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7 *Attorney(s) for Plaintiff Geographic Location Innovations, LLC*

8 **IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 **GEOGRAPHIC LOCATION
11 INNOVATIONS, LLC,**

12 **Plaintiff,**

13 **v.**

14 **HEALTH MART SYSTEMS,
15 INC.,**

16 **Defendant.**

CASE NO. 3:21-cv-05155

DEMAND FOR JURY TRIAL

17 **COMPLAINT**

18 Plaintiff Geographic Location Innovations LLC (“Plaintiff” or “GLI”) files this
19 Complaint against Health Mart Systems, Inc. (“Defendant” or “HMSI”) for
20 infringement of United States Patent No. 7,917,285 (hereinafter “the ‘285 Patent”).

21 **PARTIES AND JURISDICTION**

22 1. This is an action for patent infringement under Title 35 of the United
23 States Code. Plaintiff is seeking injunctive relief as well as damages.

24 2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331
25 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent
26 infringement arising under the United States patent statutes.

27 3. Plaintiff is a Texas limited liability company with a virtual office located
28 at 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

1 4. On information and belief, Defendant is a Delaware corporation with a
2 place of business located at One Post Street, San Francisco, CA 94104. On
3 information and belief, Defendant may be served through its agent, Corporation
4 Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

5 5. On information and belief, this Court has personal jurisdiction over
6 Defendant because Defendant has committed, and continues to commit, acts of
7 infringement in this District, has conducted business in this District, and/or has
8 engaged in continuous and systematic activities in this District.

9 6. On information and belief, Defendant's instrumentalities that are alleged
10 herein to infringe were and continue to be used, imported, offered for sale, and/or sold
11 in this District.

12 VENUE

13 7. On information and belief, venue is proper in this District under 28
14 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District.
15 Alternatively, acts of infringement are occurring in this District and Defendant has a
16 regular and established place of business in this District.

17 COUNT I

18 (INFRINGEMENT OF UNITED STATES PATENT NO. 7,917,285)

19 8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

20 9. This cause of action arises under the patent laws of the United States
21 and, in particular, under 35 U.S.C. §§ 271, *et seq.*

22 10. Plaintiff is the owner by assignment of the '285 Patent with sole rights
23 to enforce the '044 Patent and sue infringers.

24 11. A copy of the '285 Patent, titled "Device, System and Method for
25 Remotely Entering, Storing and Sharing Addresses for a Positional Information
26 Device," is attached hereto as Exhibit A.

27 12. The '285 Patent is valid, enforceable, and was duly issued in full
28 compliance with Title 35 of the United States Code.

1 13. On March 29, 2011, the United States Patent & Trademark Office
2 (USPTO) duly and legally issued the ‘285 Patent.

3 14. The ‘285 Patent teaches a method and apparatus for storing and sharing
4 addresses for a positional information device. Among other things, the claimed
5 system allows a user to request an address, such as the address for a store, from a
6 server. The server determines the requested address and transmits it to the positional
7 information device. The device receives the address and the system determines route
8 guidance to the store address based at least in part on the location of the positional
9 information device. The server also receives a time and date associated with the
10 address request.

11 15. The ‘285 Patent invention solves problems that existed with then-
12 existing navigation systems associate with having address information loaded onto a
13 positional information device (such as a GPS-equipped mobile phone). Problems
14 arose due to a number of different factors including: (1) disparate navigational
15 devices; (2) navigational devices that required preprogramming of address
16 information; (3) the use of different vehicles by one or more users all going to the
17 same address; and (4) users needing address information downloaded while driving.
18 See, ‘285 Patent Specification, 1:35-2:13.

19 16. At the time of the invention claimed in the ‘285 Patent, telematics
20 enabled a central processing center to provide certain services such as help with
21 directions and tracking stolen vehicles. Telematics, however, did not provide address
22 downloads and associated route guidance to stores to a user’s mobile phone. The
23 claimed invention provides these features and overcomes problems associated with
24 prior systems.

25 17. The ‘285 Patent is directed to computerized technologies to provide
26 users with easy access to address downloads and associated route guidance. Among
27 other things, the ‘285 Patent claims (in Claim 13 for example), a system for entering
28 location information into a positional information device. The system includes a

1 server, which is configured to receive an address request, to determine the address of
2 at least one location, and to transmit that address to the positional information device.
3 The positional information device includes: (1) a location information module for
4 determining the location of the device; (2) a communication module for receiving the
5 information from the server; (3) a processing module for receiving the at least one
6 determined address and for determining route guidance based at least in part on the
7 location of the device; (4) a display module for displaying the route guidance; and (5)
8 a communication network to couple the device to the server. Collectively, these
9 components operate in a way that was neither generic, nor well-known, at least at the
10 time of the invention. Moreover, certain individual components (e.g., the processing
11 module and the server) operate in a way that is neither generic nor well-known.

12 18. The '285 Patent solves problems with the art that are rooted in computer
13 technology and that are associated with electronic transmission, loading, and storage
14 of location information, as well as automatic provisioning of route guidance. The '285
15 Patent claims do not merely recite the performance of some business practice known
16 from the pre-Internet world along with the requirement to perform it on the Internet.

17 19. The '285 Patent invention includes include software and hardware that
18 do not operate in a conventional manner.

19 20. The improvements of the '285 Patent and the features recited in the
20 claims of the '285 Patent provide improvements to conventional hardware and
21 software systems and methods. The improvements render the claimed invention of
22 the '285 Patent non-generic in view of conventional components.

23 21. The improvements of the '285 Patent and the features recited in the
24 claims of the '285 Patent would not be well-understood, routine or conventional to
25 one of ordinary skill in the art at the time of the invention.

26 22. Upon information and belief, Defendant has infringed and continues to
27 infringe one or more claims, including at least Claim 13, of the '285 Patent by making,
28 using (at least by having its employees, or someone under Defendant's control, test

1 the System), importing, selling, and/or offering for sale a website with associated
2 hardware and software embodied, for example, in its store locator system (the
3 “System”) covered by at least Claim 13 of the ‘285 Patent. The System is used, for
4 example, in connection with Defendant’s website at
5 <https://www.healthmart.com/store-locator.html>. Defendant has infringed and
6 continues to infringe the ‘285 patent either directly or through acts of contributory
7 infringement or inducement in violation of 35 U.S.C. § 271.

8 23. The System includes the mobile website and associated hardware. These
9 tools provide a route planner mobile application. This application provides for remote
10 entry of location information, such as destination into a positional information device
11 such as, for example, a computer or smart phone in which users can find stores. The
12 website automatically loads available routes onto the positional information device
13 based on the user’s location. Certain aspects of this element are illustrated in the
14 screenshot(s) below and/or in those provided in connection with other allegations
15 herein.



25 Source: <https://www.healthmart.com/store-locator.html>

26 24. The System includes one or more servers that receive a request for an
27 address such as destination (i.e., an address of a location not stored within the
28

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