

1 **BEFORE THE NEVADA TAXICAB AUTHORITY**

2  
3 **IN THE MATTER OF THE**  
4 **APPLICATION OF DESERT CAB CO.**  
5 **TO ADJUST TAXICAB CHARGES TO**  
6 **INCLUDE A PASS-THROUGH**  
7 **SOFTWARE LICENSE CHARGE**

8 **INTERESTED PARTY RESPONSE TO**  
9 **THE AMENDED APPLICATION OF DESERT CAB CO. TO ADJUST TAXICAB**  
10 **CHARGES TO INCLUDE A PASS-THROUGH SOFTWARE LICENSE CHARGE**

11 COME NOW Curb Mobility, LLC (“Curb”), as an interested party in this matter pursuant  
12 to NAC 706.885(1)(e), submits to the Nevada State Taxicab Authority (the “Authority”) a  
13 response to the amended application (the “Application”) of Desert Cab Co. (the “Applicant”) to  
14 adjust taxicab charges to include a pass-through software license charge.

15 **Introduction**

16 1. Curb is a limited liability company organized and existing under the laws of the State  
17 of Delaware with its principal place of business located at 11-11 34<sup>th</sup> Avenue, Long Island City,  
18 New York 11106.

19 2. Written communications regarding this matter should be addressed to:

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21 CURB MOBILITY, LLC  
22 Attention: Amos Tamam, CEO  
23 11-11 34<sup>th</sup> Avenue  
24 Long Island City, NY 11106  
[legal@gocurb.com](mailto:legal@gocurb.com)  
[amos.tamam@gocurb.com](mailto:amos.tamam@gocurb.com)

25 3. Curb requests that, for the reasons discussed below, any approval or order by the  
26 Authority of an adjustment to taxicab charges to include a pass-through software license charge  
27 make clear that such pass-through software license charge must be passed through to the provider  
28

1 of the so-called “smart meter” used by the taxicab that was used to perform the underlying  
2 taxicab ride.

3 **Curb’s Background**

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5 4. Curb is the leading provider of integrated software, systems, devices, and other  
6 technology used to improve taxicab service for the direct benefit of the riding public in Las  
7 Vegas, Nevada and most other major metropolitan areas in the United States, which integrated  
8 software, systems, devices, and other technology include a so-called “smart meter” and the  
9 integrated and/or connected software and/or systems for such smart meter (a “Smart Meter  
10 System”), in-vehicle payment terminals, in-vehicle digital media display devices, dispatch and  
11 fleet management software and systems, and the Curb® mobile app through which the riding  
12 public can book and/or pay for taxicab rides.  
13

14 5. Curb licenses its systems and technology to current Clark County taxicab  
15 companies A-Cab Co., Checker Cab Co., Deluxe Cab Co., Lucky Cab Co., Nellis Cab Co.,  
16 NewCab, Star Cab Co., Western Cab Co., and Yellow Cab Co., which taxicab companies operate  
17 most of Clark County’s taxicabs.  
18

19 6. Curb is an interested party in this matter because the action requested by the  
20 Applicant in its Application, if granted by the Authority, would significantly affect Curb, the  
21 taxicab companies that use Curb’s Smart Meter Systems, payment systems, dispatch systems,  
22 and/or other technology, and the consumers that use Curb’s technology platform to hire and/or  
23 pay for Clark County taxicab trips, which affect would include requiring Curb to reconfigure its  
24 systems to facilitate the charging, collection, and remittance of the requested pass-through  
25 software license charge.  
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1 **Not All Clark County Taxicab Companies Use Kaptyn’s Allegedly Infringing Systems**

2 7. In its Application, the Applicant claims that “Kaptyn Nevada, LLC (**‘Kaptyn’**) ...  
3 licenses its systems to ... 100% of the [Clark County taxicab] industry.” While Curb does not  
4 have sufficient information to speak to the accuracy of this claim, Curb does believe this claim  
5 to be misleading as it wrongly implies that “100% of the industry” uses the portions of Kaptyn’s  
6 systems that allegedly infringe the third-party patents and patent applications referenced in the  
7 Application (the **“Subject Patents”**).

8  
9 8. To Curb’s information and belief:

10 (A) while many (but not all) Clark County taxicab companies may use a driver  
11 cashiering system provided by Kaptyn, this cashiering system has been used by those taxicab  
12 companies for decades (including prior to Kaptyn’s acquisition of its cashiering system) and is  
13 not alleged to infringe the Subject Patents<sup>1</sup>;

14  
15 (B) while several Clark County taxicab companies use Kaptyn’s Smart Meter  
16 Systems (the **“Allegedly Infringing Systems”**), and their use of the Allegedly Infringing  
17 Systems allegedly infringe the Subject Patents,<sup>2</sup> the other Clark County taxicab companies do  
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23 <sup>1</sup> See Joint Application of Desert Cab Co. and A-Cab Co. to Adjust Taxicab Charges to Include a Pass-Through  
24 Software License Charge, in which the Applicant identifies Smart Meter Systems provided by each of Kaptyn and  
Curb (Curb does not provide a driver cashiering system) as allegedly infringing the Subject Patents.

25 <sup>2</sup> To Curb’s information and belief, the Applicant has not presented a notice of claim, demand letter, legal opinion,  
26 or other documentation evidencing its claim that (1) any taxicab company’s use of the Allegedly Infringing Systems  
27 infringes the Subject Patents, (2) the owner of the Subject Patents has accused the taxicab companies of doing so,  
28 (3) the taxicab companies have asked Kaptyn to license, or agreed to Kaptyn licensing, the Subject Patents on their  
behalf, or (4) the taxicab companies, as licensees of the Allegedly Infringing Systems, are responsible and liable for  
patent infringement claims regarding the Allegedly Infringing Systems as opposed to Kaptyn, as licensor of the  
Allegedly Infringing Systems, being responsible and liable for such claims, which arrangement, in Curb’s  
experience, would be highly unusual.

1 not use the Allegedly Infringing Systems and instead use Curb's Smart Meter Systems,<sup>3</sup> the use  
2 of which Curb technology does not infringe, and has not been accused of infringing, the Subject  
3 Patents; and

4  
5 (C) those Clark County taxicab companies that currently use the Allegedly  
6 Infringing Systems can switch to non-infringing systems in the future, and, if and when any of  
7 them do, such taxicab companies would no longer have any need for the license of the Subject  
8 Patents that Kaptyn allegedly intends to obtain on their behalf.

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10 **If a Pass-Through Software License Charge is Approved, the Charge Should Pass Through**  
11 **to the Taxicab Company's Technology Provider, Whether Kaptyn, Curb, or another**  
12 **Technology Provider**

13 9. Curb takes no position on whether the Authority should approve the Applicant's  
14 request to adjust taxicab charges to include a pass-through software license charge, or what the  
15 amount of such pass-through charge should be, but, given that not all Clark County taxicab  
16 companies use the Allegedly Infringing Systems, and that any such taxicab companies that  
17 currently use the Allegedly Infringing Systems can switch to non-infringing systems in the  
18 future, any pass-through software license charge, if imposed, should pass-through to each taxicab  
19 company's then-current provider of Smart Meter Systems as opposed to any such pass-through  
20 software license charge only being payable to Kaptyn and/or the owner of the Subject Patents.  
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22 **Prayer for Relief**

23 WHEREFORE, Curb respectfully requests that the Authority, if it approves the  
24 Applicant's amended application for an adjustment to taxicab charges to include a pass-through  
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<sup>3</sup> Curb's Smart Meter Systems are used by Nellis Cab Co., Lucky Cab Co., and Western Cab Co.

1 software license charge, specify in such approval and order that (A) such charge must be passed  
2 through to the provider of the Smart Meter System used by the taxicab used to perform the  
3 underlying ride, and (B) no taxicab company is required to pay such charge to Kaptyn or the  
4 owner of the Subject Patents to the extent such taxicab company does not use the Allegedly  
5 Infringing Systems.  
6

7  
8 DATED this 13<sup>th</sup> day of March, 2025.

9  
10 **CURB MOBILITY, LLC**

11 /s/Amos Tamam

12 Amos Tamam, CEO

13 11-11 34<sup>th</sup> Avenue

14 Long Island City, NY 11106

15 Telephone: (212) 364-5547

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