

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

BLUESTONE VENTURES INC.,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

Case No. 6:21-cv-00685

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Bluestone Ventures Inc. (“Bluestone”), by and through its counsel files this Complaint against Uber Technologies, Inc. (“Uber”) for patent infringement of United States Patent Nos. 9,921,077 (“’707 patent”) and 10,502,583 (“’583 patent”) (collectively “patents-in-suit”) and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

THE PARTIES

2. Plaintiff Bluestone is a privately held company organized under the laws of the Commonwealth of Virginia with its principal place of business at 3949 Pender Dr., Suite 350, Fairfax, VA 22030.

3. On information and belief, Defendant Uber is incorporated under the laws of the State of Delaware with its principal place of business in the State of California. Uber may be served with process through its registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. On information and belief, Uber has been registered to do business in the state of Texas under Texas SOS file number 0801630825 since on or about July 25, 2012.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

6. Uber is subject to this Court's personal jurisdiction in accordance with due process and/or the Texas Long Arm Statute because, in part, Uber "[r]ecruits Texas residents, directly or through an intermediary located in this state, for employment inside or outside this state." *See* Tex. Civ. Prac. & Rem. Code § 17.042.

7. This Court also has personal jurisdiction over Uber because Uber has continuous and systematic business contacts with the State of Texas. Defendant directly conducts business extensively throughout the State of Texas, by distributing, making, using, offering for sale, selling, and advertising (including the provision of interactive web pages and Mobile Applications) its services in the State of Texas and in this district. Defendant has purposefully and voluntarily made its infringing systems available to residents of this district and into the stream of commerce with the intention and expectation that they will be purchased and used by consumers in this district.

8. On information and belief, Uber maintains a substantial and continuous business presence in this district, including Uber “Green Light” Service Centers in Austin and San Antonio. On information and belief, such Centers are located at: (i) 507 Calles Street, Suite 120, Austin, Texas 78702 (*See Fig. 1*); and (ii) 121 Interpark Blvd., Suite 501, San Antonio, Texas 78216.

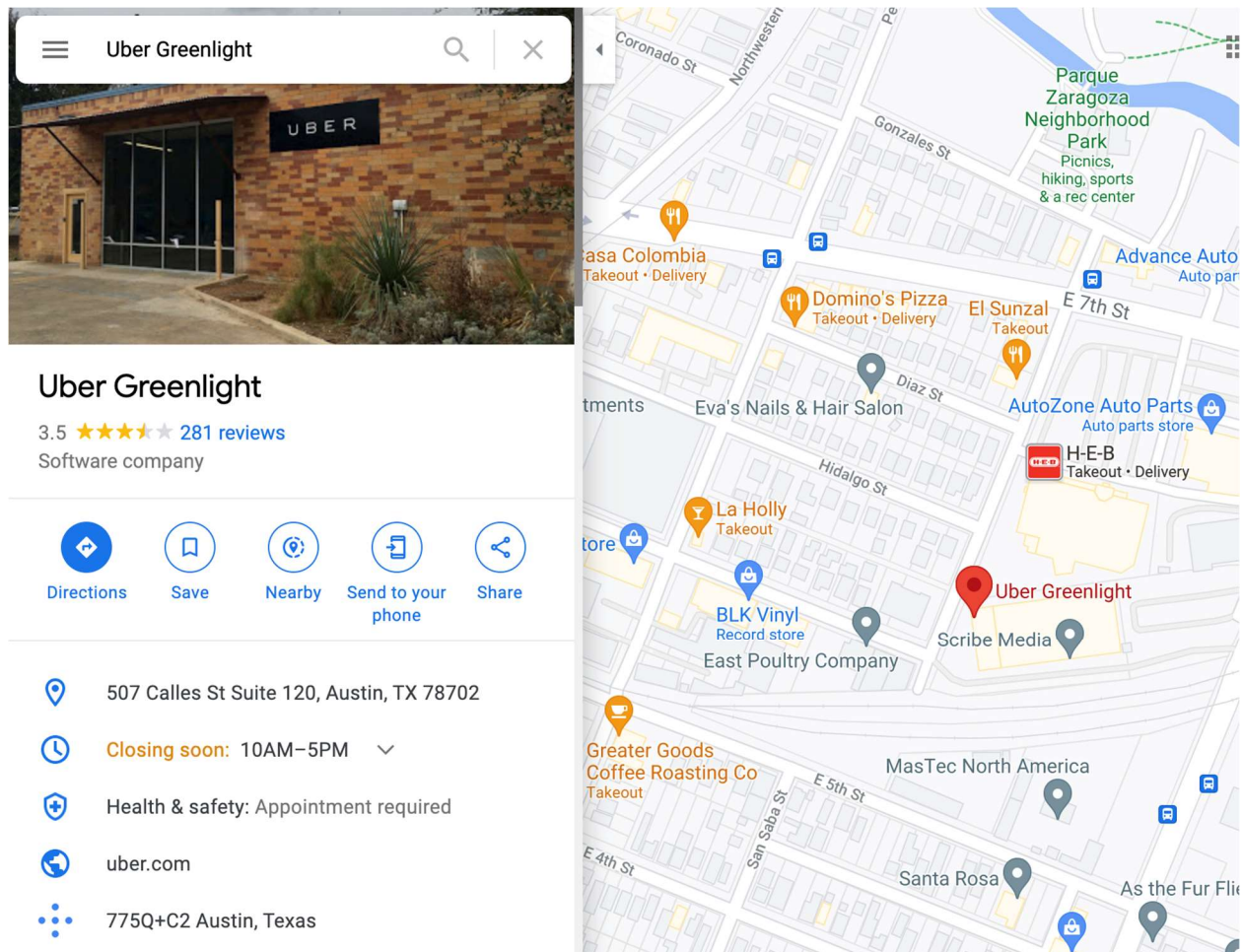


Fig. 1, result of Google Map search for Uber Greenlight, Austin.¹

¹ Any and all references to Internet content, unless noted otherwise, are cited as of May 4, 2021.

9. On information and belief, the Uber Green Light Centers are locations in which users of the Uber infringing apparatus can: (i) apply to drive as an Independent Contractor for Uber; (ii) obtain assistance with Uber documents; and (iii) ask questions about an Uber account. *See, e.g.*, <https://www.hyrecar.com/blog/uber-greenlight-hub/>

10. On information and belief, Uber maintains a business presence in this district in the form of its office space in downtown Austin at 201 East 3rd Street. On information and belief, the Austin headquarters is the location from which Uber operations across seven states are managed. *See* <https://www.statesman.com/photogallery/TX/20180302/PHOTOGALLERY/303029894/PH/1>

11. On information and belief, Defendant maintains an ongoing and continuous business presence in the State of Texas and specifically within this district, which is illustrated by the fact that Uber has at least 290 employees residing in the Austin, Texas area and within this district. *See* Fig. 2, Uber corporate profile page on LinkedIn.com, which lists the location of Uber employees worldwide, and specifically lists 290 such individual employees in the Austin, Texas area.

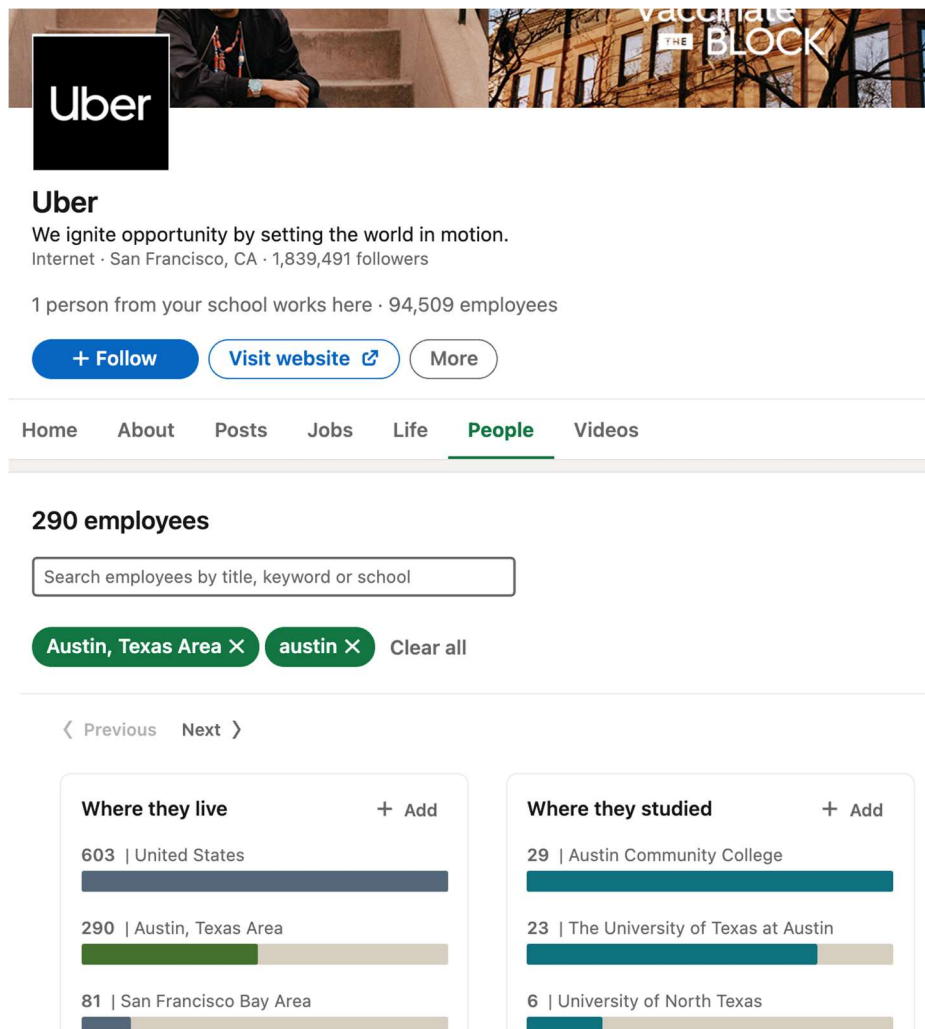


Fig. 2.

12. Venue is proper pursuant to at least 28 U.S.C. § 1400(b), at least because Uber has committed acts of infringement in this district and has a regular and established place of business in this district.

BACKGROUND

United States Patent No. 9,921,077

13. On May 20, 2018, the United States Patent and Trademark Office (“USPTO”) duly and legally issued the ’077 patent entitled “Method and System for

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