

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

Global Interactive Media, Inc.,

Plaintiff,

v.

Tribune Media Company,

Defendant.

Case No.

Judge:

Magistrate Judge:

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Global Interactive Media, Inc. (“Global Interactive”) brings this patent-infringement action against Tribune Media Company (“Tribune”).

Parties

1. Global Interactive is a Belizian company based in Belize.
2. Tribune is a corporation organized under the laws of Delaware, with its principal place of business located in Chicago, Illinois.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Tribune. Tribune conducts continuous and systematic business in Illinois and this District. Tribune maintains corporate offices in this District. This patent-infringement case arises

directly from Tribune's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over Tribune would be consistent with the Illinois long-arm statute, 735 ILCS § 5/2-209, and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1) and 1400(b).

Count 1 – Infringement of U.S. Patent No. 8,032,907

7. Global Interactive owns United States Patent 8,032,907 (the "'907 patent") (attached as Exhibit A).

8. Tribune is infringing at least one of the 90 methods and systems claimed in the '907 patent by providing the Zap2it service.

9. For example, and for illustration of one of the 90 claims of the '907 patent that Global Interactive alleges the Zap2it service infringes, the service infringes claim 18 of the '907 patent as follows:

- a. Claim 18 is a method of "broadcasting program material in at least one broadcast" (Ex. A, 19:16.) The Zap2it service contains listings of television programs that are broadcasted to consumers: "What's on TV Tonight!" www.zap2it.com/tv/tonight.
- b. Claim 18 is a method of "receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or more inquiries including broadcast identifier information" (Ex. A, 19:17-19.) A consumer using the Zap2it service may access

the Zap2it website and inquire about the television show *NCIS* broadcast by CBS.

- c. The method of claim 18 involves “creating a program description file comprising program information related to program material to be broadcast in the future” (Ex. A, 19:20-22.) The individual inquiring about *NCIS* would learn from the Zap2it service: “Naval Criminal Investigative Service Special Agent Leroy Jethro Gibbs leads a group of colorful personalities in investigating crimes -- ranging from murder and espionage to terrorism -- that have evidence connected to Navy and Marine Corps personnel. The team includes witty ex-homicide detective Anthony DiNozzo, quirky forensics specialist Abby Sciuto, and the brilliant -- if insecure -- Timothy McGee. Dr. Donald “Ducky” Mallard brings his vast experience in forensics into play to help solve cases.”

www.zap2it.com/tv/ncis/SH006819110000.

- d. Next, claim 18 involves “communicating the program information into a programmed data processor” (Ex. A, 19:23-24.) The Zap2it user is able to learn about CBS’s *NCIS* because either Zap2it, CBS, or both have a programmed data processor that communicates the program information to Zap2it. Zap2it contracts with CBS and obligates CBS to communicate the *NCIS* program information into a programmed data processor.

- e. Claim 18 involves “synchronizing said communicated program information with said program material of said at least one broadcast. . . .” (Ex. A, 19:25-26.) Zap2it contracts with CBS and obligates CBS to synchronize the communicated *NCIS* program information with the broadcast of the *NCIS* program.
- f. Claim 18 involves “using said data programmed data processor to communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries, wherein at least one of the program description file, the program information, and the synchronized program information is associated with the broadcast identifier information.” (Ex. A, 19:28-35.) Zap2it contracts with CBS and obligates CBS to communicate the *NCIS* program information to the Zap2it user.

Count 2 – Infringement of U.S. Patent No. 6,314,577

10. Global Interactive owns United States Patent 6,314,577 (the “‘577 patent”) (attached as Exhibit B).

11. Tribune is infringing at least one of the 130 methods and systems claimed in the ‘577 patent by providing the Zap2it service.

12. For example, and for illustration of one of the 130 claims of the ‘577 patent that Global Interactive alleges the Zap2it service infringes, the service infringes claim 94 of the ‘577 patent as follows:

- a. Claim 94 is a “method for providing listeners or viewers of a radio or television broadcast with automated information about program material, comprising the steps of: broadcasting at least one radio or television broadcast” (Ex. B, 23:14-18.) The Zap2it website contains listings of television programs that are broadcasted to consumers: “What’s on TV Tonight!”
www.zap2it.com/tv/tonight.
- b. Claim 94 involves “receiving user inquiries from a listener or viewer of said radio or television broadcast” (Ex. B, 19-20.) A consumer using the Zap2it service may access the Zap2it website and inquire about the television show *NCIS* broadcast by CBS.
- c. Claim 94 involves “creating a program description file” (Ex. B, 23:21.) The individual inquiring about *NCIS* would learn from the Zap2it service: “Naval Criminal Investigative Service Special Agent Leroy Jethro Gibbs leads a group of colorful personalities in investigating crimes -- ranging from murder and espionage to terrorism -- that have evidence connected to Navy and Marine Corps personnel. The team includes witty ex-homicide detective Anthony DiNozzo, quirky forensics specialist Abby Sciuto, and the brilliant -- if insecure -- Timothy McGee. Dr. Donald “Ducky” Mallard brings his vast experience in forensics into play to help solve cases.” www.zap2it.com/tv/ncis.

- d. The method of claim 94 involves “communicating program list information into a programmed data processor” (Ex. B, 23:23-24.) The Zap2it user is able to learn about CBS’s *NCIS* because CBS, Zap2it, or both has a programmed data processor that communicates the program information to Zap2it. Zap2it contracts with CBS and obligates CBS to communicate the *NCIS* program information into a programmed data processor.
- e. Claim 94 involves “correlating said program descriptions of program material with said program list information and generating information in a database responsive to only a broadcast identifier” (Ex. B, 23:24-27.) Zap2it contracts with CBS and obligates CBS to correlate the communicated *NCIS* program information with the broadcast of the *NCIS* program.
- f. Claim 94 involves “using said programmed data processor to communicate said program description file responsive to said user inquiry.” Zap2it contracts with CBS and obligates CBS to communicate the *NCIS* program information to the Zap2it user.

Count 3 – Infringement of U.S. Patent No. 7,574,721

- 13. Global Interactive owns United States Patent 7,574,721 (the “‘721 patent”) (attached as Exhibit C).
- 14. Tribune is infringing at least one of the 35 methods and systems claimed in the ‘721 patent by providing the Zap2it service.

15. For example, and for illustration of one of the 35 claims of the '721 patent that Global Interactive alleges the Zap2it service infringes, the service infringes claim 20 of the '721 patent as follows:

- a. Claim 20 is “A method for identifying at least one broadcast provider over a network in response to at least one user communication, wherein the at least one user communication comprises at least one user related broadcast identifier that is not required to by itself identify the at least one broadcast provider, the method comprising: receiving at least one user related network address associated with at least one user communication” (Ex. C, 19:17-24.) The Zap2it service identifies broadcast providers of certain television programs available to the user based on the user’s Internet Protocol address (“IP address”) and in response to the “user related broadcast identifier,” e.g., genre, channel, etc. For example, in response to a user’s communication, the Zap2it service identifies the Food Network as the broadcast provider of the television show *Diners, Drive-Ins and Dives* at 9:00 pm CST.
<http://www.zap2it.com/tv/tonight>.
- b. Claim 20 involves “querying, by a processor, a database of one or more stored network addresses wherein each stored address or part thereof is indexed to one or more stored broadcast identifiers, wherein each of the stored broadcast identifiers is associated with at least one broadcast provider” (Ex. C, 19:25-29.) The Zap2it

service queries a database of stored IP addresses indexed to broadcast identifiers, e.g., genre, channel, etc.

- c. Claim 20 involves “determining whether the received at least one user related network address matches at least one of the stored network addresses or parts thereof” (Ex. C, 19:30-32.) The Zap2it service determines whether the user’s IP address matches one of the stored IP addresses.
- d. In Claim 20, “if at least one of said stored network addresses or parts thereof matches the received at least one user related network address, retrieving one or more indexed broadcast identifiers corresponding to the at least one matching network address or part thereof” (Ex. C, 19:33-37.) Once the Zap2it service determines that the user’s IP address matches at least part of a stored IP address, the Zap2it service retrieves broadcast identifiers corresponding to the user’s IP address. For example, Zap2it retrieves broadcast identifiers that identify that there are 3 television programs in the “Cooking” genre available to the user. <http://www.zap2it.com/tv/tonight>.
- e. Claim 20 involves “receiving said at least one user related broadcast identifier associated with at least one user communication” (Ex. C, 19:38-39.) The Zap2it service receives the user related broadcast identifier, for example, the

user's selection of the "Cooking" genre.

<http://www.zap2it.com/tv/tonight>.

- f. Claim 20 involves "identifying, by the processor, at least one broadcast provider using both said retrieved indexed one or more broadcast identifiers and said received at least one user related broadcast identifier, wherein the identifying of the at least one broadcast provider does not require identifying only a closest proximity broadcast provider based on the received at least one network address." (Ex. C, 19:40-46.) The Zap2it service identifies the Food Network as the broadcast provider of the television show *Diners, Drive-Ins and Dives* at 9:00 pm CST.

<http://www.zap2it.com/tv/tonight>

Prayer for Relief

WHEREFORE, Global Interactive prays for the following relief against Tribune:

- (a) Judgment that Tribune has directly infringed claims of the '907 patent, the '577 patent, and the '721 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Global Interactive demands a trial by jury on all matters and issues triable by jury.

Date: December 19, 2014

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