

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

ESTECH SYSTEMS IP, LLC,

Plaintiffs,

v.

RANDSTAD US LLC and RANDSTAD
PROFESSIONALS US, LLC,

Defendants.

CIVIL ACTION NO. 2:21-cv-00479

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Estech Systems IP, LLC (“Estech” or “Plaintiff”) files this original complaint against Randstad US LLC and Randstad Professionals US, LLC (“Randstad” or “Defendants”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

PARTIES

1. Estech Systems IP, LLC is a Texas corporation, with its principal place of business at 3701 East Plano Parkway, Suite 300, Plano, Texas 75074.
2. Defendant Randstad US LLC is a corporation organized and existing under the laws of Delaware, with a place of business at 150 Presidential Way, 4th Floor, Woburn, MA 01801. Randstad may be served through its registered agent, Corporation Service Company dba CSC – Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218.
3. Defendant Randstad Professionals US LLC is a corporation organized and existing under the laws of Delaware, with a place of business at 150 Presidential Way, 4th Floor, Woburn, MA 01801. Randstad may be served through its registered agent, Corporation Service Company

dba CSC – Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218.

JURISDICTION AND VENUE

4. This is an action for infringement of United States patents arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1400(b) and 1391(c).

6. Defendants are subject to this Court’s specific and general personal jurisdiction due at least to Defendants’ substantial business in this forum, including (i) at least a portion of the infringements alleged herein; and/or (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 Texas and in this district.

7. Specifically, Defendants intend to and do business in Texas, directly or through intermediaries and offer their products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas, including in the Northern District of Texas.

8. Defendants maintain at least one regular and established places of business in this district, including at 3011 Internet Boulevard, Suite 300, Frisco, Texas 75034.

THE TECHNOLOGY

9. Estech is an affiliate of Estech System, Inc. (“ES Inc.,”) which for more than 30 years has been a leading U.S.-based provider of end-to-end business phone solutions. ES Inc.’s Network Operations Center is located in Plano, Texas.

10. Since 1987, ES Inc. has sold more than 400,000 solutions to its customers, working with more than 1,500 certified partners nationwide. Its customers include small and large businesses across the country.

11. Recognizing that business doesn't get done without communication, ES Inc. provides powerful products that are easy and simple to use. ES Inc.'s products are engineered to make intelligent technology that is intuitive and user-friendly, empowers employee productivity, and fuels customer satisfaction.

12. ES Inc.'s technology is American-engineered. From its Plano, Texas headquarters, ES Inc. provides a full solutions portfolio of modern business phone systems, including Cloud, Hybrid, Pure IP, and SIP dial tone products. Given ES Inc.'s end-to-end product offerings, its customers are empowered to choose the product features they need and want.

13. ES Inc.'s products include the most integrated cloud PBX in the market—the award-winning ESI Cloud PBX; Voice over IP (VoIP) products and systems; and on-premises products. A cloud-based PBX is a sophisticated telephone exchange system that uses a cloud infrastructure to provide communication services, such as telephony services.

14. VoIP transmits and receives voice communications over data networks, such as the Internet or private networks, using the Internet Protocol (IP).

15. VoIP systems offer several advantages over traditional phone systems including, but not limited to, lower cost and more efficient network management.

16. VoIP systems also allow enable integration of additional communication services.

17. ES Inc. cloud-based VoIP products have handled billions of call minutes.

18. ES Inc. also provides U.S.-based, best-in-class technical support for its customers.

19. The patents-in-suit, U.S. Patent Nos. 8,391,298 (the “’298 patent”), 7,068,684 (the “’684 patent”), 6,067,349 (the “’349 patent”), and 7,123,699 (the “’699 patent”) (collectively, the “Estech Asserted Patents”), are generally directed to systems and methods for providing robust, feature-rich communications systems including, but not limited to, VoIP telephony and additional communication services that can be integrated with a VoIP telephony system.

COUNT I
Infringement of U.S. Patent No. 8,391,298

20. Estech repeats and re-alleges the allegations in Paragraphs 1-19 as though fully set forth in their entirety.

21. Estech owns all substantial rights, interest, and title in and to the ’298 patent, including the sole and exclusive right to prosecute this action and enforce the ’298 patent against infringers, and to collect damages for all relevant times. The United States Patent and Trademark Office duly issued the ’298 patent on March 5, 2013. A copy of the ’298 patent is attached as Exhibit A.

22. The ’298 patent is titled “Phone Directory in a Voice Over IP Telephone System.” The ’298 patent describes information processing systems that store a list of phone numbers, integrated with a VoIP telephony system, to provide those phone numbers to the user of a VoIP telephone. The user can use that list to dial the telephone number of another user associated with the VoIP telephony system.

23. The claims of the ’298 patent are not directed to an abstract idea. For example, claim 1 of the ’298 patent recites a specific arrangement of devices and networking components. Together those devices and networking components enable a user of a first telecommunications device to observe a list of a plurality of telecommunications extensions. The list of extensions is stored in a server within a specific networking configuration, and the user can select to view a

subset of the extensions. Taken as a whole, the claimed inventions of the '298 patent are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the functioning and operation of information processing systems.

24. The written description of the '298 patent describes in technical detail each of the limitations of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

25. Defendants infringed the '298 patent by making, having made, using, importing, providing, supplying, distributing, selling, or offering for sale products and/or systems, including VoIP telephone systems and networking equipment utilized by Defendants ("Accused Instrumentalities").

26. The Accused Instrumentalities provide VoIP-based voice calling and data-networking services to VoIP telephony devices.

27. The Accused Instrumentalities use first, second, and third LANs that are coupled with a WAN.

28. The Accused Instrumentalities include VoIP telephony devices connected to LANs, the VoIP telephony devices having telecommunications extensions associated therewith, the telecommunications extensions being coupled to the second and third LANs.

29. The VoIP telephony devices include circuitry (i) enabling users of VoIP telephony devices to observe a list of telecommunications extensions; (ii) to automatically call one of the telecommunications extensions in response to a user selecting one of the telecommunications

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