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13 *Attorneys for Plaintiff Red Pine Point LLC*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 Red Pine Point LLC,

17 Plaintiff,

18 v.

19 Sony Network Entertainment  
20 International LLC and Magnolia Pictures  
21 LLC,

22 Defendants.

Case No.

**Complaint for Patent Infringement**

23 Plaintiff Red Pine Point LLC (“Red Pine”), by its undersigned attorneys, for its  
24 Complaint against Defendant Sony Network Entertainment International LLC (“Sony” or  
25 “Defendant”) and Magnolia Pictures LLC (“Magnolia” or “Defendant”), states as follows:

26 **NATURE OF THE ACTION**

27 1. This is a patent-infringement action by Red Pine against Sony, an online  
28 retailer, and Magnolia, a movie distributor. As detailed below, Red Pine has been harmed by

1 Sony's and Magnolia's unlawful use of Red Pine's patents for commercial purposes.

2 **JURISDICTION AND VENUE**

3 2. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101  
4 et seq. This court therefore has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and  
5 1338(a).  
6

7 3. This Court may exercise personal jurisdiction over Sony and Magnolia  
8 pursuant to the California long-arm statute. Sony and Magnolia conduct continuous and  
9 systematic business in California and this District. For example, Sony offers its service in  
10 this District. Sony's service PlayStation Network Video allows users to download and view  
11 feature length films like *The Extra Man* before the films are publicly available to view in  
12 movie theaters or on DVD. As will be described below, these patent-infringement claims  
13 arise directly from Sony's and Magnolia's continuous and systematic activity in this District.  
14 This Court's exercise of jurisdiction over Sony and Magnolia would thus be consistent with  
15 California law and traditional notions of fair play and substantial justice.  
16

17 4. Venue is proper under 28 U.S.C. §§ 1391(b)(3) and 1400(b).  
18

19 **PARTIES**

20 *Plaintiff*

21 5. Red Pine is a limited liability company organized under the laws of Nevada.  
22 Red Pine's principal place of business is located in Wadsworth, Ohio.

23 *Defendants*

24 6. Sony is a corporation organized under the laws of Delaware. Sony's  
25 headquarters are located in Los Angeles, California. Among other things, Sony operates a  
26 website that includes the service PlayStation Network Video, which allows consumers to  
27 view feature-length films on their mobile devices before the films are released in theaters.  
28



1 13. Red Pine is the exclusive owner of the '601 patent, which is attached as  
2 Exhibit 1.

3 14. The '601 patent is valid and enforceable.

4 15. Sony directly infringes claims of the '601 patent. Sony makes, uses, sells, and  
5 offers for sale products, methods, equipment, and services that practice claims 1 and 4 of  
6 the '601 patent.

7  
8 16. For example, and without limiting the '601 patent claims that will be asserted  
9 in this action or the Sony services accused of infringing the '601 patent claims, the  
10 distribution of *The Extra Man* infringes claim 1 of the '601 patent.

11 17. Claim 1 is a method of displaying "an advertisement to purchase a feature  
12 length film (FLM) before the FLM is publicly available to view in movie theaters and before  
13 the FLM is publicly available to buy on digital video disks (DVDs) . . . ." Sony advertised *The*  
14 *Extra Man* for purchase before the movie was publicly available to view in movie theaters  
15 and before the movie was publicly available to buy on DVD.

16  
17 18. The method of claim 1 involves displaying a movie trailer for the FLM. Sony  
18 displayed a movie trailer for *The Extra Man*.

19  
20 19. When practicing claim 1, you sell the FLM for purchase with "handheld  
21 portable electronic devices (HPEDs) before the FLM is publicly available to view in the  
22 movie theaters and before the FLM is publicly available to buy on the DVDs." Sony sold *The*  
23 *Extra Man* for purchase before *The Extra Man* was in the theaters and before *The Extra Man*  
24 was publicly available on DVD.

25  
26 20. The claim 1 method involves wirelessly transmitting and downloading of the  
27 FLM. Sony did this with respect to sales and rentals of *The Extra Man*. These sales and  
28 rentals were also "downloaded to the HPEDs such that the FLM plays on the HPEDs at times

1 decided by the individuals viewing the FLM with the times being before the FLM is publicly  
2 available to view in the movie theaters and before the FLM is publicly available to buy on  
3 the DVDs . . . .”

4  
5 21. Sony practiced the remaining steps of claim 1 because *The Extra Man* was  
6 distributed to movie theaters and is greater than sixty minutes long.

7 *Count 2: Infringement by Inducement Against Magnolia*

8 22. Magnolia has knowledge of ‘601 patent and nonetheless actively induces Sony  
9 to directly infringe the ‘601 patent.

10 23. Magnolia’s knowledge of the ‘601 patent is based on, among other things, Red  
11 Pine notifying Magnolia of the ‘601 patent no later than February 11, 2014 and specifically  
12 describing how Magnolia’s distribution infringed the ‘601 patent. Notwithstanding this  
13 knowledge, Magnolia specifically intends that Sony infringe the ‘601 patent and Magnolia  
14 knows that Sony’s acts constitute infringement.

15  
16 24. Magnolia has a contractual relationship with Sony. According to this  
17 relationship, Sony is directly infringing claims of the ‘601 patent. Magnolia induces each of  
18 these infringements.

19  
20 **JURY DEMAND**

21 Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff demands a trial by jury of  
22 all claims in this Complaint so triable.

23 **REQUEST FOR RELIEF**

24 WHEREFORE, Red Pine prays for the following relief against Sony and Magnolia:

25 (A) Judgment that Sony has directly infringed claims of the ‘601 patent claims;

26 (B) Judgment that Magnolia has induced the direct infringement of the ‘601  
27 patent claims.  
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- (C) For a reasonable royalty;
- (D) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (E) For such other and further relief as the Court may deem just and proper.

Date: October 27, 2014

Respectfully submitted,  
  
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