

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**SECURUS TECHNOLOGIES, INC.**

**Plaintiff,**

v.

**GLOBAL TEL\*LINK CORPORATION**

**Defendant.**

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**Civil Action No. \_\_\_\_\_**

**Jury Trial Requested**

**PLAINTIFF’S ORIGINAL COMPLAINT  
FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL**

Plaintiff Securus Technologies, Inc. files this Original Complaint for Patent Infringement and Demand for Jury Trial against Defendant Global Tel\*Link Corporation and alleges as follows:

**I.  
PARTIES**

1. Plaintiff Securus Technologies, Inc. (“Securus”) is a Delaware corporation with its principal place of business in Dallas, Texas.

2. Defendant Global Tel\*Link Corporation is a Delaware Corporation with a principal place of business at 2609 Cameron Street, Mobile, Alabama 36607 and an executive corporate office at 12021 Sunset Hills Road, Suite 100, Reston, Virginia 20190. Defendant GTL may be served with process by serving its registered agent in the State of Texas, Incorp Services, Inc., at its registered agent address, 815 Brazos Street, Suite 500, Austin, Texas 78701.

**II.**  
**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, 35 U.S.C. § 101 *et seq.* This Court has original and exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).

4. Defendant GTL maintains an established place of business in the Northern District of Texas. Defendant GTL also regularly transacts business in, and has committed acts of patent infringement within the State of Texas generally and within the Northern District of Texas. For example, GTL provides inmate telephone products and services to the Keller Regional Detention Facility in Keller, Texas. Defendant GTL is, therefore, subject to the personal jurisdiction of this Court.

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b).

**III.**  
**ASSERTED PATENTS**

6. United States Patent No. 7,529,357 (the “’357 Patent”) entitled “Inmate Management and Call Processing Systems and Methods” was duly and legally issued by the United States Patent and Trademark Office on May 5, 2009, after full and fair examination. Securus is the assignee of all rights, title, and interest in and to the ’357 Patent, and possesses all rights of recovery, including the right to recover all past damages under the ’357 Patent. A copy of the ’357 Patent is attached as Exhibit “A” to this Original Complaint.

7. On December 2, 2015, in its Final Written Decision in Case IPR2014-00825, the Patent Trial and Appeal Board (“PTAB”) held that claims 1, 3, 4, 6, 7, 10, 13, 19 and 20 of the ’357 Patent are unpatentable, but concluded that petitioner, GTL, had not shown that claims 2, 5, 8, 9, 11, 12, or 14-18 of the ’357 Patent are unpatentable.

8. United States Patent No. 8,340,260 (the “’260 Patent”) entitled “Inmate Management and Call Processing Systems and Methods” was duly and legally issued by the United States Patent and Trademark Office on December 25, 2012, after full and fair examination. Securus is the assignee of all rights, title, and interest in and to the ’260 Patent, and possesses all rights of recovery, including the right to recover all past damages under the ’260 Patent. A copy of the ’260 Patent is attached as Exhibit “B” to this Original Complaint.

9. On December 2, 2015, in its Final Written Decision in Case IPR2014-00824, the PTAB held that claims 1, 3, 4, 6, 7, 10, 13, 19 and 20 of the ’260 Patent are unpatentable, but concluded that petitioner, GTL, had not shown that claims 2, 5, 8, 9, 11, 12, or 14-18 of the ’260 Patent are unpatentable.

10. United States Patent No. 7,916,845 (the “’845 Patent”) entitled “Unauthorized call activity detection and prevention systems and methods for a Voice over Internet Protocol environment” was duly and legally issued by the United States Patent and Trademark Office on March 29, 2011, after full and fair examination. Securus is the assignee of all rights, title, and interest in and to the ’845 Patent, and possesses all rights of recovery, including the right to recover all past damages, under the ’845 Patent. A copy of the ’845 Patent is attached as Exhibit “C” to this Original Complaint.

11. United States Patent No. 8,180,028 (the “’028 Patent”) entitled “System and method for called party controlled message delivery” was duly and legally issued by the United States Patent and Trademark Office on May 15, 2012, after full and fair examination. Securus is the assignee of all rights, title, and interest in and to the ’028 Patent, and possesses all rights of recovery, including the right to recover all past damages under the ’028 Patent. A copy of the ’028 Patent is attached as Exhibit “D” to this Original Complaint.

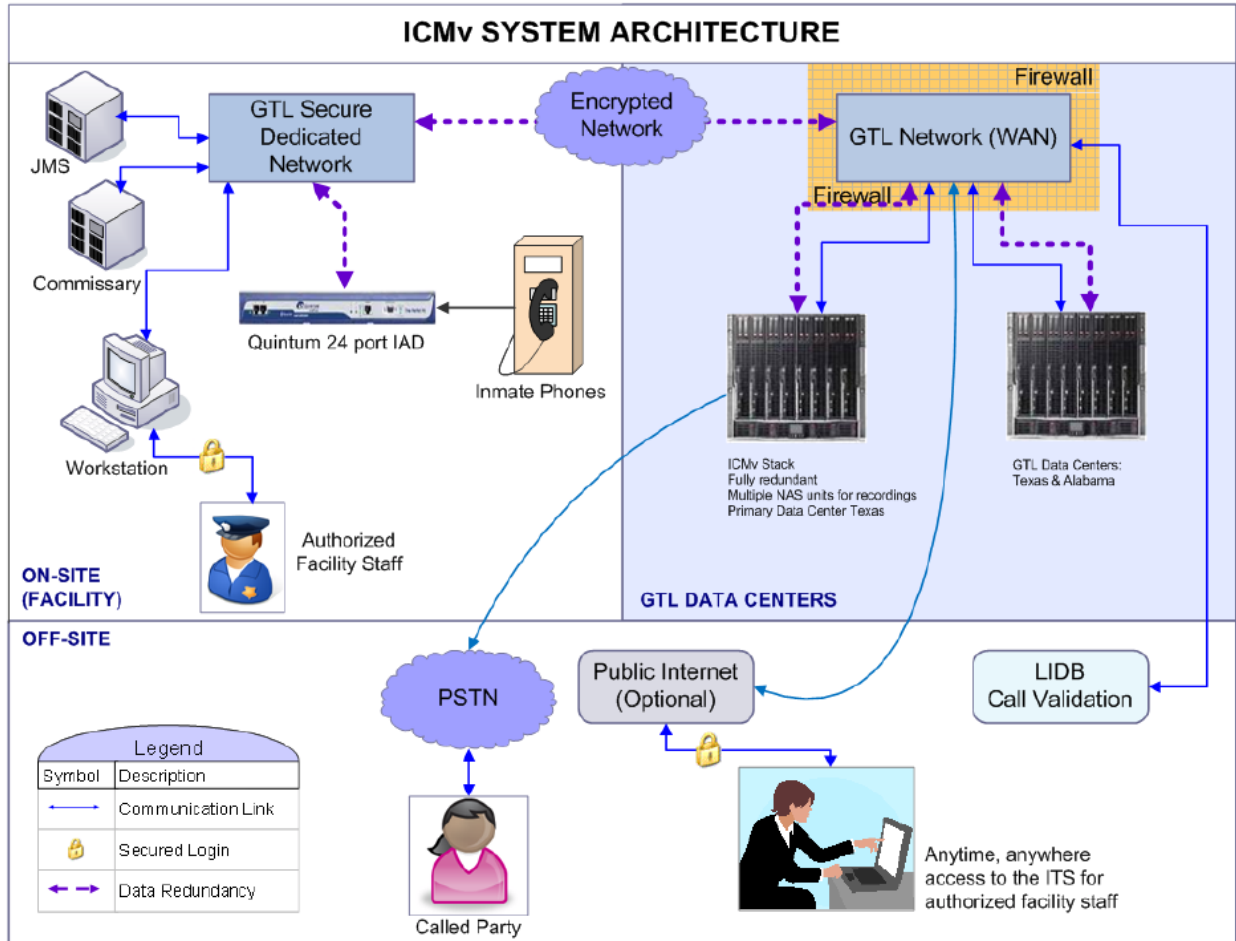
**IV.**  
**SECURUS' BUSINESS**

12. Plaintiff Securus makes, uses, sells, and offers to sell within the inmate telecommunications industry specialized call-processing and billing equipment and services for correctional institutions, direct local and long-distance call processing for correctional facilities, value-added telecommunications services such as pre-connection restrictions, digital recording, inmate management systems, video booking, video visitation, investigative services, billing, and other related goods and services, including commissary services.

**V.**  
**ACCUSED INSTRUMENTALITIES**

13. Defendant GTL makes, uses, sells, or offers to sell specialized telephone call-processing and billing equipment and/or services for correctional institutions in competition with Securus. Defendant GTL makes, uses, sells, or offers to sell products and services such as its Inmate Telephone System (ITS) in the United States. The ITS includes GTL's "Focus" platform, Inmate Call Manager (ICMv), and related products and services (collectively, the "Accused Instrumentalities"). By doing so, GTL has infringed and continues to infringe claims of the '357 Patent, the '260 Patent, the '845 Patent, and the '028 Patent (collectively, the "Asserted Patents").

14. The Accused Instrumentalities are described in, among other places, GTL's responses to requests for proposal issued by operators of inmate correctional facilities within the United States. For example, the following system architecture diagram for the Accused Instrumentalities is contained in GTL's responses to such requests for proposal:



## **VI. CAUSES OF ACTION**

### **Count One – Infringement of the '357 Patent**

15. Securus re-alleges and incorporates by reference paragraphs 1-14 above.

16. Defendant GTL has infringed, literally and/or under the doctrine of equivalents, and continues to directly infringe one or more claims of the '357 Patent by, among other things, making, using, selling, or offering to sell goods and services that practice the '357 Patent in violation of 35 U.S.C. § 271.

17. GTL has directly infringed, at least, Claim 2 of the '357 Patent, by making, using, selling, or offering to sell the Accused Instrumentalities, all in violation of 35 U.S.C. § 271(a).

18. The Accused Instrumentalities comprise a computer-based system at a plurality of inmate correctional facilities for managing inmate information. Each of the facilities has one or more telephone terminals and computer terminals. The computer-based system is located remotely from at least one of the facilities.

19. The Accused Instrumentalities include a networking device that exchanges VoIP data packets over digital data links with call processing gateways at the facilities and the call processing gateways process the VoIP data packets to and from the telephone terminals for transmission over the digital data links.

20. The Accused Instrumentalities comprise an inmate management system which is coupled to the networking device to provide shared data access of inmate records to computer terminals at the facilities. The inmate records are created with inmate information collected from a computer terminal at one of the facilities and modified in response to collecting additional inmate information from a computer terminal at another facility.

21. The Accused Instrumentalities include a call application management system for connecting a call to or from the telephone terminals over a telephone carrier network in response to receiving a request to connect the call and the call being authorized based on the inmate records provided by the inmate management system.

22. The inmate records provided by GTL's inmate management system comprise at least one of physical description of inmates, social security numbers of the inmates, driver's license numbers of the inmates, biometric data of the inmates, and contact information of third parties associated with the inmates.

23. GTL has been aware of the '357 Patent since, at the latest, the date of filing of its petition for inter partes review of the '357 Patent, which GTL filed with the Patent Trial and

Appeal Board on May 27, 2014. GTL's infringement has been and continues to be willful and deliberate, and caused and will continue to cause substantial damage to Securus.

**Count Two – Infringement of the '260 Patent**

24. Securus re-alleges and incorporates by reference paragraphs 1-14 above.

25. Defendant GTL has infringed, literally and/or under the doctrine of equivalents, and continues to directly infringe one or more claims of the '260 Patent by, among other things, making, using, selling, or offering to sell goods and services that practice the '260 Patent in violation of 35 U.S.C. § 271.

26. GTL has directly infringed, at least, Claim 2 of the '260 Patent, by making, using, selling, or offering to sell the Accused Instrumentalities, all in violation of 35 U.S.C. § 271(a).

27. The Accused Instrumentalities comprise a computer-based system at a plurality of inmate correctional facilities for managing inmate information. Each of the facilities has one or more telephone terminals and computer terminals. The computer-based system is located remotely from at least one of the facilities.

28. The Accused Instrumentalities include a networking device that exchanges VoIP data packets over communication links with call processing gateways at the facilities and the call processing gateways process the VoIP data packets to and from the telephone terminals for transmission over the communication links.

29. The Accused Instrumentalities comprise an inmate management system which is coupled to the networking device to provide shared data access of inmate records to computer terminals at the facilities. The inmate records are created with inmate information collected from a computer terminal at one of the facilities and from inmate information collected from a computer terminal at another facility.

30. The Accused Instrumentalities include a call application management system for connecting a call to or from the telephone terminals over a telephone carrier network in response to receiving a request to connect the call and the call being authorized based on the inmate records provided by the inmate management system.

31. The inmate records provided by GTL's inmate management system comprise at least one of physical description of inmates, social security numbers of the inmates, driver's license numbers of the inmates, biometric data of the inmates, and contact information of third parties associated with the inmates.

32. GTL has been aware of the '260 Patent since, at the latest, the date of filing of its petition for inter partes review of the '260 Patent, which GTL filed with the Patent Trial and Appeal Board on May 27, 2014. GTL's infringement has been and continues to be willful and deliberate, and caused and will continue to cause substantial damage to Securus.

### **Count Three – Infringement of the '845 Patent**

33. Securus re-alleges and incorporates by reference paragraphs 1-14 above.

34. Defendant GTL has infringed, literally and/or under the doctrine of equivalents, and continues to infringe one or more claims of the '845 Patent by, among other things, making, using, selling, or offering to sell goods and services, as stated above, that practice the '845 Patent in violation of 35 U.S.C. § 271.

35. GTL has directly infringed, at least, claim 31 of the '845 Patent by making, using, selling, offering to sell, or testing the Accused Instrumentalities in violation of 35 U.S.C. § 271(a).

36. The Accused Instrumentalities perform call processing in a controlled-environment facility.



37. When the Accused Instrumentalities receive a request to place a call from a terminal in a controlled-environment facility, the Accused Instrumentalities connect the call to a party outside the controlled-environment facility via a Voice over Internet Protocol (VoIP) gateway between the terminal and a public switched telephone network (PSTN) or between the terminal and a wide area network.

38. Once a call is connected, the Accused Instrumentalities analyze signals received at the VoIP gateway. This is performed, for example, to detect three-way call activity. When the Accused Instrumentalities receive an out-of-band signal associated with the call from the PSTN, the Accused Instrumentalities analyze the out-of-band signal. If the Accused Instrumentalities detect a suspend signal in the out-of-band signal indicating that the PSTN will suspend sending information associated with the call to the VoIP gateway, the Accused Instrumentalities have detected three-way call activity in the call.

39. GTL has conducted an extensive review of Securus' patent portfolio and has already filed twenty petition for inter partes review or post grant review of Securus' patents, the first of which GTL filed on March 10, 2014. Further, GTL has stated its intention to file many additional such challenges to Securus' patents. Accordingly, upon information and belief GTL has been aware of the '845 Patent since, at least, March 10, 2014. GTL's infringement has been and continues to be willful and deliberate, and caused and will continue to cause substantial damage to Securus.

#### **Count Four – Infringement of the '028 Patent**

40. Securus re-alleges and incorporates by reference paragraphs 1-14 above.

41. Defendant GTL has infringed, literally and/or under the doctrine of equivalents, and continues to infringe one or more claims of the '028 Patent by, among other things, making,

using, selling, or offering to sell goods and services that practice the '028 Patent in violation of 35 U.S.C. § 271.

42. GTL has directly infringed, at least, claim 7 of the '028 Patent by making, using, selling, or offering to sell the Accused Instrumentalities, all in violation of 35 U.S.C. § 271(a).

43. The Accused Instrumentalities comprise a computer system that identifies a collect call placed by a calling party to a called party. In response to the collect call being blocked, the Accused Instrumentalities allow the calling party to record a voice message for the called party if it is determined that the called party has accepted a collect call from the calling party in the past and the identity of the calling party is validated by employing biometric comparison against a sample provided by the calling party.

44. The Accused Instrumentalities deliver the recorded voice message to the called party if the called party agrees to pay for the message.

45. Once delivered, the Accused Instrumentalities allow the called party to record a return voice message and delivers the return voice message to the calling party.

46. The Accused Instrumentalities cause the calling party to be informed that a return voice message is available.

47. GTL has also directly infringed claim 18 of the '028 Patent by making, using, selling, or offering to sell the Accused Instrumentalities in violation of 35 U.S.C. § 271(a).

48. The Accused Instrumentalities comprise a system that includes a processor and memory coupled to the processor.

49. The memory of the Accused Instrumentalities is configured to store program instructions that, upon execution by the processor, cause the system to identify an attempt by a calling party to place a collect call to a called party.

50. In response to the calling party being prohibited from communicating directly with the called party, the Accused Instrumentalities block the attempt.

51. The Accused Instrumentalities further allow the calling party to record a voice message for the called party in response to a determination that the called party has previously accepted at least one collect call, the voice message delivered to the called party in response to a called party's agreement to pay for the voice message.

52. Upon information and belief, by reason of the matters asserted in paragraph 39 above, GTL has been aware of the '028 Patent since, at least, March 10, 2014. GTL's infringement has been and continues to be willful and deliberate, and caused and will continue to cause substantial damage to Securus.

## **VII.** **REMEDIES**

53. As a direct and proximate consequence of the acts and practices of Defendant GTL in infringing one or more claims of the Asserted Patents, Securus has been damaged in an amount to be determined at trial and will continue to be damaged in its business and property rights as a result of Defendant GTL's infringing activities, unless such activities are enjoined by this Court. Pursuant to 35 U.S.C. § 284, Securus is entitled to damages adequate to compensate for the infringement, including, *inter alia*, lost profits and/or a reasonable royalty.

54. By reason of its infringing acts and practices, Defendant GTL is causing, and, unless such acts and practices are enjoined by the Court, will continue to cause immediate and irreparable harm to Securus for which there is no adequate remedy at law, and for which Securus is entitled to injunctive relief under 35 U.S.C. § 283. Securus, therefore, requests a permanent injunction prohibiting Defendant GTL, its directors, officers, employees, agents, parents, subsidiaries, affiliates, and anyone else in active concert or participation with it from

infringement, inducement to infringe, or contributory infringement of the Asserted Patents, including the making, use, sale, offer for sale, distribution, or promotion of products and/or services falling within the scope of the claims of the Asserted Patents.

55. To the extent that facts learned during the pendency of this case show that Defendant GTL's infringement is willful and deliberate, Securus reserves the right to amend this complaint and request such a finding and seek appropriate relief at time of trial.

**VIII.**  
**JURY DEMAND**

56. Securus requests a jury trial of all issues in this action so triable.

**IX.**  
**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs Securus respectfully requests the following relief:

- a. A judgment that Defendant GTL has infringed one or more claims of the Asserted Patents in violation of 35 U.S.C. § 271;
- b. A judgment and order permanently enjoining Defendant GTL and its directors, officers, employees, agents, parents, subsidiaries, affiliates, and all persons in active concert or participation with it from infringement, inducement to infringe, or contributory infringement of the Asserted Patents, including the making, use, sale, offer for sale, distribution, or promotion of products and/or services falling within the scope of the claims of the Asserted Patents pursuant to 35 U.S.C. § 283;
- c. A judgment and order requiring Defendant GTL to pay Securus damages sufficient to compensate Securus for GTL's infringement of the Asserted Patents, in an amount not less than Securus' lost profits and/or a reasonable royalty and interest and costs,

- pursuant to 35 U.S.C. § 284, and supplemental damages for any continuing post-verdict infringement up until entry of final judgment with an accounting, as needed;
- d. A judgment and order awarding enhanced damages, pursuant to 35 U.S.C. § 284, if Defendant GTL's acts of infringement of the Asserted Patents are determined to be willful;
  - e. An award of prejudgment interest, pursuant to 35 U.S.C. § 284, from the date of each act of infringement of the Asserted Patents by Defendant GTL to the day on which judgment for damages is entered, and a further award of post-judgment interest, pursuant to 28 U.S.C. § 1961, continuing until such judgment is paid;
  - f. An award of all costs and reasonable attorney's fees against Defendant GTL, pursuant to 35 U.S.C. §§ 284 and 285, based on its infringement of the Asserted Patents; and
  - g. Such other and further relief to which Securus may be entitled.

Dated: May 13, 2016

Respectfully submitted,

/s/ Anthony J. Magee

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