

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

BUFFALO PATENTS, LLC,

Plaintiff,

v.

THE COCA-COLA COMPANY and
COCA-COLA SOUTHWEST
BEVERAGES LLC,

Defendants.

CIVIL ACTION NO. 4:22-cv-493

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Buffalo Patents, LLC (“Buffalo Patents” or “Plaintiff”) files this original complaint against Defendants The Coca-Cola Company and Coca-Cola Southwest Beverages LLC (collectively, “Coca-Cola” or “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. Buffalo Patents is a limited liability company formed under the laws of the State of Texas, with its principal place of business at 1200 Silver Hill Dr., Austin, Texas, 78746.
2. Defendant The Coca-Cola Company is a company duly organized and existing under the state of Delaware. The Coca-Cola Company may be served with process through its registered agent, CT Corporation System, at 1999 Bryan St., Suite 900, Dallas, Texas, 75201.
3. The Coca-Cola Company is a beverage company that sells beverage products, such as sparkling soft drinks; enhanced water and sports drinks; juice, dairy and plant-based

beverages; tea and coffee; and energy drinks.¹ Coca-Cola’s products are sold in more than 200 countries and territories, representing the world’s largest nonalcoholic beverage distribution system.²

4. Defendant Coca-Cola Southwest Beverages LLC (“Coca-Cola Southwest”) is a company duly organized and existing under laws of the state of Delaware. Coca-Cola Southwest may be served with process through its registered agent, Corporation Service Company d/b/a CSC - Lawyers Incorporating Service Company, at 211 E. 7th Street, Suite 620, Austin, Texas, 78701.

5. Coca-Cola Southwest “manufactures, markets and distributes beverages of The Coca-Cola Company for markets across Texas and in parts of New Mexico, Oklahoma and Arkansas.”³ Coca-Cola Southwest has “7 production plants and 37 sales and distribution facilities” that “serve more than 31 million consumers in 27 markets” in “Texas and portions of New Mexico, Oklahoma and Arkansas make up our territory.”⁴

JURISDICTION AND VENUE

6. 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).

7. This Court has personal jurisdiction over the Coca-Cola Defendants pursuant to due process and/or the Texas Long Arm Statute because, *inter alia*, (i) Coca-Cola has done and

¹ The Coca-Cola Company’s Annual Report (10-K), at 2 (Feb. 25, 2021), <https://investors.coca-colacompany.com/filings-reports/annual-filings-10-k/content/0000021344-21-000008/0000021344-21-000008.pdf>.

² *Id.*

³ See About Us, <https://cocacolaswb.com/about/>.

⁴ *Id.*

continues to do business in Texas; and (ii) Coca-Cola has committed and continues to commit acts of patent infringement in the State of Texas, including making, using, offering to sell, and/or selling accused products in Texas, and/or importing accused products into Texas, including by Internet sales and/or sales via local sales personnel and/or through the use of dispensing machines within businesses, inducing others to commit acts of patent infringement in Texas, and/or committing at least a portion of any other infringements alleged herein in Texas.

8. Venue is proper in this district under 28 U.S.C. § 1400(b). Venue is further proper because the Coca-Cola Defendants have committed and continue to commit acts of patent infringement in this district, including making, using, offering to sell, and/or selling accused products in this district, and/or importing accused products into this district, including by Internet sales and/or sales via local sales personnel and/or through the use of dispensing machines within businesses, inducing others to commit acts of patent infringement in this district, and/or committing at least a portion of any other infringements alleged herein in this district.

9. The Coca-Cola Defendants also have regular and established places of business in this district, including at least at the following locations: (1) 5800 Granite Parkway, Suite 900, Plano, Texas 75024, (2) 3200 West Gentry Parkway, Tyler, Texas, 75702, and (3) 1820 Frisco Road, Sherman, Texas, 75090.

GranitePark NEWS & EVENTS | FEEDBACK | CUSTOMER LOGIN

Chip's Old Fashioned Hamburgers 5800 TX-121 #105 Plano, TX 75024 VIEW WEBSITE VIEW ON MAP	Coca-Cola North America 5800 Granite Parkway Suite 900 Plano, TX 75024 VIEW WEBSITE VIEW ON MAP	Common Desk 5830 Granite Pkwy Suite 100 Plano, TX 75024 VIEW WEBSITE VIEW ON MAP	CWS Capital Partners, LLC 5700 Granite Parkway, Suite 875 Plano, TX 75024 VIEW WEBSITE VIEW ON MAP
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Source: <https://www.granitepark.com/directory/> (Plano Office)



Source: <https://goo.gl/maps/F16twwq9Mwuy16Gf6> (Tyler Office)



Source: <https://goo.gl/maps/ZGQRQaBRJBbGZYacA> (Sherman Office)

BACKGROUND

10. The patent-in-suit generally relates to wireless communication systems that allow users to communicate and connect with devices offering services, such as vending machines or other service providers. As one example, the patented technology can be used to automatically access remote services, such as a drink dispensing machine, through a smartphone app.

11. The technology disclosed by the patent-in-suit was developed by engineers at the company, Marconi Commerce Systems, which—prior to 1999—was the British engineering company, GEC (General Electric Company plc), and before that, Gilbarco—a company founded in 1870. Gilbarco (d/b/a Gilbarco Veeder-Root) has been known as a supplier of fuel dispensers, point of sales systems, and payment systems. The named inventor, Mr. Carapelli, has extensive experience in innovation, including in mobile payment systems, wireless communication, fuel dispensers, automation solutions, etc. He has been granted over 150 patents in various fields.

12. The invention disclosed in the patent-in-suit has been cited during patent prosecution multiple times by electronics companies, including Dell, ExxonMobil (Research & Engineering division), Intermec (acquired by Honeywell), Novatel Wireless, and Toshiba.

COUNT I

DIRECT INFRINGEMENT OF U.S. PATENT NO. 7,664,885

13. On February 16, 2010, United States Patent No. 7,664,885 (“the ’885 Patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention entitled “Communication System with Automatic Configuration of the Communication Interface.”

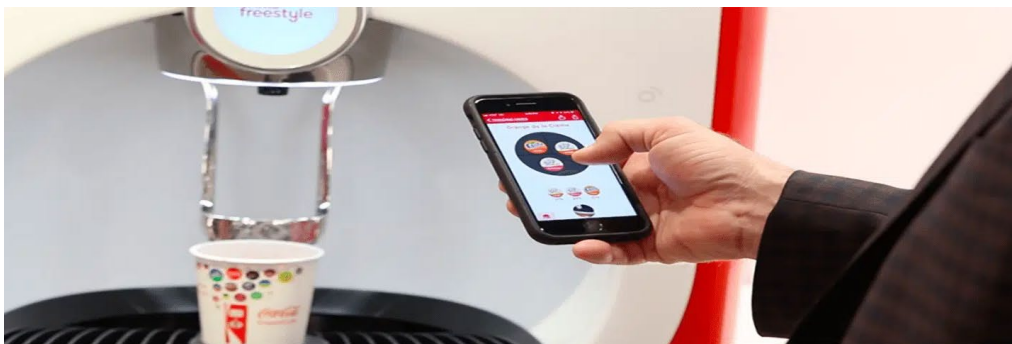
14. Buffalo Patents is the owner of the ’885 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the ’885 Patent against infringers, and to collect damages for all relevant times.

15. Coca-Cola made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems including, for example, its Coca-Cola Freestyle 9100 Dispenser and other products that support connection of a mobile device to a vending or dispensing machine (“accused products”):

Coca-Cola freestyle 9100



Source: https://www.cokesolutions.com/coca-cola-freestyle/pdfs/CCFS_9100_specsheet.pdf;
<https://www.coca-colacompany.com/news/coca-cola-freestyle-9100-nabs-three-awards>.



Source: <https://www.coca-colacompany.com/news/tech-and-big-data-accelerate-innovation-strategy>

16. By doing so, Coca-Cola has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 14 of the '885 Patent. Coca-Cola's infringement in this regard is ongoing.

17. Coca-Cola's Freestyle 9100 Dispenser is an exemplary accused product.

18. Coca-Cola has infringed the '885 Patent by using the accused products and thereby practicing a method for providing wireless communications services, which comprises the step of automatically establishing at a Master unit a wireless bi-directional communications connection between the Master unit and an external Client unit.

19. For example, Coca-Cola's Freestyle 9100 Dispenser provides a contactless mobile pouring solution for users with a smart device, like a smartphone. The "mobile pour" feature allows users to use their smartphones to select a desired beverage or drink, and control its pouring into a cup. The Freestyle machine or dispenser includes a QR code that can be used to connect the smartphone to the machine. When a user scans the QR code with a smartphone, a wireless connection is automatically established between the Freestyle machine and the user's smartphone. Once the smartphone and the machine are wirelessly connected, the user is redirected to a Freestyle web application interface.

Coca-Cola Freestyle® 9100 utilizes micro-dosing technology and stores all beverage components separately until the moment the drink is poured, ensuring a fresh, great tasting beverage every time.

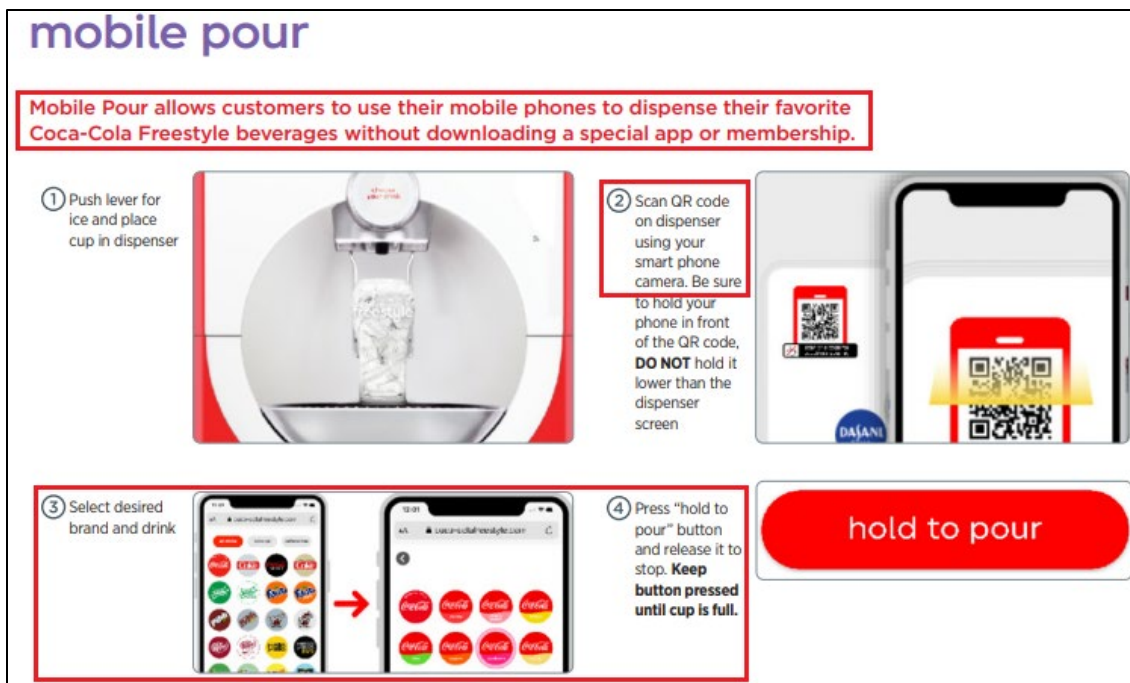
Source: [Coca-Cola Freestyle 9100 User Guide](#)

In 2020, at the height of the coronavirus pandemic, Coca-Cola Freestyle rolled out a contactless pouring solution across its entire North American fleet of almost 40,000 dispensers. Consumers can choose and pour a drink from their phone in just a few seconds, without having to sign up for a membership or download an app, by holding up their smartphone camera and auto-scanning a QR code on the display, immediately connecting to the cloud and bringing the Coca-Cola Freestyle user interface to their phone. This Coke Freestyle machine allows consumers to feel safer by giving them the option to pour their own drink instead of the restaurant, while still offering dozens of beverage choices.

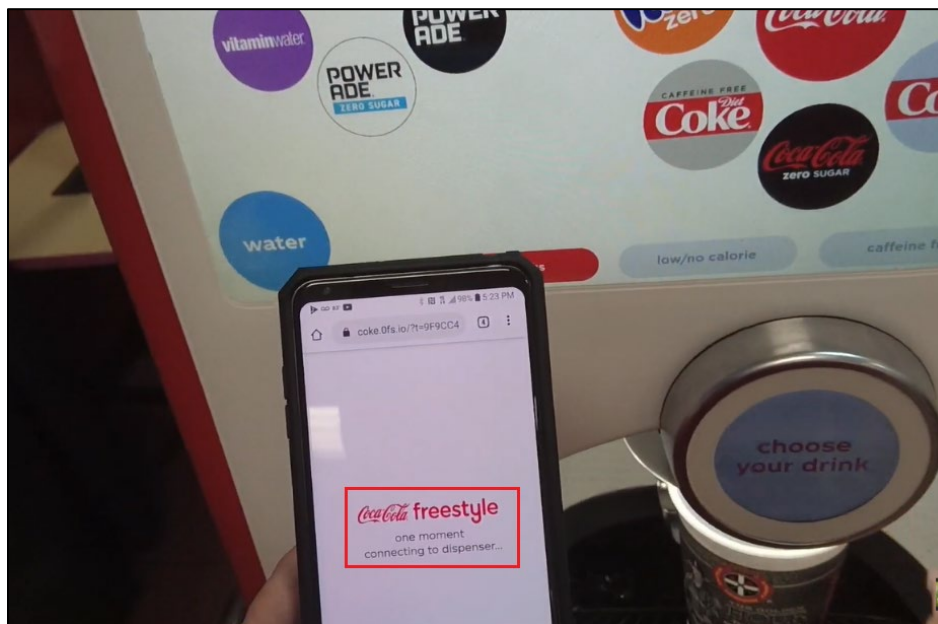
Source: <https://www.coca-colacompany.com/news/freestyle-unveils-countertop-fountain-dispenser>

The "mobile pour" solution for Coca-Cola Freestyle dispensers is like having the Coca-Cola Freestyle machine's interface right on the user's phone. With no app to download or account to sign into, a user simply scans the machine's QR code to bring the Freestyle user interface to their phone screen. The mobile web experience is designed to be intuitive for the user and looks simple by design, but that belies what's going on in the background—and in the cloud.

Source: https://www.aboutamazon.com/news/aws/coca-cola-and-aws-reimagine-the-future-of-contactless-experiences?utm_source=social&utm_medium=tw&utm_term=amznnews&utm_content=AWS_CCFreestyle&linkId=102999495&tag=bisafetynet2-20



Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 5)⁵



Source: <https://youtu.be/uXMTIsErkeg?t=20> (00:20 Mins)

⁵ The link to the "Coca-Cola Freestyle 9100 User Guide" is https://data2.manualslib.com/pdf7/199/19874/1987390-cocacola/freestyle_9100.pdf?595cc8c5c65988d5b502e504bffe44ea.

Coke will unveil the newest member of the Freestyle family –the Coca-Cola Freestyle 9100 –this weekend at the National Restaurant Association (NRA) tradeshow in Chicago. The unit, which will be available nationally in 2019, features a 24-inch, high-definition touchscreen and Bluetooth connectivity, which lets fans connect to the Freestyle mobile app when they enter an outlet with a machine and cue up their favorite beverage or create a new mix.

Source: <https://www.coca-colacompany.com/news/freestyle-unveils-new-dispenser-and-more>

<p>DIMENSIONS</p> <ul style="list-style-type: none"> W: 25.25" x D: 39.25" x H: 74.75" (640mm) (996mm) (1895mm) <p>WEIGHT</p> <ul style="list-style-type: none"> 925 lb. (with product and ice) <p>CLEARANCE</p> <ul style="list-style-type: none"> Right Side: 2", Left Side: 2", Front: 25.5", Rear: 2" <p>ELECTRICAL</p> <ul style="list-style-type: none"> 115 volt / 20 amp; grounded duplex outlet within 4 feet of dispenser Never plug dispenser or water booster into a GFI protected outlet or circuit 	<p>DRAINS</p> <ul style="list-style-type: none"> 3" or larger floor drain should be located within 3 feet of dispenser <p>WATER</p> <ul style="list-style-type: none"> 1/2" dedicated copper supply line with a separate water shutoff Must be located within 6' of the water booster and filtration system Ambient, unsoftened water Minimum of 40 PSI <p>WATER FILTRATION SYSTEM</p> <ul style="list-style-type: none"> Water filtration system is required Water filter must meet NSF Standard 42 	<p>ICE BIN CAPACITY</p> <ul style="list-style-type: none"> Full bin: 255 lbs. (220 lbs. usable ice) <p>INGREDIENTS</p> <ul style="list-style-type: none"> SmartPak cartridges and BIB (Bag-in-Box) Sweeteners 36 ports for microdosing ingredients 5 ports for potential BIB (Bag-in-Box) ingredients <p>SWEETENERS</p> <ul style="list-style-type: none"> HFCS BIB located outside of dispenser NNS BIB located inside of dispenser lower cabinet <p>CONNECTIVITY</p> <ul style="list-style-type: none"> 4G or Wi-Fi, Real-time connectivity
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Source: https://www.cokesolutions.com/coca-cola-freestyle/pdfs/CCFS_9100_specsheet.pdf

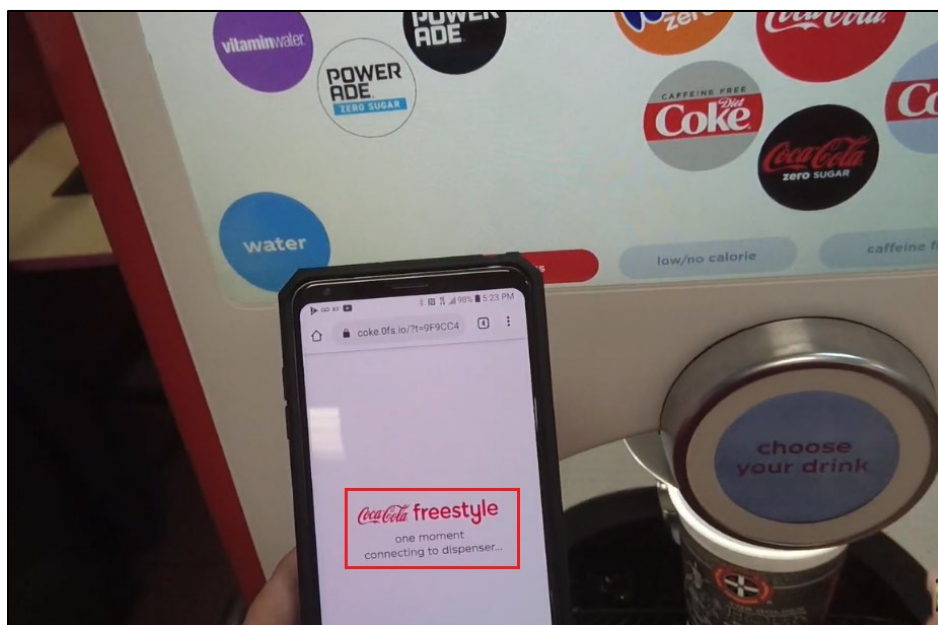
20. The method practiced using the accused products further comprises the step of receiving at the Master unit, using the wireless bi-directional communications connection, a request for a service from the external Client unit.

21. For example, Coca-Cola’s Freestyle 9100 Dispenser can provide nearly 200 different drink options to a user. When the user scans the QR code with a smartphone, the Freestyle machine becomes wirelessly connected to the user’s smartphone. Once connected, the Freestyle machine interface is displayed on the user’s smartphone as a web application interface.

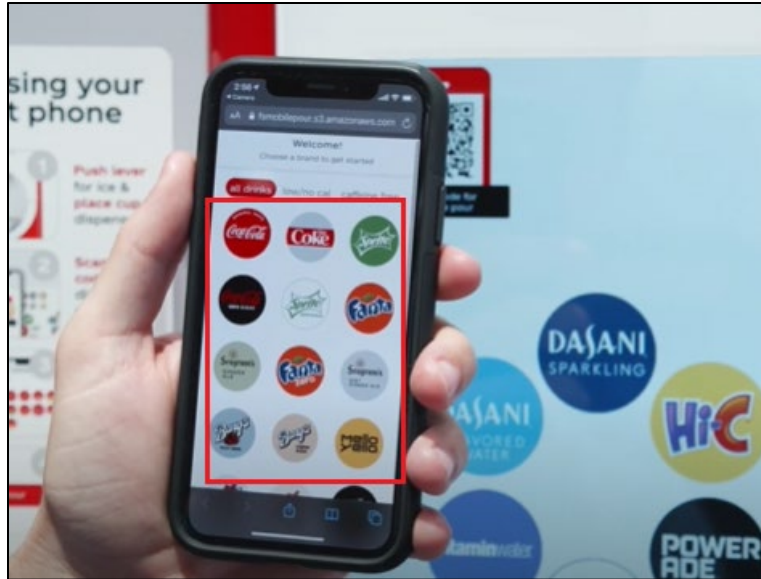
The interface displays different brands of drinks available at the machine. Users can wirelessly select a brand from different brands, including Coke, Sprint, Fanta etc. using the smartphone.

The "mobile pour" solution for Coca-Cola Freestyle dispensers is like having the Coca-Cola Freestyle machine's interface right on the user's phone. With no app to download or account to sign into, a user simply scans the machine's QR code to bring the Freestyle user interface to their phone screen. The mobile web experience is designed to be intuitive for the user and looks simple by design, but that belies what's going on in the background—and in the cloud.

Source: https://www.aboutamazon.com/news/aws/coca-cola-and-aws-reimagine-the-future-of-contactless-experiences?utm_source=social&utm_medium=tw&utm_term=amznnews&utm_content=AWS_CCFreestyle&linkId=102999495&tag=bisafetynet2-20



Source: <https://youtu.be/uXMTIsErkeg?t=20> (00:20 Mins)



Source: <https://youtu.be/WcRxRgovlSo?t=47> (00:47 Mins)

mobile pour

Mobile Pour allows customers to use their mobile phones to dispense their favorite Coca-Cola Freestyle beverages without downloading a special app or membership.

- 1 Push lever for ice and place cup in dispenser
- 2 Scan QR code on dispenser using your smart phone camera. Be sure to hold your phone in front of the QR code, **DO NOT** hold it lower than the dispenser screen
- 3 Select desired brand and drink
- 4 Press "hold to pour" button and release it to stop. **Keep button pressed until cup is full.**

Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 5)

22. The method practiced using the accused products further comprises the step of, in response to receiving the request for a service at the Master unit, automatically associating, at the

Master unit, the request for a service to a Service Provider unit associated with the Master unit and corresponding to the request for a service.

23. For example, Coca-Cola's Freestyle 9100 Dispenser uses SmartPAK ingredient cartridges to offer the various brands and flavors of the machine. These cartridges are placed inside the cartridge slots of the Freestyle machine. Users can wirelessly select a particular brand from multiple brands, including Coke, Sprint, Fanta, etc. using the smartphone's web application interface. As an example, when the user selects a particular brand and flavor (e.g., Diet Coke), the SmartPAK ingredient cartridge can dispense the corresponding drink.

Coca-Cola customers and consumers often say they value sustainability improvement, especially when it cuts waste. That's why Coca-Cola Freestyle® beverage dispensers now feature all-new SmartPAK™ ingredient cartridges for most Coca-Cola Freestyle brands and flavor cartridges.

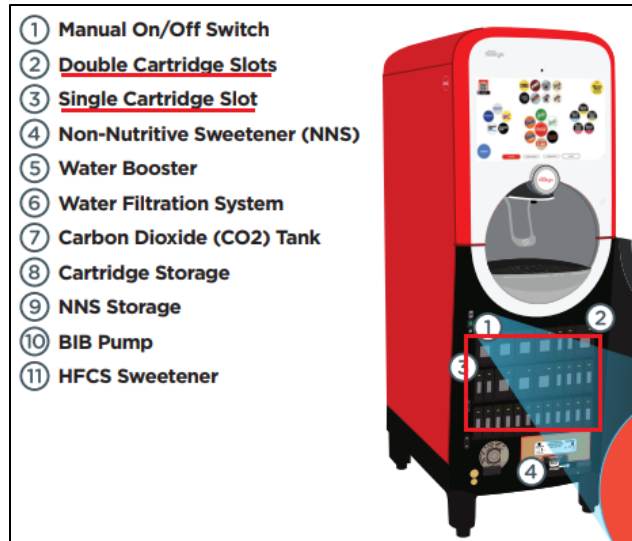
Source: <https://www.cokesolutions.com/coca-cola-freestyle/articles/coca-cola-freestyle-smartpak-cartridges-reduce-waste.html>

SmartPAK™ (paperboard) cartridges are lightweight, recyclable, and designed to optimize backroom storage space.

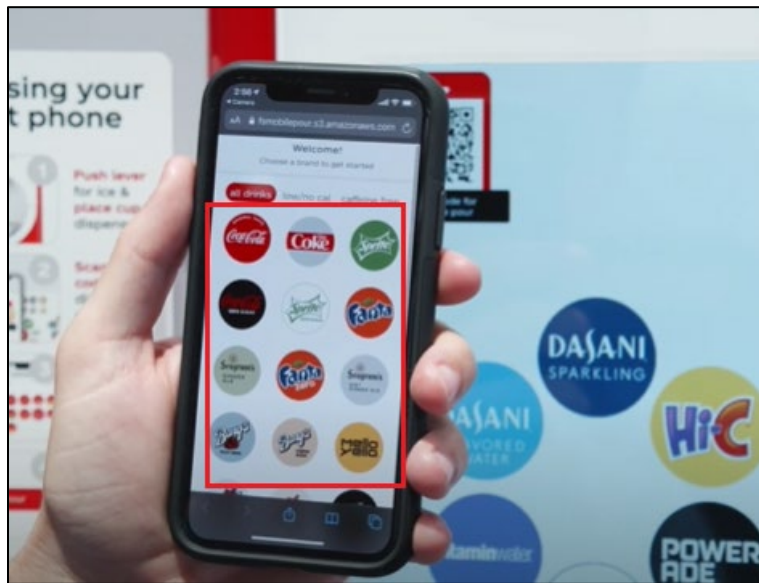
Inventory & Quick Replacements:

- Be prepared during rush periods! Place fast moving ingredient cartridges in extra trays and stage near dispenser for fast change outs.

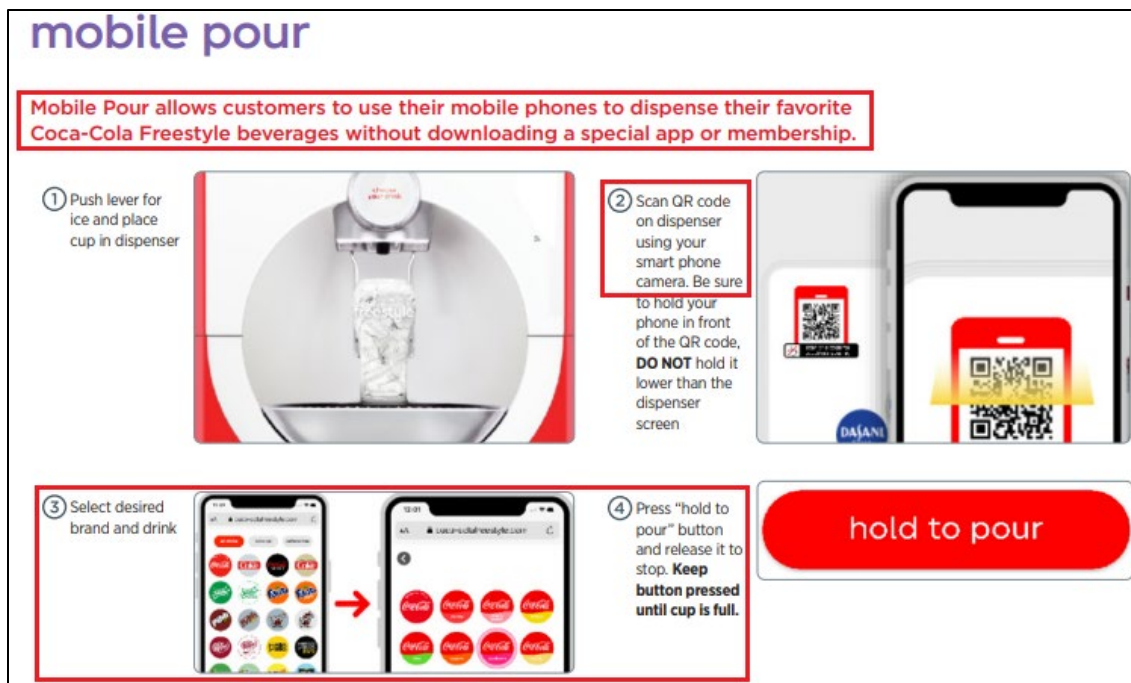
Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 8)



Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 3)



Source: <https://youtu.be/WcRxRgovlSo?t=47> (00:47 Mins)



Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 5)



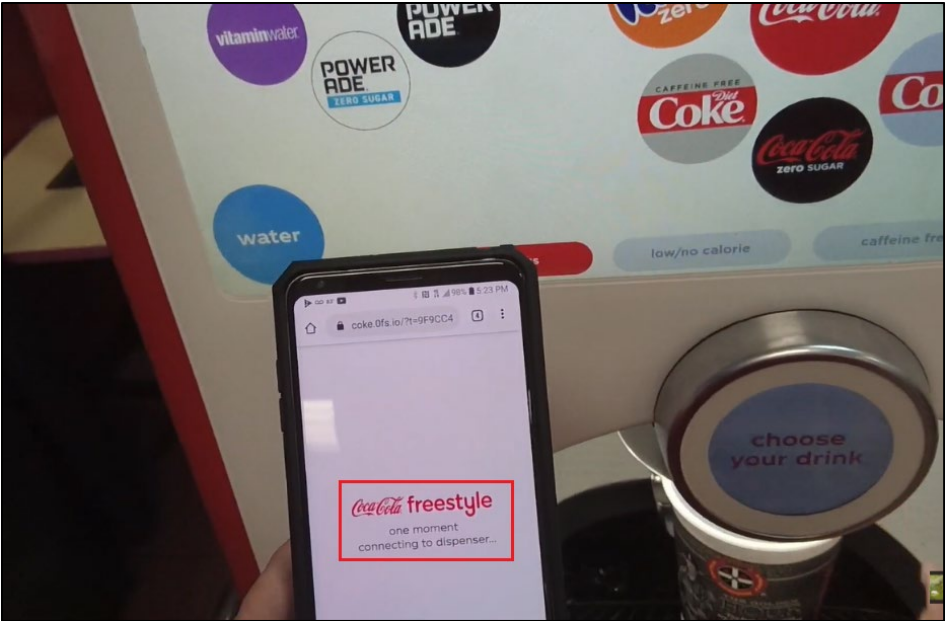
Source: https://youtu.be/PdQ4huGM_W8?t=162 (02:42 Mins)

24. The method practiced using the accused products further comprises the step of, in response to receiving the request for a service at the Master unit, automatically establishing at the Master unit, over the wireless bi-directional communications connection, an application interface associated to driver software of the external Client unit.

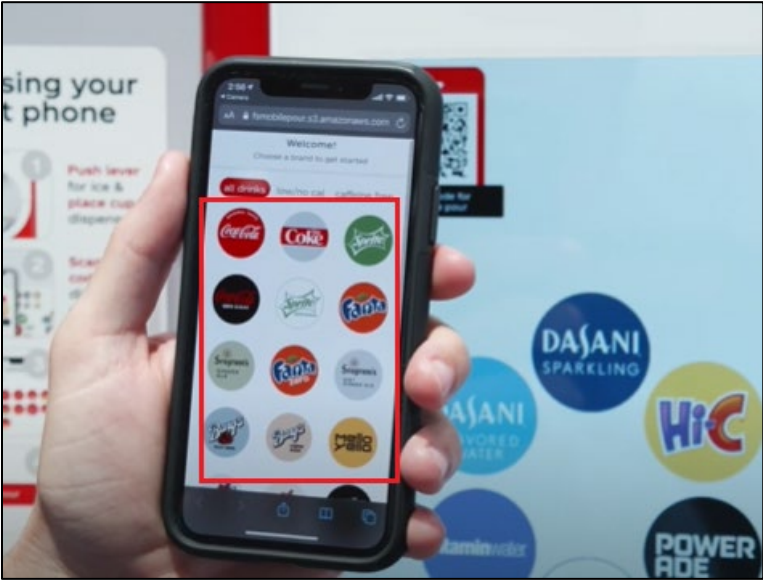
25. For example, when a user scans the QR code with a smartphone, Coca-Cola's Freestyle 9100 Dispenser becomes wirelessly connected to the user's smartphone. Once connected, the Freestyle machine interface is displayed on the user's smartphone as a web application interface. The interface displays different brands available at the machine. Users can wirelessly select a brand from different brands, including Coke, Sprint, Fanta etc. using the smartphone's web application interface. The web application interface displayed to the user is associated to a browser software (e.g., Google Chrome App version) of the user's smartphone.

The "mobile pour" solution for Coca-Cola Freestyle dispensers is like having the Coca-Cola Freestyle machine's interface right on the user's phone. With no app to download or account to sign into, a user simply scans the machine's QR code to bring the Freestyle user interface to their phone screen. The mobile web experience is designed to be intuitive for the user and looks simple by design, but that belies what's going on in the background—and in the cloud.

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Source: <https://youtu.be/WcRxRgovlSo?t=47> (00:47 Mins)



Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 5)

26. Coca-Cola's Freestyle 9100 Dispenser uses HTTP-based APIs (Application Programming Interface) for communication between the Freestyle machine and the user's smartphone. These APIs include a request/response model, wherein the user's smartphone can request a service (e.g., select sub-flavors of a brand), and the requested service (e.g., different flavors of a selected brand) is provided as a response to the user's selection on the smartphone. APIs function at an application layer. Further, HTTP request headers generally include a User Agent header, which can allow a server to identify the application, operating system, vendor, and/or version of the requesting user agent.

To deliver a nearly instantaneous user experience, the Freestyle team built a backend on AWS Lambda, which provides serverless compute, and Amazon API Gateway, a fully managed service that makes it easy for developers to create, maintain, and secure APIs at any scale. For example, with each transaction, the web app must speedily take a full inventory of the ingredients on each machine. “When you connect, you must immediately know the beverages available on that dispenser,” says Daisy Teoh, director of innovation for Coca-Cola Freestyle, explaining that an empty cartridge means that users might not be able to make the drinks they want. WebSocket APIs in Amazon API Gateway provide a serverless, bidirectional, real-time connection between the Freestyle machines and users' phones, with a latency of milliseconds rather than seconds. Without that AWS feature, customers would have to wait for inventory updates at the dispenser; the pour would be slow; and lines would form.

Source: <https://aws.amazon.com/solutions/case-studies/coca-cola-freestyle/>

Starting today, you can build bidirectional communication applications using WebSocket APIs in Amazon API Gateway without having to provision and manage any servers.

HTTP-based APIs use a request/response model with a client sending a request to a service and the service responding synchronously back to the client. WebSocket-based APIs are bidirectional in nature. This means that a client can send messages to a service and services can independently send messages to its clients.

Source: <https://aws.amazon.com/blogs/compute/announcing-websocket-apis-in-amazon-api-gateway/>

HTTP headers > User-Agent

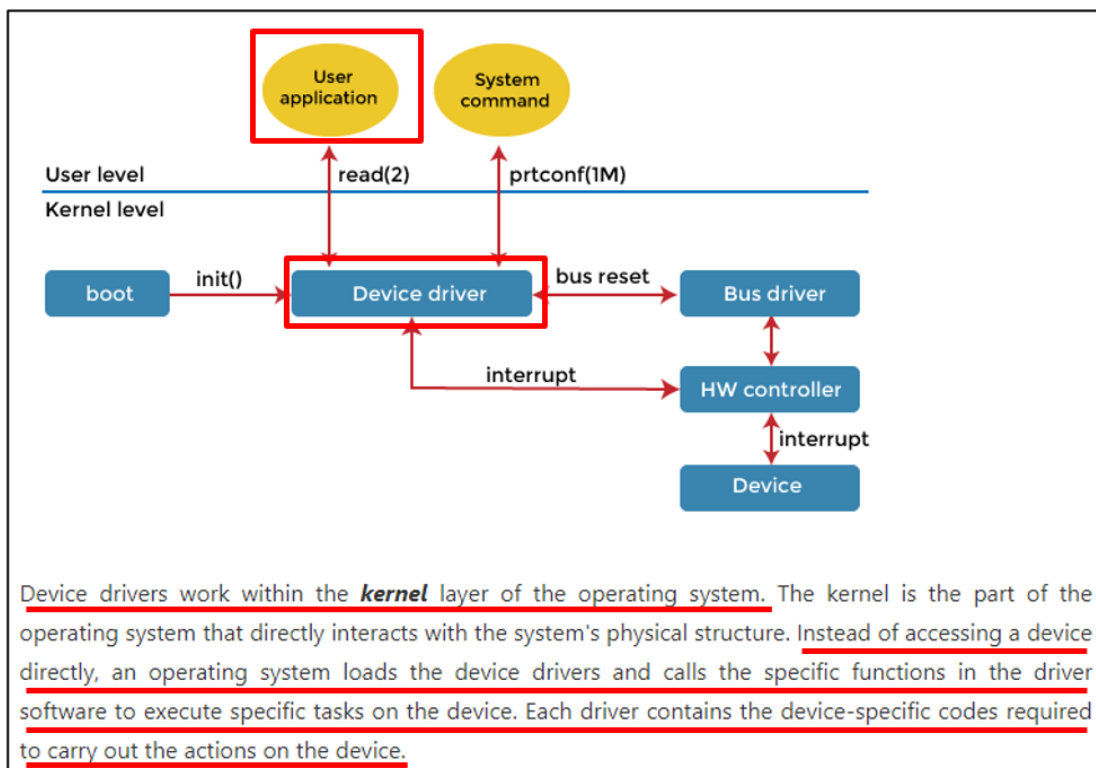
User-Agent

The **User-Agent** [request header](#) is a characteristic string that lets servers and network peers identify the application, operating system, vendor, and/or version of the requesting [user agent](#).

Source: <https://developer.mozilla.org/en-US/docs/Web/HTTP/Headers/User-Agent>

A device driver is a piece of software that allows your computer's operating system to communicate with a hardware device the driver is written for. Generally, a driver communicates with the device through the **computer bus**, which connects the device with the computer. Device Drivers depend upon the Operating System's instruction to access the device and performing any particular action. After the action, they also show their reactions by delivering output or message from the hardware device to the Operating system.

Source: <https://www.javatpoint.com/device-driver-in-operating-system>



Source: <https://www.javatpoint.com/device-driver-in-operating-system>

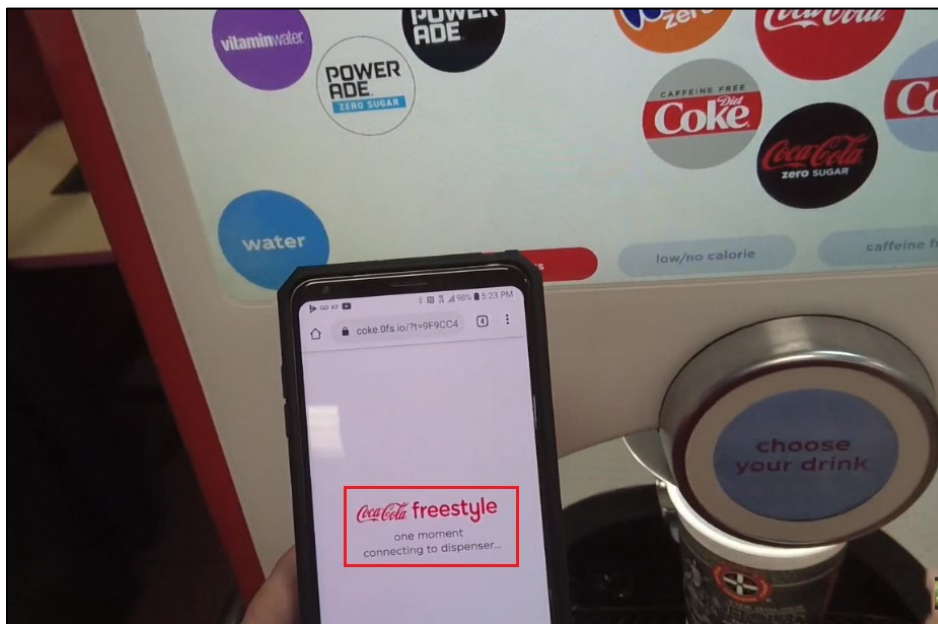
27. The method practiced using the accused products further comprises the step of, in response to receiving the request for a service at the Master unit, automatically transmitting from the Master unit to the external Client unit a service object of the Service Provider unit using the application interface over the wireless bi-directional communications connection.

28. For example, when a user scans the QR code with a smartphone, Coca-Cola's Freestyle 9100 Dispenser becomes wirelessly connected to the user's smartphone. Once connected, the Freestyle machine interface is displayed on the user's smartphone as a web application interface. The interface displays different brands available at the machine. The Freestyle machines use SmartPAK ingredient cartridges to offer the various brands and flavors of the machine. These cartridges are placed inside the cartridge slots of the Freestyle machine. Users can wirelessly select a particular brand from multiple brands, including Coke, Sprint, Fanta, etc. using the smartphone's web application interface. The web application interface can

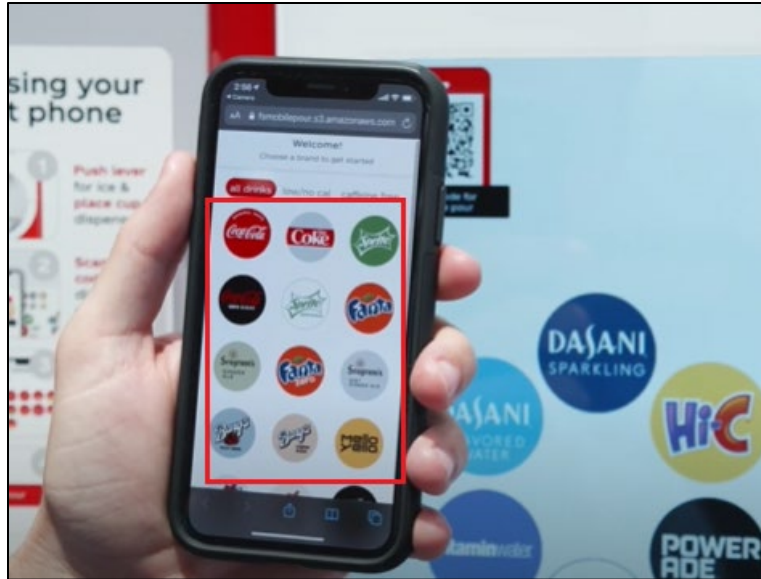
then display to the user different drink flavors of the selected brand available at the machine. Users can interact with any of the displayed flavors and select a particular flavor to dispense it from the corresponding ingredient cartridge.

The "mobile pour" solution for Coca-Cola Freestyle dispensers is like having the Coca-Cola Freestyle machine's interface right on the user's phone. With no app to download or account to sign into, a user simply scans the machine's QR code to bring the Freestyle user interface to their phone screen. The mobile web experience is designed to be intuitive for the user and looks simple by design, but that belies what's going on in the background—and in the cloud.

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Source: [Coca-Cola Freestyle 9100 User Guide](#) (Page 5)



Source: https://youtu.be/PdQ4huGM_W8?t=162 (02:42 Mins)

29. Coca-Cola has had knowledge of the '885 Patent at least as of the date when it was notified of the filing of this action, and as early as December 3, 2021, when Coca-Cola received a letter notifying it of the '885 Patent.

30. Buffalo Patents has been damaged as a result of the infringing conduct by Coca-Cola alleged above. Thus, Coca-Cola is liable to Buffalo Patents 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.

31. Buffalo Patents has neither made nor sold unmarked articles that practice the '885 Patent, and is entitled to collect pre-filing damages for the full period allowed by law for infringement of the '885 Patent.

**ADDITIONAL ALLEGATIONS REGARDING INFRINGEMENT
AND PERSONAL JURISDICTION**

32. Coca-Cola has also indirectly infringed the '885 Patent by inducing others to directly infringe the '885 Patent.

33. Coca-Cola has induced the end users and/or Coca-Cola's customers to directly infringe (literally and/or under the doctrine of equivalents) the '885 Patent by using the accused products.

34. Coca-Cola took active steps, directly and/or through contractual relationships with others, with the specific intent to cause them to use the accused products in a manner that infringes one or more claims of the '885 Patent, including, for example, Claim 14 of the '885 Patent.

35. Such steps by Coca-Cola included, among other things, advising or directing customers, end users, and others (including distributors and equipment services entities) to use the accused products in an infringing manner; advertising and promoting the use of the accused products in an infringing manner; and/or distributing instructions that guide users to use the accused products in an infringing manner.

36. Coca-Cola performed these steps, which constitute joint and/or induced infringement, with the knowledge of the '885 Patent and with the knowledge that the induced acts constitute infringement.

37. Coca-Cola was and is aware that the normal and customary use of the accused products by Coca-Cola's customers would infringe the '885 Patent. Coca-Cola's inducement is ongoing.

38. Coca-Cola has also induced its affiliates, or third-party manufacturers, shippers, distributors, equipment services entities, retailers, or other persons acting on its or its affiliates' behalf, to directly infringe (literally and/or under the doctrine of equivalents) the '885 Patent by importing, selling or offering to sell the accused products.

39. Coca-Cola has a significant role in placing the accused products in the stream of commerce with the expectation and knowledge that they will be purchased by consumers in Texas and elsewhere in the United States.

40. Coca-Cola purposefully directs or controls the making of accused products and their shipment to the United States, using established distribution channels, for sale in Texas and elsewhere within the United States.

41. Coca-Cola purposefully directs or controls the sale of the accused products into established United States distribution channels, including sales to nationwide retailers and wholesalers (including through dispensing machines). Coca-Cola's established United States distribution channels include one or more United States based affiliates and third-parties working on behalf of Coca-Cola.

42. Coca-Cola purposefully directs or controls the sale of the accused products online and in nationwide retailers and wholesalers (including through dispensing machines), including for sale in Texas and elsewhere in the United States, and expects and intends that the accused products will be so sold.

43. Coca-Cola purposefully places the accused products—whether by itself or through subsidiaries, affiliates, or third parties—into an international supply chain, knowing that the accused products will be sold in the United States, including Texas. Therefore, Coca-Cola also facilitates the sale of the accused products in Texas.

44. Coca-Cola took active steps, directly and/or through contractual relationships with others, with the specific intent to cause such persons to import, sell, or offer to sell the accused products in a manner that infringes one or more claims of the '885 Patent.

45. Such steps by Coca-Cola included, among other things, making or selling the accused products outside of the United States for importation into or sale in the United States, or knowing that such importation or sale would occur; and directing, facilitating, or influencing its affiliates, or third-party manufacturers, shippers, distributors, retailers, equipment servicers, or other persons acting on its or its affiliates' behalf, to import, sell, or offer to sell the accused products in an infringing manner.

46. Coca-Cola performed these steps, which constitute induced infringement, with the knowledge of the '885 Patent, and with the knowledge that the induced acts would constitute infringement.

47. Coca-Cola performed such steps in order to profit from the eventual sale of the accused products in the United States.

48. Coca-Cola's inducement is ongoing.

49. Coca-Cola has also indirectly infringed by contributing to the infringement of the '885 Patent. Coca-Cola has contributed to the direct infringement of the '885 Patent by the end user of the accused products.

50. The accused products 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 the '885 Patent, including, for example, Claim 14 of the '885 Patent.

51. The special features include, for example, hardware and/or software components especially adapted for connecting a mobile device to a dispensing machine and automatically associating a request from the mobile device with a service provider unit, establishing an application interface on the mobile device, and transmitting a service object using the application interface on the mobile device, used in a manner that infringes the '885 Patent.

52. These special features constitute a material part of the invention of one or more of the claims of the '885 Patent, and are not staple articles of commerce suitable for substantial non-infringing use.

53. Coca-Cola's contributory infringement is ongoing.

54. Coca-Cola has had actual knowledge of the '885 Patent at least as of the date when it was notified of the filing of this action, and as early as December 3, 2021, when Coca-Cola received a letter notifying it of the '885 Patent. Since at least that time, Coca-Cola has known the scope of the claims of the '885 Patent, the products that practice the '885 Patent, and that Buffalo Patents is the owner of the '885 Patent.

55. By the time of trial, Coca-Cola will have known and intended (since receiving such notice) that its continued actions would infringe and actively induce and contribute to the infringement of one or more claims of the '885 Patent.

56. Coca-Cola's customers have infringed the '885 Patent. Coca-Cola encouraged its customers' infringement.

57. Coca-Cola's direct and indirect infringement of the '885 Patent has been, and/or continues to be willful, intentional, deliberate, and/or in conscious disregard of Buffalo Patents' rights under the patent-in-suit.

58. Buffalo Patents has been damaged as a result of Coca-Cola's infringing conduct alleged above. Thus, Coca-Cola is liable to Buffalo Patents 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.

JURY DEMAND

Buffalo Patents hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

Buffalo Patents requests that the Court find in its favor and against Coca-Cola, and that the Court grant Buffalo Patents the following relief:

a. Judgment that one or more claims of the '885 Patent have been infringed, either literally and/or under the doctrine of equivalents, by Coca-Cola and/or all others acting in concert therewith;

b. A permanent injunction enjoining Coca-Cola and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '885 Patent; or, in the alternative, an award of a reasonable ongoing royalty for future infringement of the '885 Patent by such entities;

c. Judgment that Coca-Cola account for and pay to Buffalo Patents all damages to and costs incurred by Buffalo Patents because of Coca-Cola's infringing activities and other conduct complained of herein, including an award of all increased damages to which Buffalo Patents is entitled under 35 U.S.C. § 284;

d. That Buffalo Patents be granted pre-judgment and post-judgment interest on the damages caused by Coca-Cola's infringing activities and other conduct complained of herein;

e. That this Court declare this an exceptional case and award Buffalo Patents its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and

f. That Buffalo Patents be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: June 13, 2022

Respectfully submitted,

/s/ Zachariah S. Harrington

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