

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

**BLITZSAFE TEXAS, LLC,**

Plaintiff,

v.

**TATA MOTORS LTD., JAGUAR LAND  
ROVER LTD., and JAGUAR LAND  
ROVER NORTH AMERICA, LLC,**

Defendants.

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Case No. 2:17-CV-00424-JRG

**JURY TRIAL DEMANDED**

**PLAINTIFF’S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Blitzsafe Texas, LLC (“Blitzsafe” or “Plaintiff”), files this First Amended Complaint against Defendants Tata Motors Ltd., Jaguar Land Rover Limited, and Jaguar Land Rover North America, LLC (collectively, “Defendants”), for patent infringement under 35 U.S.C. § 271 and alleges as follows:

**THE PARTIES**

1. Plaintiff, Blitzsafe Texas LLC, is a limited liability company organized and existing under the laws of the State of Texas, and maintains its principal place of business at 100 W. Houston Street, Marshall, Texas 75670. Blitzsafe sells automotive interface products that allow the end user to connect a third-party external audio device or multimedia device to a car stereo in order to play the content on the device through the car stereo system and speakers, from its office in Marshall, Texas. Blitzsafe sells its products throughout the United States including

in this judicial district. Blitzsafe is the owner of all right, title, and interest in and to U.S. Patent No. 7,489,786 and U.S. Patent No. 8,155,342.

2. Upon information and belief, Defendant Tata Motors Ltd. is an Indian multinational automotive manufacturing company with a place of business at Bombay House, 24 Homi Mody Street, Mumbai, India 400 001.

3. Upon information and belief, Defendant Jaguar Land Rover Limited is a British corporation with a place of business at Abbey Road, Whitley, Coventry, CV3 4LF, United Kingdom. On information and belief, Jaguar Land Rover Ltd. does business, itself, or through its subsidiaries and affiliates, in the State of Texas and the Eastern District of Texas.

4. Upon information and belief, Defendant Jaguar Land Rover North America, LLC (“JLRNA”) is a Delaware corporation with a place of business at 555 MacArthur Blvd., Mahwah, NJ 07430, and may be served with process through its registered agent, Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808. Upon information and belief, JLRNA distributes, markets, sells, and services Jaguar and Land Rover-branded vehicles, and related parts and accessories throughout the United States.

5. Upon information and belief, JLRNA is registered to do business in Texas with the Secretary of State. The Texas Business Organizations Code (Bus. Org. § 9.001) requires all entities formed outside of the State of Texas to complete such registration in order to “transact business” in Texas. Upon information and belief, JLRNA is registered as a taxable entity with the Texas Comptroller of Public Accountants in connection with its marketing, distribution, and technical support of Jaguar and Land Rover-branded vehicles through its relationship with Jaguar Land Rover dealerships.

6. JLRNA engages in sales of products that infringe the patents-in-suit to the Jaguar Land Rover dealership in Frisco, Texas. Upon information and belief, JLRNA engages in marketing activities that promote the sale of Jaguar and Land Rover-branded products to customers and/or potential customers located in Texas and in the Eastern District of Texas.

7. Upon information and belief, JLRNA employees work with the Jaguar Land Rover dealership in this District on issues related to sales, marketing, technical training, and the service of parts and accessories. Upon information and belief, JLRNA reimburses these employees for travel and personal expenses related to their job responsibilities.

8. Upon information and belief, the Jaguar Land Rover dealer located within the Eastern District of Texas has executed dealer agreements with JLRNA. Upon information and belief, these dealer agreements set forth Jaguar Land Rover Franchise Standards and other requirements enumerated by Defendants that dealers must comply with. Upon information and belief, these standards and requirements are directed to at least the dealership facility, space, appearance, layout, and equipment.

9. Upon information and belief, JLRNA regularly, continuously, and systematically provides support to and control over the Jaguar Land Rover dealership located in the Eastern District of Texas. Upon information and belief, JLRNA employees regularly and systematically work at the Jaguar Land Rover dealership in this District to educate dealership employees regarding features of the Jaguar and Land Rover accused products sold in this judicial district, including but not limited to features regarding audio and multimedia integration systems. Upon information and belief, various positions at JLRNA require working at the dealerships in this District.

10. Upon information and belief, JLRNA employees regularly travel to the Jaguar Land Rover dealership in this district in order to provide support to and exercise control over the sales, marketing, and service of Jaguar and Land Rover automobiles in this District. As one example of JLRNA's support to and control over the dealerships, upon information and belief, JLRNA employees travel to the dealership located in this District to provide training to service technicians employed by such dealership. Upon information and belief, JLRNA employs Regional Technical Managers who "work[] with retailer management to actively develop a customer-focused culture, which delivers high levels of customer loyalty and advocacy," "monitor[] the performance of the Retailer's Workshop against targets, using a wide range of JLR reports and tools," "work[] with Retailers to review data on customer satisfaction," "guide[] Retailer Management to Improve Performance through analysis of Repeat Repair, Quality Check and Red Flag Metrics," "coach[] and support[] retailer managers to ensure approved Tooling and Diagnostic Equipment is available and maintained in line with JLR Standards to ensure correct Diagnostics and Repair," "compile[] a report to communicate improvement opportunities to Retailer with closure plans and responsibilities for each concern raised," "assess[] Workshop and standards against JLR Franchise Standards, DSAT and Retailer Technical Assessment Process and implements in conjunction with retailer management any corrective actions required," "guide[] Managers to develop the capability and performance of their workshop teams; ensures that the Retailer is fully compliant with JLR competency and training requirements," "work[] with retailers to review the outcomes from Retailer Standards Audits and implement any corrective action which is required," "communicate[] and support[] retailers to implement key JLR Workshop indicatives and technologies (e.g. EVHC, new diagnostic tools) which are being rolled out by the NSC/Importer," "provide[] coaching to workshop teams to support specific

initiatives (e.g. use of systems such as TOPix, DDW and SDD),” and “support[] Retailer in the discussions of complex technical situations with Customer.” *See* Exhibit A.<sup>1</sup> This position and similar positions at JLRNA require domestic travel, upon information and belief, to the dealership in this district.

11. Upon information and belief, while Defendants’ employees are working at dealerships in this District, they have access to communication devices (cell phones, laptops, etc.) provided by Defendants on which they conduct business on behalf of Defendants. Upon information and belief, Defendants’ employees have access to their JLRNA e-mail accounts while they are present in dealerships in this District.

12. Upon information and belief, through its exclusive agents, instrumentalities and representatives, JLRNA provides new car warranty service within the district on the infringing products. Upon information and belief, JLRNA warrants to the original and each subsequent owner of new Jaguar and Land Rover vehicles that any authorized Jaguar Land Rover dealer will make any repairs or replacements necessary to correct defects in material or workmanship arising during the warranty period. Upon information and belief, all such warranty work is paid for by JLRNA. Upon information and belief, there is at least one authorized Jaguar Land Rover dealer in the Eastern District of Texas, at the service department at Land Rover Frisco. Upon information and belief, service technicians employed at this dealership participate in JLRNA-sponsored training programs, workshops, schools, and events.

13. Upon information and belief, JLRNA provides Passport to Service Booklets (“Booklets”) to Jaguar and Land Rover customers, including those customers that purchase

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<sup>1</sup> Available at <https://chk.tbe.taleo.net/chk06/ats/careers/requisition.jsp?org=JAGUARLANDROVER&cws=6&rid=732>

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