

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

ESTECH SYSTEMS IP, LLC,

Plaintiffs,

v.

TOYOTA MOTOR CORPORATION,
TOYOTA MOTOR SALES, U.S.A, INC.,
TOYOTA MOTOR ENGINEERING &
MANUFACTURING NORTH AMERICA,
INC., and TOYOTA MOTOR
MANUFACTURING, TEXAS, INC.

Defendants.

CIVIL ACTION NO. 2:22-cv-00001

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 Toyota Motor Corporation, Toyota Motor Sales, U.S.A., Inc., Toyota Motor Engineering & Manufacturing North America, Inc., and Toyota Motor Manufacturing, Texas, Inc. (“Toyota” 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 Toyota Motor Corporation is a corporation organized and existing under the laws of Japan, with a place of business at 1 Toyota-Cho, Toyota City, Aichi Prefecture 471-8571, Japan.

3. Defendant Toyota Motor Sales, U.S.A., Inc. is a corporation organized and existing under the laws of California, with a place of business at 6565 Headquarters Drive, Plano, Texas 75024. Toyota may be served through its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, TX 75201.

4. Defendant Toyota Motor Engineering & Manufacturing North America, Inc. is a corporation organized and existing under the laws of Kentucky, with a place of business at 6565 Headquarters Drive, Plano, Texas 75024. Toyota may be served through its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, TX 75201.

5. Defendant Toyota Motor Manufacturing, Texas, Inc. is a corporation organized and existing under the laws of Texas, with a place of business at 1 Lone Star Pass, San Antonio, TX 78264. Toyota may be served through its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, TX 75201.

JURISDICTION AND VENUE

6. 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).

7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1400(b) and 1391(b-c). Defendant Toyota Motor Corporation is a foreign corporation that may be sued in any federal district with personal jurisdiction over it.

8. Defendant Toyota Motor Corporation is subject to this Court's specific personal jurisdiction pursuant to principles of due process and FRCP 4(k)(2), the federal long-arm statute, because (1) it has substantial contacts with the United States and has committed and/or induced acts of patent infringement in the United States; and (2) it is not subject to jurisdiction in any state's courts of general jurisdiction. Upon information and belief, Defendant Toyota Motor Corporation

receives a substantial portion of its revenue from customers located in the United States, including from customers residing in the District.

9. Defendant Toyota Motor Corporation is also subject to this Court's specific personal jurisdiction pursuant to the Texas Long Arm Statute, due at least to Defendant Toyota Motor Corporation's 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.

10. 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.

11. 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.

12. Defendants maintain at least one regular and established places of business in this district, including at 6565 Headquarters Drive, Plano, Texas 75024.

THE TECHNOLOGY

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

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

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

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

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

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

23. 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

24. Estech repeats and re-alleges the allegations in Paragraphs 1-23 as though fully set forth in their entirety.

25. 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.

26. 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.

27. 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

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