

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

LOCKET IP LLC,

Plaintiff,

v.

FORTILINE LLC,

Defendant.

Civil Action No.:

TRIAL BY JURY DEMANDED

COMPLAINT FOR INFRINGEMENT OF PATENT

Now comes, Plaintiff Locket IP LLC (“Plaintiff” or “Locket”), by and through undersigned counsel, and respectfully alleges, states, and prays as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 1 et seq.

THE PARTIES

2. Plaintiff is a Texas limited liability company with its principal place of business at 333 Preston Road, Suite 300-#1039, Frisco, Texas 75034.

3. Upon information and belief, Defendant is a corporation organized under the laws of North Carolina, and has a regular and established place of business at 600 Hays Road, Prosper, Texas 75078. Upon information and belief, Defendant can be served through Capitol Corporate Services, Inc., 176 Mine Lake CT, Ste 100, Raleigh, NC 27615.

JURISDICTION AND VENUE

4. This is an action for patent infringement in violation of the Patent Act of the United States, 35 U.S.C. §§1 et seq.

5. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.

§§1331 and 1338(a).

6. This Court has personal jurisdiction over Defendant by virtue of its systematic and continuous contacts with this jurisdiction and its residence in this District, as well as because of the injury to Plaintiff, and the cause of action Plaintiff has risen in this District, as alleged herein.

7. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; (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; and (iii) having an established place of business in this judicial district.

8. Venue is proper in this District under 28 U.S.C. § 1400 because Defendant has committed acts of infringement and has regular and established places of business in this judicial district. Upon information and belief, Defendant maintains its website (www.fortiline.com) in Fort Worth, Texas.

OVERVIEW OF THE ACCUSED INSTRUMENTALITY

9. Defendant provides for its customers use the Fortiline Website <https://www.fortiline.com> ("the Accused Instrumentality").

10. On information and belief, Defendant provides the Accused Instrumentality, which provides the user the ability to search for a store in any desired location.

COUNT I (Infringement of U.S. Patent No. 9,990,112)

11. Plaintiff incorporates the above paragraphs as though fully set forth herein.

12. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,990,112 ("the '112 Patent"), entitled METHOD AND APPARATUS FOR LOCATING REGIONS OF INTEREST IN

A USER INTERFACE, which issued on June 5, 2018. A copy of the '112 Patent is attached as Exhibit A.

13. The '112 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

14. Defendant has been and is now infringing one or more claims of the '112 Patent under 35 U.S.C. § 271 by making and using the Accused Instrumentality in the United States without authority.

15. Claim 1 of the '112 Patent recites:

1. A method comprising:
 - generating a plurality of cards for display;
 - in response to a user command, determining regions of interest within each of the plurality of cards by searching information indicating previous user preferences; and
 - updating for display the plurality of cards to visibly show in a display area of a display device the at least one region of interest of multiple cards included in a first group of the plurality of cards, wherein said updating includes repositioning the plurality of cards to remove cards not included in the first group from the display area and to visibly display the at least one region of interest within all of the multiple cards included in the first group within the display area of the display device.

16. Defendant infringes at least claim 1 of the '112 Patent.

17. Attached as Exhibit B is a chart comparing claim 1 of the '112 Patent to the Accused Instrumentality. As set forth in this chart, the Accused Instrumentality practices the inventions of the '112 Patent. The Accused Instrumentality satisfies all elements of claim 1 of the '112 Patent, for example.

18. Plaintiff therefore incorporates by reference in its allegations herein the chart of Exhibit B.

19. Plaintiff has been damaged by Defendant's infringing activities.

COUNT II (Infringement of U.S. Patent No. 10,514,832)

20. Plaintiff incorporates the above paragraphs as though fully set forth herein.

21. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,514,832 (“the ’832 Patent”), entitled METHOD FOR LOCATING REGIONS OF INTEREST IN A USER INTERFACE, which issued on December 24, 2019. A copy of the ’832 Patent is attached as Exhibit C.

22. The ’832 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

23. Defendant has been and is now infringing one or more claims of the ’832 Patent under 35 U.S.C. § 271 by making and using the Accused Instrumentality in the United States without authority.

24. Claim 1 of the ’832 Patent recites:

1. A method comprising:

determining, in response to a user command, regions of interest within each of a plurality of cards by searching information indicating previous user preferences; and

updating for display the plurality of cards to visibly show in a display area of a display device the at least one region of interest of multiple cards included in a first group of the plurality of cards, wherein said updating includes repositioning the plurality of cards to remove cards not included in the first group from the display area and to visibly display the at least one region of interest within all of the multiple cards included in the first group within the display area of the display device.

25. More particularly, Defendant infringes at least claim 1 of the ’832 Patent.

26. Attached as Exhibit D is a chart comparing claim 1 of the ’832 Patent to the Accused Instrumentality. As set forth in this chart, the Accused Instrumentality practices the inventions of the ’832 Patent. The Accused Instrumentality satisfies all elements of claim 1 of the ’832 Patent, for example.

27. Plaintiff therefore incorporates by reference in its allegations herein the chart of Exhibit D.

28. Plaintiff has been damaged by Defendant’s infringing activities.

JURY DEMAND

29. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- a. A Declaration that Defendant has infringed the '112 Patent;
- b. A Declaration that Defendant has infringed the '832 Patent;
- c. An award of damages suffered by Plaintiff as a result of Defendant's infringement of the '112 Patent;
- d. An award of damages suffered by Plaintiff as a result of Defendant's infringement of the '832 Patent;
- e. An award to Plaintiff of its costs, attorney's fees, expenses, and interest; and
- f. A grant to Plaintiff of any further relief as the Court finds appropriate.

Dated: October 27, 2022

Respectfully submitted,

/s/ Jennifer Ishimoto

John A. Lee (admitted to EDTX)

Jennifer Ishimoto (admitted to EDTX)

ishimoto@banishlaw.com

BANIE & ISHIMOTO LLP

2100 Geng Road, Suite 210

Palo Alto, CA 94303

T: 408-981-9472

F: 650.241.2770

Counsel for Plaintiff Locket IP LLC

