

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

INTELITRAC, INC.

Civil Action No. 4:22-cv-131

Plaintiffs

vs.

JURY TRIAL DEMANDED

SITA INFORMATION NETWORKING
COMPUTING USA, INC.,

SITA INFORMATION NETWORKING
COMPUTING B.V.,

SOCIÉTÉ INTERNATIONALE DE
TÉLÉCOMMUNICATIONS AÉRONAUTIQUES
SCRL,

DALLAS FORT WORTH INTERNATIONAL
AIRPORT BOARD

Defendants

COMPLAINT FOR PATENT INFRINGEMENT AND JURY DEMAND

Plaintiff InteliTrac, Inc. (“InteliTrac”) brings this action against SITA Information Networking Computing USA, Inc., SITA Information Networking Computing B.V., Société Internationale de Télécommunications Aéronautiques SCRL, (collectively, “SITA”), and Dallas/Fort Worth International Airport Board to prevent the Defendants’ continued use of Plaintiff’s patents without authorization and to recover damages resulting from such use.

PARTIES

1. Plaintiff InteliTrac is a Delaware corporation with its principal place of business located at 1000 W Weatherford St Fort Worth, Tx 76102. InteliTrac, Inc. is a 22-year-old privately held company that specializes in software/database development and personnel

solutions worldwide. The IntelliTrac product line includes IdentiPort, a real-time identification system that uses facial recognition, biometric matching, and high-speed memory design to confirm individual's identity in, for example, border crossing and airport security applications.

2. IntelliTrac is the assignee of all right, title, and interest in U.S. Patent Nos. 8,386,734 (the "734" Patent), 8,046,557 (the "557" Patent), 7,817,826 (the "826" Patent), 7,817,821 (the "821" Patent), 7,318,076 (the "076" Patent), 7,187,787 (the "787" Patent), 7,185,165 (the "165" Patent), 7,184,577 (the "577" Patent), 7,149,855 (the "855" Patent), 7,051,158 (the "158" Patent), 7,043,623 (the "623" Patent), 6,785,674 (the "674" Patent), 7,505,610 (the "610" Patent), (collectively, the "Patents-in-Suit").

3. On information and belief, Defendant Société Internationale de Télécommunications Aéronautiques SCRL ("SITA SCRL") is a foreign corporation with its principal place of business located at 26, Chemin de Joinville, 1216 Cointrin, Geneva, Switzerland. SITA SCRL provides information technology and communication services to the air-transportation industry, including within the United States, with corporate offices located worldwide. SITA SCRL has a regional business office at 909 Lake Carolyn Blvd, Suite 700 Irving, TX 75039.

4. On information and belief, Defendant SITA Information Networking Computing USA, Inc. ("SITA USA") is a Delaware corporation formed in 1998 as a subsidiary of SITA SCRL. SITA USA is currently registered with the Texas Secretary of State to transact business within the state of Texas. SITA USA has a business office at 909 Lake Carolyn Blvd, Suite 700 Irving, TX 75039.

5. On information and belief, Defendant SITA Information Networking Computing B.V. ("SITA BV") is a foreign corporation and a subsidiary of SITA SCRL. SITA BV is currently

registered with the Texas Secretary of State to transact business within the state of Texas. SITA BV has a business office at 909 Lake Carolyn Blvd, Suite 700 Irving, TX 75039.

6. On information and belief, Defendant Dallas/Fort Worth International Airport Board (“DFW”) is a governmental entity co-owned by the municipalities of Dallas and Fort Worth, Texas. DFW’s principal place of business located at 2400 Aviation Drive, DFW Airport, TX 75261.

7. On information and belief, each of the Defendants directly or indirectly imports, develops, designs, manufactures, uses, distributes, markets, offers to sell and/or sells products and services in the United States, including in this district, and/or otherwise purposefully directs activities to the same. On information and belief, the Defendants have been and are acting in concert and are otherwise liable jointly, severally, or in the alternative for a right to relief with respect to or arising out of the same transaction, occurrence or series of transactions or occurrences related to the making, using, importing into the United States, offering for sale, or selling of at least one infringing product.

JURISDICTION AND VENUE

8. This is an action for patent infringement arising under the patent laws of the United States of America, 35 U.S.C. § 1, et. seq., including 35 U.S.C. § 271. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over Defendants because: (i) Defendants are present within or has minimum contacts within this judicial district; (ii) Defendants have purposefully availed itself of the privileges of conducting business in this judicial district; and

(iii) Plaintiff's cause of action arises directly from Defendants' business contacts and other activities in this judicial district.

10. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendants have committed acts of infringement, including installation and use of SITA infringing products at DFW, and have a regular and established place of business in this District, including SITA's regional office at 909 Lake Carolyn Blvd, Suite 700 Irving, TX and DFW's office at 2400 Aviation Drive, DFW Airport, TX. Further, venue is proper because Defendants conduct substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly engaging in conduct and/or deriving revenue from goods and services provided to individuals in this District.

FACTUAL ALLEGATIONS

The Patents-in-Suit

11. The '821 and '610 Patents relate to, among other things, a novel identification and verification system that incorporates various modalities used to identify and/or verify the identity of a person. (The '821 and '610 Patents are attached hereto as Ex. C and D, respectively).

12. The '826, '787, and '577 Patents relate to, among other things, novel computer-based facial recognition and image indexing used to identify and/or verify the identity of a person. (The '826, '787, and '577 Patents are attached hereto as Ex. E, F, and G, respectively).

13. The '734, '557, and '076 Patents relate to, among other things, novel computer memory-resident database methods, implementations, and apparatuses that can be used to

support rapid identity identification and identity verification operations. (The '734, '557, and '076 Patents are attached hereto as Ex. H, I, and J, respectively).

14. The '165, '855, '158, '623, and '674 Patents relate to, among other things, novel computer memory environments, methods, implementations, and apparatuses that can be used to support rapid computerized identity identification and identity verification operations. (The '165, '855, '158, '623, and '674 Patents are attached hereto as Ex. K, L, M, N, and O, respectively).

15 The Patents-in-Suit resulted from a significant research and development program by IntelliTrac that produced the IdentiPort identity verification kiosk. The IdentiPort identity verification kiosk has been successfully used at the Santiago Airport, as described in Exhibit A, also available at <https://www.securityinfowatch.com/access-identity/biometrics/press-release/10610013/intelitrac-intelitrac-forms-security-alliance-for-breakthrough-airport-security-system>.

Defendant's Infringement

16. On information and belief, Defendant makes, uses, sells, offers for sale and/or imports products infringing one or more of the Patents-in-Suit in the United States, including, but not limited to, products and/or services described as SITA Advance Passenger Processing (APP), SITA Common-Use Passenger Processing System (CUPPS), SITA Automated Border Control (ABC), SITA iBorders BioThenticate Automated Border Control, SITA Smart Path Kiosks, SITA Self-Tagging Kiosks, SITA Smart Path Gates, and SITA Smart Path TS6 Kiosk (the "Accused Products").

17. Defendant's products used to identify and/or verify the identity of a person are described in the document available at Defendant's website entitled *SITA Smart Path*, attached as

Exhibit B, available at <https://www.sita.aero/globalassets/docs/brochures/smart-path-product-brochure.pdf>. Exhibit B describes the SITA Smart Path product line as being biometrically enabled, having passport scanners, and in use in Orlando, Florida.

18. On information and belief, one or more of the Accused Products has been used, offered for sale to, and/or installed in, one or more of the following United States airports: Dallas/Fort Worth International Airport (DFW), San Francisco International Airport (SFO), Los Angeles International Airport (LAX), Orlando International Airport (MCO), Miami International Airport (MIA), Tampa International Airport (TPA), Phoenix International Airport (PHX), John F. Kennedy International Airport (JFK), and Harry Reid International Airport (LAS).

Defendant's Knowledge of Patents-in-Suit and Infringement

19. IntelliTrac is informed and believes that IdentiPort identity verification kiosk was made public on the Security Infowatch news site October 2004 (the "Security Infowatch Article") available at <https://www.securityinfowatch.com/access-identity/biometrics/press-release/10610013/intelitrac-intelitrac-forms-security-alliance-for-breakthrough-airport-security-system> and on the Technewsworld news site November 2004 (the "Technewsworld Article") available at <https://www.technewsworld.com/story/biometric-technology-thinkpad-and-beyond-37778.html>.

20. IntelliTrac is informed and believes that by 2006 a publicly available brochure describing the IdentiPort identity verification kiosk did give notice of patents included in this complaint.

21. In a letter of December 30, 2021, IntelliTrac requested SITA provide information on their Smart Path Kiosk in order to determine if patent licenses from IntelliTrac would be

appropriate. At the request of Ms. Cary Young, an attorney representing SITA, a second letter was sent on January 17, 2022 that listed the Patents-in-Suit and included the Security Infowatch Article.

PRAYER FOR RELIEF

InteliTrac prays for judgment against Defendants as follows:

- A. That Defendants have infringed, and continue to infringe, each of the Patents-in-Suit;
- B. That Defendants pay InteliTrac damages adequate to compensate InteliTrac for Defendants' infringement of the Patents-in-Suit, together with interest and costs under 35 U.S.C. § 284;
- C. That Defendants be ordered to provide an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- D. That Defendants be ordered to pay pre-judgment and post-judgment interest on the damages assessed;
- E. That Defendants be ordered to pay supplemental damages to InteliTrac, including interest, with an accounting, as needed;
- F. That Defendants' infringement is willful and that the damages awarded to InteliTrac should be enhanced for up to three times the actual damages awarded;
- G. That this is an exceptional case under 35 U.S.C. § 285 and that Defendants pay InteliTrac's attorney's fees and costs in this action; and

H. That the Court issue a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendants and their agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendants from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendants will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and

I. That IntelliTrac be awarded such other and further relief, including equitable relief, as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38(b), IntelliTrac hereby demands a trial by jury on all issues triable to a jury.

Dated: February 21, 2022

Respectfully submitted,

By: /s/ John M. Jackson

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