

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

GINEGAR LLC,

Plaintiff,

v.

SLACK TECHNOLOGIES, INC.,

Defendant.

Case No. 1:21-cv-00494

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Ginegar LLC (“Ginegar”), by and through the undersigned counsel, brings this action against Defendant Slack Technologies, Inc. (“Slack Technologies”), alleging as follows:

I. INTRODUCTION

1. This is an action by Ginegar against Slack Technologies for infringement of U.S. Patent Numbers 9,367,521 (the “’521 Patent”) and 9,760,865 (the “’865 Patent”), collectively referred to as “the Patents-in-Suit.”

II. THE PARTIES

2. Plaintiff Ginegar is a California corporation with its current principal place of business at 2160 Century Park East #707, Los Angeles, California 90067 and mailing address at 777 Brickell Ave #500-96031, Miami, FL 33131. Ginegar is the assignee and owner of the Patents-in-Suit.

3. Upon information and belief, Defendant Slack Technologies, Inc. is a Delaware corporation with its principal place of business at 500 Howard Street, San Francisco, California 94105.

III. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

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

6. This Court has personal jurisdiction over Slack Technologies because Slack Technologies has a place of business in this District and because it continuously and systematically conducts business in this District, including the development, use and sale of the products and/or services at issue in this suit.

7. Venue is proper in the District of Colorado under 28 U.S.C. §§ 1391(b) and 1400(b) because Slack Technologies has a place of business in this District at 1681 Chestnut Pl., Suite 700, Denver, Colorado 80202 and because a substantial part of the events and omissions giving rise to the claims at issue occurred here, including the use or sale of the infringing products.

IV. FACTUAL BACKGROUND

The '521 Patent

8. The '521 Patent, entitled "Content and Context Based Handling of Instant Messages," was issued by the United States Patent and Trademark Office on June 14, 2016. A true and correct copy of the '521 Patent is attached as Exhibit A.

9. Ginegar is the owner of the entire right, title and interest in and to the '521 Patent.

10. Among other things, the '521 Patent claims a method of processing instant messages.

11. The method comprises logging an instant message client into an instant message server, obtaining from the instant message server at least one handling rule that is evaluated in an instant messaging environment where each established handling rule defines a condition based upon at least one of identified content or identified context, and a corresponding event handling action which is performed within the instant message environment.

The '865 Patent

12. The '865 Patent, entitled "Multi-Modal Transcript Unification in a Collaborative Environment," was issued by the United States Patent and Trademark Office on September 12, 2017. A true and correct copy of the '865 Patent is attached as Exhibit B.

13. Ginegar is the owner of the entire right, title and interest in and to the '865 Patent.

14. The inventions disclosed in the '865 Patent relate to systems and methods for a multi-modal instant messaging session where a user converses with another user by providing a combination of text and audio messages in the chat session.

15. Further, the systems and methods disclosed in the '865 patent automatically log a chat transcript that contains multi-modal communication.

16. At the time of the invention, prior art taught the use of instant messaging systems that allowed users to converse with each other in real time.

17. However, the prior art instant messaging systems did not allow users to converse with each other using multi-modal communication. Users could not chat with each other by providing a combination text and audio messages in the chat session.

18. Further, the prior art systems did not automatically log a unified chat transcript that contained multi-modal communication, such as text and audio in one chat session.

19. This presented serious shortcomings, particularly given the proliferation of instant messaging systems among both businesses and individuals.

20. The invention of the '865 Patent provides systems and methods that allow users to converse with each other using multi-modal communication and that automatically log a chat transcript that contained multi-modal communication, such as text and audio in one chat session.

The Slack Communication Platform

21. Slack Technologies has developed, has sold and continues to sell and offer for sale the Slack communication platform (“Slack”).

22. Slack is a proprietary business communication platform that offers many features, including persistent chat rooms (referred to as “channels”) organized by topic, private groups, and direct messaging.

23. Slack Technologies markets Slack as a unified business communications platform that allows users to “make calls, share files, and even connect with other apps.”

24. Slack Technologies claims that “[o]ver 750,000 companies use Slack.”

CLAIM I **(INFRINGEMENT OF THE '521 PATENT)**

25. Ginegar repeats and realleges the allegations of paragraphs 1-24 as if fully set forth herein.

26. The '521 Patent is valid and enforceable.

27. Slack Technologies has infringed and continues to infringe, both directly and indirectly, at least claim 1 of the '521 Patent, either literally or under the doctrine of equivalents.

28. Claim 1 of the '521 Patent recites:

A method of processing instant message transactions comprising:

[1] logging a first instant message client into an instant message server;

[2] obtaining from the instant message server, at least one handling rule that is evaluated in an instant messaging environment in response to receipt of a message, each handling rule defining a condition based upon at least one of identified content or identified context, and a corresponding event handling action to be performed within the instant message environment;

[3] identifying an instant message conversation within the instant message environment between a user and a correspondent;

[4] evaluating each handling rule;

[5] performing the corresponding event handling action of an associated handling rule if it is determined that the condition of that handling rule is satisfied; and

[6] conveying to the user participating in the instant message conversation, an indication that the corresponding event handling action was performed.

29. Slack directly infringes at least claim 1 of the '521 Patent.

30. Regarding the preamble of claim 1, to the extent the preamble is determined to be limiting, use of Slack meets this limitation. Slack processes received messages in instant messaging sessions and notifies the recipient if the content of a message complies to a condition set by the user.

When you first join a workspace, Slack will notify you of messages that are for you. By default, here's when you'll receive notifications:

- You receive a [direct message \(DM\)](#)
- Someone [@mentions you](#) or [notifies a channel](#) that you're in
- Someone uses [one of your keywords](#)
- Someone replies to a [thread that you're following](#)
- You receive a [reminder from Slackbot](#)

See, e.g., Exhibit C (<https://slack.com/help/articles/201355156-Guide-to-desktop-notifications>, last accessed on February 10, 2021).

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