

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	Case No.
	§	
Plaintiff,	§	<u>JURY TRIAL DEMANDED</u>
	§	
v.	§	
	§	
AT&T INC., AT&T COMMUNICATIONS LLC, AT&T SERVICES, INC., AT&T MOBILITY LLC, and AT&T MOBILITY II LLC,	§	
	§	
	§	
Defendants.	§	
	§	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, AGIS Software Development LLC (“AGIS Software” or “Plaintiff”) files this original Complaint against Defendants AT&T Inc., AT&T Communications LLC, AT&T Services Inc., AT&T Mobility LLC, and AT&T Mobility II LLC (collectively, “AT&T” or “Defendants”) for patent infringement under 35 U.S.C. § 271 and alleges as follows:

THE PARTIES

1. Plaintiff AGIS Software is a limited liability company organized and existing under the laws of the State of Texas and maintains its principal place of business at 100 W. Houston Street, Marshall, Texas 75670. AGIS Software is the owner of all right, title, and interest in and to U.S. Patent Nos. 8,213,970, 9,445,251, 9,467,838, 9,820,123, and 9,749,829 (the “Patents-in-Suit”).

2. Defendant AT&T Inc. (“AT&T Inc.”) is a Delaware corporation and maintains its principal place of business at Whitacre Tower, 208 South Akard Street, Dallas, Texas, 75202 and

may be served with process via its registered agent, CT Corporation System at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201.

3. Defendant AT&T Communications LLC (“AT&T Communications”) is a Delaware corporation with its principal place of business at 208 South Ackard Street, Dallas, Texas 75202. AT&T Communications may be served through its registered agent for service, the Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801. AT&T Communications is a wholly-owned subsidiary of AT&T Inc.

4. Defendant AT&T Services, Inc. (“AT&T Services”) is a Delaware corporation and maintains its principal place of business at Whitacre Tower, 208 South Akard Street, Dallas, Texas, 75202. AT&T Services may be served with process via its registered agent, CT Corporation System at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. AT&T Services is a subsidiary of and owned by AT&T Inc.

5. Defendant AT&T Mobility LLC (“AT&T Mobility”) is a is a Delaware limited liability company and maintains its principal place of business at 1025 Lenox Park Boulevard NE, Atlanta, Georgia 30319. AT&T Mobility may be served with process via its registered agent, CT Corporation System at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. AT&T Mobility is a subsidiary of and owned by AT&T Inc.

6. Defendant AT&T Mobility II LLC (“AT&T Mobility II”) is a Delaware limited liability company and maintains its principal place of business at 1025 Lenox Park Boulevard NE, Atlanta, Georgia 30319. AT&T Mobility II may be served through its registered agent for service, The Corporation Trust Company, 1209 Orange, Street, Wilmington, Delaware 19801. AT&T Mobility II is a subsidiary of and owned by AT&T Inc.

JURISDICTION AND VENUE

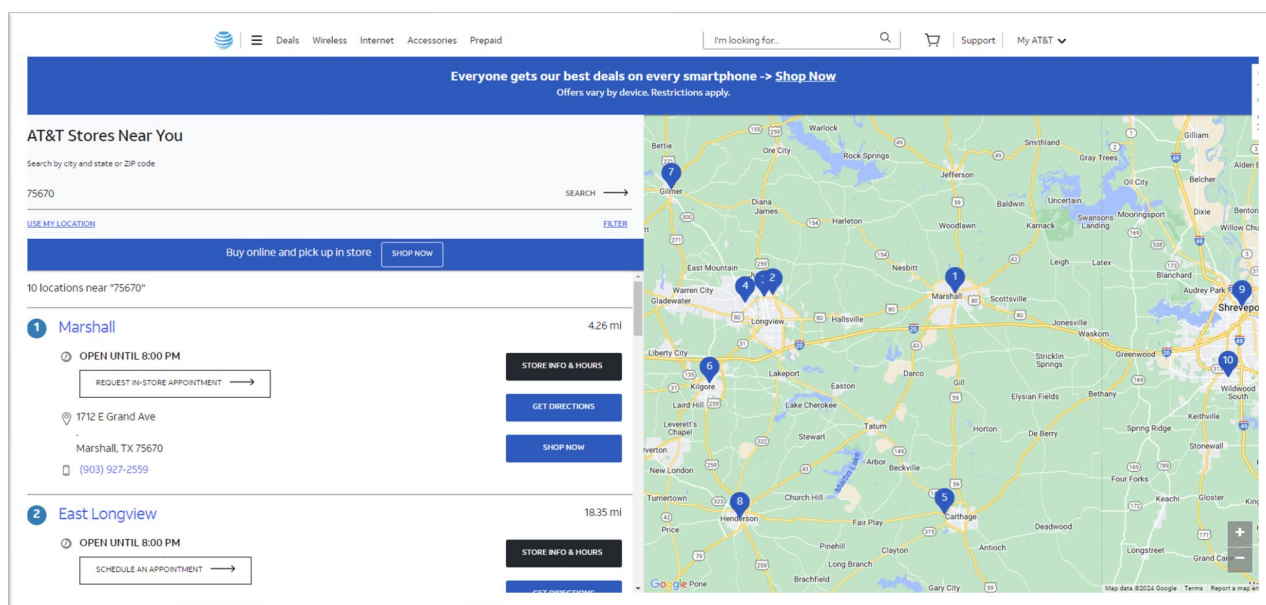
7. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.* This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

8. This Court has personal jurisdiction over AT&T in this action because AT&T has committed acts within the Eastern District of Texas giving rise to this action and has established minimum contacts with this forum, such that the exercise of jurisdiction over AT&T would not offend traditional notions of fair play and substantial justice. AT&T conducts business and has committed acts of patent infringement and/or has induced acts of patent infringement by others in this Judicial District and/or has contributed to patent infringement by others in this Judicial District, the State of Texas, and elsewhere in the United States by, among other things, offering to sell and selling products and/or services that infringe the Patents-in-Suit.

9. Venue is proper in this Judicial District pursuant to 28 U.S.C. §§ 1391 and 1400(b). AT&T is registered to do business in Texas and, upon information and belief, AT&T has transacted business in the Eastern District of Texas and has committed acts of direct and indirect infringement in the Eastern District of Texas. AT&T has regular and established places of business in this Judicial District, including at least its retail stores and offices located at 712 East Grand Avenue, Marshall, Texas 75670; 3300 Dallas Parkway, Suite 100, Plano, Texas 75093; 6000 North Central Expressway, Plano, Texas 75074; 701 North Central Expressway, Suite 400, Plano, Texas 75075; 8305 Preston Road, Suite 400C, Plano, Texas 75024; 8700 Preston Road, Suite 117, Plano, Texas 75024; 3400 West Plano Parkway, Plano, Texas 75075; 3400 West Plano Parkway, Plano, Texas 75075; AT&T Foundry - 2900 West Plano Parkway, Plano, Texas 75075; 3300 East Renner Road, Richardson, Texas 75082; 1410 East Renner Road, Richardson, Texas 75082; 2180 North

Glenville Drive, Richardson, Texas 75082; 1125 East Campbell Road, Richardson, Texas 75081; 2270 Lakeside Boulevard, Richardson, Texas 75082; 2220 Campbell Creek Boulevard, Richardson, Texas 75082; 250 Richmond Ranch Road, Texarkana, Texas 75503; 4901 North Stateline, Texarkana, Texas 75503; and 5112 Summerhill Road, Texarkana, Texas 75503.

10. AT&T also operates numerous brick and mortar retail stores in this District. These retail stores are physically located within this District, and are regular and established places of business of AT&T. AT&T's website provides the at "AT&T Stores Near You" feature which shows the locations of such AT&T retail stores within this District:¹



11. For example, AT&T further maintains a Foundry innovation space located at 2900 West Plano Parkway, Plano, Texas 75075 to, among other things, "showcase our edge-to-edge network capabilities and develop transformative technologies."² On information and belief, each AT&T entity, including AT&T Communications, AT&T Services, AT&T Mobility, and AT&T

¹ <https://www.att.com/stores/>

² See https://about.att.com/story/2018/plano_foundry.html

Mobility II collaborate with, operate from, and design, test, use, and sell telecommunications services through this AT&T Foundry location in Plano, Texas.

12. AT&T also maintains a regular and established place of business in this District that it calls the “AT&T 5G Innovation Studio,” which is also located in Plano, Texas.³ AT&T describes the “AT&T 5G Innovation Studio” as follows: “The studio, located in Plano, Texas, brings together the power of AT&T’s business, consumer and network organizations to accelerate the path to market for new 5G-centric product offerings and key initiatives. . . . In this space, we’ll work with customers and industry collaborators to ideate, test and validate new 5Gcentric applications across a variety of industries.”⁴

13. Of AT&T’s nearly 5,000 locations in the United States, AT&T owns and operates 593 locations in the State of Texas, making up approximately 11% of its entire U.S. presence, and making Texas the state with the highest number of AT&T locations.⁵

14. On information and belief, each AT&T entity maintains corporate offices in this District, specifically at 3400 West Plano Parkway, Plano, Texas 75075.⁶

15. At the above listed retail stores, foundry, and offices, each AT&T entity maintains a regular and established place of business where one or more employees and/or agents of AT&T are routinely physically present for the purpose of conducting AT&T’s business at said locations on behalf of or otherwise at the direction of AT&T. Upon information and belief, each AT&T entity conducts operations at one or more of these locations.

³ https://about.att.com/pages/5g_innovation_studio.html

⁴ *Id.*

⁵ See <https://www.att.com/stores/texas>

⁶ <https://www.waze.com/live-map/directions/us/tx/plano/atandt-plano-campus?to=place.ChIJNThutXliTIYRqYQkZimFV74>

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