

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

FAR NORTH PATENTS, LLC,

Plaintiff,

v.

RIBBON COMMUNICATIONS INC. and
SONUS NETWORKS, INC. d/b/a RIBBON
COMMUNICATIONS OPERATING
COMPANY,

Defendants.

CIVIL ACTION NO. 4:19-cv-945

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Far North Patents, LLC (“Far North Patents” or “Plaintiff”) files this original complaint against Defendants Ribbon Communications Inc. and Sonus Networks, Inc. d/b/a Ribbon Communications Operating Company, (collectively, “Ribbon” or “Defendants”), 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. Far North Patents is a limited liability company formed under the laws of the State of Texas, with its principal place of business at 18383 Preston Rd Suite 250, Dallas, Texas, 75252.
2. Defendant Ribbon Communications Inc. is a corporation organized and existing under the laws of Delaware. Ribbon Communications Inc. may be served through its registered agent, Corporation Service Company, at 251 Little Falls Drive, Wilmington, Delaware 19808.

3. Defendant Sonus Networks, Inc. d/b/a Ribbon Communications Operating Company is a corporation organized and existing under the laws of Delaware. Sonus Networks, Inc. d/b/a Ribbon Communications Operating Company may be served through its registered agent, Corporation Service Company, at 251 Little Falls Drive, Wilmington, Delaware 19808.

4. The Defendants identified in paragraphs 2-3 above (collectively, “Ribbon”) are companies which together comprise one of the world’s largest providers of real-time communications and networking services, software, and hardware.

5. The Ribbon defendants named above are part of the same corporate structure and distribution chain for the making, importing, offering to sell, selling, and/or using of the accused devices in the United States, including in the State of Texas generally and this judicial district in particular.

6. The Ribbon defendants named above share the same management, common ownership, advertising platforms, facilities, distribution chains and platforms, and accused product lines and products involving related technologies.

7. Thus, the Ribbon defendants named above operate as a unitary business venture and are jointly and severally liable for the acts of patent infringement alleged herein.

JURISDICTION AND VENUE

8. This is an action for infringement of United States patents 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).

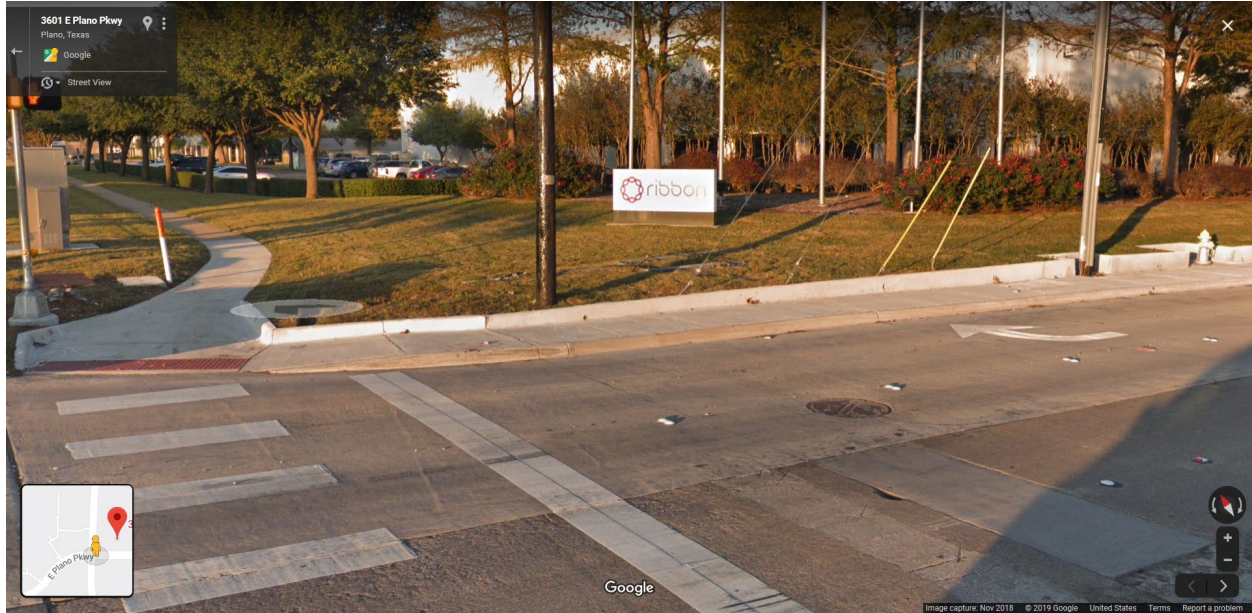
9. This Court has personal jurisdiction over Ribbon pursuant to due process and/or the Texas Long Arm Statute because, *inter alia*, (i) Ribbon has done and continues to do business in Texas; and (ii) Ribbon has committed and continues to commit acts of patent

infringement in the State of Texas, including making, using, offering to sell, and/or selling accused products in Texas, and/or importing accused products into Texas, including by Internet sales and sales via retail and wholesale stores, inducing others to commit acts of patent infringement in Texas, and/or committing a least a portion of any other infringements alleged herein.

10. Venue is proper in this district as to Ribbon Communications Inc. and Sonus Networks, Inc. d/b/a Ribbon Communications Operating Company pursuant to 28 U.S.C. § 1400(b). Venue is further proper because Ribbon has committed and continues to commit acts of patent infringement in this district, including making, using, offering to sell, and/or selling accused products in this district, and/or importing accused products into this district, including by Internet sales and sales via retail and wholesale stores, inducing others to commit acts of patent infringement in this district, and/or committing at least a portion of any other infringements alleged herein in this district. Ribbon also has a regular and established place of business in this district, including at 3605 E. Plano Pkwy., Plano, TX 75074 (as shown in the below screenshots from Ribbon’s website, <https://ribboncommunications.com/company/about-us/locations> and from Google Maps Street View).

The screenshot shows the Ribbon Communications website navigation bar with the following menu items: SOLUTIONS, PRODUCTS, SERVICES, PARTNERS, COMPANY, SUPPORT, CONTACT, and a search icon. Below the navigation bar is a secondary menu with links: Get Help, Contact Us - Locations (highlighted), Email Sign-up, Glossary, and How to Buy. The main content area displays contact information for two locations:

<p>Ottawa, Canada 500 Palladium Drive Suite 2100 Ottawa, ON K2V 1C2 Phone: 1-877-412-8867 or local 1-613-699-9611 Support: 1-833-742-2661</p>	<p>Texas, USA 3605 E. Plano Pkwy. Plano, TX 75074 United States Phone: 1-877-412-8867 Fax: 1-972-265-3600 Support: 1-833-742-2661</p>
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BACKGROUND

11. The patents-in-suit generally pertain to communications networks and other technology used in the provision of wireless services, Voice over Internet Protocol (“VoIP”) phone systems, high speed networking, and other advanced communication services. The technology disclosed by the patents was developed by personnel at MCI WorldCom (“WorldCom”), Path1 Network Technologies Inc. (“Path1 Network Technologies”), Robelight LLC (“Robelight”), and BellSouth Corporation (“BellSouth”).

12. WorldCom was a leading telecommunications service provider in the late 1990s and early 2000s. Verizon acquired WorldCom in 2005. The patents developed at WorldCom (“the Hardy patents”) are related to Quality of Service (“QoS”) evaluation in telecommunications systems.

13. The inventor of the Hardy patents, former principal analyst for quality measurement and analyses at WorldCom Dr. William C. Hardy, was at the forefront of QoS in telecommunications systems. Dr. Hardy developed, disclosed, and patented a solution for efficiently and consistently evaluating QoS. In fact, Dr. Hardy literally wrote the book on QoS

in telecommunications systems. *See* Hardy, William C., QoS Measurement and Evaluation of Telecommunications Quality of Service (Wiley 2001).

14. Dr. Hardy has received considerable praise for his work in QoS. Luis Sousa Cardoso, Quality of Service Development Group Chairman, left little doubt regarding the esteem with which he holds Dr. Hardy: “William C. ‘Chris’ Hardy is unquestionably among the leading lights in the field of QoS[.]” Dr. Hardy’s book was reviewed in *IEEE Communications Magazine*, Vol. 40, No. 2, Feb. 2002, which stated that the book “provides a straightforward and very accessible approach to measurement and evaluation of QoS in telecommunications networks...strongly recommended for all people, either experiences professionals or graduates, involved in the area of networking[.]” He is even an honorary member of the Russian Academy of Science.

15. The Hardy patents (or the applications leading to them) have been cited during patent prosecution hundreds of times, by numerous leading companies in the computer networking and telecommunications industries industry, including Adtran, Alcatel-Lucent, Arris, AT&T, Avaya, Cisco, Deutsche Telekom (T-Mobile), Dolby Laboratories Licensing Corporation, Empirix, Ericsson, Genband, General Electric, IBM, Juniper, Microsoft, Motorola, NEC, Oracle, Panasonic, Ringcentral, Sharp, Siemens, Sprint, USAA, and Verizon.

16. Path1 Network Technologies is a provider of video over IP services and solutions. The patents developed at Path1 Network Technologies (“the Fellman patents”) relate to providing service guarantees for time sensitive signals in computer networks. The inventors of these patents include Dr. Ronald D. Fellman and Dr. Rene L. Cruz. Drs. Fellman and Cruz, both former professors of electrical and computer engineering at the University of California at San Diego, were pioneers in network technology. Dr. Fellman was an IEEE Senior Member, and his

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