

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**TRAXCELL TECHNOLOGIES, LLC,
Plaintiff,**

**v.
APPLE, INC.,
Defendant.**

CASE NO. 6:21-cv-00074

JURY DEMAND

PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Traxcell Technologies, LLC. ("Traxcell") files this Original Complaint, and demand for jury trial seeking relief from patent infringement by Apple, Inc. ("Defendant" or "Apple"), alleging infringement of the claims of U.S. Pat. No. 9,918,196 and U.S. Pat. No. 9,549,388 (collectively referred to as "Patents-in-Suit"), as follows:

I. THE PARTIES

1. Plaintiff Traxcell is a Texas Limited Liability Company, with its principal place of business located at 103 Country Club Drive. #508, Marshall, Texas 75672.

2. Apple is a California corporation having regular and established places of business at 12535 Riata Vista Circle and 5501 West Parmer Lane, Austin, Texas. Apple designs, manufactures, uses, imports into the United States, sells, and/or offers for sale in the United States smartphones, tablets, iPods, desktop computers, and notebook computers that use Apple Maps. Apple markets, sells, and offers to sell its products and/or services, including those accused herein of infringement, to actual and potential customers and end-users located in Texas and in the judicial Western District of Texas such as at the Barton Creek Mall (2901 S. Capital of Texas Hwy) and in the Domain (3121 Palm Way, Austin, TX 78758) in Austin, Texas. Apple may be served with

process through its registered agent for service in Texas: CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

II. JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the U.S., 35 U.S.C. §§ 1 et. seq. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1332(a) and 1338(a).
4. This Court has personal jurisdiction over Defendants because: Defendants are present within or has minimum contacts within the State of Texas and this judicial district; Defendants have purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; Defendants regularly conducts business within the State of Texas and within this judicial district; and Plaintiff's cause of action arises directly from Defendants' business contacts and other activities in the State of Texas and in this judicial district. The amount in controversy is more than \$75,000.00.
5. Venue is proper in this judicial district per 28 U.S.C. §§ 1391 and 1400(b). Apple has committed acts of infringement in this judicial district and maintains regular and established places of business in this district, as set forth above. Apple has continuous and systematic business contacts with the State of Texas. Apple, directly or through subsidiaries or intermediaries (including distributors, retailers, contract manufacturers, and others), conducts its business extensively throughout Texas, by shipping, manufacturing, distributing, offering for sale, selling, and advertising (including the provision of interactive web pages) its products and services in the State of Texas and the Western District of Texas, including Apple Maps. Apple, directly or through subsidiaries or intermediaries (including distributors, retailers, contract manufacturers, and others), has

purposefully and voluntarily placed its infringing products and services into this District and into the stream of commerce with the intention and expectation that they will be purchased and used by consumers in this District, including Apple Maps. Apple has offered and sold and continues to offer and sell these infringing products and services in this District, including at physical Apple stores located within this District. Apple also has derived substantial revenues from infringing acts, including but not limited to advertising, business APIs, private usage, OEM usage, and an attribution of a portion of each device sale or lease to Apple Maps.

6. Apple has committed acts of infringement in this judicial district and has a regular and established place of business in this judicial district. Austin, where Apple employs over 5,000 employees and has several corporate campuses, is Apple's largest corporate hub outside of its headquarters in Cupertino, California.

III. INFRINGEMENT ('196 Patent (attached as Exhibit A))

7. On March 13, 2018, U.S. Patent No. 9,918,196 ("the '196 patent"), attached as Exhibit A, entitled "Internet queried directional navigation system with mobile and fixed originating location determination" was duly and legally issued by the U.S. Patent and Trademark Office. Traxcell owns the '196 patent by assignment.
8. The '196 Patent's Abstract states, "A mobile wireless network and a method of operation provide directional assistance in response to an Internet query. The directional assistance is provided from a location of the querying device to a destination that may be selectively prompted based on whether the destination is a nearby business, a type of business, a street address, or another mobile device or fixed telephone location. The location of the querying device is also selectively determined depending on whether the querying device is a

wireless device such as a mobile telephone, or whether the device has a presumed fixed location, such as an ordinary telephone connected to a public-switched telephone network (PSTN).

9. The following preliminary exemplary chart provides notice of Traxcell’s allegations of infringement.

Exemplary Claim	Corresponding Structure in Accused Systems
<p>A method of providing navigation assistance to a user of a communications device, the method comprising:</p>	<p>Apple Devices that supports the Apple Maps online navigation service together with the Apple Maps server-side or cloud infrastructure needed to provide the service, constitute the “Accused System”.</p> <p>The term “Apple Maps” encompasses and includes all the versions and variants of the Apple Maps web (for PCs, laptops and other computers functioning with macOS or Mac OS X operating systems) and the Apple Maps app [Apple Maps app for iOS devices (iPhone, iPad, iPod Touch etc.) and watchOS devices] and the applications supported by the Apple Maps Platform.</p> <p>The “method of providing navigation assistance to a user of a communications device” refers to the method by which Apple Maps provides online navigation assistance (directions) to a user of a communications device or UE (example: mobile phone, smartphone, laptop, tablet, iPhone, iPad, iPod Touch etc.) including the Apple Maps app or including a browser plugin enabling access to the Apple Maps website or having other means to access the Apple Maps website, for querying and receiving navigation instructions for travelling from a starting location (current location of the communications device or a location specified by its user as the ‘origin’) to a destination location (a location specified by the said user as the ‘destination’).</p> <p>The “communications device” refers to a UE (example: iPhone, iPad, iPod Touch, mac book etc.) including the Apple Maps app or including a browser plugin enabling access to the Apple Maps website or having other means to access the Apple Maps website for querying and receiving navigation instructions for travelling from a starting</p>

Exemplary Claim	Corresponding Structure in Accused Systems
	<p>location (current location of the communications device or a location specified by its user as the ‘origin’) to a destination location (a location specified by the said user as the ‘destination’).</p>
<p>receiving, by a directional assistance service, an Internet query initiated at the communications device and directed via the Internet to initiate a request for navigational assistance to a destination;</p>	<p>Navigation using Apple Maps online navigation service is a well-known example of off-board navigation. To elaborate, an off-board navigation system is a client/server system wherein only the user interface (UI) resides on the client’s (user’s) communications device and all the databases (GIS and/or mapping) and infrastructure required for computation (of route, distance, travel time, traffic etc.) reside remotely on a server or a network of servers (the server-side) located on the world wide web (www). The server-side could also comprise virtual (instead of physical) or cloud server infrastructure. The client side (user interface or UI at a user’s communications device) can only communicate with the server-side via the Internet.</p> <p>This claim element refers to the method and process involved in initiating a navigation query, using Apple Maps online navigation service, to obtain directions (navigation assistance) for travelling from a starting location to a destination location. The process involved in initiating the said navigation query includes inputting a destination location at the Apple Maps’ user interface (UI) at the user’s communications device, and sending the said query via Internet to the remote Apple Maps server (cloud server). The said remote Apple Maps server (cloud server) receives the said query via Internet.</p> <p>The term “directional assistance service” herein refers to Apple Maps online navigation service supported and facilitated by a wireless telecommunications network.</p> <p>The “communications device” refers to a UE (example: iPhone, iPad, iPod Touch, MacBook etc.) including the Apple Maps app or including a browser plugin enabling access to the Apple Maps website or having other means to access the Apple Maps website, for querying and receiving navigation instructions for travelling from a starting location (current location of the communications device or a location specified by its user as the ‘origin’) to a destination location (a location specified by the said user as the ‘destination’).</p> <p>The said “communications device” (the user of the said “communications device”) being a subscriber of wireless telecommunications network services.</p> <p>When subscribers utilizes Apple Maps online on their communications devices (UEs) using wireless telecommunication network , queries (directed to the Apple Maps server) and responses (informational, navigational or directional assistance from the Apple Maps server) are communicated between the client-side (Apple Maps application installed on a user’s wireless mobile communications device) and the server-side (Apple Maps server).</p>

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