

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

BECK BRANCH LLC,

Plaintiff,

v.

AT&T INC.,

Defendant.

CIVIL ACTION NO 3:18-cv-3245

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

1. This is an action for patent infringement in which Beck Branch LLC makes the following allegations against AT&T Inc.

PARTIES

2. Plaintiff Beck Branch LLC (“Plaintiff”) is a Texas limited liability company with its principal place of business at 101 E. Park Blvd, Suite 600, Plano, TX 75074.

3. On information and belief, AT&T Inc. (“Defendant” or “AT&T”) is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in 208 S. Akard St., Dallas, TX 75202.

JURISDICTION AND VENUE

4. 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).

5. Venue is proper in this District pursuant to 28 U.S.C. §1400(b) because acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District, including, without limitation, its corporate headquarters at 208 S. Akard St., Dallas, TX 75202.

6. 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.

COUNT I
INFRINGEMENT OF U.S. PATENT NO. 6,873,620

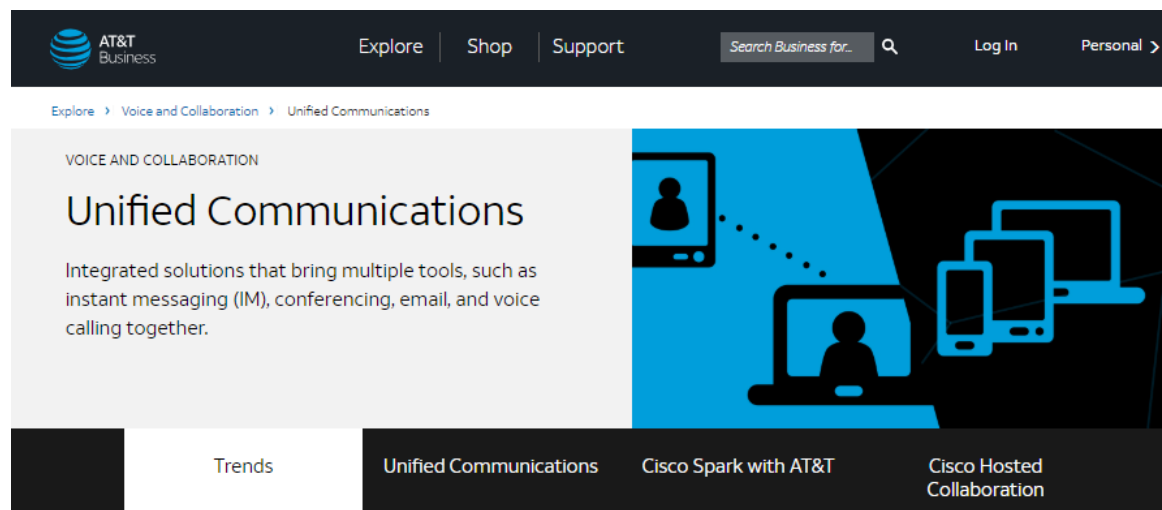
7. Plaintiff is the owner of United States Patent No. 6,873,620 ("the '620 patent") entitled "Communication Server Including Virtual Gateway to Perform Protocol Conversion and Communication System Incorporating the Same." The '620 Patent issued on March 29, 2005. A true and correct copy of the '620 Patent is attached as Exhibit A.

8. Defendant owns, uses, operates, advertises, controls, sells, and otherwise provides products and/or services that infringe the '620 patent. The '620 patent provides, among other things, "A communication server acting as a gateway for the transmission of messages between two virtual devices communicating with networks implementing different protocols, said communication server comprising: a knowledge base comprising a registry identifying each physical device registered to deliver messages for transmission between said virtual devices and through said gateway, a logical table identifying each registered connection available between physical devices and protocol conversion information required for each registered connection to convert messages of one protocol to a different protocol and a dynamic database identifying the current status of each actual connection between physical devices; and a virtual gateway accessing said knowledge base for protocol conversion information upon receipt of a message to be transmitted between said virtual devices and converting the protocol of said message to a protocol compatible with the network to which said message is being sent wherein said virtual gateway updates the protocol conversion information and the current status information in said knowledge base based on message traffic therethrough."

9. Defendant directly and/or through intermediaries, made, has made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or services that infringed one or more claims of the '620 patent, including at least Claim 23, in this district

and elsewhere in the United States. By making, using, importing, offering for sale, and/or selling such products and services, and all like products and services, Defendant has injured Plaintiff and is thus liable for infringement of the '620 patent pursuant to 35 U.S.C. § 271.

10. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a communication server acting as a gateway for the transmission of messages between two virtual devices communicating with networks implementing different protocols. For example, AT&T provides AT&T unified communications (UC) services for instant messaging (IM), conferencing, email and voice call, based on cloud Public Branch Exchange (PBX) for IP based communication. When a Session Initiation Protocol (SIP) Trunking based call is placed to a Public Switched Telephone Network (PSTN) using AT&T IP Flexible Reach (which when installed on a computer, smartphone or other computing device comprise one or more “virtual devices”), the call is routed via the key system and PSTN (Tenor VoIP) Gateway included in the AT&T Global Multiprotocol Label Switching (MPLS) Network (“communication server”). The messages between AT&T IP Flexible Reach and the PSTN are transmitted via the PSTN (Tenor VoIP) Gateway.



Source: <https://www.business.att.com/learn/what-is-unified-communications-and-collaboration.html>

AT&T Unified Communications Services

Redefining anytime, anywhere communication and collaboration

Ask ten CIOs to define unified communications (UC) and you would most likely get ten different responses. Why? Because each UC software vendor today is vying to define it according to their own product roadmaps. The problem is, no one product alone can deliver UC. Understanding UC means moving beyond stove-piped views to a get-down-to-basics description, and here it is: AT&T Unified Communications (UC) Services combines multiple communication and collaboration tools such as instant messaging, web, video and audio conferencing, email, unified messaging, team collaboration, and voice calling with presence behind a single user interface that is accessible on select desktops, laptops, smartphones and tablets via the AT&T cloud. By merging tools into a cohesive whole and making them accessible via a wide variety of fixed and mobile devices, AT&T UC Services can help you accomplish more than any one solution alone ever could.

The good news is, if you have communication and collaboration technologies in place, you've already laid the groundwork for UC. Now, with AT&T UC Services, you can take the next steps towards full UC enablement: mobilizing UC capabilities, adding the power of presence, and merging UC into the business processes and applications you use everyday – redefining how you get things done to accelerate the pace of business.

The Sum is Greater Than the Parts

Whether it's moving from a phone that sits on your desktop to one that fits in your pocket... from basic audio to highly interactive video conferencing... from connecting one-on-one to collaborating with worldwide teams... communication and collaboration solutions continue to evolve in ways we couldn't even imagine a few years ago. By making these multiple tools available via a consistent interface, AT&T UC Services takes their productivity benefits to the next level. For example, rather than logging into disparate solutions, a single logon can provide you with swift access to a range of AT&T UC tools and capabilities. A unified dashboard view can make multi-tasking between tools virtually seamless. So, you can do more than integrate multiple voicemail boxes into one. You can escalate from an email or chat to a voice conversation or a web conference – and do it within the same communication session, without missing a beat.

Mobilizing UC

As the popularity of mobile devices continues to rise, the demand for application portability increases with it. Now, with AT&T UC Services, the office and mobile environments mesh more seamlessly than ever before, so you can work virtually anytime, anywhere and on nearly any device. You can extend PBX functionality to mobile devices to view corporate directories and transition on-going calls between your desk phone and mobile device without a break in the conversation. You can have a single number ring on multiple fixed and mobile devices simultaneously, increasing first-time reach and your ability to resolve issues and satisfy customers much more quickly. Further, it's not only possible for you to extend UC capabilities to mobile users, it's possible to do so without sacrificing the full UC functionality they expect on their mobile devices.

AT&T for Unified Communications

- A single point of responsibility for a full range of multi-vendor UC solutions and services
- A hybrid architecture approach to help protect investments
- A mobile-centric design for full UC functionality across diverse devices, platforms and networks
- A rich range of communication capabilities using the versatility of AT&T IP networking

The Power of Presence

Multi-tasking across multiple devices, UC tools and locations can be a great way to increase productivity and decision-making power. However, you can still waste a lot of time chasing people. By integrating UC with presence information, you can have a powerful new way to contact and interact with the right people – the resources you need for fast decisions and action. It works like this: You need a contract approved. The success or failure of your quarter rides on your ability to push it through. You tap into a contact list on your smartphone and see the presence status of your primary signatory: "Do not disturb." But the status indicator of his colleague indicates "online." You quickly send an instant message, get approval and close the deal before the books close.

Source: <https://www.business.att.com/content/productbrochures/Redefining-anytime-anywhere-communication.pdf>, page 1.

Consistent Performance

Network performance – AT&T provides reliable voice quality. In addition, utilizing Class of Service (COS) with 25 different profiles, you can optimize your voice and data application performance.

Service Level Agreements – Service Level Agreements (SLAs) for VoIP service and underlying transport reinforce our commitment to delivering business class voice service.

Web-based reporting – You can utilize the AT&T BusinessDirect® Portal. For Web-based performance reporting, call detail reporting, e-ordering, e-bill and e-maintenance features.

Hardware & Software

AT&T provides the elements required to support connectivity with IP PBXs, traditional TDM PBXs or key systems. An AT&T managed router that is deployed with the data service is equipped with the appropriate software and hardware for your service. For your VPN solution, you manage your routers and AT&T can monitor call quality and help with troubleshooting through an AT&T managed smart device on your premises.

How It Works

To help ensure business class voice quality, AT&T employs Class of Service, which prioritizes the voice packets over other types of data packets for immediate transport. AT&T engineers perform advanced bandwidth management and implement traffic queuing priorities in the gateway router as part of the deployment process. AT&T IP Flexible Reach helps maximize the efficiency of your communications infrastructure. To help ensure your migration is smooth, we provide design, implementation and lifecycle management.

IP Flexible Reach for Key Systems



Share this with your peers  

Source:

https://www.business.att.com/content/dam/attbusiness/insights/casestudiesandpdfs/Amtrak_Case_Study.pdf, page 2.

The screenshot shows the AT&T Business website navigation bar with 'Explore', 'Shop', 'Support', a search bar, 'Log In', and 'Personal >'. Below the navigation is a breadcrumb trail: 'Explore > Voice and Collaboration > Voice and VoIP communications > SIP Trunking'. The main content area has a blue header with 'SIP Trunking' and a sub-header 'A converged network solution'. The text describes how AT&T IP Flexible Reach provides integrated access for IP PBX, TDM PBX, or Key System environments, consolidating voice and data. A sidebar on the left lists 'Voice and Collaboration' with 'SIP Trunking' selected, and 'Overview' and 'How it works' as sub-links. At the bottom of the sidebar is a link to 'Voice and Collaboration resources'. An image on the right shows a person's hands using a desk phone and a laptop.

Source: <https://www.business.att.com/solutions/Service/collaboration/voip/sip-trunking/campaign=solutions-for-retail-businesses/>

The screenshot shows the AT&T Business website. The top navigation bar includes the AT&T Business logo, links for 'Explore', 'Shop', and 'Support', a search bar with the placeholder 'Search Business for ...', and links for 'Log In' and 'Personal'. Below the navigation bar, there is a breadcrumb trail '← SIP Trunking' and a phone number '855-846-7930' next to a 'Contact us' button. The main content area features a large image of a woman talking on a phone at a desk. Overlaid on the image is the text 'SIP trunking with AT&T IP Flexible Reach' and a sub-headline: 'Consolidate your voice and data with a SIP trunking solution that delivers outbound, inbound, local and long distance calling with advanced calling features and management for businesses utilizing existing premises-based telephony equipment.' A play button icon is visible on the image. Below the image is a navigation menu with links for 'Benefits', 'Features', 'FAQs', and 'Resources', with 'Benefits' being the active link.

AT&T IP Flexible Reach Benefits

Integrate voice and data into one integrated access circuit

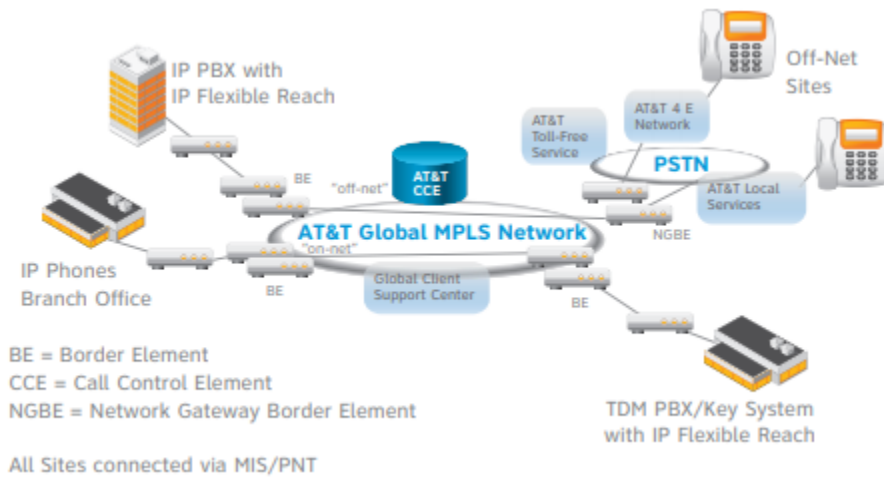
Source: <https://www.business.att.com/products/sip-trunking.html>.

Calling Plans

AT&T has a variety of calling plans to fit your business needs:

- The long distance plan (Calling Plan A) provides unlimited on-net calling between your VoIP-enabled sites with competitive per minute long distance and international rates.
- The local and long distance plan (Calling Plan B) provides unlimited on-net and local calling with competitive per minute long distance and international rates. Supports E911/911 calling.

IP Flexible Reach for TDM and IP PBXs



Source:

https://www.business.att.com/content/dam/attbusiness/insights/casestudiesandpdfs/Amtrak_Case_Study.pdf, page 1.

AT&T Business

Explore | Shop | Support

Search Business for... Q

Log In Personal >

What is SIP Trunking?

SIP Trunking uses Session Initiation Protocol (SIP), a signaling communications protocol commonly used for Voice over IP (VoIP), to deliver voice calls over a data circuit. Businesses use SIP Trunking to replace existing telephone lines that connect internal phone systems with the Public Switched Telephone Network (PSTN). Rather than using a dedicated circuit for your phone calls, SIP Trunking uses a data connection to carry both voice and data and allows for as many voice calls as bandwidth allows.

SIP Trunking Made Clear

Watch later Share

SIP Trunking EXPLAINED

Source: <https://www.business.att.com/learn/what-is-sip-trunking.html>

Benefits of SIP Trunking

Control Costs

Smaller businesses reduce costs by combining voice and internet connections, often combining two or more circuits to a single connection. Larger businesses reduce costs by centralizing all local service from many locations into one or two central SIP Trunking locations.

Improve Flexibility

SIP trunks can be added or deleted for seasonal fluctuations without adding or deleting circuits. They also are not bound to a physical location, so it is simple to move office space or set up new offices.

Reduce Complexity

Smaller businesses reduce complexity by combining voice and internet connections. Larger businesses reduce complexity by centralizing. Troubleshooting, and telephony management also becomes centralized.

Business Continuity and Disaster Recovery

After combining many location's circuits to a central SIP Trunk, having a redundant path is important to maintain connectivity during failure conditions. You can take advantage of alternate trunk routing, or other means to re-direct calls near instantly in the event of a disaster.

AT&T IP Flexible Reach

With AT&T SIP trunking services, you can integrate voice and data into one network, and see better utilization of your network capacity.

[Find out how](#)

Source: <https://www.business.att.com/learn/what-is-sip-trunking.html>

Why AT&T

Our business is communications. We're a recognized leader in network services and provide Unified Communications and Collaboration as a Service (UCCaaS) in over 80 countries, with hundreds of thousands of users under contract.

AT&T is uniquely positioned as a leader in providing Cisco Spark services, with the ability to integrate the Spark product set globally into the depth and breadth of the AT&T network. AT&T brings together Cisco Hosted Collaboration Solutions from AT&T for cloud-based voice calling, AT&T Conferencing with Cisco WebEx for web, audio, and video conferencing, Cisco Cloud Connected Audio Service Provider(CCA-SP) for advanced meetings capabilities, and Cisco Spark Messaging for chat conversations and file sharing from any device, all to deliver an effortless, unified experience. In addition, AT&T offers AT&T IP Flexible Reach for business Voiceover IP (BVoIP) services, which allows customers to directly connect from any IP Flexible Reach enabled endpoint without the need to place a call over the public switched telephone network. Keeping the call "OnNet" reduces cost while also taking advantage of the quality and reliability of the AT&T network. With AT&T, you can also take advantage of the following:

- Calling to 80 countries; Meetings is supported in over 150 countries
- Feature rich telephony services
- Support of virtually any VPN and SIP trunking service
- The ability to transform your business by integrating with your premise-based telephony or migrate you to the cloud- Predictable performance and a highly secure connection with AT&T NetBond® for Cloud
- Proven track record- AT&T has been delivering WebEx based conferencing services since 1999
- Application integration with third parties
- End-to-end support from AT&T with single point of accountability from contracting and provisioning to 24x7 customer technical support
- Optional AT&T Dynamic Traffic Management to prioritize mission-critical voice and data traffic
- The nation's best data network* and the best global coverage of any U.S. wireless provider.

By enabling users to communicate and collaborate in a more flexible and intuitive way, Cisco Spark with AT&T delivers a single integrated user experience that can increase employee productivity and improve collaboration. See how we can help you transform your business and achieve the results you want.

Speak with the collaboration experts

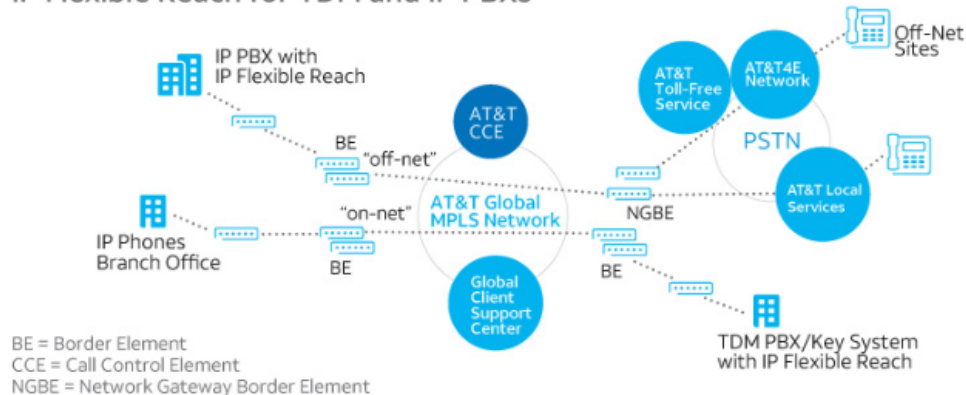
We have the experience and solutions to help enterprises of all sizes take on their greatest challenges. Let us show you how our products and services can help you communicate more efficiently.

Source: <https://www.business.att.com/solutions/Service/collaboration/unified-communications/cisco-spark-with-att/>

Virtual telephone numbers

AT&T IP Flexible Reach supports both local and Virtual Telephone Numbers (VTNs). VTNs enable you to assign a telephone number from virtually anywhere, to a phone that is not physically located within your location's local calling area. You can establish local visibility within that calling area.*

IP Flexible Reach for TDM and IP PBXs



Centralized call delivery and branch office IP PBX extensions

Centralized call delivery allows routing of calls originating from various locations across the country and answering them at your preferred central location.

The branch office IP PBX extensions capability delivers telephone numbers for all your branch office sites and is supported by a single centralized IP PBX located at your IP Flexible Reach site. You can use your existing IP data network to distribute the calls to your branch office sites, which allows you to utilize your IP PBX to support IP phones without additional hardware.

Source: <https://www.business.att.com/solutions/Service/collaboration/voip/sip-trunking/campaign=solutions-for-retail-businesses/>

11. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a knowledge base comprising a registry identifying each physical device registered to deliver messages for transmission between said virtual devices and through said gateway. Upon information and belief, AT&T and/or its customers utilize AT&T IP Flexible Reach SIP trunking functionality which comprises a knowledge base registry to identify the registered physical devices. Further, the server uses AT&T Cloud PBX to transmit messages from AT&T IP Flexible Reach to the PSTN through PSTN Gateway.

SIP trunking with AT&T IP Flexible Reach

Consolidate your voice and data with a SIP trunking solution that delivers outbound, inbound, local and long distance calling with advanced calling features and management for businesses utilizing existing premises-based telephony equipment.



Benefits

Features

FAQs

Resources

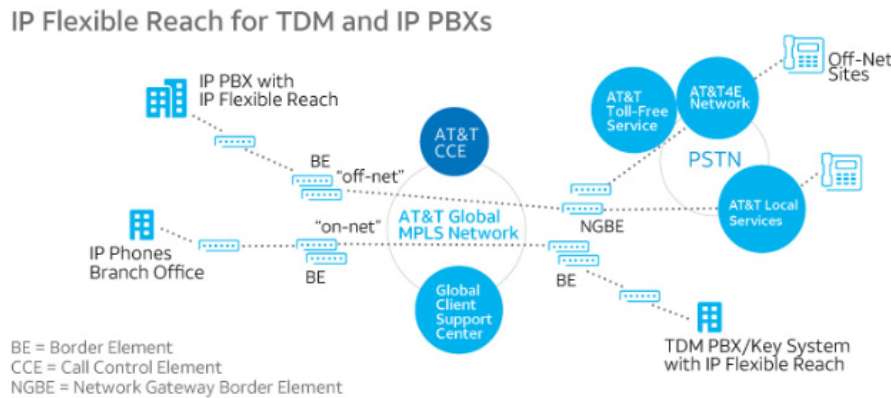
AT&T IP Flexible Reach Benefits

Integrate voice and data into one integrated access circuit

Source: <https://www.business.att.com/products/sip-trunking.html>.

Virtual telephone numbers

AT&T IP Flexible Reach supports both local and Virtual Telephone Numbers (VTNs). VTNs enable you to assign a telephone number from virtually anywhere, to a phone that is not physically located within your location's local calling area. You can establish local visibility within that calling area.*



Centralized call delivery and branch office IP PBX extensions

Centralized call delivery allows routing of calls originating from various locations across the country and answering them at your preferred central location.

The branch office IP PBX extensions capability delivers telephone numbers for all your branch office sites and is supported by a single centralized IP PBX located at your IP Flexible Reach site. You can use your existing IP data network to distribute the calls to your branch office sites, which allows you to utilize your IP PBX to support IP phones without additional hardware.

Source: <https://www.business.att.com/solutions/Service/collaboration/voip/sip-trunking/campaign=solutions-for-retail-businesses/>

Further, AT&T IP Flexible Reach for Business also maintains a knowledge base comprising a registry identifying the phones and devices within the customers' network.

12. Based on information and belief, AT&T makes, uses, sells and/or offers for sale a logical table identifying each registered connection available between physical devices and protocol conversion information required for each registered connection to convert messages of one protocol to a different protocol. Upon information and belief, AT&T and/or its customers utilize AT&T Flexible Reach SIP trunking functionality which comprises a logical table to identify the type of connection and selects PSTN Gateway to convert messages from Session Initiation Protocol (SIP) to PSTN.

13. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a dynamic database identifying the current status of each actual connection between

physical devices. Upon information and belief, AT&T and/or its customers utilize AT&T IP Flexible Reach for AT&T Global Multiprotocol Label Switching (MPLS) Network using SIP trunking functionality which comprises a cloud PBX. Further, AT&T Global Multiprotocol Label Switching (MPLS) Network comprising a dynamic database to identify the current status of connection between the physical devices (including IP phones, installation computers and the physical PSTN terminals).

14. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a virtual gateway accessing said knowledge base for protocol conversion information upon receipt of a message to be transmitted between said virtual devices. For example, AT&T and/or its customers utilize AT&T IP Flexible Reach for AT&T Global Multiprotocol Label Switching (MPLS) Network using SIP trunking functionality comprising an AT&T Global Multiprotocol Label Switching (MPLS) Network (“virtual gateway”) which uses the PSTN Gateway for protocol conversion upon receiving the message to be transmitted from AT&T Global Multiprotocol Label Switching (MPLS) Network to the PSTN.

15. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a virtual gateway converting the protocol of said message to a protocol compatible with the network to which said message is being sent. For example, AT&T and/or its customers utilize AT&T IP Flexible Reach for AT&T Global Multiprotocol Label Switching (MPLS) Network using SIP trunking functionality comprising a PSTN Gateway. PSTN Gateway converts the protocol of the messages sent from AT&T Global Multiprotocol Label Switching (MPLS) Network to the protocol used within the PSTN.

16. Based on present information and belief, AT&T makes, uses, sells and/or offers for sale a virtual gateway wherein said virtual gateway updates the protocol conversion information and the current status information in said knowledge base based on message traffic there through. For example, AT&T and/or its customers utilize AT&T IP Flexible Reach for AT&T Global Multiprotocol Label Switching (MPLS) Network using SIP trunking functionality comprising Multiprotocol Label Switching (MPLS). MPLS utilizes Network accesses and updates information stored in the registry based on the communicating virtual devices.

17. In the alternative, because the manner of use by Defendant differs in no substantial way from language of the claims, if Defendant is not found to literally infringe, Defendant infringes under the doctrine of equivalents.

18. Defendant's aforesaid activities have been without authority and/or license from Plaintiff.

19. In addition to what is required for pleadings in patent cases, and to the extent any marking was required by 35 U.S.C. § 287, Plaintiff and all predecessors in interest to the '620 Patent complied with all marking requirements under 35 U.S.C. § 287.

20. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendant has infringed the '620 Patent;
2. A judgment and order requiring Defendant to pay Plaintiff its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '620 Patent as provided under 35 U.S.C. § 284;
3. An award to Plaintiff for enhanced damages resulting from the knowing, deliberate, and willful nature of Defendant's prohibited conduct with notice being made at least as early as the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;
4. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiff its reasonable attorneys' fees; and
5. Any and all other relief to which Plaintiff may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Respectfully Submitted,

BECK BRANCH LLC

/s/ Papool S. Chaudhari

Dated: December 10, 2018

By: _____
Papool S. Chaudhari
Texas State Bar No. 24076978

2560 Royal Lane, Suite 202
Dallas, TX 75229
(214) 702-1150
(214) 705-3775 (Fax)
Papool@ChaudhariLaw.com

**ATTORNEY FOR PLAINTIFF
BECK BRANCH LLC**