

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

Q TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	Civil Action No. 21-321
v.)	
)	DEMAND FOR JURY TRIAL
NEUTRON HOLDINGS, INC. D/B/A LIME,)	
)	
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Q Technologies, Inc. (“Q Technologies”), files this its Original Complaint for Patent Infringement against Defendant Neutron Holdings, Inc. d/b/a Lime (“Lime”) and states as follows:

THE PARTIES

1. Plaintiff Q Technologies is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 1054 Devine Circle, Brookhaven, GA, 30319.

2. Q Technologies is informed and believes, and thereon alleges, that Defendant Lime is a corporation organized and existing under the laws of the State of Delaware, having a place of business at 85 2nd Street, 1st Floor, San Francisco, CA 94105. Defendant can be served by serving its registered agent CT Corporation System at 1999 Bryan Street, Ste. 900, Dallas, Texas 75201 or wherever else an officer of Defendant may be found.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338, as it arises under the patent laws of the United States.

5. This Court has personal jurisdiction over Defendant because Defendant maintains a place of business within this judicial district and has a continuous, systematic, and substantial presence within this judicial district including by offering for sale and selling infringing products and services in this judicial district, and by committing acts of patent infringement in this judicial district, including but not limited to offering and selling directly to customers and consumers in this district a scooter rental service that infringes the asserted patents, which acts form a substantial part of the events giving rise to this action.

6. Venue is proper in this judicial district under 28 U.S.C. § 1400(b) because Defendant has committed acts of patent infringement in this District, has employees who work in the District, and has a regular and established place of business in this district.

GENERAL ALLEGATIONS

7. Q Technologies develops innovative cloud-computing based solutions across various industries.

8. On April 25, 2017, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 9,635,108 (“the ’108 patent”), entitled “Systems and Methods for Content Sharing Using Uniquely Generated Identifiers.” Q Technologies is the owner by assignment of all right, title, and interest in the ’108 patent. A true and correct copy of the ’108 patent is attached hereto as Exhibit A.

9. On February 18, 2020, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 10,567,473 (“the ’473 patent”), entitled “Systems and Methods for Content Sharing Using Uniquely Generated Identifiers.” Q Technologies is the owner by

assignment of all right, title, and interest in the '473 patent. A true and correct copy of the '473 patent is attached hereto as Exhibit B.

10. On March 17, 2020, the United States Patent and Trademark Office duly and lawfully issued U.S. Patent No. 10,594,774 (“the '774 patent”), entitled “Systems and Methods for Content Sharing Using Uniquely Generated Identifiers.” Q Technologies is the owner by assignment of all right, title, and interest in the '774 patent. A true and correct copy of the '774 patent is attached hereto as Exhibit C.

11. The '108 patent, the '473 patent, and the '774 patent are referred to collectively herein as the “Asserted Patents.”

12. Q Technologies provided Lime with actual notice of the '108 patent in a cease and desist letter dated April 17, 2019.

13. Q Technologies provided Lime with actual notice of the '473 patent in a cease and desist letter dated February 20, 2020.

14. Q Technologies provided Lime with actual notice of the '774 patent in a cease and desist letter dated March 16, 2020.

15. Lime makes, uses, sells, and offers to sell in the United States products and services, including Lime’s scooter sharing platform and mobile application that incorporate the “Scan to Unlock” feature, that infringe Q Technologies’ Asserted Patents.

FIRST CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 9,635,108)

16. Plaintiff realleges and incorporates herein by reference the allegations stated in paragraphs 1–15 of this Complaint as if set forth fully herein.

17. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

18. Q Technologies is the owner by assignment of the '108 patent with sole rights to enforce the '108 patent and sue infringers.

19. The '108 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the U.S. Code.

20. Defendant through its agents, employees and/or servants, has infringed and continues to infringe literally and/or under the doctrine of equivalents one or more claims, including at least claims 1, 2, 4, 7, 10, 11, 13, and 16, of the '108 patent by making, using, selling, and offering its scooter sharing services and mobile application that use the methods and systems claimed in the '108 patent. Exhibit D includes a chart comparing Defendant's scooter sharing platform and mobile application to an exemplary claim, claim 1, of the '108 patent.

21. Defendant has infringed the '108 patent without permission or license from Q Technologies, and continues to infringe the '108 patent in violation of 35 U.S.C. § 271.

22. Upon information and belief, the Defendant's infringement of '108 patent is, and has been, willful, deliberate, and intentional by committing these acts of infringement with knowledge of '108 patent and thus, acting in reckless disregard of Q Technologies' patent rights.

23. Defendant's actions complained of herein will continue unless Defendant is enjoined by this Court.

24. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Q Technologies and will continue to do so unless Defendant's infringement is enjoined and restrained by this Court.

SECOND CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 10,567,473)

25. Plaintiff realleges and incorporates herein by reference the allegations stated in paragraphs 1–24 of this Complaint as if set forth fully herein.

26. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, et seq.

27. Q Technologies is the owner by assignment of the '473 patent with sole rights to enforce the '473 patent and sue infringers.

28. The '473 patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the U.S. Code.

29. Defendant through its agents, employees and/or servants, has infringed and continues to infringe literally and/or under the doctrine of equivalents one or more claims, including at least claims 14-16 and 19-28 of the '473 patent by making, using, selling, and offering its scooter sharing services and mobile application that use the methods and systems claimed in the '108 patent. Exhibit E includes a chart comparing Defendant's scooter sharing platform and mobile application to an exemplary claim, claim 14, of the '473 patent.

30. Defendant has infringed the '473 patent without permission or license from Q Technologies, and continues to infringe the '473 patent in violation of 35 U.S.C. § 271.

31. Upon information and belief, the Defendant's infringement of '473 patent is, and has been, willful, deliberate, and intentional by committing these acts of infringement with knowledge of '473 patent and thus, acting in reckless disregard of Q Technologies' patent rights.

32. Defendant's actions complained of herein will continue unless Defendant is enjoined by this Court.

33. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Q Technologies and will continue to do so unless Defendant's infringement is enjoined and restrained by this Court.

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