

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

GROUPCHATTER, LLC
Plaintiff,

v.

**GENERAL ELECTRIC COMPANY,
GE ENERGY MANAGEMENT
SERVICES, INC., and
GE GRID SOLUTIONS, LLC**
Defendants.

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CIVIL ACTION NO. 6:15-cv-00975

PLAINTIFF’S ORIGINAL COMPLAINT AND JURY DEMAND

Plaintiff GroupChatter, LLC files this Original Complaint against Defendants General Electric Company, GE Energy Management Services, Inc. and GE Grid Solutions, LLC (collectively, “GE”) for infringement of: U.S. Patent Nos. 7,969,959; 8,199,740; 8,588,207; and 9,014,659.

THE PARTIES

1. Plaintiff GroupChatter, LLC (“GroupChatter”) is a Texas limited liability company with its headquarters and principal place of business at 1400 Preston Road., Suite 475, Plano, Texas 75093.

2. Defendant General Electric Company is a New York corporation with its principal place of business at 3135 Easton Turnpike, Fairfield, CT, 06828-0001. General Electric Company may be served through its registered agent CT Corporation, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136.

3. Defendant GE Energy Management Services, Inc., is a Delaware corporation with its principal place of business at 4200 Wildwood Pkwy Bldg 2018, Atlanta, GA 30339. GE

Energy Management Services, Inc., may be served through its registered agent CT Corporation, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136.

4. Defendant GE Grid Solutions, LLC is a Delaware corporation with its principal place of business at 4200 Wildwood Pkwy Bldg 2018 N6-04A-03, Atlanta, GA 30339. GE Grid Solutions, LLC may be served through its registered agent CT Corporation, 1999 Bryan St., Ste. 900, Dallas, TX 75201-3136.

JURISDICTION AND VENUE

5. GroupChatter brings this action for patent infringement under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Defendant does business in this judicial district, has committed acts of infringement in this judicial district, has purposely transacted business in this judicial district involving the accused products and/or, has regular and established places of business in this judicial district.

7. Defendants are 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 State and judicial district, including: (A) at least part of its infringing activities alleged herein; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from goods sold and services provided to Texas residents.

COUNT I (INFRINGEMENT OF U.S. PATENT NO. 7,969,959)

8. GroupChatter incorporates paragraphs 1 through 5 herein by reference.

9. GroupChatter is the owner, by assignment, of U.S. Patent No. 7,969,959 (the

“’959 Patent”), titled “METHOD AND APPARATUS FOR EFFICIENT AND DETERMINISTIC GROUP ALERTING.”

10. A true and correct copy of the ’959 Patent is attached as Exhibit A.

11. As the owner of the ’959 Patent, GroupChatter holds all substantial rights in and under the ’959 Patent, including the right to grant sublicenses, exclude others, and to enforce, sue, and recover damages for past and future infringement.

12. The United States Patent Office granted the ’959 Patent on June 28, 2011.

13. The ’959 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

14. Defendant has no consent or authorization to practice the ’959 Patent.

15. GE is practicing one or more claims of the ’959 Patent, including at least claims 1 and 30, by making, using, offering for sale, selling, and/or importing components and systems for alerting groups of recipients over a wireless network.

16. GE has directly infringed and continues to infringe the ’959 Patent by practicing, without limitation, the methods of claims 1 and 30 by deploying, testing, and operating a wide area Grid IQ Advanced Metering Infrastructure (AMI) network that enables remote configuration, operation, and monitoring of utility meters (the “Grid IQ AMI System”).

17. The Grid IQ AMI System consists of subsystems and components including RF Mesh components, Smart Metering Operations Suite, Grid IQ Connect, Grid IQ Network Communications Platform, access points, subscriber units, and endpoints.

18. The Grid IQ AMI System operates with endpoints (e.g., electric meters) that have communication modules.

19. Grid IQ AMI System endpoints are identified by device ID, endpoint ID, serial

number and/or network address.

20. Grid IQ endpoints are organized in groups.

21. The Grid IQ AMI System relies on one or more wireless networks to communicate with the endpoints, where the wireless networks include power line communication (PLC) system components, mesh network components, cellular network components, access points, subscriber units, and other endpoints.

22. During operation of the Grid IQ AMI System, GE processes endpoint addresses, endpoint group addresses, outgoing communications, and incoming acknowledgment responses.

23. Actions may be performed on one or more groups of Grid IQ AMI System endpoints.

24. GroupChatter has been damaged as a result of Defendant's infringing conduct described in Count 1. GE is liable to GroupChatter in an amount that adequately compensates it for GE's infringement, which, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT 2
(INFRINGEMENT OF U.S. PATENT NO. 8,199,740)

25. GroupChatter incorporates paragraphs 1 through 22 herein by reference.

26. GroupChatter is the owner, by assignment, of U.S. Patent No. 8,199,740 (the "'740 Patent"), titled "METHOD AND APPARATUS FOR EFFICIENT AND DETERMINISTIC GROUP ALERTING."

27. A true and correct copy of the '740 Patent is attached as Exhibit B.

28. As the owner of the '740 Patent, GroupChatter holds all substantial rights in and under the '740 Patent, including the right to grant sublicenses, exclude others, and to enforce, sue, and recover damages for past and future infringement.

29. The United States Patent Office granted the '740 Patent on June 12, 2012.

30. The '740 Patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

31. GE is practicing one or more claims of the '740 Patent, including at least claims 1 and 11, by making, using, offering for sale, selling, and/or importing components and systems for alerting groups of recipients over a wireless network.

32. GE has directly infringed and continues to infringe the '740 Patent by practicing one or more claims of the '740 Patent, including at least claims 1 and 11, by deploying, testing, and operating the Grid IQ AMI System and its subsystems that provide a deterministic group messaging system through which GE alerts groups of recipient endpoints over a wireless network.

33. Grid IQ AMI System endpoints are capable of transmitting and receiving data wirelessly.

34. GE stores and processes endpoint and group addresses for multiple endpoints.

35. GE provides endpoints with data by broadcasting outgoing communications to the endpoints and processes incoming acknowledgments when it operates the Grid IQ AMI System and related subsystems.

36. The Grid IQ AMI System and related subsystems are a deterministic group messaging system for providing acknowledged group messaging.

37. GroupChatter has been damaged as a result of Defendant's infringing conduct described in Count 2. GE is liable to GroupChatter in an amount that adequately compensates it for their infringement, which amount, by law, can be no less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

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