

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

LT TECH, LLC

Plaintiff,

v.

FRONTRANGE SOLUTIONS USA INC.

Defendant.

Case No. 3:13-cv-1901

**COMPLAINT
FOR PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff LT Tech, LLC (“LTT”) hereby alleges for its Complaint against defendant Frontrange Solutions USA Inc. (“Defendant”), as follows:

PARTIES

1. Plaintiff LTT is a Texas limited liability company with its principal place of business at 300 S. Watters Rd #1028, Allen, TX 75013.

2. On information and belief, Defendant Frontrange Solutions USA Inc. (“Frontrange”) is a Colorado corporation with a principal place of business at 490 N. McCarthy Blvd., Suite 100, Milpitas, CA 95035.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Personal jurisdiction and venue are proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). On information and belief, Defendant has transacted business in

this district, and/or has committed, contributed to, and/or induced acts of patent infringement in this district.

5. On information and belief, 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 its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (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 judicial district. For example, Baylor University (Waco, TX) and the City of Fort Worth are Defendant's customers (see <http://support.frontrange.com/downloads/Detail.aspx?id=656> and http://support.frontrange.com/common/Files/Downloads/Case_Studies/ITSM_Casestudies/FRS_CaseStudy_CityoffortWorth_EN_Letter.pdf). In addition, Defendant has engaged in user group workshops in Austin, TX and Arlington, TX (see http://frsconnect.leveragesoftware.com/blog_view.aspx?CustomerID=7f936ed0d9e242749d6be9569cff44e5).

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 6,177,932

6. LTT is the owner by assignment of United States Patent No. 6,177,932 ("the '932 Patent") entitled "Method and Apparatus for Network Based Customer Service." The '932 Patent originally issued on January 23, 2001 and a re-examination certificate issued on September 14, 2010. A true and correct copy of the '932 Patent is attached as Exhibit A and the re-examination certificate is attached as Exhibit B.

7. Messrs. Frank A. Galdes and Mark A. Ericson are listed as the inventors on the '932 Patent.

8. Defendant has, pursuant to 35 U.S.C. § 271, infringed and continues to infringe, has actively induced and currently is actively inducing others to infringe, and/or has contributorily infringed and is contributorily infringing the '932 Patent in the State of Texas, in this judicial district, and/or elsewhere in the United States by, among other things, making, using, selling, offering to sell, and/or importing, without license, customer service, customer support, and/or customer care systems that provide remote access and support for consumers and businesses, such as Defendant's Heat Help Desk and related offerings.

9. Defendant's Help Desk product falls within the scope of at least claim 21 of the '932 Patent, as evidenced by Defendant's Help Desk product descriptions. For example, Defendant's BPAM module "easily automates notification and escalation rules." See <http://go.frontrange.com/rs/frontrange/images/FrontRange-SolutionBrief-HEAT-Help-Desk.pdf>. Defendant's Remote Control module is an "Integrated troubleshooting tool to enable authorized IT staff to access and control all systems on the network, including servers, clients, laptops, and user-free systems." See <http://frontrange.com/client-management>.

10. Defendant had knowledge of the '932 Patent on or around March 27, 2013, when Plaintiff sent a letter to Adrian Wolff, Defendant's general counsel, identifying the '932 Patent. At least from that time forward, Defendant had specific intent to induce infringement by others and had knowledge that its acts contributed to the infringement of others.

11. Those whom Defendant induces to infringe and contributes to the infringement of are end users of the Accused Products. Defendant identifies certain users of its products at <http://frontrange.com/overview/case-studies>. The customers include one or more entities that

transact business in and/or have their principal place of business in this District, such as the city of Fort Worth

(http://support.frontrange.com/common/Files/Downloads/Case_Studies/ITSM_Casestudies/FRS_CaseStudy_CityoffortWorth_EN_Letter.pdf).

12. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '932 Patent complied with such requirements.

13. As a result of Defendant's infringement of the '932 Patent, LTT has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Defendants' infringing activities are enjoined by this Court.

14. Defendant's infringement is willful and deliberate entitling LTT to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

15. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '932 Patent, LTT will be irreparably harmed.

PRAYER

WHEREFORE, LTT incorporates each of the allegations in paragraphs 1 through 15 above and respectfully requests that this Court enter:

1. A judgment in favor of LTT that Defendant has infringed, directly or indirectly, the '932 Patent;

2. A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in

concert or privity, with any of them, from infringing, directly, jointly, and/or indirectly (by way of inducing and/or contributing to the infringement) the '932 Patent;

3. A judgment and order requiring Defendant to pay LTT its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '932 Patent as provided under 35 U.S.C. § 284;

4. A judgment finding defendant's infringement to be willful from the time that defendant became aware of the infringing nature of its products and services, and awarding treble damages to LTT for the period of such willful infringement pursuant to 35 U.S.C. § 284;

5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285, and awarding to LTT its reasonable attorney fees; and

6. Any and all other relief to which LTT may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues triable to a jury.

Dated: May 20, 2013

Respectfully submitted,

By: /s/ Hao Ni

Hao Ni
Texas State Bar No. 24047205
Ni, Wang & Associates, PLLC
8140 Walnut Hill Ln. Ste 310
Dallas, TX 75231
T: 972.331.4600
F: 972.314.0900
Email: hni@nilawfirm.com

Of Counsel:
Matthew DelGiorno.
Texas State Bar No. 24077131
DelGiorno IP Law, PLLC

300 S. Watters Road, Suite 1028
Allen, TX 75013
T: 214.601.5390
Email: matt@delgiornolaw.com

PRO HAC ADMISSION PENDING

**ATTORNEYS FOR PLAINTIFF
LT TECH, LLC**