

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TELESCOPE TIME, LLC,)	
)	
Plaintiff,)	
)	C.A. NO. _____
v.)	
)	JURY TRIAL DEMANDED
WEVIDEO, INC.,)	
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Telescope Time, Inc. (“TTI”), by and through its attorneys, for its Original Complaint against WeVideo, Inc. (“Defendants”), hereby alleges as follows:

PARTIES

1. TTI is a Delaware Corp corporation and has a place of business at 176 West Morris Road, Washington, Connecticut, 06794. TTI is the exclusive licensee of pioneering technology encompassing methods of web-based video editing.

2. Upon information and belief, Defendant is a Delaware corporation, with its principal place of business located at 1370 Willow Road, Menlo Park, California, 94025, where it can be served with process, and having a registered agent of National Registered Agents, 160 Greentree Drive, Suite 101, Dover, Delaware, 19904, whereat Defendant can also be served with process. Upon information and belief, Defendant is authorized to do business in Delaware.

PATENT

3. TTI, is the exclusive licensee of United States Letters Patent No. 6,320,600 (“the ‘600 patent”), which validly issued on November 20, 2001. A copy of the ‘600 patent is attached hereto as Exhibit A.

JURISDICTION AND VENUE

4. This is a complaint for infringement of United States patents under 35 U.S.C. §§ 271 and 281.

5. This Court has subject matter jurisdiction over TTI's claims for patent infringement pursuant to the Federal Patent Act, 35 U.S.C. § 101, et seq., and 28 U.S.C. §§1331, 1338(a), 2201, and 2202.

6. This Court has personal jurisdiction over WeVideo for at least the following reasons:

(i) WeVideo has committed acts of patent infringement and breach of contract in this State;

(ii) WeVideo is incorporated, regularly does business or solicits business, engages in other persistent courses of conduct, and/or derives substantial revenue from products and/or services provided to individuals in this District and in this State;

(iii) WeVideo has purposefully established substantial, systematic, and continuous contacts with this District and thus expects, or should reasonably expect, to be hauled into court here. Thus, this Court's exercise of jurisdiction over Defendant will not offend traditional notions of fair play and substantial justice.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b)-(c) and 1400(b) because WeVideo does business in this District, a substantial part of the events or omissions giving rise to this Complaint occurred in this District, and WeVideo is subject to personal jurisdiction in this District.

BACKGROUND

8. This is an action for patent infringement relating to TTI's groundbreaking mobile video editing methods.

9. The application for the '600 patent, which claims a method for web-based video editing, was filed on December 15, 1998.

10. TTI has communicated to WeVideo, on multiple occasions, explaining that, by way of example, claim 12 of the '600 Patent is directed to a method of Web-based video-editing, and includes the providing of a first plurality of functions for performing data computations, a second plurality of functions for performing I/O functions, and a third plurality of functions for performing memory allocation. The first, second, and third plurality of functions, in combination, operate upon and expose structural elements in a compressed video bitstream data in a video-editing application.

11. The communications have further noted that WeVideo provides an online video creation, filtering and editing platform that helps users create videos and share those videos with friends, family, and prospective customers – facts clearly laid out in claim charts requested by WeVideo in which the activities of WeVideo were compared against the '600 patent.

12. After reviewing the aforementioned claim charts, rather than arguing that any particular terms of the claims of the '600 patent were not practiced by WeVideo, WeVideo responded by superfluously questioning the meaning of certain well-understood claim terms in the '600 patent, all of which are used in accordance with their respective plain and ordinary meanings, and with numerous gross misconstructions of well-established aspects of patent law, including a myriad of attempts to incorporate limitations from the '600 patent specification into the claims. More pointedly, instead of explaining a basis for non-infringing definition(s) for the

supposedly unclear terms of art, WeVideo simply waived its hands claiming amorphously that the '600 patent specification had somehow narrowed the claims of the '600 patent.

COUNT I

UTILITY PATENT INFRINGEMENT

13. TTI incorporates by reference the preceding averments made in paragraphs 1 - 12.

14. The '600 patent grants TTI the right to prevent others from making, using, importing, selling and offering for sale in the United States methods for web-based video editing as are covered by a claim or claims of the '600 patent.

15. On information and belief, Defendants have infringed, literally or under the doctrine of equivalents, the '600 patent by making, using, selling and/or offering, and/or by contributing to the making, using and/or offering, for sale of methods for web-based video editing that are covered by a claim or claims of the '600 patent.

PRAYER FOR RELIEF

WHEREFORE, TTI demands judgment against Defendant, and demands relief as follows:

- A. That Judgment be entered that WeVideo has infringed the '600 patent;
- B. That this Court award to TTI money damages under 35 U.S.C. § 284 sufficient to compensate TTI for the financial damage caused by Defendant's infringement, including enhanced damages if the infringement is found to be willful; the additional remedy of Defendant's total profit from sales of the infringing products under 35 U.S.C. § 289; and TTI's reasonable attorney fees under 35 U.S.C. § 285 if this case is deemed to be exceptional.
- C. That this Court award to TTI such other and further relief as is authorized by statute or is deemed appropriate by this Court.

JURY DEMAND

TTI hereby demands a trial before a jury on all counts contained in this Complaint.

Respectfully submitted,

Dated: April 21, 2015

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