

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

DODOTS LICENSING SOLUTIONS LLC,

Plaintiff,

vs.

APPLE INC., BEST BUY STORES, L.P.,
BESTBUY.COM, LLC, and BEST BUY
TEXAS.COM, LLC,

Defendants.

Case No. 6:22-cv-00533

Jury Trial Demanded

**COMPLAINT FOR PATENT INFRINGEMENT
AND DEMAND FOR JURY TRIAL**

This is an action for infringement of U.S. Patent Nos. 9,369,545; 8,020,083; and 8,510,407 (the “patents-in-suit”), in which Plaintiff DoDots Licensing Solutions LLC (“DoDots”), makes the following allegations against Defendant Apple Inc. (“Apple”) and Best Buy Stores, L.P., Bestbuy.com, LLC and Best Buy Texas.com, LLC (collectively, “Best Buy,” or “BBY) (collectively with Apple, “Defendants”):

THE PARTIES

1. DoDots is a Texas limited liability company with a place of business at 32932 Pacific Coast Highway, #14-164 Dana Point, CA 92629.

2. Upon information and belief, Apple is a California corporation with regular and established places of business throughout this District, including at least at W. Parmer Ln. & Dallas Dr., Austin, TX 78729 and 3121 Palm Way, Austin, TX 78758, which are located within the subpoena power of this Court. Apple is registered to do

business in Texas and may be served via its registered agent at CT Corp System, located at 1999 Bryan Street, Suite 900, Dallas, TX 75201.

3. Apple sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial District.

4. Apple's products are offered for sale through numerous mobile carriers in this judicial District, including, but not limited to Verizon stores at 2812 W Loop 340 Suite# H-12, Waco, TX 76711; 1820 S Valley Mills Dr, Waco, TX 7671; and 3590 Greenlawn Blvd Suite 103, Round Rock, TX 78664; T-Mobile Stores at 2448 W Loop 340 Suite 24a, Waco, TX 76711 and 208 Hewitt Dr Suite #200, Waco, TX 76712; and AT&T Stores at 4330 W Waco Dr, Waco, TX 76710; 2320 W Loop 340 #100A, Waco, TX 76711; and 1515 Hewitt Dr Ste A, Waco, TX 76712 (collectively, "Waco and Austin Carrier Stores"). On information and belief, Apple products relevant to the allegations in this Complaint have been sold and used at the Waco and Austin Carrier Stores, and are offered for sale at the Waco and Austin Carrier Stores.

5. Apple has authorized sellers and sales representatives that offer and sell accused Apple products relevant to this Complaint throughout the State of Texas, including in this District, and to consumers throughout this District, such as: Best Buy, 4627 S Jack Kultgen Expy, Waco, TX 76706 and 11066 Pecan Park Blvd Ste 300, Cedar Park, TX 78613.

6. Apple also owns and operates Apple Stores in multiple locations in this District including stores at 3121 Palm Way, Austin, TX 78758; 2901 S. Capital of Texas Hwy, Austin, TX 78746; 15900 La Cantera Parkway, San Antonio, TX 78256; 7400 San Pedro Avenue, San Antonio, TX 78216; and 8401 Gateway Boulevard West, El Paso, TX 79925 where accused Apple products relevant to the allegations in this Complaint have been sold and used, and offered for sale.

7. Apple also operates a growing \$1 billion campus in this District at W. Parmer Ln. & Dallas Dr., Austin, TX 78729. On information and belief, and according to publicly available reports, the Apple Austin campus will initially employ over 5000 people with the ability to employ up to 15,000 people.

<https://www.apple.com/newsroom/2019/11/apple-expands-in-austin/>

8. Defendant Best Buy Stores, L.P. is a corporation organized and existing under the laws of Virginia with its principal place of business at 7601 Penn Ave South, Richfield, MN 55423.

9. Defendant BestBuy.com, LLC is a corporation organized and existing under the laws of Virginia with its principal place of business at 7601 Penn Ave South, Richfield, MN 55423.

10. Defendant Best Buy Texas.com, LLC is a corporation organized and existing under the laws of Virginia with its principal place of business at 7601 Penn Ave South, Richfield, MN 55423.

JURISDICTION AND VENUE

11. This is an action for infringement of U.S. patent nos. 9,369,545; 8,020,083; and 8,510,407 arising under the patent laws of the United States, Title 35 of the United States Code.

12. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

13. This Court has personal jurisdiction over Apple in this action pursuant to due process, by virtue of at least the substantial business Apple conducts in this forum, directly and/or through intermediaries, including but not limited to: (1) having committed acts within the Western District of Texas giving rise to this action and having established minimum contacts with this forum such that the exercise of jurisdiction over Apple would not offend traditional notions of fair play and substantial justice; (2) having directed its activities to customers in the State of Texas and this District, solicited business in the State of Texas and this District, transacted business within the State of Texas and this District and attempted to derive financial benefit from residents of the State of Texas and this District, including benefits directly related to the instant patent infringement causes of action set forth herein; (3) having placed its products and services into the stream of commerce throughout the United States and having been actively engaged in transacting business in Texas and in this District; and (4) either individually, as members of a common business enterprise, and/or in conjunction with third parties, having committed acts of infringement within Texas and in this District.

14. Apple has committed and continues to commit acts of infringement in this District directly and through third parties by, among other things, making, using, performing, selling (including through websites), offering to sell, distributing, and/or importing products and/or services that infringe the patents-in-suit as defined below.

15. Apple has, directly or through its distribution network, purposefully and voluntarily placed infringing products in the stream of commerce knowing and expecting consumers within Texas and in this District to purchase and use them.

16. Apple has committed direct infringement in Texas.

17. Apple has transacted, and as of the time of filing of the Complaint, continues to transact business within this District.

18. Apple derives substantial revenues from its infringing acts in this District, including from its manufacture, use and sale of infringing products in the United States.

19. Venue is proper in the Western District of Texas pursuant to 28 U.S.C. § 1400(b).

20. BBY has committed acts of infringement in this judicial district.

21. BBY has a regular established place of business in this judicial district at 4627 S. Jack Kultgen Expy, Waco, TX 76706.

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