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

FINNAVATIONS, LLC	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	**PATENT CASE**
	§	
XERO INC.	§	
	§	
	§	
Defendant.	§	
	§	

COMPLAINT

Plaintiff Finnavations, LLC ("Plaintiff" or "Finnavations") files this Complaint against

Xero Inc. ("Defendant" or "Xero") for infringement of United States Patent No. 9,569,755

(hereinafter "the '755 Patent").

PARTIES AND JURISDICTION

1.   This is an action for patent infringement under Title 35 of the United States

Code. Plaintiff is seeking injunctive relief as well as damages.

2.   Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal

Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising

under the United States patent statutes.

3.   Plaintiff is a Texas limited liability company with its principal office located at

3415 Custer Rd., Suite 120-B, Plano, Texas 75023.

4.   Upon information and belief, Defendant is a corporation organized and existing

under the laws of the State of Delaware, with its principal place of business at 101 Green St, 5th

Floor, San Francisco, CA 94111.

5.   This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in the state of Texas, has conducted business in the state of Texas, and/or has engaged in continuous and systematic activities in the state of Texas.

6.   Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in the Eastern District of Texas.

VENUE

7.   Venue is proper in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1391(c) and 1400(b) because Defendant is deemed to reside in this District. In addition, and in the alternative, Defendant has committed acts of infringement in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,569,755)

8.   Plaintiff incorporates paragraphs 1 through 7 herein by reference.

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

10.   Plaintiff is the owner by assignment of the '755 Patent with sole rights to enforce the '755 Patent and sue infringers.

11.   A copy of the '755 Patent, titled "Financial Management System," is attached hereto as Exhibit A.

12.   The '755 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. The '755 Patent was issued on February 14, 2017 after all claims of the '755 Patent overcame Examiner's claim rejections under 35 USC § 101 raised in the Examiner's June 14, 2016 non-final rejection.

13.   Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 9 and 17, of the '755 Patent by making, using, importing, selling, and/or offering for sale a financial management system, including the Xero accounting and invoicing software and platform ("Product"), covered by Claims 9 and 17 of the '755 Patent. Defendant has infringed and continues to infringe the '755 Patent in violation of 35 U.S.C. § 271.

13.   Defendant sells, offers to sell, and/or uses the Product, which provides for delivery of transaction data (e.g., data regarding invoices) to a financial management program (e.g., the Xero accounting platform residing on a cloud server).

14.   The Product uses a network device (e.g., a laptop, computer, or smartphone) to conduct an online financial transaction (e.g., a user can use the Xero web application or mobile application to send invoices to customers and receive payment) with a commercial web server (e.g., the credit card processing server utilized to process a customer invoice payment).

15.   The Product utilizes a financial assistant (e.g. the Xero mobile app or web-based application) on a network device (e.g., a smartphone) to search a set of transmitted data related to online financial transactions (e.g., the Xero application must analyze the data transmitted during an invoice payment in order to determine and display the current status of said invoice on a user dashboard).

16.   The financial assistant determines on the network device, whether the searched data comprises transaction data for the online financial transaction (e.g., the Xero application must determine if particular invoice payment data is related to a particular invoice so that it can correlate a particular payment to particular invoice and categorize that invoice as paid and thus further modify data related to invoices such as the total amount from invoices awaiting

payment).

17.   When searched data (e.g., transaction data related to invoice payments) comprises transaction data in a first data structure (e.g., the data structure utilized to consummate a credit card payment on a processing server) compatible with conducting the online financial transaction (e.g., the online payment of an invoice), the financial assistant (e.g., the Xero application operating on a computer, laptop, or smartphone) copies and stores on the network device the transaction data (e.g., basic information included in the credit card payment of an invoice such as the payment amount) and additional transaction data not included in the transmitted transaction data (e.g., the Xero application combines basic information such as the payment amount to other information relating to the invoice such as the client name and status of the invoice) into a second data structure compatible with the financial management program (e.g., the data structure utilized by the Xero platform to allow for the storing and display of compiled invoice data).

18.   Regarding Claim 17, the Product's network device is at least one of a terminal device (e.g., smartphone, laptop, computer, etc.) and a computer server (e.g., cloud server).

19.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

20.   Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

21.   Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a)   Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b)   Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,569,755 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c)   Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d)   Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e)   Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: March 29, 2017   Respectfully submitted,

                                         /s/Jay Johnson
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EXHIBIT A