

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

MCOM IP, LLC,)	
Plaintiff,)	
)	Civil Action No. 2:21-cv-00168
v.)	
)	
UNICOM SYSTEMS, INC.,)	
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

mCom IP, LLC (“mCom”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 8,862,508 (“the ‘508 patent”) (referred to as the “Patent-in-Suit”) by Unicom Systems, Inc. (“Unicom”).

I. THE PARTIES

1. Plaintiff mCom is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, UNICOM is a credit union existing under the laws of the State of California, with a principal place of business located at UNICOM GLOBAL DEVELOPMENT CENTER, 3501 East Plano Parkway, Plano, TX 75074. On information and belief, UNICOM sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. Defendant may be served at its place of business or wherever they may be found.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) 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 this District.

III. INFRINGEMENT

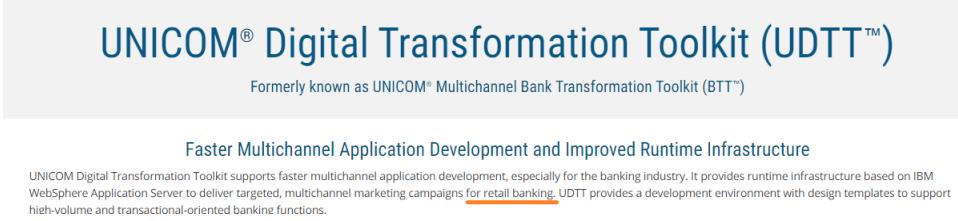

A. Infringement of the '508 Patent

6. On October 14, 2014, U.S. Patent No. 8,862,508 ("the '508 patent", attached as Exhibit A) entitled "System and method for unifying e-banking touch points and providing personalized financial services" was duly and legally issued by the U.S. Patent and Trademark Office. MCom owns the '508 patent by assignment.

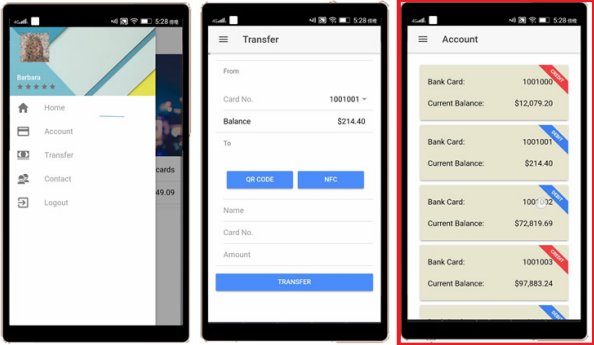
7. The '508 patent relates to novel and improved systems and methods for constructing a unified banking system.

8. UNICOM maintains, operates, and administers methods and systems of unified banking systems that infringe one or more claims of the ‘508 patent, including one or more of claims 1-20, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘508 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

Claim 1	Unicom
<p>1. A method for constructing a unified electronic banking environment, said method comprising the steps of:</p>	 <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p>
<p>providing at least one common multi-channel server coupled to more than one e-banking touch points and also coupled to at least one computer system configured with at least one control console,</p>	 <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p>

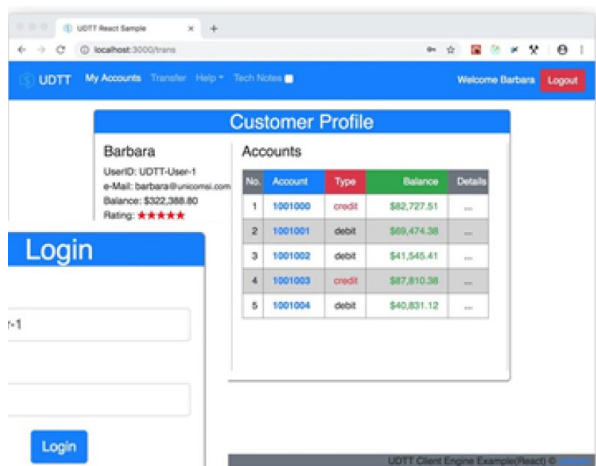
Claim 1	Unicom
<p>said more than one e-banking touch points and said at least one computer system being provided in locations remote from the other, and further wherein said more than one plurality of e-banking touch points are comprised of at least two different types of e-banking touch point devices, each of which comprise one or more of an automatic teller/transaction machine (ATM), a self service coin counter (SSCC), a kiosk, a digital signage display, an online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and wherein at least one of said e-</p>	<div data-bbox="418 283 1036 619" data-label="Diagram"> <pre> graph TD A[A proven runtime framework and a transaction posting engine for multichannel application] --- B((UNICOM Digital Transformation Toolkit (UDTT))) C[Widely devices support: Web-based, Mobile and Rich-client] --- B D[Prebuilt samples for quick start: Angular/Ionic, React/Native, VUE and Multichannel sample.] --- B E[Integrated tools and services for rapid development] --- B </pre> </div> <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p> <ul style="list-style-type: none"> Client Engine - The Client Engine provides an API into the BTT server from a JavaScript program running in either <u>a web browser or mobile device</u>, effectively providing a bridge between a client app and a BTT application program. Customers can use their current client application design tools and processes, separating the user interface design from the application design, which allows customers to have a consistent look and feel between applications, <u>such as between customers' existing web applications or mobile applications and BTT applications running in an application server</u>. With only around 10 main APIs, the client application, using the Client Engine approach, can drive the flow of a BTT application with all application related flow, operation and data definitions programmed using the BTT application development environment. All this allows developers to be able to adopt to almost any kind of modern JavaScript framework for the client application without losing the power of BTT. <p>Attachment 2 (multichannel-bank-transformation-toolkit-9)</p> <p>Source: https://www.unicomsi.com/multichannel-bank-transformation-toolkit-9-web.html</p>

Claim 1	Unicom
<p>banking touch points is in communication with one or more financial institutions through said multi-channel server;</p>	
<p>receiving an actionable input from at least one e-banking touch point;</p>	<p>What distinguishes UDTT from other frameworks?</p> <ul style="list-style-type: none"> • UDTT is a framework specified and optimized to financial channel applications. • UDTT is a complete framework to cover the characteristics of financial channel applications. • UDTT has integrated tooling to create a financial transaction covered from front to end • UDTT provides common services across channels and solution templates base on its framework and tooling <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamlblue.unicomsi.com/products/udtt/</p> <p>Mobile Capabilities</p> <ul style="list-style-type: none"> • Support IONIC, React Native and Dojo-Mobile, write once run both on iOS and Android • Simplify the integration with UDTT via Client Engine • Offer integrated tool and UI elements for quick development: Drag@Drop, WYSIWYG, Zero Code, Dojo-Mobile based UI  <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamlblue.unicomsi.com/products/udtt/</p>

Claim 1 **Unicom**

retrieving previously stored data associated with said actionable input, wherein said previously stored data is accessible to any one of said e-banking touch points, and said previously stored data comprises data from one or more financial institutions and one or more user-defined preferences;

delivering said retrieved data to said at least one e-banking touch point transmitting said actionable input;



The screenshot shows a web browser displaying the 'Customer Profile' page for a user named Barbara. The page includes a 'Login' form on the left and an 'Accounts' table on the right. The 'Accounts' table lists five accounts with their respective types and balances.

No.	Account	Type	Balance	Details
1	1001000	credit	\$82,727.51	...
2	1001001	debit	\$69,474.38	...
3	1001002	debit	\$41,545.41	...
4	1001003	credit	\$87,810.38	...
5	1001004	debit	\$40,831.12	...

Attachment 1 (Unicom Digital Transformation Toolkit)
Source: <https://www.teambblue.unicomsi.com/products/udtt>

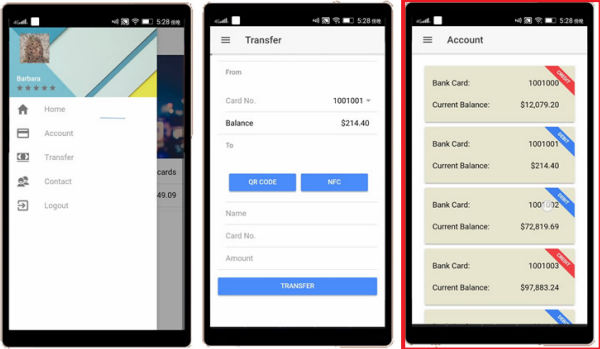
storing transactional usage data associated with said at least one e-banking touch point transmitting said actionable input, wherein said stored transactional usage data is accessible by any one of said

- Banking Multichannel Solutions**
- Login/Logout
 - Main function page
 - Common Banking Scenarios
 - Account Summary
 - Account Inquiry
 - Account Transfer
 - Pav Bill

Claim 1	Unicom
<p>more than one e-banking touch points and said at least one computer system;</p>	<p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt</p>
<p>monitoring via said server an active session in real-time for selection of targeted marketing content correlated to said user-defined preferences;</p> <p>subsequent to said monitoring, selecting in real-time said targeted marketing content correlated to said user-defined preferences; and</p>	<ul style="list-style-type: none"> • Campaign Management <ul style="list-style-type: none"> ◦ <u>Target marketing</u> ◦ Up-selling • Fund Purchase <ul style="list-style-type: none"> ◦ Fund List ◦ Interest List ◦ Fund Position List ◦ Fund Search ◦ Fund Purchase <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt</p>
<p>transmitting in real-time said targeted marketing content during said active session to at least one of said e-banking touch points for acceptance, rejection, or no response by a user, wherein said response by said user is used during said active session</p>	<p style="text-align: center;">UNICOM® Intelligence</p> <p style="text-align: center;"><u>Gain Insight into People's Attitudes, Preferences and Opinions</u></p> <p style="font-size: small;">The UNICOM Intelligence suite of products helps <u>survey and market researchers gain a deeper understanding of people's attitudes, preferences and opinions. These products help you through the entire research process—from survey design and data collection to data management and clear, timely reporting.</u> Available for on-cloud or on-premise deployment, the UNICOM Intelligence suite enables you to author and manage surveys in a variety of forms—paper, telephone and online—to learn what drives the behavior of your customers, prospects, and employees. It is a single platform for all your needs:</p> <p>Attachment 3 (Unicom Systems TeamBlue Intelligence)</p> <p>Source: https://www.teamblue.unicomsi.com/products/unicom-intelligence/</p>

Claim 1	Unicom
<p>to determine whether transmission of additional information related to said marketing content occurs during said active session.</p>	
<p>Claim 7, A method for constructing a unified electronic banking environment, said method comprising the steps of:</p>	<div data-bbox="396 806 1386 928" style="text-align: center;"> <p>UNICOM® Digital Transformation Toolkit (UDTT™) Formerly known as UNICOM® Multichannel Bank Transformation Toolkit (BTT™)</p> </div> <div data-bbox="396 949 1386 1033" style="text-align: center;"> <p>Faster Multichannel Application Development and Improved Runtime Infrastructure UNICOM Digital Transformation Toolkit supports faster multichannel application development, especially for the banking industry. It provides runtime infrastructure based on IBM WebSphere Application Server to deliver targeted, multichannel marketing campaigns for <u>retail banking</u>. UDTT provides a development environment with design templates to support high-volume and transactional-oriented banking functions.</p> </div> <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p>
<p>providing a common multi-channel server coupled to one or more e-banking touch points and also coupled to one or more computer systems, wherein each computer system is associated with a financial institution, said e-banking touch points being</p>	<div data-bbox="396 1209 1386 1302" style="text-align: center;"> <p>Faster Multichannel Application Development and Improved Runtime Infrastructure UNICOM Digital Transformation Toolkit supports faster multichannel application development, especially for the banking industry. It provides <u>runtime infrastructure based on IBM WebSphere Application Server</u> to deliver targeted, multichannel marketing campaigns for retail banking. UDTT provides a development environment with design templates to support high-volume and transactional-oriented banking functions.</p> </div> <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p>

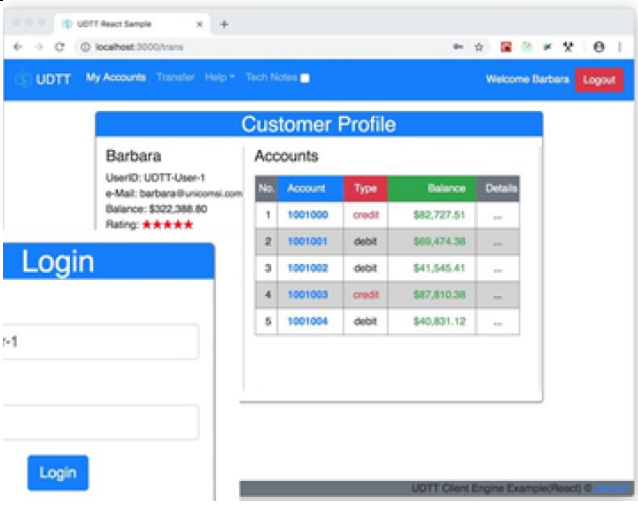
Claim 1	Unicom
<p>provided in locations remote from the other, and each of which comprise one or more of an automatic teller/transaction machine (ATM), a self-service coin counter (SSCC), a kiosk, a digital signage display, an online accessible banking website, a personal digital assistant (PDA), a personal computer (PC), a laptop, a wireless device, or a combination of two or more thereof, and wherein at least one of said e-banking touch points is in communication with one or more financial institutions through said multi-channel server;</p>	<ul style="list-style-type: none"> Client Engine - The Client Engine provides an API into the BTT server from a JavaScript program running in either <u>a web browser or mobile device</u>, effectively providing a bridge between a client app and a BTT application program. Customers can use their current client application design tools and processes, separating the user interface design from the application design, which allows customers to have a consistent look and feel between applications, <u>such as between customers' existing web applications or mobile applications and BTT applications running in an application server</u>. With only around 10 main APIs, the client application, <u>using the Client Engine approach</u>, can drive the flow of a BTT application with all application related flow, operation and data definitions programmed using the BTT application development environment. All this allows developers to be able to adopt to almost any kind of modern JavaScript framework for the client application without losing the power of BTT. <p>Attachment 2 (multichannel-bank-transformation-toolkit-9)</p> <p>Source: https://www.unicomsi.com/multichannel-bank-transformation-toolkit-9-web.html</p>

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<p>receiving an actionable input from at least one e-banking touch point;</p>	<p>What distinguishes UDTT from other frameworks?</p> <ul style="list-style-type: none"> • UDTT is a framework specified and optimized to financial channel applications. • UDTT is a complete framework to cover the characteristics of financial channel applications. • UDTT has integrated tooling to create a <u>financial transaction covered from front to end</u> • UDTT provides common services across channels and solution templates base on its framework and tooling <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p> <p>Mobile Capabilities</p> <ul style="list-style-type: none"> • Support IONIC, React Native and Dojo-Mobile, write once run both on iOS and Android • Simplify the integration with UDTT via Client Engine • Offer integrated tool and UI elements for quick development: Drag@Drop, WYSIWYG, Zero Code, Dojo-Mobile based UI  <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt/</p>
<p>retrieving previously stored data associated with said actionable input, wherein said previously stored data is accessible to any one of said e-banking touch points, and said previously stored</p>	

Claim 1

data comprises data from one or more financial institutions and one or more user-defined preferences;
 delivering said retrieved data to said at least one e-banking touch point transmitting said actionable input;

Unicom



The screenshot shows a web browser displaying the UDTT (Unicom Digital Transformation Toolkit) interface. The page title is 'Customer Profile' for a user named Barbara. On the left, there is a 'Login' section with input fields for a user ID and password, and a 'Login' button. The main content area displays account information:

No.	Account	Type	Balance	Details
1	1001000	credit	\$82,727.51	...
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3	1001002	debit	\$41,545.41	...
4	1001003	credit	\$87,810.38	...
5	1001004	debit	\$40,831.12	...

Below the screenshot, the text reads: Attachment 1 (Unicom Digital Transformation Toolkit) Source: <https://www.teamlblue.unicomsi.com/products/udtt>

storing transactional usage data associated with said at least one e-banking touch point transmitting said actionable input, wherein said stored transactional usage data is accessible by any one of said e-banking touch points and said one or more computer systems;

Banking Multichannel Solutions

- Login/Logout
 - Main function page
- Common Banking Scenarios
 - Account Summary
 - Account Inquiry
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 - Pav Bill

Attachment 1 (Unicom Digital Transformation Toolkit)
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Claim 1	Unicom
<p>monitoring via said server said active session in real-time for selection of targeted marketing content correlated to said user-defined preferences;</p> <p>subsequent to said monitoring, selecting in real-time said targeted marketing content correlated to said user-defined preferences; and</p>	<ul style="list-style-type: none"> • Campaign Management <ul style="list-style-type: none"> ◦ Target marketing ◦ Up-selling • Fund Purchase <ul style="list-style-type: none"> ◦ Fund List ◦ Interest List ◦ Fund Position List ◦ Fund Search ◦ Fund Purchase <p>Attachment 1 (Unicom Digital Transformation Toolkit)</p> <p>Source: https://www.teamblue.unicomsi.com/products/udtt</p>
<p>transmitting in real-time said targeted marketing content during said active session to at least one of said e-banking touch points for acceptance, rejection, or no response by a user, wherein said</p>	<p style="text-align: center;">UNICOM® Intelligence</p> <p style="text-align: center;">Gain Insight into People's Attitudes, Preferences and Opinions</p> <p>The UNICOM Intelligence suite of products helps survey and market researchers gain a deeper understanding of people's attitudes, preferences and opinions. These products help you through the entire research process--from survey design and data collection to data management and clear, timely reporting. Available for on-cloud or on-premise deployment, the UNICOM Intelligence suite enables you to author and manage surveys in a variety of forms--paper, telephone and online--to learn what drives the behavior of your customers, prospects, and employees. It is a single platform for all your needs:</p> <p>Attachment 3 (Unicom Systems TeamBlue Intelligence)</p> <p>Source: https://www.teamblue.unicomsi.com/products/unicom-intelligence/</p>

Claim 1	Unicom
response by said user is used during said active session to determine whether transmission of additional information related to said marketing content occurs during said active session.	

These allegations of infringement are preliminary and are therefore subject to change.

10. UNICOM has and continues to induce infringement. UNICOM has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to construct a unified banking system such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, UNICOM has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

11. UNICOM has and continues to contributorily infringe. UNICOM has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., construction of unified banking system) and related services that provide unified banking systems such as to cause infringement of one or more of claims 1–20 of the '508 patent, literally or under the doctrine of equivalents. Moreover, UNICOM has known of the '508 patent and the technology underlying it from at least the date of issuance of the patent.

12. UNICOM has caused and will continue to cause MCom damage by direct and indirect infringement of (including inducing infringement of) the claims of the '508 patent.

IV. JURY DEMAND

MCom hereby requests a trial by jury on issues so triable by right.

V. PRAYER FOR RELIEF

WHEREFORE, MCom prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the '508 patent;
- b. award MCom damages in an amount sufficient to compensate it for Defendant's infringement of the '508 patent in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;
- c. award MCom an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award MCom its attorneys' fees, expenses, and costs incurred in this action;
- e. declare Defendant's infringement to be willful and treble the damages, including attorneys' fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in

an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and

- g. award MCom such other and further relief as this Court deems just and proper.

Respectfully submitted,

Ramey & Schwaller, LLP

A handwritten signature in black ink, appearing to read 'WPR', with a large, stylized flourish underneath.

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