IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AMERANTH, INC.	)
	)
Plaintiff,	) Civil Action No. 2:22-cv-1776
	)
v.	) **COMPLAINT FOR**
	) **PATENT INFRINGEMENT**
DOORDASH, INC.	)
	) **JURY TRIAL DEMANDED**
Defendant.	)
	)

For its Complaint, Ameranth, Inc. ("Ameranth"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1.   Ameranth is a Delaware corporation having a principal place of business at 5820 Oberlin Drive, Suite 202, San Diego, California 92121.

2.   Defendant DoorDash, Inc. ("Defendant") is a Delaware company, with, upon information and belief, an office in Pittsburgh, Pennsylvania where its engineering team is focused on activities directly related to the infringement allegations herein: Defendant is "focused on core platform technologies that drive our delivery logistics platform and solve some of our team's largest distributed systems challenges." Brian Bailey, "Pioneering DoorDash's Platform Evolution in Pittsburgh," Oct. 21, 2021 (available at https://doordash.engineering/2021/10/21/pioneering-doordashs-platform-evolution-in-pittsburgh/ (last accessed Dec. 5, 2022)); *see also* https://doordash.engineering/locations/pittsburgh/ (last accessed Dec. 5, 2022).

JURISDICTION AND VENUE

3.   This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

4.   Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

5.   Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

6.   In addition to the engineering office opened in Pittsburgh, which is focused on the platform/framework technology of the '130 patent claims as explained and admitted below, Defendant employs hundreds of delivery Dashers', throughout the district, all of which use technology that is an integral part of Defendant's infringement of the '130 patent claims.

7.   Venue is thus proper in this district pursuant to 28 U.S.C. § 1400(b).

THE PATENT-IN-SUIT

8.   On March 15, 2022, U.S. Patent No. 11,276,130 (the "'130 patent"), entitled "Information Management and Synchronous Communications System," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '130 patent is attached hereto as Exhibit A.

9.   Ameranth is the assignee and owner of the right, title and interest in and to the '130 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

AMERANTH BACKGROUND

10.   Inventor and current President Keith McNally founded Ameranth more than twenty-five years ago to develop and provide innovative wireless, real-time communications technology and associated computer software and hardware systems that would enhance the efficiency of hospitality-focused enterprises such as hotels, restaurants, entertainment and event

ticketing venues and similar establishments.

11.   Ameranth's inventions and development of these systems has already resulted in the issuance by the USPTO of eight patents: 6,384,850 (the "'850 patent) (issued 2002), 6,871,325 (the "'325 patent") (issued 2005), 6,982,733 (the "'733 patent") (issued 2006), 8,146,077 (the "'077 patent") (issued 2012), 9,009,060 (the "'060 patent) (issued 2015), 9,747,651 (the "'651 patent") (issued 2017), 10,970, 797 (the "'797 patent) (issued 2021) and the '130 patent (issued 2022). Further, two additional patents are pending.

12.   The 2022-issued '130 patent is directed to different technology and solutions than the earlier patents and it is the lead patent of Ameranth's new parallel-operational-capable, web server network and distributed computing-based patent family, based upon the new and expanded teachings disclosed in the July 26, 2005 patent application, which is a continuation-in-part of the '077 patent. The claims of the '130 patent are not directed to formatting and synchronizing a graphical user interface (GUI) with wireless handheld computers, as is further explained below.

13.   In addition to multiple technology awards received for and widespread sales and deployments of its own products and systems, Ameranth's patents have been licensed to forty-seven sophisticated royalty-paying entities.

TECHNOLOGY BACKGROUND

a. Technological Problems in 2005

14.   Ameranth incorporates in its entirety the Declaration of Keith R. McNally Regarding: U.S. Patent: 11,276,130, attached hereto as Exhibit B, into the pleadings here.

15.   As explained by Mr. McNally, the inventor and a person of ordinary skill in the art, in early 2005, Ameranth was presented with two new, strategic opportunities, one from Holiday Inn Hotels and the other from Zagat Survey LLC. Both of these enterprise level opportunities

presented new and unprecedented technology challenges including the need for parallel operational capabilities. Ameranth recognized it needed that which did not exist at the time—a full, intelligent, enterprise level, web server-based back end solution/service with parallel operational capabilities.

16.   Both companies required very similar operational challenges/requirements. The solutions needed to be enterprise level, nearly entirely automatic/autonomous, extremely reliable, redundant, operating 24 hours a day, 7 days a week, 365 days per year, while being easy to learn/use   by   non-expert   staff/customers,   without   creating   new   operational procedures/requirements, and all while positioning the system to be ready to exploit the rapidly emerging smart phone technology. No such system/solution existed in 2005 which is why they came to Ameranth, since Ameranth was a recognized and widely praised technology innovator and known as a company that could design/invent and move/develop/act rapidly and affordably.

17.   Ameranth's eHost platform deployed for Holiday Inn incorporated key aspects of the inventions claimed in the '130 patent. McNally Decl. at ¶¶ 14-17.

18.   Several of the features claimed in the '130 patent were also incorporated in Ameranth's Magellan Restaurant Reservations System in November 2005. McNally Decl. at ¶¶ 18-19.

19.   Mr. McNally invented a new, unique and ordered combination of technologies including internet-based web server/cloud-based datacenter/hosted system with distributed computing, and the new and non-conventional multi-modes of contact and parallel operational capabilities' functionality, and its layered architecture and with distributed but linked databases, yet operating together as a master database and which learns, was intelligent and acts/decides intelligently. This ordered-combination-based invention is what is claimed in the '130 patent. The

'130 patent's new multi-modes of contact to/with both wireless handheld equipped consumers/customers and with the restaurants/hotels, provides resiliency, flexibility and reliability, and its internal and external API's accommodate and integrate with current and future hospitality and non-hospitality external systems.

20.   With national scale, hosted, web server-based deployments and the requirements for extreme reliability, the 24x7x365 availability of the system across thousands of locations, and enabled for multiple and linked web server data centers to prevent the system from going down due to a power outage or other such failure mode, consequently, the distributed computing and claimed master database while acting intelligently approaches with layered architectures and seamless interconnectivity was essential.

21.   Because speed/time to market was also a high priority, Ameranth was also challenged to develop interim solutions if required—while deferring, when/if appropriate to later versions—any integrations or special features not essential for the initial, primary operational features/objectives. This required planning and integrating the layered architecture and external API into the system framework/design to provide for continual growth and considerations into the overall system framework/architecture. At the time of the inventions claimed in the '130 patent, no such integrated system or system of systems existed.

22. The claimed inventions of the '130 patent and their new technical solutions preceded what later and more currently have become known as e.g. machine learning and/or a microservices-based architectural approach. McNally Decl. at ¶¶ 25, 27.

23.   After conceiving the advances, innovations and new, system architecture that powered and enabled these new systemic solutions in late 2004 into early 2005, Mr. McNally filed a continuation-in-part patent application on July 26, 2005, providing extensive new

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