the voice mail box; and (iii) stream voice data containing the voice message from the voice mail box to the telecommunications device over the audio path.

71. The VoIP telephony devices and VoIP servers can establish a channel between the first and second LANs over the WAN, wherein the establishing includes: (i) in response to an input at VoIP telephony devices, sending a user mail box connection message from the second LAN to the first LAN requesting a channel, wherein the user mail box connection message includes an extension associated with VoIP telephony devices and an identification of the voice mail box; (ii) assigning the channel by VoIP servers in the first LAN; and (iii) sending a connection established message from VoIP servers in the first LAN to the second LAN.

72. As described above, Defendants have directly infringed (literally or under the doctrine of equivalents) one or more method claims, including at least Claim 1 of the '699 Patent. Estech does not allege infringement of any non-method claims of the '699 patent.

73. Estech has been damaged as a result of the infringing conduct by Defendants alleged above. Thus, Defendants are liable to Estech in an amount that adequately compensates it for such infringements, which by law cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

74. Estech or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '699 Patent.

#### **JURY DEMAND**

75. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Estech requests a trial by jury on all issues triable by a jury.

#### **PRAYER FOR RELIEF**

76. Estech requests that the Court find in its favor and against Defendants, and that the Court grant Estech the following relief:

a. Judgment that one or more claims of the Estech Asserted Patents have been infringed, either literally or under the doctrine of equivalents, by Sangoma or NetFortris or all others acting in concert therewith;

b. A permanent injunction enjoining Defendants and their respective officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '298 Patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the '298 Patent by such entities;

c. Judgment that Defendants account for and pay to Estech all damages to and costs incurred by Estech because of Defendants' infringing activities and other conduct complained of herein;

d. Judgment that Defendants' infringement be found willful, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284;

e. Pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;

f. That this Court declare this an exceptional case and award Estech its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and

g. All other and further relief as the Court may deem just and proper under the circumstances.

Dated: April 26, 2024

Respectfully submitted,

By: /s/ Fred I. Williams

Fred I. Williams

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