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U.S. DISTRICT COURT  
NO. DISTRICT OF CALIFORNIA

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9 **E-FILING**  
IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 RONALD A. KATZ TECHNOLOGY  
12 LICENSING, L.P.,

13 Plaintiff,

14 v.

15 ECHOSTAR COMMUNICATIONS CORP.  
and  
16 ECHOSTAR SATELLITE L.L.C.

17 Defendants.

CASE NO. **07 03151 WDB**

Jury Trial Demanded

18  
19 **PLAINTIFF RONALD A. KATZ TECHNOLOGY LICENSING, L.P.'S**  
20 **COMPLAINT FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL**

21 Plaintiff, Ronald A. Katz Technology Licensing, L.P. ("Katz Technology Licensing"), by  
22 counsel, alleges as follows:

23 **THE PARTIES**

24 1. Plaintiff Katz Technology Licensing is a limited partnership organized under the  
25 laws of the State of California, and having a principal place of business at 9220 Sunset Blvd.  
26 #315, Los Angeles, CA 90069.  
27  
28



**BACKGROUND FACTS**

1  
2 8. Ronald A. Katz (“Mr. Katz”), founder of Katz Technology Licensing, is a named  
3 inventor of each of the patents in suit. Mr. Katz has been widely recognized as one of the most  
4 prolific and successful inventors of our time, and his inventions over the last forty-plus years have  
5 been utilized by literally millions of people.

6 9. In 1961, Mr. Katz co-founded Telecredit Inc. (“Telecredit”), the first company to  
7 provide online, real-time credit authorization, allowing merchants to verify checks over the  
8 telephone. Further innovations from Telecredit include the first online, real-time, point-of-sale  
9 credit verification terminal, which enabled merchants to verify checks without requiring the  
10 assistance of a live operator, and the first device that used and updated magnetically-encoded  
11 cards in automated teller machines. Multiple patents issued from these innovations, including  
12 patents co-invented by Mr. Katz.

13 10. Telecredit was eventually acquired by Equifax, and has now been spun off as  
14 Certegy, a public company traded on the New York Stock Exchange. Certegy continues to  
15 provide services in the credit and check verification field established by Mr. Katz and Telecredit.

16 11. Mr. Katz’s inventions have not been limited to telephonic check verification.  
17 Indeed, Mr. Katz is responsible for advancements in many fields of technology. Among his most  
18 prominent and well-known innovations are those in the field of interactive call processing.  
19 Mr. Katz’s inventions in that field are directed to the integration of telephonic systems with  
20 computer databases and live operator call centers to provide interactive call processing services.

21 12. The first of Mr. Katz’s interactive call processing patents issued on December 20,  
22 1988. More than fifty U.S. patents have issued to Mr. Katz for his inventions in the interactive  
23 call processing field, including each of the patents-in-suit.

24 13. In 1988, Mr. Katz partnered with American Express to establish FDR Interactive  
25 Technologies, later renamed Call Interactive, to provide interactive call processing services based  
26 on Mr. Katz’s inventions. The American Express business unit involved in this joint venture later  
27 became known as First Data.

28

1           14.     Early clients of Call Interactive included *The New York Times*, ABC's *Monday*  
2 *Night Football*, KABC Radio, CBS News, and Beatrice Foods (Hunt-Wesson division).

3           15.     Many of these clients utilized Call Interactive technology for high-profile events.  
4 For example, CBS News hired Call Interactive to operate an interactive, real-time telephone poll  
5 to gauge viewer reaction to President George H.W. Bush's 1992 State of the Union address.

6           16.     Mr. Katz sold his interest in Call Interactive to American Express in 1989 but  
7 continued to provide advisory services to Call Interactive until 1992. American Express later  
8 spun off the First Data business unit into a separate corporation, and with that new entity went  
9 Mr. Katz's interactive call processing patents and the Call Interactive call processing business.  
10 The former Call Interactive, now known as First Data Voice Services, continues to provide call  
11 processing solutions today.

12           17.     In 1994, Mr. Katz formed Katz Technology Licensing, which acquired the rights  
13 to the entire interactive call processing patent portfolio, including the rights to each of the patents-  
14 in-suit, from First Data, the owner of all of the Katz interactive call processing patents at that  
15 time.

16           18.     The marketplace has clearly recognized the value of Mr. Katz's inventions.  
17 Indeed, over 150 companies have licensed the patents-in-suit. Licensees include IBM, Hewlett-  
18 Packard, Bank of America, JPMorgan Chase, Wells Fargo, HSBC, Verizon, Sprint, Microsoft,  
19 Delta Airlines, Merck, Sears, and Home Shopping Network. These licenses and others  
20 acknowledge the applicability of the patents-in-suit to multiple fields of use, including but not  
21 limited to financial services call processing, automated securities transactions, automated credit  
22 card authorization services, automated wireless telecommunication services and support,  
23 automated health care services, and product and service support.

24           19.     Each of the defendants employs the inventions of certain of the patents-in-suit.  
25 Katz Technology Licensing, through its licensing arm A2D, L.P., has repeatedly attempted to  
26 engage each defendant in licensing negotiations, but to date, none of the defendants have agreed  
27 to take a license to any of the patents-in-suit.

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**THE PATENTS-IN-SUIT**

1  
2           20.     On December 20, 1988, the United States Patent and Trademark Office duly and  
3 legally issued United States Patent No. 4,792,968 (“the ‘968 Patent”), entitled “Statistical  
4 Analysis System For Use With Public Communication Facility,” to Ronald A. Katz, sole  
5 inventor. The ‘968 Patent expired on December 20, 2005.

6           21.     On May 29, 1990, the United States Patent and Trademark Office duly and legally  
7 issued United States Patent No. 4,930,150 (“the ‘150 Patent”), entitled “Telephonic Interface  
8 Control System,” to Ronald A. Katz, sole inventor. The ‘150 Patent expired on December 20,  
9 2005.

10           22.     On April 28, 1992, the United States Patent and Trademark Office duly and legally  
11 issued United States Patent No. 5,109,404 (“the ‘404 Patent”), entitled “Telephone Call Processor  
12 with Select Call Routing,” to Ronald A. Katz and Thomas D. Thompson, co-inventors. The ‘404  
13 Patent expired on December 20, 2005.

14           23.     On July 7, 1992, the United States Patent and Trademark Office duly and legally  
15 issued United States Patent No. 5,128,984 (“the ‘984 Patent”), entitled “Telephone Interface Call  
16 Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

17           24.     On September 27, 1994, the United States Patent and Trademark Office duly and  
18 legally issued United States Patent No. 5,351,285 (“the ‘285 Patent”), entitled “Multiple Format  
19 Telephonic Interface Control System,” to Ronald A. Katz, sole inventor. The ‘285 Patent expired  
20 on December 20, 2005.

21           25.     On October 1, 1996, the United States Patent and Trademark Office duly and  
22 legally issued United States Patent No. 5,561,707 (“the ‘707 Patent”), entitled “Telephonic-  
23 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘707 Patent expired  
24 on December 20, 2005.

25           26.     On November 4, 1997, the United States Patent and Trademark Office duly and  
26 legally issued United States Patent No. 5,684,863 (“the ‘863 Patent”), entitled “Telephonic-  
27 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘863 Patent expired  
28 on December 20, 2005.

1           27.     On September 29, 1998, the United States Patent and Trademark Office duly and  
2 legally issued United States Patent No. 5,815,551 (“the ‘551 Patent”), entitled “Telephonic-  
3 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘551 Patent expired  
4 on December 20, 2005.

5           28.     On October 27, 1998, the United States Patent and Trademark Office duly and  
6 legally issued United States Patent No. 5,828,734 (“the ‘734 Patent”), entitled “Telephone  
7 Interface Call Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

8           29.     On April 27, 1999, the United States Patent and Trademark Office duly and legally  
9 issued United States Patent No. 5,898,762 (“the ‘762 Patent”), entitled “Telephonic-Interface  
10 Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘762 Patent expired on  
11 December 20, 2005.

12           30.     On June 29, 1999, the United States Patent and Trademark Office duly and legally  
13 issued United States Patent No. 5,917,893 (“the ‘893 Patent”), entitled “Multiple Format  
14 Telephonic Interface Control System,” to Ronald A. Katz, sole inventor. The ‘893 Patent expired  
15 on December 20, 2005.

16           31.     On October 26, 1999, the United States Patent and Trademark Office duly and  
17 legally issued United States Patent No. 5,974,120 (“the ‘120 Patent”), entitled “Telephone  
18 Interface Call Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor.

19           32.     On November 14, 2000, the United States Patent and Trademark Office duly and  
20 legally issued United States Patent No. 6,148,065 (“the ‘065 Patent”), entitled “Telephonic-  
21 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘065 Patent expired  
22 on July 10, 2005.

23           33.     On January 1, 2002, the United States Patent and Trademark Office duly and  
24 legally issued United States Patent No. 6,335,965 (“the ‘965 Patent”), entitled “Voice-Data  
25 Telephonic Interface Control System,” to Ronald A. Katz, sole inventor. The ‘965 Patent expired  
26 on December 20, 2005.

27           34.     On February 19, 2002, the United States Patent and Trademark Office duly and  
28 legally issued United States Patent No. 6,349,134 (“the ‘134 Patent”), entitled “Telephonic-

1 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘134 Patent expired  
2 on December 20, 2005.

3 35. On July 23, 2002, the United States Patent and Trademark Office duly and legally  
4 issued United States Patent No. 6,424,703 (“the ‘703 Patent”), entitled “Telephone-Interface  
5 Lottery System,” to Ronald A. Katz, sole inventor. The ‘703 Patent expired on July 10, 2005.

6 36. On August 13, 2002, the United States Patent and Trademark Office duly and  
7 legally issued United States Patent No. 6,434,223 (“the ‘223 Patent”), entitled “Telephone  
8 Interface Call Processing System With Call Selectivity,” to Ronald A. Katz, sole inventor. The  
9 ‘223 Patent expired on July 10, 2005.

10 37. On January 28, 2003, the United States Patent and Trademark Office duly and  
11 legally issued United States Patent No. 6,512,415 (“the ‘415 Patent”), entitled “Telephonic-  
12 Interface Game Control System,” to Ronald A. Katz, sole inventor. The ‘415 Patent expired on  
13 July 10, 2005.

14 38. On January 13, 2004, the United States Patent and Trademark Office duly and  
15 legally issued United States Patent No. 6,678,360 (“the ‘360 Patent”), entitled “Telephonic-  
16 Interface Statistical Analysis System,” to Ronald A. Katz, sole inventor. The ‘360 Patent expired  
17 on July 10, 2005.

## 18 **COUNT I**

### 19 **(PATENT INFRINGEMENT)**

20 39. Katz Technology Licensing realleges and incorporates by reference paragraphs 1-  
21 38 of this Complaint as if fully set forth herein.

22 40. Katz Technology Licensing is the sole holder of the entire right, title, and interest  
23 in the ‘968, ‘150, ‘404, ‘984, ‘285, ‘707, ‘863, ‘551, ‘734, ‘762, ‘893, ‘120, ‘065, ‘965, ‘134,  
24 ‘703, ‘223, ‘415 and ‘360 Patents.

25 41. Upon information and belief, the EchoStar defendants operate automated  
26 telephone systems, including without limitation the DISH Network customer service telephone  
27 system, that allow their customers to perform pay-per-view ordering and customer service  
28 functions over the telephone.





1 E. A judgment holding this Action an exceptional case, and an award to Plaintiff Katz  
2 Technology Licensing for its attorneys' fees and costs pursuant to 35 U.S.C. § 285; and

3 F. Such other relief as the Court deems just and equitable.

4 Dated: June 14, 2007

Respectfully submitted,

5  
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19 *Attorneys for Plaintiff*  
20 *Ronald A. Katz Technology Licensing, L.P.*

**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff Ronald A. Katz Technology Licensing, L.P. hereby demands trial by jury.

Dated: June 14, 2007

Respectfully submitted,

By: 

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