

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

RFC LENDERS OF TEXAS, LLC,

Plaintiff,

v.

GEOFORCE, INC.,

Defendant.

CIVIL ACTION NO.: 4:23-cv-141

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

1. This is an action under the patent laws of the Geoforce States, Title 35 of the Geoforce States Code, for patent infringement in which RFC Lenders of Texas, LLC (“RFC” or “Plaintiff”), makes the following allegations against Geoforce, Inc. (“Geoforce” or “Defendant”).

PARTIES

2. Plaintiff is a Texas limited liability company, having its primary office at 405 State Highway 121, Suite A250, Lewisville, TX 75067 – located in Denton County, Texas.

3. Defendant Geoforce is a Delaware company, with a principal place of business at 5830 Granite Parkway, Suite 1200, Plano, TX 75024. Defendant’s Registered Agent for service of process in Texas appears to be Capitol Corporate Services, 206 E. 9th St., Suite 1300, Austin, TX 78701.

JURISDICTION AND VENUE

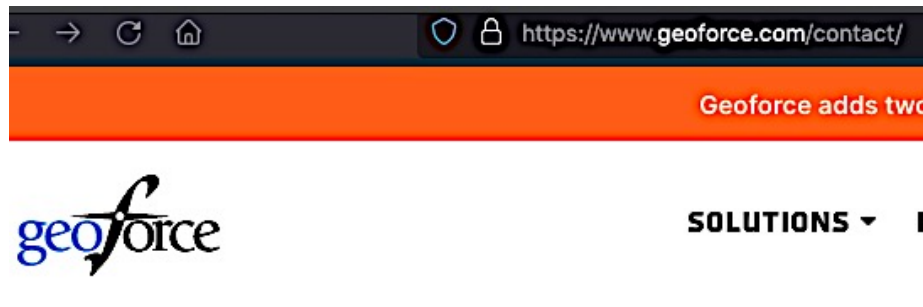
4. This action arises under the patent laws of the Geoforce States, Title 35 of the Geoforce States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this district under 28 U.S.C. §§ 1391(c), generally, and under 1400(b), specifically. Defendant has a regular and established place of business in this Judicial District, and Defendant has also committed acts of patent infringement in this Judicial District.

6. Defendant is subject to this Court’s specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial

business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

7. Defendant has its corporate headquarters within Collin County, Texas:



8. Defendant has infringed, and does infringe, by operating, transacting, and conducting Geoforce’s business within the Eastern District of Texas.

9. Defendant’s location in Collin County, Texas is a regular and established place of business in this Judicial District, and Defendant has committed acts of infringement within this District. Venue is therefore proper in this District under 28 U.S.C. § 1400(b).

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 7,430,471

10. Plaintiff is the owner by assignment of the valid and enforceable United States Patent No. 7,430,471 (“the ‘471 Patent”) entitled “Method and System for Monitoring a Vehicle” – including all rights to recover for past, present and future acts of infringement. The ‘471 Patent issued on September 30, 2008, and has a priority date of October 25, 2004. A true and correct copy of the ‘471 Patent is attached as Exhibit A.

11. Defendant directly produces, makes, sells, and offers to sell telematics systems – comprising Geoforce web-based management software and mobile apps (“Geoforce Platform”) designed and sold to be used in conjunction with Geoforce tracking devices (i.e., VT1, G09, and AT4)(“Geoforce Devices”)(collectively, the “Geoforce System(s)”). The Geoforce Systems are the infringing instrumentalities.

12. The Defendant’s infringing instrumentalities track and monitor vehicles:



LOCATION AND VEHICLE DATA WHEN YOU NEED IT

The Geoforce Cellular Vehicle Tracker is a real-time location reporting module installed in mobile assets such as light commercial trucks. By recording speed, GPS, odometer mileage, run time and harsh/unsafe driving, the VT1 enables companies to optimize their fleet operations while bolstering the safety of their most important resource, their people.



VEHICLES

In field operations, vehicles and field equipment are tightly linked. Geoforce’s Track and Trace software combines vehicles with other types of equipment in a single view. Dispatchers can locate nearby vehicles with the added context of equipment location and things like pad site or well site location to more efficiently manage all assets and operations in a single system.

13. The Defendant’s infringing instrumentalities detect and log data related to activation and movement of vehicles being tracked, including driver-specific identification:

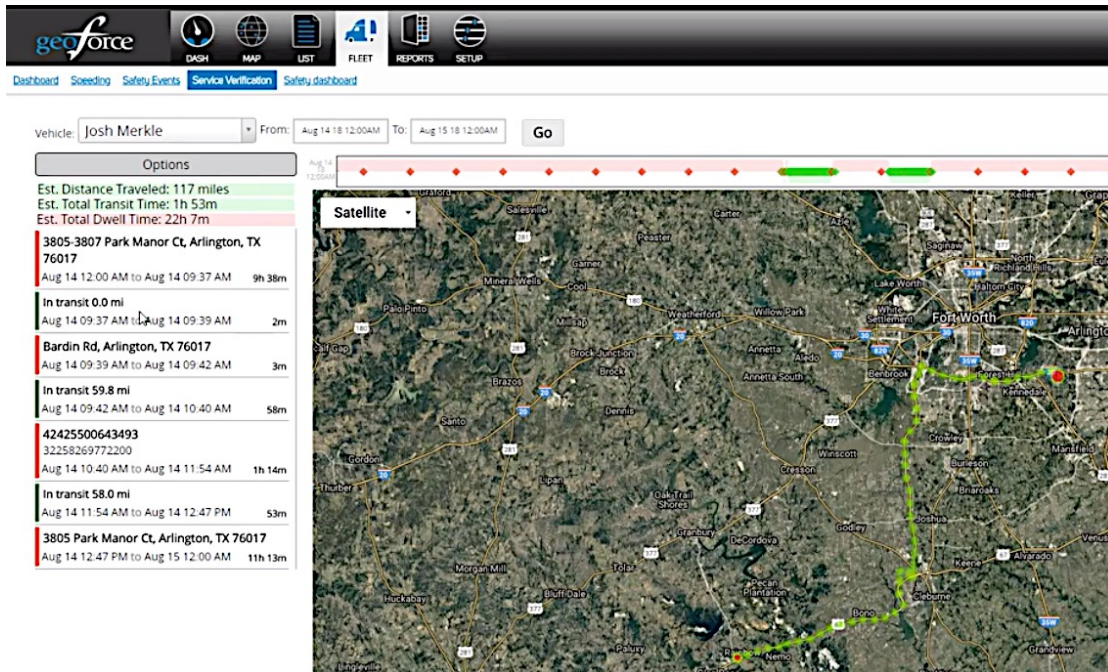
Features / Functionality	Geoforce Driver Scorecard
Harsh breaking	✓
Hard acceleration	✓
Speeding	✓
Fleet utilization	✓
Vehicle usage by driver	✓
Real-time driver location visibility	✓
Scorecard metrics for managers	✓
Personal user access and weekly profile distribution	✓
Organization-wide scoring for multi-division roll-ups	✓
Driver and group score trending	✓
Multi-driver ID (may require additional hardware)	✓

LATEST INFORMATION

Assigned GPS Tag:	4641184915
Last Seen:	6203 13th St, Lubbock, US-TX, 79416, US - 36 minutes ago
Location:	Home Yards RR Home Yard
Ignition:	Off @ 12:33PM on Aug 15, 2018
Idling:	
Location Phone:	
Time Since Report:	36 minutes ago
Time Since Movement:	
Last Status:	STOPPED

14. The Defendant’s infringing instrumentalities transmit live data detailing the operation and movement of vehicles to a centralized system, where managers can examine and evaluate the data:

- Captured vehicle data stored and viewed in *Geoforce Track and Trace*
 - Vehicle Location (real-time)
 - Engine Runtime



15. The Defendant’s infringing instrumentalities determine and analyze driver activity in relation to vehicle activity:

Asset Name	Asset ID	Start Time (Central)	Time Speeding	Speed Limits	Max Speed	Avg Speed
Ryan Robertson	GGF-1522 TX	Aug 16, 2018 11:51 AM	1 reading	All Vehicles: 70 mi/h	72 mi/h	72 mi/h
Ryan Robertson	GGF-1522 TX	Aug 16, 2018 11:40 AM	7:13	All Vehicles: 70 mi/h	82 mi/h	70 mi/h
Josh Merkle	DFJ-0603 TX	Aug 16, 2018 10:15 AM	2:00	All Vehicles: 70 mi/h	86 mi/h	81 mi/h
Josh Merkle	DFJ-0603 TX	Aug 16, 2018 10:04 AM	3:00	All Vehicles: 70 mi/h	75 mi/h	74 mi/h

WHERE'S MY VEHICLE?

- Dispatch more efficiently
- Improve response times
- Plan field operations

WHERE'S MY RISK?

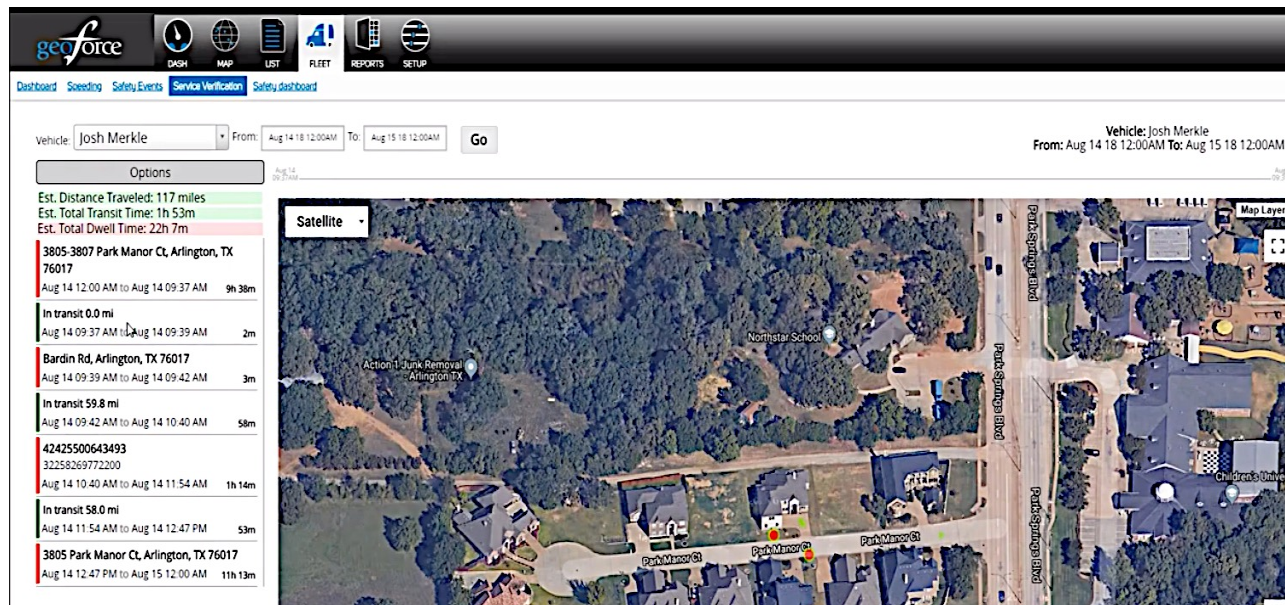
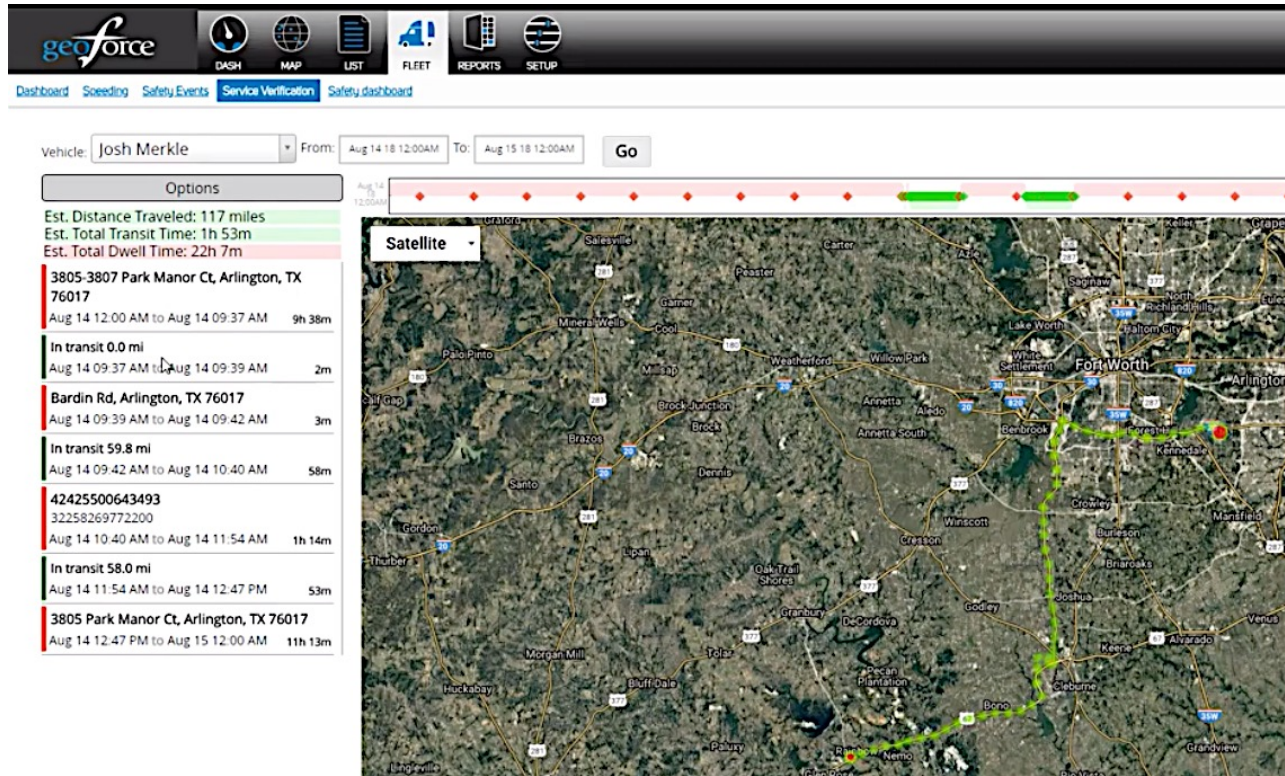
- Monitor driver behavior
- Confirm maintenance is current
- Reduce downtime on jobs



Features / Functionality	Geoforce Driver Scorecard
Harsh breaking	✓
Hard acceleration	✓
Speeding	✓
Fleet utilization	✓
Vehicle usage by driver	✓
Real-time driver location visibility	✓
Scorecard metrics for managers	✓
Personal user access and weekly profile distribution	✓
Organization-wide scoring for multi-division roll-ups	✓
Driver and group score trending	✓
Multi-driver ID (may require additional hardware)	✓

16. The Defendant's infringing instrumentalities determine and analyze vehicle location and routing, in relation to predetermined locations:

- Captured vehicle data stored and viewed in Geoforce *Track and Trace*
 - Vehicle Location (real-time)
 - Engine Runtime



17. The Defendant's infringing instrumentalities collect and transmit vehicle location, bearing, and speed information:



LOCATION AND VEHICLE DATA WHEN YOU NEED IT

The Geoforce Cellular Vehicle Tracker is a real-time location reporting module installed in mobile assets such as light commercial trucks. By recording speed, GPS, odometer mileage, run time and harsh/unsafe driving, the VT1 enables companies to optimize their fleet operations while bolstering the safety of their most important resource, their people.

18. Plaintiff herein restates and incorporates by reference paragraphs 11 – 18, above.
19. All recited elements of – at least – claims 1, 12, 15, and 26 of the ‘471 Patent are present within Defendant’s infringing instrumentalities.
20. Defendant’s infringing instrumentalities monitor a vehicle.
21. Defendant’s infringing instrumentalities detect movement or activation of a vehicle, and transmit signals indicating movement or activation of a vehicle to a control center.
22. Defendant’s infringing instrumentalities transmit received operator identification information to a control center.
23. Defendant’s infringing instrumentalities detect a vehicle’s proximity to a landmark.
24. Defendant’s infringing instrumentalities utilize GPS transceivers co-located with the vehicle to transmit location coordinates of the vehicle.
25. Defendant’s infringing instrumentalities infringe – at least – claims 1, 12, 15, and 26 of the ‘471 Patent.
26. Defendant’s infringing instrumentalities literally and directly infringe – at least – claims 1, 12, 15, and 26 of the ‘471 Patent.
27. Defendant’s infringing instrumentalities perform or comprise all required elements of – at least – claims 1, 12, 15, and 26 of the ‘471 Patent.

28. In the alternative, Defendant's infringing instrumentalities infringe – at least – claims 1, 12, 15, and 26 of the '471 Patent under the doctrine of equivalents. Defendant's infringing instrumentalities perform substantially the same functions in substantially the same manner with substantially the same structures, obtaining substantially the same results, as the required elements of – at least – claims 1, 12, 15, and 26 of the '471 Patent. Any differences between Defendant's infringing instrumentalities and the claims of the '471 Patent are insubstantial.

29. All recited elements of – at least – claims 1, 12, 15, and 26 of the '471 Patent are present within, or performed by, Defendant's infringing instrumentalities.

30. Defendant's infringing instrumentalities, when used and/or operated in their intended manner or as designed, infringe – at least – claims 1, 12, 15, and 26 of the '471 Patent, and Defendant is therefore liable for infringement of the '471 Patent.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

- a. A judgment in favor of Plaintiff that Defendant has infringed the '471 Patent;
- b. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith, from infringement of the '471 Patent;
- c. A judgment and order requiring Defendant to pay Plaintiff its damages, costs, expenses, and pre-judgment and post-judgment interest for Defendant's infringement of the '471 Patent as provided under 35 U.S.C. § 284;
- d. An award to Plaintiff for enhanced damages resulting from the knowing and deliberate nature of Defendant's prohibited conduct with notice being made at least as early as the service date of this complaint, as provided under 35 U.S.C. § 284;
- e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and

f. Any and all other relief to which Plaintiff may show itself to be entitled.

February 23, 2023

Respectfully Submitted,

By: /s/ Ronald W. Burns

Ronald W. Burns (*Lead Counsel*)

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