

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

MINOTAUR SYSTEMS LLC,)	
)	Case No.
)	
Plaintiff,)	<u>JURY TRIAL DEMANDED</u>
)	
v.)	
)	
T-MOBILE USA, INC. and T-MOBILE US,)	
INC.,)	
)	
Defendants.)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Minotaur Systems LLC (“Minotaur” or “Plaintiff”) for its Complaint against Defendants T-Mobile USA, Inc. and T-Mobile US, Inc. (collectively “T-Mobile” or “Defendants”), alleges as follows:

THE PARTIES

1. Minotaur is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business located at 209 East Austin Street, Marshall, Texas 75670.

2. Defendant T-Mobile, USA, Inc. is a Washington corporation and maintains its principal place of business at 12920 SE 38th Street, Bellevue, Washington 98006, and may be served with process via its registered agent, Corporation Service Company at 211 E. 7th Street, Suite 620, Austin, Texas 78701. Upon information and belief, T-Mobile USA, Inc. does business in Texas, directly or through intermediaries, and offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas, including in the judicial Eastern District of Texas.

3. Defendant T-Mobile US, Inc. is a Delaware corporation with its principal place of business as 12920 SE 38th Street, Bellevue, Washington 98006. T-Mobile US, Inc., is the parent corporation of T-Mobile USA, Inc. and was formerly known as MetroPCS Communications, Inc. T-Mobile US, Inc. was formed in 2013 through the business combination between T-Mobile USA and MetroPCS Communications, Inc. Upon information and belief, T-Mobile US, Inc. may be served with process through Corporation Service Company at 211 E. 7th Street Suite 620, Austin, Texas, 78701. Upon information and belief, T-Mobile US, Inc. does business in Texas, directly or through intermediaries, and offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas, including in the judicial Eastern District of Texas.

JURISDICTION

4. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.* This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over T-Mobile in this action because T-Mobile has committed acts within the Eastern District of Texas giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over T-Mobile would not offend traditional notions of fair play and substantial justice. T-Mobile conducts business and has committed acts of patent infringement and/or has induced acts of patent infringement by others in this Judicial District and/or has contributed to patent infringement by others in this Judicial District, the State of Texas, and elsewhere in the United States by, among other things, offering to sell and selling products and/or services that infringe the Patents-in-Suit.

6. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 and 1400(b). T-Mobile is registered to do business in Texas and, upon information and belief, T-Mobile has transacted business in the Eastern District of Texas and has committed acts of direct and indirect infringement in the Eastern District of Texas. T-Mobile US, Inc. maintains a corporate office at 2250 Lakeside Boulevard, Richardson, Texas 75082 and T-Mobile USA, Inc. maintains a Network Operations Center at 7668 Warren Parkway, Frisco, Texas 75034, both of which regular and established places of business located within this Judicial District. T-Mobile also has regular and established places of business in this Judicial District, including at least its retail stores, which sell and provide assistance with the accused products in this Complaint, located at 900 East End Boulevard N, #100B, Marshall, TX 75670; 1806 East End Boulevard N, Suite 100, Marshall, TX 75670; 222 East End Boulevard S, Apt. C, Marshall, TX 75670; 1209 E. Marshall Avenue, Longview, TX 75601; 2108 Gilmer Road, Longview, TX 75604; 530 E. Loop 281, Suite #101, Longview, TX 75605; 1110 East Parker Road, Suite C, Plano, TX 75074; 3131 Custer Road, Suite #125, Plano, TX 75075; 2408 Preston Road, Suite 704B, Plano, TX 75093; 7000 Independence Parkway, Suite 168, Plano, TX 75025; 5976 W. Parker Road, Suite 304, Plano, TX 75093; 601 W. 15th Street, Suite 102, Plano, TX 75075; 5800 S. Legacy Drive, Suite C-9, Plano, TX 75024; 3311 Preston Road, Ste 6, Frisco, TX 75034; 2601 Preston Road, Space #2200, Frisco, TX 75034; 8910 TX-121, Suite 200, McKinney, TX 75070; 1332 South Plano Road, #114, Richardson, TX 75081; 524 W. Belt Line Road, #15, Richardson, TX 75080; 2004 St. Michael Drive, Texarkana, TX 75503; 2700 Richmond Road, Texarkana, TX 75503; 3741 Mall Drive, Texarkana, TX 75501; and 2808 New Boston Road, Suite D, Texarkana, TX 75501. Defendants are subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due to at least to its substantial business in this State and Judicial District, including (a) at least part of its past

infringing activities, (b) regularly doing or soliciting business in Texas, and/or (c) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

PATENTS-IN-SUIT

7. On June 10, 2008, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 7,386,376 (the “’376 Patent”) entitled “Vehicle Visual and Non-Visual Data Recording System”. A true and correct copy of the ’376 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=7386376>.

8. On January 12, 2016, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,237,242 (the “’242 Patent”) entitled “Roadside and Emergency Assistance System”. A true and correct copy of the ’242 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=9237242>.

9. On May 16, 2017, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 9,652,023 (the “’023 Patent”) entitled “Power Management System”. A true and correct copy of the ’023 Patent is available at: <https://pdfpiw.uspto.gov/.piw?PageNum=0&docid=9652023>.

10. Minotaur is the sole and exclusive owner of all right, title, and interest in the ’376 Patent, the ’242 Patent, and the ’023 Patent (the “Patents-in-Suit”) and holds the exclusive right to take all actions necessary to enforce its rights to the Patents-in-Suit, including the filing of this patent infringement lawsuit. Minotaur also has the right to recover all damages for past, present, and future infringement of the Patents-in-Suit and to seek injunctive relief as appropriate under the law.

FACTUAL ALLEGATIONS

11. The '376 Patent generally discloses a system for recording video of a driver, including biometric data related to the driver. The technology described by the '376 Patent was developed by inventors Otman A. Basir, Fakhreddine Karray, Kristopher Desrochers, Jean-Pierre Bhavnani, David Bullock, and Inam Rahim. For example, technology described in the '376 Patent is implemented by driver drowsiness detection systems.

12. The '242 Patent generally discloses a system for vehicle roadside assistance. The technology described by the '242 Patent was developed by Otman A. Basir. For example, technology described in the '242 Patent is implemented by roadside assistance systems which allow for remote communication with a vehicle.

13. The '023 Patent generally discloses a system for wireless communication between a vehicle and a mobile device. The technology described by the '023 Patent was developed by inventors Otman A. Basir, William Ben Miners, and Vladimir Filippov. For example, the technology described in the '023 Patent is implemented through vehicle communication systems with a control unit having a wireless communication module and a power management module.

14. T-Mobile has infringed and is continuing to infringe the Patents-in-Suit by making, using, selling, offering to sell, and/or importing, and by actively inducing others to make, use, sell, offer to sell, and/or import fleet-management and monitoring solutions, such as products and methods that infringe the Patents-in-Suit.

COUNT I
(Infringement of the '376 Patent)

15. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

16. Minotaur has not licensed or otherwise authorized Defendants to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '376 Patent.

17. Defendants have infringed and continue to directly infringe the '376 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '376 Patent. Such products include, but are not limited to, fleet-management and monitoring solutions which utilize driver drowsiness detection, such as the T-Mobile SyncUP Fleet with Spireon FleetLocate, among other products.

18. Defendants have infringed and continue to directly infringe at least claim 1 of the '376 Patent by making, using, offering to sell, selling, and/or importing into the United States products such as such as the T-Mobile SyncUP Fleet with Spireon FleetLocate (“Accused Products”).

19. For example, the T-Mobile SyncUP Fleet with Spireon FleetLocate comprises an in-vehicle recording system. The T-Mobile SyncUP Fleet with Spireon FleetLocate comprises a data capture module capturing vehicle data and occupant data, wherein the data capture module captures biometric data. The T-Mobile SyncUP Fleet with Spireon FleetLocate comprises a video capture module recording video data inside and outside the vehicle. The T-Mobile SyncUP Fleet with Spireon FleetLocate comprises a data recorder in the vehicle, the data recorder recording the vehicle data, the occupant data and the video data and continuously synchronizing the occupant data with the vehicle data. Defendants have directly infringed this claim by, for example, using and testing the Accused Products in the United States.

What is Spireon FleetLocate?

T-Mobile for Business offer Spireon FleetLocate, a GPS-based fleet tracking software that provides reliable, real-time data on the location and status of your drivers and vehicles. Along with tracking vehicles and monitoring driver behavior, it delivers the business intelligence that leads to better business decision-making. FleetLocate provides "actionable" business intelligence by providing real-time monitoring of assets and workforces to enable timely, informed decisions that helps you optimize resources, reduce costs, and improve overall efficiency.

What device does the Spireon FleetLocater solution use?

The Spireon FleetLocate solution from T-Mobile for Business uses the Spireon FL360™ device, a universal fleet management solution for any vehicle which can be seamlessly integrated with the dual camera FL Dashcam, to provide greater context for accidents and driver coaching.

FL360 is fleet telematics device capable of supporting all vehicle types – from light to heavy duty. It offers a robust solution for reporting advanced vehicle data and diagnostics. Further, additional fleet management and compliance use cases such as driver ID, Electronic Logging Devices (ELD), Power Take-offs (PTO), starter disable, and more, are made available with expandable Input/Output communication capabilities.

The Spireon FL360 uses the nationwide T-Mobile LTE network.

20. Defendants have indirectly infringed and continue to indirectly infringe one or more claims of the '376 Patent by knowingly and intentionally inducing others, including T-Mobile customers and end-users, to directly infringe, either literally or under the doctrine of equivalents,

¹ See <https://www.t-mobile.com/business/solutions/iot/fleet-management-solutions>.

by making, using, offering to sell, selling, and/or importing into the United States products (including the Accused Products) that include or use infringing technology.

21. Defendants, with knowledge that these products, or the use thereof, infringe the '376 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continue to knowingly and intentionally induce, direct infringement of the '376 Patent by providing these products to end-users for use in an infringing manner. Alternatively, on information and belief, Defendant has adopted a policy of not reviewing the patents of others, thereby remaining willfully blind to the Patents-in-Suit at least as early as the issuance of the Patents-in-Suit.

22. Defendants have and continue to induce infringement by others, including end-users, with the intent to cause infringing acts by others or, in the alternative, with the belief that there was, and is, a high probability that others, including end-users, infringe the '376 Patent, but while remaining willfully blind to the infringement.

23. Minotaur has suffered damages as a result of Defendant's direct and indirect infringement of the '376 Patent in an amount to be proved at trial.

24. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendants' infringement of the '376 Patent, for which there is no adequate remedy at law, unless Defendants' infringement is enjoined by this Court.

COUNT II
(Infringement of the '242 Patent)

25. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

26. Minotaur has not licensed or otherwise authorized Defendants to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '242 Patent.

27. Defendants have infringed and continue to directly infringe the '242 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '242 Patent. Such products include, but are not limited to, the T-Mobile SyncUP Drive System, among other products (“Accused Roadside Assistance Products”).

28. Defendants have infringed and continue to directly infringe at least claim 1 of the '242 Patent by making, using, offering to sell, selling, and/or importing into the United States the Accused Roadside Assistance Products.

29. For example, the T-Mobile SyncUP Drive System comprises a roadside assistance system. The T-Mobile SyncUP Drive System comprises a server receiving an assistance request from a vehicle, the server identifying the vehicle based upon the request and transmitting contact information of the vehicle to an assistance provider, sufficient for the assistance provider to remotely communicate with the vehicle directly. Defendants have directly infringed this claim by, for example, using and testing the Accused Roadside Assistance Products in the United States.

**Sign up today
and get SyncUP
DRIVE free.**

Service available for as low as \$10/month.

[Shop now](#)

If you cancel wireless service, credits stop and remaining balance on required finance agreement becomes due. For red-qualified customers, click the link to terms.

Safety

- Keep track of your driving behavior and monitor your car's health and performance—like maintenance and battery life—in the app.

[See how it works](#)

Device, device service and app required. GPS signal required for vehicle tracking.

Peace of Mind

- Track your car's location in near real-time with in-app map views and get notifications for potential break-ins, tow alerts, and more.

[See how it works](#)

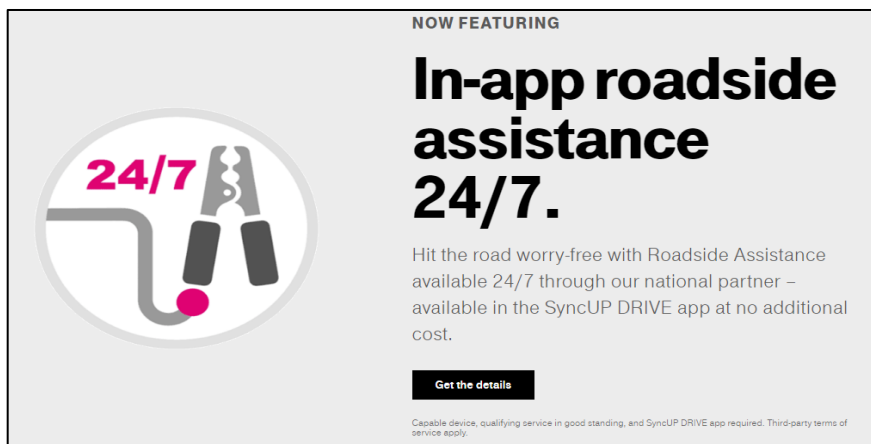
Device, device service, and app required. GPS signal required for vehicle tracking.

Connectivity

- Connect to the Wi-Fi hotspot on the T-Mobile network for in-car productivity and entertainment for up to five devices.

[See how it works](#)

Qualifying plan and device service required.



30. Defendants have indirectly infringed and continue to indirectly infringe one or more claims of the '242 Patent by knowingly and intentionally inducing others, including T-Mobile customers and end-users, to directly infringe, either literally or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing into the United States products (including the Accused Roadside Assistance Products) that include or use infringing technology.

31. Defendants, with knowledge that these products, or the use thereof, infringe the '242 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continues to knowingly and intentionally induce, direct infringement of the '242 Patent by providing these products to end-users for use in an infringing manner. Alternatively, on information and belief, Defendants have adopted a policy of not reviewing the patents of others, thereby remaining willfully blind to the Patents-in-Suit at least as early as the issuance of the Patents-in-Suit.

32. Defendants have and continue to induce infringement by others, including end-users, with the intent to cause infringing acts by others or, in the alternative, with the belief that there was, and is, a high probability that others, including end-users, infringe the '242 Patent, but

² See <https://www.t-mobile.com/iot-devices/syncup-drive-connected-car>.

while remaining willfully blind to the infringement.

33. Minotaur has suffered damages as a result of Defendant's direct and indirect infringement of the '242 Patent in an amount to be proved at trial.

34. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendants' infringement of the '242 Patent, for which there is no adequate remedy at law, unless Defendants' infringement is enjoined by this Court.

COUNT III
(Infringement of the '023 Patent)

35. Paragraphs 1 through 14 are incorporated by reference as if fully set forth herein.

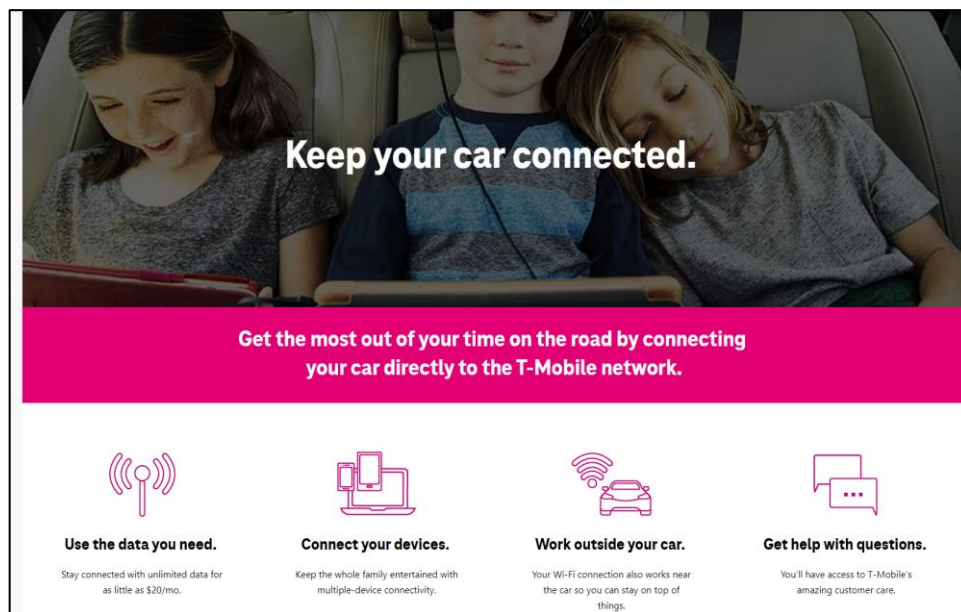
36. Minotaur has not licensed or otherwise authorized Defendants to make, use, offer for sale, sell, or import any products, including any products that embody any of the claimed inventions of the '023 Patent.

37. Defendants have infringed and continue to directly infringe the '023 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '023 Patent. Such products include, but are not limited to, vehicle communication systems with a control unit having a wireless communication module and a power management module such as the T-Mobile Magenta Drive, among other products ("Accused Vehicle Communication Products").

38. Defendants have and continue to directly infringe at least claim 1 of the '023 Patent by making, using, offering to sell, selling, and/or importing into the United States the Accused Vehicle Communication Products, such as the T-Mobile Magenta Drive.

39. For example, the T-Mobile Magenta Drive is a vehicle communication system. The T-Mobile Magenta Drive comprises a mobile communication device. The T-Mobile Magenta

Drive comprises a control unit in a vehicle, the control unit having an OFF state, an ON state, and a LOW POWER state. The control unit comprises a wireless communication module communicating wirelessly with the mobile communication device. The control unit comprises a power management module commanding the control unit to enter the ON state in response to each of a vehicle ignition event, a vehicle running condition, an incoming wireless command signal, and environmental stimuli. Defendants have directly infringed this claim by, for example, using and testing the Accused Vehicle Communication Products in the United States.



40. Defendants have and continue to indirectly infringe one or more claims of the '023 Patent by knowingly and intentionally inducing others, including T-Mobile customers and end-users, to directly infringe, either literally or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing into the United States products that include or use infringing technology, including the Accused Vehicle Communication Products.

41. Defendants, with knowledge that these products, or the use thereof, infringe the

³ See <https://www.t-mobile.com/benefits/magenta-drive-car-wifi-plans>.

'023 Patent at least as of the date of this Complaint, knowingly and intentionally induced, and continue to knowingly and intentionally induce, direct infringement of the '023 Patent by providing these products to end-users for use in an infringing manner. Alternatively, on information and belief, Defendants have adopted a policy of not reviewing the patents of others, thereby remaining willfully blind to the Patent-in-Suit at least as early as the issuance of the Patents-in-Suit.

42. Defendants have and continue to induce infringement by others, including end-users, with the intent to cause infringing acts by others or, in the alternative, with the belief that there was, and is, a high probability that others, including end-users, infringe the '023 Patent, but while remaining willfully blind to the infringement.

43. Minotaur has suffered damages as a result of Defendants' direct and indirect infringement of the '023 Patent in an amount to be proved at trial.

44. Minotaur has suffered, and will continue to suffer, irreparable harm as a result of Defendants' infringement of the '023 Patent, for which there is no adequate remedy at law, unless Defendants' infringement is enjoined by this Court.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury for all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Minotaur prays for relief against Defendants as follows:

a. Entry of judgment declaring that Defendants have directly and/or indirectly infringed one or more claims of each of the Patents-in-Suit;

b. An order pursuant to 35 U.S.C. § 283 permanently enjoining Defendants, their officers, agents, servants, employees, attorneys, and those persons in active concert or

participation with them, from further acts of infringement of the Patents-in-Suit;

c. An order awarding damages sufficient to compensate Minotaur for Defendants' infringement of the Patents-in-Suit, but in no event less than a reasonable royalty, together with interest and costs;

d. Entry of judgment declaring that this case is exceptional and awarding Minotaur its costs and reasonable attorney fees under 35 U.S.C. § 285; and

e. Such other and further relief as the Court deems just and proper.

Dated: July 24, 2023

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF,
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