

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.

ROTHSCHILD DIGITAL
MEDIA INNOVATIONS, LLC,

Plaintiff,

vs.

SONY COMPUTER ENTERTAINMENT
AMERICA, LLC,

Defendant.

COMPLAINT FOR PATENT INFRINGEMENT

Rothschild Digital Media Innovations, LLC (“Rothschild”), hereby sues Sony Computer Entertainment America, LLC (“SCEA”) for patent infringement, and alleges as follows:

THE PARTIES

1. Rothschild is a limited liability company organized and existing under the laws of the State of Florida with a principal place of business in Bay Harbor, Florida.
2. SCEA is a limited liability company organized and existing under the laws of the State of Delaware with a principal place of business in San Mateo, California.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the patent laws of the United States, more specifically, under Title 35 of the United States Code, Section 271 *et seq.*

4. This Court has federal question jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a) because Rothschild seeks relief under the Patent Act, 35 U.S.C. § 271 *et seq.*, including remedies for infringement of a United States Patent owned by Rothschild.

5. SCEA is subject to personal jurisdiction in this state under Florida Statutes § 48.193 because it has transacted and continues to transact business in this state, has contracted to supply services or products in this state, and/or has caused tortious injury in this state.

6. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b) because a substantial part of the events giving rise to these claims occurred in this judicial district, because Rothschild has suffered injury in this district, and because SCEA resides in this district under the patent venue statute by having committed acts of alleged patent infringement in this district.

ROTHSCHILD'S PATENT AND SCEA'S INFRINGEMENT

7. Rothschild is the owner of United States Patent No. 6,101,534 (“the ‘534 patent”), entitled “Interactive, Remote, Computer Interface System.” Mr. Leigh Rothschild is the sole inventor of the ‘534 patent. The ‘534 patent was duly and lawfully issued on August 8, 2000 by the United States Patent and Trademark office and is now, and has been at all times since its date of issue, valid and enforceable. The ‘534 patent was previously the subject of an *ex parte* reexamination by the United States Patent and Trademark Office, which concluded with a confirmation of the patent’s validity.

8. The ‘534 patent relates to an interactive, remote, computer interface system comprised of, among other things, a remote server assembly, a local processor

assembly and a data storage assembly including a compact, portable and interchangeable computer readable medium. The '534 patent further relates to the interaction between these components and the data therein to create a desired user experience.

9. SCEA makes, uses, imports, sells and/or offers to sell, within the United States, a system that directly infringes at least claim 1 of the '534 patent. More specifically, SCEA's PlayStation products and services – comprised of PlayStation Network servers, PlayStation consoles and PlayStation game discs – directly infringe at least claim 1 of the '534 patent.

10. SCEA meets the '534 remote server assembly limitation through its PlayStation Network servers, which SCEA maintains and operates. Further, PlayStation game consoles (*i.e.*, PlayStation 3, PlayStation 4, PlayStation Vita and PSP) meet the local processor assembly limitation of the '534 patent. SCEA's game discs and game cards satisfy the compact, portable and interchangeable computer readable medium limitation of the '534 patent.

11. Rothschild has put SCEA on notice of its infringement and offered SCEA a license under the '534 patent. A true and correct copy of Rothschild's notice letter and license invitation, which includes a copy of the '534 patent, the '534 patent's reexamination certificate, and a claim chart describing Rothschild's preliminary infringement contentions, is attached as Exhibit "A" hereto. Notwithstanding Rothschild's offer, SCEA has failed to obtain a license, and has continued to infringe. SCEA's continuing acts of infringement have thus been willful and with full knowledge and in conscious disregard of Rothschild's rights under the '534 patent.

12. SCEA will continue to infringe in the future unless enjoined by the Court.

13. Rothschild has been damaged by SCEA's infringement of the '534 patent in an amount to be proven at trial, but at a minimum in the amount of a reasonable royalty pursuant to 35 U.S.C. § 284.

WHEREFORE, Rothschild prays:

a. That the Court find SCEA liable for infringement of the '534 patent, either literally or under the doctrine of equivalents;

b. That SCEA, and all of its agents, servants, employees, successors and assigns, and all persons acting in concert or in active participation with SCEA, be preliminarily and permanently enjoined and restrained from making, using, importing, selling and/or offering to sell any products or services in the United States that infringe the '534 patent;

c. That the Court award Rothschild damages due to SCEA's infringement of the '534 patent, and that the Court enter judgment three (3) times such amount pursuant to 35 U.S.C. § 284.

d. That the Court find this case exceptional within the meaning of 35 U.S.C. § 285 and award Rothschild its reasonable attorneys' fees and expenses incurred in this action.

e. That the Court award Rothschild its taxable costs and disbursements.

f. That the Court award Rothschild both pre-judgment and post-judgment interest.

g. For such other and further relief as this Court deems just and proper.

JURY DEMAND

Rothschild demands trial by jury on all issues so triable.

Dated: June 9, 2014

Respectfully submitted,

s/John C. Carey

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