

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

TWO-WAY MEDIA LTD

*Plaintiff,*

v.

COMCAST CABLE COMMUNICATIONS, LLC,  
COMCAST INTERACTIVE MEDIA, LLC,  
NBCUNIVERSAL MEDIA, LLC, and  
NBCUNIVERSAL, LLC

*Defendants.*

C.A. No. 14-cv-1006-RGA

JURY TRIAL DEMANDED

**THIRD AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Two-Way Media Ltd (“TWM”) by its undersigned attorneys, for its amended complaint against Defendants Comcast Cable Communications, LLC, Comcast Interactive Media, LLC, NBCUniversal Media, LLC, and NBCUniversal, LLC, hereby alleges the following:

**PARTIES**

1. Plaintiff TWM is a limited partnership existing under the laws of Colorado with its principal place of business at 2042 Alpine Drive, Boulder, Colorado 80304, and with its general partner existing under the laws of Delaware.

2. Plaintiff TWM is informed and believes, and on that basis alleges, that Defendant Comcast Cable Communications, LLC is a limited liability company existing under the laws of Delaware with its principal place of business at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103. Comcast Interactive Media, LLC is a limited liability company existing under the laws of Delaware with its principal place of business at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103. Comcast Cable Communications, LLC and Comcast Interactive Media, LLC (collectively referred to as “Comcast”) are wholly owned indirect and direct subsidiaries respectively of Comcast Corporation, and together form one of the two operating units of Comcast Corporation. Both Comcast Cable Communications, LLC and Comcast Interactive Media, LLC are registered to do

business in Delaware and can be served with process through their registered agent Comcast Capital Corporation at 1201 N. Market Street, Suite 1000, Wilmington, Delaware 19801.

3. Plaintiff TWM is informed and believes, and on that basis alleges, that Defendant NBCUniversal Media, LLC is a limited liability company existing under the laws of Delaware with its principal place of business at 30 Rockefeller Plaza, New York, New York 10112-0015. The sole member and sole owner of NBCUniversal Media, LLC is NBCUniversal, LLC, a limited liability company organized under the laws of the state of Delaware with its principal place of business at 30 Rockefeller Plaza, New York, New York 10112-0015. NBCUniversal Media, LLC and NBCUniversal, LLC (collectively referred to as “NBCU”) are wholly owned indirect subsidiaries of Comcast Corporation, and together form the other operating unit of Comcast Corporation. NBCUniversal Media, LLC is registered to do business in Delaware and can be served with process through its registered agent The Corporation Trust Company at Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. NBCUniversal, LLC is registered to do business in Delaware and can be served with process through its registered agent Comcast Capital Corporation at 1201 N Market Street, Suite 1000, Wilmington, Delaware 19801.

### **JURISDICTION AND VENUE**

4. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*

5. This Court has personal jurisdiction over Comcast and NBCU (collectively, the “Defendants”), as Defendants are residents of Delaware. Moreover, the Defendants have established minimum contacts with this forum such that the exercise of jurisdiction over Defendants would not offend traditional notions of fair play and substantial justice. Upon information and belief, Defendants derive substantial revenue from the sale of products and services, including those accused of infringement, that are placed into the stream of commerce for sale within this district. Defendants expect or are in a position reasonably to expect their actions to have consequences within this district. Defendants continuously do business, solicit business, engage in other persistent

acts of conduct, and derive substantial revenue from services provided to individuals in this district. This Court also has personal jurisdiction over Defendants because they regularly transact business in this judicial district, have committed and continue to commit acts of patent infringement in this district, and have availed themselves of Delaware's corporate laws. Defendants operate websites and other digital assets for the purpose of promoting products and services alleged to infringe TWM's patents. Websites and other digital assets owned and maintained by Defendants can be accessed by users and potential users located in this District. Venue is proper in this federal district pursuant to 28 U.S.C. §§ 1391(a)–(c) and 1400(b) because Defendants reside in this District, have done and continue to do business in this District, and have committed and continue to commit acts of infringement in this District, entitling TWM to relief.

#### **ASSERTED PATENTS**

1. On July 7, 1998, United States Patent No. 5,778,187 (“the ’187 patent”) was duly and legally issued for an invention entitled “Multicasting Method and Apparatus.” A true and correct copy of the ’187 patent is attached as Exhibit 1.

2. On November 9, 1999, United States Patent No. 5,983,005 (“the ’005 patent”) was duly and legally issued for an invention entitled “Multicasting Method and Apparatus.” A true and correct copy of the ’005 patent is attached as Exhibit 2.

3. On August 13, 2002, United States Patent No. 6,434,622 (“the ’622 patent”) was duly and legally issued for an invention entitled “Multicasting Method and Apparatus.” Reexamination Certificates for the ’622 patent issued on September 12, 2006 and December 2, 2008. A true and correct copy of the ’622 patent is attached as Exhibit 3.

4. On September 4, 2007, United States Patent No. 7,266,686 (“the ’686 patent”) was duly and legally issued for an invention entitled “Multicasting Method and Apparatus.” A true and correct copy of the ’686 patent is attached as Exhibit 4.

5. On September 17, 2013, United States Patent No. 8,539,237 (“the ’237 patent”) was duly and legally issued for an invention entitled “Methods and Systems for Playing Media.” A true and correct copy of the ’237 patent is attached as Exhibit 5.

6. The ’187 patent, the ’005 patent, the ’622 patent, the ’686 patent, and the ’237 patent issued from a series of applications claiming priority to May 9, 1996.

7. TWM was assigned the ’187 patent, the ’005 patent, the ’622 patent, the ’686 patent, and the ’237 patent, and continues to hold all rights and interest in all three patents (the “TWM Patents”).

8. Defendants make, use, sell, market, provide, and support products and services for live streaming media, that, for example, infringe the ’622 patent and the ’237 patent.

9. Comcast also makes, uses, sells, markets, provides, and supports products and services for live streaming media, that, for example, infringe the ’187 patent, the ’005 patent, and the ’686 patent.

10. To redress Comcast’s and NBCU’s respective infringement of the ’187 patent, the ’005 patent, the ’622 patent, the ’686 patent, and the ’237 patent, TWM seeks actual damages and a permanent injunction to enjoin all infringement by Defendants. Absent a permanent injunction, TWM faces real, substantial, and irreparable damage and injury of a continuing nature from Defendants’ infringement, for which TWM has no adequate remedy at law.

## **FACTUAL BACKGROUND**

### **The Recent Rise of TV Everywhere Services**

11. The delivery of television programming has changed dramatically in the last five years. In particular, it has expanded to include distributing TV programming through devices other than televisions. In 2008, a study estimated that nearly 1 million U.S. households relied entirely on the Internet for television viewing. By 2010, U.S. cable multi-system operators (“MSOs”) started to see quarterly subscriber declines as former subscribers, known as “cord cutters,” relied upon Internet streaming services (such as YouTube, Hulu and Netflix) for their video programming.

12. In response, the MSOs and other multichannel video programming distributors (“MVPDs”) in 2009 began offering “TV Everywhere” services to their subscribers. TV Everywhere systems allow subscribers to stream content (both video on demand and live TV) to digital platforms (such as personal computers, tablets and smartphones) via the Internet.

13. By 2010, given the rising popularity of receiving TV programming through these digital platforms, many MVPDs and television programmers (e.g., NBCU, HBO, ESPN) had rolled out TV Everywhere services to their subscribers.

14. A survey of U.S. pay TV households published in the first quarter of 2014 indicates that 21% of U.S. pay TV households now access TV Everywhere content across devices and web browsers, and TV Everywhere video consumption grew 246% year-over-year.

### **Two-Way Media and the Patents-in-Suit**

15. TWM’s predecessor in interest, Netcast Communications Corp. (“Netcast”), was a pioneer of technology used for streaming of live (also known as linear or real-time) audio and video over the Internet. Live streaming allows users to receive audio and/or video information over the Internet at approximately the same time as that information is being transmitted, and without having to wait for the entire information to download. In 1995, Netcast founder and TWM managing partner James Butterworth, along with Netcast chief technical officer Antonio Monteiro, invented an interactive distributed client-server architecture that allows live audio and/or video streams to be sent to a large number of users in a reliable and efficient manner, while enabling commercial recordkeeping and marketing functions such as gathering usage statistics, dynamically inserting advertising content into streams, and offering targeted product sales, such as buying music or concert tickets that relate to a song that a user is listening to.

16. TWM owns many patents on audio and visual streaming technology based on the Netcast system. All of these patents claim priority to an original application filed May 9, 1996, entitled “Multicasting Method and Apparatus,” that issued as the ’187 patent. In addition to other TWM patents, continuations of the original application issued as the ’005 patent on July 7, 1998, the

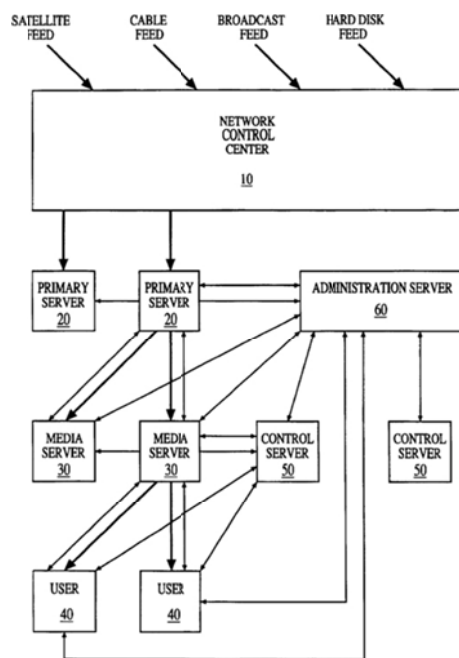
'622 patent on August 13, 2002, the '686 patent on September 4, 2007, and the '237 patent on September 17, 2013.

17. In 2002, Netcast conveyed the '187 patent and all continuations (including the '005, '622, '686, and '237 patents) to Netcast Innovations Ltd., which later that year changed its name to Two-Way Media LLC. In 2011, Two-Way Media LLC converted to a limited partnership and changed its name to Two-Way Media Ltd.

18. The shared specification in the TWM Patents describes a system for transmitting, receiving, and monitoring audio and video streams over the Internet. Before a user can receive audio or video over the Internet, analog transmission signals of audio or video must first be converted to digital signals. This is because computers can process only data or signals that are digital (i.e., data that have been converted to a format consisting of zeroes and ones). In the TWM system, incoming analog and digital audio and/or video signals are received by a central facility, which converts the analog signals to digital signals that computers can understand. This central facility then sends or forwards digitized audio and/or video signals to various computers, or servers, which then transmit the signals to users across the Internet or similar communications networks. The transmissions are monitored to ensure the reliability and accuracy of gathered usage statistics. The servers may also play a role in ensuring that each user receives the particular stream of the user's choosing and that the user receives the signals at substantially the same time that the signals are transmitted from the central facility.

19. The streams sent from the central facility may pass through selected intermediate computers/servers on their route to the user. The intermediate computers/servers direct the stream received from the central facility to the users who have requested that stream. An example of an embodiment of the TWM system from Figure 1 of the TWM Patents is shown below. As can be seen, the Media Servers 30 direct the content stream received from the Primary Servers 20 to the Users 40. The precise number and location of the intermediate servers can vary based on a variety of factors, such as population, number of subscribers, and level of network congestion. Among

other benefits, using intermediate servers introduces scalability into the network, allowing the network to service greater numbers of users as demand increases.



20. In an example embodiment, while the user is receiving the selected content, one or more of the servers may monitor a user's reception of the selected stream and capture certain usage information. The information captured may indicate, for example, the identity (or a proxy for the identity) of the user, the identity of the specific stream that the user requested, how long the user received that stream, the times at which the user received the stream, and the content of the stream. Additionally, server computers, whether at the central facility or at intermediate servers, may insert advertising or programming targeted to users into the streams that are sent to users. The content of the advertising and programming may be varied based on the identity of the user such that the advertising or programming may be targeted to different demographics or geography.

### **Defendants' TV Everywhere Offerings**

21. Defendants offer TV Everywhere services that live stream content via the Internet. For example, subscribers to Comcast's cable service (*e.g.*, XFINITY) can live stream content through Comcast's TV Everywhere service (sometimes called TV Go). Likewise, a user can live stream channels offered by NBCU using its TV Everywhere services. These live streams through TV

Everywhere services can be viewed on workstations and laptops (using standard Web browsers on popular operating systems like Windows, OS X and Linux), and on tablets, smartphones and other devices that use the Apple iOS mobile operating system (*e.g.*, on the iPhone, iPad, and other Apple devices) and the Android mobile operating system (*e.g.*, on all Android-based smartphones and tablets). These tablets, smartphones and other devices run applications (or “apps”) that enable the live streaming.

22. On information and belief, the servers used by Comcast and NBCU for streaming media generate detailed records and usage statistics about the TV Everywhere services.

23. Comcast and NBCU also contract and have relationships with third parties, such as Adobe Systems Incorporated, Conviva, Inc., and comScore, Inc., to gather, store, and process usage statistics related to the TV Everywhere services. On information and belief, these contracts establish a principal-agent relationship between the Defendants and the third parties and obligate the third parties to perform some of the method steps of the TWM Patents. For example, the 2012 privacy policies for “Adobe Products and Services” generally and for Adobe’s SiteCatalyst service specifically state that Adobe acts “as an agent” that collects and processes data on behalf of its corporate clients. The policies further maintain that the corporate clients, who at all times remain the owners of the data, determine the purposes and means of data intake and processing. Adobe’s “Analytics and on-site personalization services” privacy policy states further that “Adobe does not use the information we collect for a company except as may be allowed in a contract with that company.” True and correct copies of these privacy policies, which are freely available on the Internet, are attached as Exhibits 6-9. Additional key quotations from those documents include:

- Defendants “tell[] Adobe what type of information it would like [Adobe] to collect.”
- “All such information is and will remain customer property. . . . Adobe will not review, share, disclose, distribute, print, or reference any such information except as permitted, requested, or directed by the customer or as may be required by law.”
- “[W]e collect and retain the personally identifiable information only on our customers’ behalf, acting as our customers’ agent . . . .”



- “Adobe does not use the information we collect . . . except as may be allowed in a contract with that company.”
- “We and/or our Subsidiaries act as an agent (and data processor in the EU context) to each of our corporate customers . . .”
- “[W]e collect and retain the personally identifiable information only on our customers’ behalf, acting as our customers’ agent.”
- “Adobe acts as an agent to its Customers for the purpose of providing Internet data hosting and optimization products and services. Any information obtained by Adobe from the customer’s websites is and will remain customer property.”
- “It is important that you review the respective privacy policy of each website that you visit, because such privacy policies govern the use of information collected on those websites, including our customer’s use of Adobe products and services where applicable.”

24. Defendants’ software running on the user devices generate these usage statistics and transmit them to the third parties. Upon information and belief, Comcast and NBCU direct or control the gathering of usage statistics with the assistance of the third parties, who are obligated by contract to carry out components of the data collection. For example, Comcast and NBCU provide software, in the form of apps, to their subscribers. Comcast and NBCU then specify what type of information they would like the third party to collect. These specific types of statistics include data related to the delivery of the streaming media, such as the commencement, termination, and duration of the stream. When Defendants’ TV Everywhere service is used, these apps generate statistics that are transmitted to the third parties, who gather them. Pursuant to the contractual relationships between the Defendants and third parties, the third parties are obligated to receive and accumulate the statistics on behalf of Defendants. Upon information and belief, Comcast and NBCU at all times retain the right to alter the data collected, manner of collection, the manner of receipt and storage, and output resulting from the data collection. Accordingly, upon information and belief, the relationship between Comcast and NBCU, on the one hand, and these third parties, on the other hand, goes beyond mere arms-length cooperation.

25. Comcast currently makes available for live streaming at least the following programming streams: BBC World News; beIN Sports and beIN Sports; C-SPAN (including C-SPAN, C-SPAN2, and C-SPAN3); Disney (including the Disney Channel, Disney Junior, Disney XD, ABC Family, FX, and FXX); ESPN (including ESPN, ESPN 2, ESPN 3, ESPNNews, ESPN Deportes, ESPN U, SEC Network, and SEC Network +); Fox (including Fox News, Fox Business, Fox Sports 1, and the Big Ten Network); Nat Geo (including the National Geographic Channel, Nat Geo Wild, and Nat Geo Wild Portuguese); NBCUniversal (including CNBC, MSNBC, NBC Sports Live Extra, NBC Sports Talk Radio, Universal Sports, NBC Olympics, NHL Network, the Golf Channel, Esquire TV, E!, Sprout, USA Network, Syfy, Oxygen, Bravo, mun2, and Deportes Telemundo en Vivo); A&E Networks (A&E, History Channel, ); Scripps (HGTV, Food Network, Cooking Channel, Travel Channel, and DIY Network); Pac-12 Networks (including national, Arizona, Bay Area, Los Angeles, Mountain, Oregon, and Washington); Turner Broadcasting (including CNN, HLN, TNT, TBS, and truTV); Starz; Encore; and Willow TV.

26. NBCU currently makes available for live streaming at least the following programming streams: CNBC, MSNBC, NBC Sports, NBC Sports Radio, NBC Olympics, NBC Sports Tour de France Live, the Golf Channel, Universal Sports Network, Esquire TV, E!, Sprout, USA Network, Syfy, Oxygen, Bravo, mun2, and Deportes Telemundo en Vivo.

**INFRINGEMENT OF U.S. PATENT NO. 5,778,187**

27. TWM incorporates and re-alleges paragraphs 1 through 26 as if fully set forth herein.

28. Comcast has been and still is infringing one or more claims of the '187 patent, literally or under the doctrine of equivalents, by, for example, live streaming one or more of the channels identified in paragraph 25 above through apps running on one or more of the platforms and devices identified in paragraph 21 above.

29. Comcast also has been and still is jointly infringing one or more claims of the '187 patent by, for example, contracting out for services related to the gathering of usage statistics and recordkeeping to third parties. As set forth in paragraphs 23 and 24, upon information and belief,

Comcast exercises direction or control over these activities of gathering usage statistics and recordkeeping. Additionally, Comcast in combination with one or more of these third parties performs each and every step of one or more claims of the '187 patent.

30. This constitutes direct infringement under 35 U.S.C. § 271(a) because Comcast is making, using, offering for sale and selling, or controlling and directing the making, using, offering for sale and selling of, the methods and systems claimed in the '187 patent.

31. As a direct and proximate result of Comcast's acts of infringement, TWM has been, is being, and will be damaged. Comcast's continued infringement of TWM's exclusive rights under the '187 patent will continue to damage TWM, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

32. TWM also is entitled to recover from Comcast the damages sustained by TWM as a result of Comcast's wrongful acts in an amount subject to proof at trial.

33. At least as early as its receipt of this Complaint, Comcast has had knowledge of the '187 patent and written notice of its infringement.

**INFRINGEMENT OF U.S. PATENT NO. 5,983,005**

34. TWM incorporates and re-alleges paragraphs 1 through 33 as if fully set forth herein.

35. Comcast has been and still is infringing one or more claims of the '005 patent, literally or under the doctrine of equivalents, by, for example, live streaming one or more of the channels identified in paragraph 25 above through apps running on one or more of the platforms and devices identified in paragraph 21 above.

36. Comcast also has been and still is jointly infringing one or more claims of the '005 patent by, for example, contracting out for services related to the gathering of usage statistics and recordkeeping to third parties. As set forth in detail in paragraphs 23 and 24, upon information and belief, Comcast exercises direction or control over these activities of gathering usage statistics and recordkeeping. Additionally, Comcast in combination with one or more of these third parties performs each and every step of one or more claims of the '005 patent.

37. This constitutes direct infringement under 35 U.S.C. § 271(a) because Comcast is making, using, offering for sale and selling, or controlling and directing the making, using, offering for sale and selling of, the methods and systems claimed in the '005 patent.

38. As a direct and proximate result of Comcast's acts of infringement, TWM has been, is being, and will be damaged. Comcast's continued infringement of TWM's exclusive rights under the '005 patent will continue to damage TWM, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

39. TWM also is entitled to recover from Comcast the damages sustained by TWM as a result of Comcast's wrongful acts in an amount subject to proof at trial.

40. At least as early as its receipt of this Complaint, Comcast has had knowledge of the '005 patent and written notice of its infringement.

**INFRINGEMENT OF U.S. PATENT NO. 6,434,622**

41. TWM incorporates and re-alleges paragraphs 1 through 40 as if fully set forth herein.

42. Defendants have been and still are infringing one or more claims of the '622 patent, literally or under the doctrine of equivalents, by, for example, live streaming one or more of the channels identified in paragraphs 25-26 above through apps run on one or more of the platforms and devices identified in paragraph 21 above.

43. Defendants also have been and still are jointly infringing one or more claims of the '622 patent by, for example, contracting out for services related to the gathering of usage statistics and recordkeeping to third parties. As set forth in detail in paragraphs 23 and 24, upon information and belief, Defendants exercise direction or control over these activities of gathering usage statistics and recordkeeping. Additionally, Defendants in combination with one or more of these third parties perform each and every step of one or more claims of the '622 patent.

44. This constitutes direct infringement under 35 U.S.C. § 271(a) because Defendants are making, using, offering for sale and selling, or controlling and directing the making, using, offering for sale and selling of, the methods and systems claimed in the '622 patent.

45. As a direct and proximate result of Defendants' acts of infringement, TWM has been, is being, and will be damaged. Defendants' continued infringement of TWM's exclusive rights under the '622 patent will continue to damage TWM, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

46. TWM also is entitled to recover from Defendants the damages sustained by TWM as a result of Defendants' wrongful acts in an amount subject to proof at trial.

47. At least as early as its receipt of this Complaint, Defendants have had knowledge of the '622 patent and written notice of its infringement.

**INFRINGEMENT OF U.S. PATENT NO. 7,266,686**

48. TWM incorporates and re-alleges paragraphs 1 through 47 as if fully set forth herein.

49. Comcast has been and still is infringing one or more claims of the '686 patent, literally or under the doctrine of equivalents, by, for example, live streaming one or more of the channels identified in paragraph 25 above through apps running on one or more of the platforms and devices identified in paragraph 21 above.

50. Comcast also has been and still is jointly infringing one or more claims of the '686 patent by, for example, contracting out for services related to the gathering of usage statistics and recordkeeping to third parties. As set forth in detail in paragraphs 23 and 24, upon information and belief, Comcast exercises direction or control over these activities of gathering usage statistics and recordkeeping. Additionally, Comcast in combination with one or more of these third parties performs each and every step of one or more claims of the '686 patent.

51. This constitutes direct infringement under 35 U.S.C. § 271(a) because Comcast is making, using, offering for sale and selling, or controlling and directing the making, using, offering for sale and selling of, the methods and systems claimed in the '686 patent.

52. As a direct and proximate result of Comcast's acts of infringement, TWM has been, is being, and will be damaged. Comcast's continued infringement of TWM's exclusive rights under

the '686 patent will continue to damage TWM, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

53. TWM also is entitled to recover from Comcast the damages sustained by TWM as a result of Comcast's wrongful acts in an amount subject to proof at trial.

54. At least as early as its receipt of this Complaint, Comcast has had knowledge of the '686 patent and written notice of its infringement.

**INFRINGEMENT OF U.S. PATENT NO. 8,539,237**

55. TWM incorporates and re-alleges paragraphs 1 through 54 as if fully set forth herein.

56. Defendants have been and still are infringing one or more claims of the '237 patent, literally or under the doctrine of equivalents, by, for example, live streaming one or more of the channels identified in paragraphs 25-26 above through apps run on one or more of the platforms and devices identified in paragraph 21 above. This constitutes direct infringement under 35 U.S.C. § 271(a) because Defendants are making, using, offering for sale and selling the methods and systems claimed in the '237 patent.

57. As a direct and proximate result of Defendants' acts of infringement, TWM has been, is being, and will be damaged. Defendants' continued infringement of TWM's exclusive rights under the '237 patent will continue to damage TWM, causing irreparable harm for which there is no adequate remedy at law, unless enjoined by this Court.

58. TWM also is entitled to recover from Defendants the damages sustained by TWM as a result of Defendants' wrongful acts in an amount subject to proof at trial.

59. At least as early as its receipt of this Complaint, Defendants have had knowledge of the '237 patent and written notice of its infringement.

**PRAYER FOR RELIEF**

TWM respectfully requests entry of judgment in its favor and against Defendants as follows:

- (a) Declaring that Comcast has infringed and continues to infringe the '187 patent, the '005 patent, the '622 patent, the '686 patent, and the '237 patent;

- (b) Declaring that NBCU has infringed and continues to infringe the '622 patent and the '237 patent;
- (c) Declaring that the asserted patents are valid and enforceable;
- (d) Awarding damages as warranted under 35 U.S.C. § 284 arising out of Comcast's infringement of the '187 patent, the '005 patent, the '622 patent, the '686 patent, and the '237 patent, together with prejudgment and post-judgment interest, costs, and disbursements, in an amount according to proof;
- (e) Awarding damages as warranted under 35 U.S.C. § 284 arising out of NBCU's infringement of the '622 patent and the '237 patent, together with prejudgment and post-judgment interest, costs, and disbursements, in an amount according to proof;
- (f) Permanently enjoining Comcast and its officers, agents, employees, and those acting in privity with them, from further infringement of the '187 patent, the '005 patent, the '622 patent, the '686 patent, and the '237 patent;
- (g) Permanently enjoining NBCU and its officers, agents, employees, and those acting in privity with them, from further infringement of the '622 patent and the '237 patent;
- (h) Requiring Defendants to file with this Court, within thirty (30) days after the entry of final judgment, a written statement under oath setting forth in detail the manner in which they have complied with the injunctions;
- (i) Requiring Defendants to file with this Court an accounting for infringing acts not presented at trial and an award by the Court of additional damages for such acts;
- (j) A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to TWM its reasonable attorneys' fees; and
- (k) Such other and further relief in law or in equity to which TWM may be justly entitled.

**DEMAND FOR JURY TRIAL**

TWM respectfully requests a trial by jury on all issues so triable.

DATED: August 10, 2015

Respectfully submitted,

FARNAN LLP

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