IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

Quartz Auto Technologies LLC	Civil Action No. 6:20-cv-00156
Plaintiff,	The Honorable _____
v.	**COMPLAINT FOR PATENT INFRINGEMENT**
Lyft, Inc.	**JURY TRIAL DEMANDED**
Defendant.	

COMPLAINT FOR PATENT INFRINGEMENT AND DEMAND FOR JURY TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff Quartz Auto Technologies LLC ("Quartz Auto"), files this Complaint for Patent Infringement and Damages against Defendant Lyft, Inc. ("Lyft" or "Defendant"), and would respectfully show the Court as follows:

PARTIES

1.   Plaintiff Quartz Auto is a Delaware limited liability company with its principal place of business located at 301 S. Fremont Ave, Baltimore, MD 21230.

2.   On information and belief, Defendant Lyft is a Delaware corporation with its principal place of business located at 185 Berry Street, Suite 5000, San Francisco, CA 94107. Lyft is registered to conduct business in Texas, and may be served through its registered agent, The Corporation Trust Company, located at 1999 Bryan St., Suite 900, Dallas TX 75201-3136.

JURISDICTION AND VENUE

3.   This is a civil action for patent infringement arising under the Patent Laws of the United States as set forth in 35 U.S.C. §§ 271, *et seq*.

4.　　　This Court has federal subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) and pendant jurisdiction over the other claims for relief asserted herein.

5.　　　This Court has personal jurisdiction over Defendant pursuant to TEX. CIV. PRAC. & REM. CODE § 17.041 *et seq*. Personal jurisdiction exists over Defendant because Defendant has minimum contacts with this forum as a result of business regularly conducted within the State of Texas and within this district, and, on information and belief, specifically as a result of, at least, committing the tort of patent infringement within Texas and this district. Personal jurisdiction also exists because, on information and belief, Defendant has: (1) operated the Internet website, https://www.lyft.com/, and provided a mobile application (the "Lyft app"), which is available to and accessed by ridesharing users, customers, and potential customers of the Defendant, both riders and drivers, within this judicial district; (2) operated within the judicial district, with ridesharing offered to users, customers, and potential customers of Defendant in locations including Austin, El Paso, San Antonio, and Waco; (3) actively advertised to residents within the District to hire more drivers; (4) transacted business within the State of Texas; (5) actively infringed and/or induced infringement of Plaintiff's patents in Texas; (6) established regular and systematic business contacts within the State of Texas; and (7) continue to conduct such business in Texas through the continued operation within the district. Accordingly, this Court's jurisdiction over the Defendant comports with the constitutional standards of fair play and substantial justice and arises directly from the Defendant's purposeful minimum contacts with the State of Texas.

6.　　　This Court also has personal jurisdiction over Defendant, because in addition to Defendant's own online website and advertising within this judicial district, Defendant has also

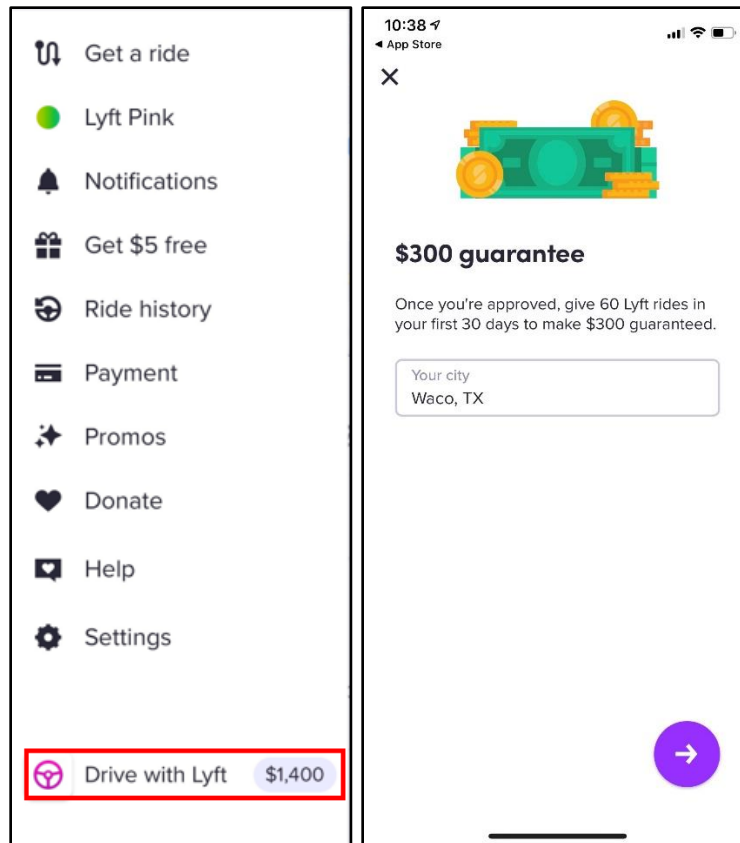made its ridesharing services available specifically within this judicial district via the following means:

        a.   Defendant offers ridesharing within the judicial district, in locations including:

- Austin (https://www.lyft.com/rider/cities/austin-tx),

- El Paso (https://www.lyft.com/rider/cities/el-paso-tx),

- San Antonio (https://www.lyft.com/rider/cities/san-antonio-tx), and

- Waco (https://www.lyft.com/rider/cities/waco-killeen-tx).

        b.   Defendant actively advertises to district residents to hire more drivers within the district. For example:

- Austin (https://www.lyft.com/driver/cities/austin-tx), and

- Waco (https://www.lyft.com/driver/cities/waco-killeen-tx).

        c.   Defendant actively promotes working for Lyft to all, including district residents, who have downloaded the Lyft passenger application, as "Drive with Lyft" is listed in the application drop down menu, and incentivizes new drivers with guaranteed money dependent on "X" number of drives in first 30 days (guaranteed money amount and number of drives depends on location).

Lyft Passenger Application Screenshots February 16, 2020

      d.   Defendant provides in-person support via "Driver Hubs" within the Western District of Texas, including a driver center in Austin (6375 US-290, Austin, TX 78723) and both a service desk and airport service desk in San Antonio (https://thehub.lyft.com/hours/texas).

      7.   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 Defendant's 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.

8.   Venue is proper in this Court under 28 U.S.C. §§ 1391(b) and (c) and 28 U.S.C. § 1400(b) based on the information and belief that the Defendant has committed or induced acts of infringement, and/or advertise, market, sell, and/or offer to sell products, including infringing products, in this judicial district. In addition, Defendant maintains numerous regular and established places of business in this district by providing its ridesharing service in this district in, for example, Waco, Texas. In addition, Defendant maintains regular and established places of business in this district, as discussed in ¶6(d).

THE PATENTS-IN-SUIT

9.   On September 3, 2002, United States Patent No. 6,446,004 ("the '004 patent"), entitled "System and Method for Implementing Proximity or Location Driven Activities" was duly and legally issued by the United States Patent and Trademark Office ("USPTO") to Kevin Tung Cao, Daniel Alexander Ford, and Reiner Kraft, with the International Business Machines Corporation ("IBM") as assignee. A copy of the '004 patent is attached hereto as **Exhibit A**.

10.   On October 19, 2004, United States Patent No. 6,807,464 ("the '464 patent"), entitled "Systems and Methods for Distributing Information to an Operator of a Vehicle" was duly and legally issued by the USPTO to Philip Shi-lung Yu, David P. Greene, Edith H. Stern, and Barry E. Willner, with IBM as assignee. A copy of the '464 patent is attached hereto as **Exhibit B**.

11.   On May 6, 2008, United States Patent No. 7,370,085 ("the '085 patent"), entitled "Method, System, and Program for Providing User Location Information with a Personal Information Management Program" was duly and legally issued by the USPTO to Michael Wayne Brown, Rabindranath Dutta, and Michael A. Paolini, with IBM as assignee. A copy of the '085 patent is attached hereto as **Exhibit C.**

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