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United States District Court lorthern District of California	12	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA			
	13 14	SAN FRANCISCO DIVISION			
	14	ESTECH SYSTEMS IP, LLC,	CA	ASE NO. 3:24-cv-(	02524
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United S Northern		Plaintiff,			
	17	Plaintiff,	СС	OMPLAINT	
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U No	<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	v. DIALPAD, INC., Defendant. Plaintiff Estech Systems IP, LLC Inc. ("Dialpad") alleging, based on its c	DE C ("Estech") fi	EMAND FOR JUF iles this original c e as to itself and i llows:	omplaint against Dialpad,
L No	<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	v. DIALPAD, INC., Defendant. Plaintiff Estech Systems IP, LLC Inc. ("Dialpad") alleging, based on its o on information and belief as to all other	C ("Estech") fr own knowledg matters, as fo PARTIES	EMAND FOR JUF iles this original c ge as to itself and i llows:	omplaint against Dialpad,
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L No	<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> </ol>	v. DIALPAD, INC., Defendant. Plaintiff Estech Systems IP, LLC Inc. ("Dialpad") alleging, based on its of on information and belief as to all other 1. Estech Systems IP, LLC	C ("Estech") fr own knowledg matters, as fol <b>PARTIES</b> is a Texas corp	EMAND FOR JUF iles this original c ge as to itself and i llows:	omplaint against Dialpad, ts own actions, and based

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DOCKET

 Defendant Dialpad, Inc. is a corporation organized and existing under the laws of the state of Delaware, with its principal place of business at 2700 Camino Ramon, San Ramon, CA 94583.

#### JURISDICTION AND VENUE

3. This is an action for infringement of United States patents arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

4. Venue is proper in this district pursuant to 28 U.S.C. §§ 1400(b) and 1391(b-c), for at least the reason that Dialpad is has its principal place of business in the Northern District of California.

5. Defendant Dialpad, Inc. is subject to this Court's specific and general personal jurisdiction due at least to Dialpad's substantial business in this forum, including (i) at least a portion of the infringements alleged herein; (ii) maintaining a regular and established place of business in the district; and/or (iii) 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 California and in this district.

6. Specifically, Dialpad intends to and does business in California, directly or through intermediaries and offer their products and/or services, including those accused herein of infringement, to customers and potential customers located in California, including in the Northern District of California.

7. Dialpad maintains at least one regular and established place of business in this district, including at 2700 Camino Ramon, San Ramon, CA 94583.

### THE TECHNOLOGY

8. Estech is an affiliate of Estech Systems, Inc. ("ESI") which for more than 30 years has been a leading U.S.-based provider of end-to-end business phone solutions. ESI's Network Operations Center is located in Plano, Texas.

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9. Since 1987, ESI has sold more than 400,000 solutions to its customers, working with more than 1,500 certified partners nationwide. Its customers include small and large businesses across the country.

10. Recognizing that business doesn't get done without communication, ESI provides powerful products that are easy and simple to use. ESI's products are engineered to make intelligent technology that is intuitive and user-friendly, empowers employee productivity, and fuels customer satisfaction.

11. ESI's technology is American-engineered. From its Plano, Texas headquarters, ESI provides a full solutions portfolio of modern business phone systems, including Cloud, Hybrid, Pure IP, and SIP dial tone products. Given ESI's end-to-end product offerings, its customers are empowered to choose the product features they need and want.

12. ESI's products include the most integrated cloud PBX in the market—the awardwinning ESI Cloud PBX; Voice over IP (VoIP) products and systems; and on-premises products. A cloud-based PBX is a sophisticated telephone exchange system that uses a cloud infrastructure to provide communication services, such as telephony services.

13. VoIP transmits and receives voice communications over data networks, such as the Internet or private networks, using the Internet Protocol (IP).

14. VoIP systems offer several advantages over traditional phone systems including, but not limited to, lower cost and more efficient network management.

15. VoIP systems also enable integration of additional communication services.

16. ESI cloud-based VoIP products have handled billions of call minutes.

17. ESI also provides U.S.-based, best-in-class technical support for its customers.

18. The patents-in-suit, U.S. Patent Nos. 8,391,298 (the "298 Patent"), 7,068,684 (the "684 Patent"), and 7,123,699 (the "699 Patent") (collectively, the "Estech Asserted Patents"), are generally directed to systems and methods for providing robust, feature-rich communications systems including, but not limited to, VoIP telephony and additional communication services that can be integrated with a VoIP telephony system.

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19. The Estech Asserted Patents have been widely licensed in relevant industries, including 21 different license agreements consummated to date, including with Cisco Systems, Microsoft, Mitel, and Avaya.

20. Products and services of or provided by Cisco, Microsoft, Avaya, Mitel, RingCentral, 3CX, or their Affiliates, including any portions thereof, alone or in combination with one or more other products, services, processes, or other items, are not alleged to satisfy, in whole or in part, any element or a step of any claim in the Estech Asserted Patents.

#### THE ACCUSED INSTRUMENTALITIES

21. On information and belief, Dialpad has and continues to at least design, make, manufacture, sell, or offer to sell communication equipment and services and system-design services, including but not limited to, for example, Dialpad telephony devices (e.g., Polycom VVX250, Polycom VVX350, Polycom VVX450, Yealink SIP-T33G, Yealink SIP-T43U, Yealink SIP-T46U, Yealink SI

22. Upon information and belief, Dialpad designs telecommunication and information handling systems for its customers by incorporating the Dialpad Products and Services into their customers' existing network infrastructure.

23. Upon information and belief, the telecommunication and information handling systems made for, sold and/or offered for sale to customers by Dialpad and the telecommunication and information handling systems used by Dialpad employees provide at least one or more of the

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following functionalities: (i) the ability to make VoIP-based voice calls using its VoIP telephony devices; (ii) the ability to store voice mail messages; (iii) the ability to allow access to the voice mail messages using VoIP telephony devices; and (iv) the ability to provide directory services, which include, but are not limited to, for example, providing directory information to a user or VoIP telephony device, including, but not limited to, for example, providing a list of telecommunications extensions through VoIP telephony devices.

24. When this Complaint references "Accused Instrumentalities," it is referring to the telecommunications and information handling systems Dialpad offers to sell, sells, and makes for its customers as well as the systems its employees use that are referenced in paragraphs 21-23 above and are incorporated herein by reference.

#### COUNT I

#### **INFRINGEMENT OF U.S. PATENT NO. 8,391,298**

25. Estech repeats and re-alleges the allegations in paragraphs 1-24 as though fully set forth in their entirety.

26. Estech owns all substantial rights, interest, and title in and to the '298 Patent, including the sole and exclusive right to prosecute this action and enforce the '298 Patent against infringers, and to collect damages for all relevant times. The United States Patent and Trademark Office duly issued the '298 Patent on March 5, 2013. A copy of the '298 Patent is attached as Exhibit A.

27. The '298 Patent is titled "Phone Directory in a Voice Over IP Telephone System." The '298 Patent describes information processing systems that store a list of phone numbers, integrated with a VoIP telephony system, to provide those phone numbers to the user of a VoIP telephone. The user can use that list to dial the telephone number of another user associated with the VoIP telephony system.

28. The claims of the '298 Patent are not directed to an abstract idea. For example, claim 13 of the '298 Patent recites a specific arrangement of devices and networking components. Together those devices and networking components enable a user of a first telecommunications

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