

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CASCADES STREAMING TECHNOLOGIES,  
LLC,

Plaintiff,

v.

BIG TEN NETWORK, LLC,

Defendant.

Civil Action No. 13-cv-1455

Honorable Thomas M. Durkin

**JURY TRIAL DEMANDED**

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**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Cascades Streaming Technologies, LLC. ("Cascades") alleges the following:

**PARTIES**

1. Cascades is an Illinois limited liability company having its principal place of business at 500 Skokie Boulevard, Suite 250, Northbrook, Illinois 60062.
2. Defendant Big Ten Network, LLC ("BTN") is a limited liability company having its principal place of business at 600 W Chicago Avenue # 875, Chicago, IL 60654-2531. It is owned by Fox Entertainment Group (News Corporation) and the Big Ten Conference.

**JURISDICTION**

4. Cascades' claim for patent infringement against BTN arises under the patent laws of the United States, including 35 U.S.C. §271. Consequently, this Court has original subject matter jurisdiction over this suit pursuant to 28 U.S.C. §§ 1331 and 1338.
5. BTN is subject to the specific and general personal jurisdiction of this Court because, among other things, it has established continuous and systematic contacts with Illinois and with this judicial district, it has committed acts within Illinois and this judicial

district giving rise to this action, and it has minimum contacts with the forum such that the exercise of jurisdiction over it would not offend traditional notions of fair play and substantial justice. For instance, BTN is headquartered in this district. BTN has established distribution networks offering video services that infringe Cascades' patent into the stream of commerce such that those products flow into Illinois and this district. BTN has also committed acts of patent infringement and/or contributed to others' acts of patent infringement, or induced those acts, within this district.

6. Venue is proper under 28 U.S.C. §§ 1391 and/or 1400(b).

#### **PATENTS AT ISSUE**

7. On April 10, 2012, United States Patent No. 8,156,236 B2 (the "'236 patent"), entitled "Audio-Video Data Switching and Viewing System," was duly and legally issued by the United States Patent and Trademark Office. A copy of this patent is attached as Exhibit A. Cascades owns the exclusive license and right to sue for past, present and future infringement of the '236 patent. The inventors of the '236 patent are the patent owners who granted Cascades its exclusive license. The inventors benefit financially from successful licensing of the '236 patent.

8. BTN is now and has been directly infringing and/or contributorily infringing or inducing infringement of the '236 patent, literally and under the doctrine of equivalents, by, among other things, using, offering to sell, selling, and/or receiving systems and products that infringe one or more claims of the '236 patent. Such infringing products include, but are not limited to, video on-demand products such as BTN's BTN2GO product offerings. Specifically, BTN infringes at least claims 16-22, 25-31 and 34 of the '236 patent

through its BTN2GO product offerings as set forth in Exhibit B. Other claims are believed to be infringed as well.

9. BTN is aware of the '236 patent. Cascades placed BTN on notice of its infringement at least as of October 23, 2012. Representatives for Cascades and BTN engaged in multiple conversations thereafter, but the parties did not reach any agreement regarding the asserted claims. Thus, Cascades was compelled to bring suit.

10. Cascades has been and continues to be damaged by BTN's actions.

**PRAYER FOR RELIEF**

WHEREFORE, Cascades prays for the following relief:

- A. A judgment finding that BTN has infringed and contributorily infringed, or induced the infringement of, the '236 patent;
- B. A judgment finding that BTN has willfully infringed the '236 patent;
- B. A judgment that the '236 patent is valid and enforceable;
- C. A permanent injunction enjoining BTN, its agents, officers, assigns and others acting in concert with them, from infringing, inducing infringement of and/or contributing to infringement of the '236 patent;
- D. An award of damages adequate to compensate Cascades for the infringement of the '236 patent that has occurred;
- E. An award of pre-judgment interest and post-judgment interest on the damages awarded;
- F. A determination that this is an exceptional case and an award of Cascades' attorneys' fees pursuant to 35 U.S.C. § 285 and any other applicable statute or law, and an award of Cascades' of its costs; and,

G. Such other relief as the Court deems equitable under the circumstances.

**JURY DEMAND**

Plaintiff demands a trial by jury on all issues triable to a jury.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 13, 2013 the foregoing:

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

was filed electronically with the Clerk of the Court for the Northern District of Illinois using the Court's Electronic Case Filing System, which will send notification to the registered participants of the ECF System as listed:

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I certify that all parties in this case are represented by counsel who are CM/ECF participants.

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