

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

Justservice.net LLC,  
an Illinois limited liability company,

Plaintiff,

v.

Jungle Disk, LLC,  
a Delaware limited liability company,

Defendant.

Civil Action No.: 6:22-cv-0099

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Justservice.net LLC ("Justservice"), by its undersigned attorneys, alleges claims of patent infringement against Defendant Jungle Disk, LLC ("Jungle Disk"), with knowledge of its own acts and on information and belief as to other matters, as follows:

**PARTIES**

1. Justservice is an Illinois limited liability company with its headquarters and principal place of business at 2940 North Clark Street, Chicago, Illinois 60657.
2. Jungle Disk is a Delaware limited liability company with headquarters in Texas at 21750 Hardy Oak Boulevard, Suite 104 PMB 96884, San Antonio, Texas 78258.
3. Jungle Disk may be served through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.
4. Jungle Disk offers virtual data storage systems and synchronization systems in this district, throughout Texas, and worldwide.

## **JURISDICTION AND VENUE**

5. This is an action for patent infringement under the patent laws of the United States, namely, 35 U.S.C. §§ 271, 281, and 284, among others. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1332, and 1338(a).

6. This Court has personal jurisdiction over Jungle Disk because: (1) it has a corporate office in Texas; and (2) Jungle Disk, directly, by its own actions, and jointly, in combination with actions of customers under its control and direction, has committed acts of infringement in this district at least by making and using infringing systems and using, selling, and offering for sale infringing services.

7. Venue in this Judicial District is proper pursuant to 28 U.S.C. §§ 1391 (b) and (c) and 1400(b) because Jungle Disk has an established place of business in this state, located at 21750 Hardy Oak Boulevard, Suite 104 PMB 96884, San Antonio, Texas 78258, and has committed acts of patent infringement in this District. Jungle Disk's acts of infringement include, but are not limited to, making, operating, and using virtual data storage systems and providing virtual data storage services to others via [www.jungledisk.com](http://www.jungledisk.com).

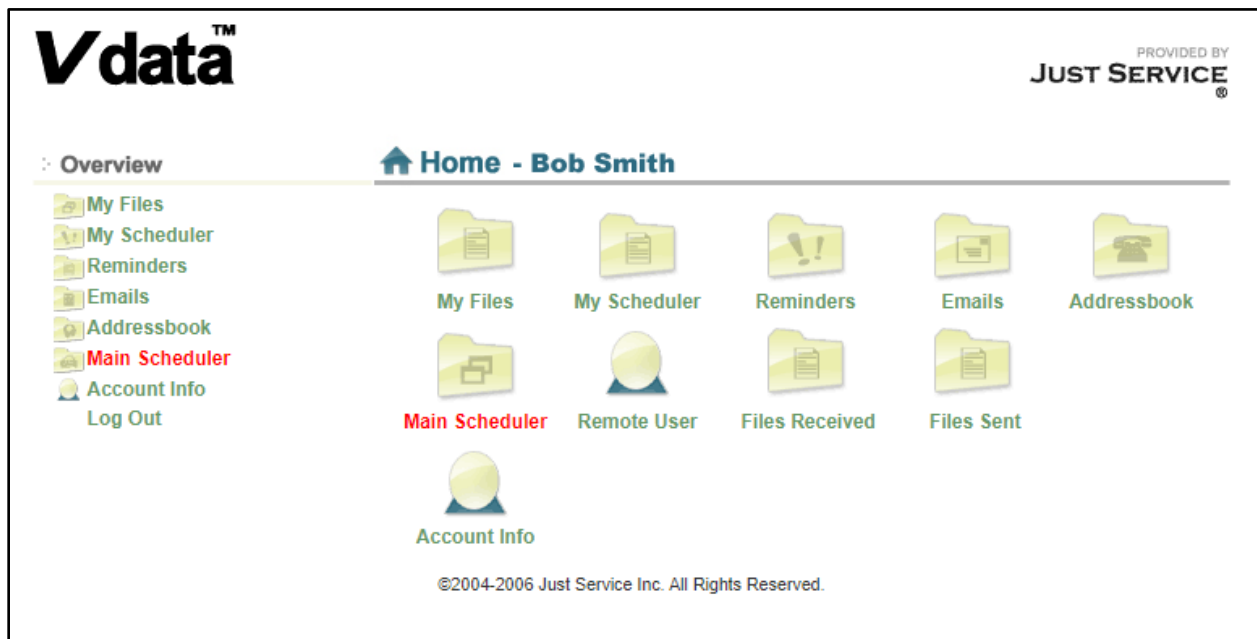
## **FACTUAL ALLEGATIONS UNDERLYING CLAIMS**

### **Justservice's Patents**

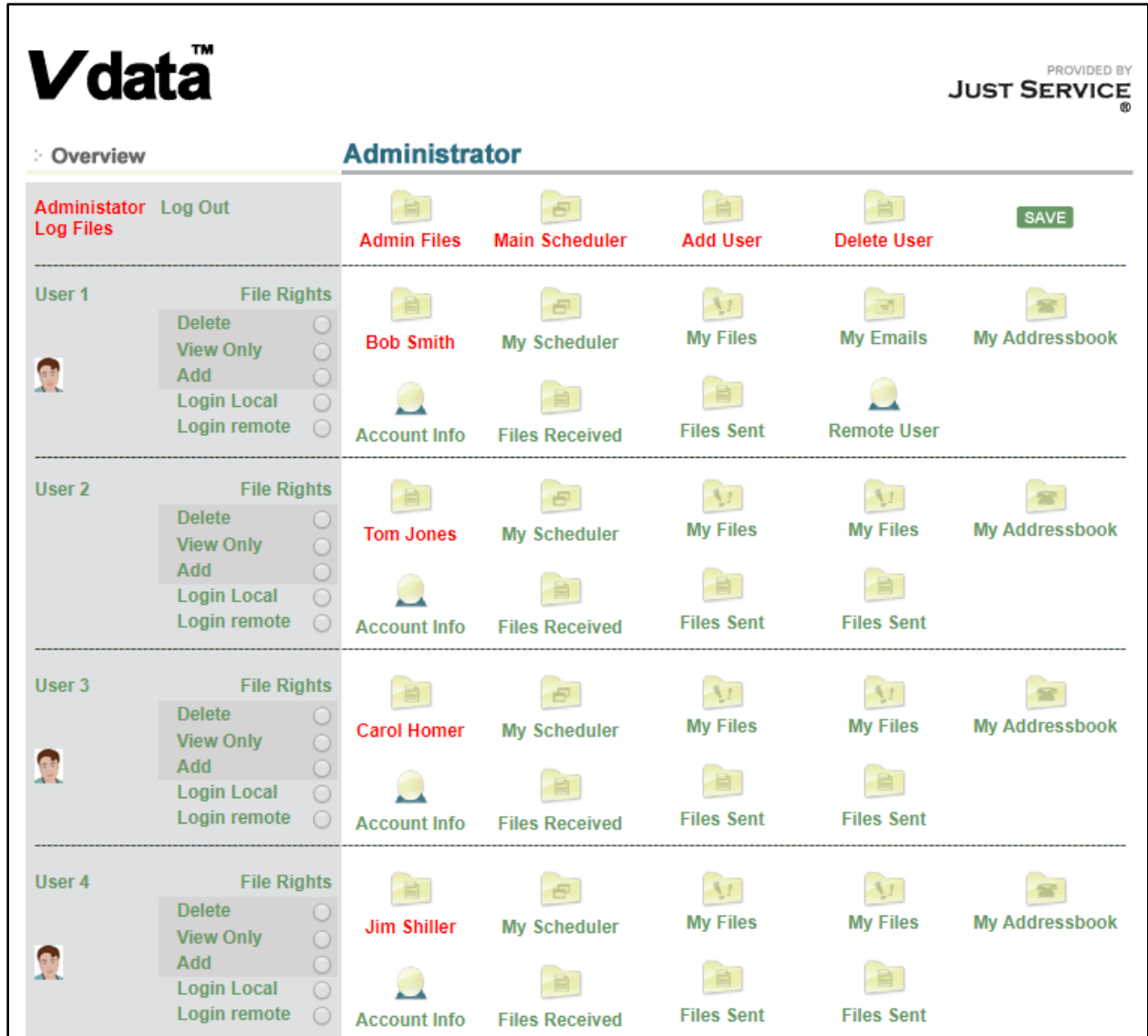
8. Mr. Thomas Fiducci is the founder of Justservice and the inventor of a variety of computer systems and electromechanical devices. In 2003, Mr. Fiducci recognized a need for cloud computing and file storage. He recognized the challenge that is often faced when a computer, tablet or phone fails, or is lost or stolen, and files are lost. It was at that time that he conceived of the idea to create a browser-based virtual data storage and transfer system called Vdata.

9. By 2004, Vdata was a fully functioning cloud-based system – a virtual storage system that backs-up, stores, and transfers files and one that allows users to access files remotely, across multiple devices, and share files with multiple users. Vdata successfully removed the vulnerability of software and hardware failure by eliminating the need for personal data storage.

10. Vdata provided a virtual server user interface that allowed users to upload and download files through a standard browser without installing any specialized software on their computers. An exemplary mockup of the virtual server user interface as ultimately displayed in a browser window through Vdata is represented below:



11. Vdata provided administrator controls through a virtual server user interface that allowed administrators to control user permissions for multiple user accounts linked to a single business account. An exemplary mockup of the Vdata administrator interface as displayed in a browser window through Vdata is represented below:



12. Within the first year of Vdata's launch, hundreds of Justservice customers were using the Vdata system for storing and accessing data. By 2007 the Vdata system had generated hundreds of thousands of dollars in revenue from Justservice's customers. However, use of the Vdata system fell out of favor, since not long after Jungle Disk entered the market in 2006 and offered systems and services that copied the inventive concepts of Vdata. Today, Justservice has only one paying customer using the Vdata system.

### **The Asserted Patents**

13. On February 28, 2012, the United States Patent and Trademark Office ("USPTO") issued U.S. Patent No. 8,126,990 ("the '990 Patent"), entitled "Data Backup and Transfer System, Method and Computer Program Product." Mr. Fiducci assigned the '990 Patent to Justservice, and that Assignment is recorded at Reel/Frame No. 028803/0357 of the USPTO Assignment Database. A copy of the '990 Patent is attached hereto as Exhibit 1 and incorporated herein, in its entirety, by reference.

14. The '990 Patent discloses a virtual data storage system and method for backing up, storing, and transferring computer data. For example, Claim 12 of the '990 Patent covers a method for a virtual data storage system to upload and download data between a virtual data storage account and a user's computer. A user can access the virtual data storage account via a website and the account user can access his or her personal virtual data storage account using an account user identification. Further, the virtual data storage system provides access across multiple devices by verifying the account user with their personal account identification.

15. On June 5, 2012, the USPTO issued U.S. Patent No. 8,195,776 ("the '776 Patent") entitled "Data Backup, Storage, Transfer and Retrieval System, Method and Computer Program Product." Mr. Fiducci assigned the '776 Patent to Justservice, and that Assignment is recorded at Reel/Frame No. 028803/0357. A copy of the '776 Patent is attached hereto as Exhibit 2 and incorporated herein, in its entirety, by reference.

16. The '776 Patent discloses a data storage system and a means for the data storage system to back up, store, and transfer computer data and authorize subusers' access to the data. For example, Claim 1 of the '776 Patent covers a means for the virtual data storage system to verify each account user and after verification, display data files unique to the account user. The data

storage system transfers files to and from the user's personal computer. In addition, the virtual data storage system provides a means for the account user to authorize subusers and set permissions for the subusers. The data storage system instructs a user computer to no longer recognize the data storage system when the user logs off of the data storage system.

17. On March 5, 2013, the USPTO issued U.S. Patent No. 8,392,542 ("the '542 Patent") entitled "Data Backup, Storage, Transfer and Retrieval System, Method and Computer Program Product." Mr. Fiducci assigned the '542 Patent to Justservice, and that Assignment is recorded at Reel/Frame No. 028803/0357. A copy of the '542 Patent is attached hereto as Exhibit 3 and incorporated herein, in its entirety, by reference.

18. The '542 Patent discloses a virtual data storage system capable of managing multiple user accounts. For example, Claim 1 of the '542 Patent covers a system that verifies account user access and once verified, transfers files between the virtual data storage system and the account user's computer. The virtual data storage system further manages multiple user accounts whereby there is a primary account holder and subaccounts associated with the primary account. Among other things, authorized subaccount users have file rights to access subaccount files and shared account files.

19. On August 1, 2017, the USPTO issued U.S. Patent No. 9,722,993 ("the '993 Patent"), entitled "Data Backup and Transfer System, Method and Computer Program Product." Mr. Fiducci assigned the '993 Patent to Justservice, and that Assignment is recorded at Reel/Frame No. 028803/0357 of the USPTO Assignment Database. A copy of the '993 Patent is attached hereto as Exhibit 4 and incorporated herein, in its entirety, by reference.

20. The '993 Patent discloses a virtual data storage system capable of managing multiple accounts and backing up, storing, and transferring computer data. For example, Claim

16 of the '993 Patent covers a virtual data storage system that can be displayed in a browser window and that upon verifying user access information, connects over a network to the user's computer. The virtual data storage system displays information related to the stored files and it displays, in icon view, various functions that the system is capable of performing. The virtual data storage system is also capable of uploading and downloading user selected files to and from the user's personal computer. In addition, the virtual data storage system can manage multiple user accounts and enables the account users to share files with each other, whereby there is a primary account holder and multiple subaccounts, and the primary account holder has the option to set the subaccounts' file rights, such as the right to access certain file types.

21. On August 20, 2019, the USPTO issued U.S. Patent No. 10,387,270 ("the '270 Patent"), entitled "Data Backup, Storage, Transfer and Retrieval System, Method and Computer Program Support." Mr. Fiducci assigned the '270 Patent to Justservice, and that Assignment is recorded at Reel/Frame No. 038655/0430 of the USPTO Assignment Database. A copy of the '270 Patent is attached hereto as Exhibit 5 and incorporated herein, in its entirety, by reference.

22. The '270 Patent discloses a virtual data storage system capable of managing multiple accounts and backing up, storing, and transferring computer data. For example, Claim 1 of the '270 Patent covers a virtual data storage system with a processor coupled to a memory that transfers and stores information relating to one or more files. The virtual data storage system is capable of verifying user access to a particular user account and managing several subaccounts. The virtual storage system allows for association of a primary account with multiple subaccounts and further has functions that allow the primary account to set the subaccounts' file right permissions, such as the right to view or delete a file or add files.

23. The '990, '776, '542, '993, and '270 Patents are collectively known as the "Asserted Patents."

24. Justservice previously filed a patent infringement lawsuit against Dropbox, Inc. ("Dropbox") involving the Asserted Patents in this District in the case *Justservice.net LLC v. Dropbox, Inc.*, No. 6:20-cv-00070-ADA (W.D. Tex. filed Jan. 30, 2020) (the "Dropbox Litigation").

25. On September 14, 2021, the parties in the Dropbox Litigation filed a Joint Motion to Stay All Deadlines and Notice of Settlement. *Id.*, ECF No. 71.

26. The Dropbox Litigation was dismissed with prejudice on November 16, 2021. *Id.*, ECF No. 84.

27. Justservice previously filed a patent infringement lawsuit against pCloud AG ("pCloud") involving the Asserted Patents in this District in the case *Justservice.net LLC v. pCloud AG*, No. 6:21-cv-1242 (W.D. Tex. filed Nov. 30, 2021) (the "pCloud Litigation").

### **Jungle Disk's Products**

28. Upon information and belief, in 2006, Jungle Disk began making and using a browser-based file storage and transfer system and offering for sale and selling file storage and transfer services. Such systems evolved to include Jungle Disk packages provided for 1-100 devices and 1-100 users, and the packages are currently known as "Jungle Disk," but were formerly known as "Simply/Desktop" and "Workgroup" (collectively, the "Accused Systems"). *See Transitioning From Legacy Subscriptions (Simply/Desktop) to Jungle Disk (Formerly Workgroup)*, JUNGLE DISK SUPPORT > WALKTHROUGHS > USING THE JUNGLE DISK APPLICATION, <https://support.jungledisk.com/hc/en-us/articles/115000727114-Transitioning-From-Legacy-Subscriptions-Simply-Desktop-to-Jungle-Disk-Formerly-Workgroup-> (dated 2 years ago) (last



visited Jan. 25, 2022); *Transitioning From Server Edition to Jungle Disk (Formerly Workgroup)*, JUNGLE DISK SUPPORT > WALKTHROUGHS > USING THE JUNGLE DISK APPLICATION, <https://support.jungledisk.com/hc/en-us/articles/360047773454-Transitioning-From-Server-Edition-to-Jungle-Disk-Formerly-Workgroup-> (dated 2 years ago) (last visited Jan. 25, 2022); *and see Simple Straightforward Pricing*, JUNGLE DISK – PRICING, <https://www.jungledisk.com/pricing/> (last visited Jan. 25, 2022).

29. The Accused Systems, like Justservice’s Vdata, provide a means to store and access files remotely and to transfer and access files across multiple devices using a virtual server. Jungle Disk provides and controls the hardware instrumentalities of the Accused Systems, including the hardware servers and backend server software that run the backend server system and store user files and the customer-facing virtual server software systems that permit Jungle Disk to scan user computer systems and transfer files, as well as permit users to access and use the Accused Systems.

30. In addition to using a standard web browser, the Accused Systems can be accessed through desktop applications for computers running Linux, Windows, and Apple operating systems as well an application for mobile devices using Android operating systems and portable application via a USB (collectively, “client software”). *See Backup & Cloud Storage Downloads*, JUNGLE DISK – DOWNLOADS, <https://www.jungledisk.com/downloads/> (last visited Jan. 25, 2022). The various client software systems allow users to access a common set of file storage and transfer features provided by Jungle Disk’s backend systems that comprise the Accused Systems.

31. Jungle Disk provides backend software that supports the operation of the backend hardware to provide the advertised functionality of the Accused Systems. In terms of backend software that make up part of the Accused Systems, on information and belief, Jungle Disk

develops and controls the server software that controls access to and transfers files, in addition to producing user notifications to customers.

32. The Accused Systems have all the elements of at least Claims 12-15 of the '990 Patent; all the elements of at least Claims 1-2 and 8-9 of the '776 Patent are present in the Accused Systems; all the elements of at least Claims 1-8 of the '542 Patent are present in the Accused Systems; all the elements of at least Claim 16 of the '993 Patent are present in the Accused Systems; and all the elements of at least Claims 1-3 and 5-7 of the '270 Patent are present in the Accused Systems.

33. With regard to Claim 12 of the '990 Patent, the Accused Systems are Internet-connected and capable of uploading data that a user of the Accused Systems has selected from the user's personal computer through a web browser and, likewise, the Accused Systems are capable of downloading data stored on the Accused Systems' virtual data storage, that the user has selected, to the user's personal computer. *See Getting Started with Jungle Disk (Formerly Workgroup) Edition, JUNGLE DISK SUPPORT > WALKTHROUGHS > GETTING STARTED, <https://support.jungledisk.com/hc/en-us/articles/200807524-Getting-Started-with-Jungle-Disk-Formerly-Workgroup-Edition> (dated 1 year ago) (last visited Jan. 25, 2022) ("Jungle Disk is a multifaceted Cloud Backup software paired with Network Drive capabilities to help individuals or teams stay connected to their work, wherever they are.") (sections of this webpage are subsequently cited by step number and title, e.g., "STEP 2: DOMAIN SETUP"); *see id.* at STEP 2: DOMAIN SETUP ("The 'domain' field will be used to log into our software and into Web Access (Web Access is an Online tool used to view data you've uploaded to the Network Drive).").*

34. Further, the Accused Systems link with a user's computer and allow it to access the virtual data storage via a system website, [www.jungledisk.com](http://www.jungledisk.com), or using client software. *See id.*;

*Backup & Cloud Storage Downloads*, JUNGLE DISK – DOWNLOADS, <https://www.jungledisk.com/downloads/> (last visited Jan. 25, 2022) (listing client software). The virtual server allows access across multiple user devices by requiring the user to enter the user's personal account user identification from any of the multiple devices and verifying that information. *See* GETTING STARTED: I'M SETTING UP A NEW JUNGLE DISK ACCOUNT *FOR ACCOUNT ADMIN* – STEP 1: THE CONTROL PANEL ("Don't forget to note your login credentials (admin email and password)! To log into the Jungle Disk Control Panel, you can visit <https://secure.jungledisk.com/secure/account/>. (To log in, use the email address and password you used during the sign-up process)); STEP 3: USER SETUP, <https://support.jungledisk.com/hc/en-us/articles/200807524-Getting-Started-with-Jungle-Disk-Formerly-Workgroup-Edition> (last visited Jan. 25, 2022) ("Now that the domain is set, you need to create a User. If you'll be using Jungle Disk across a team, you may need to create several users."); JUNGLE DISK APPLICATION SECURITY LEVELS (PASSWORD PROMPT), <https://support.jungledisk.com/hc/en-us/articles/200807304-Jungle-Disk-Application-Security-Levels-Password-Prompt> (last visited Jan. 25, 2022).

35. Further, the Accused Systems require the user to enter the user's personal account user identification from the user's computer in order to access the user's data stored on the Accused Systems' virtual data storage. *See id.* ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software."). The instructions and interface to require creation of a user account and require the user to enter user identification via the Internet is shown below:

Users (protectjustservice.myjungledisk.com)

User License Summary	Quantity
Purchased:	3
In-Use:	1
Available:	2

[+ Create a New User](#)

Username:

Password:

Re-Type Password:

Tags (optional):

[What are these?](#)

Allow User to Change Password  
 Private Online Disk

[CREATE USER](#)

Username	Status
admin01	Enabled

*(Create a User)* (Screenshot taken Dec. 27, 2021)

**Jungle Disk** Support Downloads Contact Us Control Panel


**Jungle Disk Web Access**

Workgroup Login  Desktop Login

Domain:

User Name:

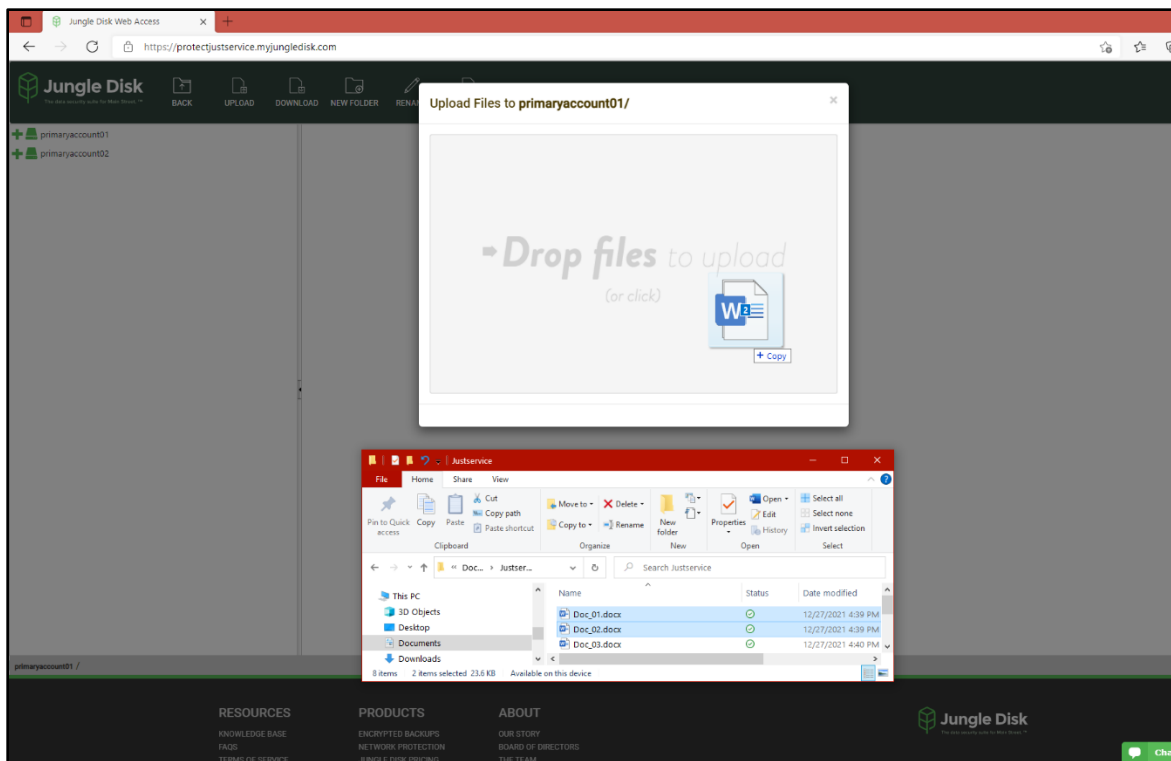
Password:

I'm not a robot 

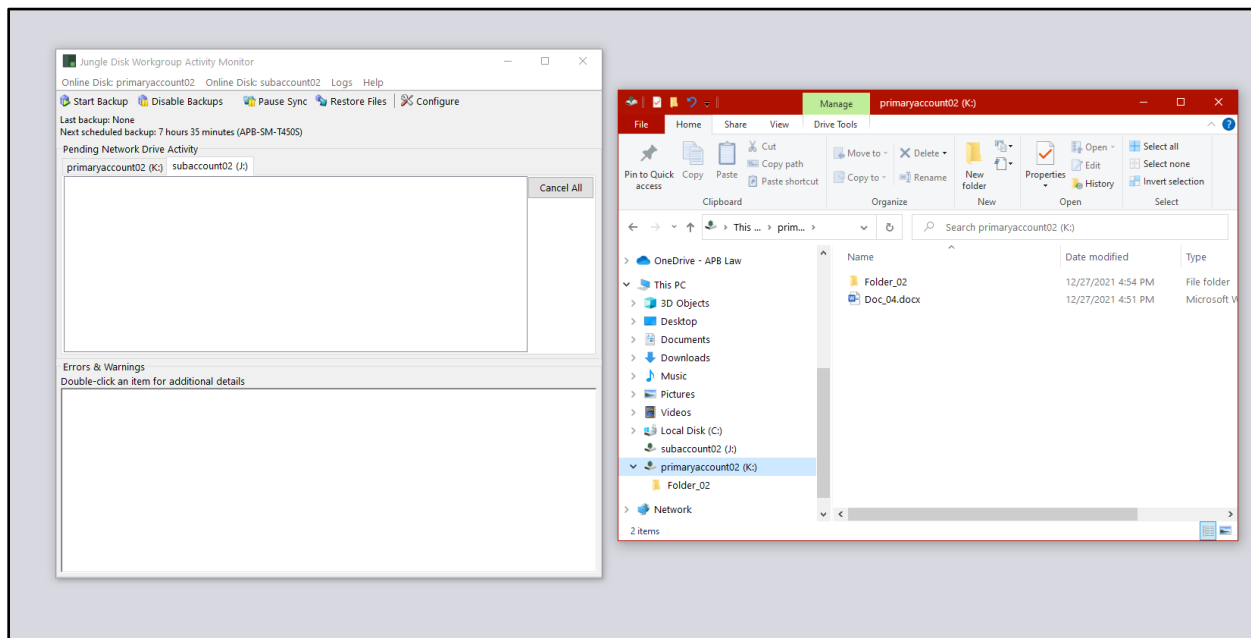
[Sign In](#)

*(User Identification)* (Screenshot taken Dec. 27, 2021)

36. The Accused Systems verify the user identification against stored information and, upon authentication, can download unique user data that becomes associated with the particular account. In order to download unique user data, Jungle Disk accesses and scans user files on the user's computer as shown below:

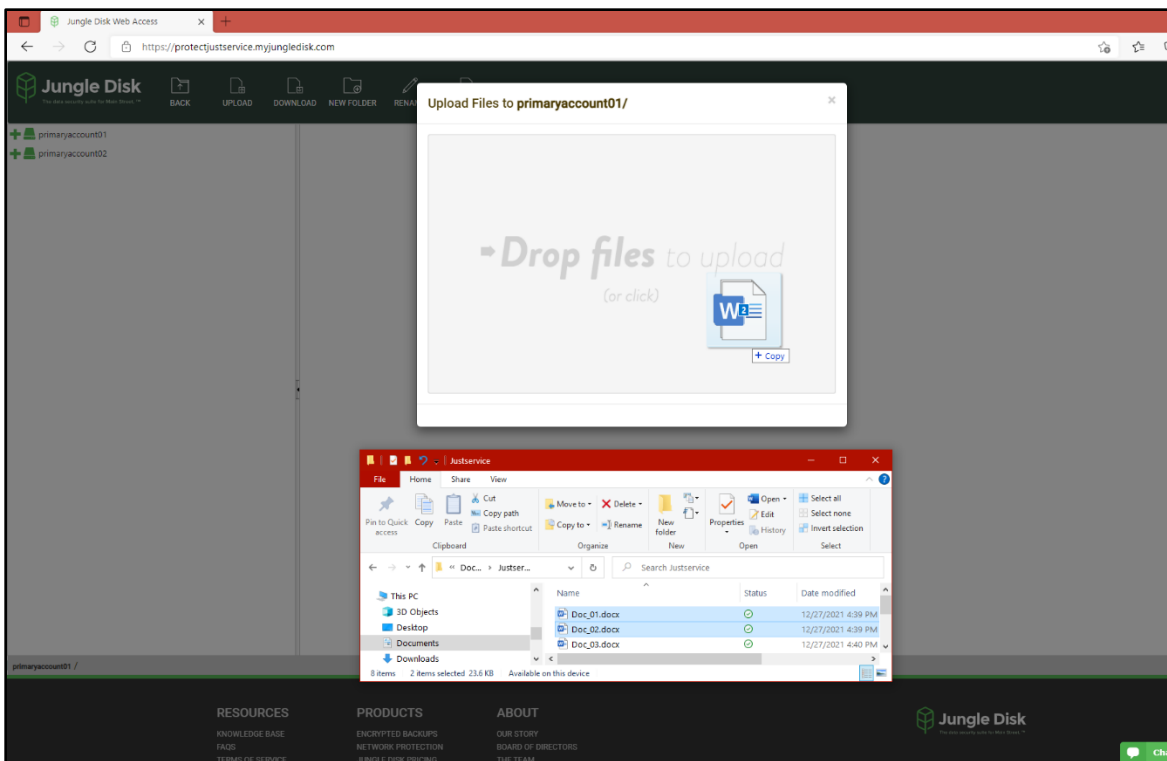


(Browser Client) (Screenshot taken Dec. 27, 2021)

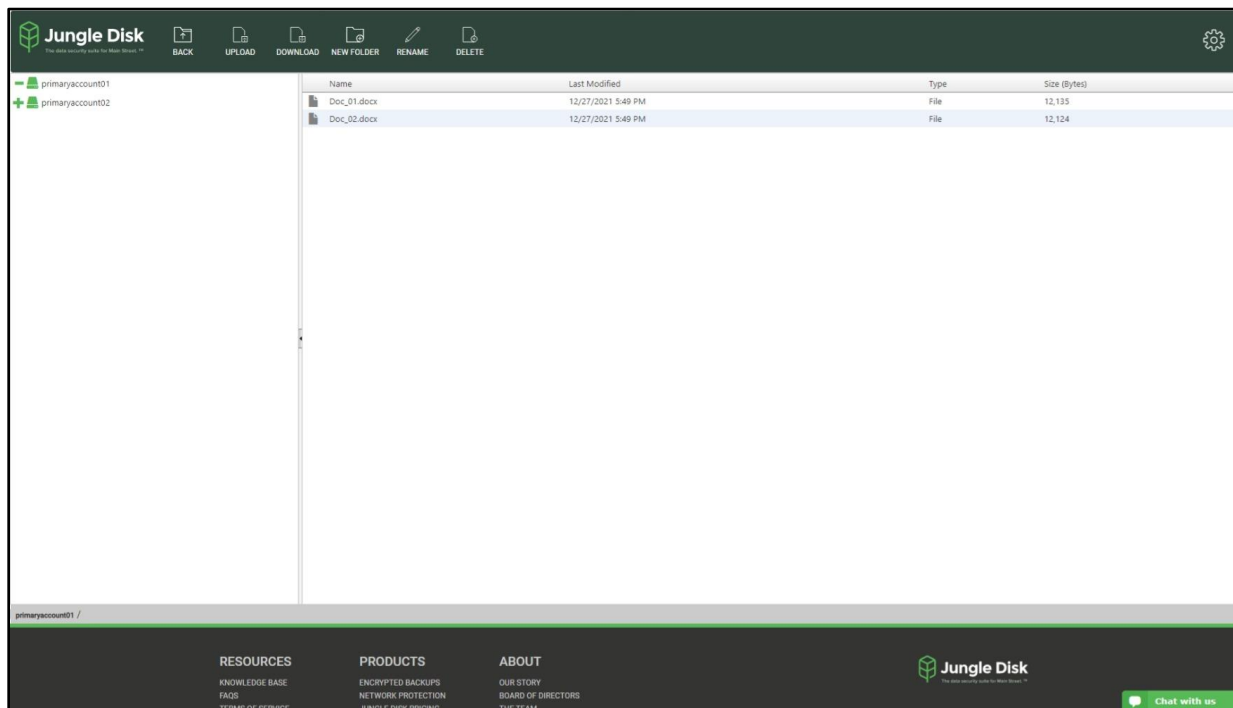


(Desktop Client) (Screenshot taken Dec. 27, 2021)

37. One interface created by the Accused Systems through a standard web browser for this process is shown below:



*(Files on a storage device of a user's computer scanned by Jungle Disk)  
(Screenshot taken Dec. 27, 2021)*



*(User data files downloaded by Jungle Disk) (Screenshot taken Dec. 27, 2021)*

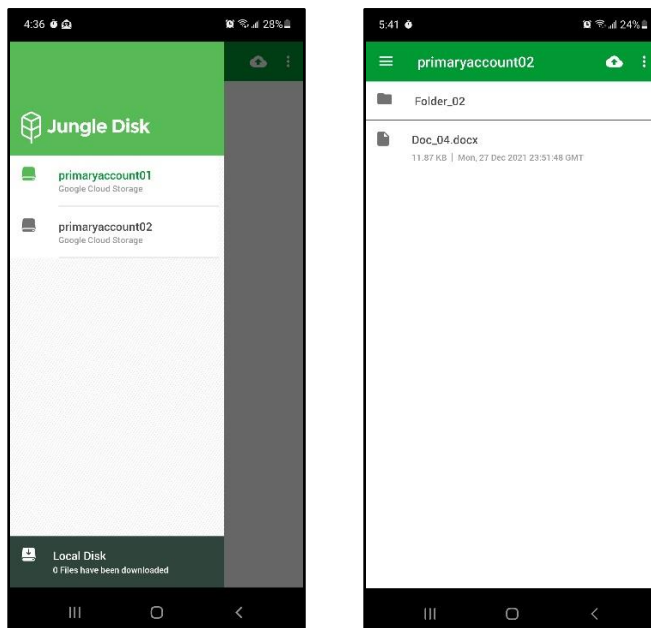
38. Many if not most computer users, including Jungle Disk customers, replace their computers over time and others experience failures that require service or replacement of their computer. Jungle Disk enables a user to access files stored on the Jungle Disk data storage from a replaced or repaired second computer by signing on to the user's existing Jungle Disk storage account at [www.jungledisk.com](http://www.jungledisk.com) using the second computer, thereby linking Jungle Disk's virtual storage system with the second computer and its storage device. Jungle Disk specifically markets this functionality. *See Frequently Asked Questions, JUNGLE DISK – WHY DO I NEED JUNGLE DISK? CAN I JUST USE YOUR CLOUD STORAGE PROVIDERS DIRECTLY?*, <https://www.jungledisk.com/faq/> (last visited Jan. 25, 2022) ("The power of Jungle Disk is that it is designed to make it as easy as possible to use cloud storage by integrating it directly into your local file system like any other drive. The automatic backup feature also makes it easy to keep your important files securely backed up."). Jungle Disk thereby transfers at least a portion of the unique files associated with a user account between the system computer data storage and a second computer's storage device via the Internet.

39. With regard to Claim 13 of the '990 Patent, the Accused Systems also function on all types of computers with web browsers including home and office computers. Jungle Disk facilitates login from and transfer of data between a user's home and office computers via the Accused Systems' virtual data servers. *See GETTING STARTED* ("Share files between employees and securely access data from outside the office."). Jungle Disk specifically encourages this functionality by allowing users to install client software on multiple computers to automate transfers between them, allowing linking to up to one hundred devices. *See id.* at *JUNGLE DISK – NO RESTRICTIONS ON HOW MUCH YOU BACKUP*. ("With Jungle Disk, your storage is truly unlimited and unrestricted. . . . You can also backup external drives, network drives, and NAS devices . . .");

*and see* JUNGLE DISK – PRICING. Testing shows that the virtual system will link with both an office and home computer using the same account.

40. With regard to Claim 14 of the '990 Patent, the Accused Systems also function to display contents of the second computer previously stored on the system computer when the system displays, for example, files previously downloaded by the system computer from an office computer on a home computer. See JUNGLE DISK – COMPLETE-BACKUP, <https://www.jungledisk.com/complete-backup/> (last visited Jan. 25, 2022) ("Collaboration features allow your team to share and access your files securely, from anywhere. Jungle Disk Backup includes Network Drive – a place for your team to securely store files in the cloud, access shared files and restore from previous versions, all within the ease of your native file system.").

41. With regard to Claim 15 of the '990 Patent, the Accused Systems also function to simultaneously display on the second computer contents of a storage device of the second computer.



*(Second computer display via Mobile Client) (Screenshots taken Dec. 27, 2021)*



42. With regard to Claim 1 of the '776 Patent, Jungle Disk also provides a software means for its Internet connected virtual data storage system to back up, store, access, retrieve, and transfer computer data from and to an account user computer storage device. *See* GETTING STARTED: STEP 3: USER SETUP ("Online Disk: Main storage point for Jungle Disk, this is where files and backups are stored. Accounts can have multiple Online Disks that can be accessed by one or many Users."). The software means further allows an account user to authorize subusers' access to account data files and limit file access permissions of subusers. *See id.* ("User: A non-administrative user who will be using the software to backup files and access files stored through Jungle Disk. . . . Administrators can set 'permissions' for users' access to disks."). Jungle Disk's Accused Systems include Jungle Disk accounts that each have multiple subaccounts.

43. Jungle Disk provides a software means for its virtual data storage system to verify each account user and subuser, by way of an authorized email address and password, and after verification, displays data files unique to the account user and for an authorized subuser consistent with the subuser's permissions. *See* GETTING STARTED: STEP 1: THE CONTROL PANEL ("Don't forget to note your login credentials (admin email and password)! To log into the Jungle Disk Control Panel, you can visit <https://secure.jungledisk.com/secure/account/>. (*To log in, use the email address and password you used during the sign-up process*")); GETTING STARTED: STEP 3: USER SETUP ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software.").

44. Jungle Disk transfers files to and from the user's personal computer by means of software and allows its account users to authorize subusers and set permissions for the subusers through means of software running in the virtual server and user web browser or client software.

By means of software installed on a user's computer Jungle Disk instructs the account user computer to recognize and display files solely associated with the user's account that are in reality resident on the system storage device as locally stored and accessible. This is accomplished through means of software running in the virtual server and client software as stated below:

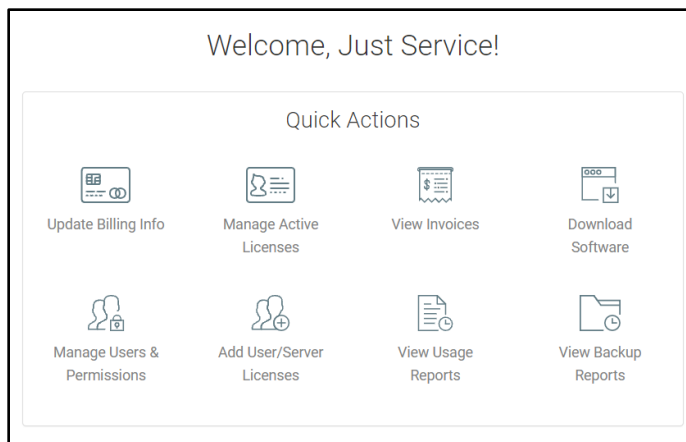
<p>Jungle Disk is a multifaceted <b>Cloud Backup</b> software paired with <b>Network Drive</b> capabilities to help individuals or teams stay connected to their work, wherever they are.</p>	<p>Cloud backup is a way to create a copy of your important data that is sent over a proprietary or public network to an off-site server.</p>
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<p>Jungle Disk is a multifaceted <b>Cloud Backup</b> software paired with <b>Network Drive</b> capabilities to help individuals or teams stay connected to their work, wherever they are.</p>	<p>A Network Drive is a virtual disk drive that can be mounted to multiple machines to facilitate easy file sharing between users.</p>
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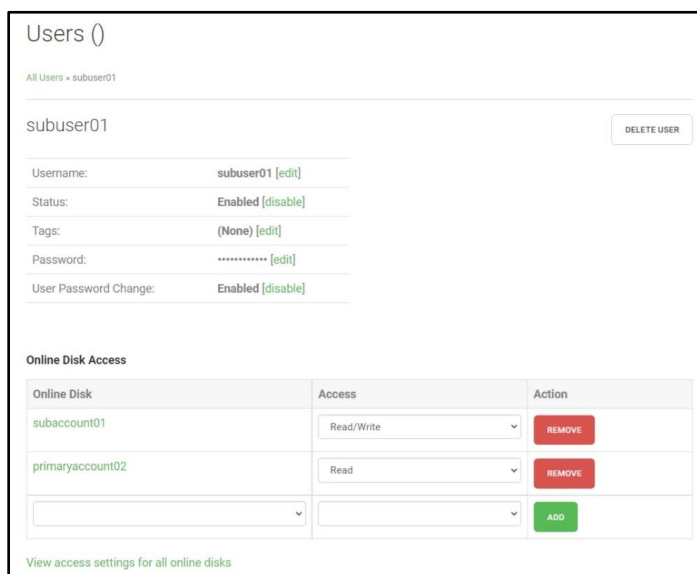
*"Jungle Disk is a multifaceted **Cloud Backup** software paired with **Network Drive** capabilities to help individuals or teams stay connected to their work, wherever they are. Cloud backup is a way to create a copy of your important data that is sent over a proprietary or public network to an off-site server. A Network Drive is a virtual drive that can be mounted to multiple machines to facilitate easy file sharing between users." See id. at GETTING STARTED.*

45. Further, when a Jungle Disk user logs off, Jungle Disk software instructs the user's computer and its client software to no longer recognize the Jungle Disk virtual data storage as available in local storage.

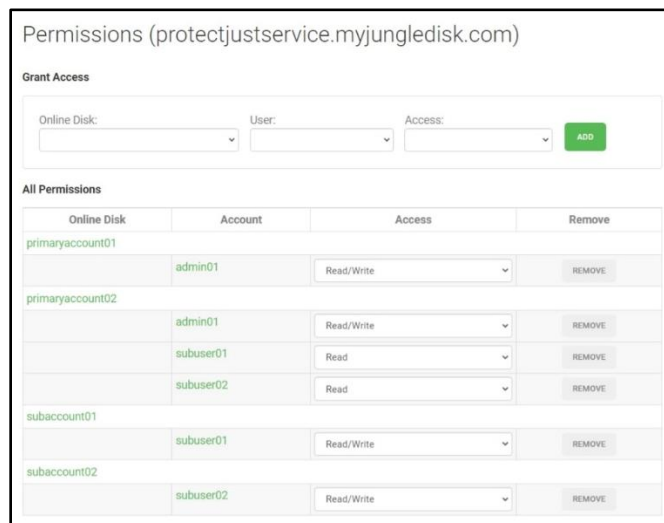
46. With regard to Claim 2 of the '776 Patent, Jungle Disk also has software means that displays a graphic user interface through a web browser that allows users to set file access permissions for subaccounts. See GETTING STARTED: STEP 3: USER SETUP ("User: A non-administrative user who will be using the software to backup files and access files stored through Jungle Disk. . . . Online Disk: Main storage point for Jungle Disk, this is where files and backups are stored. Accounts can have multiple Online Disks that can be accessed by one or many Users. Administrators can set 'permissions' for users' access to disks."). One graphical user interface created by the Accused Systems for this process, which creates default file control access, is shown below:



(Control Panel) (Screenshot taken Oct. 14, 2021)

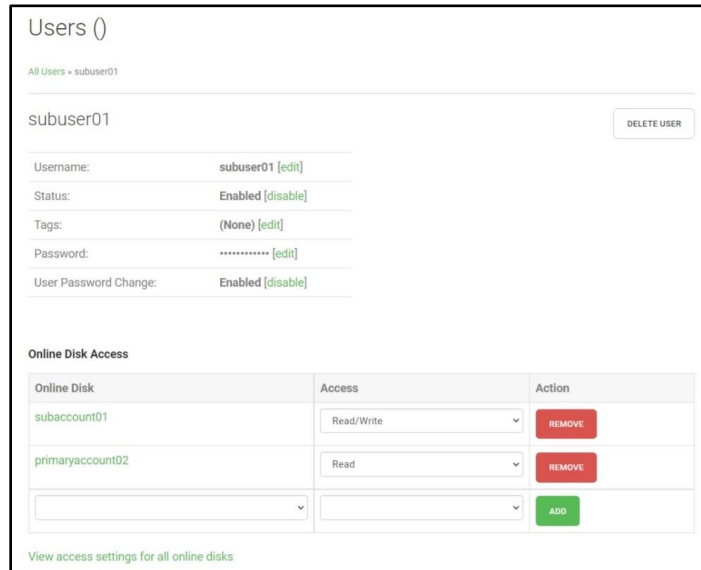


(User Permissions) (Screenshot taken Dec. 27, 2021)

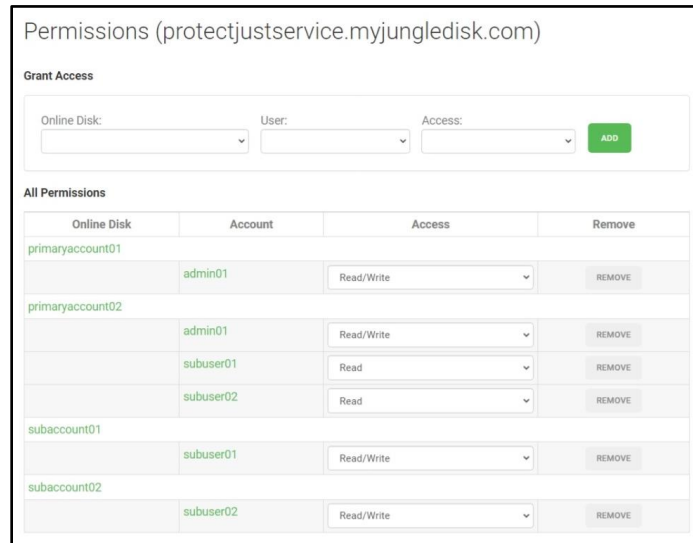


(Disk Permissions) (Screenshot taken Dec. 27, 2021)

47. With regard to Claim 8 of the '776 Patent, Jungle Disk provides Permissions interfaces specific to individual subusers or users, allowing withdrawal of access permissions from a specific user or subuser. One graphical user interface created by the Accused Systems for this process, which allows control of Access Permissions for individual users, is shown below:



*(User Permissions)* (Screenshot taken Dec. 27, 2021)



*(Disk Permissions)* (Screenshot taken Dec. 27, 2021)

48. With regard to Claim 9 of the '776 Patent, Jungle Disk’s servers include multiple auxiliary storage devices through Amazon Web Services and Google Cloud Platform that maintain

backup copies of the contents of the system computer's storage in multiple locations. *See* AMAZON S3 FAQs – GENERAL S3 FAQs, <https://aws.amazon.com/s3/faqs/?nc=sn&loc=7> (last visited Jan. 25, 2022) ("Q: Where is my data stored? You specify an [Amazon Web Services 'AWS'] Region . . . Q: What is an AWS Region? An AWS Region is a geographic location . . . Q: In which parts of the world is Amazon S3 available? Amazon S3 is available in AWS Regions worldwide . . . ."); GOOGLE – GEOGRAPHY AND REGIONS, <https://cloud.google.com/docs/geography-and-regions> (last visited Jan. 25, 2022) ("Google Cloud infrastructure services are available in location across North America, South America, Europe, Asia, and Australia.").

Our top-tier security features meet the highest regulatory and compliance standards.

- ✓ Certified, military-grade AES-256 encryption
- ✓ Meets PCI, HIPAA, and other requirements
- ✓ Separate backup vaults to manage data access
- ✓ World-class audited data centers in Amazon Web Services and Google Cloud Platform
- ✓ Customer-controlled encryption keys

*See* JUNGLE DISK – COMPLETE-BACKUP.

49. With regard to Claims 1 and 2 of the '542 Patent, a plurality of Jungle Disk user accounts also have a primary account user and further include one or more user subaccounts, managed by at least one account administrator. *See* GETTING STARTED: STEP 3: USER SETUP ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software. . . Administrators can set 'permissions' for users' access to disks. From the main page, click 'Manage Users & Permission'.").

50. Jungle Disk's Accused Systems include multiple accounts that each have multiple subaccounts. *See* JUNGLE DISK, <https://www.jungledisk.com/> (last visited Jan. 25, 2022) ("Trusted by over 25,000 customers to provide personalized service for digital record protection.").

51. Primary account users for Jungle Disk can manage others' file rights to primary account files shared on the virtual server. *See* GETTING STARTED: STEP 3: USER SETUP ("Administrators can set 'permissions' for users' access to disks. From the main page, click 'Manage Users & Permission.'"); *See* GETTING STARTED: STEP 3: USER SETUP ("Administrators can set 'permissions' for users' access to disks. From the main page, click 'Manage Users & Permission.'"); *and see* I'M SETTING UP A NEW JUNGLE DISK ACCOUNT FOR ACCOUNT ADMIN – STEP 4: ONLINE DISK SETUP, <https://support.jungledisk.com/hc/en-us/articles/200807524> (last visited Jan. 25, 2022) ("If you will have more than one user accessing an Online Disk, you will need to manually apply access rights for those users. Access can be set up in three different sections in the Control Panel . . ."). One graphical user interface created by the Accused Systems for this process, which allows control of Access Permissions for individual users, is shown below:

The screenshot displays the 'Users ()' management interface. At the top, it shows 'All Users > subuser01'. Below this, the user 'subuser01' is listed with a 'DELETE USER' button. The user details include:

- Username: subuser01 [edit]
- Status: Enabled [disable]
- Tags: (None) [edit]
- Password: ..... [edit]
- User Password Change: Enabled [disable]

Below the user details is the 'Online Disk Access' section, which contains a table with the following data:

Online Disk	Access	Action
subaccount01	Read/Write	REMOVE
primaryaccount02	Read	REMOVE
[Dropdown]	[Dropdown]	ADD

At the bottom of the table, there is a link: 'View access settings for all online disks'.

(User Permissions) (Screenshot taken Dec. 27, 2021)

Permissions (protectjustservice.myjungledisk.com)

**Grant Access**

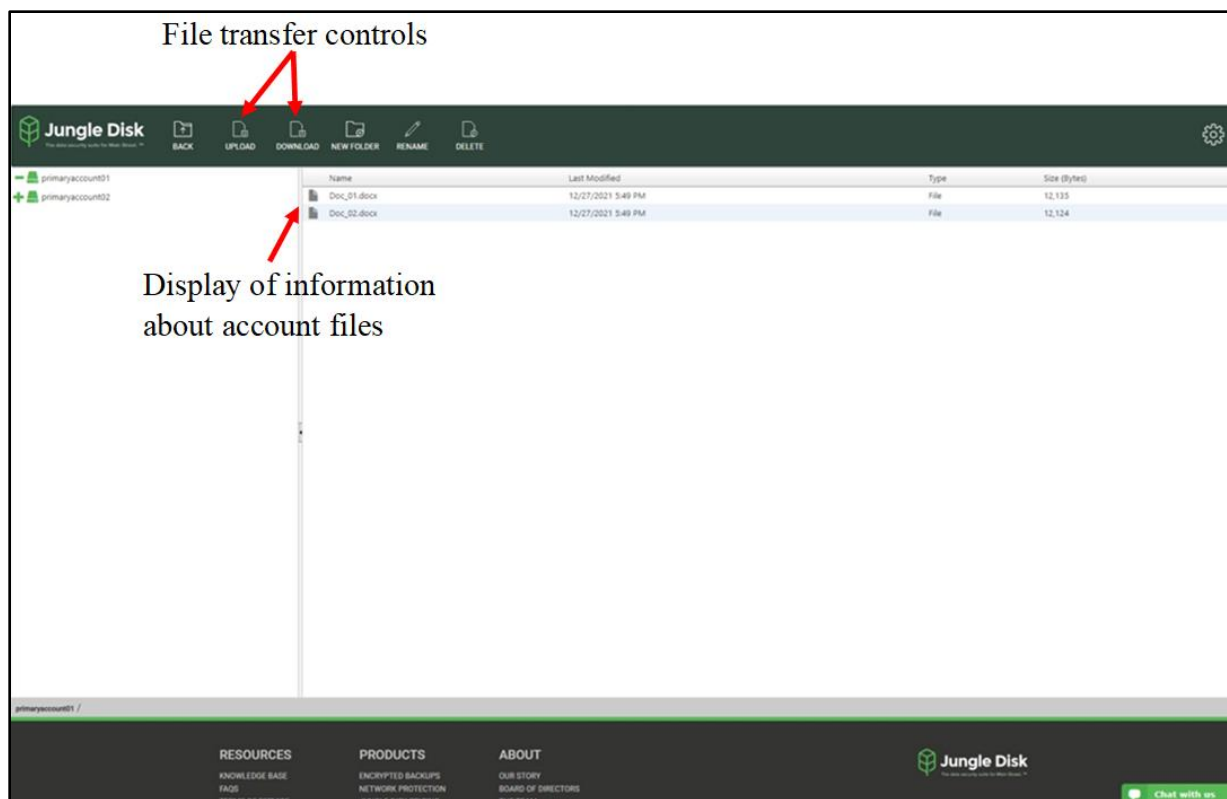
Online Disk:  User:  Access:

**All Permissions**

Online Disk	Account	Access	Remove
<b>primaryaccount01</b>			
	admin01	Read/Write	REMOVE
<b>primaryaccount02</b>			
	admin01	Read/Write	REMOVE
	subuser01	Read	REMOVE
	subuser02	Read	REMOVE
<b>subaccount01</b>			
	subuser01	Read/Write	REMOVE
<b>subaccount02</b>			
	subuser02	Read/Write	REMOVE

(Disk Permissions) (Screenshot taken Dec. 27, 2021)

52. Jungle Disk verifies each account user before allowing access to the Jungle Disk storage account. Once verified, Jungle Disk will display information about files related to the particular account and transfer such files between the virtual data storage system and the account user's computer. See COMPLETE-BACKUP ("Collaboration features allow your team to share and access your files securely, from anywhere. Jungle Disk Backup includes Network Drive – a place for your team to securely store files in the cloud, access shared files and restore from previous versions, all within the ease of your native file system."). One graphical user interface created by the Accused Systems for this functionality is shown below:



*(File transfer controls and display of information about account files)*  
 (Screenshot taken Dec. 27, 2021)

53. With regard to Claim 3 of the '542 Patent, Jungle Disk's virtual server maintains the file rights associated with files stored in Jungle Disk subaccounts. *See* GETTING STARTED: STEP 3: USER SETUP ("User: A non-administrative user who will be using the software to backup files and access files stored through Jungle Disk. . . Online Disk: Main storage point for Jungle Disk, this is where files and backups are stored. Accounts can have multiple Online Disks that can be accessed by one or many Users. Administrators can set 'permissions' for users' access to disks."). One graphical user interface created by the Accused Systems to control stored file rights is shown below:



Users ()

All Users » subuser01

subuser01 DELETE USER

Username: subuser01 [edit]

Status: Enabled [disable]

Tags: (None) [edit]

Password: \*\*\*\*\* [edit]

User Password Change: Enabled [disable]

**Online Disk Access**

Online Disk	Access	Action
subaccount01	Read/Write	REMOVE
primaryaccount02	Read	REMOVE
<input type="text"/>	<input type="text"/>	ADD

View access settings for all online disks

(User Permissions) (Screenshot taken Dec. 27, 2021)

Permissions (protectjustservice.myjungledisk.com)

**Grant Access**

Online Disk:  User:  Access:  ADD

**All Permissions**

Online Disk	Account	Access	Remove
primaryaccount01	admin01	Read/Write	REMOVE
primaryaccount02	admin01	Read/Write	REMOVE
	subuser01	Read	REMOVE
	subuser02	Read	REMOVE
subaccount01	subuser01	Read/Write	REMOVE
subaccount02	subuser02	Read/Write	REMOVE

(Disk Permissions) (Screenshot taken Dec. 27, 2021)

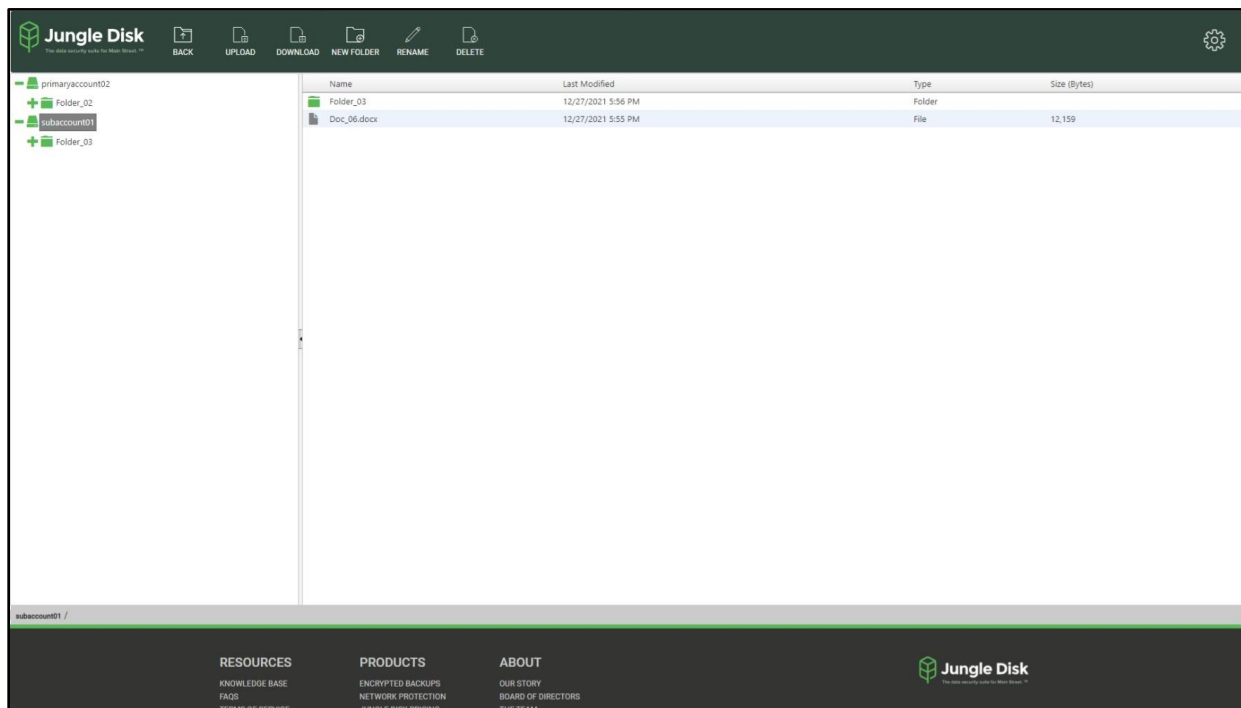
54. With regard to Claim 4 of the '542 Patent, Jungle Disk provides an Access Permissions interface specific to individual subusers or users, allowing withdrawal of access permissions from a specific user or subuser.

55. With regard to Claim 5 of the '542 Patent, Jungle Disk's servers include multiple auxiliary storage devices that maintain backup copies of the contents of the system computer's storage in multiple locations. *See* JUNGLE DISK – COMPLETE-BACKUP ("World-class audited data

centers in Amazon Web Services and Google Cloud Platform"); AMAZON S3 FAQs – GENERAL S3 FAQs ("Q: Where is my data stored? You specify an [Amazon Web Services 'AWS'] Region . . . Q: What is an AWS Region? An AWS Region is a geographic location . . . Q: In which parts of the world is Amazon S3 available? Amazon S3 is available in AWS Regions worldwide . . ."); GOOGLE – GEOGRAPHY AND REGIONS ("Google Cloud infrastructure services are available in location across North America, South America, Europe, Asia, and Australia.").

56. With regard to Claim 6 of the '542 Patent, Jungle Disk backs up user files periodically to multiple server locations. *See id.*; and see GETTING STARTED: I'M INSTALLING AND SETTING UP THE SOFTWARE, <https://support.jungledisk.com/hc/en-us/articles/200807524-Getting-Started-with-Jungle-Disk-Formerly-Workgroup-Edition> (dated 1 year ago) (last visited Jan. 25, 2022) (detailing how to set up the Automatic Backup feature).

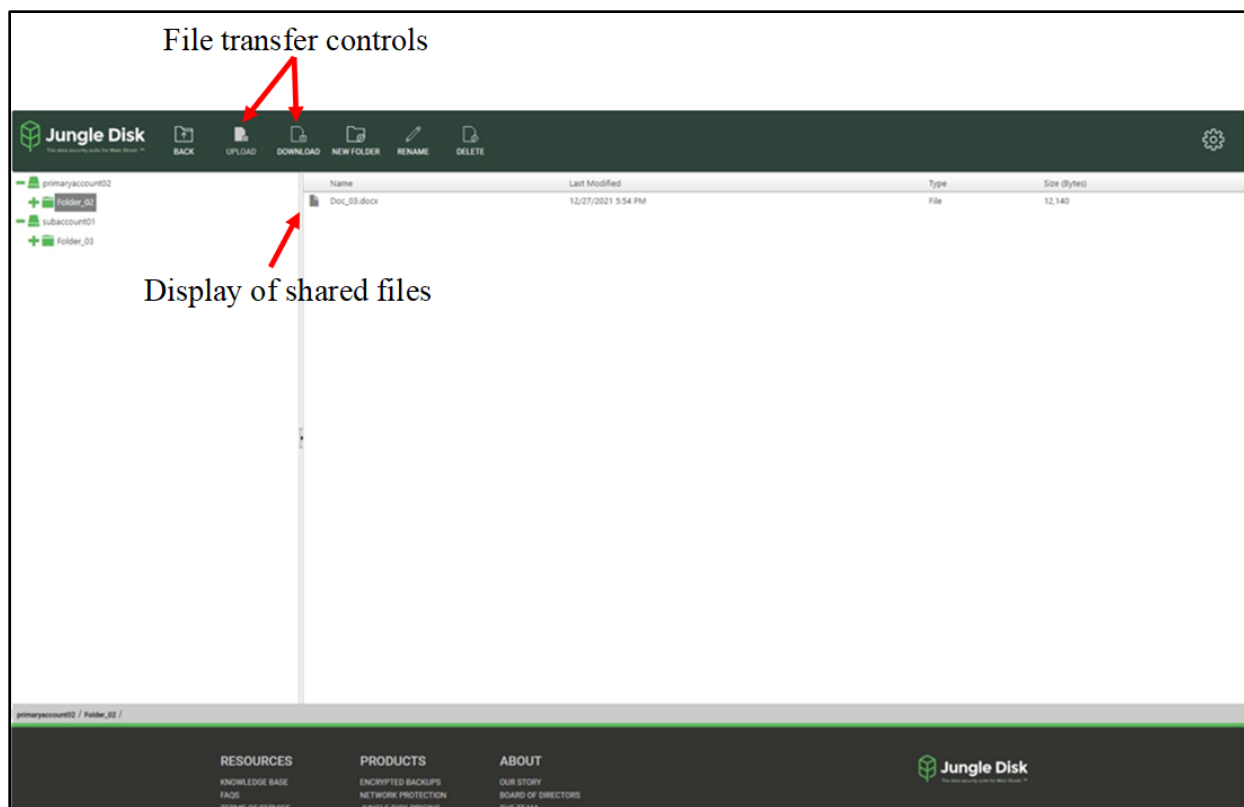
57. With regard to Claim 7 of the '542 Patent, Jungle Disk displays over the Internet a list of files stored on its virtual server for a particular user, as shown below:



(Browser application portraying stored files for subuser01) (Screenshot taken Dec. 27, 2021)

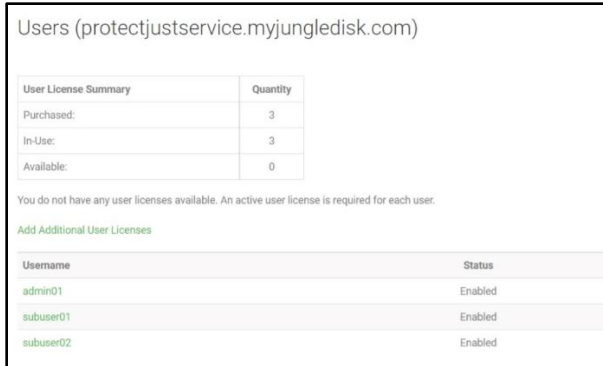
58. With regard to Claim 8 of the '542 Patent, Jungle Disk uses servers connected to the Internet. See JUNGLE DISK – SETTING UP YOUR JUNGLE DISK ACCOUNT (FOR ADMINS), <https://support.jungledisk.com/hc/en-us/articles/4410659186459-Setting-up-your-Jungle-Disk-Account-for-admins-> (last visited Jan. 25, 2022) ("Backup data using your choice of Amazon S3 or Google Cloud Storage."); JUNGLE DISK – SECURITY AWARENESS TRAINING – PRE-DEPLOYMENT., <https://support.jungledisk.com/hc/en-us/articles/360049542334-Security-Awareness-Training-Pre-Deployment-> (last visited Jan. 25, 2022) (listing minimum system requirements for browsers for Windows OS, Mac OS, and Linux OS).

59. With regard to Claim 16 of the '993 Patent, Jungle Disk is adapted to connect over the Internet to a user's computer upon verification of the user's identification and display its virtual data storage in a browser window on the user's computer. Jungle Disk further displays information related to the stored files and displays various functions that the virtual server is capable of performing, such as upload, download, and share file functions.

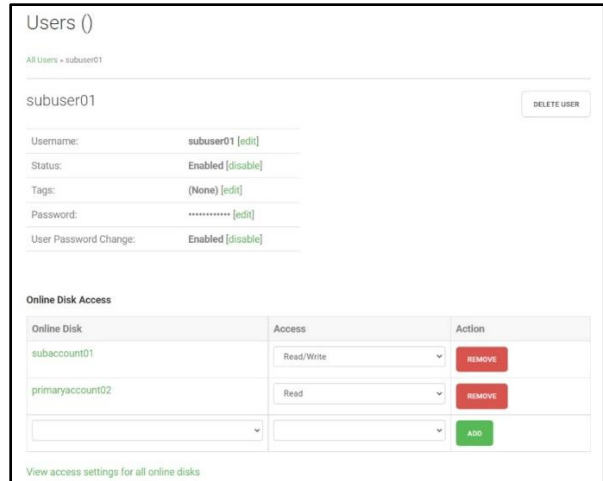


(Displaying subuser01) (Screenshot taken Dec. 27, 2021)

60. Jungle Disk is capable of uploading a first group of user-selected files and downloading a second group of user selected files to and from the user's computer using the graphical user interface, as shown above. Jungle Disk is also adapted to manage a plurality of user accounts whereby there is a primary account user, i.e., the "admin." Is the primary account user and can set file right permissions for subaccounts, i.e., the invited "users" hold subaccounts. *See* GETTING STARTED: STEP 3: USER SETUP ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software. . . . Administrators can set 'permissions' for users' access to disks. From the main page, click 'Manage Users & Permission.'").

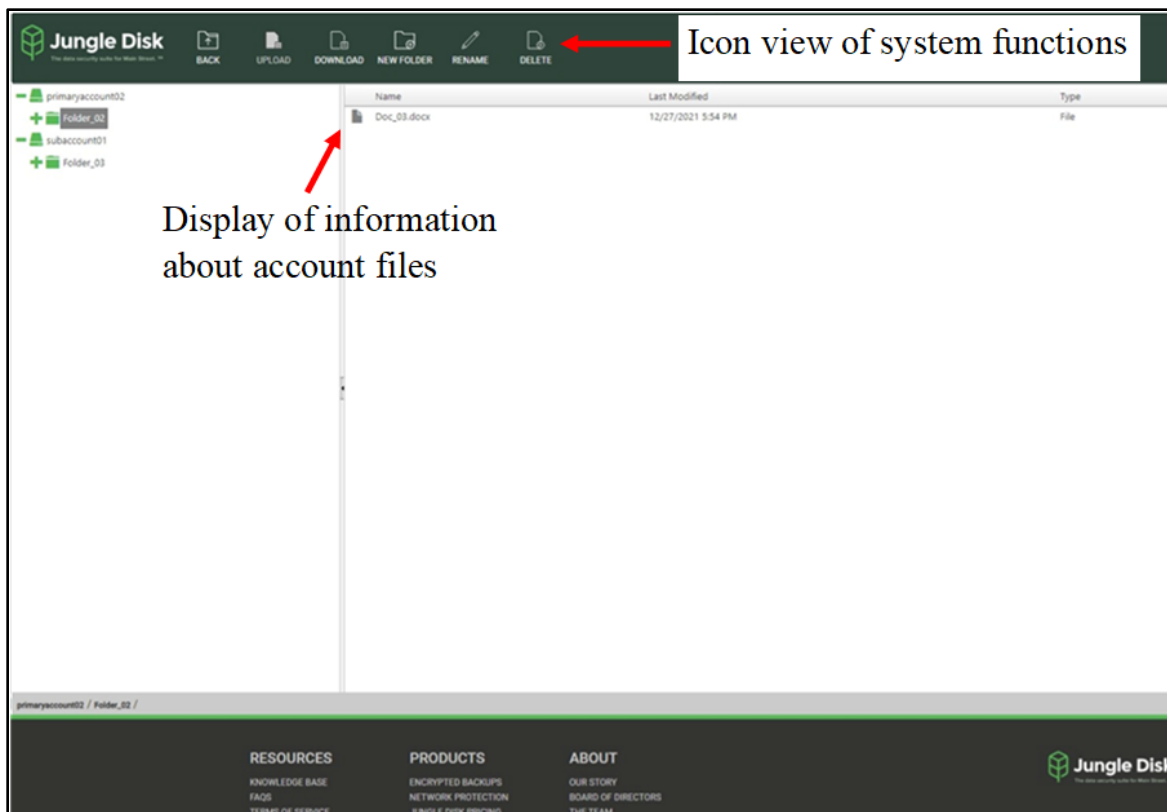


*(Plurality of user accounts)*  
 (Screenshot taken Dec. 27, 2021)



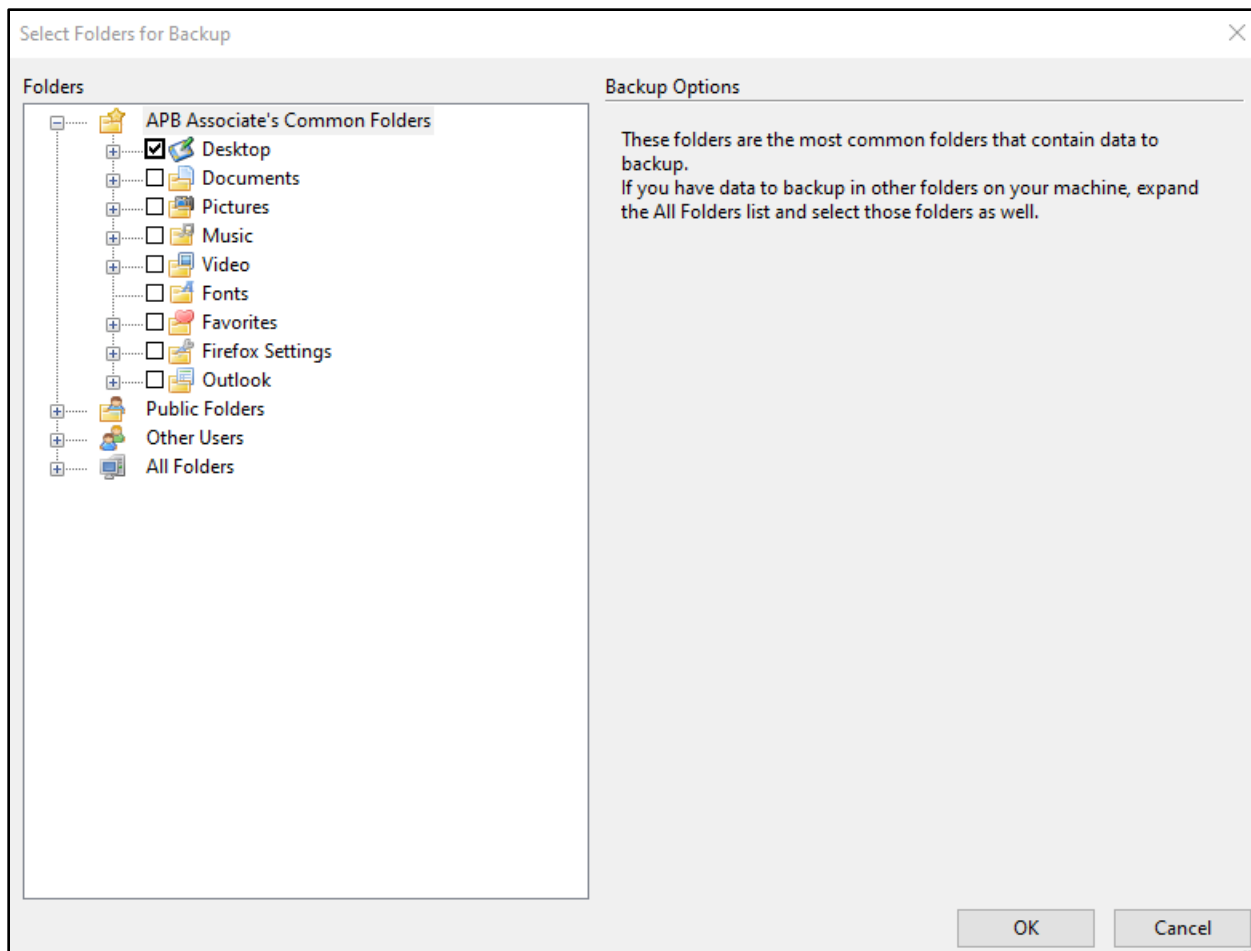
*(User Permissions)*  
 (Screenshot taken Dec. 27, 2021)

61. Jungle Disk verifies each account user before allowing access to the Jungle Disk storage account. Once verified, Jungle Disk will display information about files related to the particular account and transfer such files between the virtual data storage system and the account user's computer. See COMPLETE-BACKUP ("Collaboration features allow your team to share and access your files securely, from anywhere. Jungle Disk Backup includes Network Drive – a place for your team to securely store files in the cloud, access shared files and restore from previous versions, all within the ease of your native file system."). One graphical user interface created by the Accused Systems for this functionality that includes an icon view of system functions is shown below:



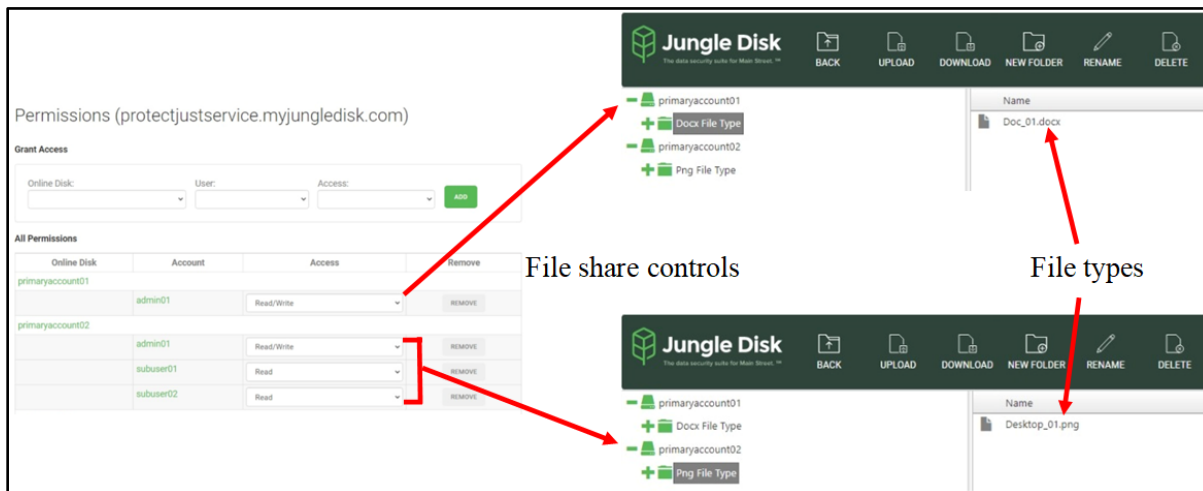
(Screenshot taken Dec. 27, 2021)

62. Jungle Disk enables account holders to limit access by file type by limiting particular users or non-owners' access to certain file types or folders, including limiting the ability to access files by type and share files by type. In particular, Jungle Disk allows users to select file types and categories of files for upload and synchronization with particular disks to which users can control access. An exemplary interface that Jungle Disk creates to allow users to upload and grant access to particular files by file type is shown below:



(Screenshot taken Jan 18, 2022)

63. One graphical user interface created by the Accused Systems to control stored file rights is shown below:



(Screenshots taken Dec. 27, 2021)

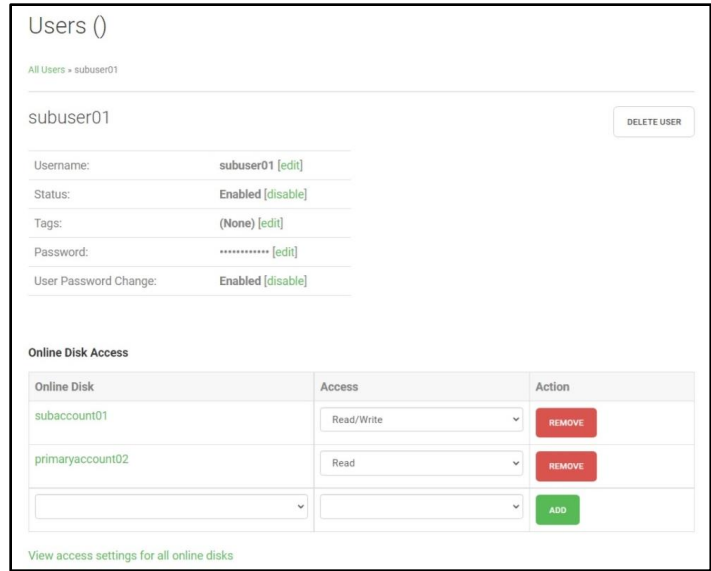
64. With regard to Claim 1 of the '270 Patent, data centers that run Jungle Disk also consist of server racks that have a processor coupled to a memory for implementing instructions, including transferring over a network and storing information. *See* SETTING UP YOUR JUNGLE DISK ACCOUNT (FOR ADMINS) ("Backup data using your choice of Amazon S3 or Google Cloud Storage."); AMAZON S3 FAQs – GENERAL S3 FAQs ("Q: What is Amazon S3? Amazon S3 is object storage built to store and retrieve any amount of data from anywhere."); GOOGLE – GOOGLE CLOUD OVERVIEW, <https://cloud.google.com/docs/overview> (last visited Jan. 25, 2022) ("Google Cloud consists of a set of physical assets, such as computers and hard disk drives, and virtual resources, such as virtual machines (VMs), that are contained in Google's data centers around the globe. Each data center location is in a *region*"). Jungle Disk verifies user access to a particular user account by requiring the user to enter login credentials such as the user's email address and password. *See* GETTING STARTED: STEP 1: THE CONTROL PANEL ("Don't forget to note your login credentials (admin email and password)! To log into the Jungle Disk Control Panel, you can visit <https://secure.jungledisk.com/secure/account/>. (To log in, use the email address and password you used during the sign-up process)"); JUNGLE DISK APPLICATION SECURITY LEVELS (PASSWORD PROMPT). Jungle Disk hosts a plurality of user accounts, each including one or more files, even at account creation as discussed above. *See* STEP 3: USER SETUP ("Now that the domain is set, you need to create a User. If you'll be using Jungle Disk across a team, you may need to create several users.").

65. Jungle Disk verifies each account user and subaccount user before allowing access to their Jungle Disk storage account. Once verified, Jungle Disk will store information about files received from the particular account and transfer information about files associated with an account between the virtual data storage system and the account user's computer. *See* COMPLETE-

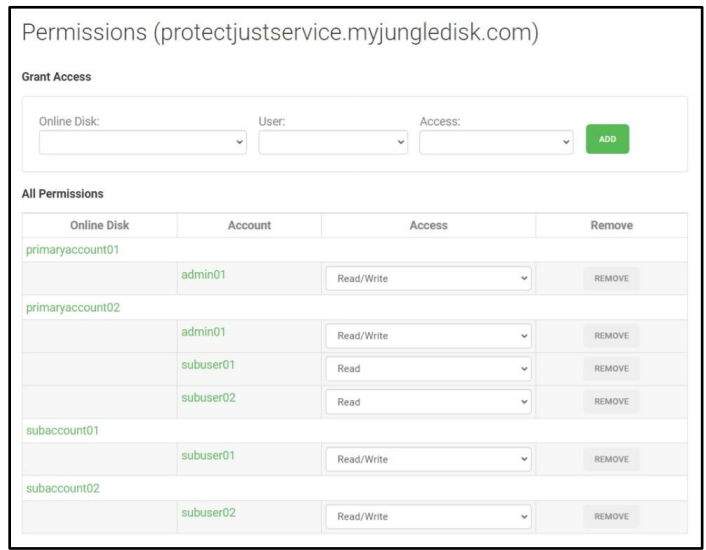


BACKUP ("Collaboration features allow your team to share and access your files securely, from anywhere. Jungle Disk Backup includes Network Drive – a place for your team to securely store files in the cloud, access shared files and restore from previous versions, all within the ease of your native file system.").

66. Jungle Disk allows the holder of a user account to manage several subaccounts where the subaccounts are associated with a particular user account and there is at least one subaccount user associated with each subaccount. *See* GETTING STARTED: STEP 3: USER SETUP ("Now that the domain is set, you need to create a User. If you'll be using Jungle Disk across a team, you may need to create several users."). Jungle Disk allows a primary user account to create accounts for others, i.e., subaccounts, and to invite other users to use those accounts. Jungle Disk further allows a primary account user to set file right permissions of the subaccounts such as the right to view, edit, add, or delete files. For Jungle Disk, the "admin" is the primary user account and invites "users" to hold subaccounts. *See* STEP 3: USER SETUP ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software. . . . Administrators can set 'permissions' for users' access to disks. From the main page, click 'Manage Users & Permission'."). Such subaccounts are associated with and store files, and the controlling file access permissions for associated files, including accessing and deleting files, can be limited. *See id.*



(User Permissions) (Screenshot taken Dec. 27, 2021)



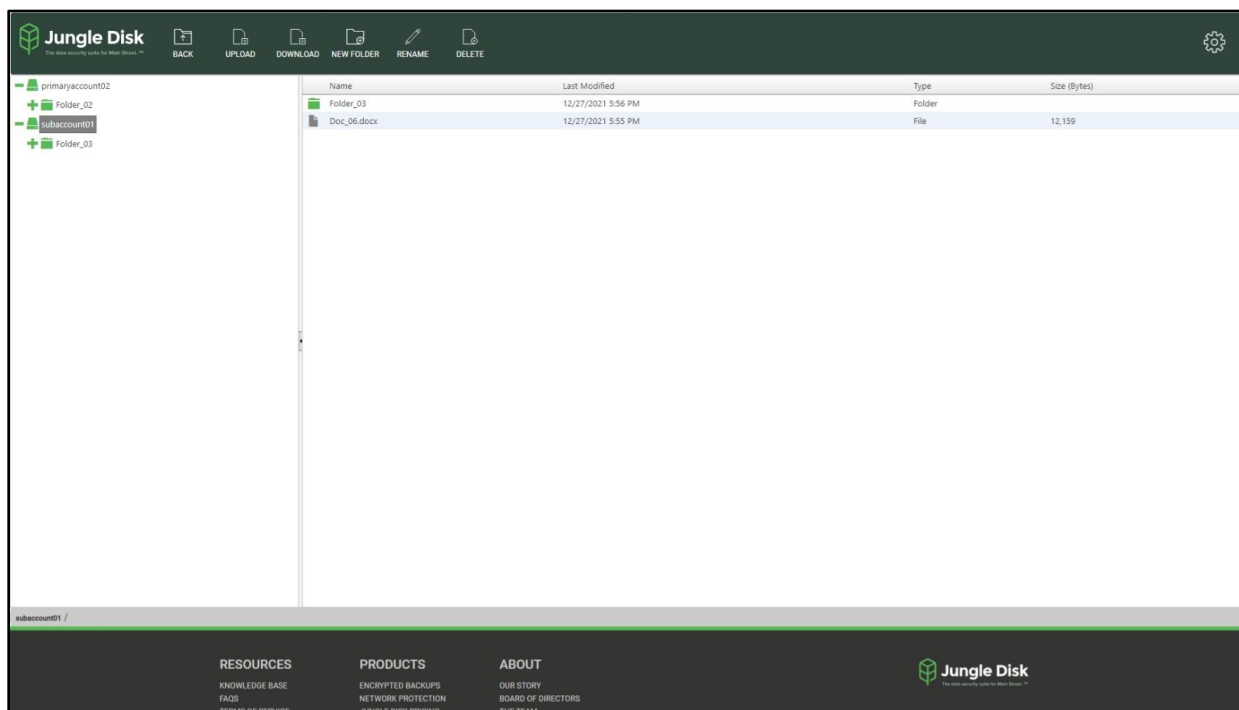
(Disk Permissions) (Screenshot taken Dec. 27, 2021)

67. With regard to Claims 2-3 of the '270 Patent, Jungle Disk provides primary account users with the ability to control user file rights permissions for associated subaccounts, such as access to shared files and folders. *See id.*

68. With regard to Claim 5 of the '270 Patent, Jungle Disk periodically transfers the contents of user accounts to auxiliary storage locations for back up. *See JUNGLE DISK – COMPLETE-BACKUP* ("World-class audited data centers in Amazon Web Services and Google Cloud

Platform"); AMAZON S3 FAQs – GENERAL S3 FAQs ("Q: Where is my data stored? You specify an [Amazon Web Services 'AWS'] Region . . . . Q: What is an AWS Region? An AWS Region is a geographic location . . . . Q: In which parts of the world is Amazon S3 available? Amazon S3 is available in AWS Regions worldwide . . . ."); GOOGLE – GEOGRAPHY AND REGIONS ("Google Cloud infrastructure services are available in location across North America, South America, Europe, Asia, and Australia.").

69. With regard to Claims 6-7 of the '270 Patent, Jungle Disk displays over the Internet a list of files stored on its virtual server for a particular user including information about those files, as shown below:



*(Browser application portraying stored files for subuser01) (Screenshot taken Dec. 27, 2021)*

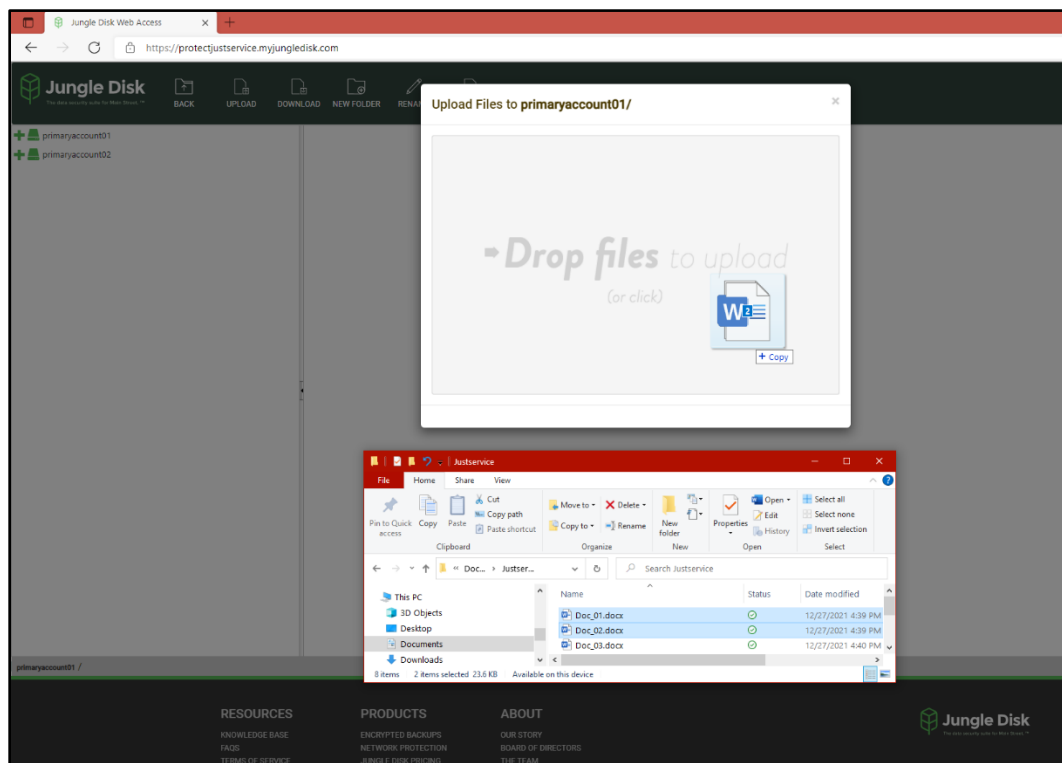
70. Jungle Disk configures, maintains, operates, and uses the Accused Systems and provides controlled authorization to its customers to access and use the Accused Systems via an internet browser or by downloading and using an application (software) on a user device.

71. Specifically, as provided by Jungle Disk's Terms of Service, Jungle Disk controls customer access and use by requiring customers who want to use the Accused Systems to give Jungle Disk permission to host the customer's data and access the customer's computer, tablet, or mobile device. *See Jungle Disk, LLC – Terms of Service (TOS)*, JUNGLE DISK – 4. CUSTOMER DATA, <https://www.jungledisk.com/tos/> (last visited Jan. 25, 2022). Jungle Disk further requires its customers to give Jungle Disk permission to upload, download, and share the customer's data when the customer asks Jungle Disk to do so. *Id.*

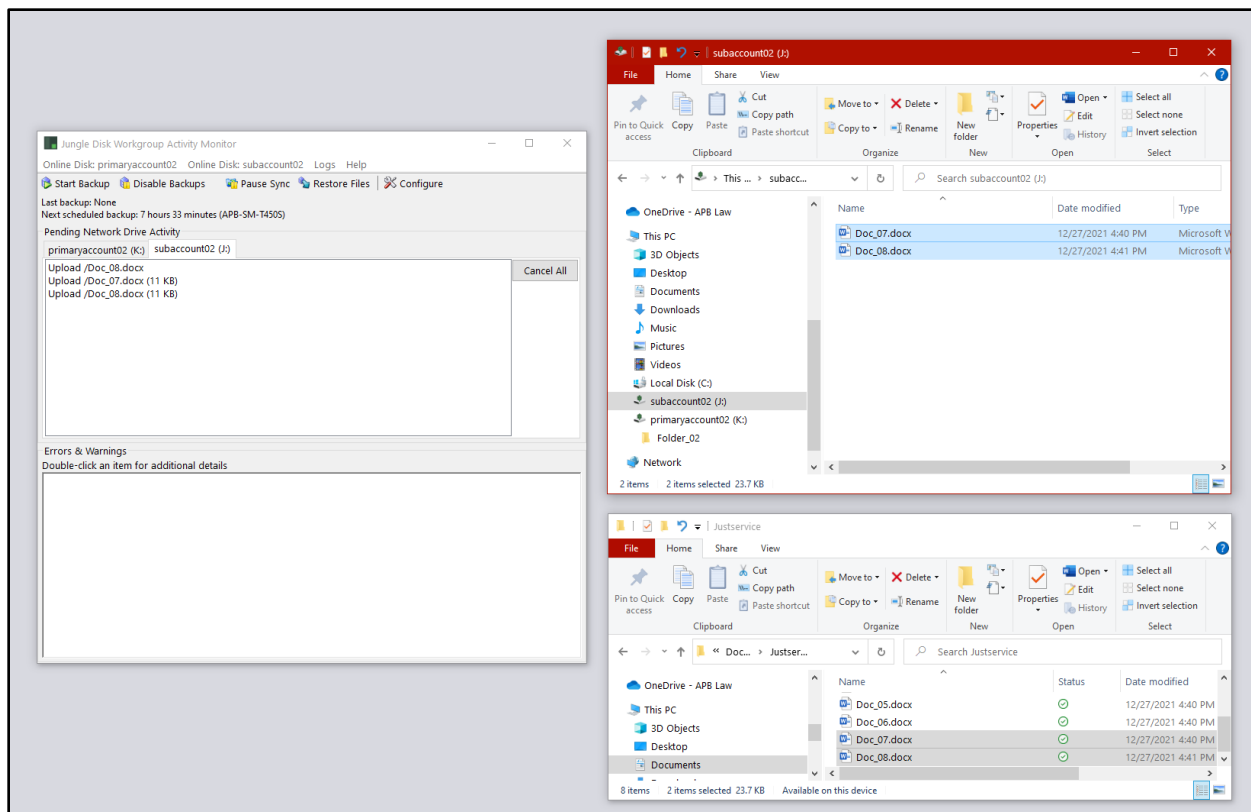
72. Furthermore, Jungle Disk controls customer access by requiring customers wishing to use the Accused Systems to create a personal account identification. Jungle Disk directs customers to enter the elected domain name and their email address, username, and a password to create a personal account identification and subsequently access and use the Accused Systems. *See id.* at 3. WHO MAY USE THE SERVICES; GETTING STARTED: STEP 1: THE CONTROL PANEL ("Don't forget to note your login credentials (admin email and password)! To log into the Jungle Disk Control Panel, you can visit <https://secure.jungledisk.com/secure/account/>. (To log in, use the email address and password you used during the sign-up process)); STEP 2: DOMAIN SETUP ("The 'domain' field will be used to log into our software and into Web Access (Web Access is an Online tool used to view data you've uploaded to the Network Drive)."); and STEP 3: USER SETUP ("User: A non-administrative user who will be using software to backup files and access files stored through Jungle Disk. The domain you set and their username/password will be what they use to verify their account with our software.")).

73. Jungle Disk further directs and controls the customer's use of the Accused Systems by requiring customers to use the Accused Systems in the manner designed by Jungle Disk in order to receive any of the benefits of using its system. *See Jungle Disk, LLC – Terms of Service (TOS)*;

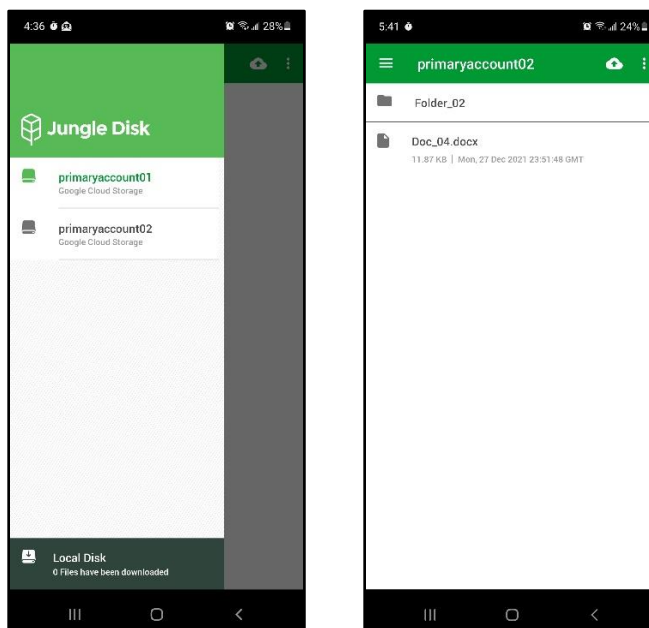
Acceptable Use Policy (AUP), JUNGLE DISK – AUP, <https://www.jungledisk.com/aup/> (last visited Jan. 25, 2022). Instructions for using the Accused Systems pursuant to Jungle Disk's methods are found at <https://support.jungledisk.com/hc/en-us>. See *Directory of Jungle Disk Guides*, JUNGLE DISK SUPPORT > LEARN MORE > SECRET TESTING LAIR, <https://support.jungledisk.com/hc/en-us/articles/360011722793-Directory-of-Jungle-Disk-Guides> (last visited Jan. 25, 2022). Customers cannot use the Accused System in any way that is not provided by Jungle Disk. For example, customers wishing to store their data on the Accused Systems must select the upload system function on the Accused Systems and subsequently select files from the user's computer, tablet, or mobile device to upload the files to the Accused Systems as shown below:



(Browser Client) (Screenshot taken Dec. 27, 2021)

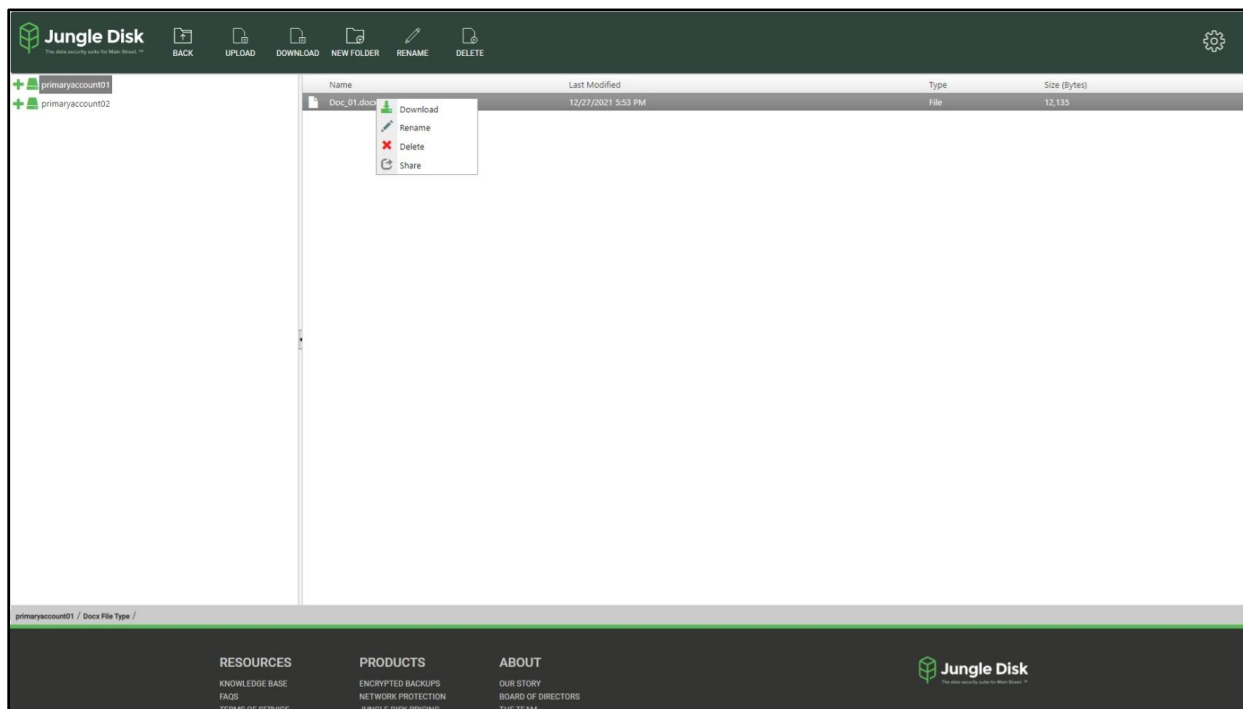


(Desktop Client) (Screenshot taken Dec. 27, 2021)



(Mobile Client) (Screenshots taken Dec. 27, 2021)

Likewise, customers wishing to download files must select the files and the download system function on the Accused Systems as shown below:



(Browser Client) (Screenshot taken Dec. 27, 2021)

74. Jungle Disk directs how customers set up subaccounts and how customers set permissions for the accounts. For example, Jungle Disk's Support Portal directs how customers can use Jungle Disk (*see Directory of Jungle Disk Guides*, <https://support.jungledisk.com/hc/en-us/articles/360011722793-Directory-of-Jungle-Disk-Guides>) and directs how customers can manage Jungle Disk to manage users (*see Managing Users*, JUNGLE DISK SUPPORT > WALKTHROUGHS > USING THE ONLINE CONTROL PANEL, <https://support.jungledisk.com/hc/en-us/articles/4410567567899-Managing-Users> (last visited Jan. 25, 2022)).

75. Therefore, Jungle Disk is solely responsible for infringement of the Asserted Patents by providing the infrastructure and operating systems for the Accused Systems and directing and controlling how its customers must use the Accused Systems to receive the benefits of doing so.

76. By operating the Accused Systems and offering and providing virtual data storage to its customers, Jungle Disk has and is continuing to directly infringe the Asserted Patents and actively directs others to jointly infringe the Asserted Patents throughout the United States, including customers within this District.

77. Justservice has been and will continue to suffer damages as a result of Jungle Disk's infringing acts.

**COUNT I – INFRINGEMENT OF THE '990 PATENT**

78. Justservice realleges and incorporates herein paragraphs 1 through 77.

79. The '990 Patent includes 18 claims. Jungle Disk, without authorization or license from Justservice, has been and is presently directly infringing one or more of these claims by making, operating, and/or using systems, including without limitation, the Accused Systems.

80. Jungle Disk also controls and directs customers' use of the Accused Systems by, among other reasons, requiring customers to utilize authorized accounts and secure identification to access and use the Accused Systems to carry out functions that perform one or more of the claim steps of one or more of the claims in the '990 Patent in manners set forth by Jungle Disk.

81. Jungle Disk directs and controls customers' use of the Accused Systems by providing instructions to use and requiring customers use the Accused Systems in manners set forth by Jungle Disk to receive the benefits of the Accused Systems.

82. More specifically and without limitation, and as exemplified in paragraphs 33-41, *supra*, Jungle Disk has been and is infringing, either directly or under the doctrine of equivalents, at least Claims 12-15 of the '990 Patent by (1) making and using the Accused Systems, (2) selling and offering for sale infringing services, and/or (3) directing and controlling customer access to, and use of, the Accused Systems in the United States.



83. Jungle Disk is thus liable for direct infringement of the '990 Patent pursuant to 35 U.S.C. § 271(a).

84. Jungle Disk's acts of infringement have occurred in Texas and throughout the United States.

85. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer damages. Jungle Disk is liable to Justservice in an amount that adequately compensates it for Jungle Disk's infringement in an amount that is no less than a reasonable royalty, together with interest and costs as fixed by this Court under 25 U.S.C. § 284.

86. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer irreparable harm. Justservice is entitled to an injunction under 35 U.S.C. § 283.

**COUNT II – INFRINGEMENT OF THE '776 PATENT**

87. Justservice realleges and incorporates herein paragraphs 1 through 77.

88. The '776 Patent includes 11 claims. Jungle Disk, without authorization or license from Justservice, has been and is presently directly infringing one or more of these claims by making, operating, and/or using systems, including without limitation, the Accused Systems.

89. Jungle Disk also directs and controls customers' use of Jungle Disk by, among other things, requiring customers utilize authorized accounts and secure identification access and use Jungle Disk to carry out functions that perform one or more of the claim steps of one or more of the claims in the '776 Patent in manners set forth by Jungle Disk.

90. Jungle Disk directs and controls customers' use of Jungle Disk by providing instructions to use and requiring customers use Jungle Disk in manners set forth by Jungle Disk.

91. More specifically and without limitation, and as exemplified in paragraphs 42-48, *supra*, Jungle Disk has been and is directly infringing, either literally or under the doctrine of

equivalents, at least Claims 1-2 and 8-9 of the '776 Patent by (1) making and using at least Jungle Disk, (2) selling and offering for sale infringing services, and/or (3) directing and controlling customer access to, and use of, the Accused Systems, in the United States.

92. Jungle Disk is thus liable for direct infringement of the '776 Patent pursuant to 35 U.S.C. § 271(a).

93. Jungle Disk's acts of infringement have occurred in Texas and elsewhere throughout the United States.

94. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer damages. Jungle Disk is liable to Justservice in an amount that adequately compensates it for Jungle Disk's infringement in an amount that is no less than a reasonable royalty, together with interest and costs as fixed by this Court under 25 U.S.C. § 284.

95. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer irreparable harm. Justservice is entitled to an injunction under 35 U.S.C. § 283.

### **COUNT III – INFRINGEMENT OF THE '542 PATENT**

96. Justservice realleges and incorporates herein paragraphs 1 through 77.

97. The '542 Patent includes 16 claims. Jungle Disk, without authorization or license from Justservice, has been and is presently directly infringing one or more of these claims by making, operating, and/or using systems, including without limitation, the Accused Systems.

98. Jungle Disk also directs and controls customers' use of Jungle Disk by, among other things, requiring customers to utilize authorized accounts and secure identification access and use Jungle Disk to carry out functions that perform one or more of the claim steps of one or more of the claims in the '542 Patent in manners set forth by Jungle Disk.

99. Jungle Disk directs and controls customers' use of Jungle Disk by providing instructions to use and requiring customers to use Jungle Disk in manners set forth by Jungle Disk.

100. More specifically and without limitation, and as exemplified in paragraphs 49-58, *supra*, Jungle Disk has been and is directly infringing, either literally or under the doctrine of equivalents, at least Claims 1-8 of the '542 Patent by (1) making and using the Accused Systems, (2) selling and offering for sale infringing services, and/or (3) directing and controlling customer access to, and use of, the Accused Systems, in the United States.

101. Jungle Disk is thus liable for direct infringement of the '542 Patent pursuant to 35 U.S.C. § 271(a).

102. Jungle Disk's acts of infringement have occurred in Texas and elsewhere throughout the United States.

103. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer damages. Jungle Disk is liable to Justservice in an amount that adequately compensates it for Jungle Disk's infringement in an amount that is no less than a reasonable royalty, together with interest and costs as fixed by this Court under 25 U.S.C. § 284.

104. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer irreparable harm. Justservice is entitled to an injunction under 35 U.S.C. § 283.

#### **COUNT IV – INFRINGEMENT OF THE '993 PATENT**

105. Justservice realleges and incorporates herein paragraphs 1 through 77.

106. The '993 Patent includes 16 claims. Jungle Disk, without authorization or license from Justservice, has been and is presently directly infringing one or more of these claims by making, operating, and/or using systems, including without limitation, the Accused Systems.

107. Jungle Disk also controls and directs customers' use of Jungle Disk by, among other things, requiring customers to utilize authorized accounts and secure identification to access and use Jungle Disk to carry out various functions that perform one or more of the claim steps of one or more of the claims in the '993 Patent in manners set forth by Jungle Disk.

108. Jungle Disk directs and controls customers' use of Jungle Disk by providing instructions to use, and requiring customers to use, Jungle Disk in manners set forth by Jungle Disk.

109. More specifically and without limitation, and as exemplified in paragraphs 59-63, *supra*, Jungle Disk has been and is directly infringing, either literally or under the doctrine of equivalents, at least Claim 16 of the '993 Patent by (1) making and using the Accused Systems, (2) selling and offering for sale infringing services, and/or (3) directing and controlling customer access to, and use of, the Accused Systems, in the United States.

110. Jungle Disk is thus liable for direct infringement of the '993 Patent pursuant to 35 U.S.C. § 271(a).

111. Jungle Disk's acts of infringement have occurred in Texas and elsewhere throughout the United States.

112. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer damages. Jungle Disk is liable to Justservice in an amount that adequately compensates it for Jungle Disk's infringement in an amount that is no less than a reasonable royalty, together with interest and costs as fixed by this Court under 25 U.S.C. § 284.

113. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer irreparable harm. Justservice is entitled to an injunction under 35 U.S.C. § 283.

**COUNT V – INFRINGEMENT OF THE '270 PATENT**

114. Justservice realleges and incorporates herein paragraphs 1 through 77.

115. The '270 Patent includes 15 claims. Jungle Disk, without authorization or license from Justservice, has been and is presently directly infringing one or more of these claims by making, operating, and/or using systems, including without limitation, the Accused Systems.

116. Jungle Disk also directs and controls customers' use of Jungle Disk by, among other things, requiring customers to utilize authorized accounts and secure identification to access and use Jungle Disk to carry out functions that perform one or more of the claim steps of one or more of the claims in the '270 Patent in manners set forth by Jungle Disk.

117. Jungle Disk directs and controls customers' use of Jungle Disk by providing instructions to use, and requiring customers to use, the Jungle Disk in manners set forth by Jungle Disk.

118. More specifically and without limitation, and as exemplified in paragraph 64-74, *supra*, Jungle Disk has been and is directly infringing, either literally or under the doctrine of equivalents, at least Claims 1-3 and 5-7 of the '270 Patent by (1) making and using the Accused Systems, (2) selling and offering for sale infringing services, and/or (3) directing and controlling customer access to, and use of, the Accused Systems, in the United States.

119. Jungle Disk is thus liable for direct infringement of the '270 Patent pursuant to 35 U.S.C. § 271(a).

120. Jungle Disk's acts of infringement have occurred within this District and elsewhere throughout the United States.

121. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer damages. Jungle Disk is liable to Justservice in an amount that adequately

compensates it for Jungle Disk's infringement in an amount that is no less than a reasonable royalty, together with interest and costs as fixed by this Court under 25 U.S.C. § 284.

122. As a result of Jungle Disk's infringing conduct, Justservice has suffered and will continue to suffer irreparable harm. Justservice is entitled to an injunction under 35 U.S.C. § 283.

**REQUEST FOR RELIEF**

WHEREFORE, Justservice respectfully requests that this Court enter judgment as follows:

- A. Declaring Jungle Disk has directly infringed literally and/or under the doctrine of equivalents one or more claims of the '990, '776, '542, '993, and '270 Patents;
- B. Declaring that the Asserted Patents are valid and enforceable;
- C. Ordering that Jungle Disk, its officers, directors, agents, servants, employees, privies, representatives, attorneys, parent and subsidiary corporations or other related entities, successors, assigns, licensees, retail distributors, and all persons in active concert or participation with any of them, be preliminarily and permanently enjoined from further acts of infringement of the Asserted Patents;
- D. Awarding damages in an amount to be proven at trial, but in no event less than a reasonable royalty, for Jungle Disk's infringement;
- E. Awarding reasonable attorneys' fees against Jungle Disk to Justservice as provided by 25 U.S.C. § 285 or other relevant law or provision;
- F. Awarding expenses, costs, and disbursements in this action against Jungle Disk, including prejudgment and post-judgment interest;
- G. Awarding such other and further relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Justservice hereby demands a trial by jury in this action of all claims so triable.

Dated: January 27, 2022

Respectfully submitted,

By: 

Michael C. Smith (SBN 18650410)

Michael.Smith@solidcounsel.com

Scheef & Stone, LLP

113 East Austin Street

Marshall, Texas 75670

Telephone: 903-938-8900

Todd P. Blakely (to be admitted *pro hac vice*)

tblakely@sheridanross.com

Alex W. Ruge (to be admitted *pro hac vice*)

aruge@sheridanross.com

Maria V. Spiridonova (to be admitted *pro hac vice*)

mspiridonova@sheridanross.com

SHERIDAN ROSS P.C.

1560 Broadway, Suite 1200

Denver, CO 80202

Telephone: 303-863-9700

Facsimile: 303-863-0223

E-mail: litigation@sheridanross.com

Attorneys for Plaintiff Justservice.net LLC