

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

T-REX PROPERTY AB,

Plaintiff,

v.

RMG NETWORKS HOLDING  
CORPORATION,

Defendant.

Civil Action No. 3:15-cv-738-M

**JURY TRIAL DEMANDED**

**PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff T-Rex Property AB, by and through its undersigned counsel, files its First Amended Complaint against Defendant RMG Networks Holding Corporation as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283 and 284.

**PARTIES**

2. Plaintiff T-Rex Property AB is a company organized and existing under the laws of Sweden with its principal place of business at Vårvägen 6, 18274 Stocksund, Sweden.

3. On information and belief, Defendant is a publically traded company, incorporated under the laws of the State of Delaware, and is authorized to do business in Texas. On information and belief, Defendant's corporate headquarters and principal executive office is located at 15301 North Dallas Parkway, Suite 500, Addison, TX 75001.

**JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

5. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process or the Texas Long-Arm Statute, due to its substantial business in this forum. On information and belief, Defendant is also subject to the jurisdiction of this Court by reason of its acts constituting direct patent infringement, as alleged herein, which have been committed in this Judicial District

6. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391 and 1400(b).

**THE PATENTS-IN-SUIT**

7. The allegations set forth in the foregoing paragraphs 1 through 6 are hereby re-alleged and incorporated herein by reference.

8. On January 16, 2007, U.S. Patent Number RE39,470, entitled "Digital Information System," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '470 Patent is attached as Exhibit A to this First Amended Complaint.

9. The innovations described by the '470 Patent "relate[] to a method and apparatus for controlling and coordinating" electronic displays "in a digital information system for displaying information on at least one display device . . . said information being displayed in places that are accessible to and frequented by a general public." ('470 Patent at 1:15-21; 6:25-29) "An object of the present invention is to provide a flexible system in which external information mediators are able to dynamically control in real time the transmission of display instructions to a larger public in different places" "and to enable similar or specific information to be displayed in places that are mutually far apart." (*Id.* at 2:39-42; 2:52-54)

10. A system operating according to an embodiment of the '470 Patent can include a control center with a communication interface that connects devices to create and update a display list in real time using control instruction fields sent from external mediators and to transmit and display the desired images to one or more electronic displays that can be controlled independently of other electronic displays. (*Id.* at 3:4-19; 4:42-45) In embodiments, the control center can include one or more servers, workstations, and databases stored on one or more physical storage devices, and can include redundancy, of both computer hardware and the information stored, where the devices can be connected using a network, such as a LAN (Local Area Network) or by using a cable-carried ISDN solution (Integrated Services Digital Network) or other fixed lines that have a similar capacity. (*Id.* at 4:57-5:16; 5:59-67; 6:41-59; 12:55-13:7)

11. In one embodiment of the invention, personnel operating a work station can enter information to be displayed from an external mediator via projector control instructions in the exposure list created by the server. (*Id.* at 8:10-26) Operators are able to interrupt a queue in the server in order to update the exposure list with information generated centrally from the control center or with information from an external information mediator. (*Id.*)

12. Information mediators can use an exposure program to deliver complete images (e.g. an image, a series of images or a video clip) for display which would not require processing by the control center, these can be dynamically added to the exposure list by the exposure handler. (*Id.* at 11:19-28) External information mediators can thus deliver a complete image for display (an image, a series of images or a video clip) which can be processed automatically and inserted into the exposure list, or an administrator can select information from an external mediator and process the information so that it can be inserted into the exposure list via the exposure handler. (*Id.* at 8:27-41)

13. On June 3, 2008, U.S. Patent Number 7,382,334, entitled “Digital Information System,” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’334 Patent is attached as Exhibit B to this First Amended Complaint.

14. The innovations described by the ’334 Patent relate to methods and arrangements “for controlling and coordinating” digital display devices “in a digital information system for displaying information on at least one display device” “wherein the information is displayed in places that are accessible to and frequented by a general public.” (’334 Patent at Abstract; 1:13-24; 5:20-32) The present invention is able “to provide a flexible system in which external information mediators are able to dynamically control in real time the transmission of display instructions to a larger public in different places” “and to enable similar or specific information to be displayed in places that are mutually far apart.” (*Id.* at 2:56-60; 3:5-11)

15. A system operating according to an embodiment of the ’334 Patent can include a control center with a communication interface that connects devices to create and update a display list in real time using control instruction fields sent from external mediators and to transmit and display the desired images to one or more electronic displays that can be controlled independently of other electronic displays. (*Id.* at 3:38-60; 5:29-30) In embodiments, the control center can include one or more servers, workstations, and databases stored on one or more physical storage devices, and can include redundancy, of both computer hardware and the information stored, where the devices can be connected using a network, such as a LAN (Local Area Network) or by using a cable-carried ISDN solution (Integrated Services Digital Network) or other fixed lines that have a similar capacity. (*Id.* at 6:17-45; 7:17-29; 11:60-67) In some embodiments, a relational database can be used to store image and video data and each electronic display can be assigned a unique TCP/IP (Transmission Control Protocol/Internet Protocol)

address such that each display can be individually addressed and sent content for display. (*Id.* at 14:50-15:8)

16. In one embodiment of the invention, personnel operating a work station can enter information to be displayed from an external mediator via projector control instructions in the exposure list created by the server. (*Id.* at 9:45-61) Operators are able to interrupt a queue in the server in order to update the exposure list with information generated centrally from the control center or with information from an external information mediator. (*Id.*)

17. Information mediators can use an exposure program to deliver complete images (e.g. an image, a series of images or a video clip) for display which would not require processing by the control center, these can be dynamically added to the exposure list by the exposure handler. (*Id.* at 12:12-22) External information mediators can thus deliver a complete image for display (an image, a series of images or a video clip) which can be processed automatically and inserted into the exposure list, or an administrator can select information from an external mediator and process the information so that it can be inserted into the exposure list via the exposure handler. (*Id.* at 9:62-10:9)

18. T-Rex is the assignee and owner of the right, title and interest in and to the '470 and '334 Patents (henceforth collectively the "patents-in-suit"), including the right to assert all causes of action arising under the patents-in-suit and the right to any remedies for infringement.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. RE39,470**

19. The allegations set forth in the foregoing paragraphs 1 through 18 are hereby re-alleged and incorporated herein by reference.

20. Upon information and belief, in violation of 35 U.S.C. § 271(a), Defendant has directly infringed and continues to directly infringe, literally or under the doctrine of equivalents, one or more claims of the '470 Patent by making, using, offering for sale, selling, or importing

devices or systems, in this judicial district and elsewhere in the United States (directly or through intermediaries), that perform the steps of receiving control instructions from at least one external information mediator, using the control instructions to generate an exposure list that specifies three or more of the following items: i) what information content is to be displayed; ii) at which of a plurality of locations the information content is to be displayed; iii) when the information content is to be displayed for each location at which content is to be displayed; and iv) how long the information content is to be displayed for each location at which content is to be displayed, displaying images at one or more of the locations in accordance with the exposure list, and permitting the exposure list to be dynamically updated as claimed in at least claim 25 of the '470 Patent, without the authority of T-Rex.

21. Upon information and belief, Defendant has directly infringed and continues to directly infringe one or more claims of the '470 Patent by employing content management systems, which include, for example and without limitation, the Symon Design Studio to manage and schedule broadcast content for display in its corporate headquarters in Texas at least during certain demonstrations for customers or for prospective customers.

22. Upon information and belief, in violation of 35 U.S.C. § 271(b), Defendant has induced its customers and continues to induce its customers to infringe, literally or under the doctrine of equivalents, the '470 Patent by providing instructions via its website, or through other documents that induce its customers to directly infringe the '470 Patent and by making, using, offering for sale, selling, or importing devices or systems in the United States, including within this judicial district, that perform the steps of receiving control instructions from at least one external information mediator, using the control instructions to generate an exposure list that specifies three or more of the following items: i) what information content is to be displayed; ii)

at which of a plurality of locations the information content is to be displayed; iii) when the information content is to be displayed for each location at which content is to be displayed; and iv) how long the information content is to be displayed for each location at which content is to be displayed, displaying images at one or more of the locations in accordance with the exposure list, and permitting the exposure list to be dynamically updated as claimed in at least claim 25 of the '470 Patent, without the authority of T-Rex.

23. Defendant induces its customers to infringe the '470 Patent by, for example and without limitation, actively promoting the use of RMG hardware, and services or software to perform the claimed steps. According to Defendant's website, "RMG Enterprise solutions provides a wide range of services, software and hardware and offering vibrant and flexible intelligent digital signage [that] combine real time data and dynamic content in order to communicate information that is timely, targeted and relevant." (<http://www.rmgnetworks.com/company> (embedded video at about 1:21 to about 1:40)) "RMG Enterprise solutions empowers organizations with visual, real-time data . . . . High end graphics, movement and current content keep the screens updated, fresh and appealing. All off this is backed with premium professional services, which include consulting, installation, training, and support services." (<http://www.rmgnetworks.com/enterprise-solutions> (embedded video at about 0:20 to about 0:41)) "With the widest range of capabilities and the most experienced team in the industry, RMG Networks, formerly Symon Communications, can help you meet your business challenges through complete solutions that seamlessly combine best-in-class software, hardware, business applications and services." (<http://www.rmgnetworks.com/enterprise-solutions>) RMG offers its prospective customers a "real-time solution that seamlessly integrates with your systems" in order to "[i]mprove agent productivity and knowledge, call center performance, and profit margins with

immediate information available when and where your staff needs it.” (<http://www.rmgnetworks.com/intelligent-contact-center>) “Our data collectors gather real-time operational stats, filter key performance indicators, and deliver information” in order to “disseminate key performance indicators” (*Id.*) The RMG Networks “Visual Internal Communications solution allows you to push dynamic communications and announcements globally in seconds from a central point of control.” (<http://www.rmgnetworks.com/visual-internal-communications>) “Create and send content changes and messages to your displays . . . with the RMG Networks Design Studio web-based software suite.” (<http://www.rmgnetworks.com/products>) RMG promises its prospective customers “experienced professionals” that “provide the level of support you need, every step of the way.” (<http://www.rmgnetworks.com/services>) Prospective customers can “[d]epend on our RMG Networks consultation and professional services team to integrate your visual communications solution with your existing technologies and data systems.” (*Id.*) Regarding hardware, RMG promises that its “Enterprise Server” can “[c]ollect, store, and deliver critical real-time information transparently with the RMG Networks Symon Enterprise Server (SES). This powerful digital signage software integrates seamlessly with a vast array of third-party data sources to aggregate collected data, filter it, and distribute it in the form that’s right for you.” (<http://www.rmgnetworks.com/products>). RMG assures prospective customers that “a premier visual communications solution from RMG Networks” can be used to leverage “existing technology investments” and that because “RMG solutions are designed to seamlessly integrate with third-party systems and data sources” the resulting integration “provides a central point to collect, synthesize, and repurpose data into engaging, comprehensive, and visually compelling content.” (*Id.*)



24. Defendant had knowledge of the '470 Patent since at least the filing date of the Original Complaint.

25. Because of Defendant's infringing activities, T-Rex has suffered damages and will continue to suffer damages in the future. T-Rex is entitled to recover from Defendant the damages sustained by T-Rex as a result of Defendant's wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT II – INFRINGEMENT OF U.S. PATENT NO. 7,382,334**

26. The allegations set forth in the foregoing paragraphs 1 through 25 are hereby re-alleged and incorporated herein by reference.

27. Upon information and belief, in violation of 35 U.S.C. § 271(a), Defendant has directly infringed and continues to directly infringe, literally or under the doctrine of equivalents, one or more claims of the '334 Patent by making, using, offering for sale, selling, or importing devices or systems, in this judicial district and elsewhere in the United States (directly or through intermediaries), that perform the steps of generating an exposure list comprising control instructions for coordinating and controlling electronic displays with regard to what shall be exposed, when it shall be exposed, where it shall be exposed and for how long it shall be exposed, using a control center for coordinating and controlling electronic displays, where the control center is able to create and update the exposure list in real time, with control instruction fields via dynamic booking of information, in time for exposure, from mediators, and where the exposure list enables each electronic display to be controlled, independently of other electronic displays, to receive the same or different information in accordance with the exposure list for the exposure of respective electronic display as claimed in at least claim 22 of the '334 Patent, without the authority of T-Rex.

28. Upon information and belief, Defendant has directly infringed and continues to directly infringe one or more claims of the '334 Patent by employing content management systems, which include, for example and without limitation, the Symon Design Studio to manage and schedule broadcast content for display in its corporate headquarters in Texas at least during certain demonstrations for customers or for prospective customers.

29. Upon information and belief, in violation of 35 U.S.C. § 271(b), Defendant has induced its customers and continues to induce its customers to infringe, literally or under the doctrine of equivalents, the '334 Patent by providing instructions via its website, or through other documents that induce its customers to directly infringe the '334 Patent and by making, using, offering for sale, selling, or importing devices or systems in the United States, including within this judicial district, that perform the steps of generating an exposure list comprising control instructions for coordinating and controlling electronic displays with regard to what shall be exposed, when it shall be exposed, where it shall be exposed and for how long it shall be exposed, using a control center for coordinating and controlling electronic displays, where the control center is able to create and update the exposure list in real time, with control instruction fields via dynamic booking of information, in time for exposure, from mediators, and where the exposure list enables each electronic display to be controlled, independently of other electronic displays, to receive the same or different information in accordance with the exposure list for the exposure of respective electronic display as claimed in at least claim 22 of the '334 Patent, without the authority of T-Rex

30. Defendant induces its customers to infringe the '334 Patent by, for example and without limitation, actively promoting the use of RMG hardware, and services or software to perform the claimed steps. According to Defendant's website, "RMG Enterprise solutions

provides a wide range of services, software and hardware and offering vibrant and flexible intelligent digital signage [that] combine real time data and dynamic content in order to communicate information that is timely, targeted and relevant.” (<http://www.rmgnetworks.com/company> (embedded video at about 1:21 to about 1:40)) “RMG Enterprise solutions empowers organizations with visual, real-time data . . . High end graphics, movement and current content keep the screens updated, fresh and appealing. All off this is backed with premium professional services, which include consulting, installation, training, and support services.” (<http://www.rmgnetworks.com/enterprise-solutions> (embedded video at about 0:20 to about 0:41)) “With the widest range of capabilities and the most experienced team in the industry, RMG Networks, formerly Symon Communications, can help you meet your business challenges through complete solutions that seamlessly combine best-in-class software, hardware, business applications and services.” (<http://www.rmgnetworks.com/enterprise-solutions>) RMG offers its prospective customers a “real-time solution that seamlessly integrates with your systems” in order to “[i]mprove agent productivity and knowledge, call center performance, and profit margins with immediate information available when and where your staff needs it.” (<http://www.rmgnetworks.com/intelligent-contact-center>) “Our data collectors gather real-time operational stats, filter key performance indicators, and deliver information” in order to “disseminate key performance indicators” (*Id.*) The RMG Networks “Visual Internal Communications solution allows you to push dynamic communications and announcements globally in seconds from a central point of control.” (<http://www.rmgnetworks.com/visual-internal-communications>) “Create and send content changes and messages to your displays . . . with the RMG Networks Design Studio web-based software suite.” (<http://www.rmgnetworks.com/products>) RMG promises its prospective customers “experienced professionals” that “provide the level of support you need, every step of

the way.” (<http://www.rmgnetworks.com/services>) Prospective customers can “[d]epend on our RMG Networks consultation and professional services team to integrate your visual communications solution with your existing technologies and data systems.” (*Id.*) Regarding hardware, RMG promises that its “Enterprise Server” can “[c]ollect, store, and deliver critical real-time information transparently with the RMG Networks Symon Enterprise Server (SES). This powerful digital signage software integrates seamlessly with a vast array of third-party data sources to aggregate collected data, filter it, and distribute it in the form that’s right for you.” (<http://www.rmgnetworks.com/products>). RMG assures prospective customers that “a premier visual communications solution from RMG Networks” can be used to leverage “existing technology investments” and that because “RMG solutions are designed to seamlessly integrate with third-party systems and data sources” the resulting integration “provides a central point to collect, synthesize, and repurpose data into engaging, comprehensive, and visually compelling content.” (*Id.*)

31. Defendant had knowledge of the ’334 Patent since at least the filing date of the Original Complaint.

32. Because of Defendant’s infringing activities, T-Rex has suffered damages and will continue to suffer damages in the future. T-Rex is entitled to recover from Defendant the damages sustained by T-Rex as a result of Defendant’s wrongful acts in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

### **JURY DEMAND**

Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

**PRAYER FOR RELIEF**

Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

A. an adjudication that Defendant has infringed the '470 and '334 Patents by directly infringing as well as by inducing its customers to directly infringe the patents;

B. an award of damages to be paid by Defendant adequate to compensate T-Rex for Defendant's past infringement of the '470 and '334 Patents and any continuing or future infringement through the date such judgment is entered, including prejudgment and post-judgment interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. an injunction ordering Defendant to pay an ongoing royalty in an amount to be determined for any continued infringement after the date judgment is entered; and,

D. an award to T-Rex of such further relief at law or in equity as the Court deems just and proper.

Dated: April 17, 2015

Respectfully submitted,

/s/ Steven R. Daniels

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**Attorneys for Plaintiff  
T-Rex Property AB**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 17, 2015, I electronically filed the foregoing filing with the Clerk of Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Steven R. Daniels  
Steven R. Daniels