

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

BILLJCO, LLC)	
)	
Plaintiff,)	
)	Civil Action No. 2:21-cv-181
v.)	
)	JURY TRIAL DEMANDED
CISCO SYSTEMS, INC.)	
)	
Defendant.)	
)	
)	
)	
)	
)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff BillJCo, LLC (“BillJCo” or “Plaintiff”), by its undersigned counsel, for its Complaint against defendant Cisco Systems, Inc. (“Cisco” or “Defendant”).

I. NATURE OF THE ACTION

1. This is a civil action arising under the patent laws of the United States, 35 U.S.C. §1 et seq., including 35 U.S.C. §271, based on Cisco’s unauthorized and willful infringing manufacture, use, sale, offering for sale, and/or importation of methods and products incorporating BillJCo’s patented inventions.

2. BillJCo is owner of all right, title, and interest in and to multiple United States patents and patent applications including United States Patent Nos. 8,761,804 (the ‘804 Patent); 10,292,011 (the ‘011 Patent); 10,477,994 (the ‘994 Patent) (collectively, “the Patents-in-Suit”).



3. Cisco manufactures, provides, sells, offers for sale, imports, and/or distributes products and services which directly infringe the Patents-in-Suit. The Patents-in-Suit represent BillJCo.'s significant investment into the Bluetooth Low Energy ("BLE") beacon technology space.

II. THE PARTIES

4. Plaintiff BillJCo, LLC is a Texas limited liability corporation with its principal place of business located at 1704 Katherine Court, Flower Mound, TX 75022. Bill Johnson is a member of BillJCo and is the inventor of the Patents-in-Suit and related patents in the patent portfolio.

5. Cisco Systems, Inc. is a Delaware corporation with its principal place of business at 170 West Tasman Drive, San Jose, California 95134. Cisco may be served through its registered agent for service in Texas, Prentice Hall Corporation System, 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

III. JURISDICTION AND VENUE

6. This is an action for patent infringement, which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§ 271, 281, 282, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

7. The Court has personal jurisdiction over Cisco because it has committed acts giving rise to this action within Texas and within this judicial district. Cisco also regularly does business or solicits business in this District and in Texas, engages in other persistent course of conduct, derives substantial revenue from products and/or services provided in this District and in Texas, has purposefully established substantial, systematic and continuous contacts with this District, and should reasonably expect to be sued in a court in this District.

8. For example, Cisco has a regular and established place of business in the State of Texas and in this District, including office spaces located at 2250, 2300, and 2400 East President George Bush Turnpike, Richardson, Texas 75082. Cisco also conducts business with customers residing in this District, and offers support service to customers in this District and Texas.

9. Cisco has committed acts of patent infringement in this District and elsewhere in Texas.

10. Cisco continues to grow its presence in this District, further cementing its ties to this District. Cisco operates a website and various advertising campaigns that solicit sales of the infringing products by consumers in the District and in Texas. Cisco has entered into partnerships with numerous resellers and distributors to sell and offer for sale the Accused Products to consumers in this District, both online and in stores, and offers support services to customers in this District.

11. Cisco is registered to do business in Texas and maintains an agent authorized to receive service of process within Texas. Given these contacts, the Court's exercise of jurisdiction over Cisco will not offend traditional notions of fair play and substantial justice.

12. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§1391 and 1400(b) because Cisco has an established place of business in this District, including that Cisco maintains office locations in this District at 2250, 2300, and 2400 East President George Bush Turnpike, Richardson, Texas 75082, has committed acts within this District giving rise to this action and resulting in the derivation of substantial revenue from goods and services provided to customers in Texas, and continues to conduct business in this District, including one or more acts of selling, using, importing, and/or offering for sale infringing goods and/or performing support service thereof to Cisco's customers in this District.

13. Venue is also convenient as BillJCo is a registered Texas Limited Liability Company located in Denton County and resides within this District. Similarly, BillJCo member and inventor of the Patents-in-Suit, Mr. Johnson, lives and resides in Denton County within this District. As such, various evidence and sources of proof relating to the Patents-in-Suit and this case also are located in and reside in this District and Texas.

IV. FACTUAL ALLEGATIONS

BillJCo's Technology and Patents-in-Suit

14. Beacon technology generally relates to a class of BLE hardware transmitters that broadcast, among other things, their identifier to nearby electronic devices where different information can be received, processed, analyzed, and ultimately presented to a user to, for example, enhance a user's or customer's experience.

15. The BillJCo patent portfolio includes thirty-three (33) issued and enforceable United States patents ("the Patent Portfolio") directed to the beacon technology ecosystem which have resulted from the innovation, ingenuity, and work of BillJCo member and inventor William J. Johnson. The Patent Portfolio claims an earliest priority date of March 14, 2008.

16. The Patents-in-Suit are part of the Patent Portfolio and relate to specific and particularized inventions for, and associated with, this beacon technology and the related protocols and specifications which facilitate and enable aspects of the beacon technology ecosystem including devices capable of implementing beacon standards and specifications, manufacturers of beacon transmitting devices, application developers, and beacon deployers. In particular, the Patents-in-Suit also teach and disclose – among other things – systems and methods for broadcasting and beaoning related identifiers, applications, and location information for use within the beacon ecosystem.

17. On June 24, 2014, the ‘804 Patent entitled “System and Method for Location Based Exchanges of Data Facilitating Distributed Locational Applications” was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the ‘804 Patent is attached hereto as Exhibit A.

18. On May 14, 2019, the ‘011 Patent entitled “System and Method for Location Based Exchange Network” was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the ‘011 Patent is attached hereto as Exhibit B.

19. On November 19, 2019, the ‘994 Patent entitled “System and Method for Location Based Exchanges of Data Facilitating Distributed Locational Applications” was duly and legally issued by the United States Patent and Trademark Office. A true and accurate copy of the ‘994 Patent is attached hereto as Exhibit C.

20. The Patents-in-Suit are valid and enforceable.

21. As of the priority date, the inventions as claimed in the Patents-in-Suit were novel, non-obvious, unconventional, and non-routine.

22. BillJCo, LLC is the assignee of and owns all right, title, and interests in the Patents-in-Suit, including the right to receive a reasonable royalty, and recovery of any and all other damages for all past and future infringement thereof.

Cisco’s Infringing Instrumentalities

23. Cisco makes, imports, uses, offers for sale, and sells in the United States devices that conform, implement, and infringe the Patents-in-Suit. This includes devices that use BLE to broadcast data packets, in compliance with beacon standards and specifications, to nearby wireless devices, such as smartphones and tablets, including at least: CiscoWave 2 Access Points including Aironet 1542/1800/1810/1815//1830/1850/2800/ 3800/4800 series; Cisco Catalyst

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