

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

FALL LINE PATENTS, LLC,

Plaintiff,

v.

SPROUTS FARMERS MARKET,
INC. and SFM, LLC D/B/A SF
MARKETS, LLC,

Defendants.

CIVIL ACTION NO. 5:24-cv-182

JURY TRIAL DEMANDED

**ORIGINAL COMPLAINT FOR PATENT
INFRINGEMENT**

Plaintiff Fall Line Patents, LLC (“Fall Line” or “Plaintiff”) files this original complaint against Sprouts Farmers Market, Inc. and SFM, LLC d/b/a SF Markets, LLC (collectively, “Sprouts” or “Defendant”), alleging, based on its own knowledge as to itself and its own actions and based on information and belief as to all other matters, as follows:

PARTIES

1. Fall Line is a limited liability company formed under the laws of the State of Oklahoma, with its principal place of business at 2121 South Yorktown, #1103, Tulsa, Oklahoma, 74114.

2. Defendant Sprouts Farmers Market, Inc. is a corporation organized

under the laws of the State of Delaware. It can be served with process by serving its registered agent: Corporation Service Company; 251 Little Falls Drive; Wilmington, DE 19808.

3. Defendant SFM, LLC d/b/a SF Markets, LLC is a limited liability company organized under the laws of the State of Delaware. It can be served with process by serving its registered agent: Corporation Service Company DBA CSC - Lawyers Incorporating Service Company; 211 E. 7th Street, Suite 620; Austin, TX 78701.

JURISDICTION AND VENUE

4. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, Defendant has transacted business in this district and has committed, by itself or in concert with others, acts of patent infringement in this district. For example, Sprouts makes, has made, uses, imports, provides, supplies, distributes, sells, or offers to sell the Sprouts Mobile App, as set forth below.

6. In addition, Sprouts maintains a regular and established place of business in this district through numerous stores, including, for example, at 9241

Virginia Pkwy, McKinney, Texas, 75071 and 4100 Legacy Dr. # 401, Plano, Texas, 75024. Sprouts uses the Sprouts Mobile App to direct customers to, and receive orders from customers for, one or more Sprouts stores located in this district.

7. Sprouts 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/or (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 district.

THE TECHNOLOGY

8. The patent-in-suit, U.S. Patent No. 9,454,748 ("the '748 Patent"), titled "System and Method for Data Management," teaches methods for managing and collecting data from a remote computing device. Specifically, the invention addresses the need to collect location-specific information on a variety of hardware and software platforms without the need to create separate and individualized software for each of the numerous manufacturers of remote computing devices. The inventor of the '748 Patent, as well as its parent applications and patents, developed systems and methods to enable developers to create a single application that could function on numerous models of remote computing devices, without the

need to create separate software for each model, as was often required in the prior art.

COUNT I

DIRECT INFRINGEMENT OF U.S. PATENT NO.
9,454,748

9. On September 27, 2016, the ‘748 Patent was duly and legally issued by the United States Patent and Trademark Office for an invention entitled “System and Method for Data Management.”

10. Fall Line is the owner of the ‘748 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the ‘748 Patent against infringers, and to collect damages for all relevant times.

11. Sprouts made, had made, used, imported, provided, supplied, distributed, sold, and/or offered the Sprouts mobile app that, in conjunction with Sprouts servers, create and execute a location-specific questionnaire to collect responses from users.

12. By doing so, Sprouts has directly infringed (literally and/or under the doctrine of equivalents) Claim 7 of the ‘748 Patent. The infringement in this regard is ongoing.

13. Fall Line has been damaged as a result of the infringing conduct by

Sprouts. Thus, Sprouts is liable to Fall Line in an amount that adequately compensates it for such infringements, 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.

14. Fall Line and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the ‘748 Patent.

ADDITIONAL ALLEGATIONS REGARDING DIRECT INFRINGEMENT

15. Defendant has also directly infringed the ‘748 Patent by exercising direction or control over the use of the accused products by its customers. When Defendant’s customers download and use the accused products, Defendant is putting the accused products into service and conditions the benefit received by each customer from using the accused products (which utilize the methods taught by the ‘748 Patent). Use of the accused products in such manner infringes the ‘748 Patent.

ADDITIONAL ALLEGATIONS REGARDING INDIRECT INFRINGEMENT

16. Defendant has also indirectly infringed the ‘748 Patent by inducing others to directly infringe the ‘748 Patent. Defendant has induced the end-users, Defendant’s customers, to directly infringe (literally and/or under the doctrine of equivalents) the ‘748 Patent by using the accused products. Defendant took active

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.