

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

FALL LINE PATENTS, LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

CIVIL ACTION NO. 6:17-CV-408

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Fall Line Patents, LLC (“Fall Line” or “Plaintiff”) files this original complaint against Uber Technologies, Inc. (“Uber” or “Defendant”), 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. Fall Line is a limited liability company formed under the laws of the State of Oklahoma, with its principal place of business at 2121 South Yorktown, #1103, Tulsa, Oklahoma, 74114.
2. Defendant Uber Technologies, Inc. is a corporation organized under the laws of the State of Delaware. It can be served with process by serving its registered agent: CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201.

JURISDICTION AND VENUE

3. This is an action for infringement of a United States patent 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).

4. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, Defendant has transacted business in this district and has committed, by itself or in concert with others, acts of patent infringement in this district. In addition, Uber maintains numerous regular and established places of business in this district by providing its ride-sharing service in this district in, for example, Tyler, Texas. In addition, Uber maintains a regular and established place of business at this district located at: Plano Greenlight Hub, 2301 N. Central Expressway, Suite 145, Plano, Texas 75075.

5. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to Defendant'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.

THE TECHNOLOGY

6. The patent-in-suit, U.S. Patent No. 9,454,748 ("the '748 Patent"), titled "System and Method for Data Management," teaches methods for managing and collecting data from a remote computing device. Specifically, the invention addresses the need to collect location-specific information on a variety of hardware and software platforms without the need to create separate and individualized software for each of the numerous manufacturers of remote computing devices. The inventor of the '748 Patent, as well as its parent applications and patents, developed systems and methods to enable developers to create a single application that could function on numerous models of remote computing devices, without the need to create separate software for each model, as was often required in the prior art.

COUNT I

DIRECT INFRINGEMENT OF U.S. PATENT NO. 9,454,748

7. On September 27, 2016, the ‘748 Patent was duly and legally issued by the United States Patent and Trademark Office for an invention entitled “System and Method for Data Management.”

8. Fall Line is the owner of the ‘748 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the ‘748 Patent against infringers, and to collect damages for all relevant times.

9. Defendant made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale apps that include the infringing features (“accused products”). The accused products include apps that can be used on a variety of remote computing devices and gather and transmit location-specific information. Defendant’s accused products include, for example, its Uber app:



Uber

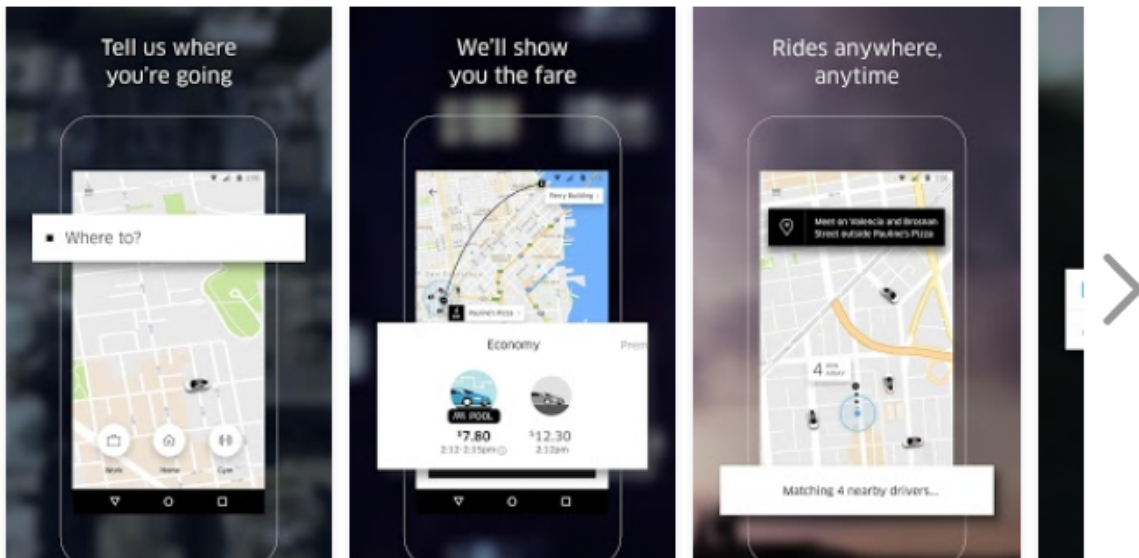
Uber Technologies, Inc. Maps & Navigation

★★★★★ 3,222,434

Everyone

Add to Wishlist

Install



Uber is a ridesharing app for fast, reliable rides in minutes—day or night. There's no need to park or wait for a taxi or bus. With Uber, you just tap to request a ride, and it's easy to pay with credit or cash in select cities.

Whether you're going to the airport or across town, there's an Uber for every occasion. Uber is available in more than 500 cities worldwide—download the app and take your first trip today.

Requesting your Uber is easy—here's how it works:

- Just open the app and tell us where you're going.
- The app uses your location so your driver knows where to pick you up.
- You'll see your driver's picture, vehicle details, and can track their arrival on the map.

(Source: <https://play.google.com/store/apps/details?id=com.ubercab&hl=en>)

How Uber works

1 Request

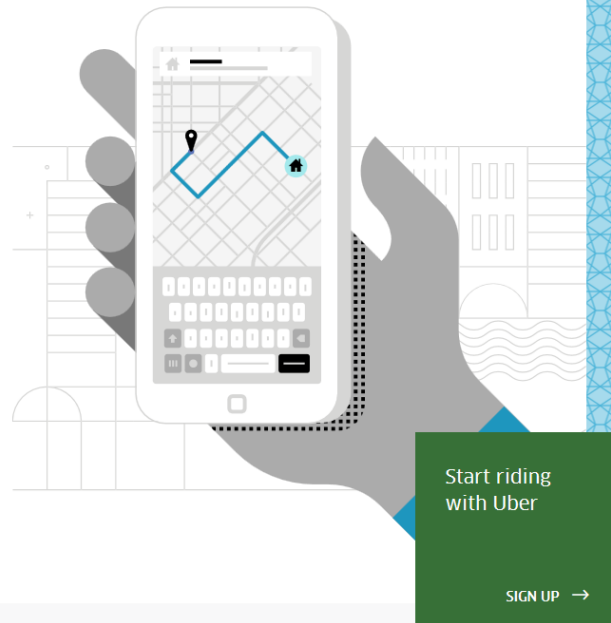
Tap each ride option to see wait time, size, and price. Then enter your pickup location and tap request—your driver will arrive in minutes.

2 Ride

Your ride comes to you. You'll see your driver's contact information and vehicle details in the app, so you know you're getting in the right car.

3 Pay and go

Hop out and rate your driver when you reach your destination. We automatically charge the credit card on file, so you never need cash.



Other app features



(Source: <https://www.uber.com/ride/how-uber-works/>)

10. By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 19 of the '748 Patent. Defendant's infringement in this regard is ongoing.

11. Uber has infringed the '748 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale systems utilizing a method for managing data.

12. The accused products include establishing communications between a handheld computing device and an originating computer wherein said handheld computing device has a GPS integral thereto.

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