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TWILIÓ INC. UNITED STA NORTHERN DIS TWILIO INC., Plaintiff, vs.	STRICT OF CALIFORNIA Case No COMPLAINT FOR PATENT INFRINGEMENT
TWILIÓ INC. UNITED STA NORTHERN DIS TWILIO INC., Plaintiff, vs. TELESIGN CORPORATION,	STRICT OF CALIFORNIA Case No COMPLAINT FOR PATENT INFRINGEMENT
TWILIÓ INC. UNITED STA NORTHERN DIS TWILIO INC., Plaintiff, vs. TELESIGN CORPORATION,	STRICT OF CALIFORNIA Case No COMPLAINT FOR PATENT INFRINGEMENT
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TWILIÓ INC. UNITED STA NORTHERN DIS TWILIO INC., Plaintiff, vs. TELESIGN CORPORATION,	STRICT OF CALIFORNIA Case No COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiff Twilio Inc. ("Twilio" or "Plaintiff"), files this Complaint against Defendant TeleSign Corporation ("TeleSign" or "Defendant"), and allege as follows:

Introduction to Twilio

- 2. Twilio is a Delaware corporation with its principal place of business at 375 Beale Street, 3rd Floor, San Francisco, California 94105.
- 3. Twilio is a cloud communications company that enables developers to build and manage applications without the complexity of creating and maintaining the underlying structure.
 - 4. Over 1,000,000 developer accounts have registered with Twilio's platform.
- 5. Twilio's approach consists of at least a Programmable Communications Cloud which enables developers to embed voice, messaging, video, and authentication capabilities into developers applications via Twilio's Application Programming Interfaces ("API").
- 6. Twilio offers at least 18 different messaging, voice, and communication products to its customers.
 - 7. Twilio invests substantial resources in its research and development.
 - 8. Twilio employs over 624 employees.
- 9. The vast majority of Twilio's employees are located in the San Francisco Bay area.
- 10. Twilio's research and development organization consists of at least 326 employees, the vast majority of which are located in the San Francisco Bay area.
- 11. Twilio has been issued over 47 United States patents, has 45 pending patent applications, and 10 pending provisional applications.
- 12. In additional to its U.S. patents, Twilio also have five issued patents and nine pending applications in foreign jurisdictions.
- 13. Twilio's technical development of its products and research are primarily based in the San Francisco Bay area.
- 14. The inventors of Twilio's patents are primarily located in the San Francisco Bay area.

1 **Introduction to Defendant** 15. Defendant is a California corporation with its principal place of business in 2 Marina Del Rey, California. 3 16. Defendant has a primary office in Sunnyvale, California. 4 17. Defendant opened its San Francisco Bay area office to sell to its customers and 5 6 clients based in the area. 7 18. Defendant has many customers in the San Francisco Bay area. 19. 8 Defendant attempts to sell its infringing products from its Sunnyvale office. 9 20. Defendant was a customer of Twilio. 21. As a customer of Twilio, Defendant used services of Twilio. 10 22. Defendant gained access to the details of Twilio's products and their operation. 11 23. Defendant gained access to Twilio's information, such as Twilio's APIs. 12 24. Stacy Stubblefield, the Co-Founder and Vice President of Product Strategy for 13 14 Defendant had a private Twilio account. 25. Stacy Stubblefield gained knowledge of Twilio's products. 15 16 26. Defendant's engineers learned of Twilio's technology when Defendant was a customer of Twilio. 17 27. Defendant used the information it learned about Twilio products to develop its 18 19 own products to compete with Twilio. 20 28. Defendant knew that Twilio filed patent applications and had obtained patents. 21 The evidence tending to support this allegation will likely have evidentiary support after a 22 reasonable opportunity for further investigation or discovery. 23 29. Defendant views Twilio as a competitor. 30. Defendant used the information it learned about Twilio to enhance its sales. 24 25 31. Using its infringing products, Defendant attempts to take sales from Twilio. 26 32. Defendant has inflicted harm on Twilio.

Push

Verify,

Auto

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Verify,

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Verify,

Defendant offers eight different products: Score, Phone ID, Voice Verify, SMS

Smart

Verify,

and

Behavior

ID.

(https:/	/teles	ign.com	proc	lucts/).
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34. Seven of these eight products infringe Twilio's patents.

Overview of Infringement

- 35. Of Twilio's 47 issued patents, Twilio is currently asserting seven patents against Defendant: United States Patent No. 8,306,021 ("the '021 Patent") (attached as Exhibit A), United States Patent No. 8,837,465 ("the '465 Patent") (attached as Exhibit B), United States Patent No. 8,755,376 ("the '376 Patent") (attached as Exhibit C), United States Patent No. 8,738,051 ("the '051 Patent") (attached as Exhibit D), United States Patent No. 8,737,962 ("the '962 Patent") (attached as Exhibit E), United States Patent No. 9,270,833 ("the '833 Patent") (attached as Exhibit F), United States Patent No. 9,226,217 ("the '217 Patent") (attached as Exhibit G) (collectively, the "Asserted Patents").
 - 36. The Asserted Patents fall within four patent families:
 - The Platform Family (the '021 Patent, '465 Patent, and '376 Patent)
 - The Platform Family is generally, but not exclusively, directed towards the concept of initiating and controlling a voice, push, or SMS message based on a REST API request.
 - The Score Family (the '692 Patent and the '833 Patent)
 - The Score Family is generally, but not exclusively, directed towards detecting fraudulent account activity.
 - The Path Selection Family (the '217 Patent)
 - The Path Selection Family is generally, but not exclusively, directed towards the selection of a communication provider for transmitting messages.
 - The Delivery Receipts Family (the '051 Patent)
 - The Delivery Receipts Family is generally, but not exclusively, directed towards the selection of the best routing carrier for transmitting messages.
 - 37. Defendant advertises eight different products: Score, Phone ID, Voice Verify,

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SMS Verify, Push Verify, Auto Verify, Smart Verify, and Behavior ID. (https://telesign.com/products/).

- 38. Seven of Defendant's eight products infringe the Asserted Patents and are built on Twilio's technology.
 - 39. Each of Defendant's seven infringing products infringe multiple Twilio patents.
- 40. Defendant's Smart Verify product infringes the '051 Patent, the '021 Patent, and the '217 Patent.
 - 41. Defendant's Auto Verify product infringes the '051 Patent and the '021 Patent.
- 42. Defendant's SMS Verify product infringes the '051 Patent, the '021 Patent, the '376 Patent, and the '217 Patent.
- 43. Defendant's Voice Verify product infringes the '051 Patent, the '465 Patent, the '376 Patent, and the '217 Patent.
 - 44. Defendant's Push Verify product infringes the '051 Patent and the '021 Patent.
- 45. Defendant's Score and Phone ID products infringe the '833 Patent and the '962 Patent.
- 46. Defendant sells and offers to sell these infringing products to companies located in the San Francisco Bay area and throughout the United States.
- 47. Defendant could not effectively compete against Twilio without the technology covered by the Asserted Patents.

Nature of the Action

- 48. This is a civil action for the infringement of the Asserted Patents under the patent laws of the United States, 35 U.S.C. § 1, et seq.
- 49. This action involves Defendant's manufacture, use, sale, offer for sale, and importation into the United States of infringing products, methods, processes, services and systems that are primarily used or primarily adapted for, but not exclusively, the transmission of messages.
- 50. For example, but without limitation, such products include Defendant's Smart Verify, Auto Verify, SMS Verify, Voice Verify, Push Verify, Score, and Phone ID

(https://telesign.com/products/).

51. Defendant has made extensive use of Twilio's patented technologies, including each of the Asserted Patents.

Jurisdiction and Venue

- 52. This Court has original jurisdiction over the subject matter of this Complaint under 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. §§ 271, et seq.
- 53. This Court has personal jurisdiction over Defendant because Defendant has committed acts of patent infringement and contributed to or induced acts of patent infringement by others in the State of California and in this District.
- 54. Defendant is a California corporation and maintains an office in the San Francisco Bay area.
- 55. Defendant has established sufficient minimum contacts with this District such that it should reasonably and fairly anticipate being called into court in this District and has purposefully directed activities at residents of the state and this District.
- 56. Venue in this district is proper under 28 U.S.C. §§ 1400(b) and 1391(b) and (c), because Defendant is subject to personal jurisdiction in this district and has committed acts of infringement in this district.

Willful Infringement

- 57. Defendant's infringement of the Asserted Patents is willful.
- 58. Defendant became aware of the Asserted Patents as part of its analysis of Twilio's products, for example, during its diligence in filing suit against Twilio. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 59. Defendant knew of Twilio's patents and products. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
 - 60. Defendant's engineers had access to Twilio when Defendant was a customer of

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- 61. Defendant's engineers were able to study Twilio's source code and design of Twilio's products.
 - 62. Defendant's Stacy Stubblefield had a Twilio account.
 - 63. Stacy Stubblefield's private account was created in September of 2009.
- 64. Stacy Stubblefield is the co-founder and vice president of product strategy at TeleSign.
 - 65. Stacy Stubblefield gained access to Twilio's products.
- 66. Stacy Stubblefield used the information she learned from her Twilio account to develop products to compete with Twilio. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 67. Defendant designed competing products after learning of Twilio's products. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
 - 68. Defendant's products closely match at least some of Twilio's products.
- 69. For example, Defendant's Score product closely matches the '833 Patent and the '962 Patent.
- 70. For example, Defendant's two-factor authentication service closely matches Twilio's two-factor authentication technology.
- 71. Defendant's infringement of the Asserted Patents has been deliberate, flagrant, wanton, and constitutes willful infringement. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Count I (Infringement of U.S. Patent 8,737,962)

- 72. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
 - 73. The United States Patent and Trademark Office ("USPTO") duly and legally

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issued the '962 Patent on May 27, 2014.

- 74. Twilio owns the right, title and interest in the '962 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 75. Defendant has infringed and continues to infringe one or more claims of the '962 Patent, including at least Claim 1 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's Score and Phone ID products.
- 76. Defendant's Score and Phone ID products relate generally to fraud detection. See https://www.telesign.com/products/.
- 77. The Score product at least receives a phone number, analyzes the phone number, and assigns a fraud score to the phone number. See https://www.telesign.com/products/.
 - 78. The Phone ID product may be used with the Score product.
 - 79. The Score and Phone ID products are offered together and come bundled together.
- 80. Defendant's developer API documentation makes reference to the "Phone ID Score web service." See https://developer.telesign.com/docs/rest_api-phoneid-score.
- 81. Defendant's operation of its Score and Phone ID products infringe one or more claims of the '962 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '962:

Claim 1	TeleSign's Score and PhoneID Product
[1] A method comprising:	See below for elements.
[1a]enrolling a plurality of accounts on a telecommunications platform, wherein an account includes account configuration;	By Defendant's operation of the Score and PhoneID products, Defendant performs this step. With reference to TeleSign's Score and Phone ID products, TeleSign enrolls a plurality of accounts. Further, each account that enrolls includes account configuration. For example, an account may include a telephone number. See https://www.telesign.com/products/score/ and https://www.telesign.com/products/phone-id/ .
[1b] at a fraud detection system of the telecommunications	By Defendant's operation of the Score and PhoneID products, Defendant performs this step.

INFRINGEMENT

Claim 1	TeleSign's S	Score and PhoneID I	Product	
platform, receiving account usage data,	With referen	ce to TeleSign's Sco	ore and Phone ID products, TeleSigned to the account, wherein the data	
wherein the account	includes at communication and billing data. For example, TeleSign checks an account through its Global Clearinghouse. <i>See</i> https://www.telesign.com/products/score . As another example, checks account usage data through historical data on phone number usage. <i>See</i> https://www.telesign.com/products/score . As another example, TeleSign continually extracts historical data from phone numbers. <i>See</i>			
usage data includes at least communication				
configuration data and				
billing configuration				
data of account configuration and	_	2	*	
further includes	another example, TeleSign at least has data relating to the phone			
communication history of the plurality of	number, phone type, and carrier. So https://developer.telesign.com/docs/rest api-phoneid-score.			
accounts;	inteps.// do / of	pororosigni.oonii do	apr phonora score.	
	-	-	the Score and PhoneID products	
	Defendant po	erforms this step.		
			re and Phone ID products, TeleSig	
	two accounts. For example, TeleSign assigns a score value from 0 to 1000. See https://www.telesign.com/products/score/ . See also			
	A phone number's score is a measure of the risk involved with conducting online business transactions with its registered owner.			
			sk involved with conducting online business	
[1c] calculating fraud	transactions with	its registered owner. scale from zero to a thousand	l, and the scale is divided into five successively	
scores of a set of fraud	transactions with It is a rating on a increasing range	its registered owner. scale from zero to a thousand	l, and the scale is divided into five successively k level associated with the range they fall into,	
scores of a set of fraud rules from the usage data, wherein at least a	transactions with It is a rating on a increasing range	its registered owner. scale from zero to a thousand s. Scores correlate with the ris	l, and the scale is divided into five successively k level associated with the range they fall into,	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud	transactions with It is a rating on a increasing range and each risk lev	its registered owner. scale from zero to a thousand s. Scores correlate with the ris el has an associated recomme	I, and the scale is divided into five successively k level associated with the range they fall into, endation.	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns	It is a rating on a increasing range and each risk lev	scale from zero to a thousand s. Scores correlate with the ris el has an associated recomme	I, and the scale is divided into five successively k level associated with the range they fall into, endation. Recommendation	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions	It is a rating on a increasing range and each risk lev Score 801-1000	scale from zero to a thousand s. Scores correlate with the ris el has an associated recomme Risk Level High	I, and the scale is divided into five successively k level associated with the range they fall into, endation. Recommendation Block	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000	scale from zero to a thousand s. Scores correlate with the ris el has an associated recomme Risk Level High Medium-High	I, and the scale is divided into five successively k level associated with the range they fall into, indation. Recommendation Block Block	
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scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000 601-800 401-600 201-400 0-200 N/A	n its registered owner. scale from zero to a thousand is. Scores correlate with the risiel has an associated recomme Risk Level	I, and the scale is divided into five successively k level associated with the range they fall into, endation. Recommendation Block Block Flag Allow Allow N/A	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000 601-800 401-600 201-400 0-200 N/A https://develanother example and rating on a increasing range and each risk lev	rits registered owner. scale from zero to a thousand s. Scores correlate with the risel has an associated recomme Risk Level High Medium-High Medium-Low Low Neutral oper.telesign.com/domple, TeleSign tries	I, and the scale is divided into five successively k level associated with the range they fall into, endation. Recommendation Block Block Flag Allow Allow N/A N/A Ses/rest_api-phoneid-score. As yes to reduce fake accounts with it	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000 601-800 401-600 201-400 0-200 N/A https://develanother examproduct and	Risk Level High Medium-High Medium-Low Low Neutral oper.telesign.com/do mple, TeleSign tries keeps a blacklist to	I, and the scale is divided into five successively k level associated with the range they fall into, endation. Recommendation	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000 601-800 401-600 201-400 0-200 N/A https://devel another examproduct and multiple according	Risk Level High Medium-High Medium-Low Low Neutral oper.telesign.com/do mple, TeleSign tries keeps a blacklist to counts. See https://	I, and the scale is divided into five successively k level associated with the range they fall into, indation. Recommendation Block Block Flag Allow Allow N/A	
scores of a set of fraud rules from the usage data, wherein at least a sub-set of the fraud rules include conditions of usage data patterns between at least two	transactions with It is a rating on a increasing range and each risk lev Score 801-1000 601-800 401-600 201-400 0-200 N/A https://develanother examproduct and multiple acceptake-account	Risk Level High Medium-High Medium-Low Low Neutral Departelesign.com/do mple, TeleSign tries keeps a blacklist to counts. See https://www.te	Recommendation Block Block Flag Allow Allow N/A Des/rest api-phoneid-score. As yes to reduce fake accounts with it make sure repeat users cannot ope www.telesign.com/use-cases/reduce	

Claim 1	TeleSign's Score and PhoneID Product
account satisfy a fraud threshold;	Defendant performs this step.
	With reference to TeleSign's Score and Phone ID products, TeleSign detects when the fraud score of an account hits a threshold amount. For example, TeleSign uses a numbering system between 0 and 1000 and will detect when an account score reaches a certain threshold. <i>See</i> https://developer.telesign.com/docs/implement-your-score-policy and https://www.telesign.com/products/score .
	By Defendant's operation of the Score and PhoneID products, Defendant performs this step.
[1e] initiating an action response when a fraud score satisfies the fraud threshold.	With reference to TeleSign's Score and Phone ID products, TeleSign initiates an action response when an account reaches a certain threshold. For example, TeleSign uses a numbering system between 0 and 1000 and upon an account reaching a certain threshold initiates an action. For example, TeleSign may indicate whether an account should be blocked or not blocked. <i>See</i> https://developer.telesign.com/docs/rest_api-phoneid-score and https://www.telesign.com/products/score/ .

- 82. Defendant's infringement has caused, and is continuing to cause, damage and irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.
- 83. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- 84. Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '962 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 85. Defendant's infringement of the '962 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
 - 86. Based on at least Defendant's analysis of Twilio's products, Defendant either

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knows or should have known about its risk of infringement regarding the '962 Patent.

87. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count II (Infringement of U.S. Patent No. 9,270,833)

- 88. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
- 89. The United States Patent and Trademark Office ("USPTO") duly and legally issued the '833 Patent on February 23, 2016.
- 90. Twilio owns the right, title and interest in the '833 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 91. Defendant has infringed and continues to infringe one or more claims of the '833 Patent, including at least Claim 5 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's Score and Phone ID product.
- 92. Defendant's Score and Phone ID products relate generally to fraud detection. *See* https://www.telesign.com/products/.
- 93. The Score product at least receives a phone number, reviews the phone number for fraud, and assigns a score to the phone number. *See* https://www.telesign.com/products/.
 - 94. The Phone ID product may be used with the Score product.
- 95. Defendant's developer API documentation makes reference to the "Phone ID Score web service." *See* https://developer.telesign.com/docs/rest_api-phoneid-score.
- 96. Defendant's operation of its Score and Phone ID products infringe one or more claims of the '833 Patent. As an example of one theory of infringement and with reference to Claim 5 of the '833:

Claim 5 TeleSign's Score and PhoneID Product				
[5] A method comprising: at a telecommunication	By Defendant's operation of the Score and PhoneID products, Defendant performs this step.			
platform:	With reference to TeleSign's Score and Phone ID products, TeleSign			

Claim 5	TeleSign's Score and PhoneID Product
2	maintains a telecommunication platform, for example its Phone ID Score web service. <i>See</i> https://developer.telesign.com/docs/rest_api-phoneid-score.
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5 [5a] enrolling a plurality of parent accounts in the telecommunication platform;	By Defendant's operation of the Score and PhoneID products, Defendant performs this step. With reference to TeleSign's Score and Phone ID products, TeleSign advertises its products to help customers protect end-user accounts from fraud. See https://www.telesign.com/products/score/ and https://www.telesign.com/products/phone-id/ .
0	
1 [5b] within a first	By Defendant's operation of the Score and PhoneID products, Defendant performs this step.
2 enrolled account, enrolling at least one	With reference to TeleSign's Score and Phone ID products, TeleSign
3 sub-account that is managed by the first	enrolls a plurality of sub-accounts that may be managed by the first account. For example, the sub-accounts that enroll are the accounts of
4 account;	users that are managed by the developer of the application. See https://www.telesign.com/products/score/ and https://www.telesign.com/products/phone-id/ .
[5c] at a fraud detection system of the telecommunications platform, receiving subaccount usage data of a plurality of subaccounts of the telecommunication platform, wherein the sub-account usage data of each of the plurality of sub-accounts includes at least configuration data of the sub-account and communication history data;	By Defendant's operation of the Score and PhoneID products, Defendant performs this step. With reference to TeleSign's Score and Phone ID products, TeleSign receives sub-account usage data related to the account, wherein the sub-account usage data includes both configuration data and communication history data. For example, TeleSign checks an account through its Global Clearinghouse. See https://www.telesign.com/products/score . As another example, TeleSign checks sub-account usage data through historical data on phone number usage. See https://www.telesign.com/products/score . As another example, TeleSign continually extracts historical data from phone numbers. See https://developer.telesign.com/docs/rest_api-phoneid-score . As yet another example, TeleSign at least has data relating to the phone number, phone type, and carrier. See https://developer.telesign.com/docs/rest_api-phoneid-score .
[5d] calculating fraud	By Defendant's operation of the Score and PhoneID products,

	Claim 5	TeleSign's Sco	re and PhoneID Prod	luct	
1	scores of a set of fraud	Defendant performs this step.			
2	scores from the sub-	With reference to TeleSign's Score and Phone ID products. TeleSign			
3	account usage data;	With reference to TeleSign's Score and Phone ID products, TeleSign calculates a fraud score based on the obtained data from the sub-			
		account. For example, TeleSign assigns a score value from 0 to 1000.			
4		See https://www.telesign.com/products/score/ . See also A phone number's score is a measure of the risk involved with conducting online business			
5		transactions with its registered owner.			
6				the scale is divided into five successively I associated with the range they fall into,	
7			as an associated recommendation		
,		Score	Risk Level	Recommendation	
8		801-1000	High	Block	
9		601-800	Medium-High	Block	
10					
11		401-600	Medium	Flag	
		201-400	Medium-Low	Allow	
12		0-200	Low	Allow	
13		N/A	Neutral	N/A	
14		https://develop	er telesign com/docs/r	est api-phoneid-score. As yet	
15			e, TeleSign looks at th	ne velocity and traffic patterns of	
16		an account	in calculating	a fraud score. <i>See</i> ore. As yet another example,	
				return a Risk, Risk Level,	
17		Recommendation	on, or Score associa	ated with a sub-account. See	
18		https://develope	er.telesign.com/docs/re	est_ap1-phoneid-score.	
19	[5e] in a case where the	By Defendant'	s operation of the	Score and PhoneID products,	
20	set of fraud scores of a	Defendant perfo	orms this step.		
	sub-account satisfy a fraud threshold,	With reference	to TeleSign's Score a	nd Phone ID products, TeleSign	
21	programmatically	detects when the	ne fraud score of an a	account hits a threshold amount.	
22	notifying the corresponding parent			ring system between 0 and 1000 e reaches a certain threshold. See	
23	account of illicit			nplement-your-score-policy and	
24	behavior of the sub-	_		ore. Further, TeleSign notifies	
	account, the notification being			fraudulent account. For example, whether a sub-account should be	
25	provided via the	blocked	or not	blocked. See	
26	telecommunication platform;		er.telesign.com/docs/re esign.com/products/sc		
27	,	imps.// w w w.tcl	osign.com/products/sc	<u> </u>	
28	[5f] wherein illicit				

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1	Claim 5	TeleSign's Score and PhoneID Product
1	behavior includes at	By Defendant's operation of the Score and PhoneID products,
2	least one of toll fraud,	Defendant performs this step.
3	spamming, terms of service violations,	With reference to TeleSign's Score and Phone ID products,
4	denial of service attacks, credit card	TeleSign's software is implemented to prevent illicit behavior. For example, TeleSign tries to reduce fake accounts with its product and
5	fraud, suspicious behavior, and phishing	keeps a blacklist to make sure repeat users cannot open multiple accounts. See https://www.telesign.com/use-cases/reduce-fake-
6	attacks,	accounts/ and https://www.telesign.com/products/score/ . As yet
7		another example, TeleSign's product may determine illicit behavior through credit card stop payments, identify theft, spam, hacking, or other types of online fraud.
8		other types of online fraud. https://developer.telesign.com/docs/rest_api-phoneid-score .
9		
10		By Defendant's operation of the Score and PhoneID products, Defendant performs this step.
11	[5g] wherein the parent	
12	account is an account of an external service	With reference to TeleSign's Score and Phone ID products, the parent account is associated with an external service and each sub-account is
13	provider system, and wherein each sub-	an account that uses the external service. For example, TeleSign includes developer API documentation on its website that allows for
14	account is an account of a system that uses a	parent accounts of an external service to integrate the Score and Phone ID product. See
15	service of the external	https://developer.telesign.com/docs/implement-your-score-policy and
16	service provider system.	https://www.telesign.com/customers/tinder/. Further, the sub-accounts use the external service that is provided by the parent account. <i>See</i>
17		https://developer.telesign.com/docs/implement-your-score-policy and https://www.telesign.com/customers/tinder/.
18		

- 97. Defendant's infringement has caused, and is continuing to cause, damage and irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.
- 98. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- 99. Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '833 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
 - 100. Defendant's infringement of the '833 Patent has been and continues to be willful,

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flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for
example, $\P 52 - 71$. The evidence tending to support this allegation will likely have evidentiary
support after a reasonable opportunity for further investigation or discovery.

- 101. Based on at least Defendant's analysis of Twilio's products, Defendant either knows or should have known about its risk of infringement regarding the '833 Patent.
- 102. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count III (Infringement of U.S. Patent No. 8,738,051)

- 103. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
- 104. The United States Patent and Trademark Office ("USPTO") duly and legally issued the '051 Patent on May 27, 2014.
- 105. Twilio owns the right, title and interest in the '051 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 106. Defendant has infringed and continues to infringe one or more claims of the '051 Patent, including at least Claim 1 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's Smart Verify, SMS Verify, Voice Verify, Push Verify, and Auto Verify products.
- 107. Defendant's Smart Verify, SMS Verify, Voice Verify, Push Verify, and Auto Verify products relate generally to end-user verification and two-factor authentication. *See* https://www.telesign.com/products/.
- 108. Defendant's Smart Verify, SMS Verify, Voice Verify, Push Verify, and Auto Verify products each transmit messages to verify a user.
- 109. For example, and with reference to SMS Verify, the SMS Verify product transmits SMS text messages to verify users. *See https://www.telesign.com/products/sms-verify/*.
 - 110. The SMS Verify product transmits messages through different networks or

carriers.

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Defendant's operation of its SMS Verify product infringes one or more claims of 111. the '051 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '051 Patent:

4	the '051 Patent:		
5	Claim 1	TeleSign's SMS Verify Product	
6	[1] A method for transmitting telephony messages comprising:	By Defendant's operation of its SMS Verify product, Defendant performs this step.	
7		With reference to TeleSign's SMS Verify product, TeleSign transmits	
8 9		SMS messages. See https://developer.telesign.com/docs/rest_api-verify-sms and https://developer.telesign.com/docs/rest_api-verify-sms and https://www.telesign.com/products/sms-verify/ .	
10 11		By Defendant's operation of its SMS Verify product, Defendant performs this step.	
12	[1a] transmitting a first	With reference to TeleSign's SMS Verify product, TeleSign transmits	
13	outgoing telephony message through a first	outgoing messages through a first channel. For example, TeleSign	
14	channel using a first	transmits SMS messages to users for verification. See https://developer.telesign.com/docs/rest_api-verify-sms and	
15	routing option selected from a plurality of routing options;	https://www.telesign.com/products/sms-verify/. Further, TeleSign transmits the messages through a routing option. For example,	
16		TeleSign may transmit messages through a network or a carrier. As	
17		yet another example, TeleSign is a Mobile Network Operator (MNO). <i>See</i> https://www.telesign.com/products/ .	
18			
19		By Defendant's operation of its SMS Verify product, Defendant performs this step.	
20	[1b] receiving a	With reference to TeleSign's SMS Verify product, TeleSign receives	
21	message delivery report through at least a	a message delivery report through a channel different than the first	
22	second channel, wherein the second	channel. For example, after TeleSign transmits a message, TeleSign may then receive feedback regarding information about the	
23	channel is different	transmitted message that is received on a different channel. <i>See</i> https://developer.telesign.com/v2.0/docs/rest api-verify-sms#obtain-	
24	from the first channel;	verification-resultssend-completion-data and https://www.telesign.com/products (TeleSign is a Mobile Network	
25		Operator).	
26	[1c] updating message		
27	routing data in response to the message delivery report;	By Defendant's operation of its SMS Verify product, Defendant performs this step.	
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	Claim 1	TeleSign's SMS Verify Product
2		With reference to TeleSign's SMS Verify product, after receiving the message delivery report, TeleSign may update its routing data based on the report. For example, TeleSign makes necessary adjustments to
3		ensure delivery of its messages through the best possible route. <i>See</i> https://developer.telesign.com/page/faq . For example, TeleSign is a
4		MNO and has relations with telecommunication operators that permit TeleSign to use multiple different routing options based on a delivery
5 6		report. See https://www.telesign.com/products/ .
7		By Defendant's operation of its SMS Verify product, Defendant
8	[1d] selecting a second routing option for at	performs this step.
9	least a second outgoing message, the second	With reference to TeleSign's SMS Verify product, after TeleSign has updated the message routing data, TeleSign then may select a second
10	routing option selected from the plurality of	routing option based on the updated message routing data. For example, TeleSign makes necessary adjustments to ensure delivery of
11	routing options	its messages through the best possible route. See
12	prioritized by the updated message	https://developer.telesign.com/page/faq. For example, TeleSign is a MNO and has relations with telecommunication operators that permit
13 14	routing data; and	TeleSign to use multiple different routing options based on a delivery report. See https://www.telesign.com/products/ .
15		By Defendant's operation of its SMS Verify product, Defendant
16		performs this step.
17	[1e] transmitting the	With reference to TeleSign's SMS Verify product, TeleSign transmits
18	second outgoing telephony message	outgoing messages through a first channel. For example, TeleSign transmits SMS messages to users for verification. See
19	through the first channel using the	https://developer.telesign.com/docs/rest_api-verify-sms and https://www.telesign.com/products/sms-verify/. Further, TeleSign
20	selected second routing	transmits the messages through a routing option this is different than the routing option that was used for transmitting a previous message.
21	option.	For example, TeleSign transmits messages through a numerous networks or carriers. As yet another example, TeleSign is a Mobile
22		Network Operator (MNO). See https://www.telesign.com/products/ .
23		

- 112. For example, and with reference to Voice Verify, the Voice Verify product transmits voice messages to verify users. *See* https://www.telesign.com/products/voice-verify.
- 113. The Voice Verify product transmits messages through different networks or carriers.

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Defendant's operation of its Voice Verify product infringes one or more claims 114. of the '051 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '051 Patent:

3	of the '051 Patent:		
4	Claim 1	TeleSign's Voice Verify Product	
5		By Defendant's operation of its Voice Verify product, Defendant performs this step.	
6	[1] A method for transmitting telephony	With reference to TeleSign's Voice Verify product, TeleSign	
7	messages comprising:	transmits voice messages. See	
8		https://developer.telesign.com/docs/rest_api-verify-call and https://www.telesign.com/products/voice-verify/.	
9			
10		By Defendant's operation of its Voice Verify product, Defendant performs this step.	
11	[1a] transmitting a first	performs this step.	
12	[1a] transmitting a first outgoing telephony	With reference to TeleSign's Voice Verify product, TeleSign transmits outgoing messages through a first channel. For example,	
13	message through a first channel using a first	TeleSign transmits voice messages to users for verification. See	
14	routing option selected from a plurality of	https://developer.telesign.com/docs/rest_api-verify-call and https://www.telesign.com/products/voice-verify/. Further, TeleSign	
15	routing options;	transmits the messages through a routing option. For example, TeleSign may transmit messages through a network or a carrier. As	
16		yet another example, TeleSign is a Mobile Network Operator (MNO). See https://www.telesign.com/products/ .	
17			
18 19		By Defendant's operation of its Voice Verify product, Defendant performs this step.	
	[1b] receiving a	With reference to TeleSign's Voice Verify product, TeleSign receives	
20	message delivery report through at least a	a message delivery report through a channel different than the first	
21	second channel,	channel. For example, after TeleSign transmits a message, TeleSign may then receive feedback regarding information about the	
22	wherein the second channel is different	transmitted message that is received on a different channel. <i>See</i> https://developer.telesign.com/v2.0/docs/rest api-verify-call#obtain-	
23	from the first channel;	<u>verification-resultssend-completion-data</u> and	
24		https://www.telesign.com/products (TeleSign is a Mobile Network Operator).	
25	[1c] updating message		
2627	routing data in response to the message delivery report;	By Defendant's operation of its Voice Verify product, Defendant performs this step.	
28	Teport,	With reference to TeleSign's Voice Verify product, after receiving the	

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	Claim 1	TeleSign's Voice Verify Product
1 2		message delivery report, TeleSign may update its routing data based on the report. For example, TeleSign makes necessary adjustments to
3		ensure delivery of its messages through the best possible route. <i>See</i> https://developer.telesign.com/page/faq . For example, TeleSign is a
4		MNO and has relations with telecommunication operators that permit TeleSign to use multiple different routing options based on a delivery
5		report. See https://www.telesign.com/products/ .
6		By Defendant's operation of its Voice Verify product, Defendant
7	[1d] selecting a second routing option for at	performs this step.
8 9	least a second outgoing message, the second	With reference to TeleSign's Voice Verify product, after TeleSign has updated the message routing data, TeleSign then selects a second
10	routing option selected from the plurality of	routing option based on the updated message routing data. For example, TeleSign makes necessary adjustments to ensure delivery of
11	routing options prioritized by the	its messages through the best possible route. See https://developer.telesign.com/page/faq . For example, TeleSign is a
12	updated message routing data; and	MNO and has relations with telecommunication operators that permit TeleSign to use multiple different routing options based on a delivery
13		report. See https://www.telesign.com/products/ .
14		By Defendant's operation of its Voice Verify product, Defendant
15		performs this step.
16 17	[1e] transmitting the second outgoing	With reference to TeleSign's Voice Verify product, TeleSign transmits outgoing messages through a first channel. For example,
18	telephony message through the first	TeleSign transmits voice messages to users for verification. See https://developer.telesign.com/docs/rest api-verify-call and
19	channel using the selected second routing	https://www.telesign.com/products/voice-verify/. Further, TeleSign transmits the messages through a routing option that is different than
20	option.	the routing option that was used for transmitting a previous message. For example, TeleSign transmits messages through a numerous
21		networks or carriers. As yet another example, TeleSign is a Mobile Network Operator (MNO). See https://www.telesign.com/products/ .
22		network Operator (mino). See https://www.telesign.com/products/.
	115 F	als and with reference to Duch Verify the Duch Verify meduat

- 115. For example, and with reference to Push Verify, the Push Verify product transmits push messages to verify users. *See* https://www.telesign.com/products/push-verify/.
- 116. The Push Verify product transmits messages through different networks or carriers.
- 117. Defendant's operation of its Push Verify product infringes one or more claims of the '051 Patent. As an example of one theory of infringement and with reference to Claim 1 of

the '051 Patent:

1	the '051 Patent:		
2	Claim 1	TeleSign's Push Verify Product	
3 4	[1] A method for	By Defendant's operation of its Push Verify product, Defendant performs this step.	
5	transmitting telephony	With reference to TeleSign's Push Verify product, TeleSign transmits	
	messages comprising:	messages through a push request. See https://developer.telesign.com/docs/overview and	
6		https://www.telesign.com/products/push-verify/.	
7			
8		By Defendant's operation of its Push Verify product, Defendant	
9		performs this step.	
10	[1a] transmitting a first outgoing telephony	With reference to TeleSign's Push Verify product, TeleSign transmits	
	message through a first	outgoing messages through a first channel. For example, TeleSign transmits push notification messages to users for verification. <i>See</i>	
11	channel using a first	https://developer.telesign.com/docs/overview and	
12	routing option selected from a plurality of	https://www.telesign.com/products/push-verify/. Further, TeleSign transmits the messages through a routing option. For example,	
13	routing options;	TeleSign may transmit messages through a network or a carrier. As	
14		yet another example, TeleSign is a Mobile Network Operator (MNO).	
15		See https://www.telesign.com/products/ .	
16		By Defendant's operation of its Push Verify product, Defendant	
17	[1b] receiving a	performs this step.	
18	message delivery report	With reference to TeleSign's Push Verify product, TeleSign receives	
19	through at least a second channel,	a message delivery report through a channel different than the first channel. For example, after TeleSign transmits a message, TeleSign	
20	wherein the second channel is different	may then receive feedback regarding information about the transmitted message that is received on a different channel. See	
21	from the first channel;	https://developer.telesign.com/v2.0/docs/rest_api-verify-push#to-get-	
22		the-verification-results and https://www.telesign.com/products (TeleSign is a Mobile Network Operator).	
23			
	[1c] updating message	By Defendant's operation of its Push Verify product, Defendant	
24	routing data in response	performs this step.	
25	to the message delivery report;	With reference to TeleSign's Push Verify product, after receiving the	
26	10011,	message delivery report, TeleSign updates its routing data based on the report. For example, TeleSign makes necessary adjustments to	
27		ensure delivery of its messages through the best possible route. See	
28		https://developer.telesign.com/page/faq. For example, TeleSign is a	

1	Claim 1	TeleSign's Push Verify Product
		MNO and has relations with telecommunication operators that permit TeleSign to use multiple different routing options based on a delivery
2		report. See https://www.telesign.com/products/ .
3		
4		By Defendant's operation of its Push Verify product, Defendant
5	[1d] selecting a second routing option for at	performs this step.
6	least a second outgoing message, the second	With reference to TeleSign's Push Verify product, after TeleSign has updated the message routing data, TeleSign then selects a second
7	routing option selected	routing option based on the updated message routing data. For
8	from the plurality of routing options	example, TeleSign makes necessary adjustments to ensure delivery of its messages through the best possible route. <i>See</i>
9	prioritized by the updated message	https://developer.telesign.com/page/faq. For example, TeleSign is a MNO and has relations with telecommunication operators that permit
10	routing data; and	TeleSign to use multiple different routing options based on a delivery report. See https://www.telesign.com/products/ .
11		report. See https://www.teresign.com/products/.
12		By Defendant's operation of its Push Verify product, Defendant
13		performs this step.
14	[1e] transmitting the	With reference to TeleSign's Push Verify product, TeleSign transmits
15	second outgoing telephony message	outgoing messages through a first channel. For example, TeleSign transmits push notification messages to users for verification. See
16	through the first channel using the	https://developer.telesign.com/docs/overview and https://www.telesign.com/products/push-verify/. Further, TeleSign
17	selected second routing option.	transmits the messages through a routing option that is different than the routing option that was used for transmitting a previous message.
18	орион.	For example, TeleSign transmits messages through a numerous
19		networks or carriers. As yet another example, TeleSign is a Mobile Network Operator (MNO). <i>See https://www.telesign.com/products/</i> .
20		
	110 For avam	nle and with reference to Auto Verify the Auto Verify product

118. For example, and with reference to Auto Verify, the Auto Verify product transmits voice calls or SMS messages to verify users. *See* https://developer.telesign.com/docs/av-sdk-overview.

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119. The Auto Verify product transmits messages through different networks or carriers.

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120. Defendant's operation of its Auto Verify product infringes one or more claims of the '051 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '051 Patent:

[1] A method for	By Defendant's operation of its Auto Verify product, Defendant performs this step.
transmitting telephony	With reference to TeleSign's Auto Verify product, TeleSign transmits a voice call or SMS message. See
messages comprising.	https://developer.telesign.com/docs/av-sdk-overview and
	https://www.telesign.com/products/auto-verify/.
	By Defendant's operation of its Auto Verify product, Defendant performs this step.
[1a] transmitting a first	With reference to TeleSign's Auto Verify product, TeleSign transmits
outgoing telephony message through a first	outgoing messages through a first channel. For example, TeleSign
channel using a first routing option selected	transmits a voice or SMS message to users for verification. See https://developer.telesign.com/docs/av-sdk-overview and https://www.telesign.com/docs/av-sdk-overview Telesign Telesign
from a plurality of	https://www.telesign.com/products/auto-verify/. Further, TeleSign transmits the messages through a routing option. For example,
	TeleSign may transmit messages through a network or a carrier. As yet another example, TeleSign is a Mobile Network Operator (MNO).
	See https://www.telesign.com/products/ .
	By Defendant's operation of its Auto Verify product, Defendant
[1b] receiving a	performs this step.
message delivery report through at least a	With reference to TeleSign's Voice Verify product, TeleSign receives a message delivery report through a channel different than the first
second channel, wherein the second	channel. For example, after TeleSign transmits a message, TeleSign may then receive feedback regarding information about the
channel is different	transmitted message that is received on a different channel. <i>See</i> https://developer.telesign.com/docs/av-sdk-obtaining-verification-
from the mist enamer,	status and https://www.telesign.com/products (TeleSign is a Mobile Network Operator).
	Network Operator).
	By Defendant's operation of its Auto Verify product, Defendant
[1c] updating message	performs this step.
to the message delivery	With reference to TeleSign's Auto Verify product, after receiving the message delivery report, TeleSign updates its routing data based on
report,	the report. For example, TeleSign makes necessary adjustments to ensure delivery of its messages through the best possible route. See
	https://developer.telesign.com/page/faq. For example, TeleSign is a MNO and has relations with telecommunication operators that permit
	TeleSign to use multiple different routing options based on a delivery
	la] transmitting a first outgoing telephony nessage through a first outing option selected from a plurality of outing options; lb] receiving a nessage delivery report brough at least a econd channel, wherein the second hannel is different from the first channel; lc] updating message outing data in response

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1	Claim 1	TeleSign's Auto Verify Product		
1		report. See https://www.telesign.com/products/ .		
2				
3	an te	By Defendant's operation of its Auto Verify product, Defendant		
4	[1d] selecting a second routing option for at	performs this step.		
5	least a second outgoing message, the second	With reference to TeleSign's Auto Verify product, after TeleSign has updated the message routing data, TeleSign then selects a second		
6	routing option selected from the plurality of	routing option based on the updated message routing data. For example, TeleSign makes necessary adjustments to ensure delivery of		
7	routing options	its messages through the best possible route. See		
8	prioritized by the updated message	https://developer.telesign.com/page/faq. For example, TeleSign is a MNO and has relations with telecommunication operators that permit		
9	routing data; and	TeleSign to use multiple different routing options based on a delivery report. See https://www.telesign.com/products/ .		
10		report see integration with the production.		
11		By Defendant's operation of its Auto Verify product, Defendant		
12		performs this step.		
13	[1e] transmitting the second outgoing	With reference to TeleSign's Auto Verify product, TeleSign transmits outgoing messages through a first channel. For example, TeleSign		
14	telephony message	transmits a voice or SMS message to users for verification. See		
15	through the first channel using the	https://developer.telesign.com/docs/av-sdk-overview and https://www.telesign.com/products/auto-verify/. Further, TeleSign		
16	selected second routing option.	transmits the messages through a routing option that is different than the routing option that was used for transmitting a previous message.		
17	option.	For example, TeleSign transmits messages through a numerous		
18		networks or carriers. As yet another example, TeleSign is a Mobile Network Operator (MNO). <i>See</i> https://www.telesign.com/products/ .		
19				
	121 Defendant's Smart Verify product infringes one or more claims of the '0'			

- 121. Defendant's Smart Verify product infringes one or more claims of the '051 Patent, including at least Claim 1.
- 122. The Smart Verify product transmits messages to users. *See* https://www.telesign.com/products/smart-verify/.
- 123. Smart Verify uses either Push Verify, SMS Verify, or Voice Verify to transmit messages. https://developer.telesign.com/docs/rest_api-smart-verify.
- 124. Smart Verify also transmits messages through a plurality of routing options through use of Push Verify, SMS Verify, or Voice Verify.
 - 125. Smart Verify works in the same manner as the above charted products, but

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2	0	
2	1	
2	2	
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bundles Defendant's infringing products (including Push, SMS, and Voice Verify, which charts are incorporated by reference) into a single product.

- 126. Defendant's infringement has caused, and is continuing to cause, damage and irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.
- 127. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- 128. Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '051 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 129. Defendant's infringement of the '051 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 130. Based on at least Defendant's analysis of Twilio's products, Defendant either knows or should have known about its risk of infringement regarding the '051 Patent.
- 131. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count IV (Infringement of U.S. Patent No. 8,306,021)

- 132. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
- 133. The United States Patent and Trademark Office ("USPTO") duly and legally issued the '021 Patent on November 6, 2012.
- 134. Twilio owns the right, title and interest in the '021 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 135. Defendant has infringed and continues to infringe one or more claims of the '021 Patent, including at least Claim 13 by advertising, distributing, making, using, selling and

offering for sale within the United States and importing into the United States related software

and related services, including but not limited to Defendant's Smart Verify, Auto Verify, SMS

each communicate with applications through an application layer protocol, send messages to

verification

end-user

Defendant's Smart Verify, Auto Verify, SMS Verify, and Push Verify products

and

Defendant's Smart Verify, Auto Verify, SMS Verify, and Push Verify products

two-factor

authentication.

router.

See

See

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Verify, and Push Verify.

generally

https://www.telesign.com/products/.

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9 applications, and receive and respond to API requests. 138. Defendant's operation of its SMS Verify product infringes one or more claims of 11 the '021 Patent. As an example of one theory of infringement and with reference to Claim 13 of the '021 Patent: Claim 13 TeleSign's SMS Verify Product 13 [13] A method See below for elements. comprising: By Defendant's operation of its SMS Verify product, Defendant 15 performs this step. With reference to TeleSign's SMS Verify product, TeleSign communicates with an application server through an application layer [13a] communicating protocol and processes telephony instructions with a call router. For 18 with an application example, TeleSign's SMS Verify communicates with applications by server using an at least receiving requests to transmit SMS messages to users for application layer verification. See https://developer.telesign.com/docs/rest api-verify-20 sms and https://www.telesign.com/products/sms-verify/. Further, protocol; TeleSign's SMS Verify communicates with the application server using an application layer protocol. For example, the application layer processing telephony instructions with a call protocol is HTTP. Further, SMS Verify processes instructions for a call router at least upon receiving a request to transmit a message. See router; 23 https://developer.telesign.com/v2.0/docs/rest api-verifysms#verifving-the-code. As yet another example, TeleSign is a Mobile Network Operator (MNO) and as such must process telephony instructions with call https://www.telesign.com/products/. 27 [13b] creating call By Defendant's operation of its SMS Verify product, Defendant router resources performs this step.

COMPLAINT FOR PATENT **INFRINGEMENT**

	Claim 13	TeleSign's SMS Verify Product
1	accessible through a	
2	call router Application Programming Interface	With reference to TeleSign's SMS Verify product, TeleSign creates call router resources that it makes accessible through its API and
3	(API), wherein the call	where the call router resources are accessible by an outside device at
4	router resources are accessible by outside	an URI. For example, TeleSign makes the SMS Verify product accessible through its SMS Verify API. See
5	devices at an	https://developer.telesign.com/docs/rest_api-verify-sms. Further, the
	addressable Uniform Resource Identifier	call router resources are accessible by outside devices at an addressable URI. See
6	(URI);	https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#uri. For
7		example, TeleSign's SMS Verify API documentation explains the
8		construction of resource URIs. See https://developer.telesign.com/docs/rest_api-verify-transaction-
9		<u>callback</u> .
10		
11		By Defendant's operation of its SMS Verify product, Defendant performs this step.
12	[13c] mapping a	
	telephony session to the URI, the URI being	With reference to TeleSign's SMS Verify product, in addition to creating the call router resource, TeleSign also maps the telephony
13	associated with the	session to the URI that is associated with the application server, sends
14	application server;	the request to the application server, and embeds state information associated with the telephony session in the request. For example, the
15	sending a request to the application server;	SMS Verify API creates at least a reference ID and URI when communicating with the application server which embeds state
16	application server,	information. See https://developer.telesign.com/docs/rest_api-verify-
17	embedding state information of the	transaction-callback, https://developer.telesign.com/v2.0/docs/getting-started-with-the-rest-api#uri-structure. As yet another example, the
18	telephony session in the	reference ID that is associated with the application server is sent to the
19	request;	application server. See https://developer.telesign.com/v2.0/docs/rest api-verify-transaction-
20		callback#getstatus.
21		
22	[13d] receiving from	By Defendant's operation of its SMS Verify product, Defendant performs this step.
23	the application server a	With reference to TeleSign's SMS Verify product, SMS Verify
24	response comprising telephony instructions	receives a response from an application that comprises telephony
25	for sequential	instructions for processing. For example, TeleSign's SMS Verify may receive requests related to at least authentication that comprise
	processing;	telephone instructions and that are processed sequentially. See
26		https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#requests.
27 28	[13e] receiving an API	
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1	Claim 13	TeleSign's SMS Verify Product
1	request from the	By Defendant's operation of its SMS Verify product, Defendant
2	application server for	performs this step.
	interaction with a	
3	resource; and	With reference to TeleSign's SMS Verify product, SMS Verify
4	responding to an ADI	receives API requests from applications for interaction with a resource
•	responding to an API request based on the	and responds to the API requests based on the interaction with the resource. As by way of example, TeleSign's SMS Verify may receive
5	interaction with a	GET and POST requests from an application for interaction with a
	resource.	resource and responded to the request according. See
6	resource.	https://developer.telesign.com/v2.0/docs/rest_api-verify-
7		sms#supported-http-methods and
,		https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-
8		<u>callback</u> .
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139. For example, and with reference to Push Verify, the Push Verify product communicates with applications through an application layer protocol, sends messages to applications, and receives and responds to API requests. *See* https://developer.telesign.com/docs/overview.

140. Defendant's operation of its Push Verify product infringes one or more claims of the '021 Patent. As an example of one theory of infringement and with reference to Claim 13 of the '021 Patent:

I	Claim 13	TeleSign's Push Verify Product
	[13] A method comprising:	See below for elements.
		By Defendant's operation of its Push Verify product, Defendant performs this step.
	[13a] communicating with an application server using an application layer protocol; processing telephony instructions with a call router;	With reference to TeleSign's Push Verify product, TeleSign communicates with an application server through an application layer protocol and processes telephony instructions with a call router. For example, TeleSign's Push Verify communicates with applications by at least receiving requests to transmit push notifications to users for verification. <i>See</i> https://developer.telesign.com/docs/overview and https://www.telesign.com/products/push-verify/ . Further, TeleSign's SMS Verify communicates with the application server using an application layer protocol. For example, the application layer protocol is HTTP. Further, Push Verify processes instructions for a call router at least upon receiving a request to transmit a message. <i>See</i> https://developer.telesign.com/v2.0/docs/rest_api-verify-push#to-get_the-verification-results . As yet another example, TeleSign is a
1		Mobile Network Operator (MNO) and as such must process telephony

Claim 13	TeleSign's Push Verify Product							
	instructions with a call router. See							
	https://www.telesign.com/products/.							
[12h] anasting call	By Defendant's operation of its Push Verify product, Defendant performs this step.							
[13b] creating call router resources	With reference to TeleSign's Push Verify product, TeleSign creates							
accessible through a call router Application Programming Interface	call router resources that it makes accessible through its API and where the call router resources are accessible by an outside device at							
(API), wherein the call router resources are	an URI. For example, TeleSign makes the Push Verify product accessible through its Push Verify API. See							
accessible by outside	https://developer.telesign.com/docs/overview. Further, the call router resources are accessible by outside devices at an addressable URI. See							
devices at an addressable Uniform	https://developer.telesign.com/v2.0/docs/rest_api-verify-push#uri. For example, TeleSign's Push Verify API documentation explains the							
Resource Identifier (URI);	construction of resource URIs. See https://developer.telesign.com/docs/rest api-verify-transaction-							
	callback.							
	By Defendant's operation of its Push Verify product, Defendant							
[13c] mapping a	performs this step.							
telephony session to the URI, the URI being	With reference to TeleSign's Push Verify product, in addition to creating the call router resource, TeleSign also maps the telephony							
associated with the application server;	session to the URI that is associated with the application server, sends the request to the application server, and embeds state information associated with the telephony session in the request. For example, the							
sending a request to the application server;	Push Verify API creates at least a reference ID and URI when communicating with the application server which embeds state							
embedding state	information. See https://developer.telesign.com/docs/rest_api-verify-transaction-callback , https://developer.telesign.com/v2.0/docs/getting-transaction-callback , https://developer.telesign.com/v2.0/docs/getting-callback , https://developer.telesign.com/v2.0/docs/getting-callback , https://developer.telesign.com/v2.0/docs/getting-callback , https://developer.telesign.com/v2.0/docs/getting-callback , https://developer.telesign.com/v2.0/docs/getting-callback , https://developer.telesign.com/v2.0/							
information of the telephony session in the	started-with-the-rest-api#uri-structure. As yet another example, the reference ID that is associated with the application server is sent to the							
request;	application server. See https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-							
	callback#getstatus.							
[13d] receiving from the application server a response comprising telephony instructions for sequential processing;								
	By Defendant's operation of its Push Verify product, Defendant performs this step.							
	With reference to TeleSign's Push Verify product, Push Verify							
	receives a response from an application that comprises telephony instructions for processing. For example, TeleSign's Push Verify may							

1	Claim 13	TeleSign's Push Verify Product
2		receive requests related to at least authentication that comprise telephone instructions and that are processed sequentially. <i>See</i> https://developer.telesign.com/v2.0/docs/rest api-verify-
3		push#requests.
4		
5	[12] massiving on ADI	By Defendant's operation of its Push Verify product, Defendant performs this step.
6	[13e] receiving an API request from the	With reference to TeleSign's Push Verify product, Push Verify
7	application server for interaction with a	receives API requests from applications for interaction with a resource and responds to the API requests based on the interaction with the
8	resource; and	resource. As by way of example, TeleSign's Push Verify may receive
9	responding to an API request based on the	GET and POST requests from an application for interaction with a resource and respond to the request accordingly. See
10	interaction with a	https://developer.telesign.com/v2.0/docs/rest_api-verify- push#supported-http-methods and
11	resource.	https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback.
12		Canuack.
13	141. For exam	aple, and with reference to Auto Verify, the Auto Verify product

141. For example, and with reference to Auto Verify, the Auto Verify product communicates with applications through an application layer protocol, sends messages to applications, and receives and responds to API requests. *See* https://developer.telesign.com/docs/av-sdk-overview.

142. Defendant's operation of its Auto Verify product infringes one or more claims of the '021 Patent. As an example of one theory of infringement and with reference to Claim 13 of the '021 Patent:

Claim 13	TeleSign's Auto Verify Product
[13] A method comprising:	See below for elements.
[13a] communicating with an application server using an application layer protocol; processing telephony instructions with a call router;	By Defendant's operation of its Auto Verify product, Defendant performs this step. With reference to TeleSign's Auto Verify product, TeleSign communicates with an application server through an application layer protocol and processes telephony instructions with a call router. For example, TeleSign's Auto Verify communicates with applications by at least receiving requests to transmit a voice call or SMS message to users for verification. See https://developer.telesign.com/docs/av-sdk-overview and https://www.telesign.com/products/auto-verify/ .
	Further, TeleSign's SMS Verify communicates with the application

1	Claim 13	TeleSign's Auto Verify Product
		server using an application layer protocol. For example, the application layer protocol is HTTP. Further, Auto Verify processes
		instructions for a call router at least upon receiving a request to transmit a message. See https://developer.telesign.com/docs/av-sdk-
		obtaining-verification-status. As yet another example, TeleSign is a Mobile Network Operator (MNO) and as such must process telephony
		instructions with a call router. See https://www.telesign.com/products/ .
	[13b] creating call	By Defendant's operation of its Auto Verify product, Defendant performs this step.
	router resources	With reference to TeleSign's Auto Verify product, TeleSign creates
	accessible through a call router Application	call router resources that it makes accessible through its API and where the call router resources are accessible by an outside device at
	Programming Interface (API), wherein the call	an URI. For example, TeleSign makes the Auto Verify product accessible through its Auto Verify API. See
	router resources are accessible by outside	https://developer.telesign.com/docs/av-sdk-getting-started. Further,
	devices at an addressable Uniform	the call router resources are accessible by outside devices at an addressable URI. See https://developer.telesign.com/v2.0/docs/av-sdk-
	Resource Identifier (URI);	obtaining-verification-status#section-get-status-service. For example, TeleSign's Auto Verify API documentation explains the construction
	(Cita),	of resource URIs. See https://developer.telesign.com/docs/rest_api-verify-transaction-callback .
		By Defendant's operation of its Auto Verify product, Defendant performs this step.
	[13c] mapping a telephony session to the	With reference to TeleSign's Push Verify product, in addition to
	URI, the URI being associated with the	creating the call router resource, TeleSign also maps the telephony session to the URI that is associated with the application server, sends
	application server;	the request to the application server, and embeds state information associated with the telephony session in the request. For example, the
	sending a request to the application server;	SMS Push API creates at least a reference ID and URI when communicating with the application server which embeds state
		information. See https://developer.telesign.com/docs/rest_api-verify-
	embedding state information of the	transaction-callback, https://developer.telesign.com/v2.0/docs/getting-started-with-the-rest-api#uri-structure. As yet another example, the
	telephony session in the request;	reference ID that is associated with the application server is sent to the application server. See
		https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback#getstatus.
	[13d] receiving from	
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1	Claim 13	TeleSign's Auto Verify Product
1	the application server a	By Defendant's operation of its Auto Verify product, Defendant
2	response comprising telephony instructions	performs this step.
3	for sequential	With reference to TeleSign's Auto Verify product, Auto Verify
4	processing;	receives a response from an application that comprises telephony instructions for processing. For example, TeleSign's Auto Verify may
5		receive requests related to at least authentication that comprise telephone instructions that are processed sequentially. See
6		https://developer.telesign.com/v2.0/docs/av-sdk-obtaining-
7		verification-status#section-sending-a-get-request.
8		Dr. Defendant's execution of its Auto Verify and dust Defendant
9		By Defendant's operation of its Auto Verify product, Defendant performs this step.
	[13e] receiving an API	
10	request from the	With reference to TeleSign's Auto Verify product, Auto Verify receives API requests from applications for interaction with a resource
11	application server for interaction with a	and responds to the API requests based on the interaction with the
12	resource; and	resource. As by way of example, TeleSign's Auto Verify may receive <i>GET</i> and <i>POST</i> requests from an application for interaction with a
13	responding to an API	resource and respond to the request according. See
14	request based on the interaction with a	https://developer.telesign.com/v2.0/docs/av-sdk-obtaining- verification-status#section-get-status-service,
15	resource.	https://developer.telesign.com/v2.0/docs/av-sdk-obtaining- verification-status#section-post-callback-service, and
16		https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback.
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18	143. Defendan	t's operation of its Smart Verify product infringes one or more claims
19	of the '021 Patent, include	ding at least Claim 13.
20	144. The Smar	t Verify product communicates with applications through an application
	10,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	second to applications and received and received and received to ADI received. Co.

- 144. The Smart Verify product communicates with applications through an application layer protocol, sends messages to applications, and receives and responds to API requests. *See* https://www.telesign.com/products/smart-verify/.
- 145. Smart Verify uses either the Push Verify or SMS Verify to communicate with applications through an application layer protocol, send messages to applications, and receive and responds to API requests. https://developer.telesign.com/docs/rest_api-smart-verify.
- 146. Smart Verify works in the same manner as the above charted products, but bundles Defendant's infringing products (including Push, SMS, and Voice Verify, which charts are incorporated by reference) into a single product.

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	147.	Defendant's	infringement	has	caused,	and	is c	ontinuing	to ca	ause,	damage	and
irrepar	able i	njury to Twilic	o, and Twilio	will	continue	e to	suffe	er damage	and	irrep	arable i	njury
unless	and u	ntil that infringe	ement is enioi	ned 1	by this C	ourt.	_					

- 148. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- 149. Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '021 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 150. Defendant's infringement of the '021 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 151. Based on at least Defendant's analysis of Twilio's products, Defendant either knows or should have known about the risk of infringement the '021 Patent.
- 152. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count V (Infringement of U.S. Patent No. 8,837,465)

- 153. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
- 154. The United States Patent and Trademark Office ("USPTO") duly and legally issued the '465 Patent on September 16, 2014.
- 155. Twilio owns the right, title and interest in the '465 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 156. Defendant has infringed and continues to infringe one or more claims of the '465 Patent, including at least Claim 1 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's Voice Verify.

- 157. Defendant's Voice Verify product relates generally to end-user verification and two-factor authentication through voice calls. *See https://www.telesign.com/products/voice-verify/*.
- 158. Defendant's Voice Verify product processes telephony instructions that includes at least, associating an URI with a telephony endpoint, initiating a telephony session, mapping the URI to the telephony session, sending and receiving requests to and from an application resource, and executing telephony instructions. *See https://developer.telesign.com/docs/rest_api-verify-call*.
- 159. Defendant's operation of its Voice Verify product infringes one or more claims of the '465 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '465 Patent:

Claim 1	TeleSign's Voice Verify Product				
[1] A method for processing a telephony communication comprising:	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, Voice Verify processes telephony communications. For example, Voice Verify is used for user verification and two-factor authentication sent over voice messages. See https://www.telesign.com/products/voice-verify/ .				
[1a] associating an initial URI with a telephony endpoint;	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign Voice Verify associates URIs with telephony endpoints. For example, in order to use the Verify Call web service a request must be sent to a particular URI. See https://developer.telesign.com/v2.0/docs/rest_api-verify-call#uri .				
[1b] initiating a telephony voice session for a telephony communication to the telephony endpoint; mapping the initial URI to the telephony session;	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign initiates telephony voice sessions for communications to an end point and maps a particular URI to the telephony session. For example, TeleSign initiates a voice session, such as a voice call, when TeleSign's Voice Verify sends a passcode to telephony endpoint. See				

1	Claim 1	TeleSign's Voice Verify Product
1		https://www.telesign.com/products/voice-verify/. Further, TeleSign
2		maps the URI to the telephony session. For example, a request must initially be sent to a particular URI I order to use the web service. <i>See</i>
3		https://developer.telesign.com/v2.0/docs/rest_api-verify-call#uri. As yet another example, TeleSign creates reference identifiers which
4 5		uniquely identified each web request. See https://developer.telesign.com/v2.0/docs/rest_api-verify-call#requests .
3		
6 7		By Defendant's operation of its Voice Verify product, Defendant performs this step.
8		With reference to TeleSign's Voice Verify product, Voice Verify
9	[1c] sending an	sends and receives requests to application resources that are specified by an URI and also embeds state information in such request. For
10	application layer protocol request to an	example, TeleSign's Voice Verify sends an application layer protocol request to an application resource specified by the URI at least by
11	application resource specified by the URI	sending a resource URI or subresource to the application. See
12	and embedding state	https://developer.telesign.com/v2.0/docs/rest_api-verify-call#requests. Further, and as yet another example, in sending the request to the
13	information of the telephony voice session	application resource that is specified by the URI, Voice Verify also embeds state information of the telephony session in the request. For
14	in the request;	example, and as shown above, Voice Verify embeds state information at least through its reference ID. For example, the reference ID is sent
15		to the application. See
16 17		https://developer.telesign.com/v2.0/docs/rest_api-verify-call#requests and https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback.
18		
19		By Defendant's operation of its Voice Verify product, Defendant
		performs this step.
20	[1d] receiving a response to the	With reference to TeleSign's Voice Verify product, Voice Verify receives a response to the application layer request that was sent to the
21 22	application layer protocol request sent to	application resource, and the response includes a document of telephony instructions. For example, Voice Verify receives responses
	the application	from applications that include documents of telephony instructions to
23	resource, wherein the response includes a document of telephony instructions; and	at least initiate a phone verification. See https://www.telesign.com/products/voice-verify/ . For example, the
2425		response that includes a document of telephony instructions is an XML document or a URI. See
		https://developer.telesign.com/v2.0/docs/rest_api-verify-call#uri. As yet another example, Voice Verify receives instructions to initiate
26		two-factor authentication through a voice session. See
27		https://www.telesign.com/products/voice-verify/. As yet another example, Voice Verify may receive instructions to obtain results of
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Claim 1	TeleSign's Voice Verify Product
	such instructions. See
	https://developer.telesign.com/v2.0/docs/rest_api-verify-call#obtain-
	verification-resultssend-completion-data.
	By Defendant's operation of its Voice Verify product, Defendant performs this step.
	With reference to TeleSign's Voice Verify product, Voice Verify executes telephony actions during a telephony voice session according
[1e] executing	to the processing of at least a subset of telephony instructions. For
telephony actions during the telephony	example, Voice Verify executes instructions by at least verifying a phone number or initiating the two-factor authentication process that
voice session according to a sequential	are sent over voice messages. See https://www.telesign.com/products/voice-verify/ . As yet another
processing of at least a subset of the telephony	example, TeleSign's Voice Verify may receive <i>GET</i> and <i>POST</i> requests from an application for interaction with a resource and
instructions of the	responded to the request according. See
response.	https://developer.telesign.com/v2.0/docs/av-sdk-obtaining- verification-status#section-get-status-service,
	https://developer.telesign.com/v2.0/docs/av-sdk-obtaining- verification-status#section-post-callback-service, and
	https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback.
	Carlouck.
160. Defendant's infringement has caused, and is continuing to cause, damage and	

- 160. Defendant's infringement has caused, and is continuing to cause, damage and irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.
- 161. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '465 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 163. Defendant's infringement of the '465 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary

164. Based on at least Defendant's analysis of Twilio's products, Defendant either

knows or should have known about the risk of infringement the '465 Patent.

support after a reasonable opportunity for further investigation or discovery.

165. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count VI (Infringement of U.S. Patent No. 8,755,376)

- 166. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
- 167. The United States Patent and Trademark Office ("USPTO") duly and legally issued the '376 Patent on June 17, 2014.
- 168. Twilio owns the right, title and interest in the '376 Patent, with full rights to pursue recovery of royalties or damages for infringement.
- 169. Defendant has infringed and continues to infringe one or more claims of the '376 Patent, including at least Claim 1 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's SMS and Voice Verify.
- 170. Defendant's SMS and Voice Verify products relate generally to end-user verification and two-factor authentication through voice calls. *See* https://www.telesign.com/products/.
- 171. Defendant's SMS and Voice Verify products may be accessed through a REST API. *See* https://developer.telesign.com/docs/getting-started-with-the-rest-api.
- 172. Defendant's use the internet and a telephony network in conjunction with a plurality of API resources that comprises at least: initiating a telephony session, communicating with an application server to receive a response, converting the application response into executable operations to process the session, create at least one API resource, and also expose a plurality of API resources through a REST API that comprises receiving and responding to API requests that specify a URI. *See* https://developer.telesign.com/docs/rest_api-verify-call and https://developer.telesign.com/docs/rest_api-verify-sms.

173. Defendar	nt's operation of its SMS Verify product infringes one or more claims of	
the '376 Patent. As an o	example of one theory of infringement and with reference to Claim 1 of	
the '376 Patent:		
Claim 1	TeleSign's SMS Verify Product	
E43 A .1 1		

Claim 1	TeleSign's SMS Verify Product
[1] A method comprising:	See below for elements.
[1a] operating a telephony network and internet connected system cooperatively with a plurality of application programming Interface (API) resources, wherein operating the system comprises:	By Defendant's operation of its SMS Verify product, Defendant performs this step. With reference to TeleSign's SMS Verify product, TeleSign operates a telephony network and internet connected system with a plurality of API resources. For example, For example, TeleSign is a TeleSign is a Mobile Network Operator MNO and has relations with telecommunication operators. As an MNO, TeleSign operates a telephony network and internet system. <i>See</i> https://www.telesign.com/products/ . Further, TeleSign system operates cooperatively with a plurality of API resources. As by way of example, TeleSign uses an API to operate its network that include resources. <i>See</i> https://developer.telesign.com/docs/getting-started-with-the-rest-api .
[1b] initiating a telephony session,	By Defendant's operation of its SMS Verify product, Defendant performs this step. With reference to TeleSign's SMS Verify product, TeleSign initiates telephony sessions. For example, TeleSign initiates telephony sessions at least when TeleSign's SMS Verify sends a passcode to telephony endpoint. See https://www.telesign.com/products/sms-verify/ .
[1c] communicating with an application server to receive an application response, converting the application response into executable operations to process the telephony session, creating at least one informational API resource; and	By Defendant's operation of its SMS Verify product, Defendant performs this step. With reference to TeleSign's SMS Verify product, TeleSign communicates with application servers to receive responses, converts the responses into executable operations to process a telephony session, and creates at least one information API resource. For example, SMS Verify sends and receives requests from applications. See https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#requests . Further, TeleSign converts the applications responses into executable operations to process a telephone session. For example, in communication with an application TeleSign's SMS Verify receives responses from the application that require SMS
COMPLAINT FOR DATENT	Verify receives responses from the application that require SMS

1	Claim 1	TeleSign's SMS Verify Product
		Verify to convert the response into executable operations to process telephony sessions. For example, SMS Verify receives responses to
2		initiate a telephony session through verification or two-factor
3		authentication. See https://www.telesign.com/products/sms-verify/ . Further, TeleSign creates at least one information API resource in
4		operating its system. For example, an API resource is created by
5		TeleSign at least when TeleSign's Voice Verify receives an application response. See
6		https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#responses.
7		SHIS#TES POLISES.
8	[1d] exposing the plurality of API	By Defendant's operation of its SMS Verify product, Defendant performs this step.
9	resources through a	With reference to TeleSign's SMS Verify product, TeleSign exposes a
10	representational state transfer (REST) API that comprises:	plurality of API resources through a REST API. For example, TeleSign implements a REST API that exposes a number of API
11 12	that comprises.	resources. <i>See</i> <u>https://developer.telesign.com/docs/getting-started-with-the-rest-api</u> .
13		By Defendant's operation of its SMS Verify product, Defendant
14		performs this step.
15		With reference to TeleSign's SMS Verify product, SMS Verify receives and responds to API requests that specify a resource URI.
16		For example, For example, SMS Verify receives requests from applications that include instructions to at least initiate a phone
17 18		verification that specifies an API resource URI. See https://www.telesign.com/products/sms-verify/ . As yet another
19	[1e] receiving a REST API request that specifies an API	example, SMS Verify receives requests to initiate two-factor authentication through a message session that includes resource URIs.
20	resource URI, and	See https://www.telesign.com/products/sms-verify/ . As yet another example, SMS Verify may receive instructions to obtain results of
21	responding to the API request according to the	example, SMS Verify may receive instructions to obtain results of such instructions which include resource URIs. See
22	request and the	https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#obtain-verification-resultssend-completion-data. As yet another example,
23	specified resource URI.	SMS Verify responds to the API request according the request and the
24		specified URI. For example, SMS Verify responds by at least verifying a phone number or initiating the two-factor authentication
		process that are sent via SMS messages. See https://www.telesign.com/products/SMS-verify/ . As yet another
25		example, TeleSign's SMS Verify may receive GET and POST
26		requests that specify an URI and respond to the request accordingly. See https://developer.telesign.com/v2.0/docs/av-sdk-obtaining-
27		verification-status#section-get-status-service,
28		https://developer.telesign.com/v2.0/docs/av-sdk-obtaining-

Claim 1	TeleSign's SMS Verify Product
	verification-status#section-post-callback-service, and
	https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-callback.

174. Defendant's operation of its Voice Verify product infringes one or more claims of the '376 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '376 Patent:

Claim 1	TeleSign's Voice Verify Product
[1] A method	
comprising:	See below for elements.
[1a] operating a telephony network and internet connected system cooperatively with a plurality of application programming Interface (API) resources, wherein operating the system comprises:	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign operates a telephony network and internet connected system with a plurality of API resources. For example, For example, TeleSign is a TeleSign is a Mobile Network Operator MNO and has relations with telecommunication operators. As an MNO, TeleSign operates a telephony network and internet system. See https://www.telesign.com/products/ . Further, TeleSign system operates cooperatively with a plurality of API resources. As by way of example, TeleSign uses an API to operate its network that include resources. See https://developer.telesign.com/docs/getting-started-with-the-rest-api .
[1b] initiating a telephony session,	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign initiates telephony sessions. For example, TeleSign initiates telephony sessions at least when TeleSign's SMS Verify sends a passcode to telephony endpoint. See https://www.telesign.com/products/voice-verify/ .
[1c] communicating with an application server to receive an application response, converting the application response into executable operations to process	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign communicates with application servers to receive responses, converts the responses into executable operations to process a telephony session, and creates at least one information API resource. For

	Claim 1	TeleSign's Voice Verify Product
1	the telephony session,	example, Voice Verify sends and receives requests from applications.
2	creating at least one	See https://developer.telesign.com/v2.0/docs/rest_api-verify-
2	informational API	<u>call#requests</u> . Further, TeleSign converts the applications responses
3	resource; and	into executable operations to process a telephone session. For example, in communication with an application TeleSign's Voice
4		Verify receives responses from the application that require Voice Verify to convert the response into executable operations to process
5		telephony sessions. For example, Voice Verify receives responses to initiate a telephony session through verification or two-factor
7		authentication. See https://www.telesign.com/products/voice-verify/ . Further, TeleSign creates at least one information API resource in
8		operating its system. For example, an API resource is created by TeleSign at least when TeleSign's Voice Verify receives an
9		application response. See https://developer.telesign.com/v2.0/docs/rest api-verify-
10		<u>call#responses</u> .
11		
12	[1d] exposing the plurality of API	By Defendant's operation of its Voice Verify product, Defendant performs this step.
13	resources through a	With reference to TeleSign's Voice Verify product, TeleSign exposes
14	representational state transfer (REST) API	a plurality of API resources through a REST API. For example, TeleSign implements a REST API that exposes a number of API
15	that comprises:	resources. See https://developer.telesign.com/docs/getting-started-with-the-rest-api .
16		
17 18		By Defendant's operation of its Voice Verify product, Defendant performs this step.
		periorna una scep.
19		With reference to TeleSign's Voice Verify product, Voice Verify receives and responds to API requests that specify a resource URI.
20 21	[1e] receiving a REST API request that	For example, For example, Voice Verify receives requests from applications that include instructions to at least initiate a phone
22	specifies an API resource URI, and	verification that specifies an API resource URI. See https://www.telesign.com/products/voice-verify/ . As yet another
23	responding to the API	example, Voice Verify receives requests to initiate two-factor
24	request according to the request and the	authentication through a voice session that includes resource URIs. See https://www.telesign.com/products/voice-verify/ . As yet another
25	specified resource URI.	example, Voice Verify may receive instructions to obtain results of such instructions which include resource URIs. See
26		https://developer.telesign.com/v2.0/docs/rest_api-verify-call#obtain-verification-resultssend-completion-data. As yet another example,
27		Voice Verify responds to the API request according the request and the specified URI. For example, Voice Verify responds by at least
28		verifying a phone number or initiating the two-factor authentication
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1	Claim 1	TeleSign's Voice Verify Product
1		process that are sent over voice messages. See
2		https://www.telesign.com/products/voice-verify/. As yet another
		example, TeleSign's Voice Verify may receive GET and POST
3		requests that specify an URI and respond to the request accordingly.
4		See https://developer.telesign.com/v2.0/docs/av-sdk-obtaining-
4		verification-status#section-get-status-service,
5		https://developer.telesign.com/v2.0/docs/av-sdk-obtaining-
		verification-status#section-post-callback-service, and
6		https://developer.telesign.com/v2.0/docs/rest_api-verify-transaction-
7		<u>callback</u> .
/		

- 175. Defendant's infringement has caused, and is continuing to cause, damage and irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury unless and until that infringement is enjoined by this Court.
- 176. Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C. §§ 271, 281, 283, and 284.
- 177. Based on Defendant's behavior and analysis of Twilio's products, Defendant became aware of the '376 Patent, for example, at least during its diligence in filing suit against Twilio. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 178. Defendant's infringement of the '376 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P52 71$. The evidence tending to support this allegation will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.
- 179. Based on at least Defendant's analysis of Twilio's products, Defendant either knows or should have known about the risk of infringement the '376 Patent.
- 180. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Count VII (Infringement of U.S. Patent No. 9,226,217)

- 181. Twilio incorporates by reference and realleges all the foregoing paragraphs of this Complaint as if fully set forth herein.
 - 182. The United States Patent and Trademark Office ("USPTO") duly and legally

issued the '217 Patent on December 29, 2015.

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183. Twilio owns the right, title and interest in the '217 Patent, with full rights to pursue recovery of royalties or damages for infringement.

- Defendant has infringed and continues to infringe one or more claims of the '217 184. Patent, including at least Claim 15 by advertising, distributing, making, using, selling and offering for sale within the United States and importing into the United States related software and related services, including but not limited to Defendant's Voice Verify.
- Defendant's Smart Verify, SMS Verify, and Voice Verify products relates 185. generally to end-user verification and two-factor authentication through voice calls. See https://www.telesign.com/products/voice-verify/.
- 186. Defendant's Smart Verify, SMS Verify, and Voice Verify receive communication requests that specify destinations.
- 187. Defendant's determining appropriate routing addresses when using its web services, such as Smart Verify, SMS Verify, and Voice Verify.
- 188. Defendant's select communication providers when using its web services, such as Smart Verify, SMS Verify, and Voice Verify.
- 189. Defendant's operation of its Smart Verify, SMS Verify, and Voice Verify products infringe one or more claims of the '217 Patent. As an example of one theory of infringement and with reference to Claim 15 of the '217 Patent:

Claim 15	TeleSign's SMS Verify Product
[15] A method	See below for elements.
comprising	
[15a] at a multi-tenant	
communication	By Defendant's operation of its SMS Verify product, Defendant
platform, and	performs this step.
responsive to	
authentication of a	With reference to TeleSign's SMS Verify product, TeleSign uses a
communication request	multi-tenant communication, which authorizes communication
provided by an external	requests provided by an external system, wherein the communication
system, the	request specifies a communication destination and account
communication request	information. For example, the SMS Verify API serves multiple
specifying a	customers. See https://www.telesign.com/products/sms-verify/ .
communication	Further, SMS Verify authorizes communication requests. For
destination and account	example, to access TeleSign a user requests authorization. See

1	Claim 15	TeleSign's SMS Verify Product
1	information:	https://developer.telesign.com/v2.0/docs/authentication-1. Further,
2		the communication request specifies a destination and account information. For example, SMS Verify receives request that includes
3		at least telephone numbers.
4		https://developer.telesign.com/v2.0/docs/rest_api-verify-sms#requests. As yet another example, account information can
5		include a form authentication, an account identifier, or any suitable
6		source of information. TeleSign's SMS Verify must first authorize use of its service. See
7		https://developer.telesign.com/v2.0/docs/authentication-1.
8		By Defendant's operation of its SMS Verify product, Defendant
9		performs this step.
10	[15b] determining a routing address record	With reference to TeleSign's SMS Verify product, TeleSign
11	of the communication platform that matches	determines a routing address record of the communication platform that matches the destination of the communication request, where the
12	the communication	matching routing address record associates the communication destination with a plurality of external provides. For example, when
13	destination of the communication request,	TeleSign receives requests to transmit messages TeleSign transmits
14	the matching routing address record	messages through a routing options that match the destination of the communication request. <i>See</i> https://www.telesign.com/products/ . For
15	associating the	example, TeleSign may transmit messages through a network or a carrier to reach the correct destination. See
16	communication destination with a	https://www.telesign.com/products/sms-verify/. As yet another
17	plurality of external communication	example, TeleSign is a Mobile Network Operator (MNO). See https://www.telesign.com/products/ . For example, TeleSign is a MNO
18	providers;	and has relations with telecommunication operators that permit TeleSign to use multiple different routing and communication
19		providers to reach the correct matching destination. See https://www.telesign.com/products/ .
20		
21		By Defendant's operation of its SMS Verify product, Defendant performs this step.
22	[15c] selecting at least	
23	one communication provider associated	With reference to TeleSign's SMS Verify product, TeleSign selects at least one communication provider associated with the matching
24	with the matching routing address record;	routing address record. For example, and as stated in the previous element, TeleSign is a Mobile Network Operator that has relations
25	and	with telecommunication providers that permit TeleSign to use
26		multiple routing addresses to reach the correct matching destination. See https://www.telesign.com/products/ .
27	[15d] providing a	
	request to establish	By Defendant's operation of its SMS Verify product, Defendant
28		

1	Claim 15	TeleSign's SMS Verify Product
1	communication with	performs this step.
2	the communication	
	destination to each	With reference to TeleSign's SMS Verify product, TeleSign provides
3	selected	a request to establish communication with the communication
4	communication	destination to each selected communication provider. For example,
4	provider.	and as stated in the previous two elements, TeleSign is a Mobile
5		Network Operator that has relations with telecommunications
		providers. See https://www.telesign.com/products/ . Further, TeleSign provides requests to establish communications with the
6		communication destination in order to complete the request that was
7		initially send to the SMS Verify API. For example, TeleSign provides
,		a request to establish the communication upon receiving a request for
8		SMS Verify to initiate two-factor authentication. See
9		https://www.telesign.com/products/sms-verify/.
9		
10	190. Defendan	t's operation of its Voice Verify product infringes one or more claims

190. Defendant's operation of its Voice Verify product infringes one or more claims of the '217 Patent. As an example of one theory of infringement and with reference to Claim 1 of the '217 Patent:

Claim 15	TeleSign's Voice Verify Product
[15] A method comprising	See below for elements.
[15a] at a multi-tenant communication platform, and responsive to authentication of a communication request provided by an external system, the communication request specifying a communication destination and account information:	By Defendant's operation of its Voice Verify product, Defendant performs this step. With reference to TeleSign's Voice Verify product, TeleSign uses a multi-tenant communication, which authorizes communication requests provided by an external system, wherein the communication request specifies a communication destination and account information. For example, the Voice Verify API serves multiple customers. See https://www.telesign.com/products/voice-verify/ . Further, SMS Verify authorizes communication requests. For example, to access TeleSign a user requests authorization. See https://developer.telesign.com/v2.0/docs/authentication-1 . Further, the communication request specifies a destination and account information. For example, SMS Verify receives request that includes at least telephone numbers. https://developer.telesign.com/v2.0/docs/rest_api-verify-call#requests . As yet another example, account information can include a form authentication, an account identifier, or any suitable source of information. TeleSign's Voice Verify must first authorize use of its service. See https://developer.telesign.com/v2.0/docs/authentication-1 .
[15b] determining a	By Defendant's operation of its Voice Verify product, Defendant

	Claim 15	TeleSign's Voice Verify Product
1	routing address record	performs this step.
2	of the communication platform that matches	With reference to TeleSign's Voice Verify product, TeleSign
3	the communication	determines a routing address record of the communication platform
4	destination of the	that matches the destination of the communication request, where the
	communication request, the matching routing	matching routing address record associates the communication destination with a plurality of external provides. For example, when
5	address record	TeleSign receives requests to transmit messages TeleSign transmits
6	associating the communication	messages through a routing options that match the destination of the
7	destination with a	communication request. https://www.telesign.com/products/ . For example, TeleSign may transmit messages through a network or a
8	plurality of external communication	carrier to reach the correct destination. https://www.telesign.com/products/voice-verify/ . As yet another
9	providers;	example, TeleSign is a Mobile Network Operator (MNO). See
		https://www.telesign.com/products/. For example, TeleSign is a MNO
10		and has relations with telecommunication operators that permit TeleSign to use multiple different routing and communication
11		providers to reach the correct matching destination. <i>See</i> https://www.telesign.com/products/ .
12		https://www.teresign.com/products/.
13		By Defendant's operation of its Voice Verify product, Defendant
14		performs this step.
15	[15c] selecting at least one communication	With reference to TeleSign's Voice Verify product, TeleSign selects
16	provider associated	at least one communication provider associated with the matching
17	with the matching routing address record;	routing address record. For example, and as stated in the previous element, TeleSign is a Mobile Network Operator that has relations
	and	with telecommunication providers that permit TeleSign to use
18		multiple routing addresses to reach the correct matching destination. See https://www.telesign.com/products/ .
19		
20		By Defendant's operation of its Voice Verify product, Defendant
21	[15d] providing a	performs this step.
22	request to establish	With reference to TeleSign's Voice Verify product, TeleSign provides
23	communication with the communication	a request to establish communication with the communication destination to each selected communication provider. For example,
24	destination to each	and as stated in the previous two elements, TeleSign is a Mobile
	selected communication	Network Operator that has relations with telecommunications providers. <i>See</i> https://www.telesign.com/products/ . Further, TeleSign
25	provider.	provides requests to establish communications with the
26		communication destination in order to complete the request that was initially send to the Voice Verify API. For example, TeleSign
27		provides a request to establish the communication upon receiving a
28		request for Voice Verify to initiate two-factor authentication. See
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1	Claim 15	TeleSign's Voice Verify Product			
2		https://www.telesign.com/products/sms-verify/			
3	191. Defendant's operation of its Smart Verify product infringes one or more claims				
4	of the '217 Patent, including at least Claim 15.				
5	192. The Smart Verify product uses either SMS Verify or Push Verify to perform the				
6	elements listed above. See https://www.telesign.com/products/smart-verify/ .				
7	193.	193. Smart Verify works in the same manner as the above charted products, but			
8	includes multiple products in one.				
9	194.	4. Defendant's infringement has caused, and is continuing to cause, damage and			
10	irreparable injury to Twilio, and Twilio will continue to suffer damage and irreparable injury				
11	unless and until that infringement is enjoined by this Court.				
12	195.	Twilio is entitled to injunctive relief and damages in accordance with 35 U.S.C.			
13	§§ 271, 281, 283, and 284.				
14	196.	Based on Defendant's behavior and analysis of Twilio's products, Defendant			
15	became aware of the '217 Patent, for example, at least during its diligence in filing suit agains				

have evidentiary support after a reasonable opportunity for further investigation or discovery. 197. Defendant's infringement of the '217 Patent has been and continues to be willful, flagrant, wanton, and deliberate, justifying a trebling of damages under 35 U.S.C. § 284. See, for example, $\P 52 - 71$. The evidence tending to support this allegation will likely have evidentiary

Twilio. See, for example, $\P 52 - 71$. The evidence tending to support this allegation will likely

- 198. Based on at least Defendant's analysis of Twilio's products, Defendant either knows or should have known about the risk of infringement the '271 Patent.
- 199. Defendant's conduct despite this knowledge is made with a reckless disregard for the infringing nature of their activities.

Prayer for Relief

200. Twilio demands trial by jury for all issues so triable by a jury.

support after a reasonable opportunity for further investigation or discovery.

WHEREFORE, Twilio respectfully requests:

1	a. Judgment be entered that Defendant has infringed each of the Asserted
2	Patents;
3	b. Judgment be entered that Defendant has willfully infringed and is willfully
4	infringing one or more claims of the Asserted Patents;
5	c. That, in according with 35 U.S.C. § 283, Defendant be permanently enjoined
6	from infringing each of the Asserted Patents;
7	d. That Defendant recall and destroy any products incorporating the patented
8	technology;
9	e. An award of damages sufficient to compensate Twilio for Defendant's direct
10	infringement of each of the Asserted Patents, including lost profits suffered
11	by Twilio as a result of Defendant's infringement in an amount not less than a
12	reasonably royalty;
13	f. An award of damages based on Twilio's provisional rights under 35 U.S.C. §
14	154(d).
15	g. An order awarding Twilio treble damages under 35 U.S.C. § 284 as a result of
16	Defendant's willful and deliberate infringement of each of the Asserted
17	Patents;
18	h. That the case be found exceptional under 35 U.S.C. § 285 and that Twilio be
19	awarded its attorney's fees.
20	i. Costs and expenses in this action;
21	j. An award of prejudgment and post-judgment interest, including supplemental
22	damages for any continuing post-verdict or post-judgment infringement with
23	an accounting as needed; and
24	k. Such other and further relief as the Court may deem just and proper under the
25	circumstances.
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	COMPLAINT FOR DATENT

of

1	Dated: December 1, 2016	Respectfully submitted,
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3		BAKER BOTTS L.L.P.
4		
5		<u>/s/ Sarah Guske</u> Sarah Guske
6		Attorney for Twilio Inc.
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