

**BEFORE THE NEVADA TAXICAB AUTHORITY**

Re: Joint Application of Desert Cab Company and A-Cab Company to Adjust Taxicab Charges to Include a Fifty Cent (\$0.50) Per Taxi Ride Pass-Through Software License Charge incurred as the result of a negotiated license agreement by KAPTYN with the third-party patent owner. KAPTYN, is one of the Software-As-A-Service taxi dispatch and data system providers who license these types of systems, devices and methods to the taxicab industry in Clark County, Nevada

Date of Hearing: February 19, 2025

Time of Hearing: 9:30 a.m.

**NEVADA YELLOW, CHECKER, STAR CORPORATIONS, NEWCAB, AND TAXI MANAGEMENT, LLC'S MOTION TO CONTINUE HEARING ON JOINT APPLICATION TO ADJUST TAXICAB CHARGES TO INCLUDE A FIFTY CENT PER RIDE PASS-THROUGH SOFTWARE LICENSE CHARGE**

**I. INTRODUCTION**

COME NOW, Petitioners, NEVADA YELLOW, CHECKER, STAR CORPORATIONS, NEWCAB, AND TAXI MANAGEMENT, LLC and respectfully move the Nevada State Taxicab Authority (hereinafter "the Authority") to continue the scheduled hearing regarding the proposed \$0.50 per-ride surcharge to passengers. This request is made based on good cause pursuant to NAC 706.927 on the grounds that Petitioners require additional time to evaluate the legal, technical, and financial implications of the current matter before the Authority. The complexity and implications for the taxicab industry, nationally, necessitate more comprehensive preparation to ensure a full and fair presentation of evidence and arguments before this body.

This request is not made for the purposes of delay.

Petitioners are corporations and limited-liability companies organized and existing under the laws of the State of Nevada with their principal place of business located at 5225 W. Post Road, Las Vegas, Nevada 89118.

Written communications regarding this Motion should be addressed to:

1 NEVADA YELLOW, CHECKER, STAR CORPORATIONS, NEWCAB, AND  
2 TAXI MANAGEMENT  
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## 8 **II. BACKGROUND**

- 9 1. Nevada Yellow, Checker, Star Corporations, NewCab, and Taxi Management LLC own  
10 and operate taxicabs in Nevada and collaborate with Kaptyn, a technology provider that  
11 offers software and services widely used by taxi companies in Las Vegas.
- 12 2. Recently, a third party, Mark James (hereinafter “Mr. James”), by and through his  
13 company, IVSC, asserted that he holds patents related to the technology employed by  
14 Kaptyn and other similar companies.
- 15 3. Desert Cab Company and A-Cab Company have submitted an Application to the Taxicab  
16 Authority to impose a \$0.50 surcharge per ride in perpetuity on passengers, purportedly  
17 to cover patent licensing fees based on a negotiated license agreement between Kaptyn  
18 and Mr. James.
- 19 4. The hearing to address this Application has been scheduled for February 19, 2025. The  
20 basis of this hearing has significant implications for the taxi industry in Nevada and  
21 potentially nationwide.

## 22 **III. LEGAL BASIS FOR CONTINUANCE**

23 Under NAC 706.927, “The Authority, presiding officer, or Administrator may grant  
24 continuances either before or during a hearing for the convenience of the Authority or the parties,  
25 or to permit further or additional proof of any subject matter.” This provision ensures procedural  
26 fairness and promotes a comprehensive review of the issues at hand. Continuing this hearing  
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1 aligns with public interests by ensuring that the matter is thoroughly vetted and all parties have  
2 sufficient time to prepare.

#### 3 **IV. GROUNDS FOR CONTINUANCE**

##### 4 **A. Complexity of Patent Claims**

5 The patents asserted by Mr. James involve intricate technological and legal questions that  
6 require expert evaluation. The Petitioners' legal counsel needs additional time to:  
7

- 8 1. Review the validity and enforceability of the patents;
- 9 2. Assess whether the patents are applicable to the current technology employed by  
10 Kaptyn;
- 11 3. Investigate any potential prior art that could invalidate the patents.  
12

##### 13 **B. Potential Nationwide Implications**

14 The decision by the Taxicab Authority may set a precedent for other cities and  
15 jurisdictions. A ruling in favor of a per-ride surcharge could ripple across the taxi industry  
16 nationwide, fundamentally altering pricing structures and placing undue financial burdens on  
17 consumers.  
18

##### 19 **C. Inadequate Preparation Time**

20 Petitioners only became aware of this January 23, 2025 when it was published in the  
21 LV Review Journal. Given the recent nature of the claims and the technical complexity  
22 involved, the Petitioners have not had sufficient time to gather the necessary evidence,  
23 consult with patent experts, and develop a comprehensive legal strategy.  
24

##### 25 **D. Impact on Public Service**

26 As mandated by public policy, the Taxicab Authority must prioritize service to the  
27 public. Imposing an unwarranted surcharge on passengers undermines this mandate. The  
28

1 Petitioners seek to ensure that this issue is fully examined to protect the interests of Nevada's  
2 taxicab passengers.

3 **VI. CONCLUSION**

4 A continuance is necessary to ensure procedural fairness, allow the Petitioners adequate  
5 time to assess and defend against the Application, and uphold the public interests. Nevada  
6 Yellow, Checker, Star Corporations, NewCab, and Taxi Management, LLC, appreciate the  
7 Authority's consideration of this Motion and look forward to presenting their position at a  
8 rescheduled hearing.  
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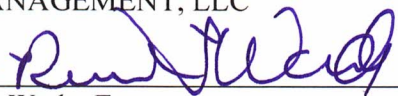
10 **V. REQUEST FOR RELIEF**

11 For the reasons stated above, Nevada Yellow, Checker, Star Corporations, NewCab, and  
12 Taxi Management, LLC, respectfully request that the Authority:  
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- 14 1. Grant this MOTION TO CONTINUE HEARING ON JOINT APPLICATION TO  
15 ADJUST TAXICAB CHARGES TO INCLUDE A FIFTY CENT PER RIDE PASS-  
16 THROUGH SOFTWARE LICENSE CHARGE, and reschedule it for a later date  
17 that allows sufficient time for preparation and review;  
18
- 19 2. Provide any such relief that the Authority deems just and proper.

20 Dated this 10<sup>th</sup> day of February, 2025.

21  
22 NEVADA YELLOW, CHECKER, STAR  
CORPORATIONS, NEWCAB, AND TAXI  
23 MANAGEMENT, LLC

24 By:   
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 11th day of February, 2025, I served via electronic mail, a true

3 and accurate copy of the foregoing to the following persons:

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